

**AGENDA**  
**SUBDIVISION AND UTILITY ADVISORY COMMITTEE**  
**Thursday, August 11, 2016**  
**10:00 A.M.**

The regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission will be held on **Thursday, August 11, 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. **SUB2016-00025: One-Step Final Plat – CLEAR RIDGE TOWNHOMES ADDITION;** located on the south side of East Pawnee Road, west of South 143rd Street East.

*Surveyor: Ruggles & Bohm, P.A.*  
*Acreage: 9.61 acres*  
*Lots: 2 lots*

2. **SUB2016-00026: One-Step Final Plat – NORTHWEST WATER TREATMENT PLANT ADDITION;** located on the south side of 21<sup>st</sup> Street North, East of Hoover Road.

*Surveyor: Professional Engineering Consultants, P.A.*  
*Acreage: 82.84 acres*  
*Lots: 3 lots*

3. **VAC2016-00032: City request to vacate a utility easement referenced in the plattor's text** on property generally located north of Central Avenue on the east side of Hydraulic Avenue.
4. **VAC2016-00033: City vacation of a platted setback** on property generally located north of E. 13th N. and west of Webb Rd. (1624 N. Gatewood).
5. **VAC2016-00034: City request to vacate an easement referenced in the plattor's text** on property generally located north of Harry Street, east of Broadway Avenue. (719 E. Zimmerly).

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

**CASE NUMBER:** SUB2016-00025 – CLEAR RIDGE TOWNHOMES ADDITION

**OWNER/APPLICANT:** Stephen G. and Sally E. Miller, P. O. Box 780789, Wichita, KS 67278

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

**LOCATION:** South side of East Pawnee Road, West of South 143<sup>rd</sup> Street East (District II)

**SITE SIZE:** 9.61 acres

**NUMBER OF LOTS**

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

**MINIMUM LOT AREA:** 27,053 square feet

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

**PROPOSED ZONING:** Multi-Family Residential (MF-18), Single-Family Residential (SF-5)

**VICINITY MAP**



**SUB2016-00025 -- One-Step Final Plat of CLEAR RIDGE TOWNHOMES ADDITION  
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**NOTE:** This unplatted site is located in the County adjoining Wichita's municipal boundaries and annexation is requested. Reserve A and Lot 2 which are zoned Single-Family Residential (SF-20), will be converted to Single-Family Residential (SF-5) upon annexation. The remainder of the site, Lot 1, Block 1, and Reserve B has been approved for a zone change (ZON2016-00011) from Single-Family Residential (SF-20) to Multi-Family Residential (MF-18). The lot zoned MF-18 has denoted the location of the 39 units for the purpose of establishing minimum pad elevations.

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. As this site is adjacent to Wichita's municipal boundaries, the applicant may submit a request for annexation. Upon annexation, the portion of the property zoned SF-20 will be zoned Single-Family Residential (SF-5).
- B. City of Wichita Public Works and Utilities Department requests the applicant extend sewer (laterals) to all lots, and extend water (distribution) to all lots. In lieu-of-assessment fees on transmissions are due. A service area release is needed from Sedgwick County Rural Water District #3. The utility easement for the proposed sewer located outside of the plat boundaries needs to be established by separate instrument.
- C. The plat's text shall include language that the drainage and utility easement is hereby granted as indicated for drainage purposes and for the construction and maintenance of all public utilities.
- D. The plat shall denote the street, drainage and utility easement as Reserve B as denoted on the site plan.
- 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. City Stormwater Management advises the applicant needs to submit a drainage plan for review.
- G. Since the subdivision is partially in a FEMA-regulated floodplain, the floodplain certificate needs added: "FEMA floodplain and regulatory floodway boundaries are subject to periodic change and such change may affect the intended land use within the subdivision".
- H. Traffic Engineering has approved the access controls. The plat denotes two openings along Pawnee in accordance with the site plan submitted with the zone change.
- I. City Fire Department advises that the hammerhead at the southwest corner is an acceptable turnaround, however the entire private drive must allow for proper turns for fire apparatus.

**SUB2016-00025 -- One-Step Final Plat of CLEAR RIDGE TOWNHOMES ADDITION**  
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- J. 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 restrictive 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.
- K. For those reserves being platted for drainage purposes, the required covenant that provides for ownership and maintenance of the reserves, shall grant to the appropriate governing body the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
- L. The plat's text shall reference "Lots, a Block, a Street and Reserves".
- M. 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.
- N. County Surveying advises the bearings for the plat boundary and legal description should match.
- O. County Surveying advises a bench mark is needed on the final plat.
- P. County Surveying advises a bearing is needed on the east line of Lot 2, Block 1.
- Q. City Environmental Health Division advises that any wells installed on the property for irrigation purposes will have to be properly permitted, installed and inspected.
- R. 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).
- S. 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.)
- T. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- U. 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.
- V. 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.

- W. 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.
- X. Perimeter closure computations shall be submitted with the final plat tracing.
- Y. 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.
- Z. Westar Energy has requested additional easements. LaDonna Vanderford, Construction Services Representative, or Shane Price, Supervisor, will be the contact for this plat and either can be reached at 261-6301. Any and all relocation and removal of any existing equipment made necessary by this plat will be at the applicant's expense
- AA. 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:** SUB2016-00026 – NORTHWEST WATER TREATMENT PLANT ADDITION

**OWNER/APPLICANT:** City of Wichita, 455 North Main, Wichita, KS 67202

**SURVEYOR/AGENT:** Professional Engineering Consultants, P.A., 303 South Topeka, Wichita, KS 67202

**LOCATION:** South side of West 21st Street North, East of North Hoover Road (District VI)

**SITE SIZE:** 82.84 acres

**NUMBER OF LOTS**

Residential:	1
Office:	
Commercial:	
Industrial:	<u>2</u>
Total:	3

**MINIMUM LOT AREA:** 5 acres

**CURRENT ZONING:** Single-Family Residential (SF-5), Limited Commercial (LC)

**PROPOSED ZONING:** Single-Family Residential (SF-5), Industrial Park (IP)

**VICINITY MAP**



**SUB2016-00026 -- One-Step Final Plat of NORTHWEST WATER TREATMENT PLANT ADDITION**

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**NOTE:** This unplatted site is located within the City of Wichita. A conditional use was approved (CON2016-00014) for a major utility (water treatment plant) on the portion of the site zoned SF-5 (Lot 3 and Reserve A). Lots 1 and 2 were approved for a zone change (ZON2016-00021) from Limited Commercial (LC) and Single-Family Residential (SF-5) to Industrial Park (IP).

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 requests the applicant extend sewer (laterals) and extend water (distribution). In lieu-of-assessment fees on transmission are due.
- B. 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.
- C. City Stormwater Management advises the applicant needs to submit a drainage plan for review.
- D. The inset needs corrected to denote Lot 3.
- E. The plat denotes two openings along 21<sup>st</sup> Street North for the IP-zoned property (Lot 1, Block 1) and two openings for the water treatment plant (Lot 3). The site plan approved with the conditional use denotes three openings for the IP-zoned lot and the plat needs revised. The plat's text states that access controls must comply with access management standards. Traffic Engineering has approved the access controls.
- F. The plat's text shall be corrected to reference Reserve A as being owned and maintained by the owner of Lot 3, Block 1.
- G. Provisions shall be made for ownership and maintenance of the proposed reserves. A restrictive covenant shall be submitted regarding ownership and maintenance responsibilities.
- H. For those reserves being platted for drainage purposes, the required covenant that provides for ownership and maintenance of the reserves, shall grant to the appropriate governing body the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
- I. This property is within a zone identified by the City Engineer's office as likely to have groundwater at some or all times within ten feet of the ground surface elevation. Building with specially engineered foundations or with the lowest floor opening above groundwater is recommended and owners seeking building permits on this property will be similarly advised. More detailed information on recorded groundwater elevations in the vicinity of this property is available in the City Engineer's office.

