



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

March 19, 2025

JBL, Inc. & TCRS, LLC.
4340 S West Street
Wichita, KS 67217

Baughman Company, P.A.
Attn: Jay Cook
315 S. Ellis Ave.
Wichita, KS 67211

Ref: VAC2024-00057: Vacation request in the City of a portion of a platted right-of-way on property zoned LI Limited Industrial District, located on the south side of West 47th Street South and within one-half mile east of South Seneca Street.

Dear Applicant,

At the **Tuesday, March 18, 2025**, meeting of the Wichita City Council, the above-referenced vacation request was approved subject to the following condition:

- (1) Dedicate a 30-foot bikeway easement, by separate instrument, that will allow for the development of a north-south path from 47th Street to the south end of the proposed vacation area. The easement must be approved by the Engineering Division of the Public Works and Utilities Department; with copies provided to the Planning Department. Upon receipt of the approved easement, the Vacation Order will be finalized and recorded.

If you have any questions concerning this case, please contact our office at 268-4421.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Philip Zevenbergen'.

Philip Zevenbergen
Current Plans
Division Manager



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

February 13, 2025

JBL, Inc. & TCRS, LLC.
4340 S West Street
Wichita, KS 67217

Baughman Company, P.A.
Attn: Jay Cook
315 S. Ellis Ave.
Wichita, KS 67211

Ref: VAC2024-00057: Vacation request in the City of a portion of a platted right-of-way on property zoned LI Limited Industrial District, located on the south side of West 47th Street South and within one-half mile east of South Seneca Street.

Dear Applicant,

At the **Thursday, February 13, 2025**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) Vacate the described portion of the South McLean Blvd. right-of-way abutting Lot 1, Block A, Lange 4th Addition on the west and Lot 1, Block A, Georgia Pacific Addition on the east, Wichita, Sedgwick County Kansas.
- (2) Dedicate a 15-foot waterline easement, by separate instrument, for the future extension of water service. The easement must be provided to Planning prior to the case going to Council for final action.
- (3) Provide planning staff with legal descriptions of the approved vacated portion of the platted right-of-way on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.
- (4) The applicants shall record restrictive covenants, binding and tying their respective portions of the subject right-of-way to their Lots. The restrictive covenants shall be provided to Planning prior to the case going to Council for final action.
- (5) All improvements shall be according to City Standards and at the applicant's expense.
- (6) Per MAPC Policy Statement #7, all conditions shall 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.

VAC2024-00057: Vacation request in the City of a portion of a platted right-of-way on property zoned LI Limited Industrial District, located on the south side of West 47th Street South and within one-half mile east of South Seneca Street.
Page 2

Once these conditions have been satisfied, this case will be schedule for final action by the Wichita City Council. This letter also serves as a reminder that the vacation notification signs should now be removed from the property. If you have any questions concerning this case, please contact our office at 268-4421.

Sincerely,

A handwritten signature in blue ink, appearing to read "Philip Zevenbergen", with a long horizontal flourish extending to the right.

Philip Zevenbergen
Current Plans
Division Manager



**BEFORE THE CITY COUNCIL OF THE
 CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

**IN THE MATTER OF THE VACATION OF A PORTION OF A)
 PLATTED RIGHT-OF-WAY)**

**GENERALLY LOCATED ON THE SOUTH SIDE OF WEST)
 47TH STREET SOUTH AND WITHIN ONE-HALF MILE EAST)
 OF SOUTH SENECA STREET)**

VAC2024-00057

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 18th day of March 2025, comes on for hearing the petition for vacation filed by JBL, Inc. and TCRS, LLC (owners) praying for the vacation of a platted right-of-way, to wit:

Platted right-of-way to be vacated:

