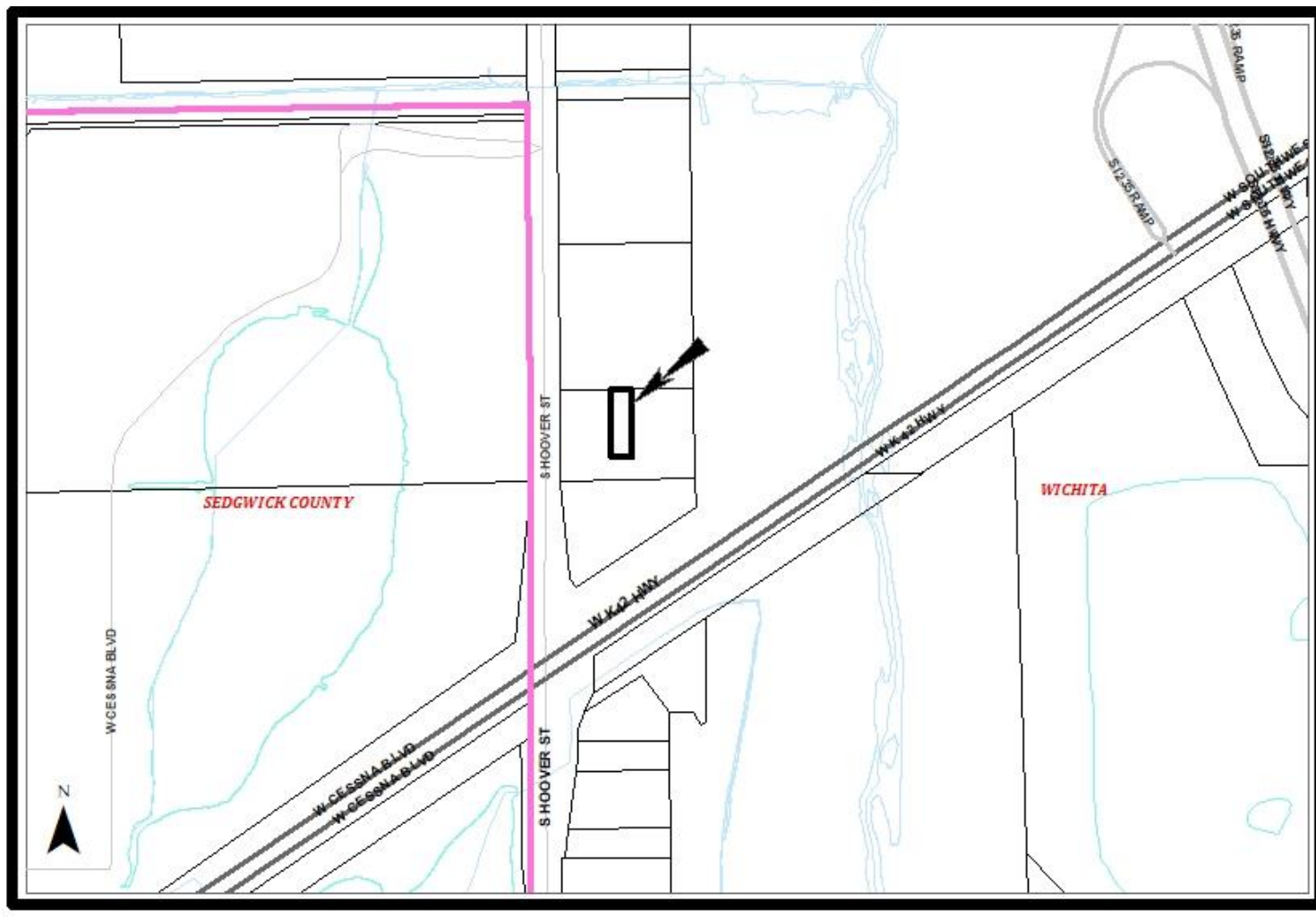


**STAFF REPORT**

- CASE NUMBER:** VAC2020-00052 - Request to vacate a portion of a platted floodway
- APPLICANT/AGENT:** Rand Graphics (applicant/owner) K.E. Miller Engineering, P.A., c/o Kirk Miller (agent)
- LEGAL DESCRIPTION:** Generally described as vacating a portion of the platted floodway located on the west side of Lot 1, Block 1, A.M.F. Addition, Sedgwick County, Kansas.
- LOCATION:** Generally located on the east side of South Hoover Street and 600 feet north of K-42 Highway (WCC #4)
- REASON FOR REQUEST:** To allow expansion of a warehouse
- CURRENT ZONING:** The site and all abutting and adjacent properties are zoned LI Limited Industrial.
- VICINITY MAP:**



The applicant proposes to vacate a portion of the platted floodway located within the North 235 feet of the East 70 feet of the West 245 feet of Lot 1, Block 1 AMF Addition. This site is generally located on the east side of South Hoover Street and 600 feet north of K-42 Highway. The platter's text states the platted floodway shall be the responsibility of the adjacent property owners until such time that the City of Wichita elects to assume responsibility for maintenance and improvement of the drainage. The platter's text also states that no buildings shall be constructed on or within the floodway, nor shall any fill, change of grade, creation of channel or other work be carried on without the permission of the City Engineer of the City of Wichita. The proposed vacated portion of the drainage reserve appears to be located outside of the FEMA Flood Plains. The Stormwater Engineer supports the project.

