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DM-mk-CCarrier
4/17/00

April 14, 2000

Mr. Gary O'Neal
Mayor - City of Bel Aire
4551 N Auburn
Wichita, KS. 67220

Re: Willowbend North Development

Dear Mr. Mayor:

As you may or may not know, I am the developer of Willowbend North. This project has been going on for a little over 2 years now and is located ½ mile east of Woodlawn on the south side of 45th Street North. The first phase, the Patio Home phase, is nearly 50% complete. The second phase, the Estates section, is just in the process of having infrastructure installed. This is the part that I would like to address with you.

I'm sure you are aware of what is going on with the storm sewer portion of this project. I would like to make a couple of points however.

1. I first became aware that there was a problem on December 1, 1999. That is when the storm sewer contractor moved equipment on the job to install their portion of the project. After a few days of nothing happening and then all of a sudden, his equipment was gone, I became a little curious. I contacted my engineering firm, Mid Kansas Engineering, to find out what was happening. It was then that I learned that we apparently had a problem with being able to run the storm sewer like it was designed because of a right of way issue. Keep in mind, at this point in time, the street excavation had already taken place and was ready for curbing and paving. The more I got into this, the more that it became apparent that the issue was between the City of Wichita and the City of Bel Aire.
2. 62 days later, which may seem minor to some, but to me that means 62 days worth of interest which amounts to several thousand dollars, that I am just out because my project is for all practical purposes, shut down, the contractor finally showed back up. By seeing their equipment back on the job, I thought things were resolved. This was an error on my part. I then met with the City of Wichita's Development Review Committee to discuss this; I was told that this was now going to be a multiple phase project to allow time to work out the issue of the right of way. Phase I would consist



of running the storm sewer through the berm, so that the street construction could continue, and letting it percolate up and drain away. Phase II would be to come back and complete the installation as was originally designed. Yesterday, I learned that for all practical purposes, there will be no phase II.

3. What this now means is that I have a berm that I installed for a couple of reasons being destroyed. One being the aesthetic value that it offers driving down 45th street. The other being the buffer that it creates between 45th street and the interior streets of my development. Notwithstanding the money that has already been spent for this, this will seriously threaten the marketability of my development.

Now I don't know and really don't care to, the reasons why this all came about. What I do know is that I seem to be the person caught in the middle of a "Hattfield & McCoy" situation.

I don't have a problem playing by the rules. I serve on the Wichita Area Metropolitan Planning Commission and fully understand the rules of development. The only problem, is when the rules change in the middle of the game. If I had known that this was going to be a problem from the start, I could have designed the streets differently and the storm water discharge system differently. Since we had already installed a 16" water line in this same right of way a couple of years ago, there was no reason to suspect that running the storm sewer in the same right of way would be a problem.

What I have now have is going to cause problems in more ways than one. There will be standing water in the area where the inlet has been installed. When it rains, this fills up with about a foot of water. The only way for it to get out of there is through evaporation. This is going to become stagnant and cause a health and safety issue. Not to mention the appearance. It is going to raise, as it already has, several questions from prospective buyers. I really am concerned that this will have a severe negative impact on the sales in this development.

I have tried to be a good neighbor to Bel Aire. Your citizens use our fountain area on a regular basis. They walk there quite often, they have picnics there, and in general have seemed to enjoy our immenities. Your police department uses this area quite often as a place to locate to control the speed on 45th. This is fine. They have been more than cooperative and helpful to me during the course of construction. They have kept an eye on things late in the evening as they are making their routine patrols. That is a big piece of mind not only to me, but also to the residents who live there. I have come to know several of them and enjoy talking to them. They even used one of the pictures that I took for them at our fountain with their youth group and put it on a calendar. I think this is wonderful. I have spent a lot of time and money on this project with the intent that it would be utilized by the public and appreciated. I wanted to create something really special for all those that could share in it, and feel that I have done so. I certainly don't want to



do anything to discourage the public use of this facility in any way. On the same token, I don't want to be used as a pawn.

