

Holloway, Cheryl

From: Strahl, Neil
Sent: Tuesday, August 31, 2004 8:42 AM
To: Holloway, Cheryl
Subject: FW: NW YMCA

fyi

-----Original Message-----

From: Goltry, Donna
Sent: Monday, August 30, 2004 5:14 PM
To: 'Greg Allison'
Cc: Strahl, Neil
Subject: RE: NW YMCA

The followup letter went out today. The changes should reflect the BoCC approval changes but splitting the YMCA parcel into a parcel and a reserve, and noting that the reserve is SF-20 plus the recreational uses allowed. Neil Strahl of our office would like to have a copy of the revised CUP as soon as you have the changes added, since he is working on the staff report for the plat. Normally you have 60 days to prepare the final CUP drawing, but in this situation with the plat already filed, I think that hurries up the timeline.

Thanks.

-----Original Message-----

From: Greg Allison [mailto:gallison@mkec.com]
Sent: Monday, August 30, 2004 7:58 AM
To: Donna Goltry
Cc: Brian Lindebak
Subject: NW YMCA

Can you provide me with a list of items you need to complete the CUP? Thanks

Greg Allison
MKEC Engineering Consultants, Inc.
411 North Webb Rd.
Wichita, KS 67206
gallison@mkec.com

Holloway, Cheryl

From: Strahl, Neil
Sent: Tuesday, August 31, 2004 8:45 AM
To: Holloway, Cheryl
Subject: FW: YMCA case - Clark Nelson letter

Sorry ... looks like I forget to send this to you. I'm waiting on a phone call from Greg but I left a voice mail with him that I think they should defer for 2 weeks since nothing is accurate right now.

-----Original Message-----

From: Strahl, Neil
Sent: Monday, August 30, 2004 4:12 PM
To: Schlegel, John; 'Parnacott, Robert'
Cc: 'Euson, Richard'; Goltry, Donna ; Miller, Dale
Subject: RE: YMCA case - Clark Nelson letter

Plat was received last Friday and we will be sending notification to Mr. Nelson along with all people who spoke at MAPC with platting-related concerns (as is our usual practice).

-----Original Message-----

From: Schlegel, John
Sent: Monday, August 30, 2004 3:57 PM
To: 'Parnacott, Robert'
Cc: Euson, Richard; Goltry, Donna ; Miller, Dale; Strahl, Neil
Subject: RE: YMCA case - Clark Nelson letter

Bob, the letter is addressed to you, so you should receive it soon. Yes, it asks that they be notified when the YMCA submits the plat and/or a drainage plan for the purpose of reviewing the final design with respect to the flooding issues.

I don't know that we need to respond except to comply with the request. The Subdivision Code enables the Subdivision Committee to conduct a public hearing on preliminary plats to allow interested persons to attend and to offer evidence in support of or against the preliminary plat (4-205). Since they have informed us that they are interested persons, I would think we would conduct a public hearing on the YMCA's preliminary plat. We should probably also have the YMCA send a copy of the preliminary plat to Clark Nelson.

Donna and Dale, how do we handle Steve Stark's request to review the Resolution?

-----Original Message-----

From: Parnacott, Robert [mailto:rparnaco@sedgwick.gov]
Sent: Monday, August 30, 2004 2:17 PM
To: Schlegel, John; Miller, Dale; Goltry, Donna
Cc: Euson, Richard; Winters, Thomas
Subject: YMCA case - Clark Nelson letter

Steve Stark called re: a letter he received a copy of from Clark Nelson to I believe the MAPD. I understand the gist of the letter is that Nelson wants to be made aware of when the plat is submitted so he has an opportunity to review it to be sure it meets his client's understanding of the action taken by the BoCC. Stark wanted to know how we were going to respond to Nelson. I don't think I received a copy of that letter - can you fax me a copy? Have you responded to it yet? If so, could I

get a copy of the response? Thanks

In addition, Stark is asking if there has been a draft resolution prepared. He understands that no resolution will be signed or published until platting - but he would like to review the draft resolution now while its fresh in his mind what the BoCC's actions were.

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NELSON & GUNDERSON
Attorneys at Law

Clark "C.R." Nelson
Scott J. Gunderson
Dennis V. Lacey

2420 North Woodlawn
Building 100, Suite K
Wichita, Kansas 67220

Tel: (316) 618-3800
Fax: (316) 618-3900

FAX COVER SHEET

FAX NUMBER TRANSMITTED TO: 268-4390

To: John Schlegel and Neil Strahl
From: Clark "C.R." Nelson
Date: September 14, 2004

DOCUMENTS	NUMBER OF PAGES (Excluding Cover Page)
September 14, 2004 correspondence to Bob Parnacott	3

Original to follow by mail

Original not to follow by mail

COMMENTS:

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IF YOU DO NOT RECEIVE ALL PAGES, PLEASE TELEPHONE US IMMEDIATELY AT 316-618-3800.

NELSON & GUNDERSON
Attorneys at Law

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Scott J. Gunderson
Dennis V. Lacey*

2420 North Woodlawn
Building 100, Suite K
Wichita, Kansas 67220

*Tel: (316) 618-3800
Fax: (316) 618-3900*

September 14, 2004

**** Via Facsimile ****

Mr. Robert W. Parnacott
Assistant Sedgwick County Counselor
Sedgwick County Counselor's Office
525 No. Main, Room 359
Wichita, Kansas 67203-3790

*Re: One Step Final Plat of YMCA Addition (Associated Zoning: Zone Change Request
ZON 2004-30 (Associates with CUP 2004-17; DP 276)*

Dear Bob:

We represent Alan and Roberta Whetzel, neighbors of the proposed Northwest YMCA who protested the proposed zoning and CUP. The Whetzels and other area neighbors, while making it clear that they supported the YMCA as an organization, and welcomed the YMCA to their neighborhood, had deep concerns regarding the potential flooding issues created by the proposed development.

