



POE & ASSOCIATES OF KANSAS, INC.
CONSULTING ENGINEERS
5940 E. Central, Suite 200 ■ Wichita, KS 67208-4242
Phone 316/685-4114 ■ FAX 316/685-4444

December 28, 2000

Vicky Huang, P.E.

Public Works - Subdivision Engineering
City Bldg.- 7th Floor, 455 N. Main
Wichita, Kansas 67202

Re: The Lochs at Aberdeen

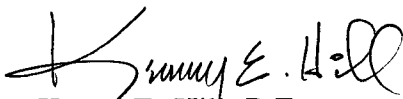
Dear Vicky:

We have enclosed two copies of the Lot Grading Plan and the Drainage Plan for the above captioned addition. This development is a re-plat of part of Aberdeen 3rd Addition. We are planning to submit it to the Planning Department as a one step plat. It will probably be on the agenda for the next subdivision committee meeting. The sanitary sewers are shown on the preliminary plat.

Please review the plans and contact us if you require any revisions.

Sincerely,

POE & ASSOCIATES of KANSAS, INC.


Kenny E. Hill, P.E.
Vice President

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CONSULTING ENGINEERS
5940 E. Central, Suite 200 ■ Wichita, KS 67208-4242
Phone 316/685-4114 ■ FAX 316/685-4444

January 8, 2001

Vicky Huang, P.E.

Public Works - Subdivision Engineering
City Bldg.- 7th Floor, 455 N. Main
Wichita, Kansas 67202

Re: The Lochs at Aberdeen

Dear Vicky:

The cost estimates for the revised petitions for The Lochs at Aberdeen Addition are as follows:

Sanitary Sewer Extensions

4,700 LF 8" Pipe	\$25	117,500
29 Ea Manholes	2500	<u>72,500</u>
		\$190,000
Contingencies		<u>40,000</u>
Total		\$230,000

Water Line Extensions

2,400 LF 8" Pipe	\$25	60,000
1,800 LF 6" Pipe	22	39,600
80 LF Bore and Encase	150	12,000
4 Ea Fire Hydrants	2200	<u>8,800</u>
		\$120,400
Contingencies		<u>30,100</u>
Total		\$150,500

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Vicky Huang, P.E.
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January 8, 2001

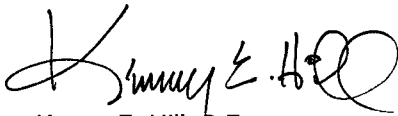
Paving and Drainage

13,900	SY 7" Asphalt Pavement	\$30	417,000
2,050	LF Sidewalk	10	20,500
160	LF 15" RCP	30	4,800
750	LF 18" RCP	35	26,250
410	LF 24" RCP	42	17,220
350	LF 30" RCP	50	17,500
11	Ea Inlets	2500	27,500
4	Ea Double Curb Inlets	3500	14,000
90	SY Rip Rap	35	3,150
260	LF Flowable Fill	10	<u>2,600</u>
			\$550,520
	Contingencies		<u>29,480</u>
	Total		\$580,000

Please review the enclosed petitions and benefit district maps and notify us if you have questions or revisions.

Sincerely,

POE & ASSOCIATES of KANSAS, INC.



Kenny E. Hill, P.E.
Vice President

WATER DISTRIBUTION SYSTEM PETITION

To the Mayor and City Council
Wichita, Kansas

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

IMPROVEMENT DISTRICT

The Lochs at Aberdeen

Lots 1 through 45 inclusive, Block 1
Lots 1 through 20 inclusive, Block 2

Aberdeen 3rd Addition

Lots 1 through 5 inclusive, Block 2

Evangel Assembly of God Addition

Lot 1

do hereby petition, pursuant to the provisions of K.S.A. 1980 Supp. 12-6a01 et seq., as follows:

- (a) That there be constructed a water distribution system, including necessary water mains, pipes, valves, hydrants, meters and appurtenances to serve the area described above, according to plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas.
- (b) That the estimated and probable cost of the foregoing improvements being One Hundred Fifty Thousand Five Hundred Dollars (\$150,500), with 100% percent payable by the improvement district. Said estimated cost as above setforth is hereby increased at the pro rata rate of 1 percent per month from and after February 30, 2001.
- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the improvement for which the improvement district is liable.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Wichita incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Wichita to redesign, repair or reconstruct the

improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

- (d) That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis:

That Lots 1 through 45 inclusive, Block 1 and Lots 1 through 20 inclusive, Block 2 in The Lochs at Aberdeen shall each pay 3/229 of the total cost payable by the improvement district.

That Lots 1 through 5 inclusive, Block 2 in Aberdeen 3rd Addition shall each pay 3/229 of the total cost payable by the improvement district.

