

Storm Water Permitting Program
Bureau of Water
Kansas Department of Health and Environment
Forbes Field, Bldg 740
Topeka, Kansas 66620-0001

Re: Storm water discharge permit for construction activities

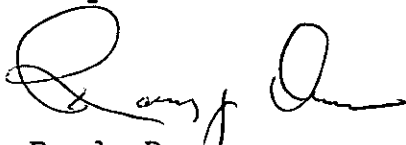
To whom it may concern:

Enclosed is the EPA General Form #1 and a site map for a proposed residential subdivision which is described as follows.

1. The total area of the site is 26 acres half of which has already been developed in phase 1.
2. No known pollutants will be discharged with the storm water other than sediment. This will be controlled during construction by bale type silt fences and by directing drainage to existing ponds.
3. After construction the entire open area in this addition will be planted in grass. Storm sewers will have rip-rap placed at points of discharge to prevent erosion.
4. Our engineers estimate of the Rational Formula C factor for the area after development is 0.5. We estimate that 40% of the area will be impervious after completion of the addition. All fill material will be provided from excavations on this site.
5. Storm water from this area will drain into the Chisholm Creek.

Please contact me if you need additional information.

Yours Truly,
Greystone Construction Inc.



Randy Dean
President

FORM 1 GENERAL	U.S. ENVIRONMENTAL PROTECTION AGENCY GENERAL INFORMATION <i>"Consolidated Permits Program"</i> (Read the "General Instructions" before starting.)	I. EPA I.D. NUMBER F NOT REQUIRED
LABEL ITEMS I. EPA I.D. NUMBER III. FACILITY NAME V. FACILITY MAILING ADDRESS VI. FACILITY LOCATION	GREYSTONE CONSTRUCTION, INC. 1147 N. COACH HOUSE CT. WICHITA, KANSAS 67235	GENERAL INSTRUCTIONS If a preprinted label has been provided, affix it in the designated space. Review the information carefully; if any of it is incorrect, cross through it and enter the correct data in the appropriate fill-in area below. Also, if any of the preprinted data is absent (the area to the left of the label space lists the information that should appear), please provide it in the proper fill-in area(s) below. If the label is complete and correct, you need not complete items I, III, V, and VI (except VI-B which must be completed regardless). Complete all items if no label has been provided. Refer to the instructions for detailed item descriptions and for the legal authorizations under which this data is collected.

II. POLLUTANT CHARACTERISTICS

INSTRUCTIONS: Complete A through J to determine whether you need to submit any permit application forms to the EPA. If you answer "yes" to any questions, you must submit this form and the supplemental form listed in the parenthesis following the question. Mark "X" in the box in the third column if the supplemental form is attached. If you answer "no" to each question, you need not submit any of these forms. You may answer "no" if your activity is excluded from permit requirements; see Section C of the instructions. See also, Section D of the instructions for definitions of bold-faced terms.

SPECIFIC QUESTIONS	MARK "X"			SPECIFIC QUESTIONS	MARK "X"		
	YES	NO	FORM ATTACHED		YES	NO	FORM ATTACHED
A. Is this facility a publicly owned treatment works which results in a discharge to waters of the U.S.? (FORM 2A)		X		B. Does or will this facility (either existing or proposed) include a concentrated animal feeding operation or aquatic animal production facility which results in a discharge to waters of the U.S.? (FORM 2B)		X	
C. Is this a facility which currently results in discharges to waters of the U.S. other than those described in A or B above? (FORM 2C)		X		D. Is this a proposed facility (other than those described in A or B above) which will result in a discharge to waters of the U.S.? (FORM 2D)		X	
E. Does or will this facility treat, store, or dispose of hazardous wastes? (FORM 3)		X		F. Do you or will you inject at this facility industrial or municipal effluent below the lowermost stratum containing, within one quarter mile of the well bore, underground sources of drinking water? (FORM 4)		X	
G. Do you or will you inject at this facility any produced water or other fluids which are brought to the surface in connection with conventional oil or natural gas production, inject fluids used for enhanced recovery of oil or natural gas, or inject fluids for storage of liquid hydrocarbons? (FORM 4)		X		H. Do you or will you inject at this facility fluids for special processes such as mining of sulfur by the Frasch process, solution mining of minerals, in situ combustion of fossil fuel, or recovery of geothermal energy? (FORM 4)		X	
I. Is this facility a proposed stationary source which is one of the 28 industrial categories listed in the instructions and which will potentially emit 100 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)		X		J. Is this facility a proposed stationary source which is NOT one of the 28 industrial categories listed in the instructions and which will potentially emit 250 tons per year of any air pollutant regulated under the Clean Air Act and may affect or be located in an attainment area? (FORM 5)		X	

III. NAME OF FACILITY
 SKIP WHISPERING BROOK ADDITION

IV. FACILITY CONTACT

A. NAME & TITLE (last, first, & title)	B. PHONE (area code & no.)
DEAN, RANDY PRESIDENT	316 721 5193

V. FACILITY MAILING ADDRESS

A. STREET OR P.O. BOX			
1147 N COACH HOUSE CT			
B. CITY OR TOWN		C. STATE	D. ZIP CODE
WICHITA		KS	67235

VI. FACILITY LOCATION

A. STREET, ROUTE NO. OR OTHER SPECIFIC IDENTIFIER			
SEE ATTACHED LOCATION MAP			
B. COUNTY NAME			
SEDGWICK			
C. CITY OR TOWN		D. STATE	E. ZIP CODE
WICHITA		KS	

CONTINUED FROM THE FRONT

VII. SIC CODES (4 digit, in order of priority)

A. FIRST				B. SECOND			
7				7			
C. THIRD				D. FOURTH			
7				7			

VIII. OPERATOR INFORMATION

A. NAME											B. IS THE NAME LISTED IN Item VIII-A also the owner?	
											<input type="checkbox"/> YES <input type="checkbox"/> NO	
C. STATUS OF OPERATOR (Enter the appropriate letter into the answer box. If "Other", specify.)											D. PHONE (GIVE CODE & NO.)	
F = FEDERAL M = PUBLIC (other than federal or state) S = STATE O = OTHER (specify) P = PRIVATE											<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D	
E. STREET OR P.O. BOX												
F. CITY OR TOWN					G. STATE			H. ZIP CODE		IX. INDIAN LAND		
										Is the facility located on Indian lands? <input type="checkbox"/> YES <input type="checkbox"/> NO		

X. EXISTING ENVIRONMENTAL PERMITS

A. NPDES (Discharges to Surface Water)				D. PSD (Air Emissions from Proposed Sources)			
9	N			9	P		
B. UIC (Underground Injection of Fluids)				E. OTHER (specify)			
9	U			(specify)			
C. RCRA (Hazardous Wastes)				E. OTHER (specify)			
9	R			(specify)			

XI. MAP

Attach to this application a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers and other surface water bodies in the map area. See instructions for precise requirements.