On September 10, 2004, we received a notice from the Metropolitan Area Planning Department ("MAPD") that the final plat for the Northwest YMCA addition (associated with zone change request ZON 2004-30 and CUP 2004-17; DP 276) would be heard by the Subdivision Committee on September 16, 2004 at 12:30 p.m. We had learned earlier, on or about September 3, 2004, that MKEC Engineering Consultants, Inc. ("MKEC") had submitted the final plat for the Northwest YMCA to the MAPD. At that time, we were advised by Neil Strahl of the MAPD that the drainage plan had not been included in the submission but that it would normally be filed with the County Engineer. As late as the notice received from the MAPD on September 10, 2004, the MAPD attached a "Staff Report" that stated "[t]he final drainage plan is needed" indicating it had not yet been submitted. (Emphasis in the original).

On September 3, 2004, we made several attempts to contact engineers at MKEC in order

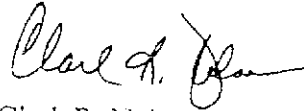
to obtain a copy of the drainage plan so that we could have it reviewed by our engineering experts to determine if it complied with the agreements reached prior to and during the hearing regarding the matter before the Sedgwick County Commission. Receiving no response to our telephone inquiries, we wrote a letter to MKEC, with a copy to the YMCA's counsel, on September 9, 2004. We received no reply to this letter from MKEC, but at about 1:00 p.m. on September 10, 2004 we received a faxed letter from counsel advising we should no longer contact MKEC directly but should attempt to obtain any documents from the MAPD. We immediately replied with an e-mail advising that the MAPD had advised that it did not yet have a copy of the drainage plan and repeating the request for a copy that we could review. Counsel advised us again we would need to rely on the public copies of any documents submitted to the MAPD.

On the afternoon of September 10, 2004, we received a call from Jim Weber advising for the first time that the drainage plan had been received by the Sedgwick County Engineer. On Monday, September 13, 2004, however, Weber advised that the plan was in a three ring binder approximately 2 inches thick and that the County Engineer had no additional copies. We have been further advised that while anyone who wanted to review it would be permitted to do so, the Engineer would not allow the plan out of the building. On September 13, 2004, we again requested a copy in an electronic format from the YMCA's counsel in order to forward it to our engineering expert for review. In a voice-mail message received after 5 p.m. on September 13, counsel for the YMCA advised for the third time that the YMCA was unwilling to share any information with us.

At this point, having received no cooperation from the YMCA or its counsel, we have no realistic means of being prepared to address any issues that might be raised by the drainage plan. Despite agreements that were made as part of the effort to obtain approval of the plan from the County Commission, it is apparent that the YMCA is playing games with the drainage plan. It is inexplicable why the YMCA, while publicly professing an interest in getting this project moving with all deliberate speed, is unwilling to provide us with the basic information necessary to evaluate its drainage plan and ensure that the representations made to the County Commission are being kept. Apparently, the YMCA believes there is a reason to avoid cooperating with the area neighbors. The vote in the County Commission was obtained based on representations made by MKEC with regard to the way drainage issues would be handled and certain land use concessions. Based on representations made to our engineering expert, Dr. Ellen Stevens of Oklahoma State University, her presentation to the County Commission was largely favorable to the project and we believe was an important factor in the County Commission's approval of the application. At this point, however, there is no way we can be assured that the representations made were accurate or that agreements are being complied with and it appears that the YMCA is going out of its way to avoid providing that assurance.

For the above reasons, we respectfully request that the Subdivision Committee consideration of the final plat for the Northwest YMCA be deferred for thirty days to allow us time to have the drainage plan reviewed by our engineering expert.

Very Truly Yours



Clark R. Nelson
NELSON & GUNDERSON

CC: Commissioner Tom Winters
Commissioner Carolyn McGinn
Commissioner Tim Norton
Commissioner Dave Unruh
Commissioner Ben Sciortino
John Schlegel
Neil Strahl
Alan and Roberta Whetzel

Strahl, Neil

From: Weber, Jim [jweber@sedgwick.gov]
Sent: Wednesday, September 15, 2004 3:13 PM
To: Strahl,Neil
Subject: FW: YMCA

FYI.

James Weber, P.E.

Deputy Director of Public Works

Sedgwick County, Kansas

(316) 660-3040

-----Original Message-----

From: Weber, Jim
Sent: Wednesday, September 15, 2004 3:12 PM
To: 'Greg Allison'
Subject: YMCA

Greg,

Since our meeting yesterday, I have taken a closer look at the access controls on the plat. I do not think that we want to use the note that refers to the access management policy. I would prefer that we denote the controls directly on the plat. I think we should show controls based on the urban policies of the City of Wichita as they are today. I will request that you show complete access control for the south 400 feet and the east 400 feet of Lot 2 with one point of access allowed on the remainder of each side of the lot. If you want to show them, I would also support showing right in/right out entrances 200 feet from the intersection.

I have also given some more thought to your request to defer construction of the left turn lane until it is warranted. Given the magnitude of the YMCA's operation and the traffic on 21st, I think we should go ahead and construct both the right and left turn lanes at the time of site development. An additional consideration here is the disruption that will occur for the YMCA if we try to install the lanes after the facility is open. These lane could be done under a county petition.

Please discuss these issues with the YMCA. I'll be out of the office in the morning (training) but if there is a problem call my cell phone and I will try to get back with you.

James Weber, P.E.

