

AFFIDAVIT

STATE OF KANSAS, COUNTY OF SEDGWICK: ss.

Michael E. Lindebak, P.E., City Engineer for the City of Wichita, Kansas, being first duly sworn, on oath states:

I have examined the recorded plat of The Fountains 2nd Addition to Wichita, Sedgwick County Kansas, and have found that one street name was not properly labeled and should be added as follows:

N. Dowell Cir., from N. Dowell St. south to and including cul-de-sac; adjacent to lots 12, & 13, Block 1.

FURTHER AFFIANT SAITH NOT.



Michael E. Lindebak, P.E.

Dated this 28th day of JAN, 1997

(Seal)

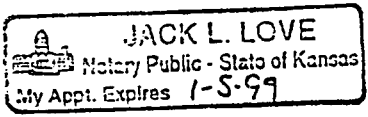
ATTEST:

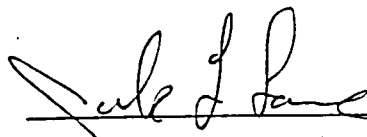


Address Subcommittee Chairperson

STATE OF KANSAS, COUNTY OF SEDGWICK: ss.

Be it remembered that on this 28th, day of JANUARY, 1997, before me a notary public in and for said County and State, came Michael E. Lindebak, to me known to be the same person who executed the foregoing instrument duly acknowledged by me. In testimony whereof, I have hereunto set my hand and affixed my Notarial Seal the day and year above written.





My Appointment Expires 1-5-99

Central

THE

NEW LIFE
CHRISTIAN
CHURCH
ADD.

OAKWOOD DR

RES. B

A1

FOUNTAINS

16

17

7

6

2

27

28

RES A

7

8

2ND

CREST CIR.

CLAY CIR.

THIR

9

10

11

22

23

32

ELLSON

2ND ST.

12

13

RES C

14

ADDITION

23

SECOND

Dowell Cir.

C

6

7

ST.

FIRST

Greenwich

April 4, 1996

STAFF REPORT
(Final Plat)

(Revised Preliminary Plat Approved 3/7/96)
(Final Plat Approved 2/2/95, Preliminary Plat Approved 1/5/95)

CASE NUMBER: S/D 94-85 THE FOUNTAINS SECOND ADDITION

OWNER/APPLICANT: Karl Solomon Investments, 1831 North Rock Rd. Ct. - Suite 101, Wichita, KS 67206

SURVEYOR/ENGINEER: Poe Associates of Kansas, Inc., 434 N. Oliver, Wichita, KS 67208

LOCATION: South side of Central in an area west of Ellson (east of Greenwich Road)

SITE SIZE: 22.3 Acres

NUMBER OF LOTS

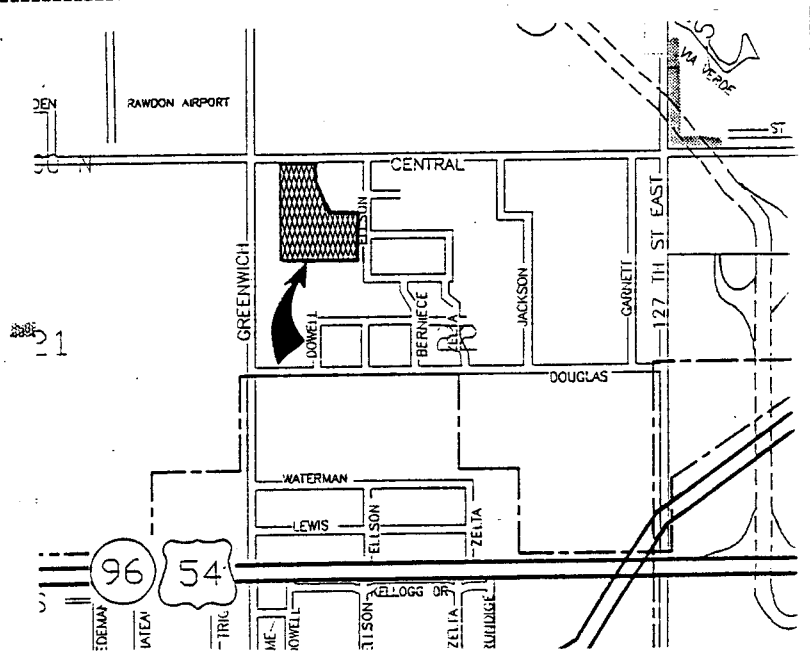
Residential:	52
Office:	
Commercial:	2
Industrial:	
Total:	<u>54</u>