I honestly feel that even though you have now passed an ordinance that does not allow the City of Wichita the right to run any of their utilities in your rights of ways, that an exception should be made in this case. The City of Bel Aire is not going to be pleased with the aesthetics of this any more than I am. The City of Bel Aire, or someone, has been re-grading the ditch on the north side of 45th to prevent standing water. It seems hard for me to understand why you would not want to continue that look on the south side of the street. With no cost to Bel Aire, and a benefit to both of us, why not let it happen? Let's not get off base with emotions.

I strongly ask that you reconsider this issue and that you and I and whom ever else you wish, could meet face to face to discuss this. There is always a way to work things out as long as the communication lines are kept open.

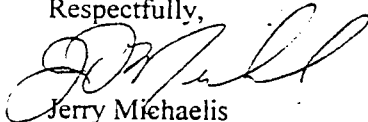
Once again, I feel like I am being penalized for something that is completely out of my control. I have followed the procedures that I was supposed to and I again want to emphasize the financial ramifications that this seemingly unnecessary situation could have on me.

If this project is allowed to be installed as per the design, we both win! Isn't that the ultimate goal?

If you haven't already driven by there lately, I ask that you do this so that you can see what I am talking about.

Thank you for listening. I will contact you by telephone in a couple of days to see if it is possible to arrange a meeting.

Respectfully,



Jerry Michaelis
President

JDM

cc: Tim Johnson
Bob Knight
Joe Piscotte
—Chris Churches

March 9, 2000

Lee E. Parker
City Attorney
City of Bel Aire
4551 North Auburn
Wichita, Kansas 67220

Dear Mr. Parker:

Your demand letter of March 1, 2000, has been forwarded to this office for review and response. We believe that if Bel Aire staff had called Wichita staff, your letter would have been unnecessary, as the misinformation that was the apparent basis for the cease and desist demand could have been corrected. In addition to the unfortunate factual assumptions, it is also necessary to disagree with the legal premise of your letter as set forth below.

As we are sure Bel Aire can appreciate, matters that may affect the future growth and development of our respective communities must be considered with due care by the policy makers. The items which were discussed with City of Wichita staff on February 4, 2000, were forwarded through our policy making process immediately after that meeting. These issues are under review, and we are also informed that Council member Joe Pisciotte has been discussing the issues with your Mayor O'Neal. The City will provide Bel Aire a response on those important issues when a policy position has been formulated. Wichita has and will continue to seek to work cooperatively with Bel Aire on such matters.

City Staff is aware of the time issues facing the developer seeking water and sewer service and the developer's need for a quick response. Nonetheless, the property in question (southwest of 45th and Oliver) was outside of Bel Aire's service area when the developer began considering it. The service area issue should have been addressed prior the commitment to development.

After review with Public Works and Water & Sewer officials, we are unaware of any pipeline construction activity that encroaches into right-of-way controlled by Bel Aire as asserted in your letter, nor has Wichita authorized any such construction. Nevertheless, I

am informed that City Staff still believe that the design solution proposed by Mid Kansas Engineering Consultants for draining Willowbend North Estates is correct. The installation of the stormwater sewer in 45th Street North would reduce future maintenance cost for both Bel Aire and Wichita. Please let us know if Bel Aire would approve that construction.

Wichita did receive correspondence from the attorney for the Peters family inquiring about water and sewer service to their property in the 45th and Rock area. We have informed the Peters' counsel that any exchange of sewer service access for easements with the Peters family was subject to approval by Bel Aire. We are informed that the engineers on this project were told by Bel Aire's engineer that Bel Aire would not cooperate in such an arrangement, however, so the project has been designed to place the public sewer in railroad right-of-way and in Rock Road right-of-way – not in Bel Aire right-of-way.