The applicant wishes to build an expansion to the existing warehouse within the proposed vacated drainage reserve.

There are no public utilities located within the area of the vacation. Everyg states: "Everyg has no objection to this request and we do not have equipment in the floodway area they are requesting to vacate. Standard comments will apply, any removal and relocation of existing equipment for this vacation request will be at the applicant's expense. Ennidh Garcia is the Area Representative and will be the contact for this item and can be reached at 316-261-6359." Cox states: "Cox has no objection to this vacate. We have no facilities in the vacate area." The A.M.F. Addition was recorded with the Register of Deeds November 20, 1987.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Wichita 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 the platted drainage reserve.

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 December 17, 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 sewer easement dedicated by separate instrument, 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:

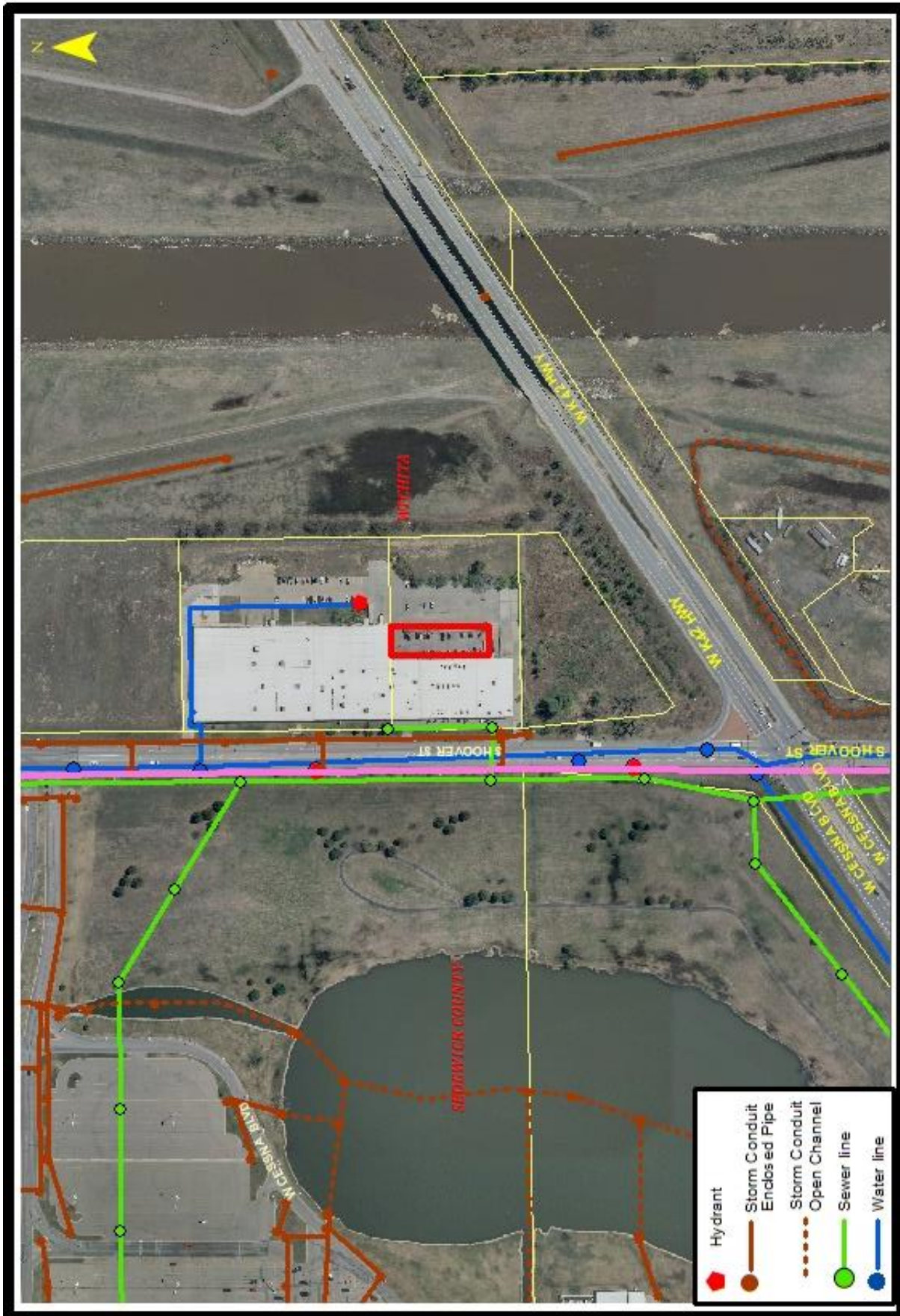
- (1) Vacate that portion of the platted floodway, as approved by City Public Works. Provide Planning Staff with a legal description of the approved vacated portion of the platted floodway on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. All Provide to Planning 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 City Standards and at the applicant's expense, including all required City plans, permits and inspections.
- (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.

### **SUBDIVISION COMMITTEE'S RECOMMENDED ACTION**

The Subdivision Committee recommends approval subject to the following conditions:

- (1) Vacate that portion of the platted floodway, as approved by City Public Works. Provide Planning Staff with a legal description of the approved vacated portion of the platted floodway 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 City Standards and at the applicant's expense, including all required City plans, permits and inspections.
- (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.





MINIMUM PAD ELEVATION  
109.0 CITY DATUM  
1296.4 MEAN SEA LEVEL

# A. M. F. ADDITION