That portion of McLean Boulevard as dedicated in GEORGIA-PACIFIC ADDITION to Wichita, Sedgwick County, Kansas, lying north of the north road right of way line of 50th Street South as platted and dedicated in SYCAMORE POND, Wichita, Sedgwick County, Kansas; TOGETHER with that part of the abandoned Midland Valley Railroad Company right-of-way lying in the North Half of the North Half of the Northwest Quarter of Section 20, Township 28 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas taken by Eminent Domain for the purpose of constructing and maintaining a controlled access street and drainage facilities and designated as Tract No. 21 in District Court Case No. C 19427, said Tract No. 21 being described as follows: All of the abandoned railroad right-of-way in the north one-half of the north one-half of the Northwest Quarter of Section 20, Township 28, South, Range 1, East, except road right-of-way; TOGETHER with that part of the abandoned Midland Valley Railroad Company right-of-way lying in the West Half of the Northeast Quarter Section 20, Township 28 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas taken by Eminent Domain for the purpose of constructing and maintaining a controlled access street and drainage facilities and designated as Tract No. 24 in District Court Case No. C 19427, said Tract No. 24 being described as follows: That part of the abandoned railroad right-of-way in the west one-half of the Northeast Quarter of Section 20, Township 28, South, Range 1, East, more fully described as beginning at the intersection of the westerly right-

March 18, 2025
 VAC2024-00057

of-way line of the Chicago, Rock Island, and Pacific Railroad and the northerly right-of-way line of the Midland Valley Railroad; thence northwesterly along the northerly right-of-way line of said Midland Valley Railroad to its intersection with the west line of said Northeast Quarter; thence south along the west line of said Northeast Quarter to its intersection with the southerly right-of-way line of said Midland Valley Railroad; thence southeasterly along said southerly right-of-way to its intersection with the westerly right-of-way line of said Chicago, Rock Island and Pacific Railroad; thence northeasterly along said westerly right-of-way line to its intersection with the centerline of said Midland Valley Railroad; thence northwesterly along said centerline to a point, said point being opposite and at ninety degrees (90°) to the point of beginning; thence northeasterly to the point of beginning; TOGETHER with that part of South McLean Boulevard, lying adjacent to and abutting the east line of Lot 1, Block A, LANGE 4TH ADDITION, Wichita, Sedgwick County, Kansas, All being more particularly described as commencing at the northwest corner of the Northeast Quarter of Section 20, Township 28 South, Range 1 East of the 6th Principal Meridian, Sedgwick County, Kansas; thence S00°20'30"W, coincident with the west line of the Northeast Quarter of said Section 20, 75.00 feet to the point of beginning; thence N90°00'00"E, parallel with the north line of the Northeast Quarter of said Section 20, 75.00 feet to the northwest corner of Lot 1, Block A, of said GEORGIA-PACIFIC ADDITION; thence S00°20'30"W, coincident with the west line of Lot 1, Block A, of said GEORGIA-PACIFIC ADDITION, 175.00 feet to a deflection point in the west line of Lot 1, Block A, of said GEORGIA-PACIFIC ADDITION; thence S14°22'40"W, coincident with the west line of Lot 1, Block A, of said GEORGIA-PACIFIC ADDITION, 103.08 feet to a deflection point in the west line of Lot 1, Block A, of said GEORGIA-PACIFIC ADDITION; thence S00°20'30"W, coincident with the west line of Lot 1, Block A, of said GEORGIA-PACIFIC ADDITION, 860.63 feet to a point of curvature (PC) in the west line of Lot 1, Block A, of said GEORGIA-PACIFIC ADDITION; thence southeasterly coincident with a curve to the left having a radius of 1646.57 feet, an arc length of 589.12 feet, a delta angle of 20°29'59", a chord length of 585.98 and a chord bearing of S10°02'25"E; thence S89°58'05"W, 155.60 feet to the southeast corner of Lot 32, Block 2, SYCAMORE POND, Wichita, Sedgwick County, Kansas; thence N00°20'30"E, coincident with the east line of said SYCAMORE POND as extended north and coincident with the west line of the Northeast Quarter of said Section 20, 1127.53 feet to a point in the easterly extension of the south line of Lot 1, Block A, LANGE 4TH ADDITION, Wichita, Sedgwick County, Kansas; thence S89°59'02"W, coincident with the easterly extension of the south line of Lot 1, Block A, in said LANGE 4TH ADDITION, 83.12 feet to the southeast corner of Lot 1, Block A, in said LANGE 4TH ADDITION; thence N00°01'20"W, coincident with the east line of Lot 1, Block A, in said LANGE 4TH ADDITION, 600.10 feet to the northeast corner of Lot 1, Block A, in said LANGE 4TH ADDITION; thence N89°57'30"E, coincident with the easterly extension of the north line of Lot 1, Block A, 87.04 feet to a point in the east line of the Northwest Quarter of said Section 20; thence S00°20'30"W, coincident with the east line of the Northwest Quarter of said Section 20, 15.00 feet to the Point of Beginning.