Deputy Director of Public Works

Sedgwick County, Kansas

(316) 660-3040

9/15/2004

STAFF REPORT
(One-Step Final Plat)

CASE NUMBER: SUB 2004-113 – NORTHWEST YMCA ADDITION

OWNER/APPLICANT: Young Men’s Christian Association, 3330 N. Woodlawn, Wichita, KS 67220

SURVEYOR/ENGINEER: MKEC, Inc., 411 N. Webb Rd., Wichita, KS 67206

LOCATION: North side of 21st St. North, West side of 135th St. West

SITE SIZE: 50 acres

NUMBER OF LOTS

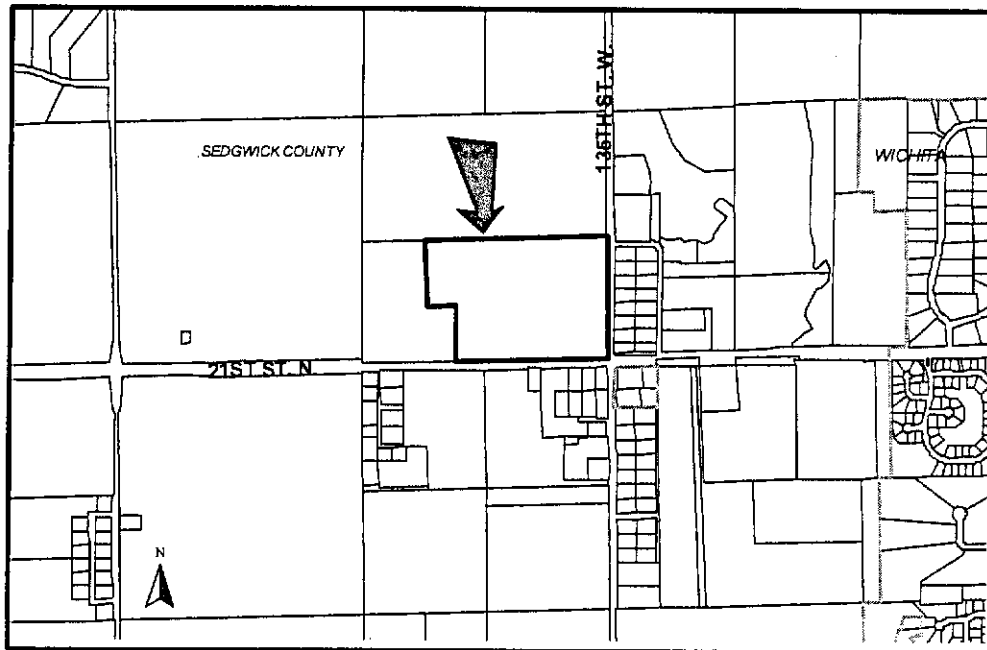
Residential:	1
Office:	
Commercial:	1
Industrial:	
Total:	<u>2</u>

MINIMUM LOT AREA: 9.19 acres

CURRENT ZONING: SF-20, Single-Family Residential

PROPOSED ZONING: LC, Limited Commercial; SF-20, Single-Family Residential

VICINITY MAP



NOTE: This is an unplatted site located within the County within three miles of the City of Wichita. It is in an area designated as "2010 Urban Service Area" by the Wichita-Sedgwick County Comprehensive Plan. The west portion of the site has been approved for a zone change (ZON 2004-30) from SF-20, Single-Family Residential to LC, Limited Commercial subject to platting. The Northwest YMCA Addition Community Unit Plan (CUP 2004-17, DP-276) was also approved for this site. 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. County Engineering needs to comment on the status of the applicant's drainage plan. The final drainage plan is needed. Applicant is advised to obtain a Letter of Map Revision from FEMA.
- D. County Engineering requests that the north/south floodway easement line be placed on the lot line between Lots 1 & 2 or located with respect to lot line.
- E. Dimensions are needed on the north and west lines of Reserve A.
- F. County/Traffic Engineering needs to comment on the need for any improvements to perimeter streets. Applicant needs to meet with City and County traffic departments to discuss traffic issues.
- G. County Engineering needs to comment on the access controls. The plat denotes two openings along 21st St. North. A note on the plat references access controls not shown as being in accordance with the County access management regulations. Complete access control is needed along adjoining arterials for Lot 2. A cross-lot access agreement is needed with adjoining lots. One opening is approved for Reserve A. The proposed easterly 80-ft opening along 21st St. North shall be relocated in alignment with the church opening across 21st St. North.
- H. Provisions shall be made for ownership and maintenance of the proposed reserves. A covenant shall be submitted regarding ownership and maintenance responsibilities.
- I. The corner clip easement should be platted as a right-of-way dedication.
- 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 the governing body.
- K. A CUP Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved CUP and its special conditions for development on this property.
- L. The applicant is reminded that this site is located within three miles of the City Limits of Wichita and will be heard by City Council. Therefore, the City Council certification needs to be included on the final plat.
- M. 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.

- N. The platlor'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.
- O. The applicant shall install or guarantee the installation of all utilities and facilities that 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.)
- 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: 316-946-4556) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- R. 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.
- S. 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.
- T. Perimeter closure computations shall be submitted with the final plat tracing.
- U. Recording of the plat within 30 days after approval by the City Council and/or County Commission.
- V. 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.
- W. 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.

Strahl, Neil

From: Weber, Jim [jweber@sedgwick.gov]
Sent: Tuesday, September 28, 2004 9:18 AM
To: Parnacott, Robert; Winters, Thomas; Schlegel,John; Euson, Richard; Spears, David C.;
Goltry,Donna; Miller,Dale; Strahl,Neil
Subject: RE: YMCA

We did receive a grading plan here yesterday. In an email late last night, I was informed by MKEC that we will be receiving a revised drainage report today. The new version of the report will show flood models that reflect the "depression" that now replaces the pond.

This appears to be an attempt by the Y to try to get their plans in precise conformance with the wishes of the neighbors. At the subdivision committee meeting 2 weeks ago – the opponents were unhappy that there was a pond in the plan. This appears to be an offer to relieve that concern.

James Weber, P.E.
Deputy Director of Public Works
Sedgwick County, Kansas
(316) 660-3040

-----Original Message-----

From: Parnacott, Robert
Sent: Monday, September 27, 2004 4:11 PM
To: Winters, Thomas; Schlegel,John; Euson, Richard; Spears, David C.; Weber, Jim; Goltry,Donna;
Miller,Dale; Strahl,Neil
Subject: YMCA

I just spoke to Clark Nelson – he is claiming that the Y has a changed plans again (but not sure if he is referring to the grading plan or the drainage plan). He also believes the Y is not sharing the information they had promised to share. Clark indicated he thinks this should be deferred again for two more weeks.

