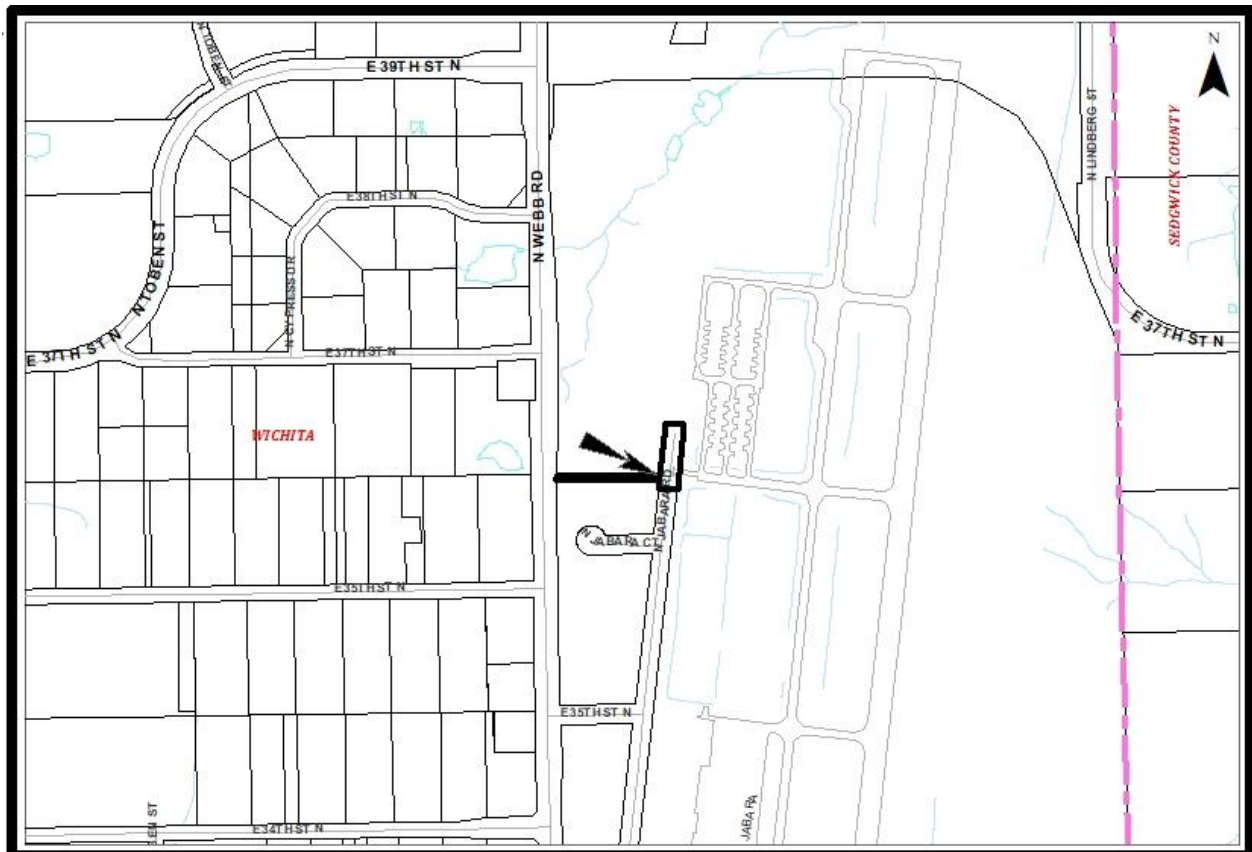


**STAFF REPORT**

- CASE NUMBER:** VAC2021-00005 – City Vacation of a portion of platted public street right-of-way and 20-foot utility easement.
- APPLICANT:** Wichita Airport Authority, John Oswald (applicants) Garver, Will Clevenger (agent)
- LEGAL DESCRIPTION:** Generally described as vacating all of the 20-foot Utility Easement as platted in Colonel James Jabara Airport, an Addition to Wichita, Sedgwick County, Kansas AND vacating the north 300.00 feet of Jabara Road private street as platted in Colonel James Jabara Airport, an Addition to Wichita, Sedgwick County, Kansas.
- LOCATION:** Generally located east of North Webb and three-quarters of a mile north of East 29<sup>th</sup> Street North. (WCC II)
- REASON FOR REQUEST:** Taxiway extension and construction of new hangers

**VICINITY MAP:**



The applicant is requesting the vacation of a portion of a platted street right-of-way and a platted 20-foot utility easement on property zoned LI Limited Industrial and generally located on the east side of North Webb Road and three-quarters of a mile north of East 29<sup>th</sup> Street North. The purpose of the request is to allow an extension of a taxiway in order to construct new hangers. The right-of-way and easement are on the Colonel James Jabara Airport property. The street right-of-way is within the airport grounds. Therefore, no property will be deprived of access. The easement contains a public sewer line. Any removal or relocation of the sewer line is at the applicant's expense. A Private Project Sewer (PPS) will be required for the extension and the abandonment of the sanitary sewer in the subject easement. Any project plans shall be submitted to the Wichita Public Works and Utilities Department for review and approval.