MINIMUM LOT AREA: 8,000 square feet

CURRENT ZONING: "AA" (County) with CU-232 (328 dwelling units/15 per Acre)

PROPOSED ZONING: "AA" and "LC" (SCZ-705)

VICINITY MAP:



NOTE: While a final plat for this site was approved by the MAPC on February 9, 1995, that plat was never completed. Subsequently, a zone change has been submitted for "LC" zoning (SCZ-705), for the portion of the site adjacent to Central. The remainder of the site continues to be platted for one-family development. However, a conditional use (CU-232) is still in effect for all of the site for apartment-type development, which would allow for up to 15 dwelling units per acre, or over 320 units total for this site. With such residential densities, the Subdivision Regulations would require any internal street to be paved to an apartment standard (66 ft. right-of-way, with 37 ft. paving). Further, traffic improvements along Central would also be required if this site develops to both "LC" and apartment-type uses as could exist for the site.

As a condition of the zone change, the applicant has been required to provide cross-lot access to/from the properties either side of the two "LC" lots being platted adjacent to Central. Sidewalk is also required along both Central and the internal street (Dowell/2nd). In order to accommodate the platting of the "LC" lots, the previously approved final plat has been revised largely at the northern portion. Single-family lots have been replatted into two (2) larger "LC" lots, and the interior street has been realigned accordingly on the corresponding northern section.

Overall, the following comments are taken from the requirements originally approved for the site by the MAPC, but with changes based upon the pending zone change (SCZ-705) and the revisions depicted on this replat, as compared to the previously approved final.

STAFF COMMENTS:

- A. This plat shall be subject to approval of the zone change and any relevant requirements of platting. This zone change has been approved by both the MAPC (2/15/96) and the County Commission (3/13/96). As required as a condition of that zone change, the applicant shall submit for review, approval and recording the voluntary development plan agreement.

However, while the applicant noted his desire to retain the conditional use (CU-232) which allowed apartment-type uses in the area of this plat now being shown for single-family development, the MAPC's motion to approve does not indicate any action being taken in that regard. No indication is also apparent that the County Commission supported retention of this conditional use.

Consequently, as indicated in both this plat's (revised) review, the previous plat's (original final) review and stated in Comment B below, removal of the conditional use is a requirement due to the development now actually indicated by this plat.

- B. While this site is in the County and zoned "AA" One-family, a conditional use (CU-232) has established this area for development as a multi-family site. This plat, however, is depicting standard, one-family lots. Since the majority of this site is still being planned for one-family uses, the applicant shall submit a request to the Planning Department for the County to enact a resolution removing conditional use, CU-232. If this site is annexed to the City prior to removal of the conditional use, the applicant is advised that a zone change (from City zoning) may instead be needed. However, the applicant is advised that under the new zoning ordinance, the annexation of property, with a conditional use, may involve a situation in which the annexed property may

have an existing conditional use removed in a more simplified manner, than a zone change. The applicant should contact the Zoning Staff of the Planning Department to discuss any such procedures.

- C. The applicant shall guarantee the extension of municipal water to serve the lots being platted. Since this property will utilize a City of Wichita water supply line in Greenwich Road, the applicant shall submit an outside-the-City water service application and associated restrictive covenant. Again, this agreement is subject to whether the site has been annexed to the City prior to the plat's approval by the City Council.
- D. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. Prior to submitting the final plat for review, the applicant was to meet with appropriate City and County staff to determine which system will be used and consequently what guarantees must be provided for sewer service. City and County Engineering need to indicate how this site will be sewerred and consequently what guarantees will be required (with the City or County).

As noted by County Engineering, additional easements may be required at certain locations on this plat in order to accommodate both City and County sewer lines. Also, as noted by County Engineering regardless of which system serves this site, the site will still be subject to a per lot assessment for the County's Four Mile Creek sewer improvements.