Based upon the above information, we see no basis for your recitation of the basic municipal rights, requirements, and consequences of K.S.A. 12-848, -849, and -850. The City of Wichita has no construction or facilities in the streets, alleys, public parks or grounds of the City of Bel Aire (beyond those covered by the service agreement with Bel Aire). Further, while the City of Wichita has placed no facilities in "all such land" referenced in K.S.A. 12-851, the City of Wichita asserts that it has the right and authority to place facilities on private property now or in the future without the necessity of a franchise or other permission of Bel Aire. We are not aware of any ordinance or regulation enacted under the police powers of the City of Bel Aire pertaining to such placement; therefore the provisions of K.S.A. 12-851 to which you reference are inapplicable to such private arrangements.

We would respectfully request that you withdraw the cease and desist demand in your March 1 letter which is without factual or legal basis. If not, the City is prepared to vigorously defend against any legal action. City of Wichita staff remains willing to meet with Bel Aire staff to further discuss these issues.

March 13, 2000

Sincerely,

Gary E. Rebenstorf
City Attorney and Director of Law

cc: Chris Cherches
David Warren
Steve Lackey



KANSAS
DEPARTMENT OF HEALTH & ENVIRONMENT
BILL GRAVES, GOVERNOR
Gary R. Mitchell, Secretary

December 29, 1997

Jeff Cartwright
Mid-Kansas Engineering Consultants
411 N. Webb Rd.
Wichita, KS 67206

RE: NPDES general permit for Stormwater Runoff from Construction Activity
Willowbend North

Dear Mr. Cartwright;

Enclosed you will find an application which you submitted, on behalf of JMC, Inc., to the Kansas Department of Health and Environment (KDHE) for the subject National Pollutant Discharge Elimination System (NPDES) permit and project. The application is being returned since it is deficient in the areas noted below. These deficiencies were discussed with you on various occasions.

The Notice of Intent did not include a detailed site map(s) which indicate the anticipated significant changes in topography (see NOI instructions, page 2, E. Maps).

The "Sequence of Major Activities" does not mention erosion and sediment control measures other than final stabilization of the site. To successfully control erosion and sediment and to protect the water quality of Kansas' Surface Waters erosion and sediment control measures must be employed early and throughout the project development activities. The Sequence of Major Activities should reflect the project owners understanding of this basic erosion and sediment control practice.

The \$60.00 permit fee for coverage under the General Permit must be included with the NOI.

Since a valid application was not received, KDHE presumes the project was never constructed.

Construction activities which disturb five or more acres are required to be covered under the subject NPDES permit. Failure to obtain a permit prior to the initiation of construction, is a violation of Federal and State statutes and regulations. Should it become noted to the attention of KDHE that the subject project is underway or has been completed, KDHE can take enforcement action.

Sincerely,

David G. Freise, P.E.
Industrial Stormwater Coordinator
Bureau of Water

CC: City of Wichita
South Central District Office
Stormwater File
JMC, Inc.

RECEIVED

DEC 31 1997

CITY - ENGINEERING

CERTIFICATE OF COMPLETION

Owner's Project No. 472-82826
Index Number 764373

Project Barton Creek; Barton Creek Courts - Willowbend North Addition (west of Rock, south of 45th Street North)

Contractor Ritchie Paving

Contract Date 97 10 21

DEFINITION OF COMPLETION

The date of completion of a project is the date when the construction is completed, in accordance with the contract documents, so that the project can be utilized for the purpose for which it was intended.

To Ritchie Paving
CONTRACTOR

Date of Completion 98 07 10


The work performed under this contract has been inspected by authorized representatives of the Owner, Contractor, and Engineer and the Project is hereby declared to be completed on the above date.

The date of Completion is the date upon which all guarantees and warranties begin.

The responsibilities between the Owner and the Contractor for maintenance shall be as set forth in the specifications.

