

**2<sup>nd</sup> REVISED AGENDA**  
**SUBDIVISION AND UTILITY ADVISORY COMMITTEE**  
**Thursday, April 14, 2016**  
**10:00 A.M.**

The regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission will be held on **Thursday, April 14, 2016** at 10:00 a.m. in the Planning Department Conference Room, City Hall, 10<sup>th</sup> Floor, 455 N. Main Street, Wichita, Kansas.

**NOTE:** Vacation legal descriptions are available for public inspection in the Metropolitan Area Planning Department.

1. **SUB2016-00003: Final Plat – TERRADYNE WEST 4<sup>TH</sup> ADDITION;** located north of East Central Avenue, West of North 159th Street East.

*Surveyor: Poe & Associates, Inc.*  
*Acreage: .38 acres*  
*Lots: 1 reserve*

2. **SUB2016-00011: One-Step Final Plat – KANSAS HYDROGRAPHICS ADDITION;** located on the north side of East 47<sup>th</sup> Street South, west of South Woodlawn Boulevard.

COUNTY

*Surveyor: Ruggles & Bohm, P.A.*  
*Acreage: 4.51 acres*  
*Lots: 1 lot*

3. **SUB2016-00012: One-Step Final Plat – C & M WINTER ADDITION;** located on the northwest corner of West 61st Street North and North 199th Street West. COUNTY

*Surveyor: Savoy Company, P.A.*  
*Acreage: 26.89 acres*  
*Lots: 5 lots*

4. **SUB2016-00013: One-Step Final Plat – TIFFANI BREEZE ADDITION;** located on the north side of East 71st Street South, East of South 127th Street East. COUNTY

*Surveyor: Abbott Land Survey, P.A.*  
*Acreage: 40 acres*  
*Lots: 22 lots*

5. **VAC2016-00010: City request to vacate a platted street side yard setback on property** located on the northwest corner of Harry Street and McComas Avenue.

6. **VAC2016-00011: City request to vacate a portion of a platted side yard setback** on property location on the southwest corner of Oliver Avenue and 37th Street North.

7. **VAC2016-00012: City request to vacate a portion of a platted drainage easement** on property generally located southeast of 29th Street North and Tyler Road on the south side of the Meadow Park and Fossil Rim Streets' bend.

**Subdivision and Utility Advisory Committee Agenda**

**April 14, 2016**

**Page 2**

8. **VAC2016-00013: City request to vacate a portion of the Orchard public street right-of-way** located between Holyoke Street and Vassar Street, north of Murdock Street and east of Hillside Avenue.
  
9. **VAC2016-00014: County request to vacate a portion of platted complete access control** on property located west of 183rd Street West on the south side of 29th Street North.

**STAFF REPORT**  
**(Final Plat, Preliminary Plat Approved 2/25/16)**

**CASE NUMBER:** SUB2016-00003 – TERRADYNE WEST 4<sup>TH</sup> ADDITION

**OWNER/APPLICANT:** Wapenschaw LLC, 8100 East 22<sup>nd</sup> Street North, Suite 600,  
Wichita, KS 67226

**SURVEYOR/AGENT:** Poe and Associates, Inc., 544 West Douglas Avenue, Wichita, KS  
67203

**LOCATION:** North of East Central Avenue, West of North 159<sup>th</sup> Street East  
(District II)

**SITE SIZE:** .38 acres

**NUMBER OF LOTS**

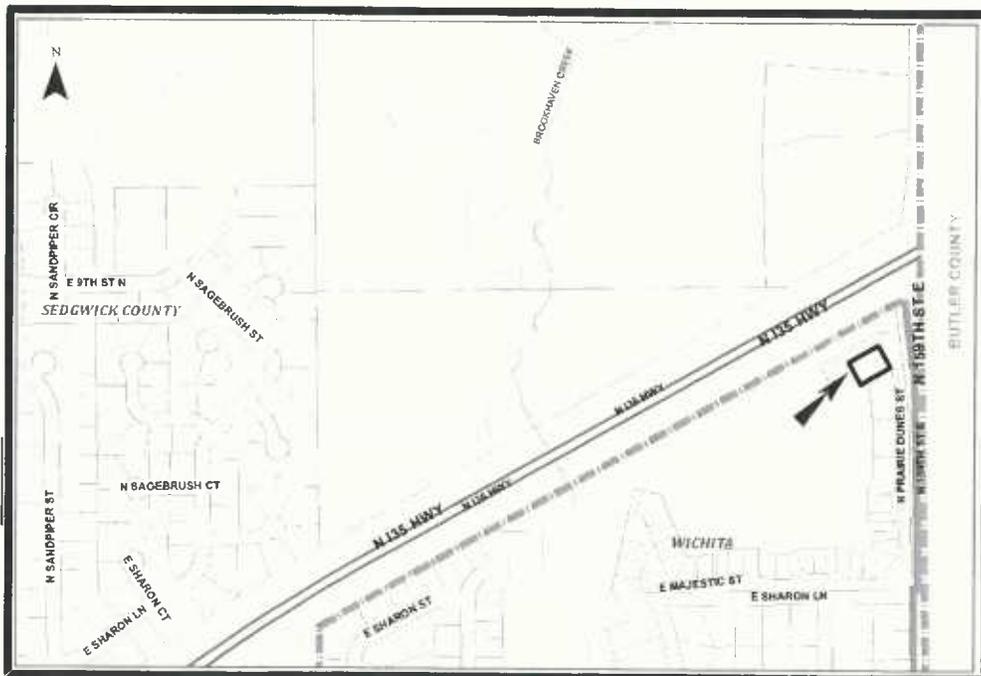
Residential:	1
Office:	
Commercial:	
Industrial:	
Total:	1 (Reserve)

**MINIMUM LOT AREA:** 16,500 square feet

**CURRENT ZONING:** Multi-Family Residential (MF-18)

**PROPOSED ZONING:** Same

**VICINITY MAP**



**SUB2016-00003 – Final Plat of TERRADYNE WEST 4<sup>TH</sup> ADDITION**  
**April 14, 2016 - Page 2**

**NOTE:** This is a replat of Lot 1, Block 3, Terradyne West 3<sup>rd</sup> Addition to create a reserve.

The Subdivision Committee may recommend a modification of the design criteria in Article 7 of the Subdivision Regulations only if it finds that the strict application of the design criteria will create an unwarranted hardship, the proposed modification is in harmony with the intended purpose of the Subdivision Regulations and the public safety and welfare will be protected.

**STAFF COMMENTS:**

- A. City of Wichita Public Works and Utilities Department advises that water and sewer services are available to serve the site.
- B. City Environmental Health Division advises that any wells installed on the property for irrigation purposes will have to be properly permitted and inspected.
- C. If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) shall be submitted to the Planning Department for recording.
- D. City Stormwater Management has approved the drainage plan.
- E. Access controls have been denoted on the plat as requested by Traffic Engineering.
- F. The number 1 needs removed on Reserve A.
- G. The Register of Deeds Certificate shall include Judy J. Paget as Deputy.
- H. In the legal description Aii needs changed to All.
- I. The mortgage holder certificate needs corrected to delete: "KNOW ALL MEN BY THESE PRESENTS and add:  
  
State of Kansas        )  
Sedgwick County     )        SS
- J. In accordance with the Kansas Wetland Mapping Conventions under the Memorandum of Understanding between the United States Department of Agriculture - Natural Resources Conservation Service; United States Environmental Protection Agency; United States Army Corps of Engineers (USACE); and United States Fish and Wildlife Service, this site has been identified as one with potential wetland hydrology. The USACE should be contacted (316-322-8247) to have a wetland determination completed.
- K. Provisions shall be made for ownership and maintenance of the proposed reserves. A restrictive covenant shall be submitted regarding ownership and maintenance responsibilities.
- 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.

**SUB2016-00003 – Final Plat of TERRADYNE WEST 4<sup>TH</sup> ADDITION**  
**April 14, 2016 - Page 3**

- 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 Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- O. Prior to development of the plat, the applicant is advised to meet with the United States Postal Service Growth Management Coordinator (Phone: 316-946-4556) in order to receive mail delivery without delay, avoid unnecessary expense and determine the type of delivery and the tentative mailbox locations.
- P. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Route 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 acre or more of ground cover requires a Federal/State National Pollutant Discharge Elimination System Stormwater 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. The applicant should check City or County GIS mapping to determine whether the location of any taxing district boundaries (e.g. school districts) crosses their property and plan accordingly to avoid unnecessary splitting of lots between taxing districts.
- T. Any removal or relocation of existing equipment of utility companies will be at the applicant's expense.
- U. A compact disk (CD) should be provided, which will be used by the City and County GIS Departments, detailing the final plat in digital format in AutoCAD. Please include the name of the plat on the disk. If a disk is not provided, please send the information via e-mail to Kathy Wilson (e-mail address: [kwilson@wichita.gov](mailto:kwilson@wichita.gov)).

**STAFF REPORT**  
**(One-Step Final Plat)**

**CASE NUMBER:** SUB2016-00011 – KANSAS HYDROGRAPHICS ADDITION

**OWNER/APPLICANT:** Brent Ottaway, 6180 East 47<sup>th</sup> Street South, Derby, Kansas 67037

**SURVEYOR/AGENT:** Ruggles & Bohm, P.A., Attn: Will Clevenger, 924 North Main, Wichita, KS 67203

**LOCATION:** North side of East 47<sup>th</sup> Street South, West of South Woodlawn Boulevard (County District V)

**SITE SIZE:** 4.51 acres

**NUMBER OF LOTS**

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

**MINIMUM LOT AREA:** 4.15 acres

**CURRENT ZONING:** Industrial Park – Airport (IP-A)

**PROPOSED ZONING:** Same

**VICINITY MAP**



**SUB2016-00011 -- One-Step Final Plat of KANSAS HYDROGRAPHICS ADDITION**  
**April 14, 2016 - Page 2**

**NOTE:** This is unplatted property located in the County within three miles of the City of Wichita. It is designated as "Wichita Urban Growth Area" by the Community Investments Plan 2015-2035. The site is located within the Air Force Base Protection Overlay District (AFBP-O).

The Subdivision Committee may recommend a modification of the design criteria in Article 7 of the Subdivision Regulations only if it finds that the strict application of the design criteria will create an unwarranted hardship, the proposed modification is in harmony with the intended purpose of the Subdivision Regulations and the public safety and welfare will be protected.

**STAFF COMMENTS:**

- A. Since sanitary sewer is unavailable to serve this property, the applicant shall contact Metropolitan Area Building and Construction Department to find out what tests may be necessary and what standards are to be met for approval of on-site sewerage facilities. A memorandum shall be obtained specifying approval.
- B. The site is currently located within the Sedgwick County Rural Water District No. 3. If service is available, feasible and the property is eligible for service, Metropolitan Area Building and Construction Department recommends connection.
- C. City of Wichita Public Works and Utilities Department has requested a No Protest Agreement for future extension of sanitary sewer.
- D. If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) along with the corresponding dollar amounts shall be submitted to the Planning Department for recording.
- E. County Public Works needs to comment on the status of the applicant's drainage plan.
- F. The plat proposes two openings along 47<sup>th</sup> Street South and complete access control along the east 100 feet of old 47<sup>th</sup> Street South. County Public Works has permitted one opening along old 47<sup>th</sup> Street South west of the 100 feet of complete access control. Access controls along 47<sup>th</sup> Street need revised to denote 400 feet of complete access control from the intersection of old 47<sup>th</sup> Street to the first entrance.
- G. The plat's text shall reference "platted into a lot, block, and street".
- H. The plat shall specify that "The location of all access openings shall be in accordance with the Wichita/Sedgwick County Access Management Standards."
- I. Dimensions are needed along segments of access control.
- J. Sedgwick County Fire Department advises that the plat will need to comply with the Sedgwick County Service Drive Code.
- K. The plat's text shall note the dedication of the street to and for the use of the public.
- L. The site is located within the Maximum Mission Area of the Air Installation Compatible Use Zone (AICUZ) study to identify noise impact areas around McConnell Air Force Base. The applicant shall submit an avigational easement covering all of the subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.