- E. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also as required by the zone change provide for sidewalk along both Central and Dowell/2nd Streets.
- F. The applicant shall guarantee any drainage improvements required by the platting of this property, including the possibility of a detention pond. The final plat tracing shall also indicate minimum building pad elevations for lots adjacent to drainage ponds, as was required by County Engineering. Both on-site and off-site benchmarks shall also be indicated.
- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. As necessary both a City and County Certificate shall be submitted.
- H. As required by the zone change, the applicant shall submit with the final plat tracing for recording, an agreement assuring that the properties east and west of the two "LC" lots will be allowed cross-lot access to/from Central by means of the access openings allowed for these two (2) lots. This agreement shall also note that both the initial access openings to Central and any subsequent relocations of these openings so as to become shared openings with the adjacent properties, will be installed, altered, etc. at the expense of the owners of the involved properties (as required by the zone change). This agreement may be separate from or included within the voluntary development plan agreement noted above.
- I. With or prior to submittal of the final plat tracing, the applicant shall provide an updated plat binder. The present binder in the plat file is dated January 9, 1995 and can no longer be considered acceptable. This plat will be subject to review of a current plat binder and any relevant conditions.

- J. In the plat's text reference is made to utilities being confined to easements within Reserves, including Reserve B. However, Reserve shows no platted easements. Either the plat's text needs to be revised appropriately to not reference such easements for Reserve B or easements need to be platted within this Reserve.
- K. On the final plat tracing, the County Commission's signature block shall be properly depicted. Melody C. Miller should be shown as Chair Pro Tem and either located just below the Chairman's signature line or directly across from it.
- L. 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.
- M. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the appropriate governing body, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
- N. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot or 32-foot narrower street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- O. Since this plat involves the platting of narrow street right-of-way (32-foot) with adjacent "15-foot street, drainage and utility easements," a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings.
- P. The final plat tracing shall indicate all of the easements requested by KG&E and Southwestern Bell which were indicated on a marked copy of the preliminary plat submitted to the applicant's agent following approval of the preliminary plat. This plat is only showing two of the eleven requested easements.
- Q. 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.
- R. 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.
- S. 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.

- T. The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294) or Kansas Department of Wildlife and Parks, P. O. Box 317, Valley Center, KS 67147] for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- U. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- V. Recording of the plat within 30 days after approval by the City Council.
- W. The representatives from County Engineering should be prepared to comment on the status of the applicant's drainage plan.

March 7, 1996

STAFF REPORT
(Revised Preliminary Plat)
(Final Plat Approved 2/2/95, Preliminary Plat Approved 1/5/95)

CASE NUMBER: S/D 94-85 THE FOUNTAINS SECOND ADDITION

OWNER/APPLICANT: Karl Solomon Investments, 1831 North Rock Rd. Ct. - Suite 101, Wichita, KS 67206

SURVEYOR/ENGINEER: Poe Associates of Kansas, Inc., 434 N. Oliver, Wichita, KS 67208

LOCATION: South side of Central in an area west of Ellson (east of Greenwich Road)

SITE SIZE: 22.3 Acres

NUMBER OF LOTS

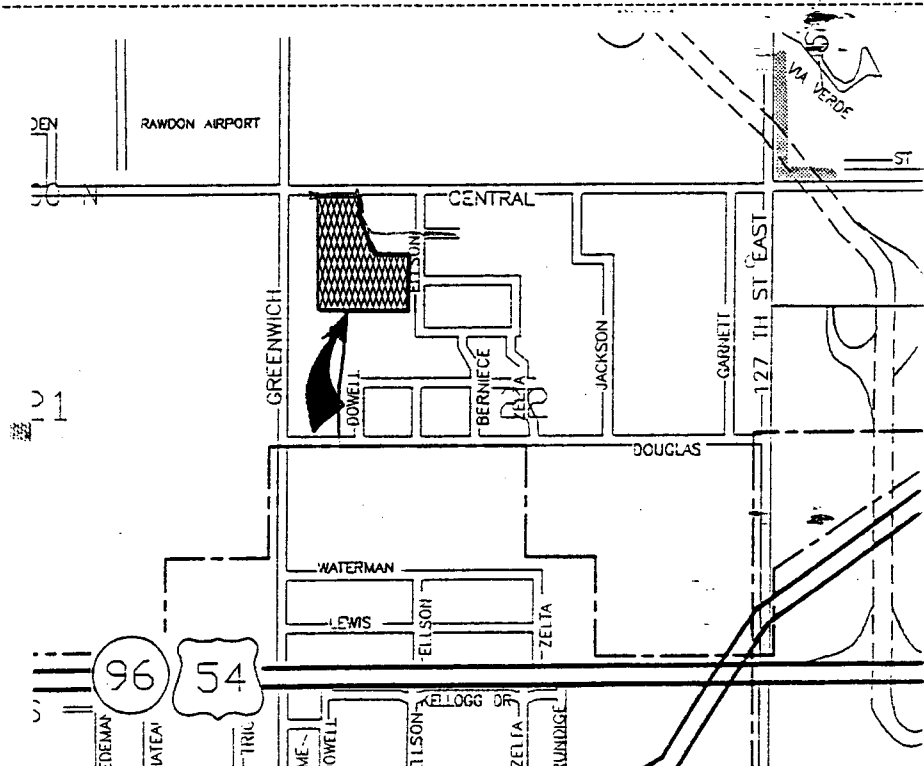
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Total:	<u>54</u>

