

July 8, 2004

Mr. Terry Smythc
Baughman Co. P.A.
315 Ellis
Wichita, Kansas 67211

Dear Mr. Smythc,

We received and reviewed the preliminary plat for the Midian Shrine Addition a portion of which will encroach across our 138kV one hundred fifty foot wide overhead electric transmission line easement. We refer to our line as 138.08, Evans - Lakeridge - Hoover substation which is located in the West 1/4 of Section 15, Township 17 South, Range 1 West Sedgwick Co., Kansas.

I have marked the approximate location of our easement and structures in red on a copy of the plat for your convenience,

As we discussed on the telephone on July 7, 2004, Westar Energy generally does not object to bike paths within its easements. However, we will need to see final construction plans for any development within our easement prior to the start of any construction. Plans we need to see prior to the start of construction include but are not limited to: grading plans, road, storm, sewer line and water line plans, landscaping plans, site lighting plans and any other plans. Once we have reviewed and approved final construction plans Westar Energy will route our standard Consent Agreement for signatures prior to the start of construction within our easement.

Previously, we have allowed bike paths within our easement so long as the edge of the path is at least ten feet from our poles and guys and the path does not traverse between the poles when multi - pole structures are encountered.

Additionally, any easement dedicated for a bike path should be only as wide as the proposed bike path itself. In other words, if the finished surface of the bike path is to be ten feet wide then a ten foot wide easement would be acceptable. Westar Energy will need written assurances that any easement for a bike path will not be converted in the future to any other type of easement such as a utility easement.

Following is language drafted by our legal department that we request be shown on this and any subsequent plats.

Neither party acknowledges that this drawing is accurate or to scale except that which concerns said encroachment.

Please contact Westar Energy (or its successor) Electric Transmission Line Engineering Department (currently 785-575-8167) before conducting any proposed construction activities that could place people, equipment, or facilities within Westar

Energy's easement, shown on this plat, designated as Misc. Book 445 Page 493 dated July 20, 1959.

If you have any questions please call me at (785) 575-8167.

Very truly yours,

Gregory A. Roy
Technical Specialist Design
Electric Transmission Line Engineering

STAFF REPORT
(Final Plat, Preliminary Plat Approved 7/1/04)

CASE NUMBER: SUB 2004-73 -- MIDIAN SHRINE ADDITION

OWNER/APPLICANT: Richard D. Hoskinson, 990 N. Westlink, Wichita, KS 67212-4409;
(Contract purchaser) Midian Shrine Temple, Attn: Jeff Sowder, 130
N. Topeka, Wichita, KS 67202

