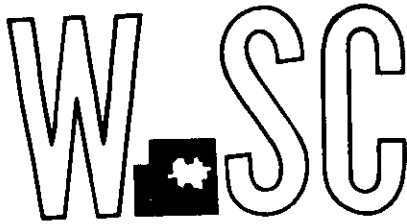


WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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

July 8, 1983

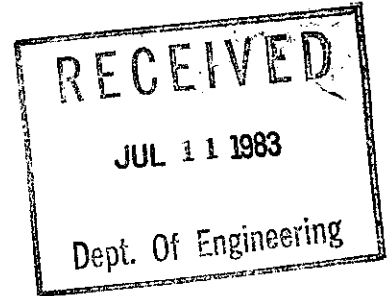
Baughman Company, P.A.
330 Laura
Wichita, Ks. 67211

Re: S/D 83-47 - Preliminary plat of Southlake 3rd Addition

Gentlemen:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission, July 7, 1983, 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. A final drainage plan shall be submitted prior to submission of a final plat. If this is done before completion of the South Seneca-Midland Valley Drainage Study and adoption of a comprehensive drainage project for that area, on-site retention of all drainage waters created by the development of the site will be required.
- B. The applicant shall guarantee all drainage improvements required by the platting of this property.
- C. In order to connect existing street rights-of-way for Clarence to the north and to the south of this proposed lot, the east 35 feet of this property north of 44th Street shall be dedicated for Clarence. In lieu of this, the applicant may contact the owner of Silver Spur Second Addition and get him to jointly submit an application to vacate Clarence as platted in that addition. Vacation of Clarence Street within Silver Spur Second Addition should occur prior to or in conjunction with the final platting of Southlake 3rd Addition.
- D. The applicant shall guarantee the paving of Clarence north of 45th Street South and shall attempt to obtain a valid petition for paving Clarence from 45th to 47th Streets South. In circulating the petition for paving Clarence to the south, the signature of any property owner opposed to the paving shall be obtained on a document stating this opposition so that it can be determined that all property owners in the benefit district were contacted.



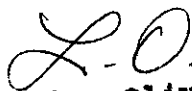
Baughman Company, P.A.
Page 2, July 8, 1983

- E. The applicant shall guarantee the construction of side-walks on Clarence and 45th Street adjacent to this plat.
- F. The applicant shall provide proof, by letter from Cities Service or by copy of the easement agreement, that the pipeline easement width and location as shown are correct and that no building setback from the easement is required. Appropriate recording data for the easement shall be indicated on the final plat. Any lowering or relocation of the pipeline required by development of this property will not be at the expense of the City.
- G. The utility easement along the west line of the plat shall be increased to 12 feet.
- H. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the Subdivision Regulations.
- I. 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,


Louise Olivarez
Senior Planner

LO:bh

cc: Melvin Davis, 4141 S. Seneca, 67217
Mike Lindebak, City Engineer

MAINTENANCE COVENANT

This covenant, made in the City of Wichita, State of Kansas, by the owners of SOUTH LAKE 3RD ADDITION.

WHEREAS the owners of SOUTH LAKE 3RD ADDITION, legally described as:

The east 20 acres of the N 1/2 of the SW 1/4 of Sec. 18, Twp. 28-S, R-1-E of the 6th P.M., Sedgwick County, Kansas,

have designated a portion thereof as "FLOODWAY", as an open area and surface water retention pond;

NOW THEREFORE IT IS DECLARED AS FOLLOWS:

1. The ownership and maintenance of FLOODWAY as an open area and surface water retention pond, shall be the responsibility of the owner, heirs, or subsequent owners of SOUTH LAKE 3RD ADDITION.
2. The owners, heirs and assigns of SOUTH LAKE 3RD ADDITION hereby agree to provide soil testing and reports to the City of Wichita prior to any building permit being issued upon any portion of SOUTH LAKE 3RD ADDITION in order to assure maintenance of proper ground water percolation as measured by appropriate standards recognized by the City of Wichita.
3. Said water retention pond may be constructed simultaneously with the construction of improvements on the above described ground. If owner of SOUTH LAKE 3RD ADDITION elects to construct improvements in phases, it may construct the size of said pond proportionate to the amount of improvements actually constructed, provided, however, that said pond shall be of sufficient size to handle any additional water run-off created by said improvements.
4. In the event that the owners of SOUTH LAKE 3RD ADDITION fail at any time to maintain FLOODWAY as an open area and surface water retention pond, the City of Wichita may serve written notice to the owners of SOUTH LAKE 3RD ADDITION, or their successors or assigns, setting forth the manner in which they have failed to fulfill their maintenance obligations. Such notice shall include a statement describing the obligation that has not been fulfilled and shall grant fifteen (15) days time for the commencement and fulfillment within a reasonable time of such obligation.

If said obligation is not fulfilled within a reasonable time, the City of Wichita may perform the obligations listed in the notice of deficiency. All costs incurred by the City of Wichita in carrying out the obligations of the owners of SOUTH LAKE 3RD ADDITION, as herein described, may be billed to the owners of SOUTH LAKE 3RD ADDITION, their successors or assigns.

IN WITNESS WHEREOF, the parties hereunto have dully executed this agreement.

Dated June 15, 1984

Signed Melvin L. Davis
MELVIN L. DAVIS

Signed Barbara L. Davis
BARBARA L. DAVIS

Signed _____

Signed _____

STATE OF KANSAS
County of Sedgwick, ss:

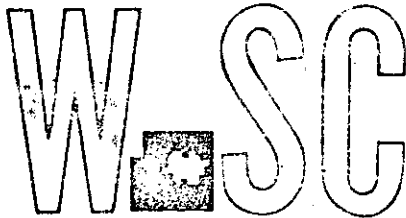
IN WITNESS WHEREOF, I have set my hand and affixed by official seal, this 15th day of June, 1984.

LAUREL DELIMONT
NOTARY PUBLIC
STATE OF KANSAS
My Appointment Expires 8-12-86

Laurel Delimont
NOTARY PUBLIC

My commission expires: 8-12, 1986.

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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

January 20, 1984

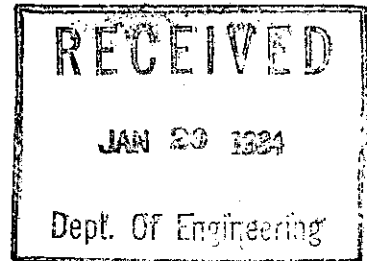
Mr. William Korber
330 Laura
Wichita, Ks. 67211

Re: S/D 83-47 - Final plat of South Lake 3rd Addition

Dear Mr. Korber:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission January 19, 1984, the above-captioned plat was considered. The action of the Committee was to recommend that this plat be approved subject to:

- A. The final plat tracing shall indicate the floodway and all drainage easements required by the applicant's drainage plan for this property.
- B. The applicant shall submit a covenant providing for the perpetual maintenance of the retention pond which is to be constructed within the floodway. Said covenant shall authorize the City to maintain the pond and charge the costs of maintenance to the lot owner(s) in the event the low owner(s) fail to maintain the pond. The covenant shall also state that the pond must be satisfactorily built prior to issuance of any building permits for South Lake 3rd.
- C. Approval of this plat is subject to the completion of the associated vacation case for Clarence Avenue north of this site (V-1237).
- D. The applicant shall guarantee the paving of Clarence north of 45th Street South and shall attempt to obtain a valid petition for paving Clarence from 45th to 47th Streets South. In circulating the petition for paving Clarence to the south, the signature of any property owner opposed to the paving shall be obtained on a document stating this opposition so that it can be determined that all property owners in the benefit district were contacted.