RECEIVED
SEP 11 1998

Kenneth E. Klog 9/10/98
PROFESSIONAL ENGINEER SEAL/SIGNATURE/DATE



/gh

April 3, 1997

STAFF REPORT

(Final Plat, Preliminary Plat Approved 3/6/97)

CASE NUMBER: S/D 97-20 - WILLOWBEND NORTH

OWNER/APPLICANT: BuildTech 2000, 3500 N. Rock Road, #400,
Wichita, KS 67226; 636-1800

SURVEYOR/ENGINEER: Mid Kansas Engineering Consultants, Inc., 411 N. Webb Road,
Wichita, KS 67206; 684-9600

LOCATION: South of 37th Street North and West of Rock Road

SITE SIZE: 9.8 +/- Acres

NUMBER OF LOTS

Residential: 38

Office:

Commercial:

Industrial: ==

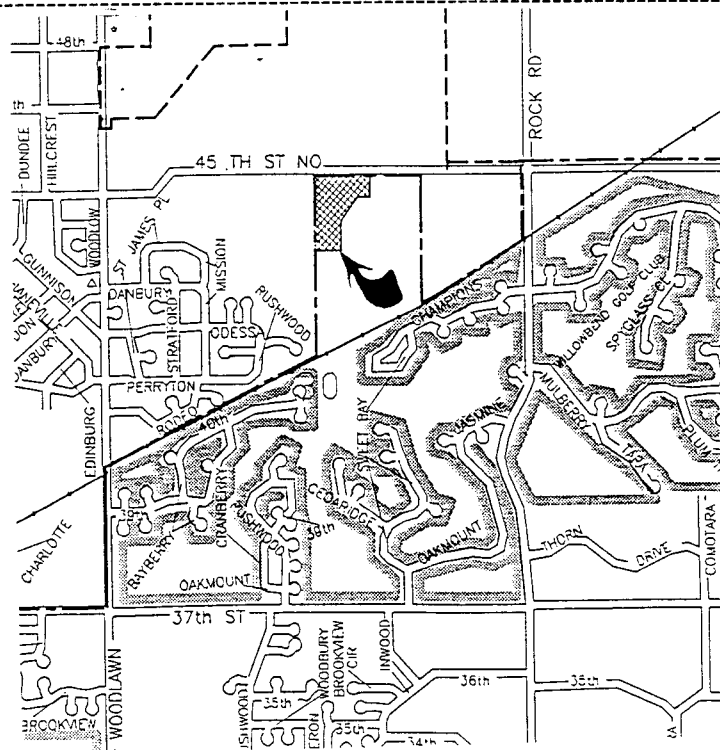
Total: 38

MINIMUM LOT AREA: 6000 square feet

CURRENT ZONING: "SF-6"

PROPOSED ZONING: "SF-6"

VICINITY MAP:



NOTE: This plat represents only a portion of the overall preliminary plat reviewed by the Subdivision Committee 3/6/97.

STAFF COMMENTS:

- A. The applicant shall guarantee the extension of sanitary sewer to serve the lots being platted. As noted during review of the preliminary plat, preliminary plans by the applicant indicated that this site may be intending to use a Bel Aire sewer system. **City Engineering** needs to indicate if the Wichita sewer system is to be extended to this site or if the City would consent to the use of the Bel Aire system for a Wichita site.
- B. The applicant shall guarantee the extension of City water to serve the lots being platted. The **Water Department** representative needs to indicate any special requirements as to the improvements needed to serve this site.
- 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. For the narrow public 32-foot streets, this guarantee shall be for the 29-foot paving standard.

For all the Reserves being platted for drives (private streets) improvements shall be guaranteed (petitions cannot be used in this case) for construction/paving to a public street standard. As indicated by the Subdivision Regulations, a standard does exist for a 21-foot back of curb to back of curb street that provides two moving lanes and no on street parking. The applicant shall meet with City Engineering to discuss the use of this standard for these Reserves and will as required, provide an appropriate guarantee.

- F. Staff recommends the committee review the need for sidewalks along the private streets. Staff hoped that there would be an indication of a change in paving material at regular intervals along the private street so there would be a visual boundary encouraging each set of four (4) lots backing up to the golf course to use specific cul-de-sacs. With that type of arrangement, sidewalks would not be necessary.

The applicant is advised that their utility layout plans need to take into consideration sidewalk requirements.

- G. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- H. When the preliminary plat was reviewed, all building setbacks for a corner lot showed a sidestreet setback of 15-feet. This is the standard stated in both the zoning code and Subdivision Regulations. Further, as required for narrow streets, 15-foot street-drainage-utility

easements were to be platted and would in many cases overlap or correspond to the 15-foot setback standard.