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James Weber, P.E.
 Deputy Director of Public Works
 Sedgwick County, Kansas
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To: Winters, Thomas; Schlegel,John; Euson, Richard; Spears, David C.; Weber, Jim; Goltry,Donna;
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NELSON & GUNDERSON
Attorneys at Law

Clark "C.R." Nelson
Scott J. Gunderson
Dennis V. Lacey

2420 North Woodlawn
Building 100, Suite K
Wichita, Kansas 67220

Tel: (316) 618-3800
Fax: (316) 618-3900

September 28, 2004

**** Via Facsimile ****

Mr. Robert W. Parnacott
Assistant Sedgwick County Counselor
Sedgwick County Counselor's Office
525 No. Main, Room 359
Wichita, Kansas 67203-3790

Re: One Step Final Plat of YMCA Addition (Associated Zoning: Zone Change Request ZON 2004-30 (Associates with CUP 2004-17; DP 276), deferred from Sept. 16, 2004 to Sept. 30, 2004.

Dear Bob:

This matter was deferred from the September 16 meeting of the Subdivision Committee ("Committee") of the Metropolitan Area Planning Commission ("MAPC") to the September 30 meeting of the Committee because the applicant had submitted a new drainage plan which we and our engineers, as representatives for Alan and Roberta Whetzel had not had adequate time to review prior to the meeting. Now, after the matter was deferred specifically to allow us time to consider the new plan, we learned yesterday that an entirely new plan has been submitted that completely changes the drainage concept. ~~The pond which had been added to the prior plan has now been eliminated, but a swale has been added on the eastern half of the property.~~ Having received this plan only this morning, there is no way we can reasonably be prepared to address it at the September 30, 2004 meeting of the Subdivision Committee.

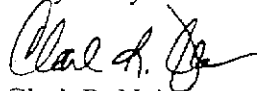
As you will recall, Plan I, originally submitted to the MAPC in June, included a commercial development in the southeast corner of the property. Plan II, proposed to us the week before the meeting of the County Commission in August, proposed only the building of the YMCA with no present development of the eastern half of the property. Plan III, the plan actually presented to the County Commissioners, changed yet again to propose rezoning of the southeast corner to "LC" or Light Commercial. Agreements were made at the County

Commission meeting to remove the zone change request for the southeast corner and to dedicate an area in the eastern half to open green space. These agreements essentially resulted in Plan IV. Plan V, submitted to the Subdivision Committee on September 16, 2004, added a pond to the eastern half of the property in the area to be dedicated as open space. Now, after the matter was deferred to allow consideration of the changed plans, we have been advised that there is Plan VI, yet another major change in the drainage concept. Now there is no pond, but a swale with a discharge into dry creek in the eastern half of the property.

The lack of cooperation from the YMCA's representatives, and the repeated changes made to "The Plan" give us no realistic means of being prepared to address any issues that might be raised by the drainage plan. We understand that the YMCA is interested in getting this project moving with all deliberate speed, but the repeated changes deny County, the neighbors, and the public in general the basic information necessary to evaluate the drainage plan and ensure that the representations made to the County Commission are being kept. The vote in the County Commission was obtained based on representations made by MKEC with regard to the way drainage issues would be handled and certain land use concessions described above. With repeated last minute changes, there is no way anyone can be assured that the representations made were accurate or that agreements are being complied with. It continues to appear that the YMCA's representatives are going out of their way to avoid providing that assurance.

For the above reasons, we respectfully request that the Subdivision Committee consideration of the preliminary and final plat for the Northwest YMCA be deferred for an additional two weeks to allow us time to have the drainage plan (or perhaps Plan VII?) reviewed by our engineering experts and to assure ourselves that agreements and representations made at the County Commission hearing are being honored. We have been faithfully assured by the YMCA that this is the absolute final version of the Drainage Plan. Assuming that to be the case, no further deferral should be required. But at the present, the matter is in precisely the same posture that resulted in the Committee's decision to defer the matter. This time, the matter should be deferred prior to the meeting so that neither side need prepare for or appear at the meeting scheduled for Thursday, September 30, 2004. We would appreciate your consulting with Commissioner Tom Winters on the appropriateness of our deferral request.

Very Truly Yours



Clark R. Nelson
NELSON & GUNDERSON

CC: Commissioner Tom Winters
Commissioner Carolyn McGinn
Commissioner Tim Norton
Commissioner Dave Unruh
Commissioner Ben Sciortino

John Schlegel
Neil Strahl
Steve Stark
Alan and Roberta Whetzel

STAFF REPORT

(One-Step Final Plat, Deferred 9/16/04)

CASE NUMBER: SUB 2004-113 -- NORTHWEST YMCA ADDITION

OWNER/APPLICANT: Young Men's Christian Association, 3330 N. Woodlawn, Wichita, KS 67220