Mr. William Korber
Page 2
January 20, 1984

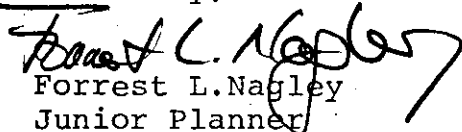
- E. The applicant shall guarantee the construction of sidewalks on Clarence and 45th Street adjacent to this plat.
- F. The final plat tracing shall indicate the Cities Service Pipeline easement on this property. The applicant shall provide proof, by letter from Cities Service or by copy of the easement agreement, that the pipeline easement width and location are shown correctly and that no building setback from the easement is required. Appropriate recording data for the easement shall be indicated on the final plat tracing. Any lowering or relocation of the pipeline required by development of this property will not be at the expense of the City.
- G. As required at the time of preliminary plat review, the utility easement along the west line of the plat shall be increased to 12 feet. This change shall be indicated on the final plat tracing.
- H. Closure computations shall be submitted with the final plat tracing.
- I. Recording of the plat within 30 days after approval by the Board of City Commissioners.

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. The certificate will be required if petitions are submitted. 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 January 26, 1984, at 1:30 p.m. If you have any questions concerning this matter, please call.

Sincerely,


Forrest L. Nagley

Junior Planner

FLN:bh

cc: Mel L. Davis, 4141 S. Seneca, 67217

Roger Mendenhall, The Seneca Const. Co., Inc., 3825 S. Seneca,
67217

+Mike Lindebak, City Engineer

S/D No. 83-47 Name Southlake 3rd Addition
Date Application Rec'd. 5-27-83 Preliminary Approval _____
Scheduled S/D Meeting 6-9-83

DESCRIPTION

General Location Northwest corner of 45th St. South and Clarence Avenue

Owner Melvin L. Davis
Surveyor/Engineer Baughman Company, P.A.
Address 330 Laura, Wichita, Ks. Zip Code 67211 Phone 262-7271

- | | | | |
|--|---|-------------------------------------|------------------------|
| 1. Gross Acreage of Plat | <u>20.0 acres</u> | 7. Lineal Feet of New Street | |
| 2. Number of Lots : | | a. <u>30'</u> R/W <u>626</u> ft. | |
| Residential | <u>1</u> | b. <u>35'</u> R/W <u>659</u> ft. | |
| Commercial | _____ | c. _____ R/W _____ ft. | |
| Industrial | _____ | d. _____ R/W _____ ft. | |
| Other | _____ | e. _____ R/W _____ ft. | |
| Total Number of Lots | <u>1</u> | TOTAL | <u>1285</u> ft. |
| 3. Minimum Lot Frontage | <u>626 ft.</u> | 8. Sidewalk adjacent to all streets | <u>yes</u> <u>X</u> no |
| 4. Minimum Lot Area | <u>827,365.2 sq. ft.</u> | | |
| 5. Existing Zoning | <u>AA</u> | | |
| 6. Proposed Zoning | <u>R-5 (Z-2234)</u> | | |
| 9. Is public water available | <u>X</u> Yes _____ No, Name <u>City of Wichita</u> | | |
| 10. Is sanitary sewer available | <u>X</u> Yes _____ No, Name <u>City of Wichita</u> | | |
| 11. Has Health Dept. approval been obtained (where applicable) | _____ Yes _____ No | | |
| 12. City of Wichita | <u>X</u> 3-Mile Area _____ Outside of 3-Mile Area _____ | | |

STAFF COMMENTS:

Note: The applicant's associated zone case (Z-2234) requesting AA to R-5 has been approved by the Board of City Commissioners subject to platting and subject to impounding drainage waters on the site.

- A. The representative from the City Engineer's office should be prepared to comment on the status of the applicant's drainage concept for this property.
- B. The applicant shall guarantee all drainage improvements required by the platting of this property.
- C. As noted above, "R-5" zoning has been approved for this property subject to platting. R-5 zoning will permit the construction of approximately 348 dwelling units on this site. Access to this site is by way of Clarence Street from the south and 45th from the east and the west. 45th Street to the east is the only paved street. The representative from City Engineering should be prepared to comment on the feasibility of paving 45th Street west to ~~Seneca~~ Meridian and Clarence south to 47th Street South.
- D. The applicant shall guarantee the paving of Clarence north of 45th Street South.
- E. The applicant shall guarantee the construction of sidewalks on Clarence and 45th Street adjacent to this plat.
- F. When Silver Spur Second Addition was platted immediately to the north of this plat, a half street dedication was made for Clarence. In order to connect existing street rights-of-way for Clarence to the north and south of the proposed lot, the entire east 35 feet of this lot shall be dedicated for Clarence. If the applicant is not willing to make this street dedication north of 44th Street, he has the option of contacting the owner of Silver Spur Second Addition and obtaining the vacation of Clarence within that plat. If the owner of Silver Spur 2nd wants to keep the street, then this plat should indicate the east 35 feet as being dedicated for Clarence.