XII. NATURE OF BUSINESS (provide a brief description)

CONSTRUCTION OF HOMES IN A PROPOSED RESIDENTIAL SUBDIVISION.

XIII. CERTIFICATION (SEE INSTRUCTIONS)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this application and all attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information contained in the application, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

A. NAME & OFFICIAL TITLE (type or print)		B. SIGNATURE		C. DATE SIGNED	
RANDY DEAN, PRESIDENT				1-14-93	

COMMENTS FOR OFFICIAL USE ONLY

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37TH ST. N.

WICHITA EAST QUADRANGLE

KANSAS—SEDGWICK CO.

7.5 MINUTE SERIES (TOPOGRAPHIC)

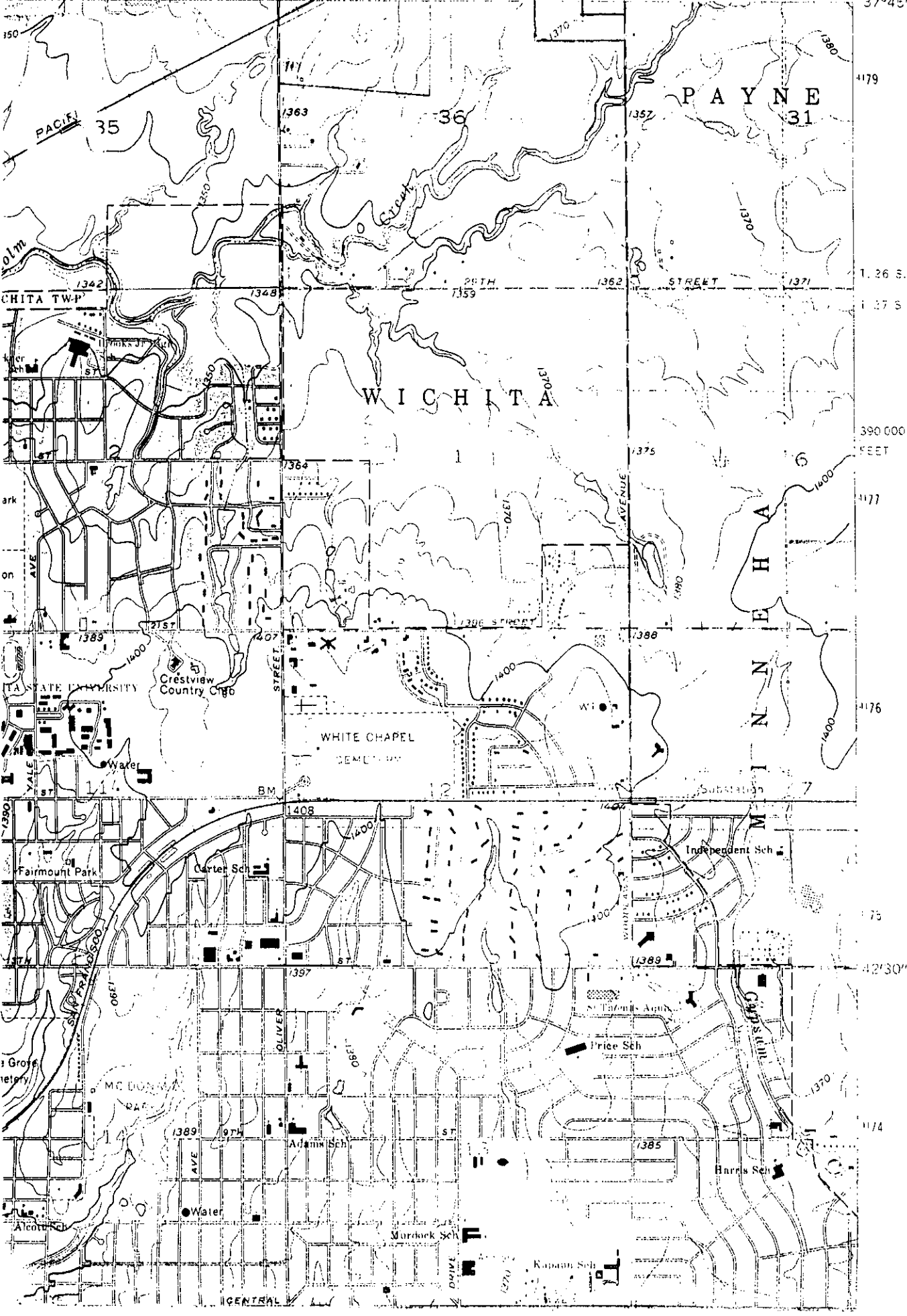
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17°30' 2 350 000 FEET

KECHI J 2 A 152

R 1 E R. 2 E

654 97°15' 37°45'



LETTER OF TRANSMITTAL

DATE 10/2/91

PROJECT REFERENCE WHISPERING BROOK - FINAL PLAT

TO SUZANNE SPRING

FROM TERRY SMYTHE



WE SEND YOU HEREWITH



UNDER SEPARATE COVER

ENCLOSED:



FOR YOUR REVIEW AND APPROVAL



FOR YOUR FILES



FOR YOUR INFORMATION



REVIEW AND RETURN



PER YOUR REQUEST

REMARKS

DRAINAGE PLAN FOR WHISPERING BROOK FINAL PLAT

TO BE SUBMITTED FRIDAY OCT 4, 1991

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 91-52 - WHISPERING BROOK ADDITION

OWNER/APPLICANT: Nestor R. Weigand, Jr., 151 N Market, Wichita, KS 67202

SURVEYOR/ENGINEER: Bill Yung Design, 4912 E. 29th St. N., Suite 1, Wichita, KS 67220; Poe & Associates of Kansas, Inc., 434 North Oliver, Suite 110, Wichita, KS 67208

