HYDROLOGY

K18/D24

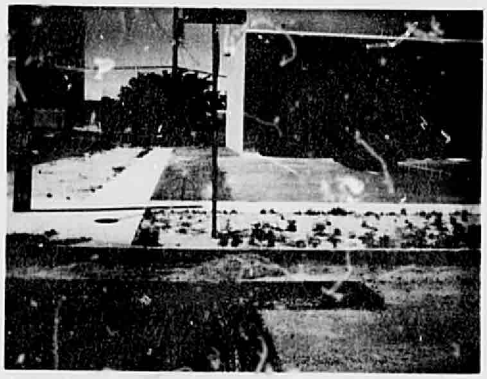
K18/D24

2 PLANS

FOLLOWING FRAME (S)

IS SHOT OF

PHOTOGRAPH (S)



201 ALVARADO N.E
7-27-79

POLACOLOR ⊙ TYPE 108

201 ALVARADO N.E
7-27-79

POLACOLOR ⊙ TYPE 108

201 ALVARADO N.E
7-27-79

DOUGLAS T. FRANCIS, P.A.
ATTORNEY AT LAW

1020 LOMAS BOULEVARD NW, SUITE FIVE
ALBUQUERQUE, NEW MEXICO 87102
Telephone: (505) 848-6780

Practice Primarily Limited To:
BANKRUPTCY LAW
REAL ESTATE LAW

February 24, 1981

Mr. Fred Aguirre
City of Albuquerque Public
Works Department
123 Central Avenue NW
Albuquerque, NM 87102

Re: Koger, et al., v. Casa Alegre Construction, Inc.
No. CV-79-07693, Bernalillo County District Court

Dear Mr Aguirre:

This is to confirm the message my secretary left for you in which she stated that the trial of the above matter, which had been scheduled for February 25, 1981, had been vacated and is now reset for August 18, 1981.

I will be in touch with you again before the August trial date. Thank you for your cooperation.

Very truly yours,

DOUGLAS T. FRANCIS

DTF:meg

DOUGLAS T. FRANCIS, P.A.

ATTORNEY AT LAW

1020 LOMAS BOULEVARD NW, SUITE FIVE
ALBUQUERQUE, NEW MEXICO 87102
Telephone: (505) 843-6780

Practice Primarily Limited To:
BANKRUPTCY LAW
REAL ESTATE LAW

February 2, 1981

Mr. Fred Aguirre
City of Albuquerque Public Works Department
123 Central Avenue NW
Albuquerque, NM 87102

Re: Koger, et al., v. Casa Alegre Construction, Inc.
No. CV-79-07693, Bernalillo County District Court

Dear Mr. Aguirre:

On May 12, 1980, you were subpoenaed to appear at the trial of the above matter. That trial was continued and reset for February 25, 1981.

A new subpoena, requiring you to appear on February 25, 1981, is enclosed, along with an acceptance of service. Please return the acceptance to me in the envelope provided by February 9, 1981. If I have not received your acceptance of service by that time, it will be necessary for me to have you served again. I would like to avoid that expense.

Please let me know if you have any questions.

Very truly yours,

DOUGLAS T. FRANCIS

DTF:meg
enclosures

RECEIVED FEB 10 1981

SUBPOENA
DUCES TECUM

In the District Court of the Second Judicial District in and for the County of Bernalillo, State of New Mexico.

CASE No. CV-79-07693

RUSSELL L. KOGER and CAROL C. KOGER,
his wife, and PAMELA J. MILES,

Plaintiffs,

v.

CASA ALEGRE CONSTRUCTION, INC.,
a New Mexico corporation,

Defendant.

THE STATE OF NEW MEXICO

To Mr. Fred Aguirre
City of Albuquerque Public Works Department
123 Central Avenue NW
Albuquerque, NM 87102
766-7644

Upon receipt of this subpoena, please call me, Douglas T. Francis, at 843-6730, and I will explain what I need you to testify about.

PLEASE BRING WITH YOU any documents, records, plans, files, letters, or any other materials relating to the above lawsuit; to the construction or financing of properties located at 201 Alvarado Drive NE and/or 205 Alvarado Drive NE, Albuquerque, New Mexico; and/or to any transactions, sales, or dealings by and between Casa Alegre Construction, Inc., and Russell L. Koger, and by and between Casa Alegre Construction, Inc., and Pamela J. Miles.

_____, Greeting:

We command you, and each of you, to be and appear before Judge HARRY E. STOWERS, JR., Division No. I of the District Court of the Second Judicial District of the State of New Mexico, within and for the County of Bernalillo, at the Court House in said County on Wednesday, February 25, 1981, at the hour of 9:30 am of said day and thereafter as you may be advised by the Court or the attorney requesting this subpoena, to testify in the above entitled cause on behalf of plaintiffs

And this do ye under penalty of the Law.

