



Wichita-Sedgwick County Metropolitan Area Planning Department

March 8, 2007

Reed 127th Commercial
C/o Ritchie Development
Rob Ramseyer
8100 E. 22nd Street Bldg
#1000
Wichita, KS 67226

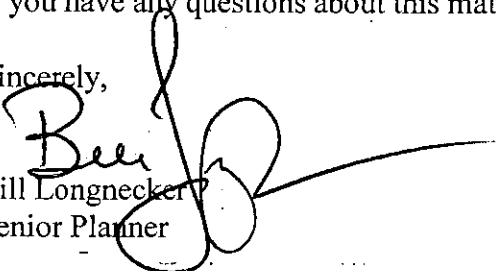
Re: **VAC2006-00049** - Request to vacate a portion of platted setbacks, generally located south of 21st Street North and east of 127th Street East.

Dear Mr. Ramseyer:

At its regular meeting on Tuesday, March 6, 2007, the Wichita City Council considered the request. The action of the City Council was to APPROVE subject to the recommendation by the MAPC.

If you have any questions about this matter, please call 268-4494.

Sincerely,


Bill Longnecker
Senior Planner

BL:le

cc: Jim Armour, City Engineer, Public Works Department, Mail Stop 1-71
Paul Gunzelman/Carla Jones, Public Works Engineering, Mail Stop 1-71
MKEC Engineering Consultants Inc., c/o Brian Lindebak, 411 N. Webb Rd., Wichita, KS 67206
Lakepoint at Reeds Cove LLC, 901 Lakepoint Dr., Augusta KS 67010
21/127 LC a Kansas Limited Liability Company, Bldg 1000, 8100 E. 22nd St., Wichita, KS 67226
Rafiek A & Jacqueline Khan, 2133 N. Glen Wood Ct., Wichita, KS 67230
Twenty First Growth LLC, 816 Terradyne, Andover, KS 67002
Ralph A Lanzrath Revocable Trust, 4 Flanigan Ct., Augusta, KS 67010

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**BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

**IN THE MATTER OF THE VACATION OF
PORTIONS OF PLATTED SETBACKS**

**GENERALLY LOCATED
SOUTHEAST OF 21ST STREET NORTH & 127TH
STREET EAST**

MORE FULLY DESCRIBED BELOW

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) **Case No. VAC2006-00049**
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VACATION ORDER

NOW on this 6th day of March, 2007 comes on for hearing the petition for vacation filed by Reed 127th Commercial LLC c/o Ritchie Development, Rob Ramseyer praying for the vacation of the following described portions of platted setbacks, to-wit:

The east 15-feet of the platted 50-foot setback that runs parallel to the west lot line of Lot 1 and 127th Street East and the south 65-feet of the platted 100-foot setback that runs parallel to 21st Street North and the north lot line of Lot 1, all in Block 1, the Reed Commercial Addition, Wichita, Sedgwick County, Kansas.

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication as required by law, by publication in The Wichita Eagle on January 11, 2007, which was at least 20 days prior to the public hearing.

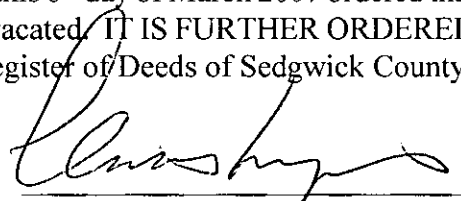
2. No private rights will be injured or endangered by the vacation of the above-described portions of platted setbacks, and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner(s), the prayer of the petition ought to be granted.

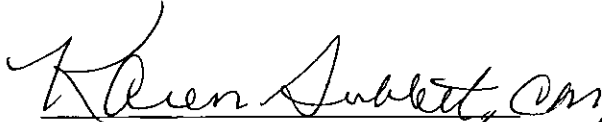
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

5. The vacation of the portions of the platted setbacks described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 6th day of March 2007 ordered that the above-described portions of platted setbacks are hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.