LOCATION: South of 37th St. North and west of Woodlawn

SITE SIZE: 25 Acres

NUMBER OF LOTS

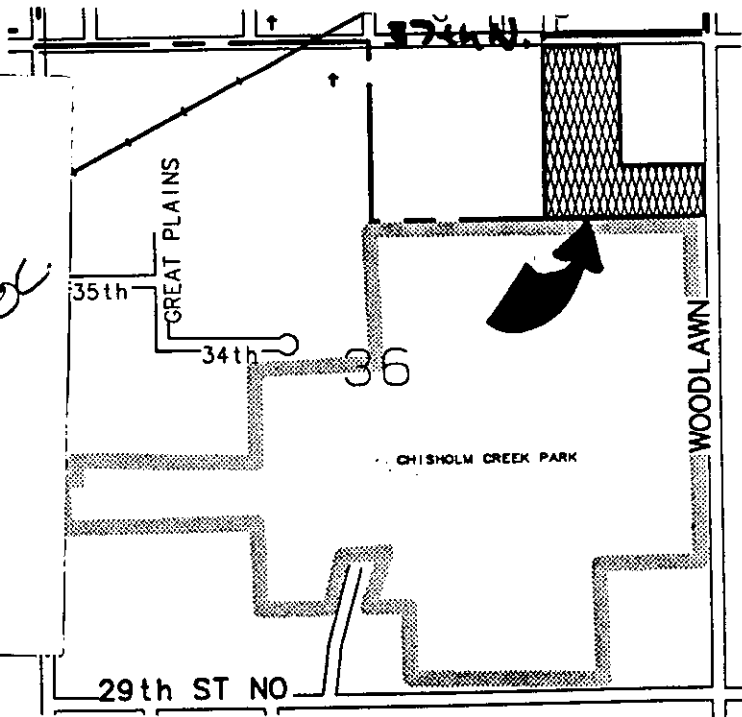
Residential:	84
Office:	
Commercial:	
Industrial:	
Total:	84

MINIMUM LOT AREA: 6,000 sq. ft.

CURRENT ZONING: "AA" One Family Dwelling

VICINITY MAP:

*San. Sew.
 easements
 w/in Reserves?
 POE & Assoc*



STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted.
- C. *Should be - appl. guar. any drainage improvements*
If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- D. The applicant shall guarantee construction of the storm sewers required by this plat.
- E. The applicant shall guarantee the paving of the proposed interior streets.
- F. As required by the sidewalk ordinance, a sidewalk shall be guaranteed along one side of Whispering Brook/Brookview. This is a long continuous street with over 48 lots accessing it and with both ends of the street intersecting an arterial. If the applicant desires, as is implied by the uses for certain Reserves, an alternate sidewalk plan may be submitted for this plat.
- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- H. On the final plat complete access control shall be indicated to 37th St. and Woodlawn across adjacent lots and Reserves.
- I. Except under a CUP, cluster development, or adjacent to narrow 32 foot streets, front yard building setbacks under "AA" zoning are to be platted at 25 feet. The final plat shall therefore indicate all front yard setbacks as 25 feet.
- J. For a Reserve adjacent to the residential streets and for which structures such as gazebos are indicated as a possible use, 25 foot building setbacks shall also be platted.
- K. As indicated by the Subdivision Regulations and the City Street naming ordinance, existing street names should be utilized for new additions where such streets would be logical extensions. For this plat Whispering Brook should be named Farmstead and Brookview named either 35th St. North or Woodbury.

- 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 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. This covenant shall also indicate that the homeowner's association shall maintain the "parking" strip area adjacent to this plat and Woodlawn and 37th St. North.
- 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 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. Certain easements along rear property lines, adjacent to Reserves are only being shown as 10 foot either in the Reserve or on the lots. If these easements are intended for sanitary sewer, 20 foot easements are required and shall be platted. The applicant shall submit with the final plat, to City Engineering, a sanitary sewer layout plan to verify where 20 foot easements are required. As indicated on the plat, utilities within the Reserves are intended to be confined to easements rather than such reserves being a blanket utility easement.
- P. As indicated on the preliminary plat the area to the northeast of the plat is in "AA" and "LC" zoning. The applicant is also apparently the owner of these areas. While it appears that this plat could be designed to include all of the residential zoning into single family development, the owner is likely intending to pursue a zone change. Particularly for the larger area just north of Brookview such a zone change may be doubtful and this plat should take into account the possibility that single family development should still occur.

It would appear that the very same cul-de-sac pattern to the south of Brookview could be platted to the north. To allow for this possibility, contingent street dedications shall be shown in the area of Reserve E for two such streets. This dedication would note that it is contingent upon the area to the north developing for residential uses and with the extension of these streets needed to serve that development.

- 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. Requirements for a final plat (see pages 24-29, Part 4, Article 5 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. 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.
 - V. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
 - W. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage concept.
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SUBDIVISION COMMITTEE
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 3

October 17, 1991

STAFF REPORT
(Final Plat, Preliminary Plat Approved 10/3/91)

CASE NUMBER: S/D 91-52 - WHISPERING BROOK ADDITION

OWNER/APPLICANT: Nestor R. Weigand, Jr., 151 N Market, Wichita, KS 67202

SURVEYOR/ENGINEER: Bill Yung Design, 4912 E. 29th St. N., Suite 1, Wichita, KS 67220; Poe & Associates of Kansas, Inc., 434 North Oliver, Suite 110, Wichita, KS 67208 *Kenny Hill*

LOCATION: South of 37th St. North and west of Woodlawn

SITE SIZE: 25 Acres

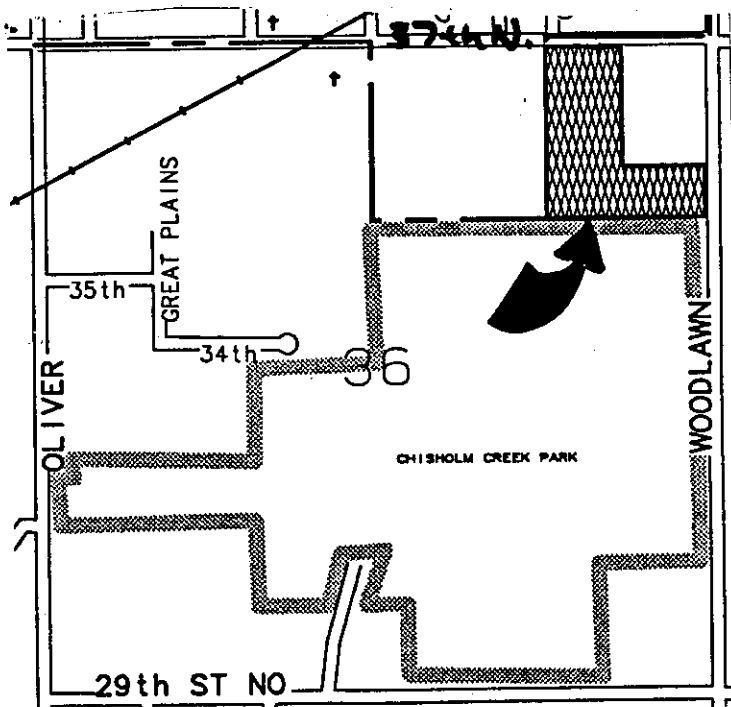
NUMBER OF LOTS

Residential:	84
Office:	
Commercial:	
Industrial:	
Total:	84

MINIMUM LOT AREA: 6,000 sq. ft.