MINIMUM LOT AREA: 8,000 square feet

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As a condition of the zone change, the applicant has been required to provide cross-lot access to/from the properties either side of the two "LC" lots being platted adjacent to Central. Sidewalk is also required along both Central and the internal street (Dowell/2nd). In order to accommodate the platting of the "LC" lots, the previously approved final plat has been revised largely at the northern portion. Single-family lots have been replatted into two (2) larger "LC" lots, and the interior street has been realigned accordingly on the corresponding northern section. A change to Reserve "C" is also shown and at the site's southwest corner, a non-standard street, without a turnaround is now being shown while the original plat had indicated a more standard 32-foot street with a turnaround.

Overall, the following comments are taken from the requirements originally approved for the site by the MAPC, but with changes based upon the pending zone change (SCZ-705) and the revisions depicted on this replat, as compared to the previously approved final.

STAFF COMMENTS:

- A. This plat shall be subject to approval of the zone change any relevant requirements of platting.
- B. While this site is in the County and zoned "AA" One-family, a conditional use (CU-232) has established this area for development as a multi-family site. This plat, however, is depicting standard, one-family lots. Since the majority of this site is still being planned for one-family uses, the applicant shall submit a request to the Planning Department for the County to enact a resolution removing conditional use, CU-232.
- C. The applicant shall guarantee the extension of municipal water to serve the lots being platted. Since this property will utilize a City of Wichita water supply line in Greenwich Road, the applicant shall submit an outside-the-City water service application and associated restrictive covenant.
- D. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. This guarantee shall be with the County. The area is within the 4-Mile Creek Service Area.
- E. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also as required by the zone change provide for sidewalk along both Central and Dowell/2nd Streets.
- F. The applicant shall guarantee any drainage improvements required by the platting of this property, including the possibility of a detention pond.

- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. As necessary both a City and County Certificate shall be submitted.
- H. As indicated on the original final plat, a 32-foot street and appropriate turnaround shall be platted for access to Lots 11, 12, and 13 at the southwest corner of this plat. This street shall also show the platting of a 15-foot street-drainage-utility easement around the street's perimeter.
- I. As required by the zone change, the applicant shall submit with the final plat tracing for recording, an agreement assuring that the properties east and west of the two "LC" lots will be allowed cross-lot access to/from Central by means of the access openings allowed for these two (2) lots. This agreement shall also note that both the initial access openings to Central and any subsequent relocations of these openings so as to become shared openings with the adjacent properties, will be installed, altered, etc. at the expense of the owners of the involved properties (as required by the zone change). The face of the final plat shall make note of this access agreement having been created by separate instrument.
- J. As required by the Subdivision Regulations, the final plat shall indicate for the two (2) "LC" lots, a 35-foot building setback to Central and a 20-foot building setback to Dowell.
- K. The final plat shall state in the plattor's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- L. 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.
- M. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the appropriate governing body, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.
- N. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot or 32-foot narrower street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- O. Since this plat involves the platting of narrow street right-of-way (32-foot) with adjacent "15-foot street, drainage and utility easements," a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings.