Carlos Mayans, Mayor

ATTEST:


Karen Sublett, City Clerk



Approved as to Form:


Gary Rebenstorf, Director of Law

RECEIVED
MARCH 11 2007
CITY CLERK

STAFF REPORT

CASE NUMBER: VAC2006-00049 Request to vacate portions of platted setbacks

APPLICANT/OWNER: Reed 127th Commercial c/o Ritchie Development, Rob Ramseyer

AGENT: MKEC Engineering Consultants, Inc. c/o Brian Lindebak

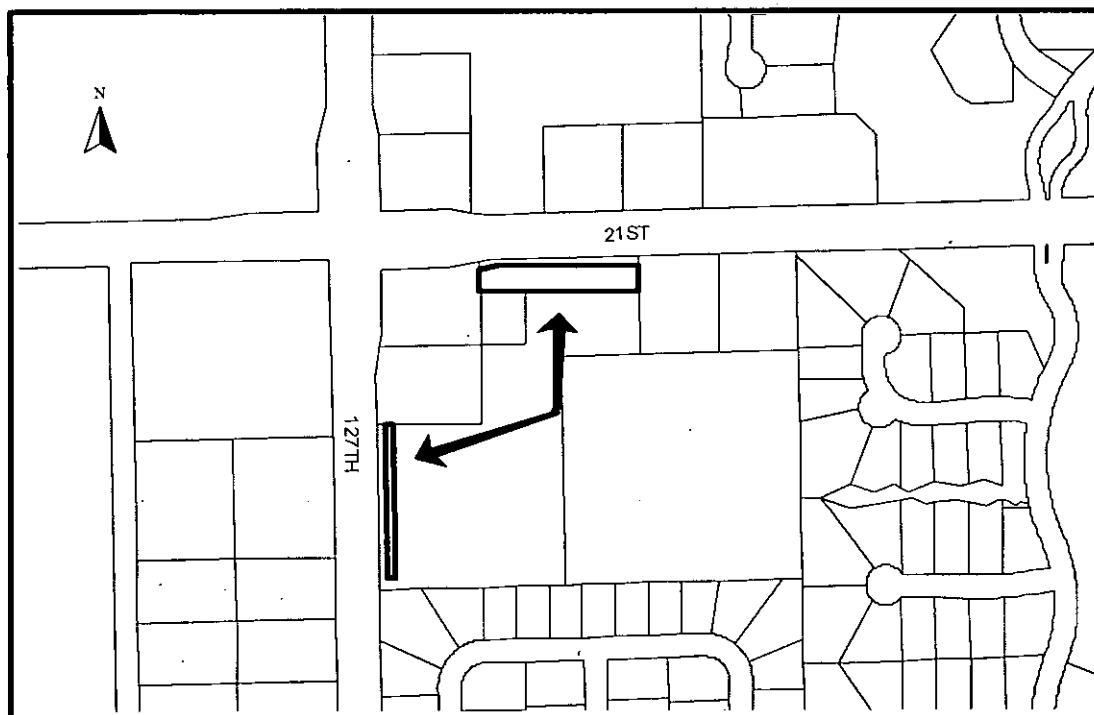
LEGAL DESCRIPTION: The east 15-feet of the platted 50-foot setback that runs parallel to the west lot line of Lot 1 and 127th Street East and the south 65-feet of the platted 100-foot setback that runs parallel to 21st Street North and the north lot line of Lot 1, all in Block 1, the Reed Commercial Addition, Wichita, Sedgwick County, Kansas.

LOCATION: Generally located southeast of 21st Street North & 127th Street East (WCC #II)

REASON FOR REQUEST: Associated boundary shifts reflecting new ownership

CURRENT ZONING: The site, abutting eastern & western and adjacent northern properties are zoned "LC" Limited Commercial. Abutting southern property is zoned "MF-18" Multi-family Residential. Adjacent western property is zoned "SF-5" Single-family Residential. The site is located within CUP DP-222.

VICINITY MAP:



The applicant proposes to vacate the described portions of the platted setbacks, the result being 35-foot setbacks along both sides of the subject site. This case is associated with CUP2006-51, DP-222, a proposed CUP adjustment, which includes the setback reductions and a Boundary Shift for Lots 1, 2, 3, 4 & 5, Block 1, the Reed Commercial Addition. The proposed Boundary Shifts reflect new ownership and redevelopment of the CUP. The Unified Zoning Code's (UZC's) minimum street side setback for a CUP is 35-feet. There are platted 20-foot utility easements in the platted setbacks that would not be affected by the proposed vacation. There appears to be sewer line and manholes in those easements. Comments from franchised utilities have not been received and are needed to determine if they have utilities in the setbacks. The Reed Commercial Addition was recorded with the Register of Deeds January 14, 2003.