CURRENT ZONING: "AA" One Family Dwelling

VICINITY MAP:



STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
 - B. The applicant shall guarantee the extension of City water to serve the lots being platted.
 - C. The applicant shall guarantee any drainage improvements required by the platting of this property.
 - D. The applicant shall guarantee construction of the storm sewers required by this plat.
 - E. The applicant shall guarantee the paving of the proposed interior streets.
 - F. As required by the sidewalk ordinance, a sidewalk shall be guaranteed along one side of Whispering Brook/Brookview. This is a long continuous street with over 48 lots accessing it and with both ends of the street intersecting an arterial. If the applicant desires, as is implied by the uses for certain Reserves, an alternate sidewalk plan may be submitted for this plat.
 - G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
 - H. *acceptable* City Engineering needs to comment on the sanitary sewer layout planned for this Addition. In particular it appears to be the applicant's intent to provide lots adjacent to certain Reserves, such as B and C, access to sanitary sewer laterals by means of service lines crossing these Reserves to connect to the sewer lines located on the opposite side of the Reserve. Both the length of these connections and the possibility of conflicting uses in the Reserves need to be considered.
 - I. As indicated by the Subdivision Regulations and the City Street naming ordinance, existing street names should be utilized for new additions where such streets would be logical extensions. For this plat Whispering Brook should be named Farmstead and Brookview named either 35th St. North or Woodbury. The applicant has requested and, the Subdivision Committee supports, the waiver of this requirement.
 - J. 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.
-

- K. 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. This covenant shall also indicate that the homeowner's association shall maintain the "parking" strip area adjacent to this plat and Woodlawn and 37th St. North.
- L. 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 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.
- M. As indicated on the preliminary plat the area to the northeast of the plat is in "AA" and "LC" zoning. The applicant is also apparently the owner of these areas. While it appears that this plat could be designed to include all of the residential zoning into single family development, the owner is likely intending to pursue a zone change. Particularly for the larger area just north of Brookview such a zone change may be speculative and this plat should take into account the possibility that single family development should still occur.

It would appear that the very same cul-de-sac pattern to the south of Brookview could be platted to the north. To allow for this possibility, contingent street dedications shall be shown in the area of Reserve E for two such streets. This dedication would note that it is contingent upon the area to the north developing for residential uses and with the extension of these streets needed to serve that development.

- N. Since the final plat is indicating that the applicant wishes to provide contingent street dedications as the means for addressing the possible development of adjacent property, these dedications also need to be referenced in the plattor's text.

*Drainage
Need
Off-site
Easement*

O. As indicated by the drainage concept, this site may require off-site drainage easements or an off-site drainage agreement. If the drainage plan indicates such a need, the easements or agreement shall be submitted to City Engineering for review and approval and subsequently to Planning for recording.

- P. The final plat tracing shall indicate the utility easements requested by K.G. & E. These easements were indicated on a "marked" copy of the plat mailed to the applicant after review of the preliminary plat.
- Q. The MAPC signature block shall be amended by striking Acting from the Chairman's signature line.

- R. On the final plat tracing the center lines (CL) of 37th and Woodlawn shall be labeled.
- 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. 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.
- V. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- W. Recording of the plat within 30 days after approval by the City Council.
- X. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan.

DRAINAGE EASEMENT

THIS EASEMENT made this 17th day of October, 1991, by and between Deborah Freeman, Nestor R. Weigand, Jr., Leslie J. Rudd of the first part and the City of Wichita, of the second part.

WITNESSETH: That the said first party, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the said second party a Perpetual right of way and easement for the purpose of constructing storm sewer pipes and a drainage system according to the plans and specifications now on file in the office of the City Engineer of the City of Wichita, Kansas, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

The South 30.0 feet of the North 900.0 feet of the East 675.0 feet of the North 1/2 of the East 1/2 of the Northeast 1/4 of Section 36, Township 26 South, Range 1 East of the 6th P.M. Sedgwick County, Kansas, subject to street right-of-way.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining and repairing their utility.

IN WITNESS WHEREOF: The said first party has signed these presents, the day and year first written.

By: [Signature]

By: [Signature]

By: [Signature]

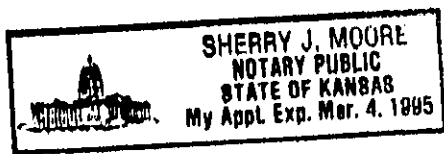
STATE OF KANSAS

ss:

SEDGWICK COUNTY

Personally appeared before me a notary public in and for the County and State aforesaid came Deborah Freeman, Nestor R. Weigand, Jr., Leslie J. Rudd, to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof

Dated at Wichita, Ks. this 17th day of October, 1991.



[Signature]
Notary Public

My Appointment Expires: _____

STATE OF NEW YORK

ss:

[Signature] COUNTY

Personally appeared before me a notary public in and for the County and State aforesaid came Deborah Freeman, to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof

Dated at Wichita, Ks. this 20th day of Oct., 1991.

[Signature]
Notary Public
ROSEMARIE MARKGRAF
Notary Public, State of New York
No. 24-01MA4726350, Qual. In Kings Co.
Commission Expires March 30, 19__

My Appointment Expires: 5/31/92

DRAINAGE EASEMENT

THIS EASEMENT made this 14th day of November, 1991, by and between Wichita Board of Park Commissioners of the first part and the City of Wichita, of the second part.