Everyday has no objection to this request. Shane Price, Field Supervisor, is the contact for this item and can be reached at 316-261-6315. He is working with the applicant regarding the relocation and removal of a at this location. The Colonel James Jabara Airport Addition was recorded with the Register of Deeds August 23, 1983.

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 public street right-of-way and 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 February 11, 2021, 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 street right-of-way and 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) Provide a covenant, with original signatures, binding and tying the described vacated public street right-of-way to the applicants' abutting property. This must be provided to Planning prior to this case 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.
- (2) Provide a Private Project Sewer (PPS) to the Public Works and Utilities Department for the exertion and the abandonment of the sanitary sewer line. Provide the Planning Department with the PPS number once the project is submitted.

- (3) As 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.
- (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.

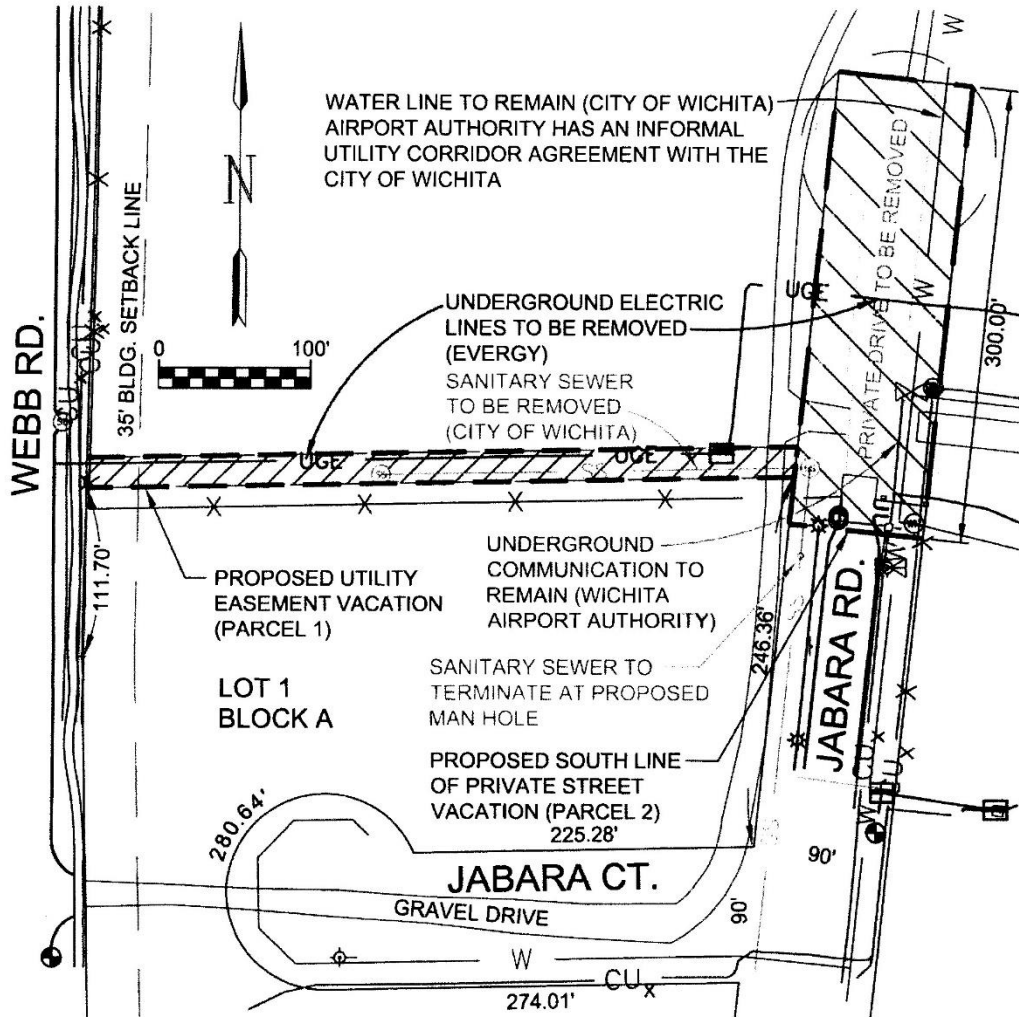
### **SUBDIVISION COMMITTEE'S RECOMMENDED ACTION**

The Subdivision Committee recommends approval per staff recommendations.

#### **Attachments:**

1. Site Plan
2. Aerial Map

# VACATION SITE PLAN



**PARCEL 1 (Utility Easement)**  
 All of the 20' Utility Easement as platted in Colonel James Jabara Airport, an Addition to Wichita, Sedgwick County, Kansas.

**PARCEL 2 (Private Street)**  
 The North 300.00 feet of Jabara Road private street as platted in Colonel James Jabara Airport, an Addition to Wichita, Sedgwick County, Kansas.



DWG FILE: VACATION SITE PLAN  
 PROJECT NO. 19A17000