Even though the above setbacks and easements were depicted and/or approved during review of the preliminary plat, the applicant has submitted this final plat with a number of lots being altered so as to only show 10-foot setback and easement areas. The applicant needs to explain why such an unauthorized change has been made to the final plat. City Engineering needs to verify if reduced street-drainage-utility easements are acceptable and the Subdivision Committee must agree to the reduced building setback.

- I. The size of Lot 2, Block 4, is only 5,724 square feet. Several other lots also appear to be questionable as to their size meeting the 6,000 square feet required by this site's zoning. The applicant shall supply Planning with a list of all lot sizes. If any lots are under 6,000 square feet, the final plat tracing shall either be appropriately revised, or the applicant will need to first obtain a BZA for any such proposed lot.
- J. The final plat tracing shall be submitted at a larger scale (e.g., "1 inch to 50 feet", etc.). At the present scale, dimensions, letters, and so forth are in many cases unclear and will become illegible when micro-filmed.
- K. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities. This covenant shall also provide for the lot/homeowners association to maintain the "parking strip" located between the plat's north property line and the driving surface for 45th Street North.
- L. The applicant shall submit a copy of the instrument which establishes the Cities Service Gas Company Easement on this property. The applicant's agent shall determine any setback requirements from the pipeline by researching the text of the pipeline agreement. If a setback from the pipeline easement is provided for in the pipeline easement agreement, it shall be indicated on the face of the plat.
- M. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- 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 32-foot or private (20-foot) streets.
- O. The representative from the Fire Department needs to comment on the street names shown for this plat. The applicant has indicated that a different street name would be considered for what is now shown as Maunakea (e.g., Shoal Creek, Oak Tree, Cherry Hills, etc.). Also, for the street stub shown going into the eastern portion of this planned development, the suffix "dr" shall be deleted.

- P. On the final plat tracing Lots 1 through 11, adjacent to the golf course appear to be a separate block, and should apparently be shown with a Block 7 indication.
- Q. Prior to this plat being released for recording, the applicant shall provide proof that all applicable property taxes have been paid, for all of the involved site. The plat binder presently indicates nearly \$10,000 in outstanding property taxes.
- R. On the final plat tracing, the MAPC signature block shall be amended to indicate John C. Frye as chairman.
- S. On the final plat tracing, the terminus of Barton Creek at the south line of this plat shall be shown by either a dashed line or left open. Solid lines are used to indicate a private street.
- T. 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.)
- U. 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.
- V. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (phone 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- W. The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294) or Kansas Department of Wildlife and Parks, P. O. Box 317, Valley Center, KS 67147] for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- X. Perimeter closure computations shall be submitted with the final plat tracing. Section 5-101(c).
- Y. Recording of the plat within thirty (30) days after approval by the City Council and/or County Commission.
- Z. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property. It should be noted that a number of easements requested during review of the preliminary plat have not been shown on this final.

- AA. The representatives from City Engineering should be prepared to comment on the status of the applicant's drainage plan.

City Engineering

April 3, 1997

08:00 PM

March 6, 1997

STAFF REPORT
(Preliminary Plat)

CASE NUMBER: S/D 97-20 - WILLOWBEND NORTH

OWNER/APPLICANT: BuildTech 2000, 3500 N. Rock Road, #400,
Wichita, KS 67226; 636-1800

SURVEYOR/ENGINEER: Mid Kansas Engineering Consultants, Inc., 411 N. Webb Road, Wichita,
Ks 67206; 684-9600