WITNESS, the HONORABLE HARRY E. STOWERS, JR., Judge of said Court, and the seal thereof this February 4, 1981, 19____

(Seal)

ELOISE E. YOUNG, Clerk

By Louise Gonzales Deputy

NOTE: Subpoena issued at request of Douglas T. Francis, Attorney for Plaintiffs, Address: 1020 Lomas Boulevard NW, Suite Five Albuquerque, NM 87102, Telephone Number: (505) 843-6730

FORM NO. 112 — REVISED 3-76

(Sheriff's return when service is made personally.)

STATE OF NEW MEXICO }
} ss.
County of ..... }

I, ... Sheriff of ..... County, State of New Mexico, do hereby certify, that I served the within subpoena by delivering a copy thereof, in the county aforesaid, in person to .....

on .....

Dated: ..... , Sheriff

Fees: By ..... , Deputy

(Return when service is made personally by other than sheriff.)

STATE OF NEW MEXICO }
} ss.
County of ..... }

..... being duly sworn, upon his oath says, I am over the age of eighteen years, I served the within subpoena by delivering a copy thereof, in the county aforesaid, in person to

.....

on .....

Fees: .....

Subscribed and sworn to before me this ..... day of ....., 19.....

.....

My Commission Expires

....., 19..... .....

NOTARY PUBLIC

DOUGLAS T. FRANCIS, P.A.

ATTORNEY AT LAW

1020 LOMAS BOULEVARD NW, SUITE FIVE

ALBUQUERQUE, NEW MEXICO 87102

1293

Mr. Fred Aguirre
City of Albuquerque Public Works Department
123 Central Avenue NW
Albuquerque, NM 87102

SUBPOENA
DUCES TECUM

In the District Court of the Second Judicial District in and for the County of Bernalillo, State of New Mexico.

CASE No. CV-79-07693

RUSSELL L. KOGER and CAROL C. KOGER,
his wife, and PAMELA J. MILES,

Plaintiffs,

v.

CASA ALEGRE CONSTRUCTION, INC., a
New Mexico corporation,

Defendant.

THE STATE OF NEW MEXICO

To Fred Aguirre
City of Albuquerque Public Works Department
123 Central Avenue NW
Albuquerque, NM 87102
766-7529

Upon receipt of this subpoena, please call me, Douglas T. Francis, at 843-6730, and I will explain what testimony is needed.

PLEASE BRING WITH YOU any documents, records, plans, files, letters, or any other materials relating to the above lawsuit; to the construction or financing of properties located at 201 Alvarado Drive NE and/or 205 Alvarado Drive NE, Albuquerque, New Mexico; and/or to any transactions, sales, or dealings by and between Casa Alegre Construction, Inc., and Russell L. Koger, and by and between Casa Alegre Construction, Inc., and Pamela J. Miles.

....., Greeting:

We command you, and each of you, to be and appear before Judge HARRY E. STOWERS, JR., Division No. I of the District Court of the Second Judicial District of the State of New Mexico, within and for the County of Bernalillo, at the Court House in said County on Tuesday, October 28, 1980, at the hour of 9:30 am of said day and thereafter as you may be advised by the Court or the attorney requesting this subpoena, to testify in the above entitled cause on behalf of plaintiffs.

And this do ye under penalty of the Law.

WITNESS, the HONORABLE HARRY E. STOWERS, JR., Judge of said Court, and the seal thereof this October 15, 19 80.

(Seal)

ELOISE E. YOUNG, Clerk

By Mary Strawn Deputy

NOTE: Subpoena issued at request of Douglas T. Francis, Attorney for Plaintiffs, Address: 1020 Lomas Boulevard NW, Suite Five, Albuquerque, NM 87102, Telephone Number: (505) 843-6730

FORM NO. 112 — REVISED 3-76

(Sheriff's return when service is made personally.)

STATE OF NEW MEXICO }
} ss.
County of ..... }

I, ... Sheriff of ..... County, State of New Mexico, do hereby certify, that I served the within subpoena by delivering a copy thereof, in the county aforesaid, in person to .....

on .....

Dated: ..... , Sheriff

Fees: By ..... , Deputy

(Return when service is made personally by other than sheriff.)

STATE OF NEW MEXICO }
} ss.
County of ..... }

..... being duly sworn, upon his oath says, I am over the age of eighteen years, I served the within subpoena by delivering a copy thereof, in the county aforesaid, in person to

.....

on .....

Fees: .....

Subscribed and sworn to before me this ..... day of ....., 19.....

.....

My Commission Expires

....., 19..... .....

NOTARY PUBLIC

SUBPOENA
DUCES TECUM

In the District Court of the Second Judicial District in and for the County of Bernalillo, State of New Mexico.

CASE No. CV-79-07693

RUSSELL L. KOGER and CAROL C. KOGER,
his wife, and PAMELA J. MILES,

Plaintiffs,

v.