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

March 18, 2025
VAC2024-00057

1. That due and legal notice has been given by publication, as required by law, in The Wichita Eagle and at www.wichita.gov/LegalNotices on December 19, 2024, which was at least 20 days prior to the public hearing.

2. No private rights will be injured or endangered by the vacation of the described portion of a platted right-of-way and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner, the prayer of the petitioner ought to be granted.

4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

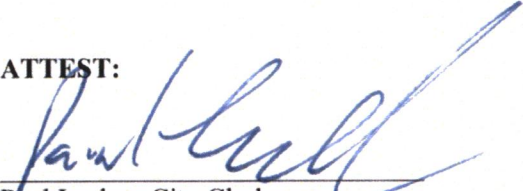
5. A 15-foot waterline easement, by separate instrument, shall be dedicated along the south portion of the vacation area for future extension of a public water main. The easement shall be recorded with the Sedgwick County Register of Deeds.

6. A 30-foot bikeway easement, by separate instrument, shall be dedicated to allow for the future development of a north/south path from West 47th Street South to the south end of the vacation area described herein. The easement shall be recorded with the Sedgwick County Register of Deeds.

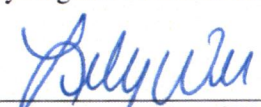
7. The vacation of the described portion of a platted right-of-way should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 18th day of March 2025, ordered that the above-described portion of a platted right-of-way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Sedgwick County Register of Deeds for recording.

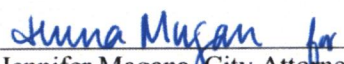
ATTEST:


Paul Leeker, City Clerk




Lily Wu, Mayor, City of Wichita

Approved as to Form:


Jennifer Magana, City Attorney and Director of Law

March 18, 2025
VAC2024-00057



Document #: 2025-029222

Date Recorded: 06/30/2025 11:14:26 AM

Pages: 6 Recording Fee: 106.00

Sedgwick County Kansas

Tonya Buckingham,

Register of Deeds

Tonya Buckingham

SIDEWALK AND BIKE PATH EASEMENT

THIS EASEMENT made this 19th day of JUNE, 2025, by and between JBL, Inc., a Kansas corporation, Lange Gen Y, LLC, a Kansas limited liability company, and TCRS, LLC, a Kansas limited liability company, Grantor, and the City of Wichita, Kansas, a municipal corporation, Grantee.

WITNESSETH: That the Grantor, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant and convey unto the Grantee, a perpetual easement for the purpose of constructing, maintaining, reconstructing, repairing and replacing a sidewalk and bike path, over, through and across the following described real estate situated in Sedgwick County, Kansas, to-wit:

See attached **EXHIBIT** for legal description.

And said Grantee is hereby granted the right to enter upon said premises at any time for the purpose of constructing, maintaining, reconstructing, repairing and replacing such sidewalk and bike path.

IN WITNESS WHEREOF: The said Grantor has signed this document the day and year first written.

JBL, INC.

By: _____

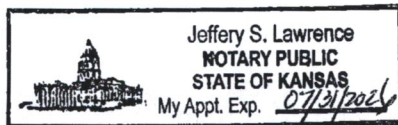
Jeff M. Lange, President

STATE OF KANSAS)
COUNTY OF SEDGWICK)

SS:

This instrument was acknowledged before me on JUNE 19,
2025, by Jeff M. Lange, as President of JBL, Inc., a Kansas corporation.