LOCATION: South of 37th Street North and West of Rock Road

SITE SIZE: 33.6 Acres

NUMBER OF LOTS

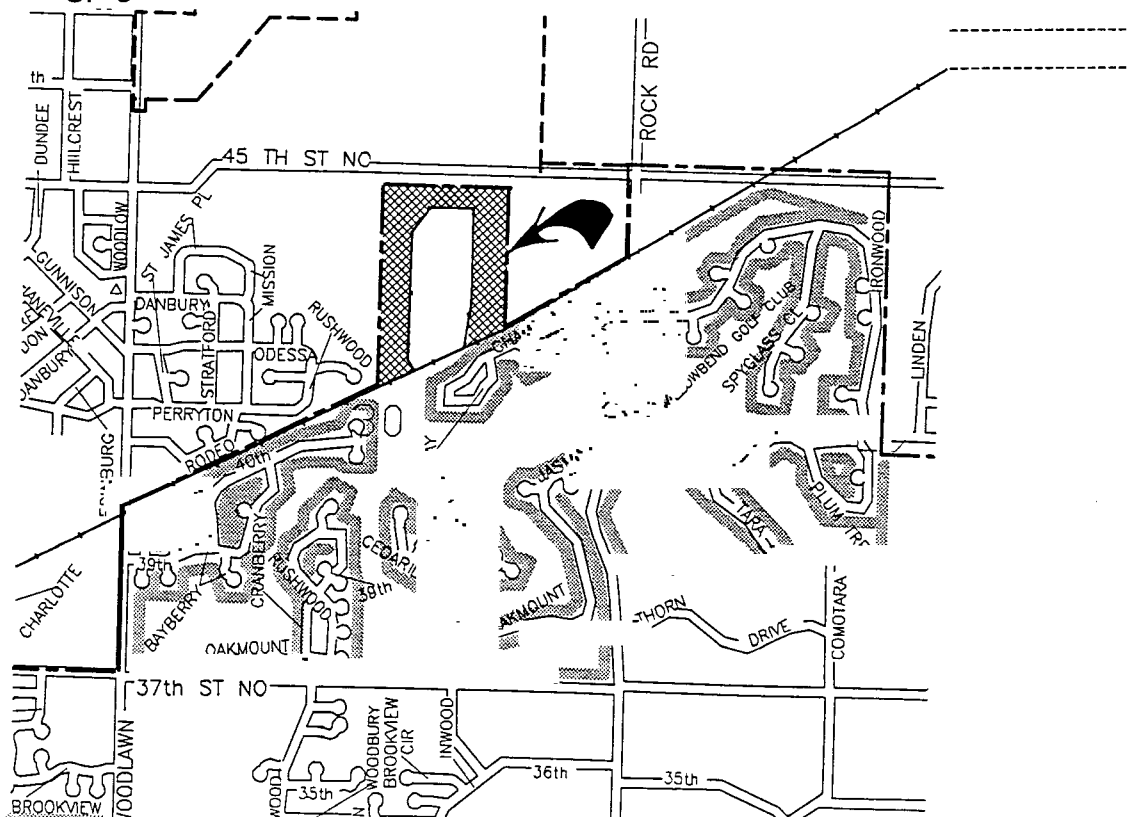
Residential:	139
Office:	
Commercial:	
Industrial:	==
Total:	139

MINIMUM LOT AREA: 6000 square feet

CURRENT ZONING: "SF-6"

PROPOSED ZONING: "SF-6"

VICINITY MAP:



NOTE: This plat involves development of an area that surrounds two fairways of the Willowbend Golf Course. The applicant is proposing a fairly dense patio home or townhouse type of residential development. While all lots will be at least 6,000 square feet in size, this is basically being accomplished by the use of narrow public streets and a proposed system of 20-foot private drives. In terms of access to the lots themselves, most lots will have basically normal access by means of the public street system. However, a limited number of lots will be in effect served by the narrow 20-foot driveway type Reserves. For example, looking at Lots 1 through 4 of Block 11, Lots 2 and 3 are basically at the end of the adjacent Barton Creek Court and in essence have fairly typical or acceptable access to that public street. Lots 1 and 4, however, lack direct access to the court and will depend on the 20-foot driveway Reserve for at least a short distance.

Perhaps of more concern than access for this development, in particular for the lots immediately adjacent to the Golf Course, is how both municipal and other public utilities, along with drainage will or can be provided for this development.