SURVEYOR/ENGINEER: Baughman Company, P.A., 315 Ellis, Wichita, KS 67211

LOCATION: East of Ridge, South side of 13th St. North

SITE SIZE: 24.74 acres

NUMBER OF LOTS

Residential:	1
Office:	
Commercial:	
Industrial:	
Total:	1

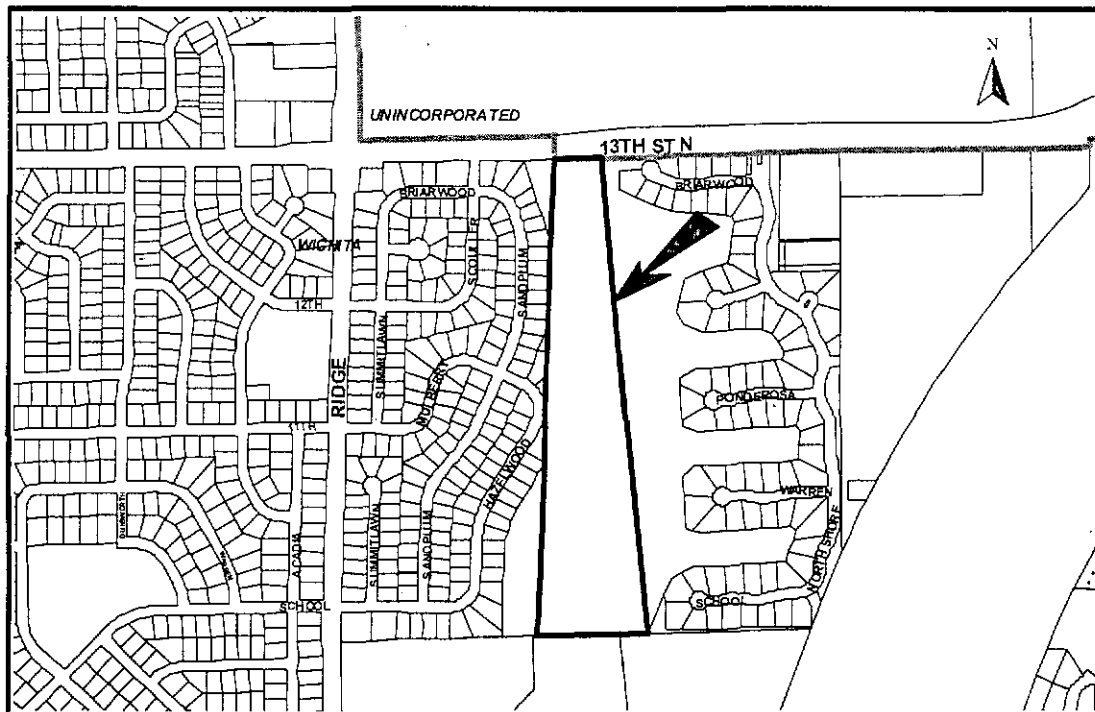
*In-lieu of
Main & lateral*

MINIMUM LOT AREA: 24.74 acres

CURRENT ZONING: SF-5, Single-Family Residential

PROPOSED ZONING: Same

VICINITY MAP



NOTE: This is an unplatted site located within the City. A conditional use (CON 2003-48) has been approved for the site for Community Assembly. The site is located within the 100-year floodplain.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer and City water to serve the lots being platted.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. Traffic Engineering has requested a petition for future left turn lanes to 13th St. North.
- D. The plat proposes one opening along 13th St. North. The access opening is approved.
- E. City Engineering needs to comment on the status of the applicant's drainage plan.
- F. Provisions shall be made for ownership and maintenance of the proposed reserves. A covenant shall be submitted regarding ownership and maintenance responsibilities.
- G. 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 the governing body.
- H. City Fire Department has requested an emergency access opening extending to Hazelwood in the adjoining property to the west. A 20-ft wide hard paved surface is needed. Standard gating and signing are required per City Fire Department standards.

The plat has denoted the emergency access opening as requested.
- I. The Parks and Pathways Plan has indicated a recreation corridor running north-south through this plat. MAPD recommends a public access easement located within the 150-ft KGE easement along the east portion of the property. The Subdivision Committee voted 2-2 on this condition. The issue will be reviewed at the final platting stage.
- J. This property is within a zone identified by the City Engineers' office as likely to have groundwater at some or all times within 10 feet of the ground surface elevation. Building with specially engineered foundations or with the lowest floor opening above groundwater is recommended, and owners seeking building permits on this property will be similarly advised. More detailed information on recorded groundwater elevations in the vicinity of this property is available in the City Engineers' office.
- K. Approval of this plat will require a waiver of the lot depth to width ratio of the Subdivision Regulations. The Subdivision Regulations state that the maximum depth of all non-residential lots shall not exceed three times the width. A modification has been approved.
- L. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.

SUB 2004-73 -- Final Plat of MIDIAN SHRINE ADDITION

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- M. The platator's 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.
- N. 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.)
- O. 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.
- P. 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 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- Q. 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.
- R. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State NPDES Storm Water Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita Metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
- S. Perimeter closure computations shall be submitted with the final plat tracing.
- T. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- U. 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.
- V. The applicant is reminded that a compact disc (CD) shall be submitted with the final plat tracing to the Planning Department detailing this plat in digital format in AutoCAD, or sent via e-mail to MAPD (cholloway@wichita.gov). This will be used by the City and County GIS Department.

CLOSURE

CLOSURE - MIDIAN SHRINE-HOSKINSON ADDITION

PT 01	North: 7779.5370	East : 5788.8300
Line	Course: N 89-32-21 E	Length: 250.2400
PT 02	North: 7781.5497	East : 6039.0619
Line	Course: S 05-03-33 E	Length: 2626.7800
PT 03	North: 5165.0032	East : 6270.7030
Line	Course: S 89-39-00 W	Length: 585.5800
PT 04	North: 5161.4261	East : 5685.1339
Line	Course: N 02-16-05 E	Length: 2620.1600
PT 01	North: 7779.5335	East : 5788.8260

Conditional Use

Community Assembly

13th Street North, East of Ridge Road

LEGAL DESCRIPTION

That part of the NW 1/4 of Sec. 15, Twp. 27-S, R-1-W of the 6th P.M., Sedgewick County, Kansas being west of and adjacent to the extended west line of Spinnaker Coves-Hoskinson Addition, Wichita, Sedgewick County, Kansas and lying east of and adjacent to the extended east line of Country Acres North "W" Addition, an Addition in Sedgewick County, Kansas, all being subject to real rights of way of record.

Containing 25.00 Acres, more or less.

GENERAL PROVISIONS

1. Main Building
 - a) Height - 35 Feet (base as SF-5)
 - b) Square Footage - 27,000 sq. ft. total (2 Stories)
 - c) Stairs/Restroom - Outbuilding - 6000 sq. ft.
2. This plan is subject to zoning which must be interpreted by May 4, 2005.
3. The site shall be developed in substantial conformance with the site plan, including any development standards listed in the "general provisions" section of the site plan.
4. Signage shall be as allowed per the Sign Code, e.g. one bulletin board sign up to 48 square feet as size per universal street signage, and identification signage with letters up to 15 inches in height. Portable signs shall be prohibited.