SURVEYOR/ENGINEER: MKEC, Inc., 411 N. Webb Rd., Wichita, KS 67206

LOCATION: North side of 21st St. North, West side of 135th St. West

SITE SIZE: 50 acres

NUMBER OF LOTS

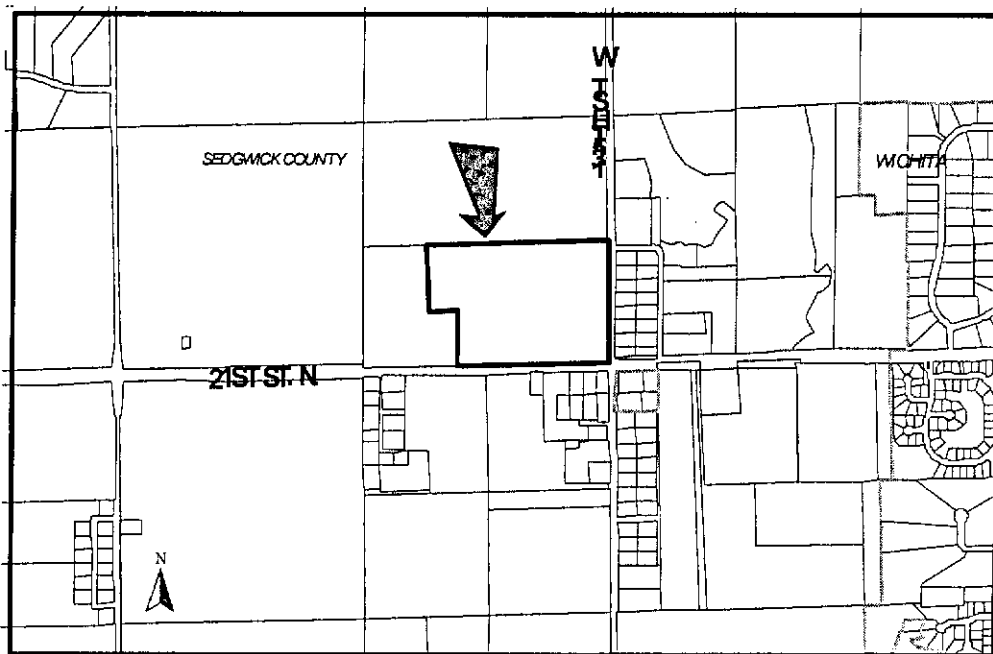
Residential:	1
Office:	
Commercial:	1
Industrial:	
Total:	<u>2</u>

MINIMUM LOT AREA: 9.19 acres

CURRENT ZONING: SF-20, Single-Family Residential

PROPOSED ZONING: LC, Limited Commercial; SF-20, Single-Family Residential

VICINITY MAP



NOTE: This is an unplatted site located within the County within three miles of the City of Wichita. It is in an area designated as "2010 Urban Service Area" by the Wichita-Sedgwick County Comprehensive Plan. The west portion of the site has been approved for a zone change (ZON 2004-30) from SF-20, Single-Family Residential to LC, Limited Commercial subject to platting. The Northwest YMCA Addition Community Unit Plan (CUP 2004-17, DP-276) was also approved for this site. 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. Petitions for both sewer main and lateral are needed. Sizing and location are subject to further discussion with Water & Sewer staff, will need to be in conformance with the sewer master plan and may require additional easement.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. **County Engineering** needs to comment on the status of the applicant's drainage plan. *The final drainage plan is approved. Applicant is advised to obtain a Letter of Map Revision from FEMA.*
- D. **County Engineering** needs to comment on the need for any improvements to perimeter streets. *County Engineering requests a petition for left and right turn lanes along 21st St. North.*
- E. **County Engineering** needs to comment on the access controls. The plat denotes two openings along 21st St. North. A note on the plat references access controls not shown as being in accordance with the County access management regulations. *Access controls need to be denoted in accordance with City of Wichita access management regulations. A driveway with full turning movements shall be at least 400 feet from the intersection. A rights-in/out driveway shall be at least 200 feet from the intersection.*

The access controls need to be measured from the point of intersection of the street rights-of-way and adjusted accordingly.
- F. Provisions shall be made for ownership and maintenance of the proposed reserves. A covenant shall be submitted regarding ownership and maintenance responsibilities.
- G. The corner clip easement should be platted as a right-of-way dedication.
- H. 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.
- I. A CUP Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved CUP and its special conditions for development on this property.
- J. The applicant is reminded that this site is located within three miles of the City Limits of Wichita and will be heard by City Council. Therefore, the City Council certification needs to be included on the final plat.
- K. 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 2004-113 -- One-Step Final Plat of NORTHWEST YMCA ADDITION
September 30, 2004 - Page 3

- L. The platlor'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.
- M. The applicant shall install or guarantee the installation of all utilities and facilities that 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.)
- N. 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.
- O. 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.
- P. 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.
- Q. 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.
- R. Perimeter closure computations shall be submitted with the final plat tracing.
- S. Recording of the plat within 30 days after approval by the City Council and/or County Commission.
- T. 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. **SBC has requested additional easements.**
- U. 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.

Agreement Regarding Drainage and Flooding Issues at
the Proposed Wichita Northwest YMCA

Dated: October 11, 2004

We are in agreement that the grading plan dated October 7, 2004, and the drainage plan are to be modified as follows:

- (1) The building plan as shown is moved to the South by 13 feet.
- (2) The contour now shown as 1354' will be moved to the toe of the building pad.
- (3) The new elevation of the contour now shown as 1354' will be 1353'.
- (4) The property will slope at 1% from the revised 1353' contour to Dry Creek.
- (5) The pond will be maintained with stone riprap or the equivalent.
- (6) Drainage from 135th Street to the pond will be shown on the plan.
- (7) Landscaping will be maintained in accordance with the City of Wichita Code.

_____/s/
Alan G. Whetzel

_____/s/
Wesley A. Kottas

_____/s/
Roberta A. Whetzel

_____/s/
Dennis Schoenebeck

STAFF REPORT
(Revised One-Step Final Plat, Deferred 9/16/04)

CASE NUMBER: SUB 2004-113 -- NORTHWEST YMCA ADDITION

OWNER/APPLICANT: Young Men's Christian Association, 3330 N. Woodlawn, Wichita, KS 67220

