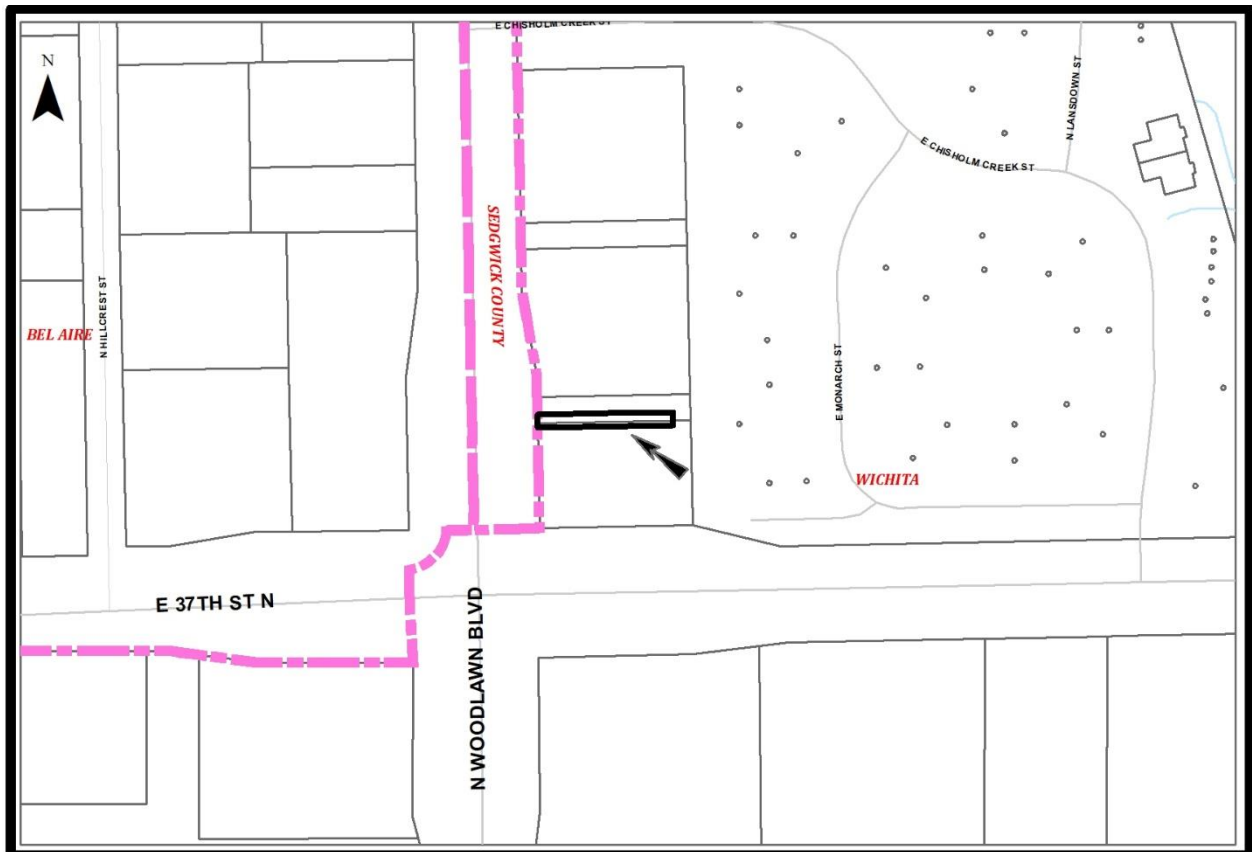


STAFF REPORT

- CASE NUMBER:** VAC2020-00016 - City Vacation of a platted utility easement
- OWNER/APPLICANT:** Fisel Corporation (Applicant) Ferris Consulting (Agent)
- LEGAL DESCRIPTION:** The South 10' of Lot 2, except that portion that is included in the east 20' of the North/South Utility/Drainage Easement of the R & L Carpenter Addition; and the North 5' of Lot B, Block 1, except that portion that is included in the east 5' of the North/South Utility/Drainage Easement Chisholm Creek Addition.
- LOCATION:** Generally located on the northeast corner of North Woodlawn Boulevard and East 37th Street North. (3810 North Woodlawn Blvd.)
- REASON FOR REQUEST:** To vacate the unused utility easement to allow construction of a parking lot, drive, and part of a building.
- CURRENT ZONING:** LC Limited Commercial
- VICINITY MAP:**



The applicant has requested the vacation of a ten-foot platted utility easement on property addressed 3810 North Woodlawn Boulevard. This property is generally located on the northeast corner of North Woodlawn Boulevard. and East 37th Street North. The purpose of this vacation is to construct a parking lot, drive entrance, and building on the property.