5. Any building constructed on the site shall have architecture that is compatible with surrounding residential construction (e.g. gable roof, hip roof, and metal shall not be used on any exterior building facade).
6. Parking lot lighting standards shall not exceed 14 feet in height. All outdoor lighting fixtures shall employ cut-off luminaires that maintain light trespass and glare. The light source shall be shielded so that the light source is not visible from neighboring lots.
7. After appropriate review by the Zoning Administrator, with the concurrence of the Planning Director, if there is a violation of the conditions of the approval of this Conditional Use, the Zoning Administrator may declare this Conditional Use null and void.
8. Trash receptacles and HVAC units shall be screened from view from the ground.
9. Lighting of outdoor recreational play fields shall be prohibited.
10. Emergency exit only in Hazlewood.
11. Parking for streetcars.
12. Non-potable Class A private club serving alcoholic beverages to members only.



SPRINGS ADDITION
FAMILY APARTMENTS

COUNTRY ACRES #117 ADDITION

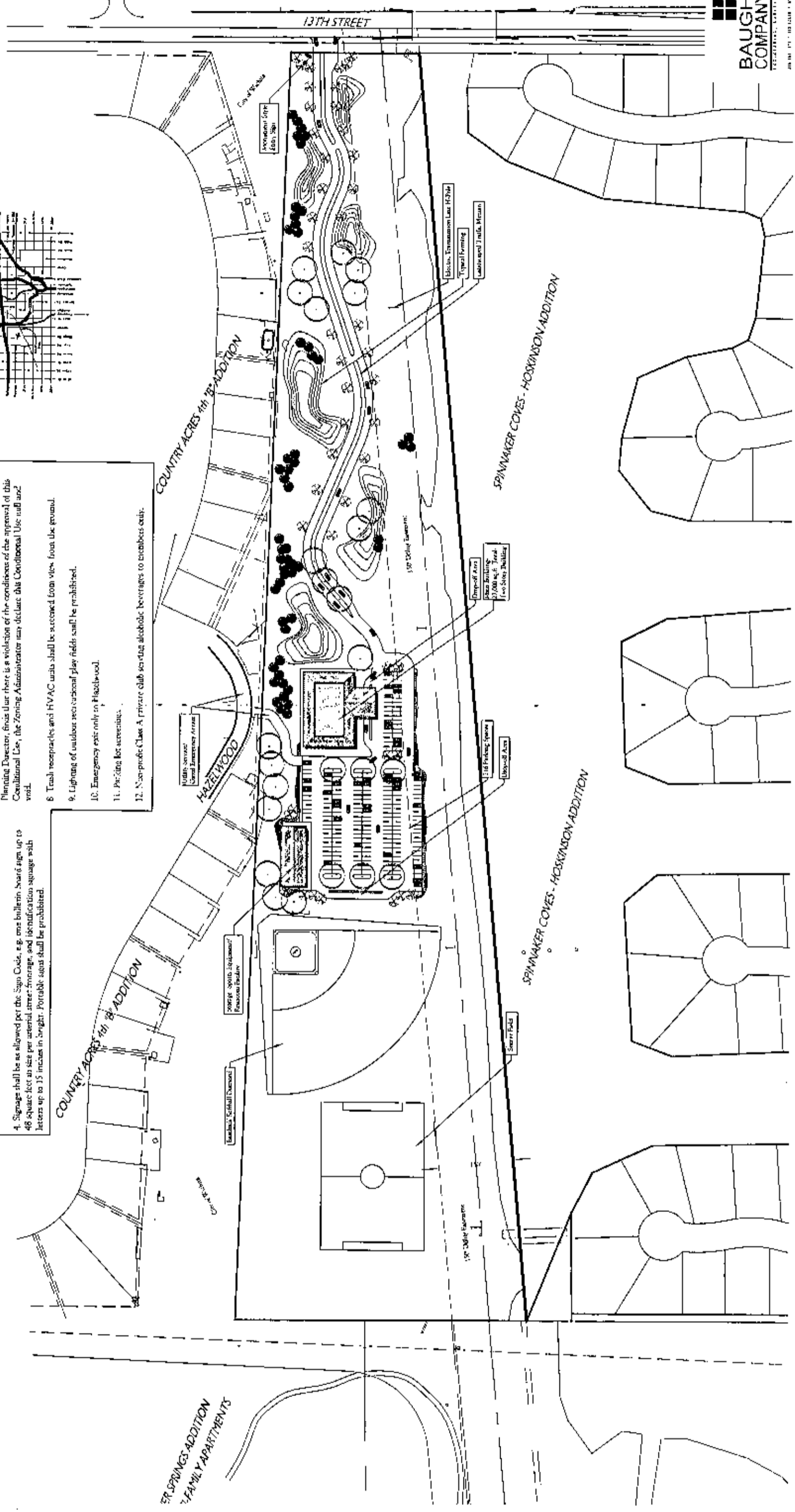
SPINNAKER COVES - HOSKINSON ADDITION

SPINNAKER COVES - HOSKINSON ADDITION

WESTURBAN BASEBALL
BASEBALL/SOCCER FIELDS

COUNTY PARK

13TH STREET



**BAUGHMAN
COMPANY P.A.**
PLANNERS, ARCHITECTS & ENGINEERS
AN INCORPORATED COMPANY, KANSAS