(seal)



Notary Public

(My Appointment Expires: 07/31/2026)

LANGE GEN Y, LLC

By: _____

Jeff M. Lange, Managing Member

STATE OF KANSAS)
COUNTY OF SEDGWICK)

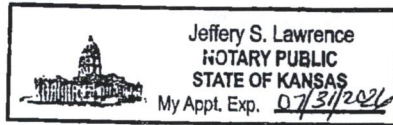
SS:

This instrument was acknowledged before me on JUNE 19,
2025, by Jeff M. Lange, as Managing Member of Lange Gen Y, LLC, a Kansas limited
liability company.

Notary Public

(seal)

(My Appointment Expires: 07/31/2026)



TCRS, LLC

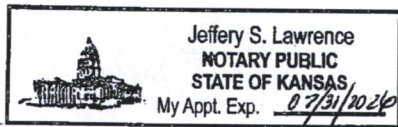
By: _____

Jeff M. Lange, Managing Member

STATE OF KANSAS)
COUNTY OF SEDGWICK)

SS:

This instrument was acknowledged before me on JUNE 19, 2025, by Jeff M. Lange, as Managing Member of TCRS, LLC, a Kansas limited liability company.



(seal)

Notary Public

(My Appointment Expires: 07/31/2026)

Reviewed and approved by the City Engineer:

Shawn Melling
for Paul Gunzelman, PE

EXHIBIT

A portion of Lot 1, Block A, LANGE 4TH ADDITION, Wichita, Sedgwick County, Kansas, more particularly described as beginning at the northeast corner of Lot 1, in said Block A; thence S88°47'46"W, coincident with the north line of Lot 1, in said Block A, 659.43 feet to the northwest corner of Lot 1, in said Block A; thence S01°10'17"E, coincident with the west line of Lot 1, in said Block A, 599.81 feet to the southwest corner of Lot 1, in said Block A; thence N88°49'18"E, coincident with the south line of Lot 1, in said Block A, 659.96 feet to the southeast corner of Lot 1, in said Block A; thence N01°11'04"W, coincident with the east line of Lot 1, in said Block A, 30.00 feet; thence S88°49'18"W, parallel to the south line of Lot 1, in said Block A, 629.56 feet; thence N01°10'17"W, parallel to the west line of Lot 1, in said Block A, 539.82 feet; thence N88°47'46"E, parallel to the north line of Lot 1, in said Block A, 629.43 feet to a point in the east line of Lot 1, in said Block A; thence N01°11'04"W, coincident with the east line of Lot 1, in said Block A, 30.00 feet to the point of beginning; TOGETHER WITH a portion of S. McLean Boulevard and the MIDLAND VALLEY RAILROAD (ABANDONED) lying within the Northwest Quarter, and the Northeast Quarter of Section 20, Township 28 South, Range 1 East, of the Sixth Principal Meridian, Wichita, Sedgwick County, Kansas, described as beginning at the southeast corner of Lot 1, in said Block A; thence east coincident with the easterly extension of the south line of Lot 1, in said Block A, 83.12 feet to a point in the east line of said Northwest Quarter, and the west line of said Northeast Quarter; thence south coincident with the west line of said Northeast Quarter, 1127.53 feet to the southeast corner of Lot 32, Block 2, Sycamore Pond an Addition to Wichita, Sedgwick County, Kansas; thence east coincident with the easterly extension of the south line of Lots 31 and 32, in said Block 2, 30.00 feet; thence north parallel to the west line of said Northeast Quarter, 1157.74 feet; thence west parallel to the easterly extension of the south line of Lot 1, in said Block A, 113.33 feet to a point in the east line of Lot 1, in said Block A; thence south coincident with the east line of Lot 1, in said Block A, 30.00 feet to the Point of Beginning.