**SUB2016-00026 -- One-Step Final Plat of NORTHWEST WATER TREATMENT PLANT ADDITION**

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- J. 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.
- K. The joint access 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.
- L. The applicant shall submit a copy of the instrument, which establishes the pipeline easements on the property, which verifies that the easements shown are sufficient and that utilities may be located adjacent to and within the easements. Any relocation, lowering or encasement of the pipeline, required by this development, will not be at the expense of the appropriate governing body.
- M. The applicant's agent shall determine any setback requirements for the pipelines by researching the text of the pipeline agreements. If a setback from the pipeline easements is provided for in the pipeline easement agreements, it shall be indicated on the face of the plat.
- N. Elevations and minimum openings need shown as referenced in the plat's text.
- O. City Environmental Health Division advises that any wells installed on the property for irrigation purposes will have to be properly permitted, installed and inspected.
- 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.

**SUB2016-00026 -- One-Step Final Plat of NORTHWEST WATER TREATMENT PLANT ADDITION**

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- 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.
  
- 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)).

**STAFF REPORT**

**CASE NUMBER:** VAC2016-00032 - Request to vacate a public utility easement referenced in the plattor's text

**OWNER/APPLICANT:** Timothy McGinty, Jr. (applicant), K.E. Miller Engineering, P.A. (agent)

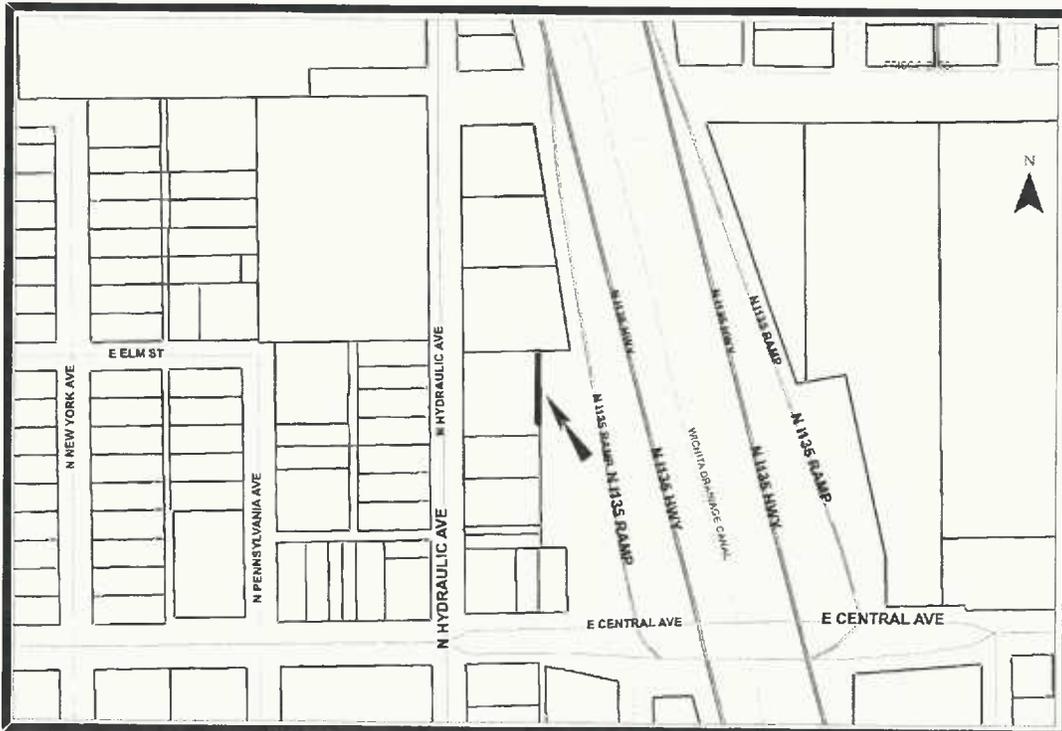
**LEGAL DESCRIPTION:** Generally described as vacating the five-foot wide public utility easement (as referenced in the plattor's text) located in the east five feet of Lots 25, 27, 29, 31 and the north 10 feet of the east 5 feet of Lot 33, Ratliffe's Addition, Wichita, Sedgwick County, Kansas

**LOCATION:** Generally located North of East Central Avenue, on the East Side of North Hydraulic Avenue (602 North Hydraulic) (District I)

**REASON FOR REQUEST:** To build security fencing/wall and portion of new building

**CURRENT ZONING:** The site and the abutting property to the north is zoned Limited Industrial (LI). The abutting property to the south and adjacent property to the west are zoned General Commercial (GC). I-135 Highway is abutting to the east.

**VICINITY MAP:**



**VAC2016-00032 –Request to vacate a public utility easement referenced in the plattor’s text**

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The applicant is requesting the vacation of the five-foot wide public utility easement (as referenced in the plattor’s text) located in the east five feet of Lots 25, 27, 29, 31 and the north 10 feet of the east 5 feet of Lot 33, Ratliffe’s Addition, Wichita, Sedgwick County, Kansas to install a security fence/wall and portion of a new building. Per the plattor’s text: “The City of Wichita is hereby granted an easement on the rear five feet of each and every lot for the construction and maintenance of public utilities.” Per City GIS, a sewer line exists within the subject easement.

Three vacation cases have been submitted in the past year (VAC2016-00001 for right-of-way vacation for Elm Street, VAC2015-00011 and VAC2015-00057 for utility easements) in conjunction with a new building that is being proposed to connect the two existing buildings north and south of Elm Street. The applicant is removing a manhole and sewer line under the building with a private sewer project (PPS 2267) and installing a new manhole at the new sewer terminus.

With this subject vacation case, the applicant intends to install a manhole south of the proposed wall/fence, located further south than shown on PPS 2267 and will necessitate another private sewer project to remove the additional sewer line.

City of Wichita Public Works and Utilities Department has no objection to the proposed vacation and requests a new sewer project for the installation of a manhole south of the proposed fence/wall and removal of additional sewer line. No other City staff has objections.

Westar Energy does not agree to this vacation request because with the current design proposed, Westar cannot vacate the area. Westar is feeding the existing building and a KDOT camera from a pole and transformer in the subject easement.