SURVEYOR/ENGINEER: MKEC, Inc., 411 N. Webb Rd., Wichita, KS 67206

LOCATION: North side of 21st St. North, West side of 135th St. West

SITE SIZE: 50 acres

NUMBER OF LOTS

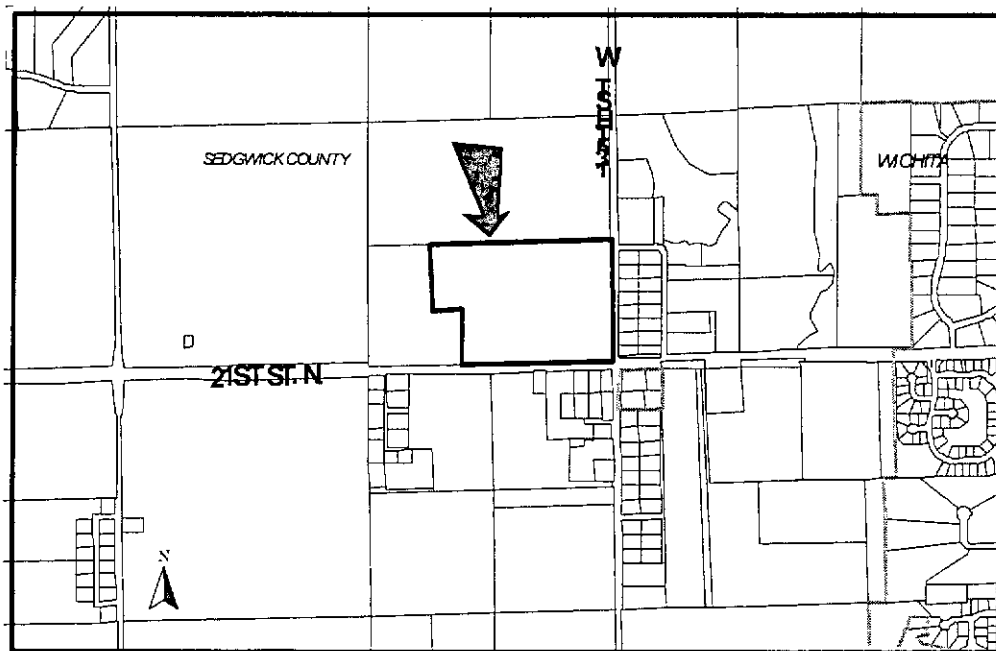
Residential:	1
Office:	
Commercial:	1
Industrial:	
Total:	<u>2</u>

MINIMUM LOT AREA: 9.19 acres

CURRENT ZONING: SF-20, Single-Family Residential

PROPOSED ZONING: LC, Limited Commercial; SF-20, Single-Family Residential

VICINITY MAP



NOTE: This is an unplatted site located within the County within three miles of the City of Wichita. It is in an area designated as "2010 Urban Service Area" by the Wichita-Sedgwick County Comprehensive Plan. The west portion of the site has been approved for a zone change (ZON 2004-30) from SF-20, Single-Family Residential to LC, Limited Commercial subject to platting. The Northwest YMCA Addition Community Unit Plan (CUP 2004-17, DP-276) was also approved for this site. 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. Petitions for both sewer main and lateral are needed. Sizing and location are subject to further discussion with Water & Sewer staff, will need to be in conformance with the sewer master plan and may require additional easement.
- B. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- C. **County Engineering** needs to comment on the status of the applicant's drainage plan. *The final drainage plan is approved. A revised drainage report has been provided. Applicant is advised to obtain a Letter of Map Revision from FEMA.*
- D. **County Engineering** needs to comment on the need for any improvements to perimeter streets. *County Engineering requests a petition for left and right turn lanes along 21st St. North.*
- E. **County Engineering** needs to comment on the access controls. The plat denotes two openings along 21st St. North. A note on the plat references access controls not shown as being in accordance with the County access management regulations. *Access controls need to be denoted in accordance with City of Wichita access management regulations. A driveway with full turning movements shall be at least 400 feet from the intersection. A rights-in/out driveway shall be at least 200 feet from the intersection.*

The access controls have been revised as requested.
- F. Provisions shall be made for ownership and maintenance of the proposed reserves. A covenant shall be submitted regarding ownership and maintenance responsibilities.
- G. The corner clip easement should be platted as a right-of-way dedication.
- H. 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.
- I. A CUP Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved CUP and its special conditions for development on this property.
- J. The Applicant is reminded that the CUP needs to be revised in accordance with the plat.
- K. The applicant is reminded that this site is located within three miles of the City Limits of Wichita and will be heard by City Council. Therefore, the City Council certification needs to be included on the final plat.

SUB 2004-113 -- One-Step Final Plat of NORTHWEST YMCA ADDITION
October 14, 2004 - Page 3

- 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.
- M. 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.
- N. The applicant shall install or guarantee the installation of all utilities and facilities that 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 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. **SBC has requested additional easements.**
- 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.

Northwest YMCA Addition

Parcel Closure
 Project: J:\CIVIL\04094\
 COGO Revisions: none
 Date: Tuesday, October 26, 2004
 COGO PC Project: None
 Client Contact: Dennis Schoenebeck
dennis@wichitaymca.org
 (316) 219-9622 x220

Parcel name: - NW Quarter

Line Course: S 88-15-40.4 W Length: 2702.896	North: 1703597.341 East : 1599402.160
Line Course: S 01-13-03.0 E Length: 2622.030	North: 1703515.328 East : 1596700.509
Line Course: N 88-29-59.0 E Length: 2658.260	North: 1700893.890 East : 1596756.221
Line Course: N 00-14-53.5 W Length: 2633.878	North: 1700963.488 East : 1599413.570
	North: 1703597.341 East : 1599402.160

Perimeter: 10617.064 Area: 7,043,320 sq.ft. 161.69 acres

Mapcheck Closure - (Uses listed courses and chords)

Error Closure: 0.000 Course: S 85-45-42.5 E
 Error North: -0.0000 East : 0.0002
 Precision 1: 10,617,064,000.000

Parcel name: - NE Quarter

Line Course: N 88-30-18.1 E Length: 25.002	North: 1701030.288 East : 1601973.141
Line Course: N 00-57-23.1 W Length: 2643.880	North: 1701030.940 East : 1601998.135
Line Course: S 88-16-09.0 W Length: 2553.009	North: 1703674.452 East : 1601954.004
Line Course: S 00-14-53.5 E Length: 2633.878	North: 1703597.340 East : 1599402.159
Line Course: N 88-30-18.1 E Length: 2560.443	North: 1700963.487 East : 1599413.569
	North: 1701030.287 East : 1601973.140

Perimeter: 10416.212 Area: 6,778,683 sq.ft. 155.61 acres

Mapcheck Closure - (Uses listed courses and chords)