- P. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- Q. 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.
- R. 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.
- S. 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.
- T. 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.
- U. As indicated by County Engineering during review of the original plat, certain lots may require a minimum building pad elevation. The applicant shall meet with County Engineering to determine any such requirements and the final plat tracing shall if required reference such minimum pad elevations. Any needed benchmarks shall also be shown.
- V. The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294) or Kansas Department of Wildlife and Parks, P. O. Box 317, Valley Center, KS 67147] for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- W. The representatives from County Engineering should be prepared to comment on the status of the applicant's drainage concept.

**SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION**

AGENDA ITEM NO. 1

February 2, 1995

STAFF REPORT

(Final Plat, Preliminary Plat Approved 1/5/95)

CASE NUMBER: S/D 94-85 THE FOUNTAINS SECOND ADDITION

OWNER/APPLICANT: Karl Solomon Investments, 1831 North Rock Rd. Ct., Wichita, KS 67206

SURVEYOR/ENGINEER: Yung Design Group, c/o Terry Smythe, 4912 E. 29th Street North - #1,
Wichita, KS 67220
and
Poe Associates of Kansas, Inc., 434 N. Oliver, Wichita, KS 67208

LOCATION: South side of Central in an area west of Ellson (east of Greenwich Road)

SITE SIZE: 22.0 Acres

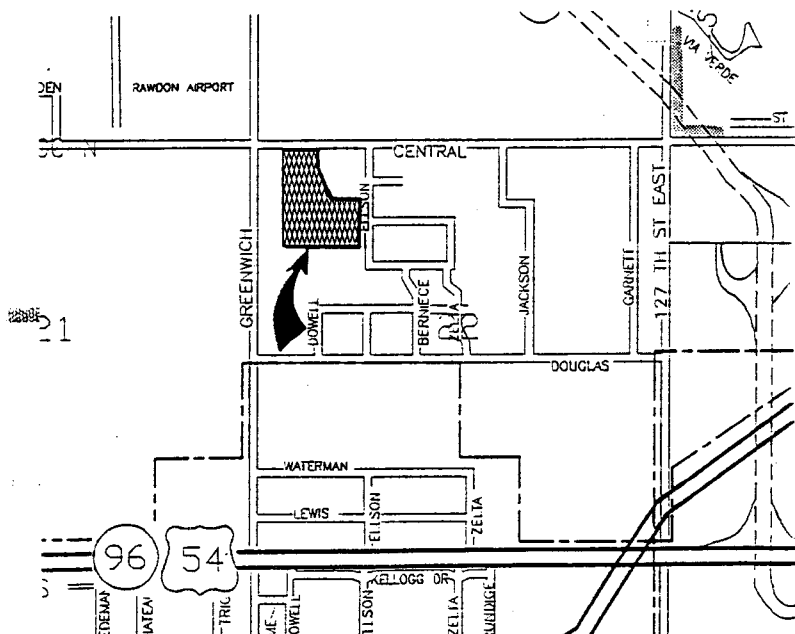
NUMBER OF LOTS

Residential:	62
Office:	
Commercial:	
Industrial:	
Total:	62

MINIMUM LOT AREA: 8,000 square feet

CURRENT ZONING: "AA" (County) with CU-232 (328 dwelling units/15 per Acre)

VICINITY MAP:



STAFF COMMENTS:

- A. While this site is in the County and zoned "AA" One-family, a conditional use (CU-232) has established this area for development as a multi-family site. This plat, however, is depicting standard, one-family lots. Since this site is apparently now being planned for one-family uses, the applicant shall submit a request to the Planning Department for the County to enact a resolution removing conditional use, CU-232.
- B. The applicant shall guarantee the extension of municipal water to serve the lots being platted. Since this property will utilize a City of Wichita water supply line in Greenwich Road, the applicant shall submit an outside-the-City water service application and associated restrictive covenant.
- C. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. This guarantee shall be with the County. The area is within the 4-Mile Creek Service Area.
- D. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also provide for sidewalk along one side of Dowell/2nd Street.
- E. The applicant shall guarantee any drainage improvements required by the platting of this property, including the possibility of a detention pond.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. As necessary both a City and County Certificate shall be submitted.
- G. Since this plat is proposing a narrow 32-foot street, this street shall also show the platting of a 15-foot street-drainage-utility easement around the street's perimeter.
- H. In regard to Reserve A, either an easement needs to be shown within this Reserve or the plat's text should be amended in regard to the comment concerning utilities confined to easements.
- I. 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. This covenant shall also provide for the homeowners association to maintain the "parking strip" area long the plat's north line or the area between this plat and Central's driving surface.
- J. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.