**SUB2016-00011 -- One-Step Final Plat of KANSAS HYDROGRAPHICS ADDITION**  
**April 14, 2016 - Page 3**

- M. The signature block needs to specify whether the owner is single or married, since a married person needs to have the spouse's signature.
- N. The plat denotes that the pipeline easement across the plat is current being released. A recorded copy of the release of the easement shall be submitted.
- O. A bold line shall be used exclusively to denote the new plat boundaries.
- P. County Surveying and MAPD requests review of a pdf prior to mylar submittal. Send to [tricia.robello@sedgwick.gov](mailto:tricia.robello@sedgwick.gov) and [nstrahl@wichita.gov](mailto:nstrahl@wichita.gov).
- Q. 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.
- R. 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.)
- S. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- T. Prior to development of the plat, the applicant is advised to meet with the United States Postal Service Growth Management Coordinator (Phone: 316-946-4556) in order to receive mail delivery without delay, avoid unnecessary expense and determine the type of delivery and the tentative mailbox locations.
- U. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Route 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.
- V. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one acre or more of ground cover requires a Federal/State National Pollutant Discharge Elimination System Stormwater 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.
- W. Perimeter closure computations shall be submitted with the final plat tracing.
- X. The applicant should check City or County GIS mapping to determine whether the location of any taxing district boundaries (e.g. school districts) crosses their property and plan accordingly to avoid unnecessary splitting of lots between taxing districts.
- Y. Any removal or relocation of existing equipment of utility companies will be at the applicant's expense.

**SUB2016-00011 -- One-Step Final Plat of KANSAS HYDROGRAPHICS ADDITION**  
**April 14, 2016 - Page 4**

- Z. A compact disk (CD) should be provided, which will be used by the City and County GIS Departments, detailing the final plat in digital format in AutoCAD. Please include the name of the plat on the disk. If a disk is not provided, please send the information via e-mail to Kathy Wilson (e-mail address: [kwilson@wichita.gov](mailto:kwilson@wichita.gov)).



**SUB2016-00012 -- One-Step Final Plat of C & M WINTER ADDITION**  
**April 14, 2016 - Page 2**

**NOTE:** This is unplatted property located in the County. It is designated as "rural area" by the Community Investments Plan 2015-2035.

The Subdivision Committee may recommend a modification of the design criteria in Article 7 of the Subdivision Regulations only if it finds that the strict application of the design criteria will create an unwarranted hardship, the proposed modification is in harmony with the intended purpose of the Subdivision Regulations and the public safety and welfare will be protected.

**STAFF COMMENTS:**

- A. Since neither sanitary sewer nor municipal water is available to serve this property, the applicant shall contact Metropolitan Area Building and Construction Department to find out what tests may be necessary and what standards are to be met for approval of on-site sewerage and water wells. A memorandum shall be obtained specifying approval.
- B. In conformance with the Urban Fringe Development Standards, for individual domestic wells that are proposed, a Safe Yield Analysis must be provided to Metropolitan Area Building and Construction Department to assure the availability of an adequate, safe supply of water that does not impair existing water rights. Easements shall be dedicated for potential future extension of public water and sewer.
- C. If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) along with the corresponding dollar amounts shall be submitted to the Planning Department for recording.
- D. County Engineering needs to comment on the status of the applicant's drainage plan. A base flood elevation is needed on the face of the plat.
- E. The plat denotes three joint access openings along 61<sup>st</sup> Street North. County Public Works has approved the access controls subject to a restrictive covenant that permits future cross-lot access with the abutting property owner to the west of Lot 1, Block B effective upon development of that property.
- F. Sedgwick County Fire Department advises that the plat will need to comply with the Sedgwick County Service Drive Code.
- G. County Surveying advises that a site benchmark is needed.
- H. The last line of the surveyor's certificate needs corrected to read: "K.S.A. 12-512b, as amended."
- I. County Surveying requests to be contacted regarding the legal description.
- J. The plat'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.

**SUB2016-00012 -- One-Step Final Plat of C & M WINTER ADDITION**  
**April 14, 2016 - Page 3**

- K. In accordance with the Kansas Wetland Mapping Conventions under the Memorandum of Understanding between the United States Department of Agriculture - Natural Resources Conservation Service; United States Environmental Protection Agency; United States Army Corps of Engineers (USACE); and United States Fish and Wildlife Service, this site has been identified as one with potential wetland hydrology. The USACE should be contacted (316-322-8247) to have a wetland determination completed.
- 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. County Surveying and MAPD requests review of a pdf prior to mylar submittal. Send to [tricia.robello@sedgwick.gov](mailto:tricia.robello@sedgwick.gov) and [nstrahl@wichita.gov](mailto:nstrahl@wichita.gov).
- 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 Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- P. Prior to development of the plat, the applicant is advised to meet with the United States Postal Service Growth Management Coordinator (Phone: 316-946-4556) in order to receive mail delivery without delay, avoid unnecessary expense and determine the type of delivery and the tentative mailbox locations.
- Q. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Route 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 acre or more of ground cover requires a Federal/State National Pollutant Discharge Elimination System Stormwater 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. The applicant should check City or County GIS mapping to determine whether the location of any taxing district boundaries (e.g. school districts) crosses their property and plan accordingly to avoid unnecessary splitting of lots between taxing districts.
- U. Any removal or relocation of existing equipment of utility companies will be at the applicant's expense.

**SUB2016-00012 -- One-Step Final Plat of C & M WINTER ADDITION**  
**April 14, 2016 - Page 4**

- V. A compact disk (CD) should be provided, which will be used by the City and County GIS Departments, detailing the final plat in digital format in AutoCAD. Please include the name of the plat on the disk. If a disk is not provided, please send the information via e-mail to Kathy Wilson (e-mail address: [kwilson@wichita.gov](mailto:kwilson@wichita.gov)).

**STAFF REPORT**  
**(One-Step Final Plat)**

**CASE NUMBER:** SUB2016-00013 – TIFFANI BREEZE ADDITION

**OWNER/APPLICANT:** TCRS, LLC., 401 West 47<sup>th</sup> Street South, Wichita, KS 67217

**SURVEYOR/AGENT:** Abbott Land Survey, 520 South Holland, Suite 103, Wichita, KS 67209

**LOCATION:** North side of East 71<sup>st</sup> Street South, East of South 127<sup>th</sup> Street East (County District V)

**SITE SIZE:** 40 acres

**NUMBER OF LOTS**

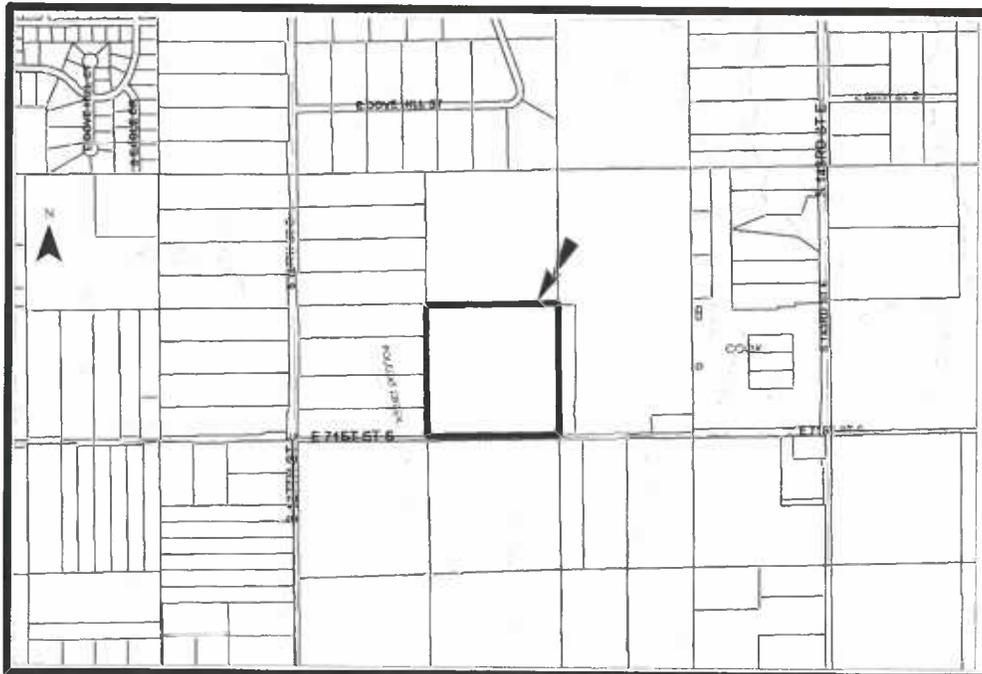
Residential:	22
Office:	
Commercial:	
Industrial:	
Total:	<u>22</u>

**MINIMUM LOT AREA:** 1.4 acres

**CURRENT ZONING:** Rural Residential (RR)

**PROPOSED ZONING:** Single-Family Residential (SF-20)

**VICINITY MAP**



**SUB2016-00013 -- One-Step Final Plat of TIFFANI BREEZE ADDITION**  
**April 14, 2016 - Page 2**

**NOTE:** This is unplatted property located in the County. It is designated as “rural area” by the Community Investments Plan 2015-2035. The applicant proposes a zone change from Rural Residential to Single-Family Residential (SF-20).

The Subdivision Committee may recommend a modification of the design criteria in Article 7 of the Subdivision Regulations only if it finds that the strict application of the design criteria will create an unwarranted hardship, the proposed modification is in harmony with the intended purpose of the Subdivision Regulations and the public safety and welfare will be protected.

**STAFF COMMENTS:**

- A. This plat will be subject to approval of the associated zone change and any related conditions of such a change. Prior to this plat being released for the Board of County Commissioners, the zone change will need to be approved to allow for the lot sizes being platted.
- B. Since sanitary sewer is unavailable to serve this property, the applicant shall contact Metropolitan Area Building and Construction Department to find out what tests may be necessary and what standards are to be met for approval of on-site sewerage facilities. A memorandum shall be obtained specifying approval.
- C. The site is currently located within the Sedgwick County Rural Water District No. 3. If service is available, feasible and the property is eligible for service, Metropolitan Area Building and Construction Department recommends connection.
- D. The platting text shall include language that “No signs, light poles, private drainage systems, masonry trash enclosures or other structures shall be located within public utility easements.”
- E. If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) along with the corresponding dollar amounts shall be submitted to the Planning Department for recording.
- F. County Engineering needs to comment on the status of the applicant’s drainage plan.
- G. County Public Works advises the eastern Suzanne Drive should be relocated to avoid the existing crossroad structure on 71st Street South.
- H. The plat denotes two street openings along 71<sup>st</sup> Street South. County Public Works requests 75 feet of access control on Lots 1 and 14, Block B, and Lots 1 and 8, Block A. Dimensions are needed along segments of access control.
- I. County Surveying advises that section corners need labeled.
- J. The applicant shall guarantee the installation of the proposed loop street to the 32-foot suburban street standard.
- K. In accordance with Section 8-103(A)(2) of the Subdivision Regulations, the Applicant shall guarantee the paving of 71<sup>st</sup> Street South between the nearest paved arterial segment and the entrance to the subdivision.