That Lot 1, Evangel Assembly of God Addition shall pay 19/229 of the total cost payable by the improvement district.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

2. It is requested that the improvement hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION

SIGNATURE

DATE

IMPROVEMENT DISTRICT

The Lochs at Aberdeen

Lots 1 through 45 inclusive, Block 1

Lots 1 through 20 inclusive, Block 2

LEGAL DESCRIPTION

SIGNATURE

DATE

IMPROVEMENT DISTRICT

Aberdeen 3rd Addition

Lots 1 through 5 inclusive, Block 2

Evangel Assembly of God Addition

Lot 1

SANITARY SEWER PETITION

To the Mayor and City Council
Wichita, Kansas

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

IMPROVEMENT DISTRICT

The Lochs at Aberdeen

Lots 1 through 45 inclusive, Block 1
Lots 1 through 20 inclusive, Block 2

Aberdeen 3rd Addition

Lots 1 through 5 inclusive, Block 2

Evangel assembly of God Addition

Lot 1

do hereby petition pursuant to the provisions of K.S.A. 1980 Supp. 12-6a01 et seq., as follows:

- (a) That there be constructed a lateral sanitary sewer to serve the area described above, according to plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas.
- (b) That the estimated and probable cost of the foregoing improvements being Two Hundred Thirty Thousand (\$230,000), with 100 percent payable by the improvement district. Said estimated cost as above setforth is hereby increased at the pro rata rate of 1 percent per month from and after February 30, 2001.
- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the improvement for which the improvement district is liable.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Wichita incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if

it is necessary for the City of Wichita to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

- (d) That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis:

That Lots 1 through 45 inclusive, Block 1 and Lots 1 through 20 inclusive, Block 2, in The Lochs at Aberdeen Addition, shall each pay 5/382 of the total cost payable by the improvement district.

That Lots 1 through 5 inclusive, Block 2 in Aberdeen 3rd Addition shall each pay 5/382 of the total cost payable by the improvement district.

That Lot 1, Evangel assembly of God Addition shall pay 32/382 of the total cost payable by the improvement district.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

2. (a) It is requested that the improvement hereby petitioned be made without notice and hearing, which, but for this request, would be required by K.S.A. 12-6a04.
- (b) Signatures on this petition are made with full knowledge and understanding that said signatures constitute a waiver of the limitations contained in K.S.A. 12-1013, which appear to limit the assessment for a lateral sewer to not more than one lateral sewer.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition or later than seven (7) days after filing, whichever occurs first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use if and when such improvements are necessary to serve any building which may be constructed on the real property after the date on this petition.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION

SIGNATURE

DATE

IMPROVEMENT DISTRICT

The Lochs at Aberdeen

Lots 1 through 45 inclusive, Block 1

Lots 1 through 20 inclusive, Block 2

Aberdeen 3rd Addition

Lots 1 through 5, Block 2

Evangel Assembly of God Addition

Lot 1

PAVING PETITION

To the Mayor and City Council
Wichita, Kansas

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

IMPROVEMENT DISTRICT

The Lochs at Aberdeen

Lots 1 through 45 inclusive, Block 1
Lots 1 through 20 inclusive, Block 2

Aberdeen 3rd Addition

Lots 1 through 5 inclusive, Block 2

Evangel Assembly of God addition

Lot 1

do hereby petition, pursuant to the provisions of K.S.A. 1980 Supp. 12-6a01 et seq., as follows:

- (a) That there be constructed pavement on COVINGTON from the North line of Lot 1, Block 2, Aberdeen 3rd Addition, South to the North line of 21st Street North, three COVINGTON COURTS adjacent to Lots 2 to 44 in The Lochs at Aberdeen and one COVINGTON COURT adjacent to Lots 1 to 5, Block 2, in Aberdeen 3rd Addition.

That said pavement between aforesaid limits be constructed with plans and specifications to be furnished by the City Engineer of the City of Wichita, Kansas. A sidewalk to be installed along one side of Covington. Drainage to be installed where necessary.

- (b) That the estimated and probable cost of the foregoing improvement being Five Hundred Eighty Thousand Dollars (\$580,000), with 100 percent payable by the improvement district. Said estimated cost as above setforth is hereby increased at the pro rata of 1 percent per month from and after February 30, 2001.
- (c) That the land or area above described be constituted as an improvement district against which shall be assessed 100 percent of the total actual cost of the improvement for which the improvement district is liable.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Wichita incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Wichita to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

- (d) That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis:

Lots 1 through 45 inclusive, Block 1 and Lots 1 through 20 inclusive, Block 2, in The Lochs at Aberdeen Addition shall each pay 10/859 of the total cost payable by the improvement district.

Lots 1 through 5 inclusive, Block 2, Aberdeen 3rd Addition shall each pay 10/859 of the total cost payable by the improvement district.