CASA ALEGRE CONSTRUCTION, INC.,
a New Mexico corporation,

Defendant.

THE STATE OF NEW MEXICO

To Fred Aguirre
City of Albuquerque Public Works Department
123 Central Avenue NW
Albuquerque, NM 87102
766-7529

Upon receipt of this subpoena, please call me, Douglas T. Francis, at 843-6730, and I will explain what I need you to testify about.

PLEASE BRING WITH YOU any documents, records, plans, files, letters, or any other materials relating to the above lawsuit; to the construction or financing of properties located at 201 Alvarado Drive NE and/or 205 Alvarado Drive NE, Albuquerque, New Mexico; and/or to any transactions, sales, or dealings by and between Casa Alegre Construction, Inc., and Russell L. Koger, and by and between Casa Alegre Construction, Inc., and Pamela J. Miles.

....., Greeting:

We command you, and each of you, to be and appear before Judge HARRY E. STOMERS, JR., Division No. I of the District Court of the Second Judicial District of the State of New Mexico, within and for the County of Bernalillo, at the Court House in said County on Monday, May 12, 1980, at the hour of 1:30 pm of said day and thereafter as you may be advised by the Court or the attorney requesting this subpoena, to testify in the above entitled cause on behalf of plaintiffs. And this do ye under penalty of the Law.

WITNESS, the HONORABLE HARRY E. STOMERS, JR., Judge of said Court, and the seal thereof this May 8, 19 80

(Seal) ELOISE E. YOUNG, Clerk

By DEBBIE HAVENS Deputy

NOTE: Subpoena issued at request of Douglas T. Francis, Attorney for plaintiffs, Address: 1020 Lomas Boulevard NW, Suite Five Albuquerque, NM 87102, Telephone Number: (505) 843-6730

FORM NO. 112 — REVISED 3-76

(Sheriff's return when service is made personally.)

STATE OF NEW MEXICO }
} ss.
County of ..... }

I, ... Sheriff of ..... County, State of New Mexico, do hereby certify, that I served the within subpoena by delivering a copy thereof, in the county aforesaid, in person to .....

on .....

Dated: ..... , Sheriff

Fees: By ..... , Deputy

(Return when service is made personally by other than sheriff.)

STATE OF NEW MEXICO }
} ss.
County of ..... }

..... being duly sworn, upon his oath says, I am over the age of eighteen years, I served the within subpoena by delivering a copy thereof, in the county aforesaid, in person to .....

on .....

Fees: .....

Subscribed and sworn to before me this ..... day of ....., 19.....

.....

My Commission Expires

....., 19.....

.....
NOTARY PUBLIC

3939-C San Pedro, N.E. Albuquerque, New Mexico 87110 telephone (505) 881-9332

Casa Alegre inc.

August 17, 1979

City of Albuquerque
Drainage Control
Building and Inspection

Atten: Fred Aquirre

Re: 201 Alvarado, N.E.

Dear Mr. Aquirre:

Enclosed please find a letter from C.A. Coonce & Associates, Professional Engineers.

It addresses the subject of our recent telephone conversation. Should you need any other information on this property please let me know.

Sincerely,

T.D. Howe
President

TDH/fs

REALTOR

HOW HOME OWNERS WARRANTY

Builders – Realtors

C.A. (PAT) COONCE & ASSOC.
ENVIRONMENTAL, WATER RESOURCES, & SANITARY CONSULTING ENGINEERS

12324 PINERIDGE, N.E.
ALBUQUERQUE, N.M. 87112

PHONE (505) 296-1089

AUGUST 15, 1979

CITY OF ALBUQUERQUE
FLOOD CONTROL
123 CENTRAL AVENUE N.W.
ALBUQUERQUE, NEW MEXICO

ATTN: MR. FRED AQUIRRE

DEAR SIR:

I HAVE INSPECTED THE AS BUILT DRAINAGE SYSTEM FOR A QUADPLEX UNIT BUILT BY CASA ALEGRE CONSTRUCTION, INC. AT 201 ALVARADO N.E., BOTH BEFORE AND AFTER THE RECENT RAINS. THE MOST RECENT INSPECTION WAS 10:45 AM AUGUST 15, 1979. THE DRAINAGE EXCEPT FOR SOME MINOR BIRD BATHS IN THE DRIVING AREA OF THE PARKING LOTS IS PERFORMING AS PER AMAFCA DRAINAGE RESOLUTION # 2-2. I KNOW OF NO CITY STREETS OR PARKING LOT THAT DOES NOT HAVE BIRD BATHS.

IT IS MY RECOMMENDATION THAT THIS QUADPLEX MEETS OR EXCEEDS THE CITY OF ALBUQUERQUE DRAINAGE REQUIREMENTS AND SHOULD BE APPROVED.