At the time The Fountains (1st) Addition was platted, a floodway was designated across the site. As appropriate, the final plat (Reserves) was to be adjusted to indicate any such floodway(s). If a floodway is needed, the plat's text shall note the standard floodway language. County Engineering was to look at the final drainage plan before making a decision if a floodway is required. This plat does not indicate a floodway and Engineering needs to indicate if this is correct.

- K. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot or 32-foot narrower street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- L. Since this plat proposes the platting of narrow street right-of-way with adjacent "15-foot street, drainage and utility easements," a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings. Any plantings within the easement shall be reviewed by the City Forestry Division prior to installation.
- M. On the final plat tracing, the MAPC signature block shall be amended to indicate John W. McKay, Jr. as Chairman.
- N. The applicant is advised that the County Commission has selected a new chairman and chairman pro-tem. The Commission's signature block shall be revised therefore, to reflect the new order for Commissioner signatures.
- O. 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.
- P. 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.
- Q. 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.
- R. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- S. The representative from County Engineering should be prepared to comment on the status of the applicant's drainage plan. Also, Engineering needs to comment on the need to plat a floodway and consequently if there are any minimum building pad requirements for this site.
- T. The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, David Hibbs, Kanopolis Project Office, Rt. 1, Box 30,

Marquette, KS 67464 (913-546-2294) or Ron Little, Kansas Department of Fish and Wildlife, P. O. Box 317, Valley Center, KS 67147] for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.

- U. Perimeter closure computations shall be submitted with the final plat tracing Section 5-101(c).
- V. Recording of the plat within 30 days after approval by the City Council.
- W. The representative from County Engineering should be prepared to comment on the status of the applicant's drainage plan. Also, Engineering needs to indicate if a floodway is required to be platted for this site.

January 5, 1995

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 94-85 THE FOUNTAINS SECOND ADDITION

OWNER/APPLICANT: Karl Solomon Investments, 1831 North Rock Rd. Ct., Wichita, KS 67206

SURVEYOR/ENGINEER: Yung Design Group, c/o Terry Smythe, 4912 E. 29th Street North - #1,
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SITE SIZE: 22.0 Acres

NUMBER OF LOTS

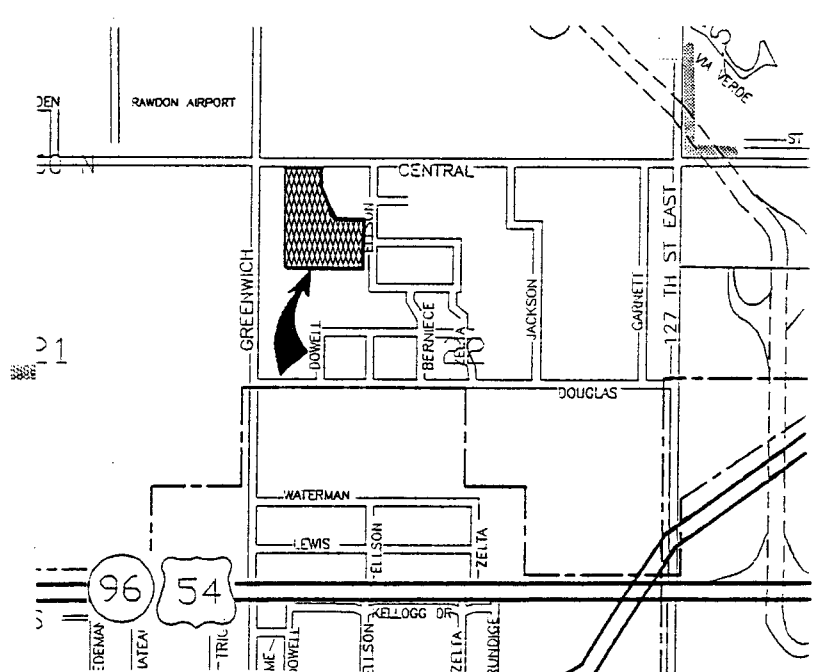
Residential:	62
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MINIMUM LOT AREA: 8,000 square feet