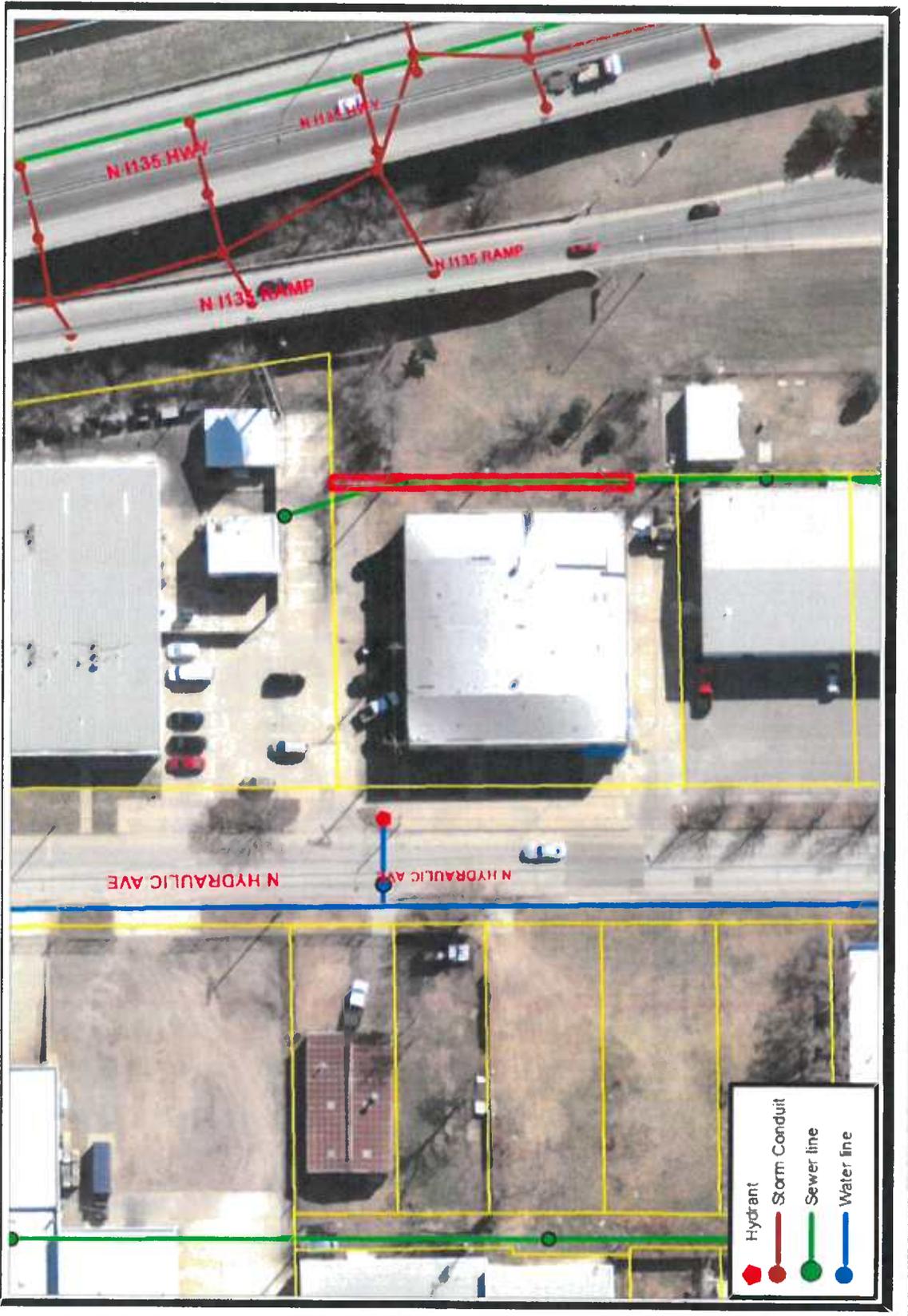
No objections have been received from other franchised utilities. The Ratliffe’s Addition was recorded with the Register of Deeds on February 16, 1924.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from 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 public utility easement referenced in the plattor’s text.

1. Vacate the five-foot wide public utility easement (as referenced in the plattor’s text) located in the in the east five feet of Lots 25, 27, 29, 31 and the north 10 feet of the east 5 feet of Lot 33, Ratliffe’s Addition, Wichita, Sedgwick County, Kansas.
2. Provide a restrictive covenant tying the subject lots together to be used as one undivided parcel.
3. Provide Public Works with the project plans for the removal of public sewer line and manhole installation 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.
4. All improvements shall be according to City Standards and at the applicants’ expense.

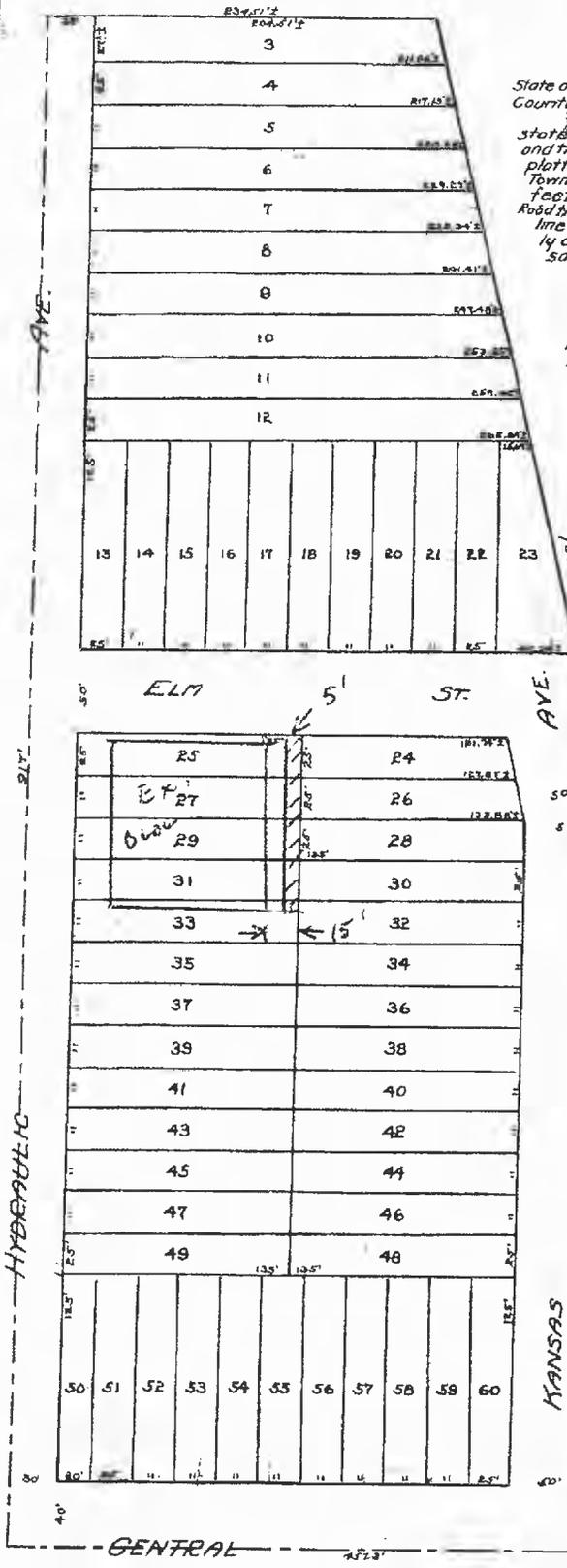
5. Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final 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.

VAC2016-00032



# RATLIFFE'S ADDITION

TO  
WICHITA KANSAS



State of Kansas }  
County of Sedgwick } s.s.