SINCERELY,

C.A. COONCE & ASSOCIATES

C.A. COONCE
N.M.P.E. #2934

CAC/DMC

DOUGLAS T. FRANCIS
ATTORNEY AT LAW
520 SANDIA SAVINGS BUILDING
400 GOLD AVENUE SW
ALBUQUERQUE, NEW MEXICO 87102
TELEPHONE: (505) 247-3791

August 6, 1979

Mr. Fred Aguirre
Public Works Department
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Re: Apartments located at 201 Alvarado Drive NE
Russell L. Koger v. Howe, d/b/a Casa Alegre
Construction, Inc.

Dear Mr. Aguirre:

This is to confirm my understanding from my conversation with you that you inspected the drainage at 201 Alvarado Drive NE, and that had you originally inspected it, now you would not have passed it.

I understand that you are going to be in touch with the man who did inspect it for the purpose of determining why he passed it and that you are going to provide me with this information.

Thank you very much for your consideration in this matter.

Very truly yours,

DOUGLAS T. FRANCIS

DTF:meg

cc: Mr. Russell L. Koger

DOUGLAS T. FRANCIS
ATTORNEY AT LAW
520 SANDIA SAVINGS BUILDING
400 GOLD AVENUE SW
ALBUQUERQUE, NEW MEXICO 87102
TELEPHONE: (505) 247-3791

RECEIVED
JUL 24 1979
ALBUQUERQUE
CODE ADMINISTRATION
DIVISION

July 23, 1979

Mr. Charles Voltz
Superintendent of Building Inspection
City of Albuquerque
PO Box 1293
Albuquerque, NM 87103

Re: Apartments located at 201 Alvarado Drive NE
Russell L. Koger v. Howe, d/b/a Casa Alegre
Construction, Inc.

Dear Mr. Voltz:

Mr. Koger has asked that I write you concerning the certificate of occupancy issued on July 12, 1979, showing an inspection on Sunday, July 8, 1979.

Mr. Koger does not believe that the asphalt pad meets the specifications of the City as far as drainage is concerned and he is afraid that if the drainage is allowed to remain as it is, the property will drain improperly and he will be liable He told me that he advised Mr. Gilbert of your office of this problem by leaving a note pinned to his chair.

Please let me know if the drainage is, in fact, satisfactory, if it meets the City specifications, and why an inspection was done on a Sunday. If the drainage does not meet specifications, please advise me why a certificate of occupancy was issued. Also, please advise me if the City will issue a letter relieving Mr. Koger from any liability for closing on an apartment complex which has improper drainage.

Very truly yours,

DOUGLAS T. FRANCIS

DTF:meg

cc: Mr. Russell L. Koger

CITY OF ALBUQUERQUE
P.O. BOX 1293
ALBUQUERQUE, NEW MEXICO 87103

RECEIPT NO. 98549

DATE 10-21-80

RECEIVED FROM Fred Aguirre - City Employee

ADDRESS C. of Alb. Public Works Department

Thirty-Two and 00/100 DOLLARS $ 32.00

FOR Witness fee - Douglas I. Francis PA (Attorney at Law)

441016-7000110 (Ck # 3417)

ACCOUNT		CASH	CHECK
AMT. OF ACCOUNT	32.00		✓
AMT. PAID	32.00	BY	
BALANCE DUE	0		

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1866

REQUIRED APPROVALS BEFORE A CERTIFICATE

OF OCCUPANCY CAN BE ISSUED. UBC SEC. 306 (C)

ADDRESS 29 Alvarado, NE

PROJECT 4-plex

PERMIT # 22958

	INSPECTED BY	DATE
BUILDING INSPECTON	Lucas	6-28-79
PLUMBING	C. Wolfforth	6-13-79
GAS	C. Wolfforth	6-13-79
ELECTRICAL	Martens	5-15-79
BOILER & ELEVATOR		
ZONING	Crandall	5-23-79
FIRE DEPARTMENT	R. Crace	6-29-79
ENVIRONMENTAL HEALTH		
FLOOD CONTROL	D. Merritt	7-8-79

LAWSON
REALTY & INVESTMENT CORPORATION

July 10, 1979

Barbara--

Here is the Drainage Inspection you needed to proceed on the Certificate of Occupation for [redacted]

Karol Utterback mlb

765-7578

11701 MENAUL N.E., SUITE A • ALBUQUERQUE, NEW MEXICO 87112 • (505) 293-9701

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OF THE ORIGINAL DOCUMENT

Please Return (over)

PUBLIC WORKS DEPARTMENT
EXCAVATION INSPECTION

APPROVED

Phone 842-7441

Inspector

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CITY OF ALBUQUERQUE
MUNICIPAL DEVELOPMENT DEPARTMENT
ENGINEERING DIVISION

HYDROLOGY SECTION PROJ. NO. G-17 DATE: 10/26/83

PLANNING DIVISION NO. _____

CONFERENCE RECAP

SUBJECT: Sun Country Savings Bank (G-17)

WHO	REPRESENTING
ATTENDANCE: Billy Goolsby	CE/Hydology

FINDINGS: ① Drainage Plan Required

② Ponding required due to inadequacy of downstream capacity in Montgomery Blvd If a system is verified with Jim Fink as to increased capacity than free discharge may be allowed.