100' COMPLETE ACCESS
ACCESS OPENING EXCEPT
CONTROL ONE OPENING 380' COMPLETE
ACCESS CONTROL

ABANDONED PER CC C-19427 DRNG ESMT & STR O W TRACTS 24-27

CHICAGO ROCK ISLAND
AND PACIFIC R.R.



June 12, 2025



INDICATES AREA OF
LEGAL DESCRIPTION



BAUGHMAN COMPANY
315 Ellis St. Wichita, KS 67211 316-262-7271
BaughmanCo.com

c:\survey\Exhibits\McLean Blvd Bike Path\McLean Blvd_Georgia-Pacific_B.dwg



Document #: 2025-029218

Date Recorded: 06/30/2025 11:14:22 AM

Pages: 3 Recording Fee: 55.00

Sedgwick County Kansas

Tonya Buckingham,

Register of Deeds

Tonya Buckingham

WATERLINE EASEMENT

THIS EASEMENT made this 5th day of March, 2025, by and between, JBL, Inc., a Kansas corporation, Grantor, and the City of Wichita, Kansas, a municipal corporation, Grantee.

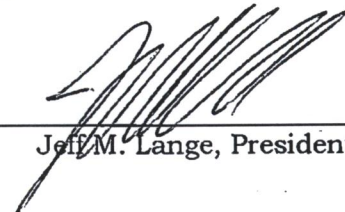
WITNESSETH: That the Grantor, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant and convey unto the Grantee a perpetual easement for the purpose of constructing, operating, maintaining, and repairing waterline facilities, and any appurtenances thereto, over, along, and under the following described real estate situated in Sedgwick County, Kansas, to-wit:

A portion of McLean Boulevard, as dedicated in GEORGIA-PACIFIC ADDITION to Wichita, Sedgwick County, Kansas, lying north of the north road right of way line of 50th Street South as platted and dedicated in SYCAMORE POND, Wichita, Sedgwick County, Kansas, described as beginning at the southeast corner of Lot 32, Block 2 in said SYCAMORE POND; thence N89°36'02"E, coincident with the easterly extension of the south line of Lot 32 in said Block 2, 20.00 feet; thence N00°01'33"W, parallel with the east line of said Block 2, 486.32 feet; thence S89°35'46"W, parallel with the north line of Lot 27 in said Block 2, 20.00 feet; thence S00°01'33"E, coincident with the northerly extension of the east line of Lot 27 in said Block 2, 20.00 feet to the northeast corner of Lot 27 in said Block 2; thence S00°01'33"E, coincident with the east line of Lots 27, 28, 29, 30 and 32, in said Block 2, 466.32 feet to the Point of Beginning.

And said Grantee is hereby granted the right to enter upon said premises at any time for the purpose of constructing, operating, maintaining, and repairing such waterline facility, and any appurtenances thereto.

IN WITNESS WHEREOF: The said Grantor has signed this document the day and year first written.

JBL, INC.

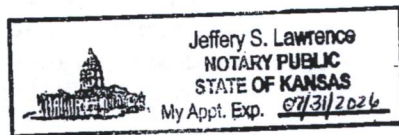
By: 

Jeff M. Lange, President

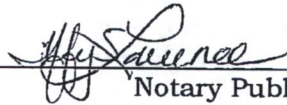
Waterline Easement
Page 2

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS:

This instrument was acknowledged before me on March 5,
2025, by Jeff M. Lange, President of JBL, Inc., a Kansas corporation.

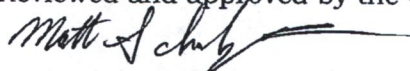


(seal)