- G. The applicant shall provide proof, by letter from Cities Service Oil Company, that a dedication of street right-of-way over a portion of the pipeline easement is acceptable and that utilities and buildings may be located adjacent to the easement without restriction of an established setback from the easement. Any lowering or relocation of the pipeline within the easement will not be at the expense of the City. Appropriate recording data shall be indicated on the final plat for the pipeline easement.
- H. The applicant shall install or guarantee the installation of all utilities and facilities which are applicable and described in Article 8 of the Subdivision Regulations.
- I. Requirements for a final plat (see pages 20-25, Part 4, Article 5 of the MAPC Subdivision Regulations).

SUBDIVISION REPORT

SUBDIVISION COMMITTEE
METROPOLITAN AREA
PLANNING COMMISSION

S/D No. 83-47 Name South Lake 3rd Addition
Date Application Rec'd. 5-27-83 Preliminary Approval 6-9-83
Scheduled S/D Meeting 12-22-83

DESCRIPTION

General Location Northwest corner of 45th St. South and Clarence Avenue

Owner Melvin L. Davis
Surveyor/Engineer Baughman Company, P.A.
Address 330 Laura, Wichita, Ks. Zip Code 67211 Phone 262-7271

- 1. Gross Acreage of Plat 20.0 acres
- 2. Number of Lots :
 - Residential 1
 - Commercial _____
 - Industrial _____
 - Other _____
- 3. Total Number of Lots 1
- 4. Minimum Lot Frontage 626 ft.
- 5. Minimum Lot Area 827,365.2 sq. ft.
- 6. Existing Zoning AA
- 7. Proposed Zoning R-5 (Z-2234)
- 7. Lineal Feet of New Street
 - a. 30' R/W 626 ft.
 - b. 35' R/W 659 ft.
 - c. _____ R/W _____ ft.
 - d. _____ R/W _____ ft.
 - e. _____ R/W _____ ft.
 - TOTAL 1285 ft.
- 8. Sidewalk adjacent to all streets yes no
- 9. Is public water available Yes No, Name City of Wichita _____
- 10. Is sanitary sewer available Yes No, Name City of Wichita _____
- 11. Has Health Dept. approval been obtained (where applicable) Yes No
- 12. City of Wichita 3-Mile Area _____ Outside of 3-Mile Area _____

STAFF COMMENTS:

- A. The representative from the City Engineer's office should be prepared to comment on the status of both the applicant's drainage plan and the South Seneca-Midland Valley Drainage Study. At the time of preliminary plat review, the applicant was advised that if the Drainage Study was not completed and a comprehensive drainage project had not been adopted by the time the final plat was submitted, then on-site retention of all drainage waters created by the development of the site would be required.
- B. The applicant shall guarantee all drainage improvements required by the platting of this property.
- C. At the time of preliminary plat review, the applicant was given the choice of vacating by separate application the half-street right-of-way for Clarence to the north of this plat or platting the east 35 feet of this property as Clarence Street right-of-way. A separate vacation case has been filed for vacating Clarence to the north of this plat. Approval of this plat is subject to the completion of the associated vacation case.
- D. The applicant shall guarantee the paving of Clarence north of 45th Street South and shall attempt to obtain a valid petition for paving Clarence from 45th to 47th Streets South. In circulating the petition for paving Clarence to the south, the signature of any property owner opposed to the paving shall be obtained on a document stating this opposition so that it can be determined that all property owners in the benefit district were contacted.
- E. The applicant shall guarantee the construction of sidewalks on Clarence and 45th Street adjacent to this plat.
- F. The final plat tracing shall indicate the Cities Service Pipeline easement on this property. The applicant shall provide proof, by letter from Cities Service or by copy of the easement agreement, that the pipeline easement width and location are shown correctly and that no building setback from the easement is required. Appropriate recording data for the easement shall be indicated on the final plat tracing. Any lowering or relocation of the pipeline required by development of this property will not be at the expense of the City.