Finally, it should be noted that while this site is itself within the City of Wichita, it is surrounded on its West-North-East sides by the City of Bel Aire. Development, therefore, on either side of this site is under Bel Aire's control. As can be noted by this plat's design, no attempt is being made to connect this site with areas to the east and west. However, certain physical conditions would make such interconnections questionable. Particularly, to the east, this site is largely bordered by a lake with little or no developable area actually adjacent to this Addition. Along the west line, major overhead power lines run the length of the site. Further west of the power lines, a stream running north-south leaves a somewhat limited area for development, but which "could" benefit by a street connection with this Addition.

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. In regards to the above improvements, City Engineering needs to indicate any special requirements in regard to providing municipal services. Further, prior to submitting the final plat, does Engineering need sanitary sewer, water and/or other utility layout plans.

As required for narrow 32-foot public streets, but also for the narrow private drives (streets) being platted as Reserves, a 15-foot street-drainage-utility easement shall be platted along all lots (all sides of lots) adjacent to these narrow public streets, but also to the Reserve areas being platted for drives.

- 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.
- N. On the final plat, the Reserve area across from Reserve F and adjacent to the public street shall be lettered and appropriately described as indicated above.
- O. As was shown on preliminary plans of this development, emergency access easements shall be shown across both Reserves E and G which extend from 45th Street North to the interior streets (Barton Creek, Castle Pines). The plat's text needs to reference these easements indicating that no blockage of these easements will be allowed and that the installation of any improvements (gates, driving surface, etc.) will need to be approved by the City's Fire Department and will be installed by the applicant. Any wall type easement shall be deleted from the areas of these emergency access easements.
- P. On the final plat, the platting of wall easements shall be noted in the plat's text and also noting that utilities may close these easements.
- Q. For the pipeline easement on this property, the final plat shall include in the labeling of the easement the name of the company benefiting from the easement agreement.
- R. The applicant shall submit a copy of the instrument which establishes the Williams Pipeline Easement on this property. The applicant's agent shall determine any setback requirements from the Williams Pipeline by researching the text of the pipeline agreement. If a setback from the pipeline easement is provided for in the pipeline easement agreement, it shall be indicated on the face of the plat.
- S. Any relocation, lowering or encasement of the pipeline, made necessary by this development, will not be at the expense of the City.
- T. The representative from the City's Fire Department needs to comment on the acceptability of the street names presently being shown on this plat, but also as to any names that should be shown for the Reserves being platted for drives/streets. This plat appears to be showing all new street names even though existing names appear to be in alignment with this plat's streets. Also, as noted for other recent plats, the use of Drive as a street name suffix is not acceptable.
- U.. Requirements for a final plat (see pages 5-5 through 5-10, Part 4, Article 5 of the MAPC Subdivision Regulations).
- V. Prior to or at the time of submitting the final plat, the applicant shall submit a drainage plan to County Engineering for review and approval.
- W. The applicant shall install or guarantee the installation of all utilities and facilities which are

In regards to the above noted 15-foot easements, **City Engineering** needs to indicate, if the lack of such easements, along the outsides of the perimeter streets serving this site, is acceptable. As indicated by the plat, the applicant is instead showing a 5-foot wall easement in these areas.

- F. The applicant shall guarantee the paving of the proposed interior streets. For the narrow public 32-foot streets, this guarantee shall be for the 29-foot paving standard.

For all the Reserves being platted for drives (private streets) improvements shall be guaranteed (petitions cannot be used in this case) for construction/paving to a public street standard. As indicated by the Subdivision Regulations, a standard does exist for a 21-foot back of curb to back of curb street that provides two moving lanes and no on street parking. The applicant shall meet with City Engineering to discuss the use of this standard for these Reserves and will as required, provide an appropriate guarantee.