CURRENT ZONING: "AA" (County) with CU-232

PROPOSED ZONING: "AA"

VICINITY MAP:



STAFF COMMENTS:

- A. While this site is in the County and zoned "AA" One-family, a conditional use (CU-232) has established this area for development as a multi-family site. This plat, however, is depicting standard, one-family lots. Since this site is apparently now being planned for one-family uses, the applicant shall submit a request to the Planning Department for the County to enact a resolution removing conditional use, CU-232.
- B. The applicant shall guarantee the extension of municipal water to serve the lots being platted. Since this property will utilize a City of Wichita water supply line in Greenwich Road, the applicant shall submit an outside-the-City water service application and associated restrictive covenant.
- C. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. This guarantee shall be either with the County or City. The area is within the 4-Mile Creek Service Area, but at the time of the original plat, the intention was to use a City line. City and County Engineering need to verify which system is available to this site.
- D. The applicant shall guarantee the paving of the proposed interior streets. This guarantee shall also provide the sidewalk along one side of Dowell/2nd Street.

In regard to the short, narrow street serving Lots 13, 14 & 15 at the southwest corner of the plat, whether allowed as a public street or platted as a Reserve for a private street, the Subdivision Regulations indicate that such a street's right-of-way, paving width and standard, and turnaround requirements shall conform to the standards of the Subdivision Regulations.

The narrowest street right-of-way in the regulations involves a 32-foot standard, with paving to a 29-foot width (back of curb to back of curb) and the platting of 15-foot street-drainage-utility easements around the street's perimeter.

The narrowest pavement width is 21-feet but within a 50-foot right-of-way.

In either case, an appropriate turnaround (circular, "T", "L", etc.) must be provided.

The final plat shall therefore be amended to indicate a public street which meets the requirements of the Subdivision Regulations alluded to above. It should be noted that if a 32-foot street is indicated, a reduced building setback (20-feet) may be indicated.

- E. The applicant shall guarantee any drainage improvements required by the platting of this property.
- F. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording. As necessary both a City and County Certificate shall be submitted.
- G. As was provided on the original plat, major intersection right-of-way needs to be shown at the

northwest corner of the plat. That is, a minor portion of Lot 1's northwest corner should be indicated as a street dedication for Central.

- H. The final plat shall state in the plat's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- I. 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. This covenant shall also provide for the homeowners association to maintain the "parking strip" area long the plat's north line or the area between this plat and Central's driving surface.
- J. For those reserves being platted for drainage purposes, the required covenant which provides for ownership and maintenance of the reserves shall grant, to the City, the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by a method similar to special assessments.

At the time The Fountains (1st) Addition was platted, a floodway was designated across the site. County Engineering needs to indicate if such a designation is still required. As appropriate, the final plat (Reserves) shall be adjusted to indicate any such floodway(s). If a floodway is indicated, the plat's text shall note the standard floodway language.
- K. The applicant shall submit a covenant which provides for four (4) off-street parking spaces per dwelling unit on each lot which abuts a 58-foot or narrower street. The covenant shall inventory the affected lots by lot and block number and shall state that the covenant runs with the land and is binding on future owners and assigns.
- L. If this plat proposes the platting of narrow street right-of-way with adjacent "15-foot street, drainage and utility easements," a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings. Any plantings within the easement shall be reviewed by the City Forestry Division prior to installation.
- M. On the final plat, building setbacks shall be labeled and dimensioned.
- N. On the final plat, Block numbers or letters shall be indicated.
- O. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- P. Prior to or at the time of submitting the final plat, the applicant shall submit a drainage plan to County Engineering for review and approval.

- Q. 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.
- R. 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.
- S. 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.
- T. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- U. The representative from County Engineering should be prepared to comment on the status of the applicant's drainage concept. Also, Engineering needs to comment on the need to plat a floodway and consequently if there are any minimum building pad requirements for this site.
- V. The applicant is advised that various State and Federal requirements [specifically, but not limited to the Army Corps of Engineers, David Hibbs, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294)] for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.