**SUB2016-00013 -- One-Step Final Plat of TIFFANI BREEZE ADDITION**  
**April 14, 2016 - Page 3**

- L. The Applicant has provided a 70-foot ingress/egress easement and contingent dedication of street right-of-way extending to the north line of the plat in order to provide potential street connection to adjoining properties. On the final plat tracing, the contingent dedication of right-of-way needs to be referenced in the plat's text specifying: "the contingent street dedication is hereby contingently dedicated as street right-of-way to become effective upon the platting of any adjacent subdivision having a street connecting thereto."
- M. The ingress/egress easement shall be established by separate instrument. Initial construction responsibilities and future maintenance of the driveway within the easement should also be addressed by the text of the instrument.
- N. Lots 5, 6, 9 and 10, Block B do not conform to the 100-foot lot width standard for the SF-20 District which is measured at the building setback line. An increase in the distance of the building setback from the road would meet the standard. In the alternative, a modification may be granted by MAPC.
- O. GIS requests that the developer split the road name between Lots 7 and 8 of Block B. Both street types need changed to "ST". Suzanne is acceptable, but a second name is needed for one of the north/south streets.
- P. Sedgwick County Fire Department advises that the plat will need to comply with the Sedgwick County Service Drive Code.
- Q. In accordance with the Kansas Wetland Mapping Conventions under the Memorandum of Understanding between the United States Department of Agriculture - Natural Resources Conservation Service; United States Environmental Protection Agency; United States Army Corps of Engineers (USACE); and United States Fish and Wildlife Service, this site has been identified as one with potential wetland hydrology. The USACE should be contacted (316-322-8247) to have a wetland determination completed.
- R. The Register of Deeds Certificate shall include Judy J. Paget as Deputy.
- S. The signature block for the Board of Commissioners Chairman should be revised to read underneath the signature line, "James H. Howell, Fifth District".
- T. The applicant is advised that the owner's name on the plat does not match the name on the platting binder and a sale of the property is needed prior to the plat being recorded.
- U. The owner's signature block and acknowledgment should state the representative capacity of Paul Wedman (e.g. "managing member").
- V. County Surveying and MAPD requests review of a pdf prior to mylar submittal. Send to [tricia.robello@sedgwick.gov](mailto:tricia.robello@sedgwick.gov) and [nstrahl@wichita.gov](mailto:nstrahl@wichita.gov).
- W. 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.)
- X. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.

**SUB2016-00013 -- One-Step Final Plat of TIFFANI BREEZE ADDITION**  
**April 14, 2016 - Page 4**

- Y. Prior to development of the plat, the applicant is advised to meet with the United States Postal Service Growth Management Coordinator (Phone: 316-946-4556) in order to receive mail delivery without delay, avoid unnecessary expense and determine the type of delivery and the tentative mailbox locations.
- Z. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Route 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.
- AA. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one acre or more of ground cover requires a Federal/State National Pollutant Discharge Elimination System Stormwater 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.
- BB. Perimeter closure computations shall be submitted with the final plat tracing.
- CC. The applicant should check City or County GIS mapping to determine whether the location of any taxing district boundaries (e.g. school districts) crosses their property and plan accordingly to avoid unnecessary splitting of lots between taxing districts.
- DD. Any removal or relocation of existing equipment of utility companies will be at the applicant's expense.
- EE. A compact disk (CD) should be provided, which will be used by the City and County GIS Departments, detailing the final plat in digital format in AutoCAD. Please include the name of the plat on the disk. If a disk is not provided, please send the information via e-mail to Kathy Wilson (e-mail address: [kwilson@wichita.gov](mailto:kwilson@wichita.gov)).



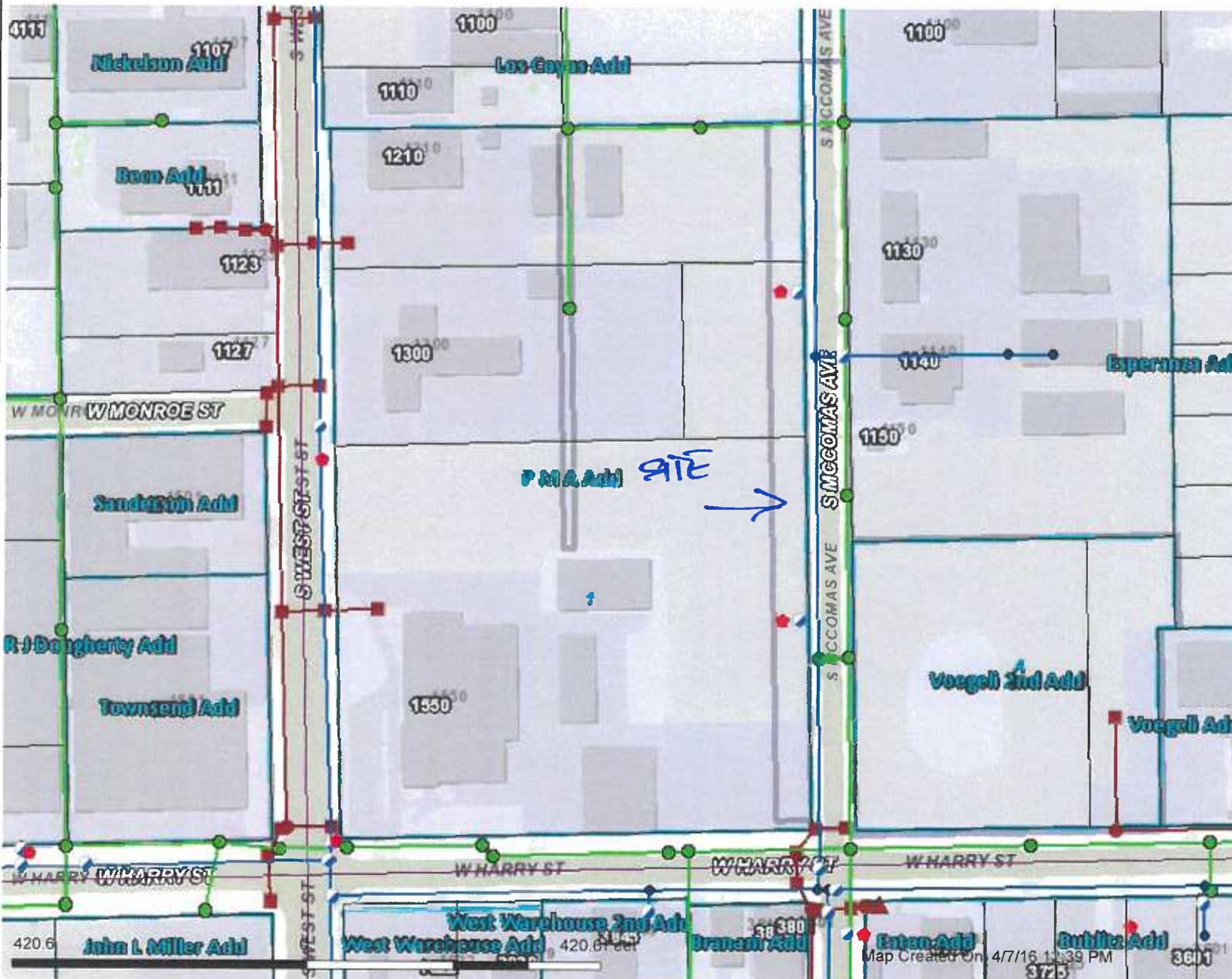
The applicant is requested the vacation of the platted 50-foot street side yard setback located on the east side of Lot 1, P.M.A. Addition, & running parallel to vacated McComas Avenue; VAC2015-00061, approved March 15, 2016. The vacated portion of McComas Avenue established a new property line on the east side of the applicant's property, the vacation of the platted 50-foot setback removes an encumbrance to development on the larger reconfigured subject site. The LI Limited Industrial zoning district has no minimum street side yard setback, which is what the applicant is requesting. There are no utilities or easements located in the subject setback; all utilities are located in the vacated McComas Avenue, which was dedicated as a utility and drainage easement. The P.M.A Addition was recorded March 10, 1966.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works, Water & Sewer, Stormwater, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portion of the platted utility easement.

- (1) Provide a legal description of the vacated platted street side yard setback on a Word document via E-mail for the Vacation Order. This must be provided to Planning prior to VAC2016-00010 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (2) As needed provide easements for public and franchised utilities. As needed provide letters from franchised utility representatives stating that their utilities are protected by the appropriate easements. Easements for public utilities, with original signatures, must be provided to Planning prior to VAC2016-00008 proceeds to the City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (3) Provided Public Works-Sewer (and any other utility located within the subject easement) with a private project plan for the relocation/abandonment of the sewer line and manholes located within the subject easement for review and approval. Relocation/reconstruction of all utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number to Planning prior to VAC2016-00008 proceeds to the City Council for final action.
- (4) All improvements shall be according to City Standards and at the applicants' expense.
- (5) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.



# vac2016-10 water, sewer, stormwater and hydrants



## Legend

- Parcels
  - Lot and Block
  - Subdivisions
  - Quarter Sections
  - Case Tracking
- Historic Sites**
- Regional
  - State
  - State/National
- Zoning**
- AFB AIR FORCE BASE
  - B MULTI FAMILY
  - CBD CENTRAL BUSINESS DIST
  - GC GENERAL COMMERCIAL
  - GI GENERAL INDUSTRIAL
  - GO GENERAL OFFICE
  - IP INDUSTRIAL PARK
  - IP-A INDUSTRIAL PARK - AIRPOF
  - LC LIMITED COMMERCIAL
  - LI LIMITED INDUSTRIAL
  - MF-18 MULTI FAMILY
  - MF-29 MULTI FAMILY
  - MH MANUFACTURED HOUSING
  - NO NEIGHBORHOOD OFFICE
  - NR NEIGHBORHOOD RETAIL
  - OW OFFICE WAREHOUSE
  - PUD PLANNED UNIT DEVELOPM
  - RURAL RESIDENTIAL
  - SF-10 SINGLE FAMILY
  - SF-20 SINGLE FAMILY
  - SF-5 SINGLE FAMILY

This information is not an official record, and cannot be used as such. The user should rely only upon official records available from the custodian of records in the appropriate City and/or County department. Some data provided here and used for the preparation of these maps has been obtained from public records not created or maintained by the City of Wichita.