WITNESSETH: That the said first party, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the said second party a Perpetual right of way and easement for the purpose of constructing storm sewer pipes and a drainage system according to the plans and specifications now on file in the office of the City Engineer of the City of Wichita, Kansas, over, along and under the following described real estate situated in Sedgwick County, Kansas, to wit:

The North 30.0 feet of the West 380.0 feet of the East 620.0 feet of the South Half of the East Half of the NE 1/4 of Section 36, Township 26 South, Range 1 East of the 6th P.M. Sedgwick County, Kansas and also the West 30.0 feet of the North 340.0 feet of the East 650.0 feet of the South Half of the East Half of the NE 1/4 of said Section 36.

And said second party is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining and repairing their utility.

IN WITNESS WHEREOF: The said first party has signed these presents the day and year first written.

Wichita Board of Park Commissioners

By: [Signature]
Marvin Fisher, President
Board of Park Commissioners

STATE OF KANSAS

ss:

SEDGWICK COUNTY

Personally appeared before me a notary public in and for the County and State aforesaid came Wichita Board of Park Commissioners, to me personally known to be the same person who executed the foregoing instrument of writing and said person duly acknowledged the execution thereof

Dated at Wichita this 14th day of November, 1991.

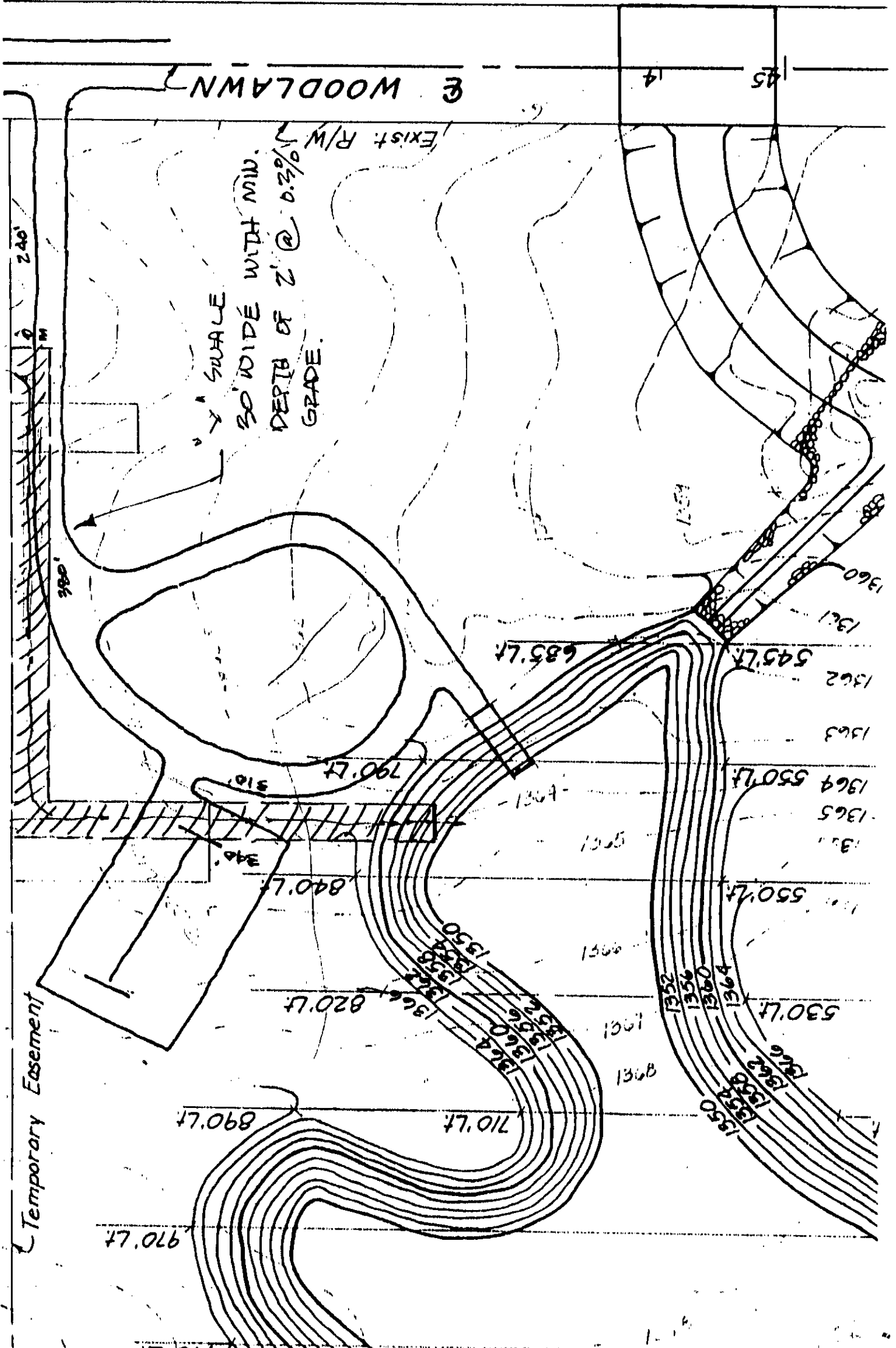
[Signature]
Notary Public

My Appointment Expires: 11-15-95





Scale: 1" = 100'



WOODLAWN E

SWALE
30' WIDE WITH MIN.
DEPTH OF 2' @ 0.3%
GRADE.

EXIST. R/W

Temporary Easement

970.17

890.17

710.17

820.17

840.17

790.17

685.17

545.17

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550.17

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May 14, 1992

STAFF REPORT

(Final Plat, Preliminary Plat Approved 2/20/92)

CASE NUMBER: S/D 92-5 - WHISPERING BROOK COMMERCIAL ADDITION

OWNER/APPLICANT: Nestor Weigand, et al., 151 N. Market, Wichita, KS 67202

SURVEYOR/ENGINEER: Poe & Associates of Kansas, Inc., 434 North Oliver, Suite 110, Wichita, KS 67208; Bill G. Yung Design, 4912 E. 29th St. N., Suite 1, Wichita, KS 67220

LOCATION: Southwest corner of 37th St. North and Woodlawn Blvd.