There are no public utilities located within the easement. Everygy has equipment in the easement. They do not have any objection; however any relocation or removal of the equipment will be at the applicant's expense. Becky Thompson is the Area Construction Service Representative and can be contacted at 261-6320 with any questions. The site occupies a portion of Lot 2, Carpenter, R&L 3rd Addition, which was recorded in October 1997. The majority of the site was platted as Lot B, Block 1, Chisholm Creek Addition, which was recorded in October 1973.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Traffic, Public Works/Water & Sewer/Stormwater, 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.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time June 18, 2020, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portion of the platted utility easement and that the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

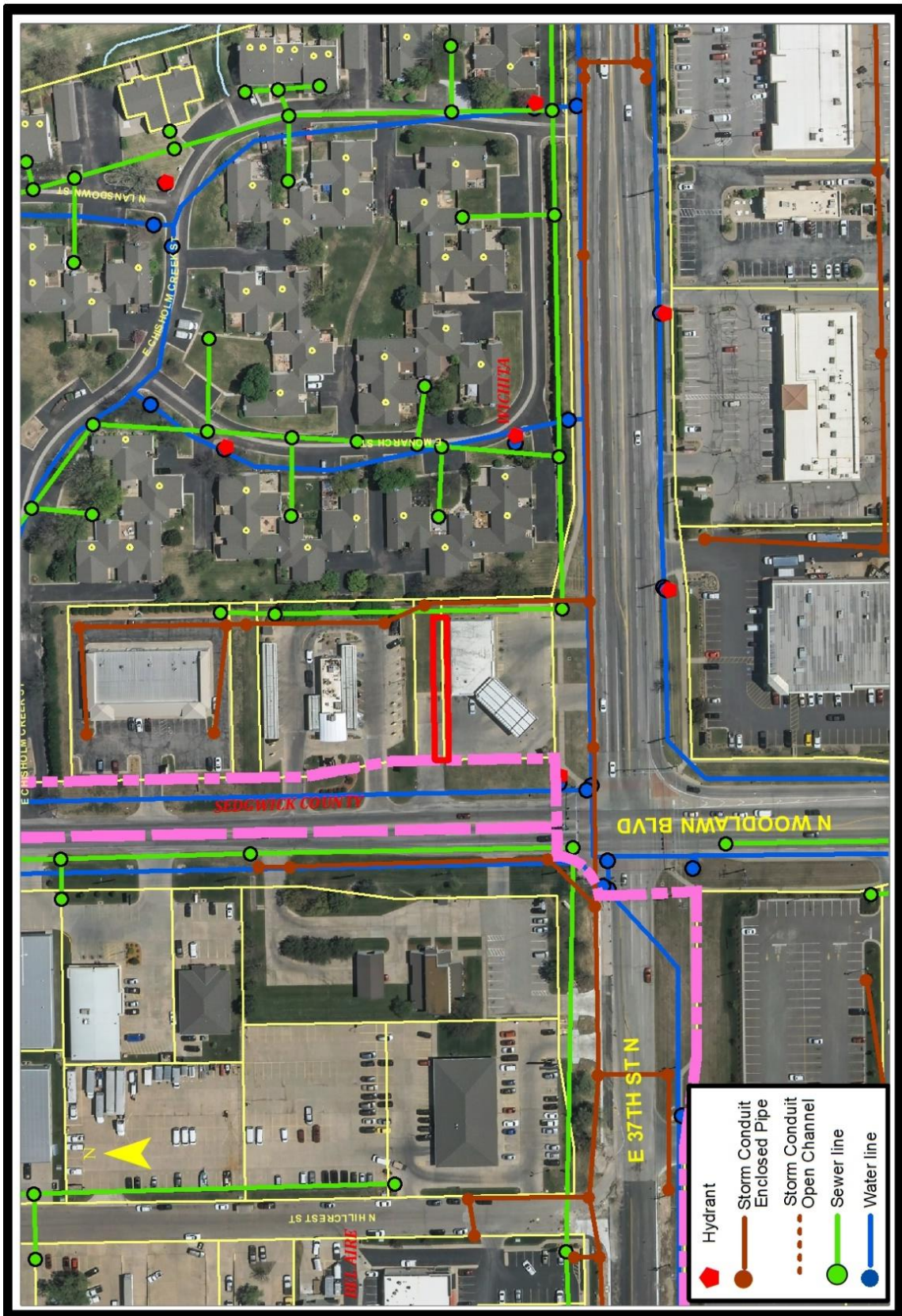
- (1) If any utility services are found to be located within the area of the proposed Vacation, these services shall be relocated at the owner's expense, to city standards, and the applicant shall provide Planning with the dedication of utility easements by separate instruments to go with the Vacation Order to be filed with the Register of Deeds. If relocation is not possible then this Vacation shall be rendered void as the current easement must remain in place.
- (2) 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.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