③ Appropriate "Construction Within City R/W" document required.

The undersigned agrees that the above findings are summarized accurately and are only subject to change if further investigation reveals that they are not reasonable or that they are based on inaccurate information.

SIGNED: Billy G. Goolsby SIGNED: [illegible]

TITLE: Civil Eng/Hydrology TITLE: [illegible]

DATE: 10/26/83 DATE: [illegible]

G-17-D-6A.

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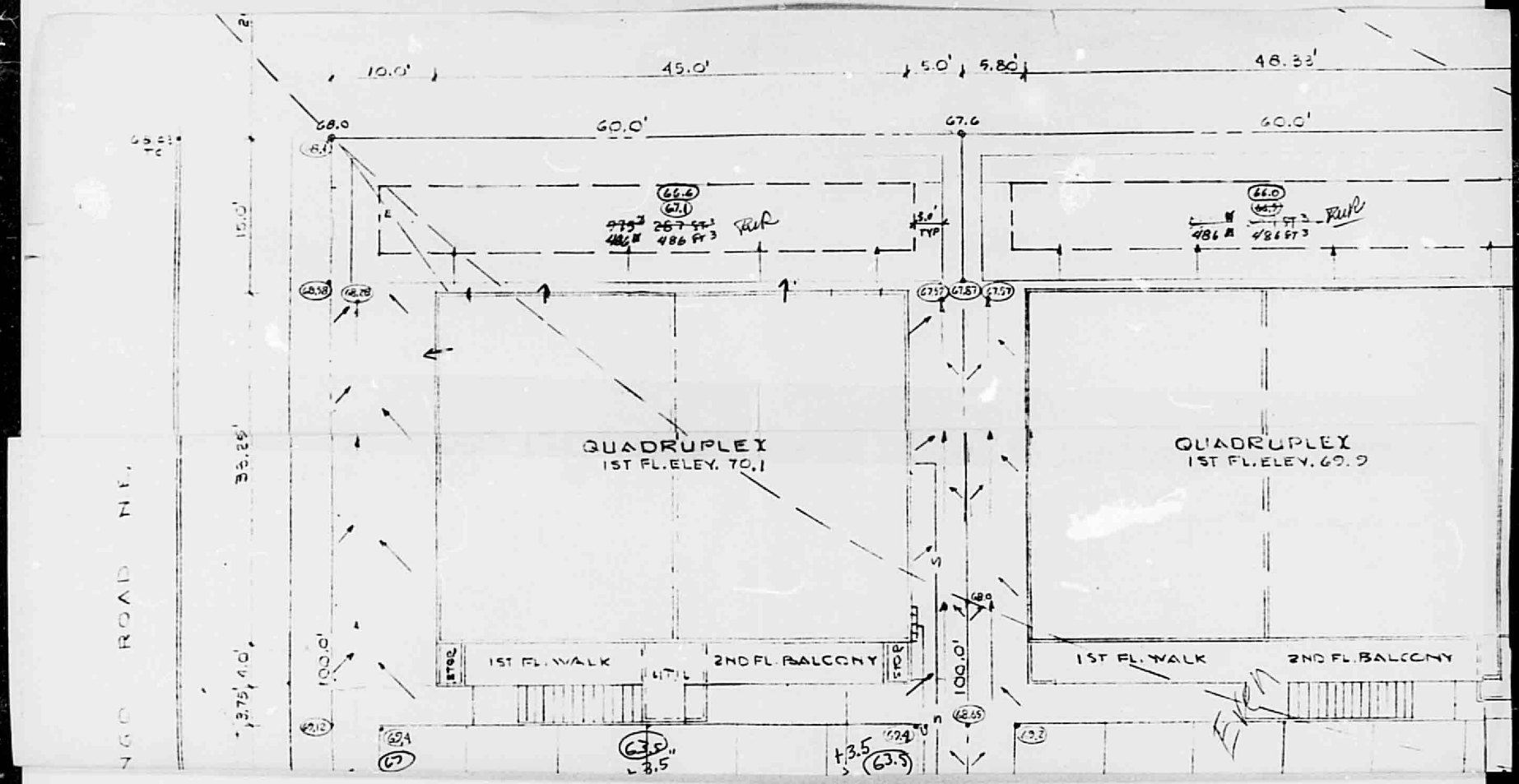