SITE SIZE: 11.7 Acres

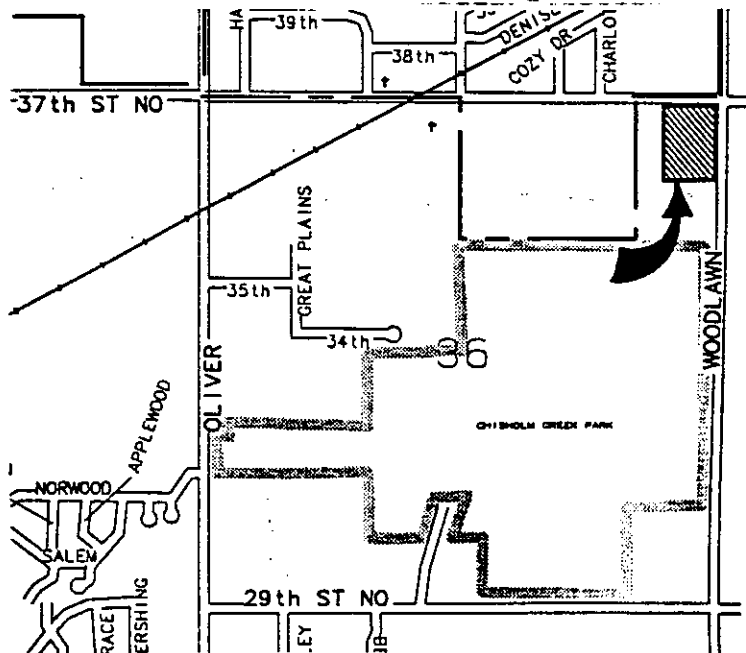
NUMBER OF LOTS
Residential:
Office:
Commercial: 5
Industrial:
Total: 5

MINIMUM LOT AREA: 30,000 sq. ft.

CURRENT ZONING: "AA" One Family, "LC" Light Commercial

PROPOSED ZONING: "LC" Light Commercial (Z-3048) (DP-203)

VICINITY MAP:



NOTE: A portion of this plat is involved in a zone change (Z-3048) from "AA" one family to "LC" light commercial zoning. All of the site is also within a Community Unit Plan (DP-203). Both the zone change and CUP require that this site be platted by January 28, 1994.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted.
 - B. The applicant shall guarantee any drainage improvements required by the platting of this property. As indicated by the drainage concept cross lot drainage agreements may need to be submitted for this site.
 - C. As required by the Whispering Brook Commercial CUP (DP-203) the applicant shall guarantee:
 - 1. The reconstruction of Woodlawn and 37th Street North to provide left-turn bays and storage in a center turning lane to serve left-turn movements to lots 4 and 5.
 - 2. The construction of continuous accel/decel lanes along Woodlawn and 37th Street North to serve openings to all lots and the partial reconstruction of 37th Street/Woodlawn intersection with raised medials to provide left turns at the intersection and free flowing right turns for east-bound 37th Street North traffic.
 - 3. The construction of temporary third lanes along Woodlawn and 37th Street North adjacent to the plat if development occurs before 37th Street North and Woodlawn are constructed to a four lane standard. The guarantee for the temporary third lane shall be held by the City of Wichita until development occurs or streets are improved to a four lane standard. Partial development would necessitate partial construction of the third lane.
- In addition, the above guarantees shall include the construction of that portion of the required major entrances that are within street right-of-way.
- D. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
 - E. On the final plat tracing, the dedication of street rights-of-way, especially in regard to the major intersection, shall be clearly dimensioned and indicated from the center lines of the adjacent streets. Since this plat is dedicating additional street right-of-way, this shall also be noted in the platting text.
-

- F. On the final plat tracing, the plattor's text shall note that in regard to the access controls, the location of openings is to be approved by the City Engineer.
 - G. A number of easements, public and private are indicated in the platting binder. The applicant shall submit with the final plat tracing a marked copy of the final plat showing where, on the plat or relative to this plat, these easements are located.
 - H. Since the plat is indicating a joint easement for lots 2 and 3, the applicant shall submit to Planning for review, a copy of the agreement effecting this joint access. This agreement should note who benefits from it, how it will be maintained and limitations on its usage. This agreement then needs to be recorded by the applicant with the recording information noted on the final plat tracing.
 - I. On the final plat tracing the MAPC signature block shall be amended to indicate Christopher J. Goebel as chairman.
 - J. 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. The applicant is advised that additional fire hydrants, using City of Wichita water lines, will be required.
 - K. 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.
 - L. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
 - M. Recording of the plat within 30 days after approval by the City Council.
 - N. The representative from City Engineering should be prepared to comment on the status of the applicant's drainage plan.
-

THE CITY OF WICHITA
OFFICE OF PUBLIC WORKS - ENGINEERING

DATE: July 13, 1992

TO: Doug Moshier, Senior Attorney

FROM: Michael E. Lindebak, P.E., City Engineer 

SUBJECT: Agreement to Respread Special
Assessments: Whispering
Brook Addition

Please review the attached agreement as to legal form and return it to the
City Engineer's office.

Attachment

BM:cls

AGREEMENT

BY AND BETWEEN

THE CITY OF WICHITA, KANSAS,
Party of the First Part

and

GREYSTONE CONSTRUCTION, INC.
Party of the Second Part

WHEREAS, Party of the First Part has constructed certain municipal improvements in the area of Whispering Brook, within the City Limits of the City of Wichita; and

WHEREAS, Party of the Second Part is the landowner of all or part of the improvement district; and

WHEREAS, portion of the improvement district of said improvements has been platted and/or replatted; and

WHEREAS, Party of the Second Part desires that a reassessment be made to reflect the changes in platting; and

WHEREAS, the Party of the First Part and Party of the Second Part are both desirous of accomplishing such a reassessment.

NOW, THEREFORE, in consideration of the mutual covenants and promises herein contained, the parties agree as follows:

1. UNPLATTED TRACT DESCRIBED AS FOLLOWS:
N 1/2 E 1/2 NE 1/4 EXC N 900 FT E 675 FT THEREOF & EXC RDS.
SEC 36-26-1E (C-00316-1UP)

was part of the improvement district for the following City project:

Main 9, Sanitary Sewer No. 23
468-81002

Said property was replatted as Lots 1 through 46, Block 1 and Lots 1 through 29, Block 2, Whispering Brook Addition.

2. The Parties agree to make a reassessment for said project in the following manner:

The assessment to the unplatted tract described in Section 1 is to be assessed to Lots 1 through 46, Block 1, and Lots 1 through 29, Block 2, Whispering Brook Addition on an equal fraction basis (1/75 each).

3. The Party of the Second Part is the owner of the property described in section one above and said Party of the Second Part hereby waives the notice and hearing requirements of K.S.A. 12-6a12(b) with respect to the reassessment herein described.

4. The Party of the Second Part further waives his right to appeal the special assessments for the above mentioned project (including this described reassessment) and agrees that no suit to set aside said assessment shall be brought by him nor shall he in any other way bring an action to question the validity of the proceedings taken by the Party of the First Part in constructing this project and levying the special assessments therefore.