Notary Public

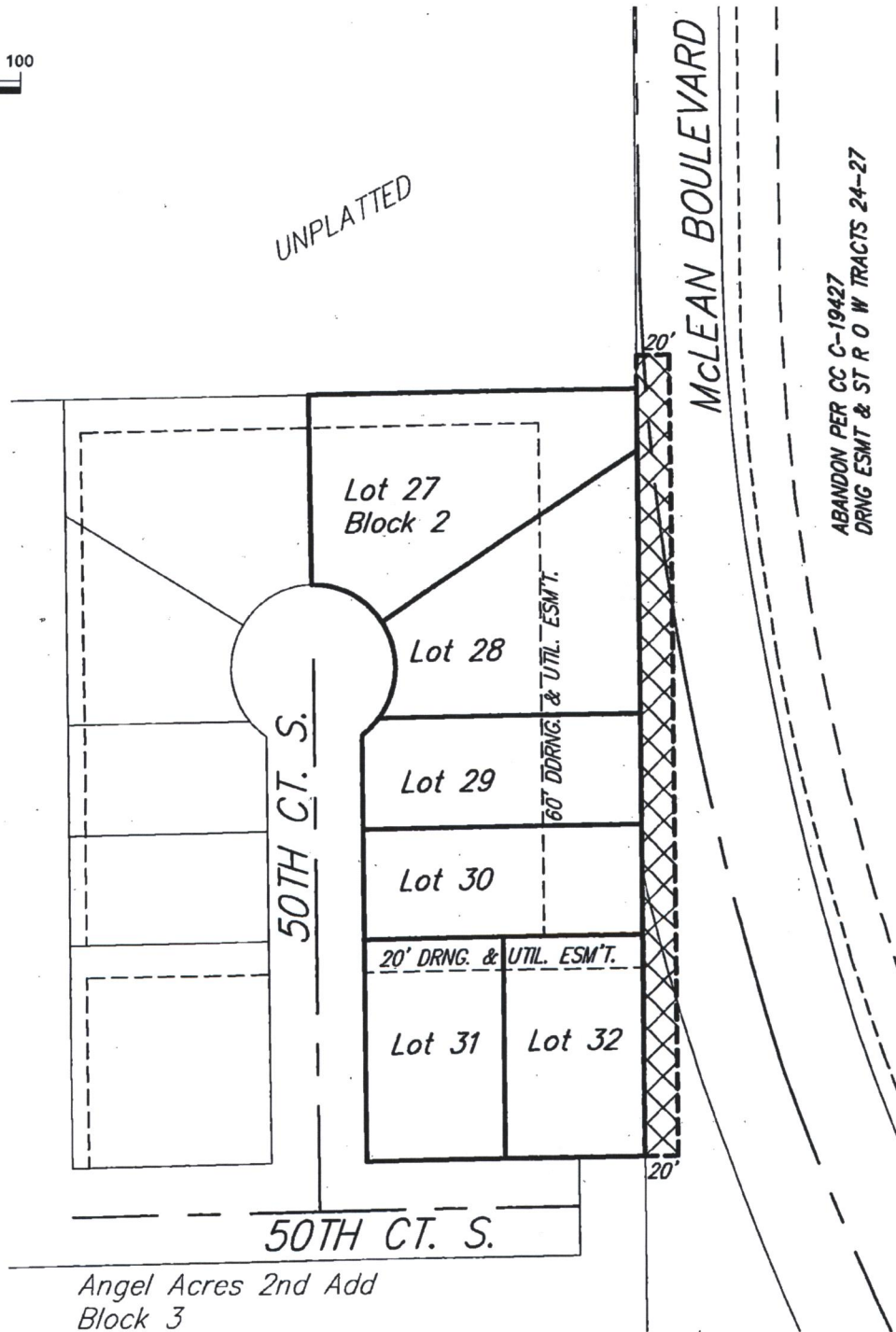
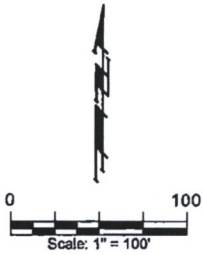
(My Appointment Expires: 07/31/2026)

Reviewed and approved by the City Engineer:

 3/7/25
MATT SCHULTZE

for Paul Gunzelman, PE

EASEMENT EXHIBIT
**Part of McLean Boulevard, as dedicated
 in Georgia Pacific Addition
 WICHITA, SEDGWICK COUNTY, KANSAS**