1: 2,524

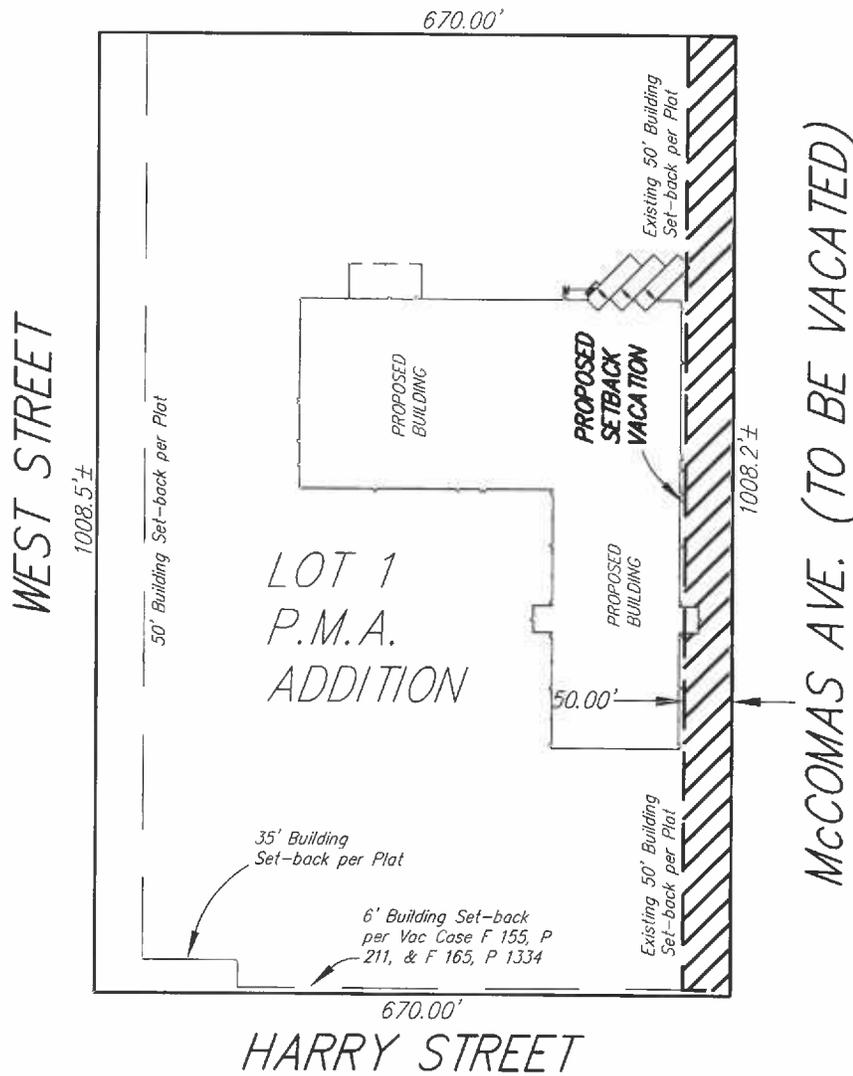


Map Created On: 4/7/16 1:39 PM



# SITE PLAN

VAC 2016-10



**SETBACK VACATION**

The 50 foot Building Set-back along McComas Avenue as platted in Lot 1, P.M.A. Addition to Wichita (Sedgwick County), Kansas, EXCEPT the South 6.00 feet thereof.

STAFF REPORT

- CASE NUMBER:** VAC2016-00011 - Request to vacate a platted street side yard setback
- APPLICANT/AGENT:** ACT Properties LLC, c/o Dr. Jon Parks (applicant/owner) Savoy Company, c/o Mark Savoy (agent)
- LEGAL DESCRIPTION:** Generally described as vacating the south 10 feet of the platted 20-foot street side yard setback located on and running parallel to the north property line of Lot 1, Block 1, Act Properties, LLC, Addition, Wichita, Sedgwick County, Kansas
- LOCATION:** Located on the southwest corner of N Oliver Avenue and E 37th Street North (WCC I)
- REASON FOR REQUEST:** Development
- CURRENT ZONING:** The site is zoned LC Limited Commercial. Adjacent (across 37<sup>th</sup> St. N) north properties are zoned LC or are located in the City of Bel Aire. Adjacent (Oliver Av.) east properties are zoned LC and GC General Commercial. Abutting west and south properties are zoned LI Limited Industrial.

**VICINITY MAP:**



The applicant is requested the vacation of the south 10 feet of the platted 20-foot street side yard setback located on the LC Limited Commercial (LC) zoned key corner lot and running parallel to its north property line and 37<sup>th</sup> Street North; Lot 1, Block 1, Act Properties, LLC, Addition. Per the Unified Zoning Code (UZC) the LC zoning district has a 10-foot minimum street side yard setback, which is what the applicant is requesting. Water and stormwater are located in the north abutting 37<sup>th</sup> Street North right-of-way. Sewer is located in the east abutting Oliver Avenue right-of-way. There is a platted, north-south, 10-foot drainage easement located in the west 10 feet of the subject setback that will remain in effect. Utility poles are located in the abutting street right-of-ways. Comments from franchised utilities have not been received and are needed to determine if they have utilities and/or easements located within the described setback. The Act Properties, LLC Addition was recorded May 15, 2008.

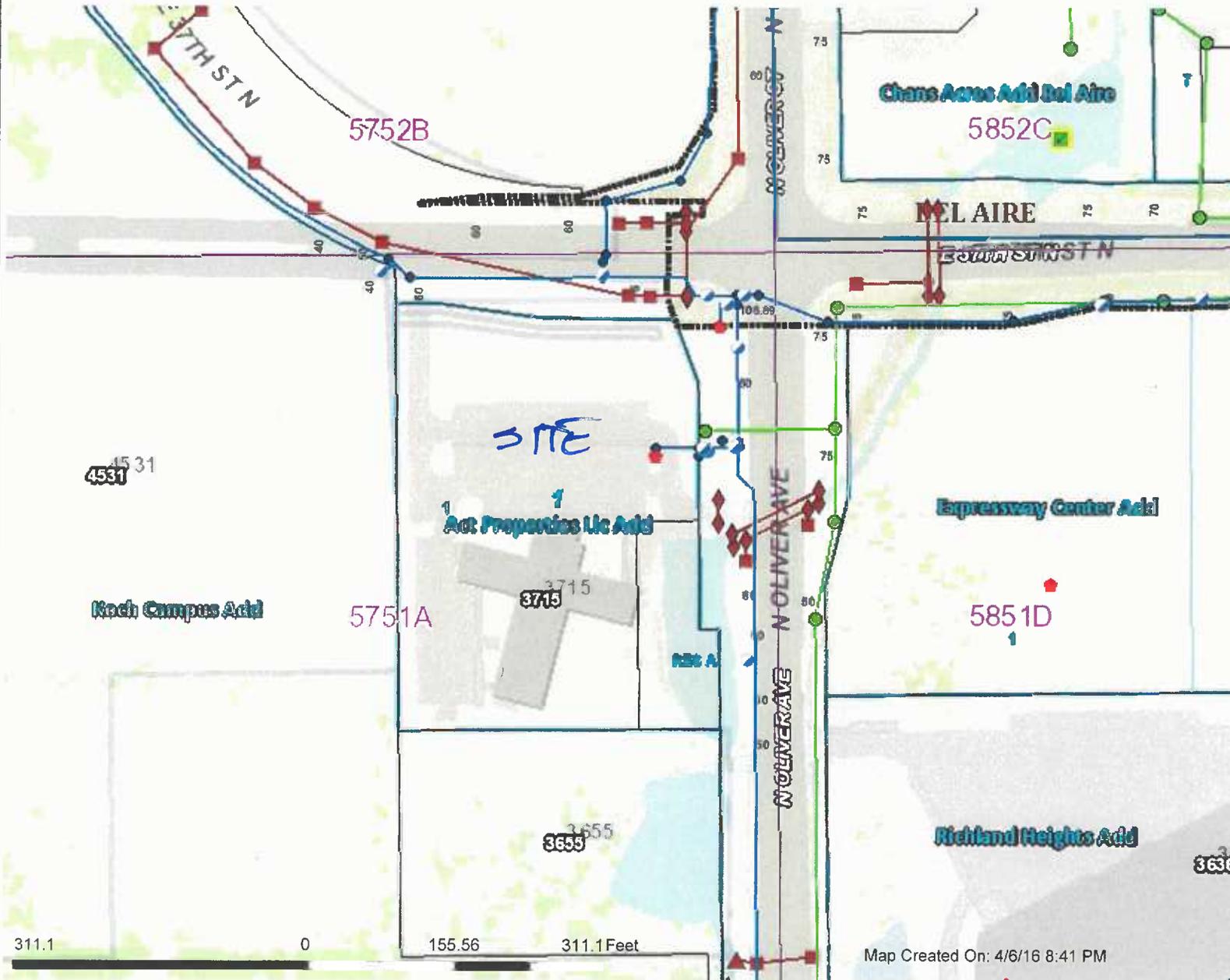
Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works, Water & Sewer, Stormwater, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portion of the platted street side yard setback.

- (1) Provide a legal description of the vacated portion of the platted street side yard setback on a Word document via E-mail for the Vacation Order. This must be provided to Planning prior to VAC2016-00011 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (2) As needed provide easements for public and franchised utilities. As needed provide letters from franchised utility representatives stating that their utilities are protected by the appropriate easements. Easements for public utilities, with original signatures, must be provided to Planning prior to VAC2016-00011 proceeds to the City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (3) Relocation/reconstruction of all utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide all required approved projects to Planning prior to VAC2016-00011 proceeds to the City Council for final action.
- (4) All improvements shall be according to City Standards and at the applicants' expense.
- (5) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.





# vac2016-11 water, sewer, stormwater, hydrants



### Legend

- Parcels
- Lot and Block
- Subdivisions
- Quarter Sections
- Case Tracking

### Historic Sites

- Regional
- State
- State/National

### Zoning

- AFB AIR FORCE BASE
- B MULTI FAMILY
- CBD CENTRAL BUSINESS DIST
- GC GENERAL COMMERCIAL
- GI GENERAL INDUSTRIAL
- GO GENERAL OFFICE
- IP INDUSTRIAL PARK
- IP-A INDUSTRIAL PARK - AIRPOF
- LC LIMITED COMMERCIAL
- LI LIMITED INDUSTRIAL
- MF-18 MULTI FAMILY
- MF-29 MULTI FAMILY
- MH MANUFACTURED HOUSING
- NO NEIGHBORHOOD OFFICE
- NR NEIGHBORHOOD RETAIL
- OW OFFICE WAREHOUSE
- PUD PLANNED UNIT DEVELOPM
- RURAL RESIDENTIAL
- SF-10 SINGLE FAMILY
- SF-20 SINGLE FAMILY
- SF-5 SINGLE FAMILY

311.1      0      155.56      311.1 Feet

Map Created On: 4/6/16 8:41 PM

This information is not an official record, and cannot be used as such. The user should rely only upon official records available from the custodian of records in the appropriate City and/or County department. Some data provided here and used for the preparation of these maps has been obtained from public records not created or maintained by the City of Wichita.