5. The Party of the Second Part further agrees that he will indemnify the Party of the First Part against any and all costs, expenses, claims and judgments for which the Party of the First Party is held responsible or which are entered against the Party of the First Part arising out of or as a result of the reassessment herein described.

6. 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.

IN WITNESS WHEREOF, the Parties hereto have executed this agreement the _____ of _____, 19____.

THE CITY OF WICHITA, KANSAS

BY _____
Mayor
Party of the First Part

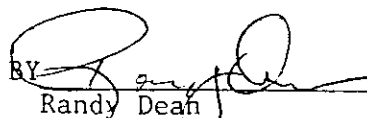
Approved as to form:

Director of Law

ATTEST:

Deputy City Clerk

GREYSTONE CONSTRUCTION, INC.

BY  _____
Randy Dean
Party of the Second Part

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this _____ day of _____, 1992, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Notary Public

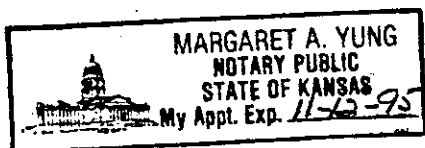
My Appointment Expires:

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this 29th day of June, 1992, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Randy Dean, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Margaret A. Yung
Notary Public



My Appointment Expires:

November 12, 1995

THE CITY OF WICHITA



DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY HALL — SEVENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4501


July 16, 1992

Jim Miner

Subject: Whispering Brook

This letter is to verify that street paving, sanitary sewer, and municipal water service have been constructed to serve the above referenced addition. The improvements were constructed in compliance with the City of Wichita's urban subdivision standards.

Sincerely,


Michael E. Lindebak, P.E.
City Engineer

ML/BM:gnz

THE CITY OF WICHITA



DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
CITY HALL — SEVENTH FLOOR
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Michael E. Lindebak, P.E.
City Engineer

ML/BM:gnz


CITY OF WICHITA
CITY COUNCIL MEETING

August 4, 1992

Agenda Report No. _____

TO: Mayor and City Council Members

SUBJECT: Agreement to Respread Special Assessments in
Whispering Brook Addition (South of 37th, West
of Woodlawn) District I

INITIATED BY: Department of Public Works 

AGENDA: Consent

Recommendation: Approve the Agreement.

Background: The developer, Greystone Construction, Inc., has submitted an agreement to respread special assessments in Whispering Brook Addition (south of 37th, west of Woodlawn).

Analysis: The purpose of the agreement is to respread special assessments on an equal share basis for each lot. Without the agreement the assessments will be spread on a square foot basis.

Financial Considerations: There is no cost to the City.

Legal Considerations: The Law Department has approved the Agreement as to legal form.

Recommendations/Actions: It is recommended the City Council approve the Agreement and authorize the Mayor to sign.

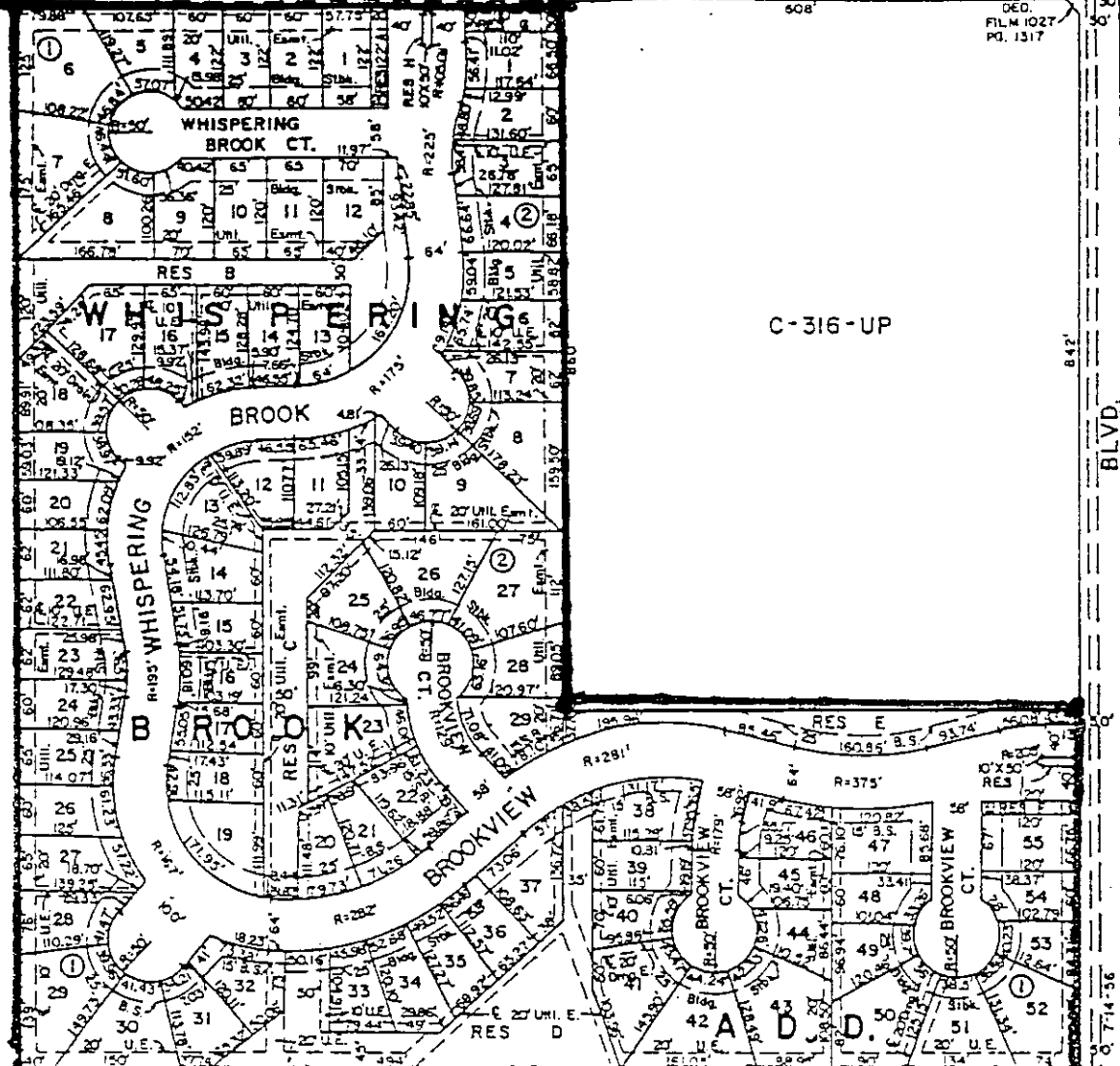
BM:cls

37th ST.