Based upon information available prior to the public hearings and reserving the right to make recommendations based on subsequent comments from City Public Works, franchised utility representatives and other interested parties, Planning Staff recommends approval of the vacation of the described portions of the platted setbacks (from 50-feet to 35-feet and from 100-feet to 35-feet), with conditions.

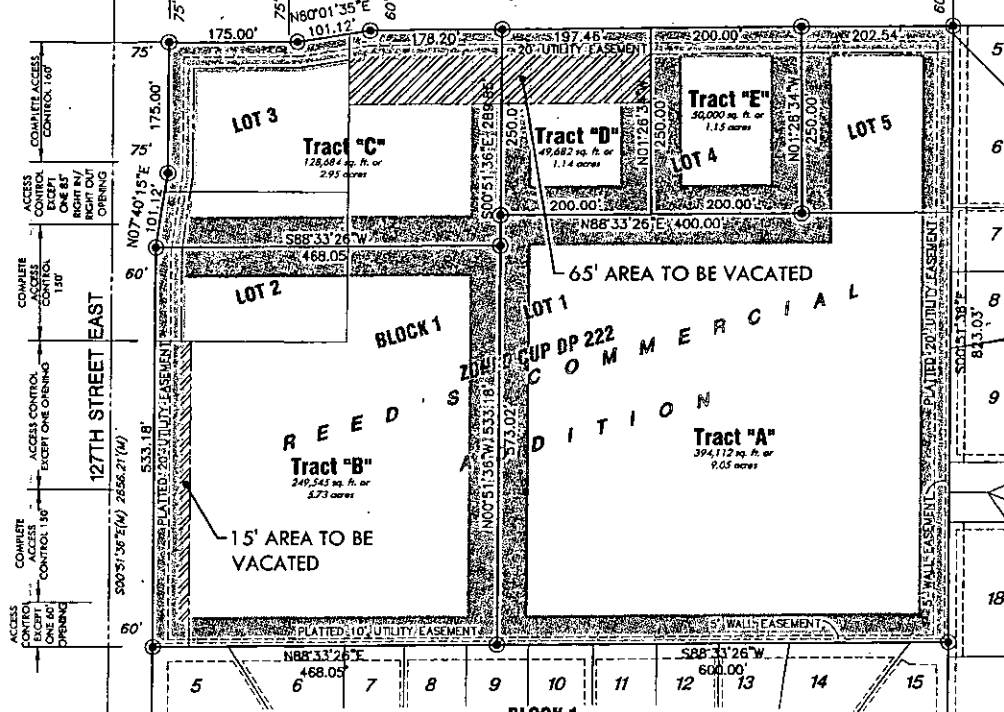
- (1) Approval of the vacation request is contingent upon approval of CUP2006-51. Provide Planning Staff with copies of approved CUP2006-51.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicant's expense.
- (3) All improvements shall be according to City standards and at the applicant's expense.
- (4) Per MAPC Policy Statement #7, all conditions to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation request 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

NW. COR., NW. 1/4
SEC. 11, T27S, R2E, 6TH
P.M.Fnd. 3/4" Pipe at surface

NE COR., NW. 1/4
SEC. 11, T27S, R2E, 6TH P.M.

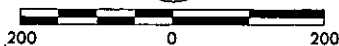
21ST STREET NORTH

Basis of Bearings: Kansas coordinate system 1983 south zone NBB35°26'12"N 2649.84'W