Lot 1, Evangel Assembly of God Addition shall pay 159/859 of the total cost payable by the improvement district.

Where the ownership of a single lot or tract is or may be divided into two or more parcels, the assessment to the lot or tract so divided shall be assessed to each ownership or parcel on a square foot basis.

Except when driveways are requested to serve a particular tract, lot, or parcel, the cost of said driveway shall be in addition to the assessment to said tract, lot, or parcel and shall be in addition to the assessment for other improvements. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

2. It is requested that the improvements hereby petitioned be made without notice and hearing, which but for this request, would be required by K.S.A. 12-6a04.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing body commences consideration of the petition or later than seven (7) days after filing, whichever comes first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION

SIGNATURE

DATE

IMPROVEMENT DISTRICT

The Lochs at Aberdeen

Lots 1 through 45 inclusive, Block 1

Lots 1 through 20 inclusive, Block 2

Aberdeen 3rd Addition

Lots 1 through 5 inclusive, Block 2

Evangel Assembly of God Addition

Lot 1

STAFF REPORT
(One-Step Final Plat)

CASE NUMBER: SUB 2001-01 -- THE LOCHS AT ABERDEEN

OWNER/APPLICANT: 3AH, Inc., Attn: Jay W. Russell, 12602 W. 13th St., Wichita, KS 67235

SURVEYOR/ENGINEER: Poe and Associates, Attn: Kenny Hill, 5940 E. Central, Wichita, KS 67208

LOCATION: North side of 21st St. North, East of 119th St. West

SITE SIZE: 17.3 Acres

NUMBER OF LOTS

Residential:	65
Office:	
Commercial:	
Industrial:	
Total:	65

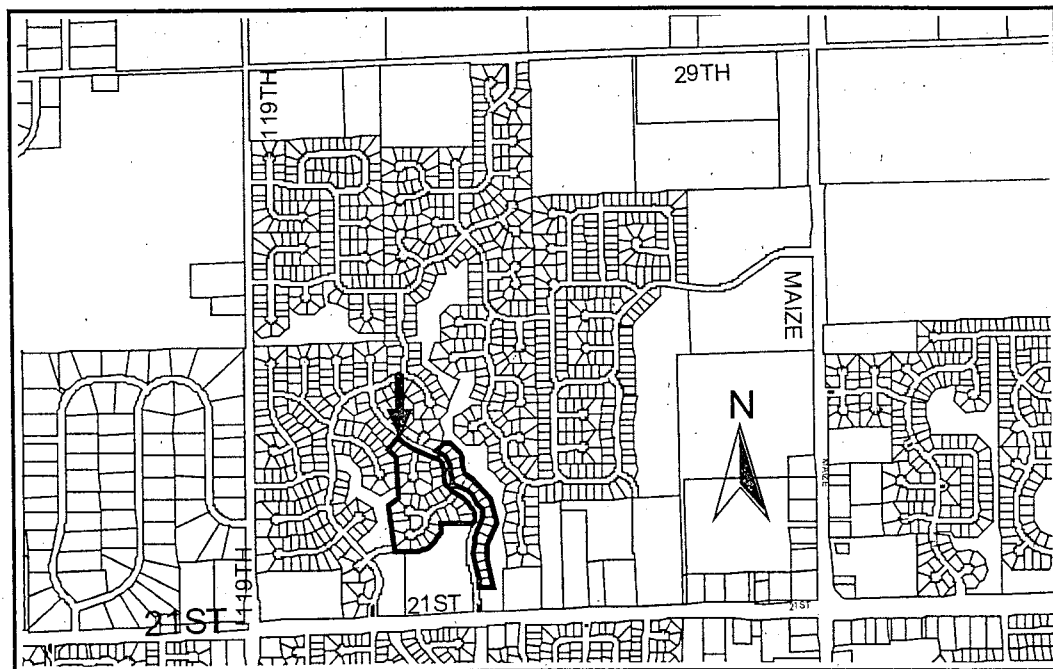
Min Pad

MINIMUM LOT AREA: 5,400 Sq. Ft.

