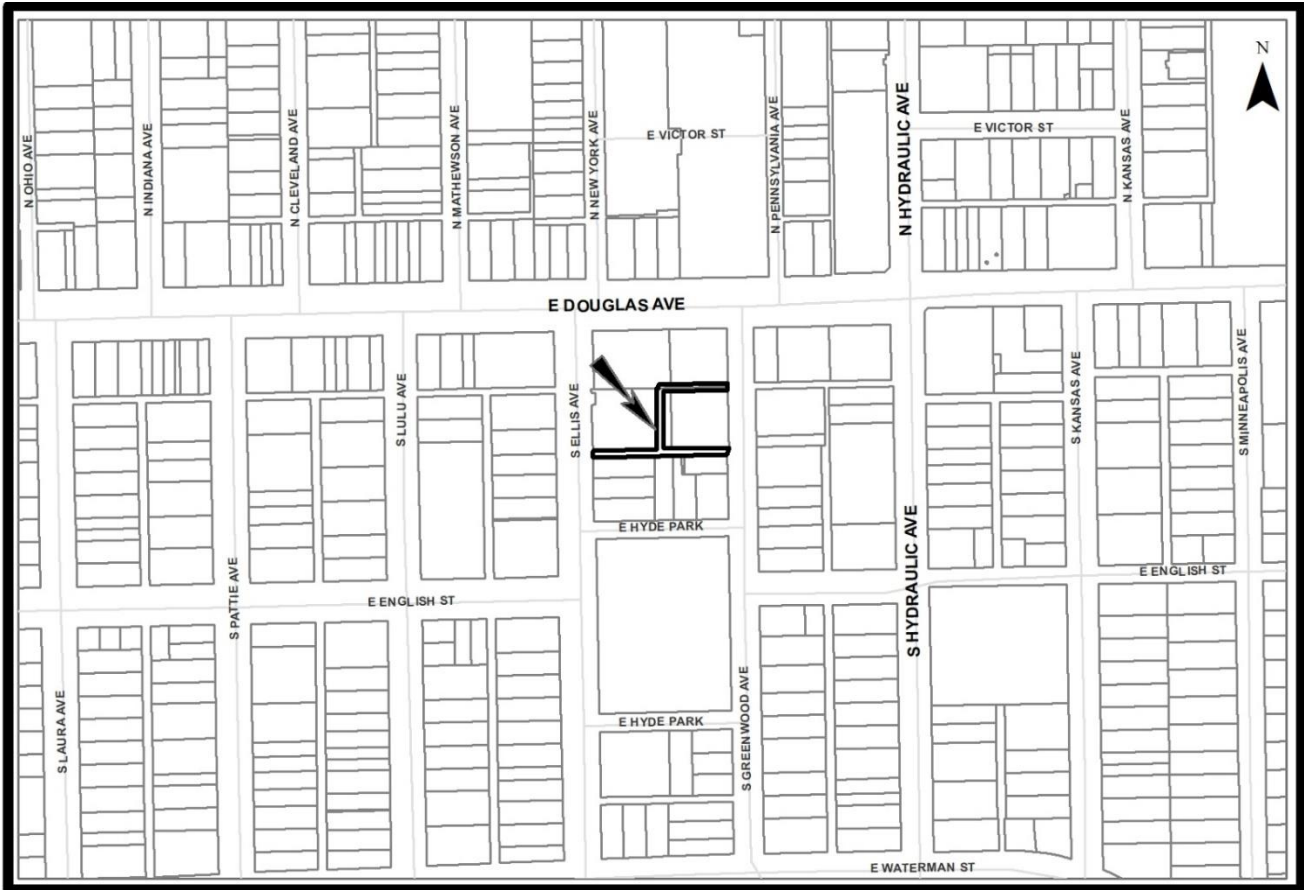


STAFF REPORT

- CASE NUMBER:** VAC2019-00038 – City vacation of multiple alley rights-of-way for site improvements,
- APPLICANTS/AGENT:** Vantage MCA, LLC and Fifteen Twenty-Five, LLC (applicants)/ Baughman Company c/o Phil Meyer (agent).
- LEGAL DESCRIPTION:** See Attached.
- LOCATION:** Generally located south of East Douglas between Ellis and Greenwood Avenues (1501-1525 E. Douglas) (WCC I)
- REASON FOR REQUEST:** Site improvements.
- CURRENT ZONING:** CBD Central Business District
- VICINITY MAP:**