I, Ransom H. Brown County Surveyor in and for said county and state do hereby certify that I have platted Ratliffe's Addition to Wichita Kansas and that the accompanying plot is a true and correct exhibit of the property as platted described as follows: Beginning at the Southwest corner of Section 10 is Township 27 South Range 1 East of the 6th P.M. thence North on the section line 917 feet to the south line of the Right of Way of the St. Louis and San Francisco Rail Road thence East along the south line of said Right of Way 234.51 feet to the west line of the Right of Way of the Wichita Drainage Canal thence in a southeasterly direction along the west line of said Drainage Canal to the south line of said section 10, thence west 457.3 feet to the place of beginning.

Ransom H. Brown County Surveyor.

Know all men by these presents that we Mary E. Ratliffe and C.T. Ratliffe her husband have caused the land described in the surveyor's certificate to be platted into lots, avenues and streets the same to be known as RATLIFFE'S ADDITION to Wichita Kansas. The streets and avenues are hereby dedicated to and for the use of the public. The City of Wichita is hereby granted an easement on the rear five feet of each and every lot for the construction and maintenance of all public utilities.

Mary E. Ratliffe  
C.T. Ratliffe

State of Kansas }  
County of Sedgwick } s.s.

Be it remembered that on this 18th day of January 1923 before me a Notary Public in and for said County and State came Mary E. Ratliffe and C.T. Ratliffe her husband to me personally known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same to be their voluntary acts and deeds.

My commission expires Jan 18 1927

C.T. Cartwright Notary Public.

This plot of RATLIFFE'S ADDITION has been submitted to and considered by the City Planning Commission of the City of Wichita Kansas and is hereby transmitted to the Board of City Commissioners of the City of Wichita Kansas with the recommendation that said plot be approved as proposed. The City Planning Commission of the City of Wichita Kansas

Approved by Board of City Commissioners.

State of Kansas }  
County of Sedgwick } s.s.

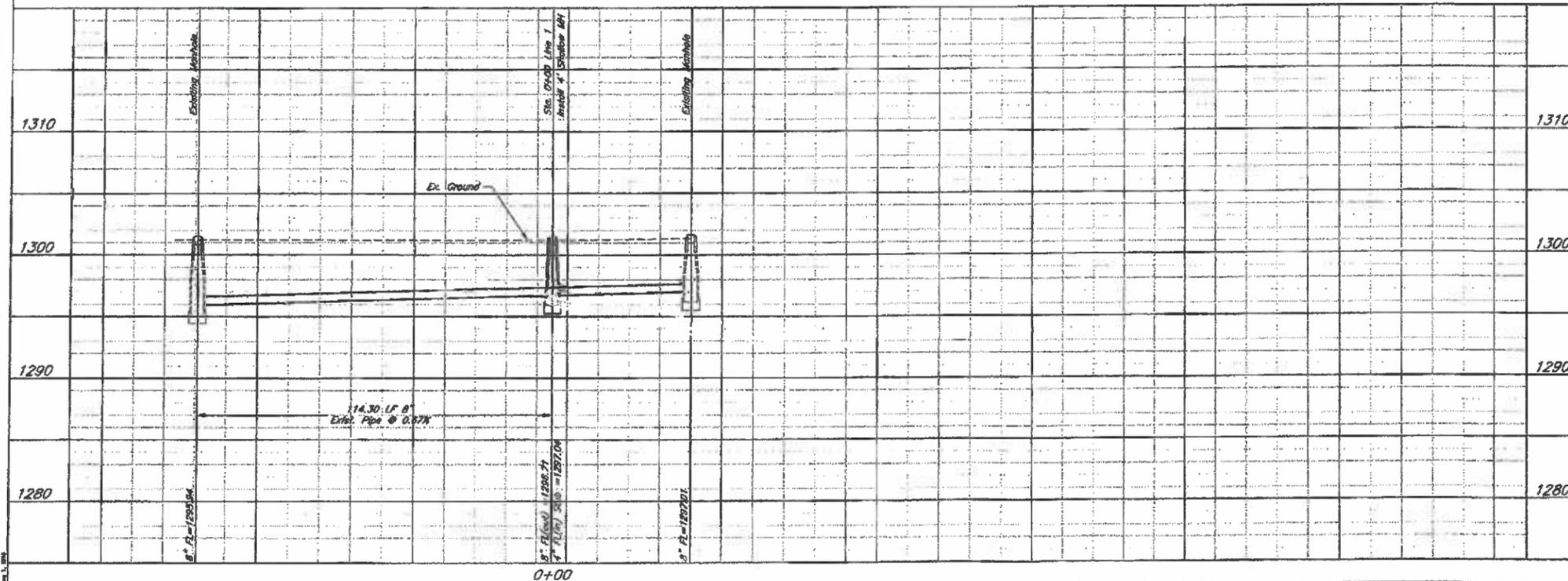
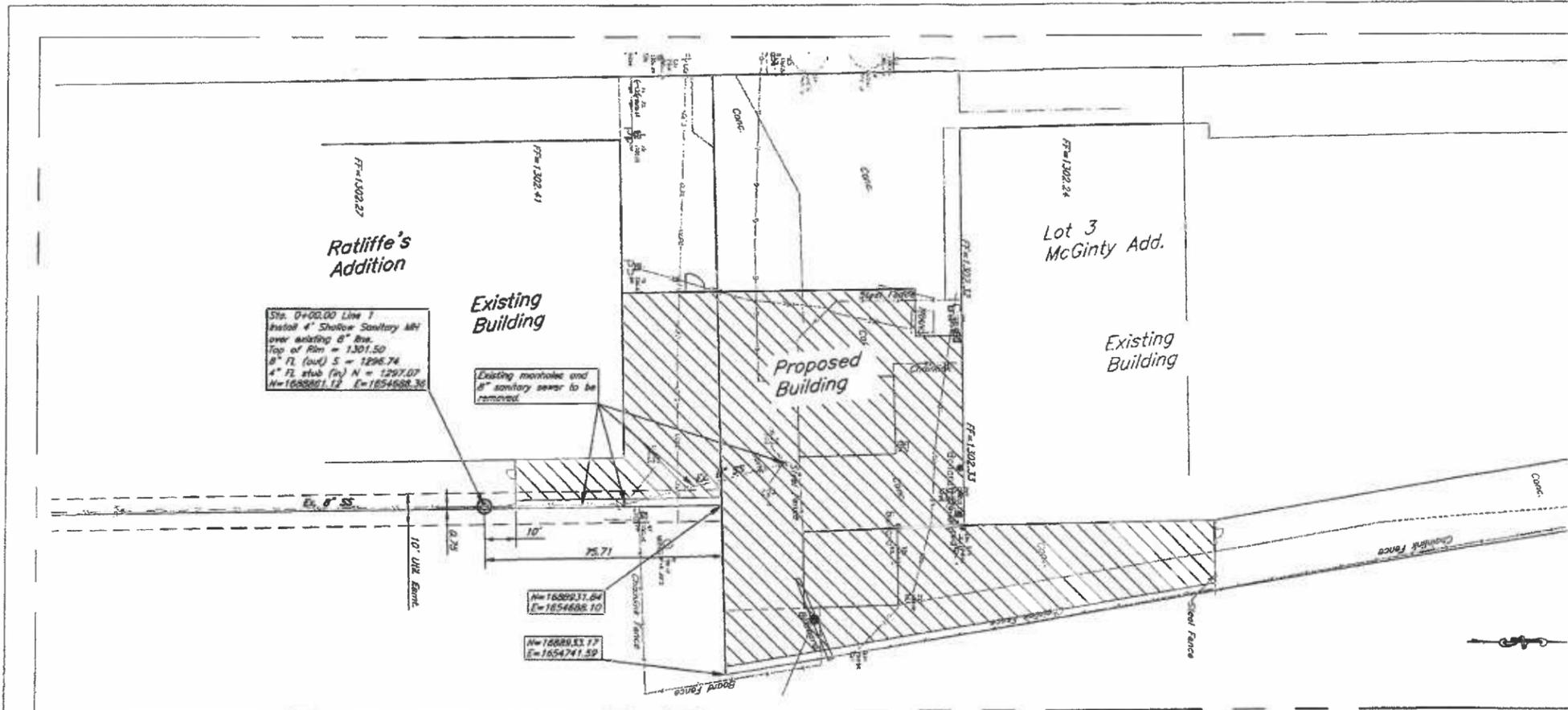
This is to certify that this instrument was filed for record on the 18th day of January 1923 A.D. at 10 o'clock P.M. and is duly recorded on page 32 in book 1180