Error Closure: 0.001 Course: S 51-34-38.1 W
 Error North: -0.0008 East : -0.0010
 Precision 1: 10,416,212.000

Parcel name: - SW Quarter

Line Course: N 00-14-34.3 W Length: 70.014	North: 1698337.619 East : 1599424.700
Line Course: N 00-14-34.3 W Length: 2555.879	North: 1698407.632 East : 1599424.403
Line Course: S 88-29-59.0 W Length: 2658.260	North: 1700963.488 East : 1599413.570
Line Course: S 01-14-58.8 E Length: 2619.175	North: 1700893.890 East : 1596756.221
Line Course: N 88-38-01.5 E Length: 2612.100	North: 1698275.338 East : 1596813.343
	North: 1698337.619 East : 1599424.700

Perimeter: 10515.427 Area: 6,910,078 sq.ft. 158.63 acres

Mapcheck Closure - (Uses listed courses and chords)

Error Closure: 0.000 Course: N 02-16-56.0 E
 Error North: 0.0004 East : 0.0000
 Precision 1: 10,515,428,000.000

Parcel name: - SE Quarter

Line Course: N 88-30-18.1 E Length: 2585.445	North: 1700963.488 East : 1599413.570
Line Course: S 00-43-52.3 E Length: 2630.929	North: 1701030.940 East : 1601998.135
Line Course: S 88-37-27.6 W Length: 2607.761	North: 1698400.225 East : 1602031.709
Line Course: N 00-14-34.3 W Length: 2625.893	North: 1698337.619 East : 1599424.700
	North: 1700963.489 East : 1599413.570

Perimeter: 10450.027 Area: 6,823,939 sq.ft. 156.65 acres

Mapcheck Closure - (Uses listed courses and chords)

Error Closure: 0.001 Course: N 30-33-17.3 W
 Error North: 0.0008 East : -0.0005
 Precision 1: 10,450,028.000

Parcel name: - Balance SE Quarter LESS and EXCEPT R/W

Line Course: S 88-37-27.6 W Length: 996.238	North: 1698431.549 East : 1600420.354
Line Course: N 00-14-34.3 W Length: 2555.879	North: 1698407.632 East : 1599424.403
Line Course: N 88-30-18.1 E Length: 2560.443	North: 1700963.488 East : 1599413.569
Line Course: S 00-43-52.3 E Length: 1315.438	North: 1701030.288 East : 1601973.141
Line Course: S 88-33-51.9 W Length: 35.003	North: 1699714.957 East : 1601989.927
Line Course: S 88-33-51.9 W Length: 810.061	North: 1699714.080 East : 1601954.935
	North: 1699693.786 East : 1601145.129

Line Course: S 88-33-51.9 W Length: 1049.350	North: 1699667.496 East : 1600096.108
Line Course: S 00-43-52.2 E Length: 704.108	North: 1698963.446 East : 1600105.093
Line Course: N 88-37-28.0 E Length: 308.466	North: 1698970.851 East : 1600413.470
Line Course: S 00-43-52.3 E Length: 539.345	North: 1698431.550 East : 1600420.353

Perimeter: 10874.330 Area: 4,386,440 sq.ft. 100.69 acres

Mapcheck Closure - (Uses listed courses and chords)

Error Closure: 0.001 Course: N 71-03-33.2 W
 Error North: 0.0002 East : -0.0006
 Precision 1: 10,874,331.000

Parcel name: -FNL PLAT BOUNDARY – Pre Street Dedication

Line Course: S 88-37-27.6 W Length: 1560.923	North: 1698469.023 East : 1601980.827
Line Course: N 00-43-52.3 W Length: 539.345	North: 1698431.549 East : 1600420.354
Line Course: S 88-37-28.0 W Length: 308.466	North: 1698970.850 East : 1600413.471
Line Course: N 00-43-52.2 W Length: 704.108	North: 1698963.445 East : 1600105.094
Line Course: N 88-33-51.9 E Length: 1894.414	North: 1699667.496 East : 1600096.109
Line Course: S 00-43-52.3 E Length: 815.407	North: 1699714.957 East : 1601989.928
Line Course: S 08-42-47.4 W Length: 152.356	North: 1698899.616 East : 1602000.334
Line Course: S 00-43-52.3 E Length: 280.018	North: 1698749.019 East : 1601977.254
	North: 1698469.023 East : 1601980.827

Perimeter: 6255.036 Area: 2,182,079 sq.ft. 50.09 acres

Mapcheck Closure - (Uses listed courses and chords)

Error Closure: 0.000 Course: N 69-34-04.8 E
 Error North: 0.0001 East : 0.0004
 Precision 1: 6,255,037,000.000

Parcel name: -FNL PLAT BOUNDARY – Post Street Dedication

Line Course: S 88-37-27.7 W Length: 150.000	North: 1698472.823 East : 1601930.776
Line Course: S 80-05-37.3 W Length: 33.707	North: 1698469.222 East : 1601780.819
Line Course: S 88-37-27.6 W Length: 1327.644	North: 1698463.423 East : 1601747.615

Line Course: N 00-43-52.3 W Length: 539.345	North: 1698431.549 East : 1600420.353
Line Course: S 88-37-28.0 W Length: 308.466	North: 1698970.850 East : 1600413.471
Line Course: N 00-43-52.2 W Length: 704.108	North: 1698963.445 East : 1600105.093
Line Course: N 88-33-51.9 E Length: 1859.411	North: 1699667.496 East : 1600096.108
Line Course: S 00-43-52.3 E Length: 965.565	North: 1699714.080 East : 1601954.936
Line Course: S 07-47-58.1 W Length: 101.120	North: 1698748.594 East : 1601967.258
Line Course: S 00-43-52.3 E Length: 150.000	North: 1698648.409 East : 1601953.535
Line Course: S 43-56-47.7 W Length: 35.554	North: 1698498.421 East : 1601955.449
	North: 1698472.823 East : 1601930.775