LEGEND

⊙ = FOUND 3/4" rebar
w/ MKEC CAP



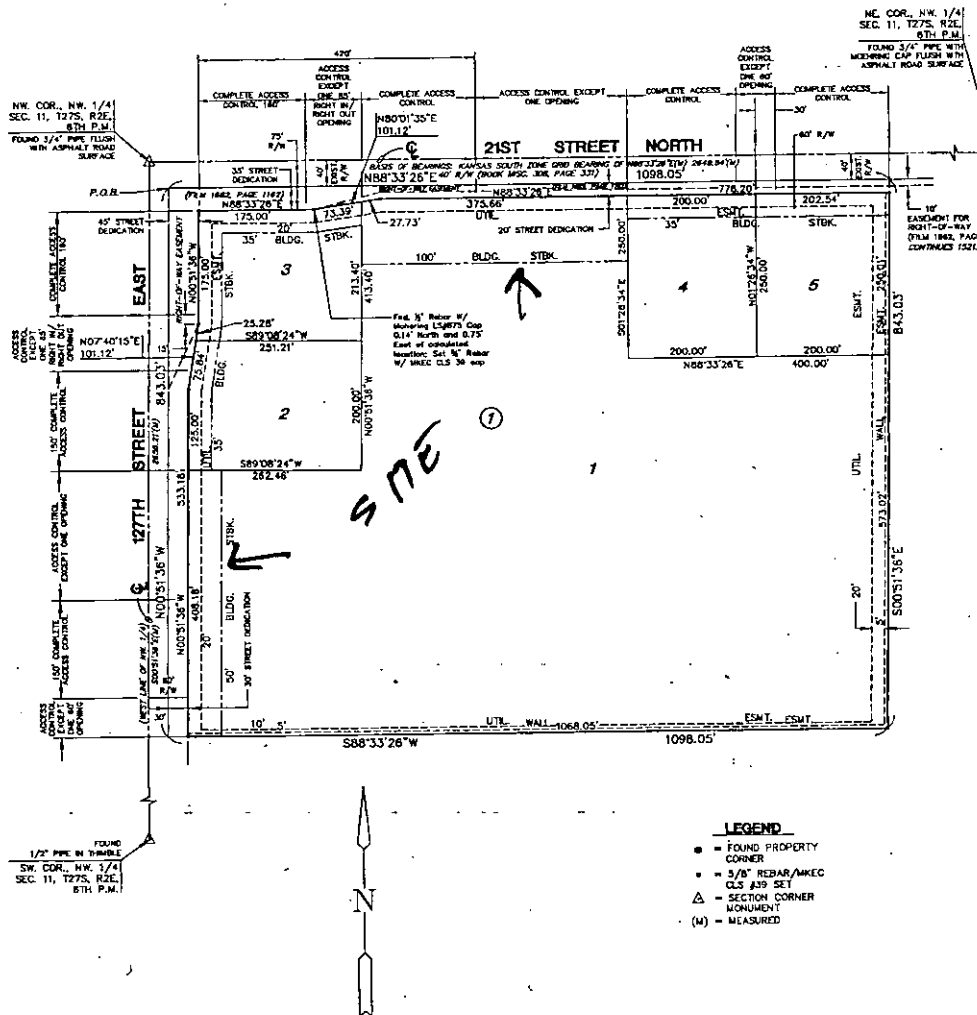
SW. COR., NW. 1/4
SEC. 11, T27S, R2E, 6TH P.M.
Fnd. 3/4" Pipe at surface

MKEC REED COMMERCIAL ADDITION
PROJECT NAME
VACATION CASE
ENIGNEER, INC. LOT 1, BLOCK 1
CONSULTANTS, INC. SHEET TITLE

411 N. WEBB ROAD WICHITA, K.S. 67206 316-684-9600	DESIGN BY: BDL	DRAWN BY: BDL	CHECKED BY: GJA
DATE: DECEMBER 2006	JOB NO.: 02121	SHEET/OF: 1 / 1	

VAC 2006-49

FINAL PLAT
REED COMMERCIAL ADDITION
 AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS



*"REED COMMERCIAL ADDITION"
is subject to the conditions of
Community Unit Plan (DP-222)

A horizontal ruler with markings from 1 to 4 inches. The word "inches" is printed below the 1-inch mark.



This digital plat record accurately reproduces in all details the original plat filed with the Sedgwick County Register of Deeds. Digitized under the supervision of Register of Deeds Bill Meek by Sedgwick County Geographic Information Systems.