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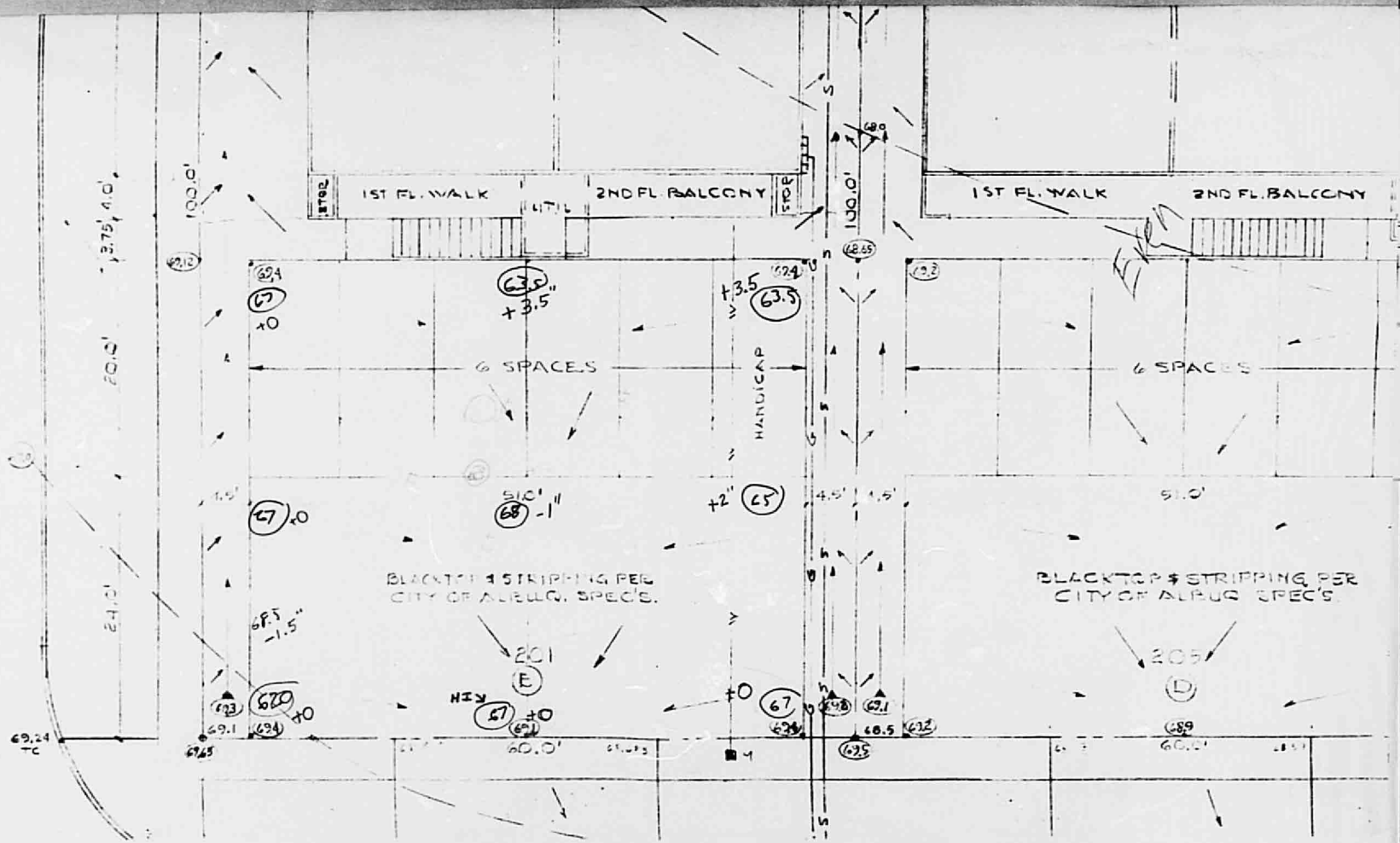

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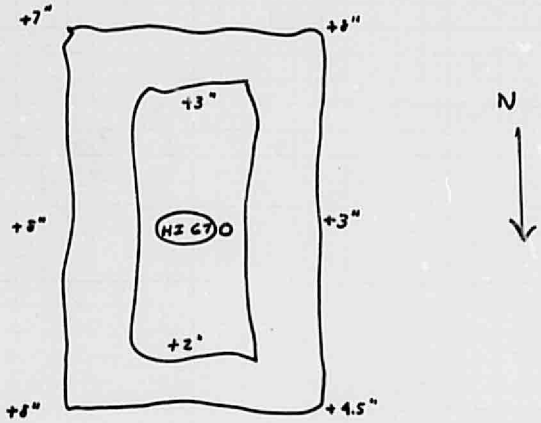
THIS MICROIMAGE IS THE BEST POSSIBLE REPRODUCTION DUE TO THE POOR QUALITY OF THE ORIGINAL DOCUMENT