- G. The very high density of this development, the limited street widths, and the long continuous nature of both the public streets on the perimeter of the site, but also the Reserves for drives, makes a useful sidewalk or pedestrian walkway system imperative for this Addition. Prior to or along with the final plat, the applicant shall submit a "sidewalk" layout plan for this site. As necessary sidewalks or walkways will need to be placed within the 15-foot street-drainage utility easements along both the public and private streets. As possible, other Reserve areas should also be used. The above noted paving guarantees shall include these improvements.
- H. **City, County and/or Traffic Engineering** needs to comment on any traffic or paving improvements for 45th Street South needed to this site. It should be noted that this is a one-point of entry development being platted for 139 residential units. Also, however, this street appears to be within Bel Aire's City limits.
- I. If improvements are guaranteed by petition, a notarized certificate listing the petitions shall be submitted to the Planning Department for recording.
- J. On the final plat, all Reserves being platted for drives/streets shall be labelled as "private streets", but also shall show an appropriate street name.
- K. The final plat shall state in the platter's text the purposes of the proposed reserves as well as who is to own and maintain the reserves.
- L. Provisions shall be made for ownership and maintenance of the proposed reserves. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a covenant stating when the association will be formed, when the reserves will be deeded to the association and who is to own and maintain the reserves prior to the association taking over those responsibilities. This covenant shall also provide for the lot/homeowners association to maintain the "parking strip" located between the plat's north property line and the driving surface for 45th Street North.

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.)

- X. 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.
- Y. To receive mail delivery without delay, and to avoid unnecessary expense, the applicant is advised of the necessity to meet with the U.S. Postal Service Growth Management Coordinator (phone 316-729-0102) prior to development of the plat so that the type of delivery, and the tentative mailbox locations can be determined.
- Z. The applicant is advised that various State and Federal requirements [specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 30, Marquette, KS 67464 (913-546-2294) or Kansas Department of Wildlife and Parks, P. O. Box 317, Valley Center, KS 67147] for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- AA. The representatives from the utility companies should be prepared to comment on the need for utility easements to be platted on this property.
- BB. The representatives from City Engineering should be prepared to comment on the status of the applicant's drainage concept.

DRAINAGE ANALYSIS SUMMARY
WILLOWBEND NORTH ADDITION

Area ID	Area ac	Accum. Area ac	C ₂	C ₁₀₀	T _{C₂} min	T _{C₁₀₀} min	I ₂ in/hr	I ₁₀₀ in/hr	Q ₂ cfs	Q ₁₀₀ cfs	Inlet Size ft	Pipe Size in	Min Slope %	COMMENTS
A	3.1		0.57	0.79	15	15	3.83	7.37	6.77	18.05		24	0.60%	100 yr design, Cross Road Pipe
B	2.0		0.57	0.79	15	15	3.83	7.37	4.37	11.64	Area Inlet	15	0.50%	2 yr design, provide escape route for 100 yr, to South along rear lot lines
C	0.9		0.57	0.79	15	15	3.83	7.37	1.96	5.24	Area Inlet			2 yr design, bypass
B + C		2.9	0.57	0.79	15	15	3.83	7.37	6.33	16.88		18	0.50%	2 yr design, provide escape route for 100 yr South within Reserve @@@@
D1	2.0		0.57	0.79	22	15	3.17	7.37	3.61	11.64				2 yr design
D2	0.5		0.57	0.79	15	15	3.83	7.37	1.09	2.91				2 yr design
D1+2		2.5	0.57	0.79	22	15	3.17	7.37	4.52	14.56	Area Inlet			2 yr design
B + C + D1+2		5.4	0.57	0.79	22	15	3.73	7.37	11.48	31.44		24	0.50%	2 yr design, provide escape route for 100-yr South within Reserve @@@@
E1	1.2		0.57	0.79	20	15	3.33	7.37	2.28	6.99				2 yr design
E2	0.4		0.57	0.79	15	15	3.83	7.37	0.87	2.33				2 yr design
E1+2		1.6	0.57	0.79	20	15	3.33	7.37	3.04	9.32	Area Inlet			2 yr design
B + C + D1+2 + E1+2		7.0	0.57	0.79	22	15	3.17	7.37	12.65	40.76		24	0.50%	2 yr design, provide escape route for 100 yr South within Reserve @@@@, daylight into ditch

Note: Type D Soils, 1/8th acre lots