Perimeter: 6174.919 Area: 2,142,646 sq.ft. 49.19 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.001 Course: N 82-22-47.3 W
 Error North: 0.0001 East : -0.0006
 Precision 1: 6,174,920.000

Parcel name: - RESERVE "A"

Line Course: N 00-43-52.3 W Length: 584.599	North: 1699109.234 East : 1601152.590
Line Course: N 88-33-51.9 E Length: 810.061	North: 1699693.785 East : 1601145.129
Line Course: S 00-43-52.3 E Length: 745.366	North: 1699714.080 East : 1601954.936
Line Course: S 88-37-27.6 W Length: 810.051	North: 1698968.774 East : 1601964.448
Line Course: N 00-43-52.3 W Length: 159.920	North: 1698949.327 East : 1601154.630
	North: 1699109.234 East : 1601152.590

Perimeter: 3109.998 Area: 603,403 sq.ft. 13.85 acres

Mapcheck Closure - (Uses listed courses and chords)

Error Closure: 0.000 Course: N 08-42-25.0 E
 Error North: 0.0002 East : 0.0000
 Precision 1: 3,109,997,000.000

Parcel name: BLOCK 1, LOT 1 - in Flood Easement

Line Course: N 00-43-52.3 W Length: 584.599	North: 1699109.234 East : 1601152.590
Line Course: S 88-33-51.9 W Length: 1049.350	North: 1699693.785 East : 1601145.129
	North: 1699667.496 East : 1600096.109

Line Course: S 00-43-52.2 E Length: 704.108

North: 1698963.445 East : 1600105.094

Line Course: N 88-37-28.0 E Length: 308.466

North: 1698970.850 East : 1600413.471

Line Course: N 00-43-52.3 W Length: 120.112

North: 1699090.952 East : 1600411.938

Line Course: N 88-35-09.7 E Length: 740.877

North: 1699109.234 East : 1601152.589

Perimeter: 3507.512 Area: 650,211 sq.ft. 14.92 acres

Mapcheck Closure - (Uses listed courses and chords)

Error Closure: 0.000 Course: N 25-29-50.5 W

Error North: 0.0003 East : -0.0002

Precision 1: 3,507,512,000.000

Parcel name: BLOCK 1, LOT 1 – out of Flood Easement

Line Course: S 88-35-09.7 W Length: 740.877

North: 1699109.234 East : 1601152.590

Line Course: S 00-43-52.3 E Length: 120.112

North: 1699090.952 East : 1600411.938

Line Course: S 00-43-52.3 E Length: 539.345

North: 1698970.850 East : 1600413.471

Line Course: N 88-37-27.6 E Length: 740.871

North: 1698431.549 East : 1600420.354

Line Course: N 00-43-52.3 W Length: 250.284

North: 1698449.335 East : 1601161.011

Line Course: N 00-43-52.3 W Length: 249.748

North: 1698699.599 East : 1601157.817

Line Course: N 00-43-52.3 W Length: 159.920

North: 1698949.326 East : 1601154.630

North: 1699109.233 East : 1601152.589

Perimeter: 2801.156 Area: 488,724 sq.ft. 11.21 acres

Mapcheck Closure - (Uses listed courses and chords)

Error Closure: 0.000 Course: S 35-53-13.0 W

Error North: -0.0004 East : -0.0003

Precision 1: 2,801,157,000.000

Parcel name: BLOCK 1, LOT 2 – in Flood Easement

Line Course: N 00-43-52.3 W Length: 249.748

North: 1698699.599 East : 1601157.817

Line Course: N 88-37-27.6 E Length: 810.051

North: 1698949.327 East : 1601154.630

Line Course: S 00-43-52.3 E Length: 220.199

North: 1698968.774 East : 1601964.448

Line Course: S 07-47-58.1 W Length: 101.120

North: 1698748.593 East : 1601967.258

Line Course: S 00-43-52.3 E Length: 150.000

North: 1698648.408 East : 1601953.535

Line Course: S 43-56-47.7 W Length: 35.554	North: 1698498.421 East : 1601955.449
Line Course: S 88-37-27.7 W Length: 150.000	North: 1698472.822 East : 1601930.775
Line Course: N 29-02-15.0 W Length: 180.005	North: 1698469.221 East : 1601780.819
Line Course: N 49-10-03.1 W Length: 100.000	North: 1698626.600 East : 1601693.447
Line Course: N 79-17-45.5 W Length: 200.000	North: 1698691.985 East : 1601617.785
Line Course: S 83-36-12.9 W Length: 265.098	North: 1698729.132 East : 1601421.265
	North: 1698699.598 East : 1601157.817

Perimeter: 2461.775 Area: 259,746 sq.ft. 5.96 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)

Error Closure: 0.001 Course: S 08-50-46.2 W
 Error North: -0.0007 East : -0.0001
 Precision 1: 2,461,775.000

Parcel name: BLOCK 1, LOT 2 – out of Flood Easement

Line Course: N 83-36-12.9 E Length: 265.098	North: 1698699.599 East : 1601157.817
Line Course: S 79-17-45.5 E Length: 200.000	North: 1698729.133 East : 1601421.265
Line Course: S 49-10-03.1 E Length: 100.000	North: 1698691.986 East : 1601617.785
Line Course: S 29-02-15.0 E Length: 180.005	North: 1698626.601 East : 1601693.448
Line Course: S 80-05-37.3 W Length: 33.707	North: 1698469.222 East : 1601780.819
Line Course: S 88-37-27.6 W Length: 586.772	North: 1698463.423 East : 1601747.614
Line Course: N 00-43-52.3 W Length: 250.284	North: 1698449.336 East : 1601161.011
	North: 1698699.600 East : 1601157.817

Perimeter: 1615.867 Area: 140,560 sq.ft. 3.22 acres

Mapcheck Closure - (Uses listed courses and chords)

Error Closure: 0.001 Course: N 02-35-50.7 E
 Error North: 0.0006 East : 0.0000
 Precision 1: 1,615,866.000