The applicants are requesting the vacation of multiple alley rights-of-way to allow for site improvements on property south of East Douglas between South Ellis and South Greenwood Avenues. The alleys are situated behind the properties that front Douglas with the addresses ranging from 1501-1525 E Douglas. The property is zoned CBD Central Business District. The alleys consist of a mid-block east-west alley connecting Ellis and Greenwood, and a connecting alley that runs north and to the east surrounding a parking lot. This east leg appears to have been previously vacated. However, there is no record of a vacation case or a recorded easement for this portion of the alley. All properties that abut the alley network are owned by the two listed applicants and both have signed the vacation petition indicating their consent to the vacation of the alleys. The aforementioned parking lot has access via Greenwood Avenue. Therefore no property shall be deprived access.

Public sewer lines are located in each respective alley. Cox and Evergy have existing facilities in the alleys. Therefore, easements by separate instrument shall be dedicated. LaDonna Vanderford is the Evergy area representative for this case and can be contacted at 316-261-3290. The majority of the alley network is platted in the Knights Addition, recorded with the Register of Deeds June 15, 1886. The midblock, east/west alley separates the Knights Addition from the Hydes Addition which was recorded with the Register of Deeds May 3, 1884.

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 alley rights-of-way.

- 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 November 28, 2016, 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 alley rights-of-way 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.

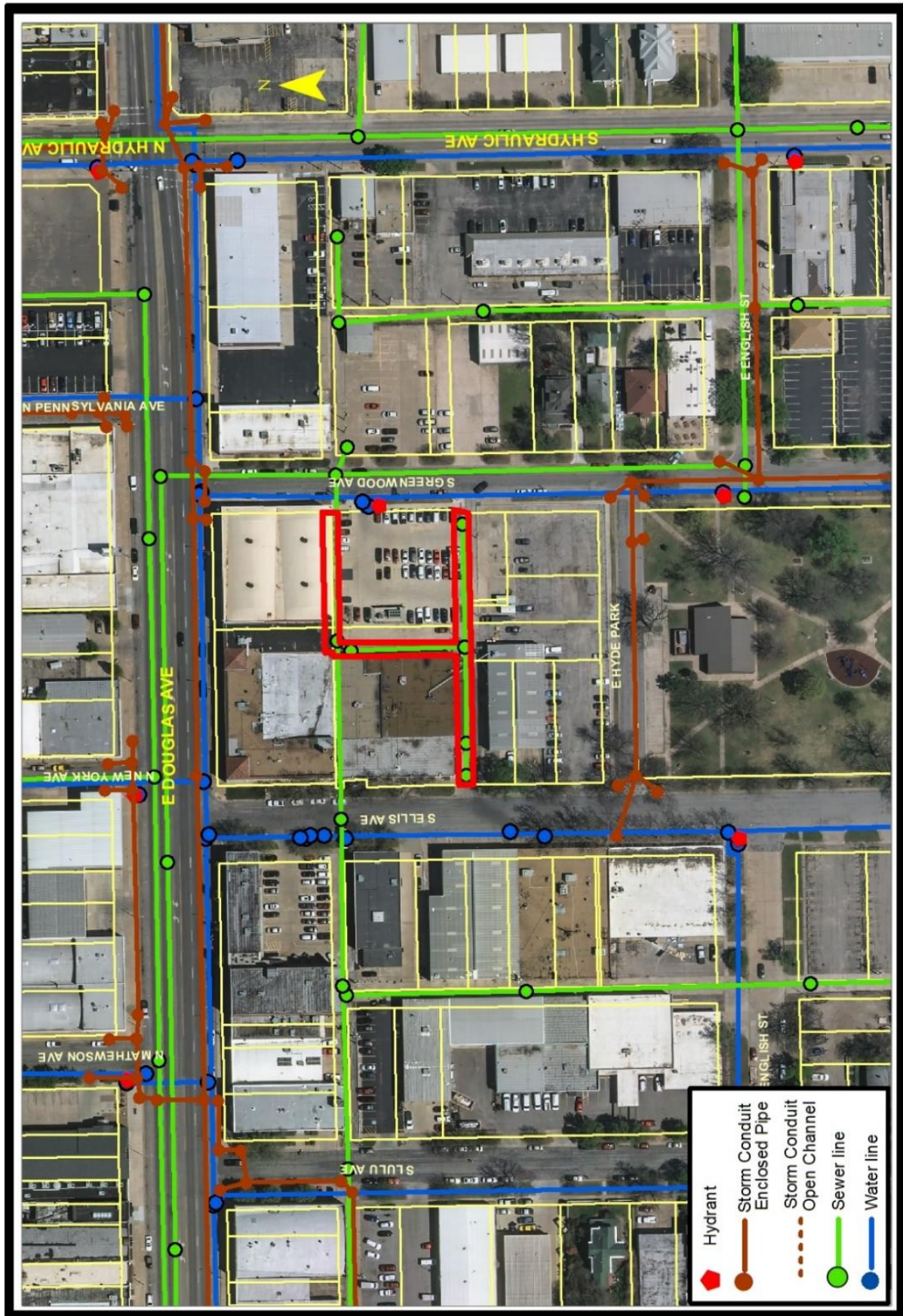
Conditions (but not limited to) associated with the request:

- (1) Dedicate a utility easement by separate instrument, with original signatures, for the length of the described platted vacated alleys. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (2) Provide restrictive covenants, with original signatures, binding and tying the vacated described alley right of way to the abutting properties. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (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.

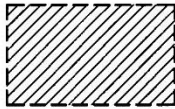
SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

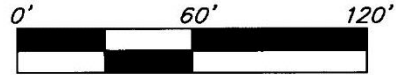


EXHIBIT

STREETS & ALLEYS TO BE VACATED IN HYDE'S ADDITION & KNIGHT'S ADDITION, WICHITA, SEDGWICK COUNTY, KANSAS

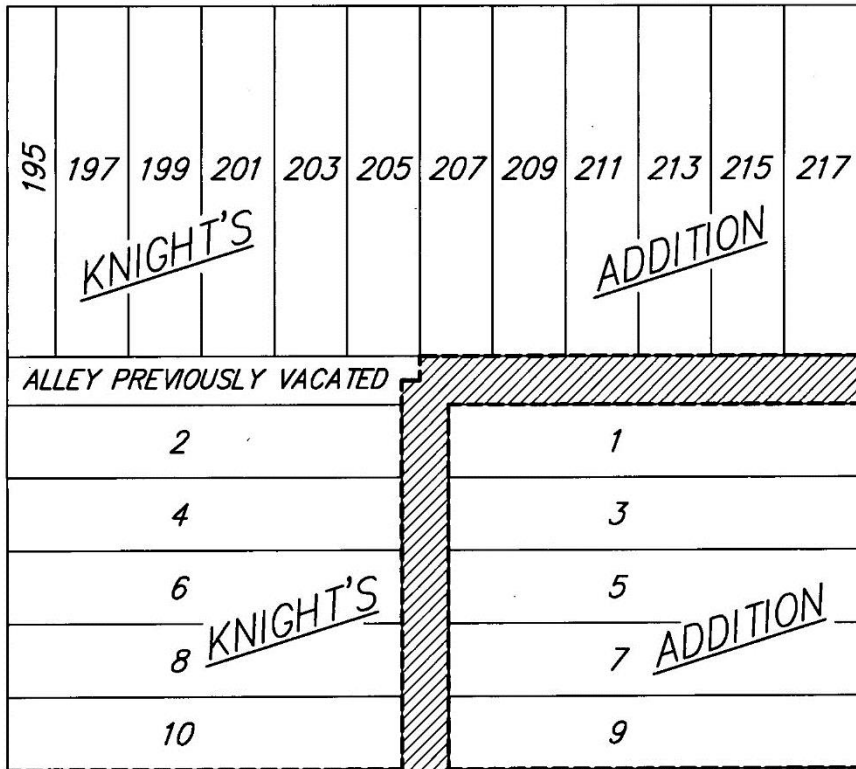


INDICATES AREA OF STREETS AND ALLEYS TO BE VACATED



DOUGLAS AV.

ELLIS AV.



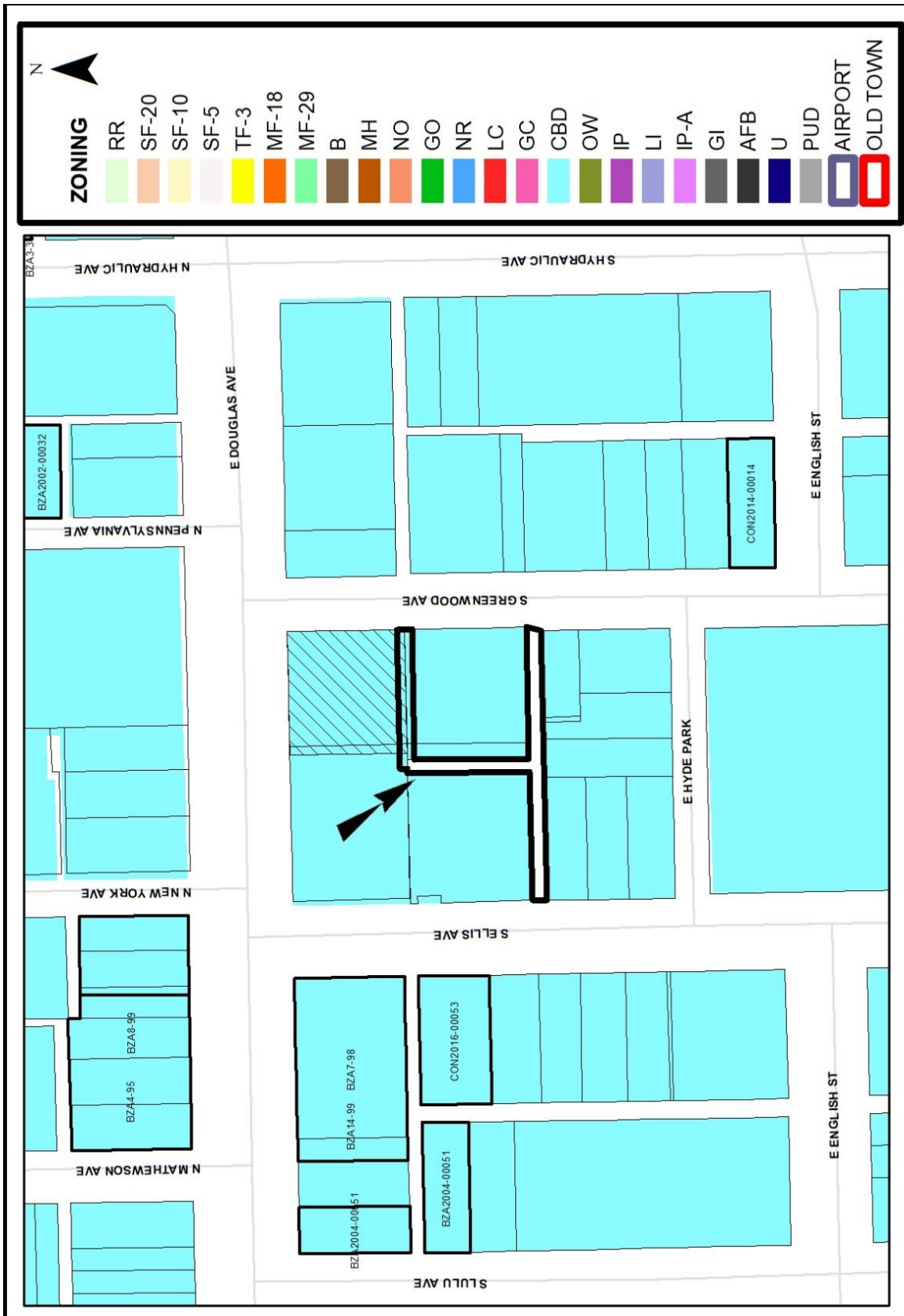
FANNIE AV., NOW GREENWOOD AVE.