RECORDED 3-2-64

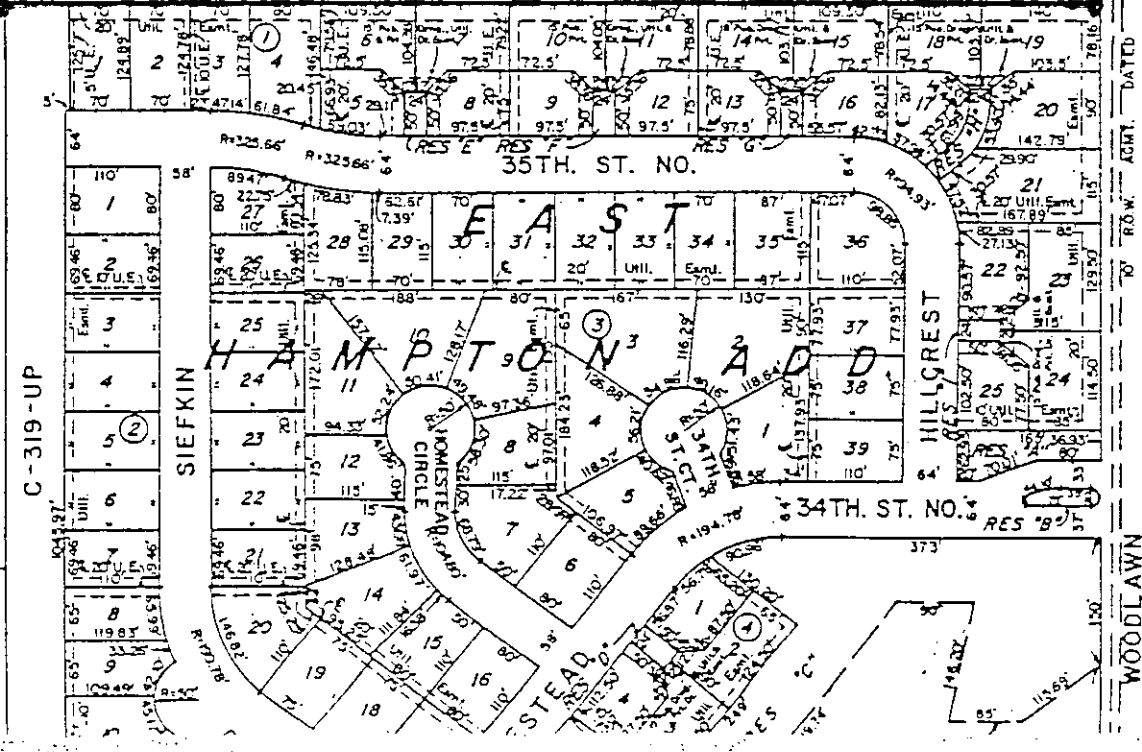
NORTH

608'
642'
642'



UP

C-319-UP



70' ROW. ADMY. DATED 6-7-14-'56

WOODLAWN

Woodlawn

THE CITY OF WICHITA

OFFICE OF LAW DEPARTMENT


DATE: July 14, 1992

TO: Michael E. Lindebak, P.E., City Engineer

FROM: Douglas J. Moshier, Senior Attorney

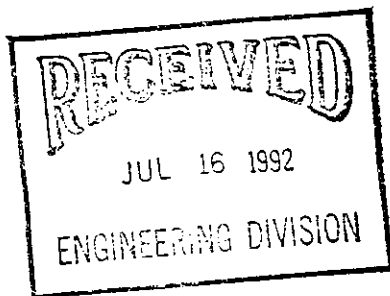
SUBJECT: Agreement for Respread
Assessments

The attached Agreement for respreading assessments in Whispering
Brook Addition is approved as to form.


Douglas J. Moshier
Senior Attorney

DJM:cdh

Attachment



AGREEMENT

BY AND BETWEEN

THE CITY OF WICHITA, KANSAS,
Party of the First Part

and

GREYSTONE CONSTRUCTION, INC.
Party of the Second Part

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WHEREAS, the Party of the First Part and Party of the Second Part are both desirous of accomplishing such a reassessment.

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SEC 36-26-1E (C-00316-1UP)

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5. The Party of the Second Part further agrees that he will indemnify the Party of the First Part against any and all costs, expenses, claims and judgments for which the Party of the First Party is held responsible or which are entered against the Party of the First Part arising out of or as a result of the reassessment herein described.

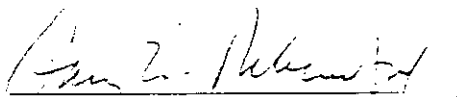
6. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

IN WITNESS WHEREOF, the Parties hereto have executed this agreement the _____ of _____, 19__.

THE CITY OF WICHITA, KANSAS

BY _____
Mayor
Party of the First Part

Approved as to form:

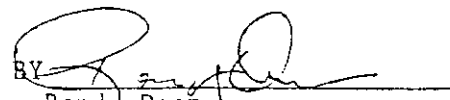


Director of Law

ATTEST:

Deputy City Clerk

GREYSTONE CONSTRUCTION, INC.

BY 

Randy Dean
Party of the Second Part

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this _____ day of _____, 1992, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Notary Public

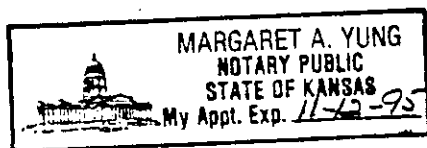
My Appointment Expires:

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

BE IT REMEMBERED, that on this 29th day of June, 1992, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Randy Dean, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Margaret A. Yung
Notary Public



My Appointment Expires:

November 12, 1995

June 29, 1999
Whispering Brook Homeowner Association
PO Box 20662
Wichita, Ks 67208-6662

To Whom It May Concern:

I have reviewed the drainage design in you subdivision. The original drainage plan did not require detention ponds and the existing ponds do not have much detention capacity. The proposed work to decrease the size of the existing ponds should not have any significant effect on the total drainage system.

Sincerely,

Vicky Huang, P.E.
Subdivision Engineer