- G. As required at the time of preliminary plat review, the utility easement along the west line of the plat shall be increased to 12 feet. This change shall be indicated on the final plat tracing.
- H. Closure computations shall be submitted with the final plat tracing.
- I. Recording of the plat within 30 days after approval by the Board of City Commissioners.

THE CITY OF WICHITA
OFFICE OF City Engineer

DATE June 26, 1984

TO Robert Feldner, Superintendent of Central Inspection
FROM Chris Breitenstein, Civil Engineer III

SUBJECT South Lake 3rd Addition -
Maintenance Covenant

Please find attached the maintenance covenant for a surface
water retention pond in South Lake 3rd Addition.

I would call your attention to paragraph 3. If the improvements
are constructed in phases and the pond is also constructed in phases,
sufficient information should be submitted to this office to determine
adequacy of the improvements.

Chris Breitenstein
Civil Engineer III

CB:gr

Attachment

MAINTENANCE COVENANT

This covenant, made in the City of Wichita, State of Kansas, by the owners of SOUTH LAKE 3RD ADDITION.

WHEREAS the owners of SOUTH LAKE 3RD ADDITION, legally described as:

The east 20 acres of the N 1/2 of the SW 1/4 of Sec. 18, Twp. 28-S, R-1-E of the 6th P.M., Sedgwick County, Kansas.

have designated a portion thereof as "FLOODWAY", as an open area and surface water retention pond;

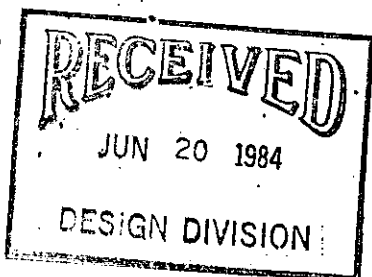
NOW THEREFORE IT IS DECLARED AS FOLLOWS:

1. The ownership and maintenance of FLOODWAY as an open area and surface water retention pond, shall be the responsibility of the owner, heirs, or subsequent owners of SOUTH LAKE 3RD ADDITION.

2. The owners, heirs and assigns of SOUTH LAKE 3RD ADDITION hereby agree to provide soil testing and reports to the City of Wichita prior to any building permit being issued upon any portion of SOUTH LAKE 3RD ADDITION in order to assure maintenance of proper ground water percolation as measured by appropriate standards recognized by the City of Wichita.

3. Said water retention pond may be constructed simultaneously with the construction of improvements on the above described ground. If owner of SOUTH LAKE 3RD ADDITION elects to construct improvements in phases, it may construct the size of said pond proportionate to the amount of improvements actually constructed, provided, however, that said pond shall be of sufficient size to handle any additional water run-off created by said improvements.

4. In the event that the owners of SOUTH LAKE 3RD ADDITION fail at any time to maintain FLOODWAY as an open area and surface water retention pond, the City of Wichita may serve written notice to the owners of SOUTH LAKE 3RD ADDITION, or their successors or assigns, setting forth the manner in which they have failed to fulfill their maintenance obligations. Such notice shall include a statement describing the obligation that has not been fulfilled and shall grant fifteen (15) days time for the commencement and fulfillment within a reasonable time of such obligation.



If said obligation is not fulfilled within a reasonable time, the City of Wichita may perform the obligations listed in the notice of deficiency. All costs incurred by the City of Wichita in carrying out the obligations of the owners of SOUTH LAKE 3RD ADDITION, as herein described, may be billed to the owners of SOUTH LAKE 3RD ADDITION, their successors or assigns.

IN WITNESS WHEREOF, the parties hereunto have dully executed this agreement.

Dated June 15 1984

Signed Melvin L. Davis
MELVIN L. DAVIS

Signed Barbara L. Davis
BARBARA L. DAVIS

Signed _____

Signed _____

STATE OF KANSAS
County of Sedgwick, ss:

IN WITNESS WHEREOF, I have set my hand and affixed by official seal, this 15th day of June, 1984.