ELLIS AVE.

NORTH HYDE PARK AVE.

7 NOV 2019

B Baughman Company, P.A.
 315 Ellis St. Wichita, KS 67211 P. 316-262-7271 F. 316-262-0149
 Baughman ENGINEERING | SURVEYING | PLANNING | LANDSCAPE ARCHITECTURE



Legal Description

Greenwood Ave.), 16.00 feet to the northeast corner of said 16.00 foot wide alley, said northeast corner also being a point on the south line of Lot 9 on said Fannie Av., (now Greenwood Ave.), in said Knight's Addition, said northeast corner also being a deflection corner in the west right-of-way line of said Fannie Av., (now Greenwood Ave.), and for a point of termination, TOGETHER with that part of Ellis Ave. as dedicated in said Hyde's Addition described as follows: Beginning at the northwest corner of Lot 1 on Park Place, (now North Hyde Park Place), as dedicated in said Hyde's Addition, said northwest corner also being the southwest corner of said 16.00 foot wide alley, said northwest corner also being a point on the east right-of-way line of Ellis Ave. as dedicated in said Hyde's Addition; thence northerly coincident with the northerly prolongation of the west line of said Lot 1, coincident with the west line of said 16.00 foot wide alley, and coincident with the east right-of-way line of said Ellis Ave., 16.00 feet to the northwest corner of said 16.00 foot wide alley, said northwest corner also being a point on the south line of said Lot 10 on Ellis Av., said northwest corner also being a deflection corner in the east right-of-way line of said Ellis Ave.; thence westerly coincident with the south line of said Lot 10 on Ellis Av. and coincident with a segment of the east right-of-way line of said Ellis Ave., 0.60 feet, more or less, to the southeast corner of that part of said Lot 10 taken for street by Ordinance No. 1847; thence southerly, 16.01 feet, more or less, to the point of beginning, and TOGETHER with that part of said Fannie Ave., (now Greenwood Ave.), as dedicated in said Hyde's Addition, described as follows: Beginning at the northeast corner of said Lot 21, said northeast corner also being the southeast corner of said 16.00 foot wide alley, said northeast corner also being the northwest corner of that part of said Fannie Ave., (now Greenwood Ave.), vacated by Ordinance No. 17-881 filed in Deed Book 844 at Page 27; thence northerly coincident with the northerly prolongation of the east line of said Lot 21, coincident with the east line of said 16.00 foot wide alley, and coincident with the west right-of-way line of said Fannie Ave., (now Greenwood Ave.), 16.00 feet to the northeast corner of said 16.00 foot wide alley, said northeast corner also being a point on the south line of Lot 9 on said Fannie Av., (now Greenwood Ave.), in said Knight's Addition, said northeast corner also being a deflection corner in the west right-of-way line of said Fannie Av., (now Greenwood Ave.); thence easterly coincident with the south line of said Lot 9 on said Fannie Av., (now Greenwood Ave.), and coincident with a segment of the west right-of-way line of said Fannie Av., (now Greenwood Ave.), 18.30 feet, more or less, to the southeast corner of Lot 9 on said Fannie Av., (now Greenwood Ave.), said southeast corner also being a deflection corner in the west right-of-way line of said Fannie Av., (now Greenwood Ave.); thence southerly, 16.00 feet more or less, to the northeast corner of that part of said Fannie Av., (now Greenwood Ave.), vacated by Ordinance No. 17-881 filed in Deed Book 844 at Page 27; thence westerly coincident with