Joseph Brown Register of Deeds.

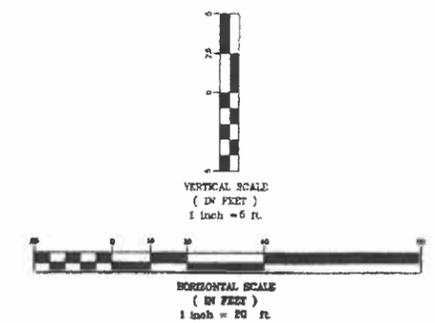
Entered on Transfer Record

Entered on Transfer Record

3-2-23



DATE: 03.26.2016  
THIS PLAN AND SPECIFICATIONS SHALL BE USED AS SHOWN AND NOT OTHERWISE



United Machine  
**Plan and Profile**  
Wichita, Kansas

PROJECT NUMBER  
**2267 PPS (607861)**

KEMILLER ENGINEERING PA 177 C. South, Wichita, KS 67202 (316)264-0242	DESIGN KM	DRAWN MP	REVIEWED	SHEET <b>2.0</b>
	PERM NO. 15168	FILE	DATE 02/2016	

STAFF REPORT

CASE NUMBER: VAC2016-00033 - Request to vacate a platted front yard setback

OWNER/APPLICANT: Ken and Pam Wells (owner/applicant)

LEGAL DESCRIPTION: Generally described as vacating the south 15 feet of the platted 25-foot building setback running parallel to the north property line of Lot 41, Block 1, Country Place Estates Addition, Wichita, Sedgwick County, Kansas

LOCATION: Generally located North of 13<sup>th</sup> Street North, West of Webb Road, on the southeast corner of East Crestwood Street and North Gatewood Street (1624 North Gatewood) (District II)

REASON FOR REQUEST: To erect a detached garage

CURRENT ZONING: The site and the abutting and adjoining properties all zoned Single-Family Residential (SF-5)

VICINITY MAP:



**VAC2016-00033 –Request to vacate a public utility easement referenced in the plattor’s text**

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The applicant is requesting the vacation of the south 15 feet of a platted 25-foot building setback from Crestwood Street running parallel to the north property line of Lot 41, Block 1, Country Place Estates Addition. The site is a corner lot with the shorter frontage along Crestwood and therefore defined as the front lot line per the Unified Zoning Code (UZC).

The Unified Zoning Code’s minimum front yard setback for the SF-5 zoning district is 25 feet. The applicant’s request reduces the platted 25-foot setback to ten feet. Section 10-104 of the Subdivision Regulations allows the Planning Commission to modify the setback standards.

No platted easements are located within the platted setback. A water hydrant is located within the setback at the northwest corner of the property. No manholes, sewer or water lines, or stormwater equipment is located within the described portion of the platted setback.

Stormwater Management, City of Wichita Public Works and Utilities, City Traffic and City Fire Departments have no objection to the proposed vacation. No objections have been received from any franchised utilities.

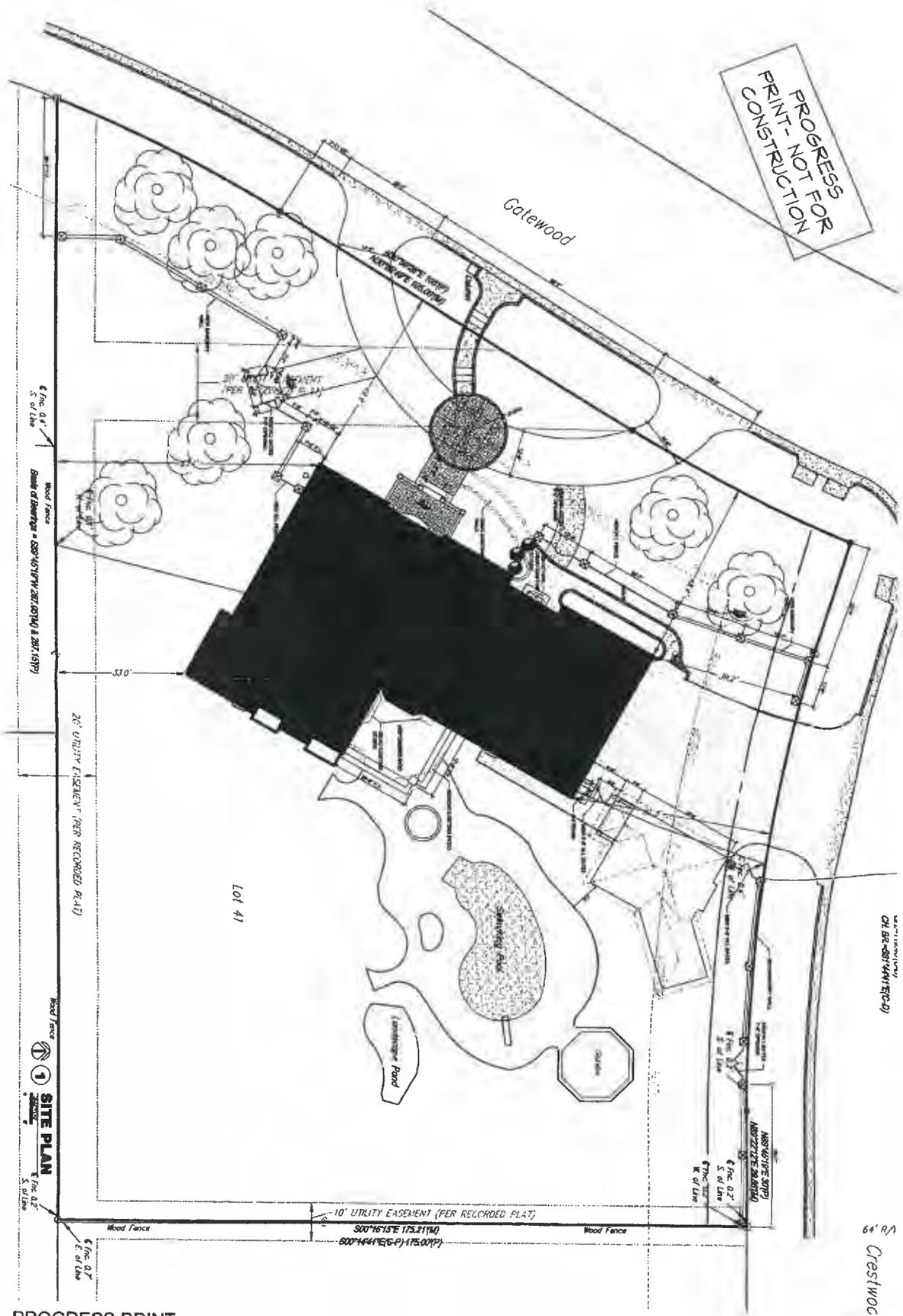
Westar Energy has street light equipment in the right-of-way at the corner of Gatewood and Crestwood and has no objection to the vacation request. A letter has been submitted from the Country Place Estates Homeowner’s Association which is in support of the request.