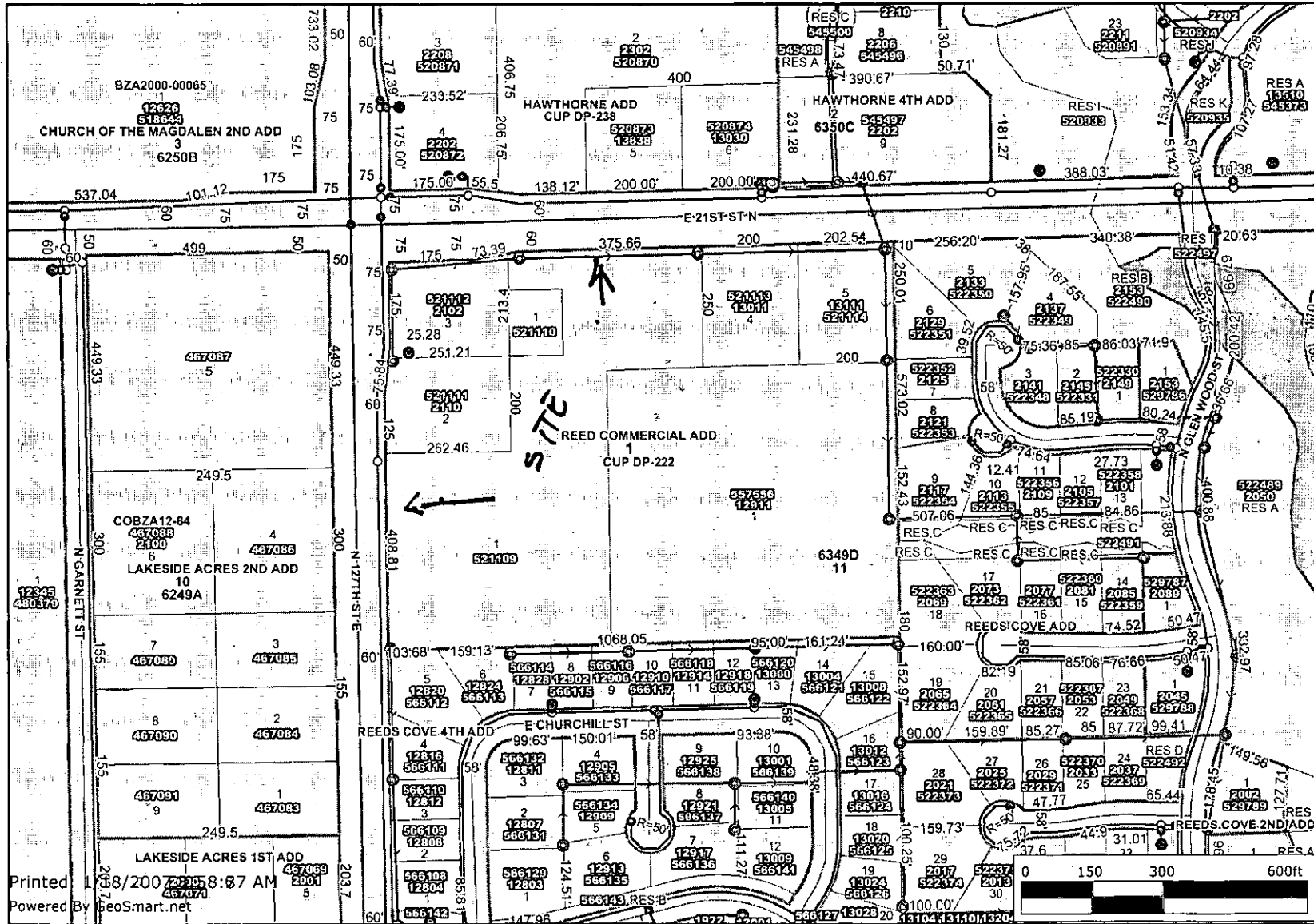
Bill Meek, Register of Deeds
Digitized rendition of original signature

VAC2006 49



vac2006-49

water & sewer



- ⊗ Sewer Manholes
- ⊗ Sewer Observation Manholes
- Hydrant Schematic
- Water Valve Schematic
- Water Node Schematic
- City Limit Boundaries
- Property Parcels
- Lot Block
- Subdivisions
- Sewer Flow
- Sewer Lines
- Water Lines Schematic
- Major Roads
- State Highway
- US Federal Highway
- Interstate
- KTA
- Arterial
- Collector
- Ramp
- Roads
- Railroads
- Township and Range
- Section
- Quarter Section
- Waterways
- Streams
- City Limits
- Andale
- Bel Aire
- Bentley

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