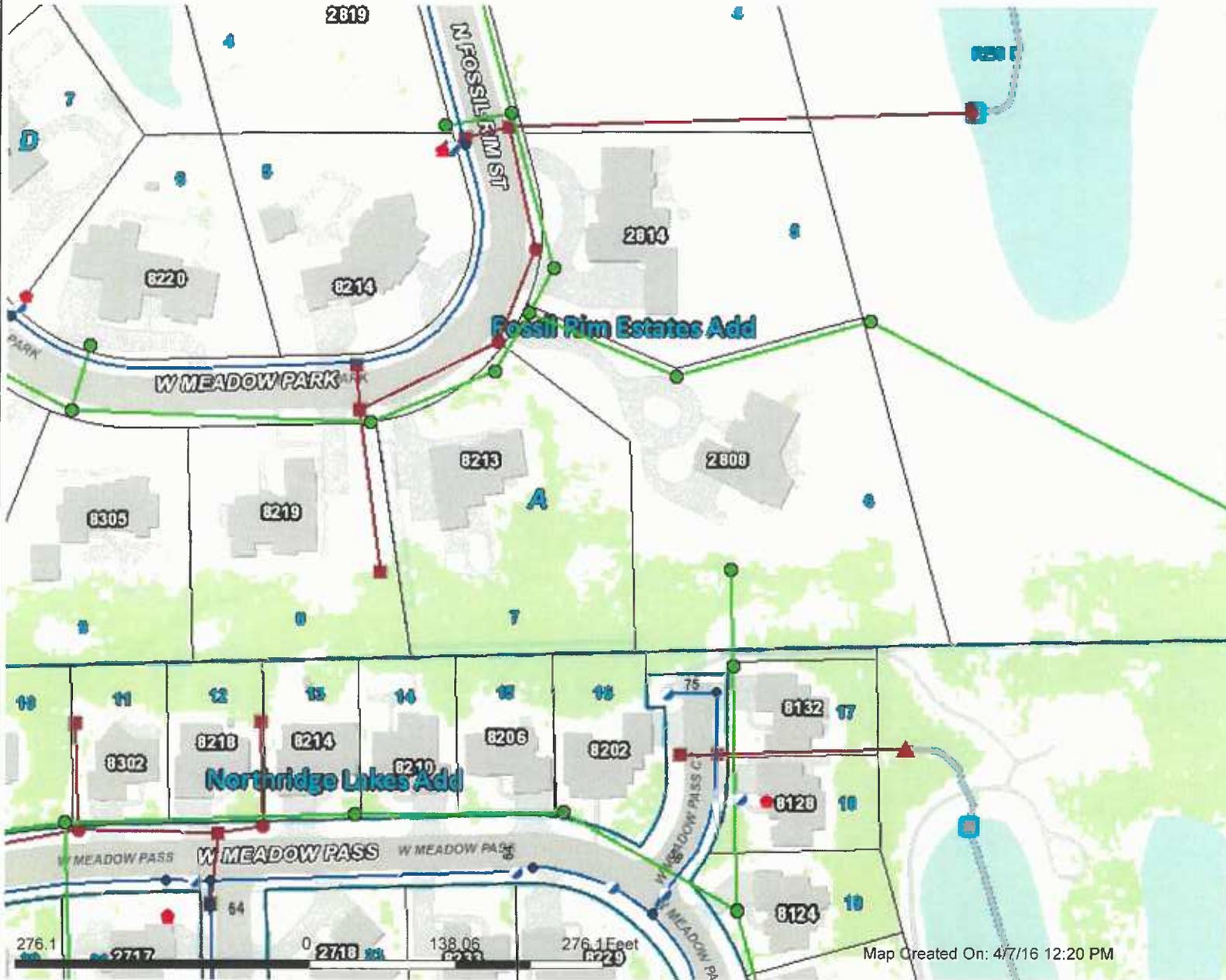
1: 1,867



The applicant is requested the vacation of the east 10 feet of a platted 20-foot drainage easement located on both sides of the common property line of Lot 7 (subject site) and Lot 8, Block A, and the south 10-feet of a platted 50-foot drainage and utility easement located on the south 10 feet of the subject site, all in the Fossil Rim Estates Addition. Water and sewer are located in the Meadow Park street right-of-way and/or the platted drainage and utility easement running parallel to the right-of-way. There is stormwater equipment located in the area of the vacation of the east 10 feet of a platted 20-foot drainage easement. There does not appear to be stormwater equipment located in the area of the vacation of the south 10-feet of a platted 50-foot drainage and utility easement located on the south 10 feet of the subject site. The abutting south property(ies) located in the Northridge Lakes Addition does not have easements running parallel to the subject site's platted 50-foot drainage and utility easement. The subject site is not located in a Flood Way or a Flood Zone. Comments from franchised utilities have not been received and are needed to determine if they have utilities located within the described easement. The Fossil Rim Estates Add was recorded May 31, 2002.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works, Water & Sewer, Stormwater, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portions of the platted drainage easement and platted drainage and utility easement.

- (1) Review and approval by Stormwater-Public Works is required. If approved provide the dedication(s) by separate instrument of a wall easement on both of the subject easements that would allow utilities to cross under them. The dedication(s) will be recorded with the Vacation Order at the Sedgwick County Register of Deeds and must be provided to Planning prior to VAC2016-00012 proceeds to City Council for final action.
- (2) Provide a legal description of the vacated portion of the platted drainage and easement on a Word document via E-mail for the Vacation Order. This must be provided prior to VAC2016-00012 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (3) As needed provide easements for utilities. As needed provide letters from franchised utility representatives stating that there utilities are protected by the appropriate easements. These must be provided to Planning prior to the case going to the City Council for final action.
- (4) Provide utilities with any needed project plans for the relocation of utilities for review and approval. Relocation/reconstruction of all utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number to Planning prior to the case going to the City Council for final action.
- (5) All improvements shall be according to City Standards and at the applicants' expense.
- (6) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.



### Legend

- Parcels
- Lot and Block
- Subdivisions
- Quarter Sections
- Case Tracking

### Historic Sites

- Regional
- State
- State/National

### Zoning

- AFB AIR FORCE BASE
- B MULTI FAMILY
- CBD CENTRAL BUSINESS DIST
- GC GENERAL COMMERCIAL
- GI GENERAL INDUSTRIAL
- GO GENERAL OFFICE
- IP INDUSTRIAL PARK
- IP-A INDUSTRIAL PARK - AIRPOF
- LC LIMITED COMMERCIAL
- LI LIMITED INDUSTRIAL
- MF-18 MULTI FAMILY
- MF-29 MULTI FAMILY
- MH MANUFACTURED HOUSING
- NO NEIGHBORHOOD OFFICE
- NR NEIGHBORHOOD RETAIL
- OW OFFICE WAREHOUSE
- PUD PLANNED UNIT DEVELOPM
- RURAL RESIDENTIAL
- SF-10 SINGLE FAMILY
- SF-20 SINGLE FAMILY
- SF-5 SINGLE FAMILY

Map Created On: 4/7/16 12:20 PM

This information is not an official record, and cannot be used as such. The user should rely only upon official records available from the custodian of records in the appropriate City and/or County department. Some data provided here and used for the preparation of these maps has been obtained from public records not created or maintained by the City of Wichita.

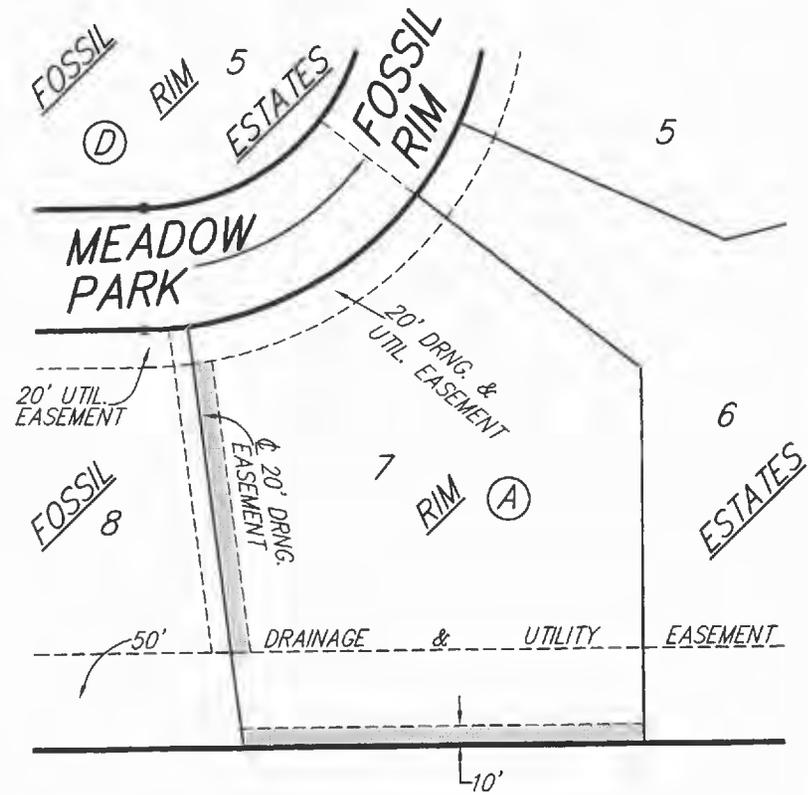
1: 1,657



# EXHIBIT

## PARTIAL EASEMENT VACATION IN LOT 7, BLOCK A, FOSSIL RIM ESTATES, WICHITA, SEDGWICK COUNTY, KANSAS

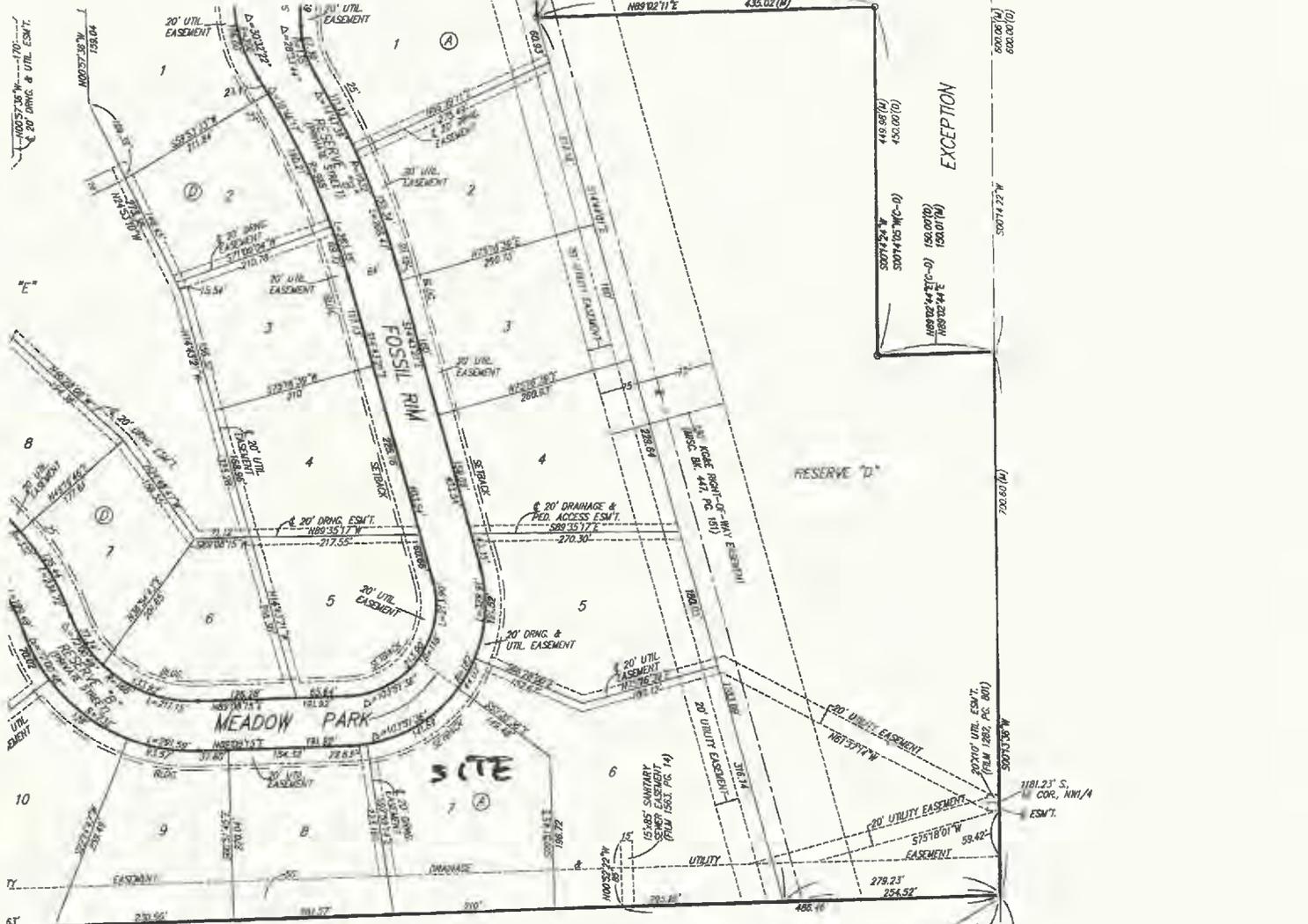
VAC2016-12



 INDICATES AREA OF LEGAL DESCRIPTION

14 MAR 2016

 **Baughman Company, P.A.**  
315 Ellis St. Wichita, KS 67211 P 316-262-7271 F 316-262-0149  
ENGINEERING | SURVEYING | PLANNING | LANDSCAPE ARCHITECTURE



VAC 2016-12

2205.53'(W)  
2205.46'(P)

MINIMUM BUILDING PAD ELEVATIONS FOR LOWEST OPENING TO THE STRUCTURES		
LOT	BLOCK	ELEVATION NGVD29
1	A	159.0
2-6	A	157.0
1-8	B	176.5
3-5	C	179.5
6	C	178.0
7,8	C	178.5
14,15	C	180.5
16,22,23	C	182.0
1-4	D	166.4
5	D	168.0
6	D	172.0
7	D	174.5
8	D	176.5
9-11	D	179.0

**BENCHMARK:**  
City of Wichita disc northwest signpost at Tea Time and 29th Street North.  
Elev. = 142.20 City Datum

**NOTE:**  
Intense to establish and maintain a surface water drainage system over the north 500 feet of the E1/2 of the NW1/4 of Sec. 6, to carry surface water to the north line of said NW1/4, (Plan 1174, Page 534).