The Country Place Estates Addition was recorded with the Register of Deeds on April 20, 1979

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate a portion of the described platted 25-foot front yard setback:

1. Vacate the south 15 feet of the 25-foot building setback running parallel to the north property line of Lot 41, Block 1, Country Place Estates Addition, Wichita, Sedgwick County, Kansas
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 VAC2016-00033 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 VAC2016-00033 proceeds to the City Council for final action.

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.



PROGRESS PRINT

AS1

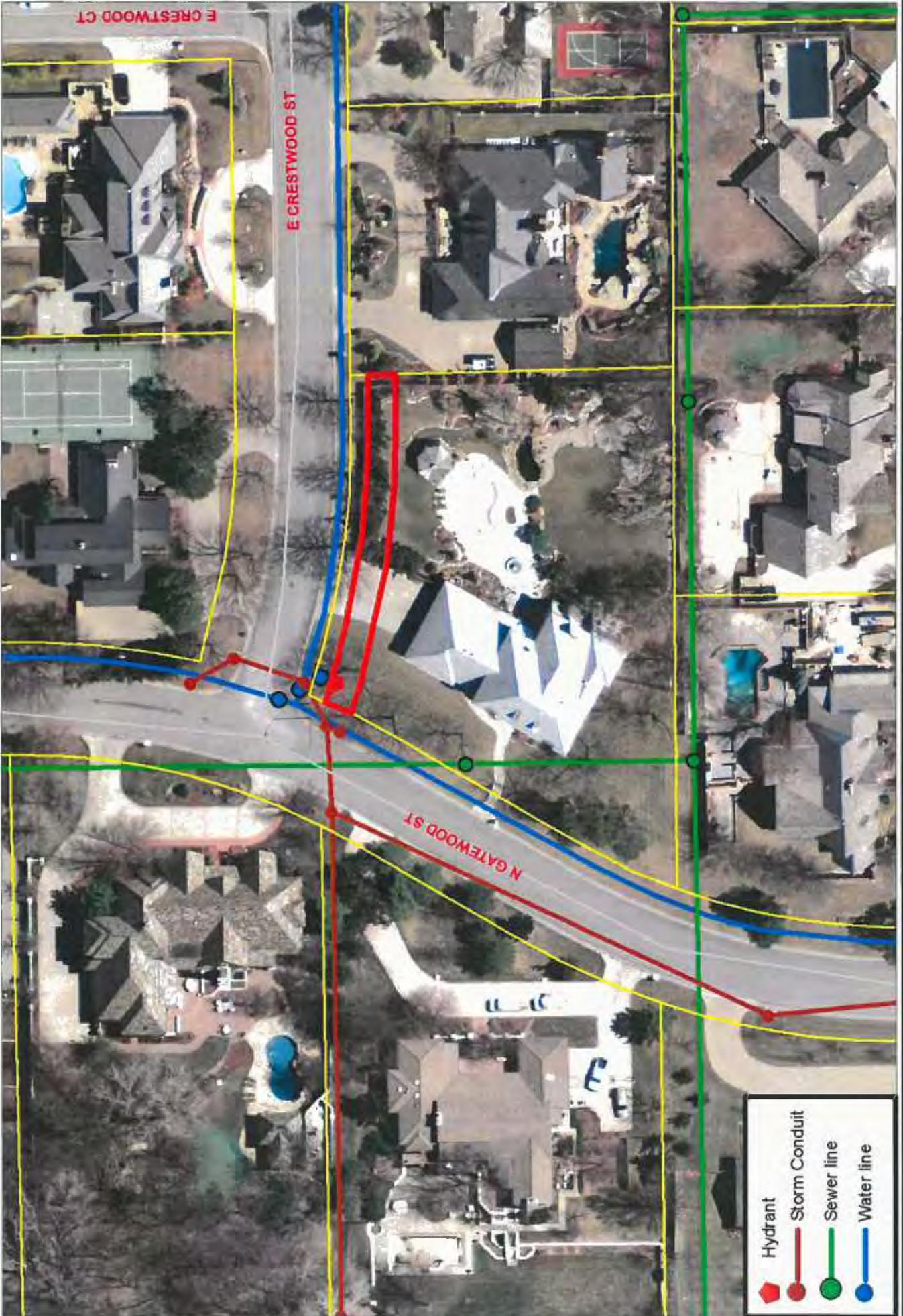
WELLS RESIDENCE

WICHITA, KANSAS

SPANGENBERG PHILLIPS TICE  
 ARCHITECTURE  
 121 N Mead Blvd 201 Wichita KS 67202  
 T 316.267.4002 F 316.267.1609  
 www.sptaarchitecture.com