LAUREL DELIMONT
NOTARY PUBLIC
STATE OF KANSAS
My Appointment Expires 8-12-86

Laurel Delimont
NOTARY PUBLIC

My commission expires: 8-12, 1986.

RECOMMENDATION FROM MAPC TO BOARD OF CITY COMMISSIONERS

S/D 83-47 - PLAT OF SOUTHLAKE 3RD ADDITION LOCATED AT THE NORTHWEST CORNER OF 45TH STREET SOUTH AND CLARENCE AVENUE.

The Planning Commission recommends approval subject to recording within 30 days after approval by the City Commission.

Bayouth moved, Wilson seconded and it carried unanimously. Crockett and Goebel were absent. (1-26-84)

ACTION:

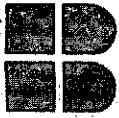
Approve the petitions and instruct the Director of Law to prepare the necessary resolutions; instruct the City Clerk to file the maintenance covenant and certificate of petitions with the Register of Deeds, the recording costs of which shall be billed to the applicant; approve the plat as approved by the Planning Commission and authorize the Mayor to sign.

PLAT DATA

Owner: Melvin Davis
4141 S. Seneca, 67217

Surveyor: Baughman Company, P.A.

Comments: Associated zone case (Z-2234) requesting "AA" to "R-5" (multi-family) zoning has been approved subject to platting. An 82% petition has been submitted for the paving of 45th Street adjacent to this plat. A 92% petition has been submitted for the paving of Clarence north of 45th Street. A requirement of the Planning Commission was for the applicant to attempt to obtain a valid petition to pave Clarence from 45th Street to 47th Street. This was required in order to try and provide paved access to 47th Street from this proposed apartment development. The School Board owns property (Enterprise Elementary School) adjacent to this segment of Clarence. On July 2, 1984, the School Board will sign the petition thereby making it valid. The petition will then be presented to the City Commission for their consideration. A maintenance covenant has been submitted for recording with the plat which provides for the perpetual ownership and maintenance of the Floodway being platted as part of this plat. A certificate confirming the street paving petitions has been submitted for recording. The site is presently served by sanitary sewer and municipal water. The street paving petition provides for the installation of sidewalks. Vacation case V-1237 is associated with this plat. The associated case vacates right-of-way for Clarence Street which was platted to the north of this property.



BAUGHMAN COMPANY, P.A.

SURVEYING & ENGINEERING

316/262-7271 • 330 LAURA • WICHITA, KANSAS 67211

CONFIRMATION MEMO

PROJECT South Lake 3rd Addition
JOB NO. _____
TO Chris Breitenstein, P.E.
FROM N. Brent Wooten
REFERENCE Drainage Concept

DATE June 3, 1983

COPIES TO:

Preliminary plat is scheduled for Subdivision for June 9, 1983.

The plan presented here is a concept only till further development plans are defined. A proposed ditch is to be extended to the east line of this plat or to Clarence as indicated by a CIP by the City of Wichita. This should occur sometime in the next five years.

This lot, if developed prior to that time would have to detain runoff within the plat. Approximately detention site is indicated on the plan. If the lot develops after the ditch improvements occur, the lot could extend pipe east across Clarence into the Ditch.

Calculations are presented here for a detention situation.

$$DA = 18.54 \text{ AC}$$

$$C = 0.50$$

$$Q_p = 0.50(8.98)(18.54) = 83.2 \text{ C.F.S.}$$

Soil type for this Lot is Naron (20%) and Waldeck (80%). Group classification is B and C respectfully. Avg. Group = 81.

For the antecedent storm moisture condition II and the 6" rainfall. Runoff amount = 3.80 inches.

$$\begin{aligned} \text{Volume} &= (3.80 \text{ IN}/12)(18.54 \text{ AC.}) \\ &= 5.9 \text{ AC. FT.} \end{aligned}$$

Allow pond site to elevation bottom of 80 or approximate a 6 foot depth. Volume / 6 ft. = 1 Ac. Ft. surface area or approximate 300' x 150' pond site.