PLAN SHOT IN THREE SECTIONS

SURVEY 7-27-79



Approximate Developed Conditions

Area of Lot

60' x 100' = 6000 ft²

Impervious Areas

Roof area = 1665 ft²
Asphalt = ~~2244~~ ft² 2448
~~3909~~ ft² 4113 ft²

Pervious Areas

6000 ft² − ~~3909~~ 4113 ft² = ~~2091~~ ft²
1887 ft²

Drainage Area Contributing to the Pond

Roof Area 1665 ft²
Pervious Area 1887 ft²

Volumetric Flow to the Pond

$\frac{2.4''}{12'} \times 1665\,ft^2 \times .95 = 316\,ft^3$

$\frac{2.4}{12'} \times 1887\,ft^2 \times .4 = 151\,ft^3$

467 ft³

Ponding Required

$\frac{2.4''}{12'} \times 6000\,ft^2 \times .4 = 480\,ft^3$ (Existing)

$\frac{2.4''}{12'} \times$ ~~3909~~ 4113 ft² $\times .95 =$ ~~743~~ 781 ft³

$\frac{2.4''}{12'} \times$ ~~2091~~ 1887 ft² $\times .4 =$ ~~167~~ 151 ft³

Developed ~~Proposed~~

~~910~~ ft³
932 ft³

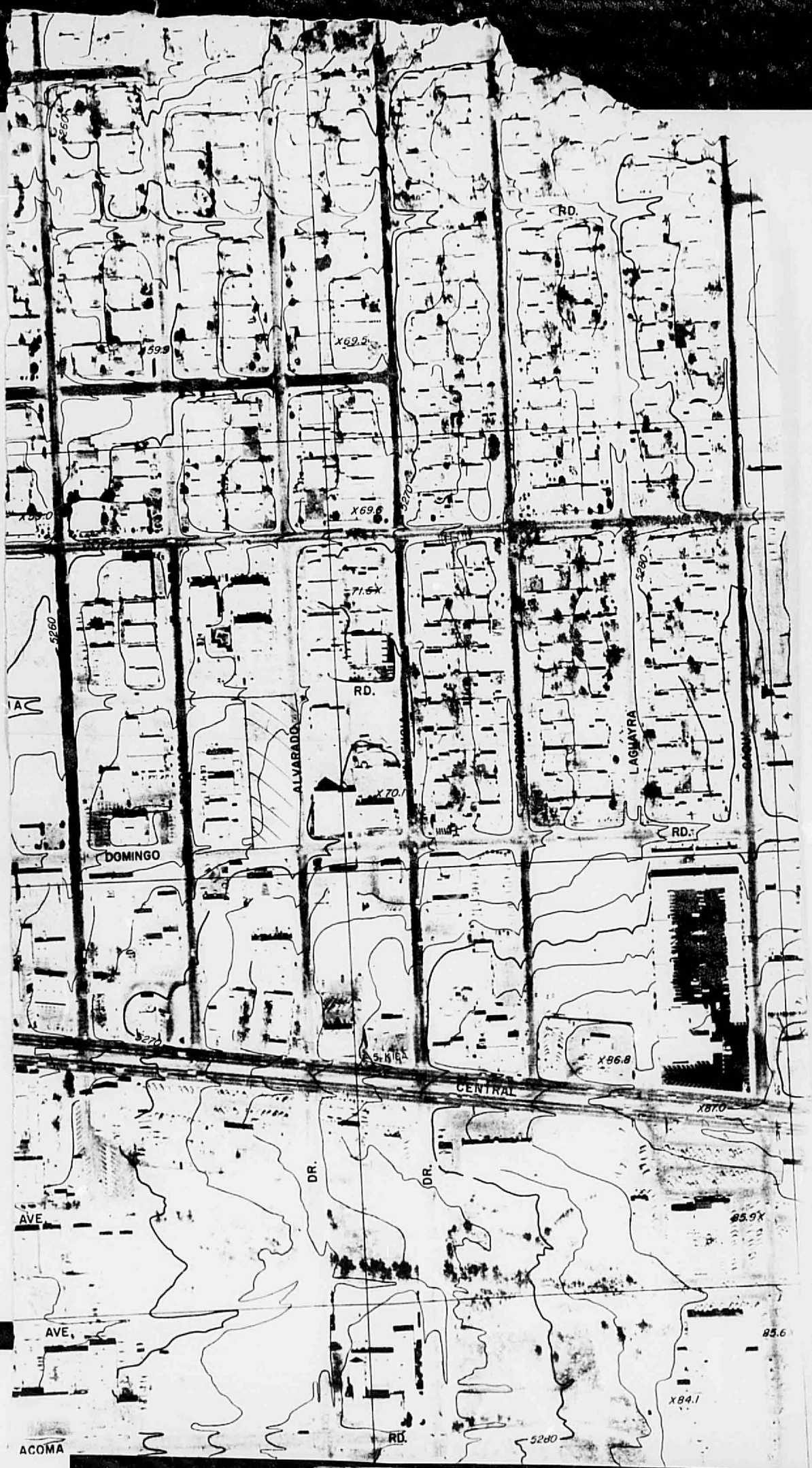
Balanced

Difference

~~910~~ ft³ − 480 ft³ = ~~430~~ ft³
932 ft³ = 452 ft³

Pond Volume per Plan

Elevation (67') Top Area = 56' x 12' = 672 ft²
" (66') Bottom Area = 51 x 6.0 = ~~331~~ 259
931 ft²
2 | 931 = 466 ft³ Pond Volume