64' R/L Crestwood

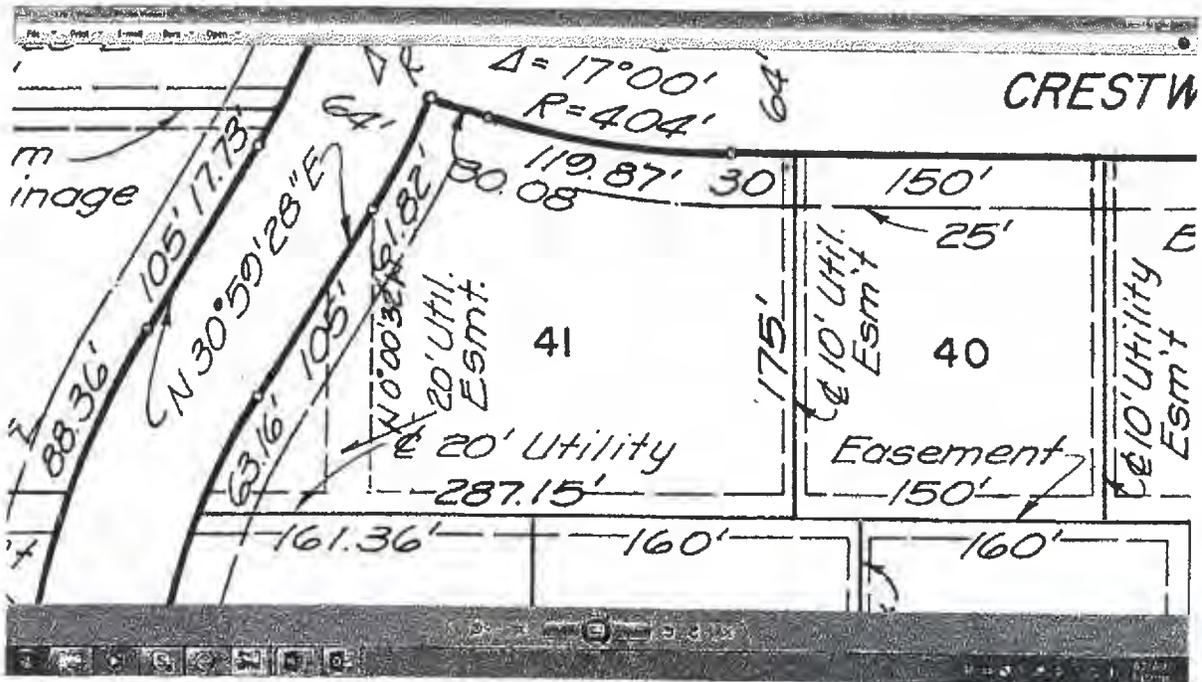


E CRESTWOOD CT

E CRESTWOOD ST

N GATEWOOD ST

- Hydrant
- Storm Conduit
- Sewer line
- Water line



STAFF REPORT

**CASE NUMBER:** VAC2016-00034 - City request to vacate a utility easement referenced in the plattor's text

**APPLICANT/AGENT:** William S. Humphrey (owner), R.D. Wood (agent)

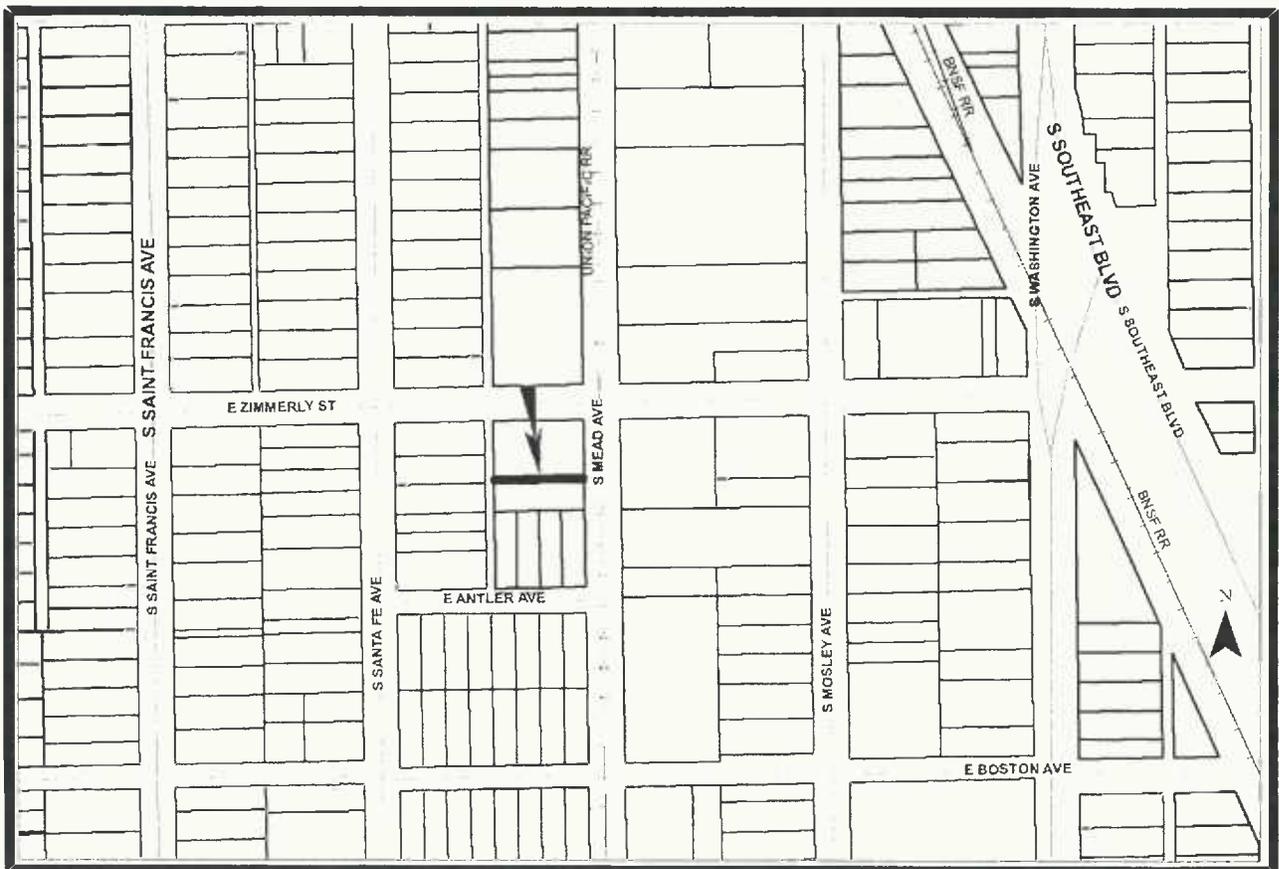
**LEGAL DESCRIPTION:** Generally described as vacating the language in the plattor's text referencing an easement granted to the City of Wichita, for the construction and maintenance of all public utilities, underground, on the rear 6 feet of Lots 1, 2 and 3, Wakefield Addition, Wichita, Kansas.

**LOCATION:** Generally located North of East Harry Street, East of South Broadway Avenue, on the southwest corner of East Zimmerly Street and South Mead Avenue (719 East Zimmerly) (District III)

**REASON FOR REQUEST:** Easement is not needed and applicant desires to clear title as existing structure encroaches the easement

**CURRENT ZONING:** The site, adjacent north property, abutting south property, and adjoining property to the east are zoned Limited Industrial (LI). Adjacent property to the west is zoned Multi-Family Residential (MF-29).

**VICINITY MAP:**



**VAC2016-00034 – Request to vacate a Public Utility Easement referenced in the plattor’s text**

**August 11, 2016**

**Page 2**

The applicant proposes to vacate a utility easement referenced in the plattor’s text within the south six feet of Lots 1, 2 and 3, Wakefield Addition. Per the plattor’s text, “The City of Wichita is hereby granted an easement, for the construction and maintenance of all public utilities, underground, on the rear 6 feet of all lots”.

The applicant desires to clear the title as the existing structure encroaches upon the easement. Per the City’s GIS Viewer, there are no manholes, sewer lines, water lines or stormwater equipment located within the described utility easement.