Attachments:

1. Aerial Map
2. Site Plan

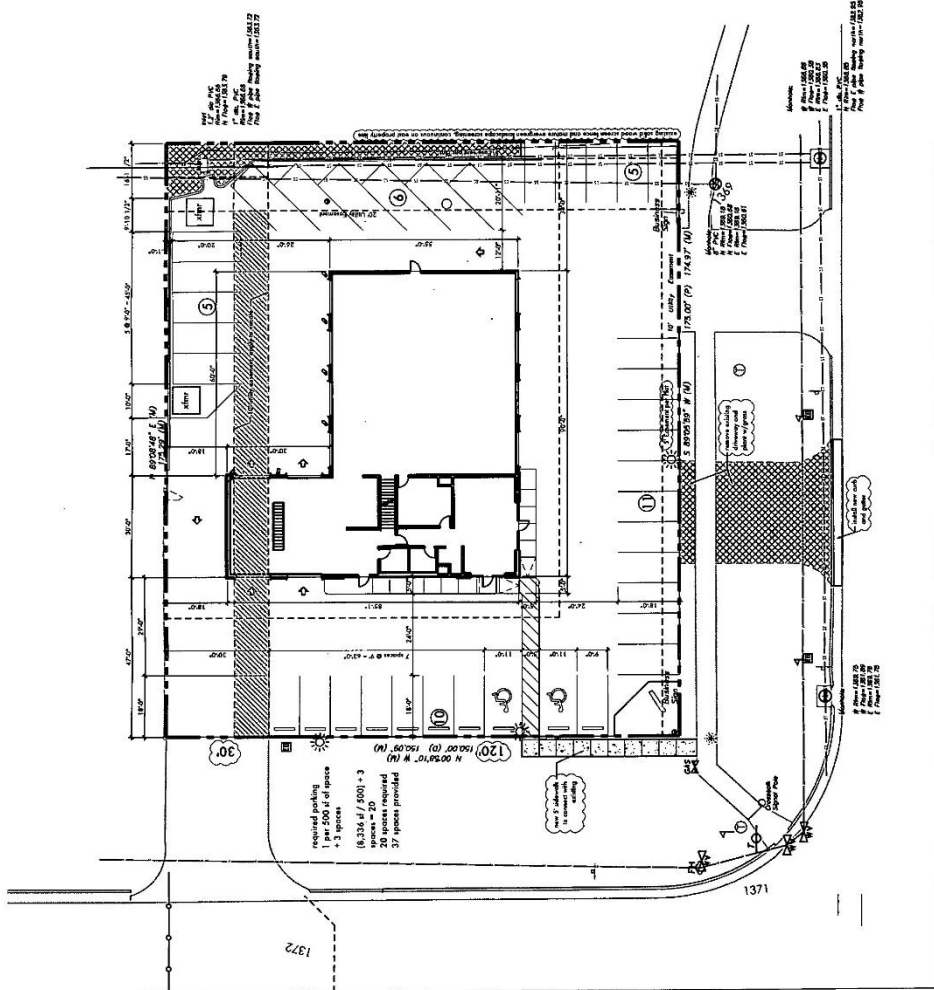


STUDIOS
151 N. Rock Island, Suite 18
Wichita, Kansas 67202
316.295.4563 studios@studios.com

Expert Auto
2810 N. Woodson
Wichita, KS
67220

Sheet No. AS1.1
City Action
0/2018
10/2018
City Action
0/1719
Owner/Action
06/1719

AS1.1



site plan | 01
1/16" = 1'-0"

- (D) Describe
- (R) Material
- (P) Point
- Gas Valve
- Sign (As Noted)
- Blower
- Light Pole
- Electric Box
- Traffic Sign Light Pole
- Sanitary Sewer Out
- Electric Transformer
- DP = Gas Parity
- Fence
- Storm Sayer
- Sanitary Sayer
- Water Line
- Irrigation Control Valve
- Water Valve
- Fire Hydrant
- Manhole
- Storm Manhole
- Sanitary Sewer Manhole
- Traffic Sign Manhole
- Gas Meter
- Underground Traffic Sign Manhole
- Electric Meter