Greenwood Ave.), 16.00 feet to the northeast corner of said 16.00 foot wide alley, said northeast corner also being a point on the south line of Lot 9 on said Fannie Av., (now Greenwood Ave.), in said Knight's Addition, said northeast corner also being a deflection corner in the west right-of-way line of said Fannie Av., (now Greenwood Ave.), and for a point of termination, TOGETHER with that part of Ellis Ave. as dedicated in said Hyde's Addition described as follows: Beginning at the northwest corner of Lot 1 on Park Place, (now North Hyde Park Place), as dedicated in said Hyde's Addition, said northwest corner also being the southwest corner of said 16.00 foot wide alley, said northwest corner also being a point on the east right-of-way line of Ellis Ave. as dedicated in said Hyde's Addition; thence northerly coincident with the northerly prolongation of the west line of said Lot 1, coincident with the west line of said 16.00 foot wide alley, and coincident with the east right-of-way line of said Ellis Ave., 16.00 feet to the northwest corner of said 16.00 foot wide alley, said northwest corner also being a point on the south line of said Lot 10 on Ellis Av., said northwest corner also being a deflection corner in the east right-of-way line of said Ellis Ave.; thence westerly coincident with the south line of said Lot 10 on Ellis Av. and coincident with a segment of the east right-of-way line of said Ellis Ave., 0.60 feet, more or less, to the southeast corner of that part of said Lot 10 taken for street by Ordinance No. 1847; thence southerly, 16.01 feet, more or less, to the point of beginning, and TOGETHER with that part of said Fannie Ave., (now Greenwood Ave.), as dedicated in said Hyde's Addition, described as follows: Beginning at the northeast corner of said Lot 21, said northeast corner also being the southeast corner of said 16.00 foot wide alley, said northeast corner also being the northwest corner of that part of said Fannie Ave., (now Greenwood Ave.), vacated by Ordinance No. 17-881 filed in Deed Book 844 at Page 27; thence northerly coincident with the northerly prolongation of the east line of said Lot 21, coincident with the east line of said 16.00 foot wide alley, and coincident with the west right-of-way line of said Fannie Av., (now Greenwood Ave.), 16.00 feet to the northeast corner of said 16.00 foot wide alley, said northeast corner also being a point on the south line of Lot 9 on said Fannie Av., (now Greenwood Ave.), in said Knight's Addition, said northeast corner also being a deflection corner in the west right-of-way line of said Fannie Av., (now Greenwood Ave.); thence easterly coincident with the south line of said Lot 9 on said Fannie Av., (now Greenwood Ave.), and coincident with a segment of the west right-of-way line of said Fannie Av., (now Greenwood Ave.), 18.30 feet, more or less, to the southeast corner of Lot 9 on said Fannie Av., (now Greenwood Ave.), said southeast corner also being a deflection corner in the west right-of-way line of said Fannie Av., (now Greenwood Ave.); thence southerly, 16.00 feet more or less, to the northeast corner of that part of said Fannie Av., (now Greenwood Ave.), vacated by Ordinance No. 17-881 filed in Deed Book 844 at Page 27; thence westerly coincident with the north line of that part of said Fannie Av., (now Greenwood Ave.), vacated by said Ordinance No. 17-881, 18.15 feet to the point of beginning.