

STAFF REPORT

- CASE NUMBER:** VAC2021-00022 – City Vacation of a platted public street right-of-way.
- APPLICANT:** Wichita Airport Authority, John Oswald (applicant) Baughman Company (Philip Meyer, L.A.) (agent)
- LEGAL DESCRIPTION:** Generally described as vacating Jabara Court street right-of-way as platted in Colonel James Jabara Airport, an Addition to Wichita, Sedgwick County, Kansas.
- LOCATION:** Generally located within 200 feet east of North Webb Road and within 1,000 feet south of East 37th Street North. (WCC II)
- CURRENT ZONING:** The property on all sides of the proposed street vacation and adjacent properties are zoned LI Limited Industrial.
- REASON FOR REQUEST:** To allow for proposed hanger expansion

VICINITY MAP:



The applicant is requesting the vacation of a platted street right-of-way on property zoned LI Limited Industrial and generally located within 200 feet east of North Webb Road and within 1,000 feet south of East 37th Street North. The purpose of the request is to allow expansion for 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 water line. An agreement has been reached with Public Works and Utilities regarding this water line. Any removal or relocation of the water line is at the applicant's expense. Any project plans shall be submitted to the Wichita Public Works and Utilities Department for review and approval.

Everyg has no objection to this request and does not have lines & equipment near the street ROW area they want to vacate. Shane Price -Design Supervisor is the contact for this item and can be reached at 316-261-6290. Standard comments will apply, and any removal and relocation of existing equipment for this vacation request will be at the applicant's expense. Cox has no objection to this vacate. They have no lines in the vacate area. Any relocation will be at the expense of the applicant. 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 May 13, 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 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) 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) 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.
- (3) All improvements shall be according to City Standards and at the applicants' expense.

- (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.

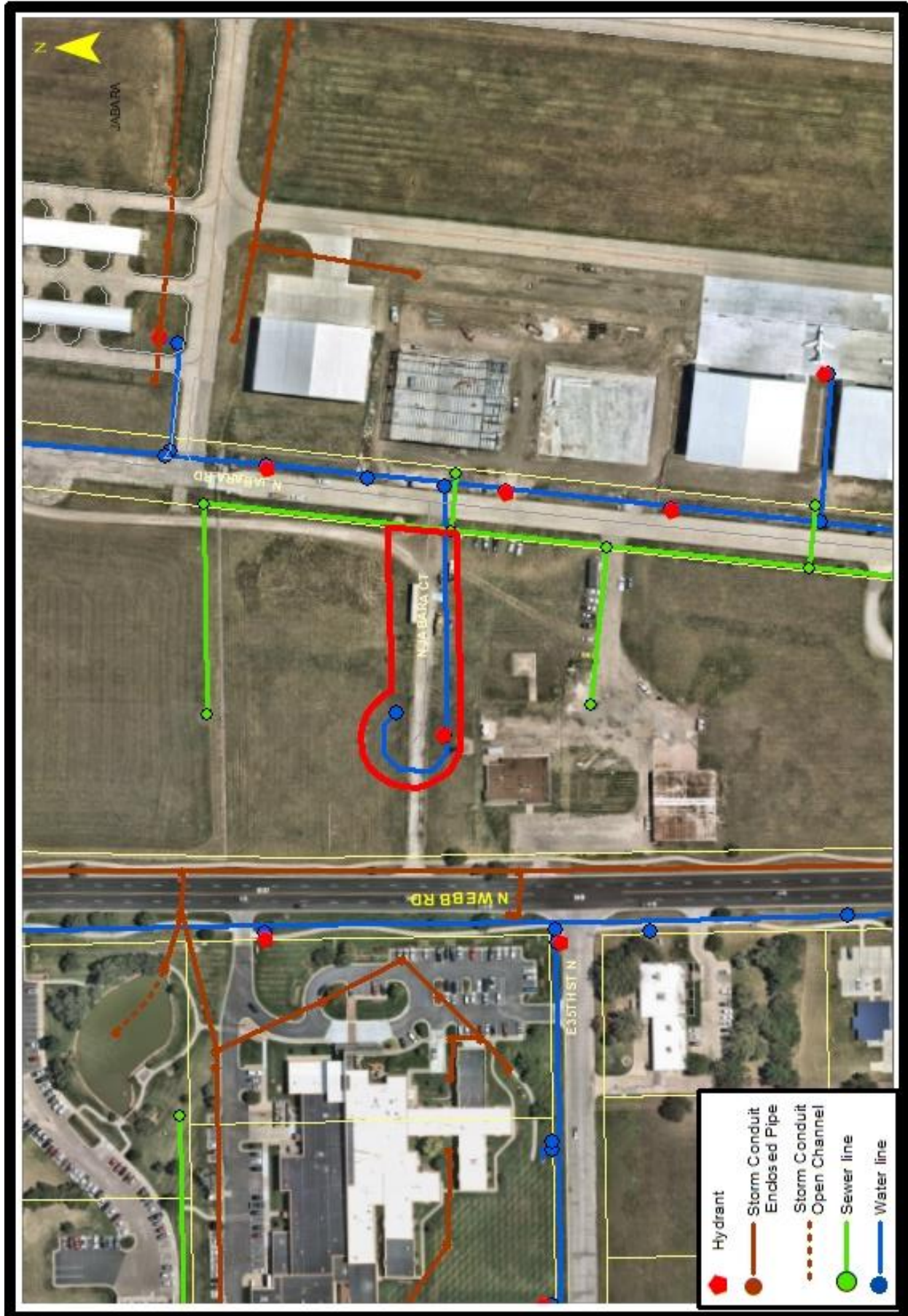
SUBDIVISION COMMITTEE’S RECOMMENDED ACTION