**NOTE:**  
A master grading plan for drainage has been developed for this subdivision and is on file with the City of Wichita, Kansas. All drainage easements, right-of-ways, or reserves shall remain at established grades or as modified with the approval of the City Engineer of the City of Wichita, Kansas. No obstructions which impede the flow of this drainage system be allowed.

PAGE 2 OF 2

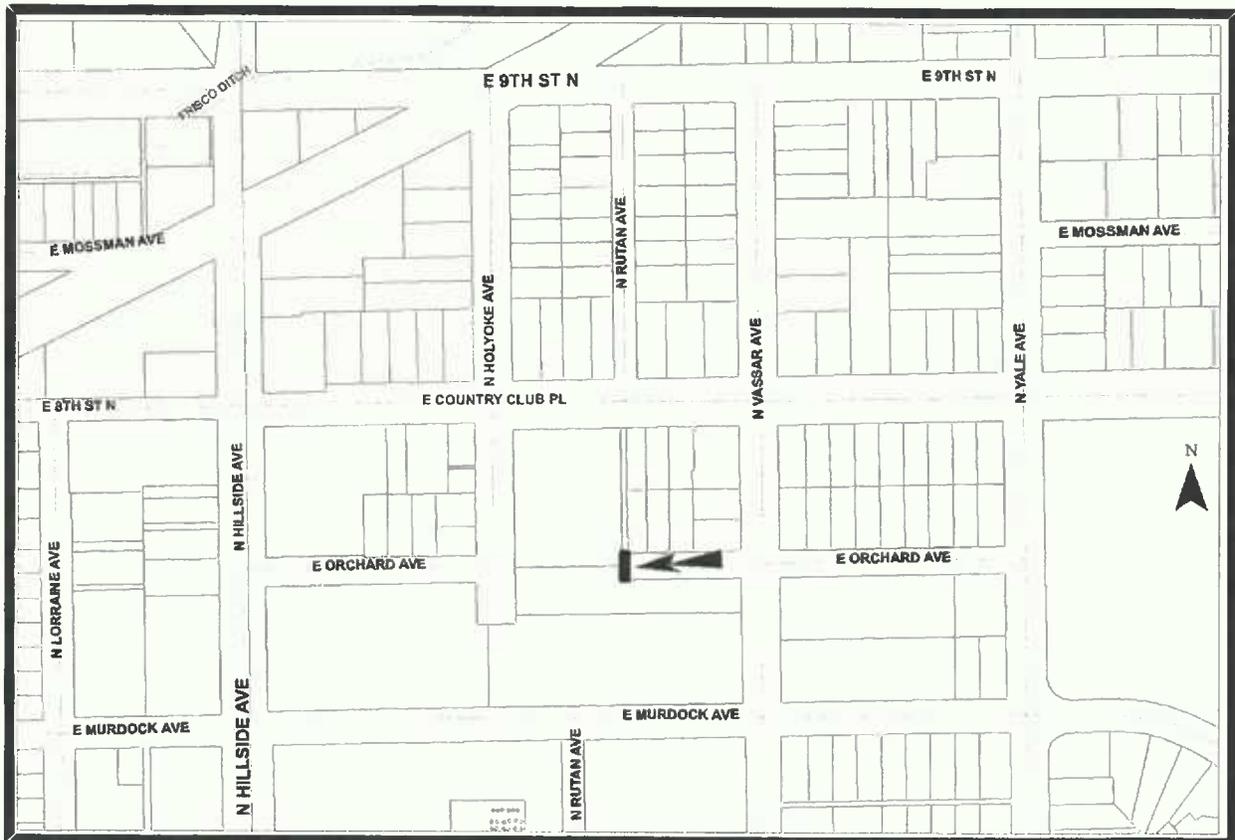
**BAUGHMAN COMPANY P. A.**  
ENGINEERING, SURVEYING, & PLANNING  
316-282-7271 • 316 8348 • WICHITA, KANSAS 67211  
P: VPLAT/POSK. HW. EST/ATS/DMC/POSK/ONE. ONE-ONE

PC 136 - 5B



**STAFF REPORT**

- CASE NUMBER:** VAC2016-00013 - Request to vacate a portion of public street right-of-way
- APPLICANT/AGENT:** Wichita Children's Home, c/o Deborah Kennedy (applicant) Baughman Company, c/o Phil Meyer
- LEGAL DESCRIPTION:** Generally described as vacating a 11.94-foot (x) 49.95/.96-foot remnant of Orchard Avenue, Wichita, Sedgwick County, Kansas
- LOCATION:** Generally located between Holyoke Street and Vassar Street, north of Murdock Street and east of (WCC I)
- REASON FOR REQUEST:** Complete the vacation of that portion of Orchard Avenue located between Holyoke and Vassar Avenues
- CURRENT ZONING:** All abutting and adjacent properties are zoned TF-3 Two-Family Residential and B Multi-Family Residential
- VICINITY MAP:**



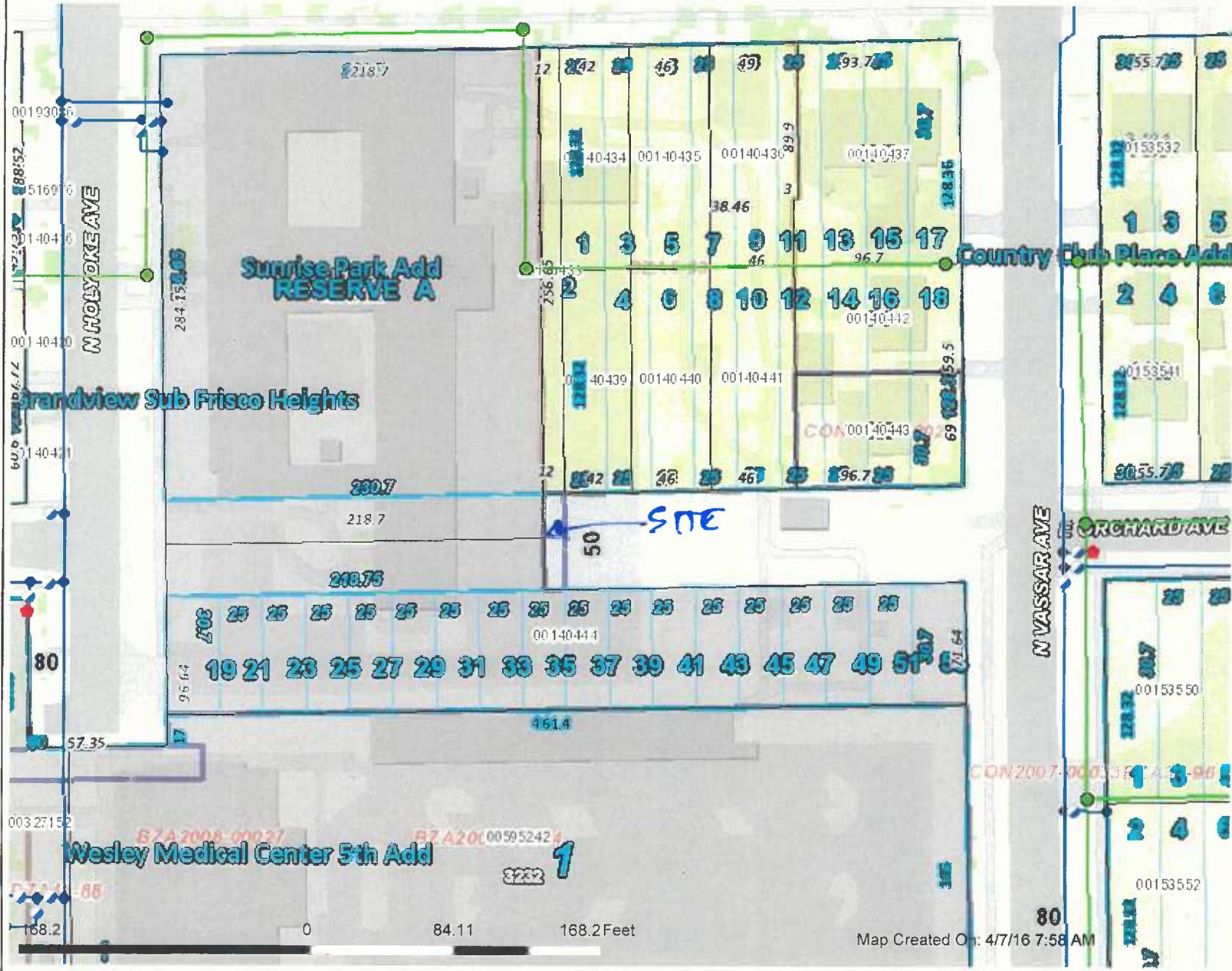
The applicant is requesting the vacation of an 11.94-foot (x) 49.95/.96-foot remnant of Orchard Avenue located between Holyoke and Vassar Avenues. This a middle portion of Orchard that was left over from previous vacations of this portion of Orchard Avenue. The west portion of Orchard Avenue, from Holyoke Avenue to the subject right-of-way was vacated January 8, 1963; Misc. Book 511, Pages 295 and 296. The east portion of Orchard Avenue, from Vassar Avenue to the subject right-of-way was vacated October 19, 1993; V-1827, Film 399, Pages 328 and 329. The subject right-of-way is part of a paved parking lot. The applicant owns all of the abutting properties. No public water, sewer, stormwater, nor hydrants are located in the subject right-of-way. Comments from franchised utilities have not been received and are needed to determine if they have utilities and/or easements located within the described right-of-way. This portion of Orchard Avenue was platted in the Sunrise Park Addition, recorded with the Register of Deeds July 9, 1888.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works, Water & Sewer, Stormwater, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portion of public street right-of-way.

- (1) Vacate the described portion of the Orchard Avenue public street right-of-way. Provide Planning with a legal description of the vacated right-of-way on a Word document, via E-mail to be used on the Vacation Order. This must be provided to Planning prior to VAC2016-00013 proceeding to City Council for final action
- (2) Provide a covenant, with original signatures, binding and tying the described vacated public street right-of-way to the applicant's abutting property. This must be provided to Planning prior to VAC2016-00013 proceeding to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds and the Sedgwick County Appraisers Office.
- (3) If needed dedicate the described vacated portion of Orchard Avenue as easement(s) by separate instrument to cover all utilities. The original dedication must be provided to Planning prior to VAC2016-00013 proceeds to City Council for final action and subsequent recording with the Register of Deeds.
- (4) If needed provide utilities with any needed project plans for the relocation of utilities for review and approval. Any relocation/reconstruction of utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number(s) to Planning prior to the case going to City Council for final action.
- (5) All improvements shall be according to City Standards and at the applicants' expense.
- (6) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.