CURRENT ZONING: SF-6, Single-Family Residential

PROPOSED ZONING: Same

VICINITY MAP



SUB 2001-01 -- One-Step Final Plat of THE LOCHS AT ABERDEEN
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Note: This is a replat of a portion of Aberdeen 3rd Addition. The street layout has been revised in regards to the cul-de-sacs; and lot sizes have been reduced to create an additional 11 lots. Cluster development will be utilized for Block 1 in addition to zero lot line dwelling units.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer and municipal water to serve the lots being platted. City Engineering needs to comment on the need for additional guarantees or easements for the site.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning department for recording.
- C. City Engineering needs to comment on the status of the applicant's drainage plan.
- D. 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.
- E. 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 the governing body.
- F. The reserve areas on the preliminary and final plats do not coincide. The applicant needs to confirm that the reserves depicted on the final plat are accurate.
- G. The parking areas intended for Reserves A and B shall be shown on the plat as "parking easements". The easements need to be at least 20-feet deep and no wider than 50 feet. The plat's text shall also reference the platting of these easements.
- H. Because of the landlocked nature of Reserves A and B, a means of access should be provided.
- I. If any of the intended recreational uses for the Reserves include a swimming pool, a site plan shall be submitted with the final plat tracing, for review and approval by the Director of Planning. The site plan shall provide the information indicated in the Subdivision Regulations. Otherwise, a conditional use and public hearing will be needed in the future.
- J. For those reserves being platted for sidewalk purposes, the required covenant, which provides for ownership and maintenance of the reserves, shall establish that the homeowners' association shall maintain the sidewalk system planned for construction outside of the street right-of-way. This covenant shall grant to the City the authority to maintain the sidewalks outside of street right-of-way in the event the owners fail to do so.
- 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 32-foot 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.
- M. City Fire Department needs to comment on the plat's street names.
- N. The plat consists of lots that contain under 6,000 sq. ft., the minimum lot standard of the SF-6 district. The Cluster Development option in the Subdivision Regulations require that any reduction in lot size is offset by the provision of permanent open space. The applicant has indicated that the amount of open space provided in the Reserve A (42,088 sq. ft.) exceeds the cumulative total reduction in lot area (13,684 sq. ft.). In accordance with the Subdivision Regulations, the applicant shall submit specific area calculations for each such lot.
- O. The MAPC Policy Statement regarding Cluster Development states that each open space area shall be a minimum of 10,000 square feet and that no lot reduced in area shall be more than 500 feet from the nearest open space area. Lots 24, 43 and 44, Block 1 are not located within the required 500 feet from Reserve A. A modification from this design standard will need to be approved by the Subdivision Committee.
- P. In addition to the standard restrictive covenant required per Item D above, the Subdivision Regulations require the submittal of a restrictive covenant addressing the Reserves associated with the clustering development. The covenant shall ensure that the open space will not be further subdivided in the future, that the use of open space will continue in perpetuity, and that the common undeveloped open space shall not be turned into a commercial enterprise admitting the general public at a fee.
- Q. The applicant is advised that the side yard setback may be reduced to 10 feet through cluster development.
- R. In accordance with the Subdivision Regulations, maintenance/emergency access easements shall be platted for development of the zero lot line dwellings. The easements shall be a minimum of five feet in width and referenced in the plat's text with the language as specified in the Subdivision Regulations.
- S. The applicant shall guarantee the paving of the proposed interior streets. The guarantee shall also provide for sidewalks along one side of continuous non-cul-de-sac streets.
- T. Lot 7, Block 1 exceeds the maximum lot width to lot depth ratio of 2.5 to 1. A modification will need to be approved.
- U. The plat does not meet the minimum standards adopted by the Kansas State Board of Technical Professions (Regulation #66-12-1, K.S.A. 74-7037): Plat or Certificate of Survey, item #3, #4, #5, #6, and #10.
- V. The applicant proposes to tie together Lot 45, Block 1 by restrictive covenant with the adjoining Evangel Assembly of God Addition. This covenant will need to be provided since the lot is currently landlocked.
- W. The 15-ft drainage and utility easements adjacent to the 32-ft rights-of-way need to also be labelled as street easements.
- X. Lots 19, 24, and 44, Block 1 have missing dimensions.

SUB 2001-01 -- One-Step Final Plat of THE LOCHS AT ABERDEEN
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- Y. The easements on Reserves A and B need to be labelled.
- Z. The legal description needs to be revised as follows: Line 2, (N89°44'W) needs changed to (S89° 59' 44" E). Line 10 (N 44° 23' 18" E) needs changed to (N 44° 23' 18" W). Line 16 (being north of) needs changed to (being west of).
- AA. Based upon the platting binder, property taxes are still outstanding. Before the plat is scheduled for City Council consideration, proof shall be provided indicating that all applicable property taxes have been paid.
- BB. The platting text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.
- CC. 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. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- DD. 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.
- EE. 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 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- FF. 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 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.
- GG. The owner of the subdivision should be aware of the fact that the development of any subdivision greater than five (5) acres in size may require an NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Further, on all construction sites, the City of Wichita requires that best management practices be used to reduce pollutant loadings in storm water runoffs.
- HH. Perimeter closure computations shall be submitted with the final plat tracing.
 - II. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- JJ. The representatives from the utility companies should be prepared to comment on the need for any additional utility easements to be platted on this property.
- KK. The applicant is reminded that a disk shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD. This will be used by the City and County GIS Department.