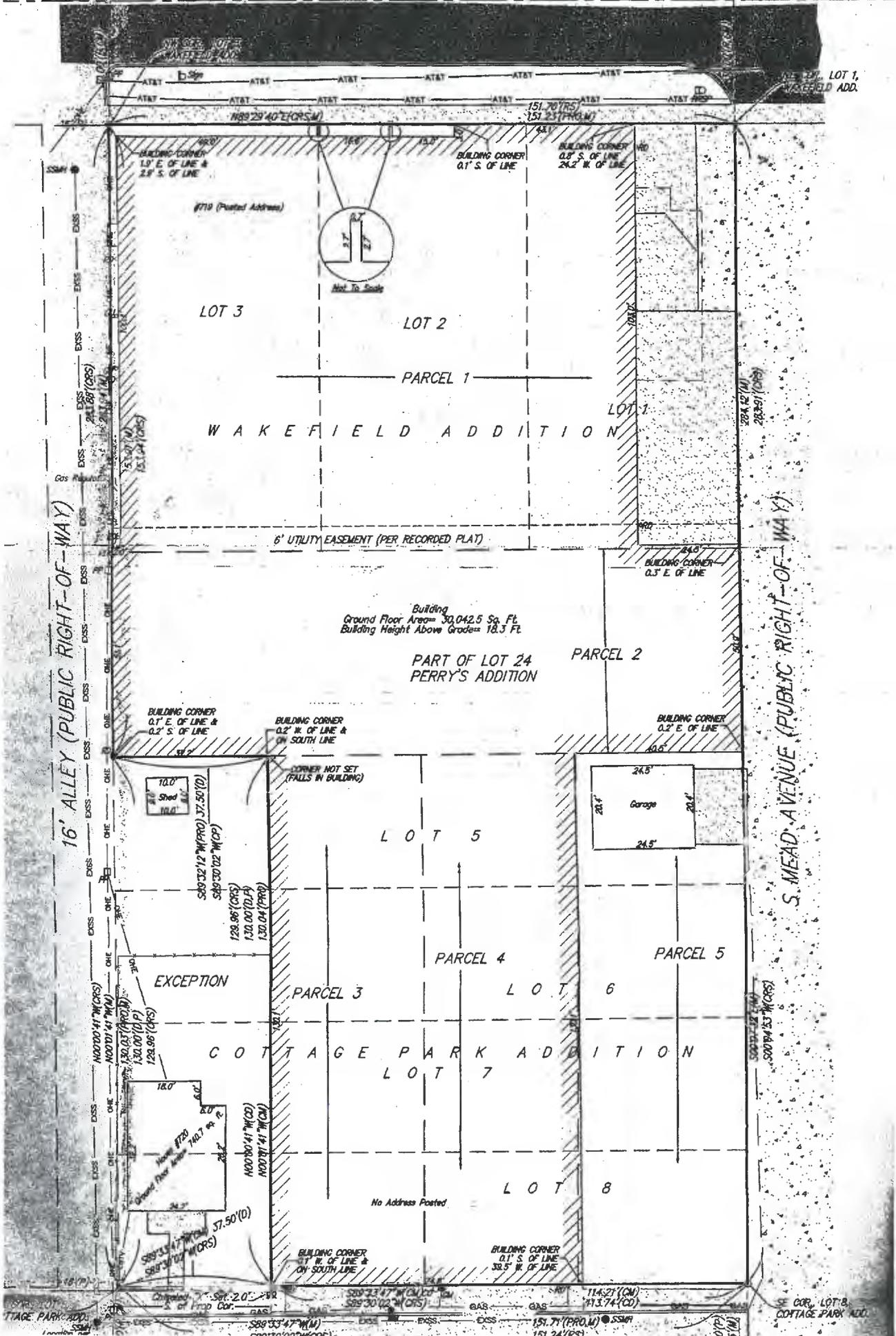
Stormwater Management, City of Wichita Public Works and Utilities, City Traffic and City Fire Departments have no objection to the proposed vacation.

Westar Energy has no objection and advises any relocation or removal if necessary will be at the Applicant’s expense. Shane Price, Supervisor, Construction Services will be the contact for this vacation request and can be reached at 261-6315.

No objections have been received from other franchised utilities. The Wakefield Addition was recorded on June 30, 1914.

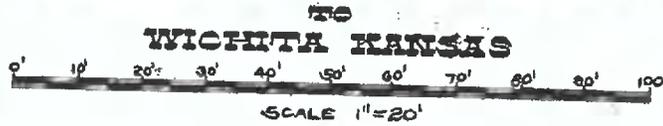
Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described public utility easement referenced in the plattor’s text.

1. Vacate the south 6-foot wide utility easement (as referenced in the plattor’s text) of Lots 1, 2 and 3, Wakefield Addition, Wichita, Kansas.
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 VAC2016-00034 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 VAC2016-00034 proceeds to the City Council for final action.
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.





# WAKEFIELD ADDITION



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 30 June  
 14 10 a  
 H. H. Merrill

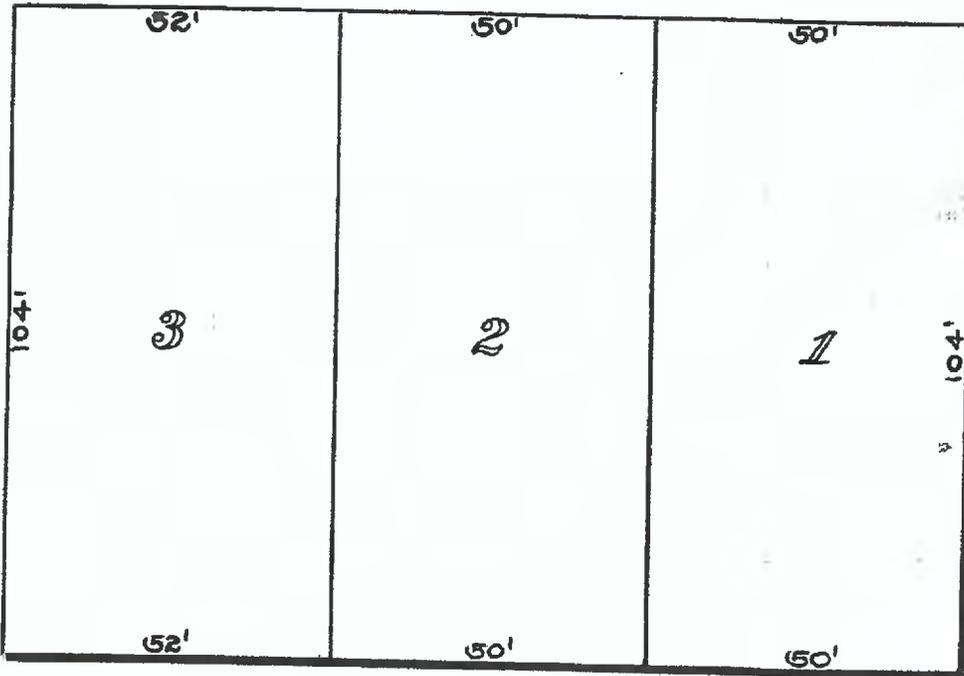
ZIMMERLY

ST.

ALLEY

AVE.

MEAD



State of Kansas }  
County of Sedgewick }

I, Ransom H. Brown, County Surveyor in and for said County and State do hereby certify that I have surveyed and plotted Wakefield Addition to Wichita Kansas, and that the accompanying plat is a true and correct exhibit of the property as surveyed, described as follows:

Lot 24, Block 7, Ferry's Addition to Wichita, except the south 50 feet and the west 8 feet.

Ransom H. Brown

Know all men by these presents that I, Elizabeth Pile, a widow, have caused the land described in the surveyors certificate to be surveyed and plotted the same to be known as Wakefield Addition to Wichita Kansas.

The City of Wichita is hereby granted an easement, for the construction and maintenance of all public utilities, underground, on the rear 6 feet of all lots

Elizabeth Pile

State of Kansas }  
County of Sedgewick }

As it remembered that on this 22<sup>nd</sup> day of June A.D. 1914, before me a Notary Public in and for said County and State, came Elizabeth Pile, a widow, who is personally known to me to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

A. E. Jacques

Notary Public Commission Expires 3-16-1915

Approved by Board of Commissioners  
 June 29-1914  
 W. J. McLean  
 City Clerk