# vac2016-13 water, sewer, stormwater, hydrants



### Legend

- Parcels
- Lot and Block
- Subdivisions
- Quarter Sections
- Case Tracking

#### Historic Sites

- Regional
- State
- State/National

#### Zoning

- AFB AIR FORCE BASE
- B MULTI FAMILY
- CBD CENTRAL BUSINESS DIST
- GC GENERAL COMMERCIAL
- GI GENERAL INDUSTRIAL
- GO GENERAL OFFICE
- IP INDUSTRIAL PARK
- IP-A INDUSTRIAL PARK - AIRPOF
- LC LIMITED COMMERCIAL
- LI LIMITED INDUSTRIAL
- MF-18 MULTI FAMILY
- MF-29 MULTI FAMILY
- MH MANUFACTURED HOUSING
- NO NEIGHBORHOOD OFFICE
- NR NEIGHBORHOOD RETAIL
- OW OFFICE WAREHOUSE
- PUD PLANNED UNIT DEVELOPM
- RURAL RESIDENTIAL
- SF-10 SINGLE FAMILY
- SF-20 SINGLE FAMILY
- SF-5 SINGLE FAMILY

This information is not an official record, and cannot be used as such. The user should rely only upon official records available from the custodian of records in the appropriate City and/or County department. Some data provided here and used for the preparation of these maps has been obtained from public records not created or maintained by the City of Wichita.

1: 1,009

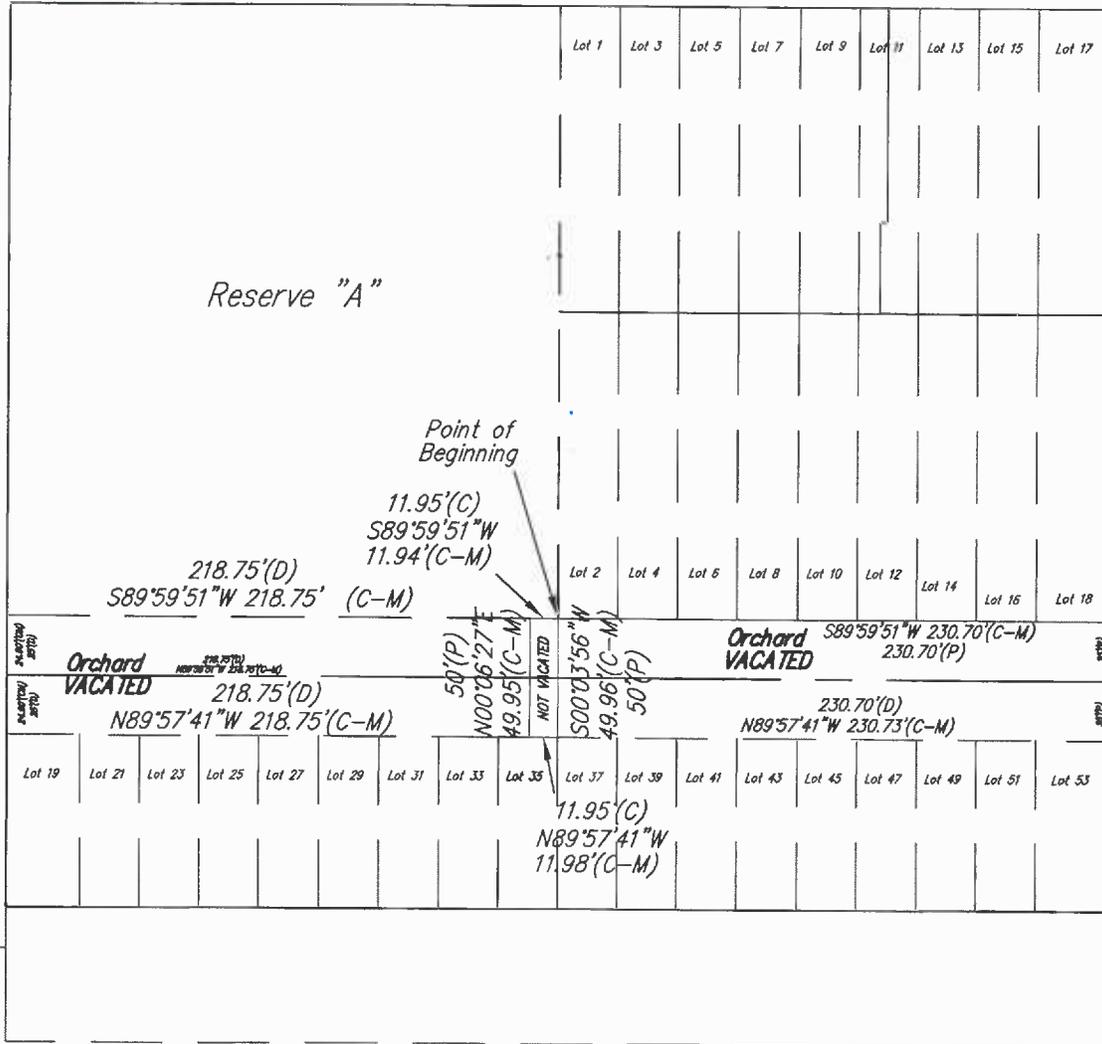


UAC 2016-13

### Country Club Place (Public Right of Way)

Holyoke Avenue (Public Right of Way)

Vassar Avenue (Public Right of Way)



WC2016-13

59

SUNRISE PARK ADDITION TO WICHITA, KAN.

8-7-88

59

State of Kansas } ss.  
Sedgewick County }

Know all men by these presents that N.W. Lewis and Kitty S. Lewis his wife, Henry Ettenson and Hannah R. Ettenson his wife, B.H. Steedman and Ellen M. Steedman his wife have caused the following tract of land, to wit: Block 7, First Street Addition to Wichita, Kansas to be platted as Sunrise Park Addition to Wichita, Kansas. The street therein indicated is hereby set apart to the public for use as a highway, and the lots are sold by the several parties we own thereof for sale. Witness our hands this 30th day of June A.D. 1888.

State of Kansas } ss.  
Sedgewick County }

As it remembered that on this 3rd day of July A.D. 1888 before me the undersigned a Notary Public in and for Sedgewick County, Kansas, personally came N.W. Lewis and Kitty S. Lewis his wife who are to me personally known to be the identical persons who executed the foregoing instrument, and each duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and Notarial Seal the day and year first above written.

C.V. McCathie Notary Public in and for Sedgewick Co. Kan.  
My Com. expires April 10-1890

N.W. Lewis  
Kitty S. Lewis  
Henry Ettenson  
Hannah Rebecca Ettenson  
B.H. Steedman  
Ellen M. Steedman

Reserve A												
21	22	23	24	25	26	27	28	29	30	31	32	33
1	5	5	7	7	11	11	15	15	17			
2	11	6	8	10	12	14	16	18				
19	21	23	25	27	29	31	33	35	37	39	41	43

ORCHARD AVENUE												
34	35	36	37	38	39	40	41	42	43	44	45	46
19	21	23	25	27	29	31	33	35	37	39	41	43
20	22	24	26	28	30	32	34	36	38	40	42	44
46	48	50	52	54	56	58	60	62	64	66	68	70

State of Kansas } ss.  
Havenworth County }

As it remembered that on this 5th day of July A.D. 1888 before me the undersigned a Notary Public in and for Havenworth County, Kansas, personally came Henry Ettenson and Hannah R. Ettenson his wife who are to me personally known to be the identical persons who executed the foregoing instrument, and each duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and Notarial Seal the day and year first above written.

D.B. Oaks Notary Public in and for Havenworth Co. Kan.  
My Com. Expires July 12th 1890

EXPLANATION.  
Reserve A is 256.65 feet by 230.7 ft.  
Lots 17-18-19-20-52 and 54 are each 30.8 feet by 128.32 ft.  
All other lots are 25 feet by 128.32 ft.  
Orchard Avenue is 50 ft. wide.

State of Kansas } ss.  
Harper County }

As it remembered that on this 7th day of July A.D. 1888 before me the undersigned a Notary Public in and for Harper County, Kansas, personally came B.H. Steedman and Ellen M. Steedman his wife, who are to me personally known to be the identical persons who executed the foregoing instrument, and each duly acknowledged the execution of the same. In testimony whereof I have hereunto set my hand and Notarial Seal the day and year first above written.

B.F. Smith Notary Public in and for Harper Co. Kan.  
My Com. Expires March 11th 1891

Filed 9th July 1888 at 9 o'clock A.M.  
and recorded in Plat Books R. page 14  
J.R. Brown, Register of Deeds

Entered in Transfer Record  
JUN 9 1888  
S. DUNKIN  
Co. Cl.

S3-7-3

STAFF REPORT

CASE NUMBER: VAC2016-00014 - Request to vacate a portion of platted complete access control

APPLICANT/AGENT: Donna Walker (applicant/owner) Baughman Company, P.A., c/o Phil Meyer (agent)

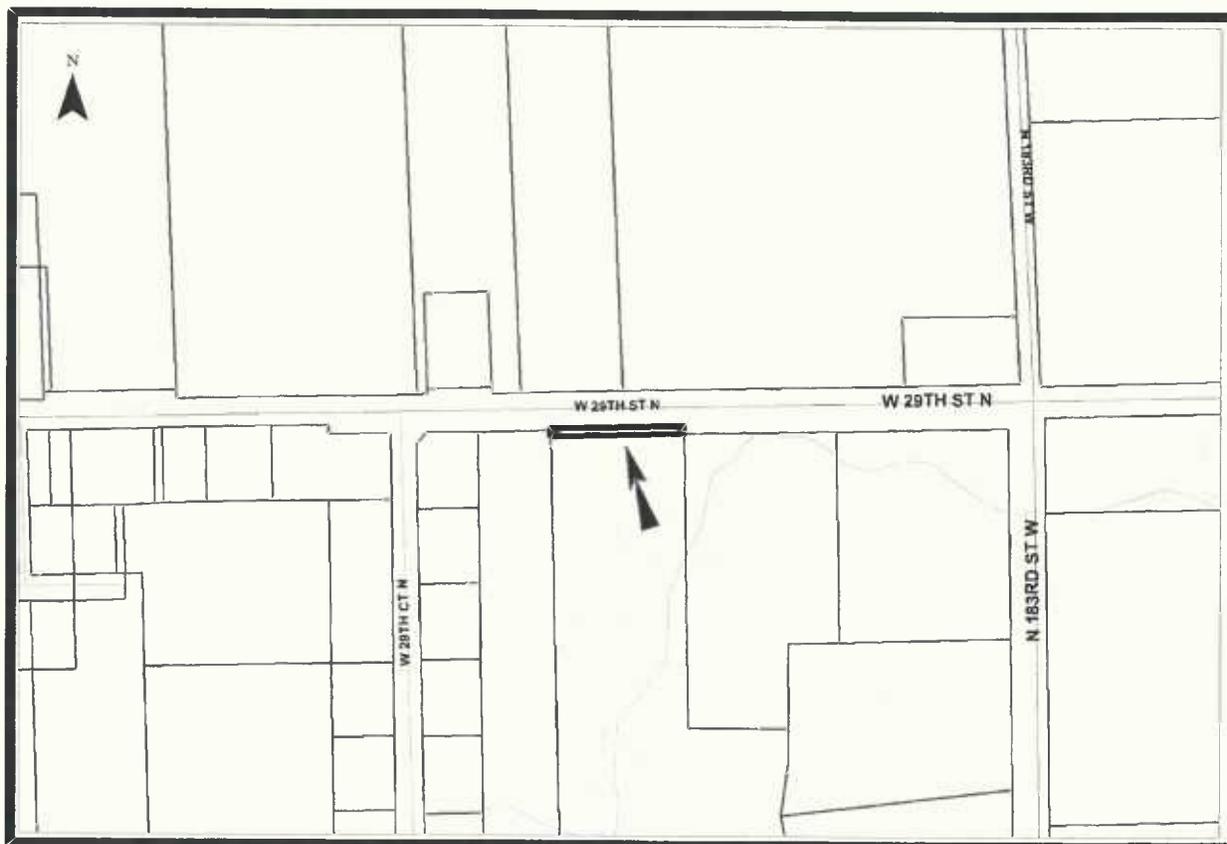
LEGAL DESCRIPTION: Generally described as vacating a portion of the 310.57 feet of platted complete access control located on the north property line of Lot 3, Block A, Walker Estates Addition, Sedgwick County, Kansas.