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L.D. HOWE
President
(505) 88[illegible]-9332

Casa Alegre inc.
Builders Realtors
3939 - C San Pedro, N.E. Albuquerque, New Mexico 87110

213, 217, 209
201, 205 ALVARADO

STANDARD REQUIREMENTS FOR DRAINAGE PLANS

PURPOSE: The increasing volume of drainage plans submitted to this office makes it mandatory that such plans be standardized as much as possible in order to expedite reviews. This standardization is as much to the advantage of the developer and engineer as it is to the Hydrology Section which enforces the AMAFCA RES. 72-2. For parcels of land less than 20,000 sq. ft. in surface area no formal drainage report is required; the construction plans need only to include the standard form attached herein and the site drainage plan. Developers for larger parcels of land will have to submit a formal drainage report as specified in the Resolution.

RUNOFF PONDING: In most instances on site ponding is mandatory, with dispersal in the ground of the excess runoff arising from newly created impervious surfaces. The only exception allowed, is for those properties adjacent to a diversion channel which was designed for higher standard than 100 years frequency storm (existing conditions). For detailed computations of the runoff before and after development the assumed runoff coefficient recommended are C = 0.4 for undeveloped, landscaped or similar open areas and C = 0.9 for all other impervious surfaces, including areas in southwestern type landscaping with underlying polyethylene film and gravel covered parking areas where vehicular traffic will compact the soil and render it impervious. Due to the inadequacy of the existing drainage facilities in the valley area and to the limited capabilities of the City for providing relief, ponding requirements in the valley are higher than elsewhere.

COMPUTATION OF VOLUME OF RETENTION:

Valley Area $= 1.0 \times \frac{2.2''}{12''} \times \text{Area (ft.)} = 0.18 \times A$

East and West Mesa $= (0.9 - 0.4) \times \frac{2.4''}{12''} \times \text{Area (ft.)} = 0.1 \times A$

In order to facilitate the design of drainage facilities, a checklist that will be followed in the review process is listed below:

CHECK LIST

1 - Flooding potential - adjacent water courses

NO Is property located in the flood plain? K18 FROM 23

If so, is the finished floor above the 100 yrs. flood level?

NO Is property adjacent to a natural or artificial water course?

If so, what are the specific AMAFCA or City requirements?

no Are drainage R.O.W or easements shown on, or in the proximity of property? If so, are there drainage problems?

2 - Relation of property to surroundings

no Per topo map, does property intercept other drainage upstream?

If so, how is runoff conveyed across property?

May there be erosion associated with offsite runoff conveyance?

May erosion or siltation result from proposed construction activities?

no Does development block drainage from adjacent property?

3 - Site grading

JUST SPOT ELEVATIONS Does site plan show contours before development (extending a minimum of 25 ft. beyond property lines)?

yes Does site plan show proposed grading with adequate swale definition to convey water to ponds?

Is all runoff conveyed to ponding areas before it overflows to public facilities?

NO Does the proposed grading plan indicate that under cutting or back-filling adjacent to property lines may require retention walls?

? Is there continuity between proposed new contours and old contours offsite?

yes Is elevation of property line at least 0.3 ft. above top of curb?

4 - Storm water retention

NO Is ponding volume adequate (supply detailed computation)?
DESIGN OF GRADING PROPOSES 100% RETENTION.
Are ponds balanced with areas they drain (can area draining to each pond be easily identified and will actually water flow there)? The plot plan must outline each drainage area.

NO Can pond volume be computed and verified?

Are ponds practical, can they be built as shown?

5 - Safety

Do the drainage provisions constitute an attractive nuisance, or safety hazard?

If the pond depth is greater than 18",are safety provisions supplied? (Minimum 3.0 ft. high chain link fence or similar physical barrier of ponding areas are adjacent to public R.O.W.?)

In general, ponds of depth greater than 18" will not be accepted for both safety consideration and for long term effectiveness of the facilities. In those cases where limited space is available for ponding, the use of gravel pits under the parking areas is suggested. It must be pointed out that mainstream and effectiveness of these facilities is necessary and is the responsibility of the owner. Existing or planned City facilities (streets, channels, storm sewers) can accommodate the natural runoff volumes. Greater discharges would cause flooding downstream and need to be limited at the source.