The Subdivision Committee recommends approval subject to the following conditions:

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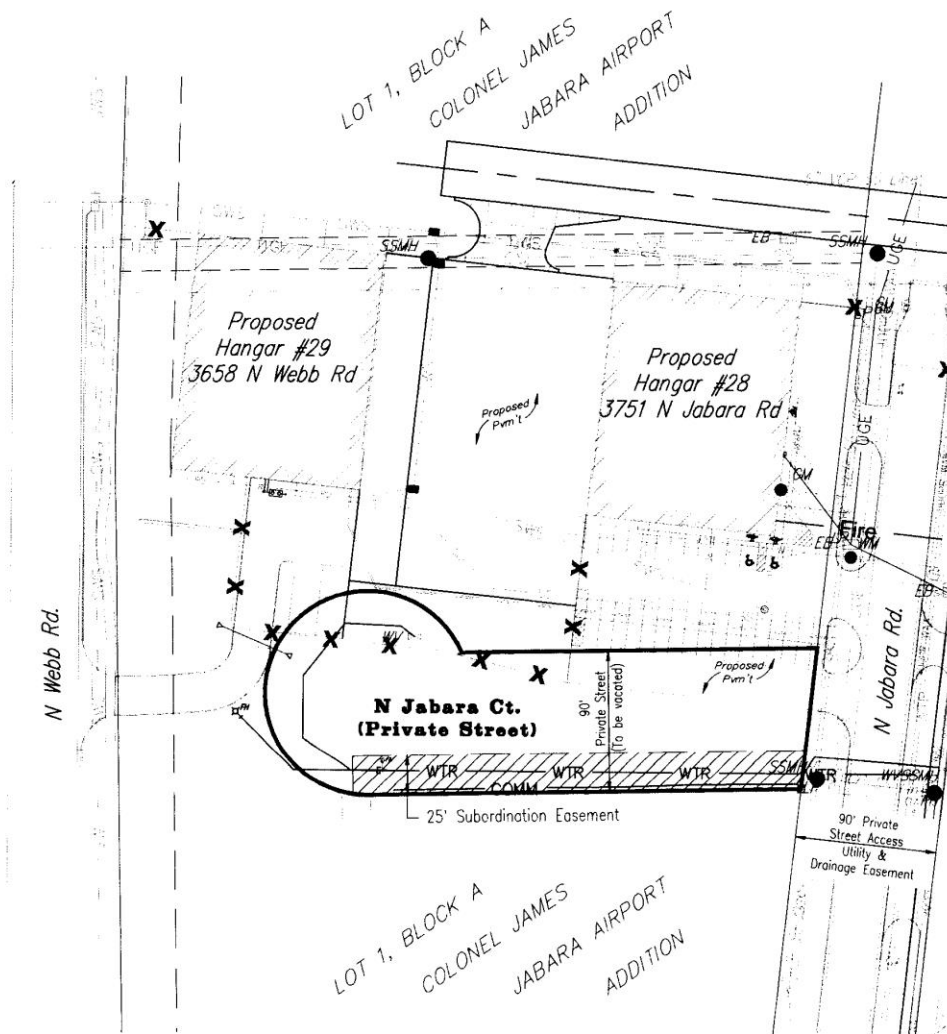
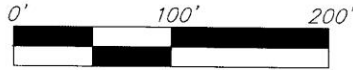
Attachments:

1. Aerial Map
2. Site Plan




EXHIBIT

PLATTED PRIVATE STREET VACATION
LOT 1, BLOCK A, COLONEL JAMES JABARA AIRPORT ADDITION,
AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS



APRIL 26, 2021

 **BAUGHMAN COMPANY**
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