LOCATION: Generally located west of 183rd Street West on the south side of 29th Street North (BoCC #3)

REASON FOR REQUEST: To allow a single drive onto 29<sup>th</sup> Street North

CURRENT ZONING: The site and all abutting and adjacent properties are zoned RR Rural Residential.

VICINITY MAP:



The applicant proposes to vacate a portion of the 310.57 feet of platted complete access control located on the north property line of Lot 3, Block A, Walker Estates Addition, to allow a drive onto 29<sup>th</sup> Street North. 29<sup>th</sup> Street North is a paved two-lane, two-way, County section line road at this intersection with 90 feet of right-of-way. The proposed drive would be located in a north portion of Lot 3 that is shown as a platted drainage reserve. A pond in this portion of the site limits the area where a drive could be established. There are two drives located north of the site, across 29<sup>th</sup> Street North, that line up with the west 180 feet of the subject site. There is another two drives located north of the site, across 29<sup>th</sup> Street North, approximately 790 and 900 feet east of the site. 183<sup>rd</sup> Street West is located approximately 1,050 feet east of the site. There are another two drives on the south side of 29<sup>th</sup> Street North located approximately 180 feet and 225 feet west of the site.

Although Lot 3 does not have frontage onto 183<sup>rd</sup> Street West, it does have access to 18<sup>rd</sup> Street West, via two 30-foot wide access easements (private drives) dedicated by separate instrument, which are located in line with the two platted/permitted access points onto 183<sup>rd</sup> from the Walker Estates Addition. A “NOTE” on the plat states that a restrictive covenant has been filed that limits the use of the existing private drives to no more than three lots within the development. The ‘development’, i.e., the Walker Estates Addition is platted with five lots.

The site is located in Sedgwick County Rural Water District #4. Sewer is an on-site and appears to be septic. Comments from franchised utilities have not been received and are needed to determine if they have utilities located within the area of the vacation. The Walker Estates Addition was recorded with the Register of Deeds March 18, 2004.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from County Public Works, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portion of platted complete access control.

- (1) Vacate that portion platted access control along the sites’ 29<sup>th</sup> Street North frontage, as approved by County Public Works. Provide Planning Staff with a legal description of the approved vacated portion of the platted access control on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. All Provide to Planning prior to the case going to the BoCC for final action.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicants’ expense.
- (3) All improvements shall be according to County Standards and at the applicant’s expense, including all required County plans, permits, inspections and the construction of the drive onto 29<sup>th</sup> Street North and through the platted drainage reserve.
- (4) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.



### Legend

- Parcels
- Lot and Block
- Subdivisions
- Quarter Sections
- Wichita City Limits
- Rural Water District Boundaries
- AL-02
- AL-04
- AL-06
- AL-07
- AL-08
- AL-09
- AL-10
- AL-12
- AL-13
- AL-15
- AL-16
- AN-01
- AN-01C
- AN-04
- AN-05
- AT-01
- AT-03
- AT-05C
- AT-06
- Abbyville
- Abilene
- Admire
- Agenda
- Agra

This information is not an official record, and cannot be used as such. The user should rely only upon official records available from the custodian of records in the appropriate City and/or County department. Some data provided here and used for the preparation of these maps has been obtained from public records not created or maintained by the City of Wichita.

1: 1,722



# WALKER AN ADDITION TO SEI

We the undersigned holders of a mortgage on the above described property, do hereby consent to this plat of "WALKER ESTATES", Wichita, Sedgewick County, Kansas.

We the undersigned holders above described property, do hereby consent to ESTATES", Wichita, Sedgewick County, Kansas.

WITNESS MY HAND AND SEAL OF OFFICE  
IN TRUST Bank, N.A.

*[Signature]*  
GARY D. SCHEFFER  
1/10/24

*[Signature]*  
LARRY B. BUCK  
1/10/24

State of Kansas) SS The foregoing instrument acknowledged before me this 22 day of July, 2023, by GARY D. SCHEFFER, known as the undersigned, IN TRUST Bank, N.A., on behalf of the bank.

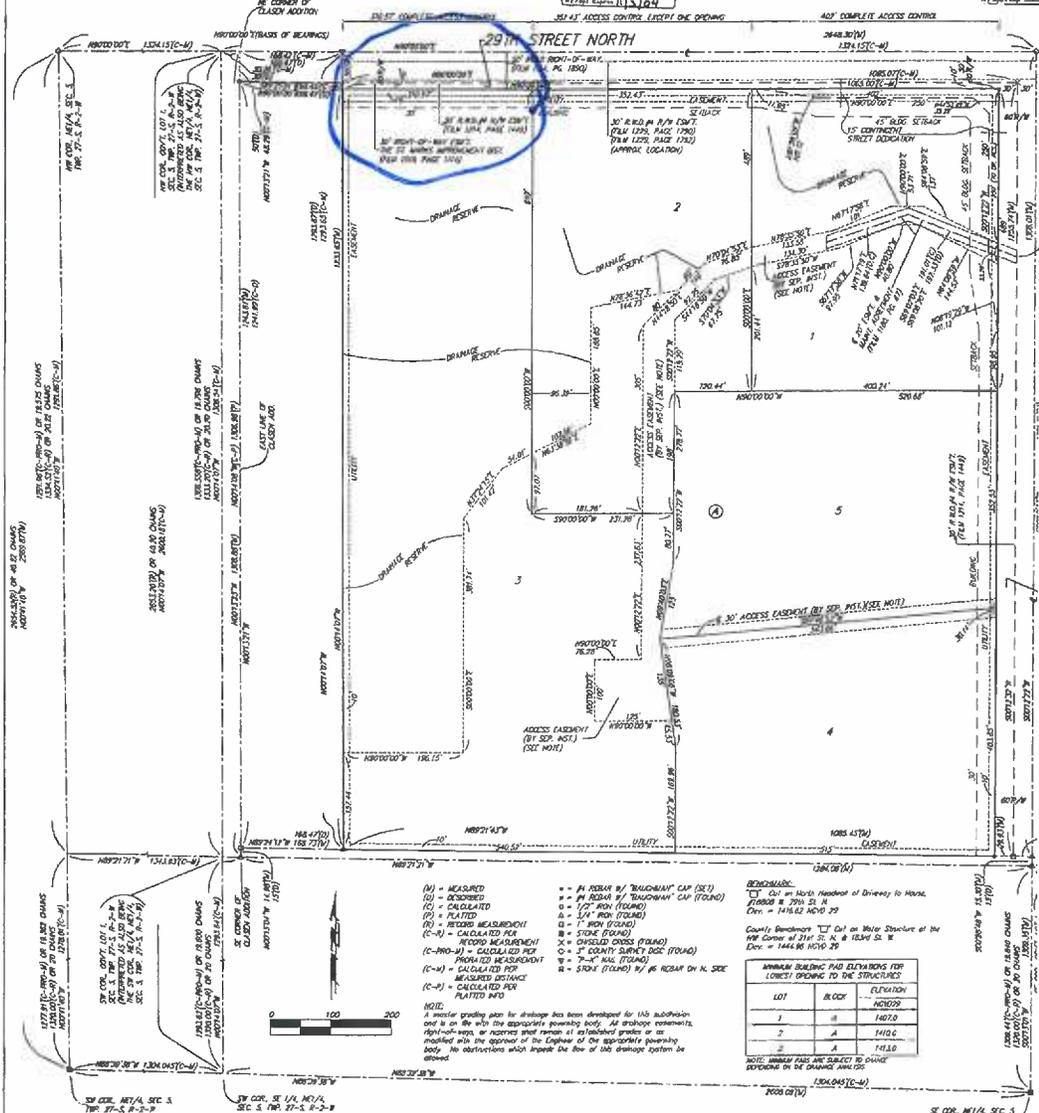
State of Kansas) SS The foregoing instrument acknowledged before me this 22 day of July, 2023, by LARRY B. BUCK, known as the undersigned, on behalf of Legacy Bank.

SUSAN K. COOK, Notary Public

My App'l. Exp. 11/3/24

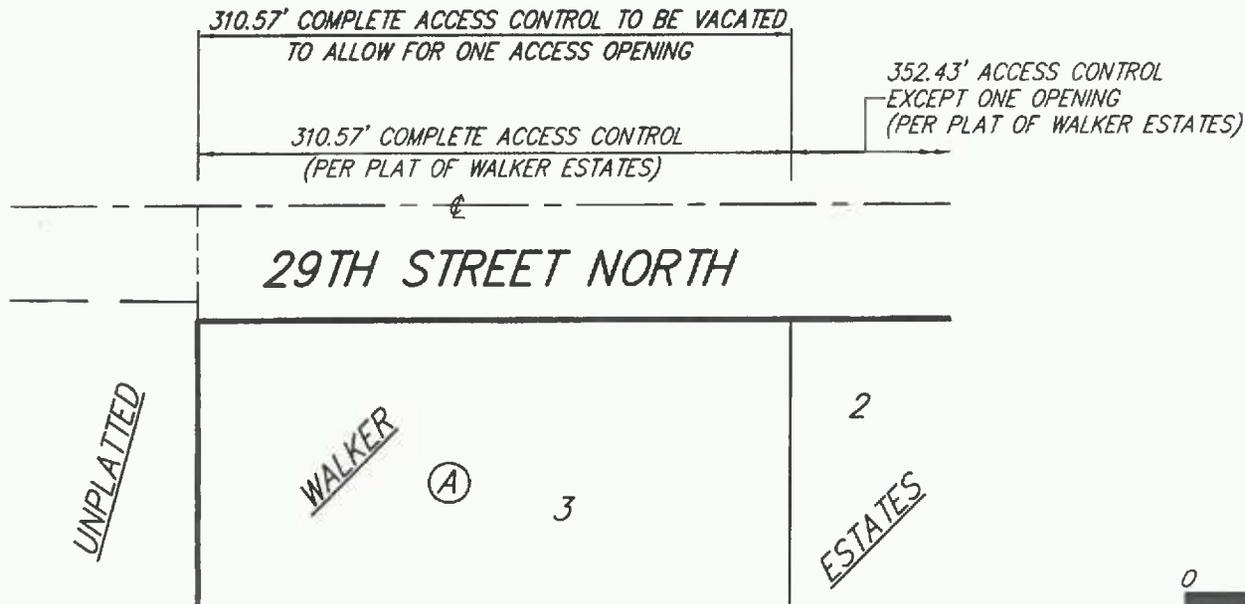
My App'l. Exp. 4-19-27

SUSAN K. COOK  
Notary Public  
1/10/24



# EXHIBIT

## VACATION OF COMPLETE ACCESS CONTROL ALONG NORTH LINE OF LOT 8, BLOCK A, WALKER ESTATES TO ALLOW FOR ONE ACCESS OPENING



25 MAR 2016


**Baughman Company, P.A.**  
 315 Ellis St. Wichita, KS 67211 P 316-262-7271 F 316-262-0149  
 ENGINEERING | SURVEYING | PLANNING | LANDSCAPE ARCHITECTURE