INDICATES AREA OF
 LEGAL DESCRIPTION
 EASEMENT



BAUGHMAN COMPANY
 315 Ellis St. Wichita, KS 67211 316-262-7271
 BaughmanCo.com

March 3, 2025



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	620514	Print Legal Ad-IPL02086590 - IPL0208659	MAPC/BZA Jan. 9, 2025	\$73.33	2	61 L

Attention: Mandy Hebert
CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

MHEBERT@wichita.gov

OCA 150004
Published in The Wichita Eagle on December 18, 2024
(One Time Only)
MAPC/BZA January 9, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, January 9, 2025, no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421. Full notice can be found at www.wichita.gov/LegalNotices.

BZA2024-00080: Variance request in the City to reduce the side and rear setbacks to 0 feet to build a two-car garage on the rear half of the property, generally located on the east side of North Dellrose, within 100 feet south of East 2nd Street North (240 North Dellrose).

CON2024-00259: Conditional Use request in the City to allow an Accessory Apartment on property zoned SF-5 Single-Family Residential District, generally located on the north side of East Gilbert Street, within 400 feet west of South Armour Drive (7310 East Gilbert Street).

CON2024-00273: Conditional Use request in the City to permit a drinking establishment on property zoned CBD Central Business District located at the northwest corner of East Waterman Street and South Hydraulic Avenue (1640 E Waterman).

CON2024-00275: Conditional Use request in the City to allow a Tavern and Drinking Establishment on property zoned LI Limited Industrial District, generally located on the northeast corner of East 35th Street North and North Oliver Avenue.

CUP2024-00046: CUP Amendment request in the City to amend CUP DP-86 to allow an off-site billboard, generally located on the west side of North Seneca Street, north of I-235 (4121 North Seneca Street).

VAC2024-00054: Vacation request in the City of platted access control; generally located on the east side of North Rock Road and within 200 feet north of East 35th Street North (3718 North Rock Road).

VAC2024-00055: Vacation request in the City for a portion of platted front setbacks; generally located on the north side of North Reece Street and within 650 feet south of West 21st Street North.

VAC2024-00056: Vacation request in the City to vacate a portion of the 30 foot front yard setback to allow for the creation of a garage addition on property zoned SF-5 Single-Family and located less than 200 feet south of the intersection of W. Columbine Ln. and N. Richmond Ave. (2380 N. Richmond Ave.)

VAC2024-00057: Vacation request in the City to vacate McLean Boulevard right-of-way and drainage facilities on property zoned LI Limited Industrial District, generally located at the intersection of South McLean Boulevard and West 47th Street South.

VAC2024-00058: Vacation request in the City to vacate a 20-foot utility easement and a portion of a 25-foot sewer easement for the development of a multi-family residential building on property zoned PUD #61, generally located on the northwest corner of West Maple Street and North McLean Boulevard.

ZON2024-00057: Zone Change request in the City from SF-5 Single-Family Residential to MF-29 Multi-Family Residential; generally located on the west side of South Handley Street and within 600 feet of South Seneca Street (4301 South Handley Street).

ZON2024-00058: Zone Change request in the City from TF-3 Two-Family Residential District to NR Neighborhood Retail, generally located on the west side of North Chautauqua Avenue and within 150 feet north of East Douglas Avenue (117 North Chautauqua Avenue).

IPL0208659
Dec 18 2024

In The STATE OF KANSAS

In and for the County of Sedgwick

1 insertion(s) published on:

12/18/24

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 12/18/2024 to 12/18/2024.

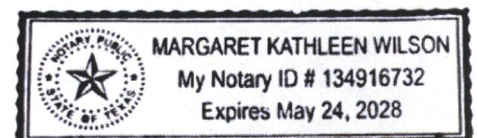
Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 12/18/2024

Margaret K. Wilson

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

METROPOLITAN AREA PLANNING COMMISSION

**AGENDA REPORT NO.
February 13, 2025**

STAFF REPORT

CASE NUMBER: VAC2024-00057- Request to vacate a portion of South McLean Blvd. Right-of-Way.

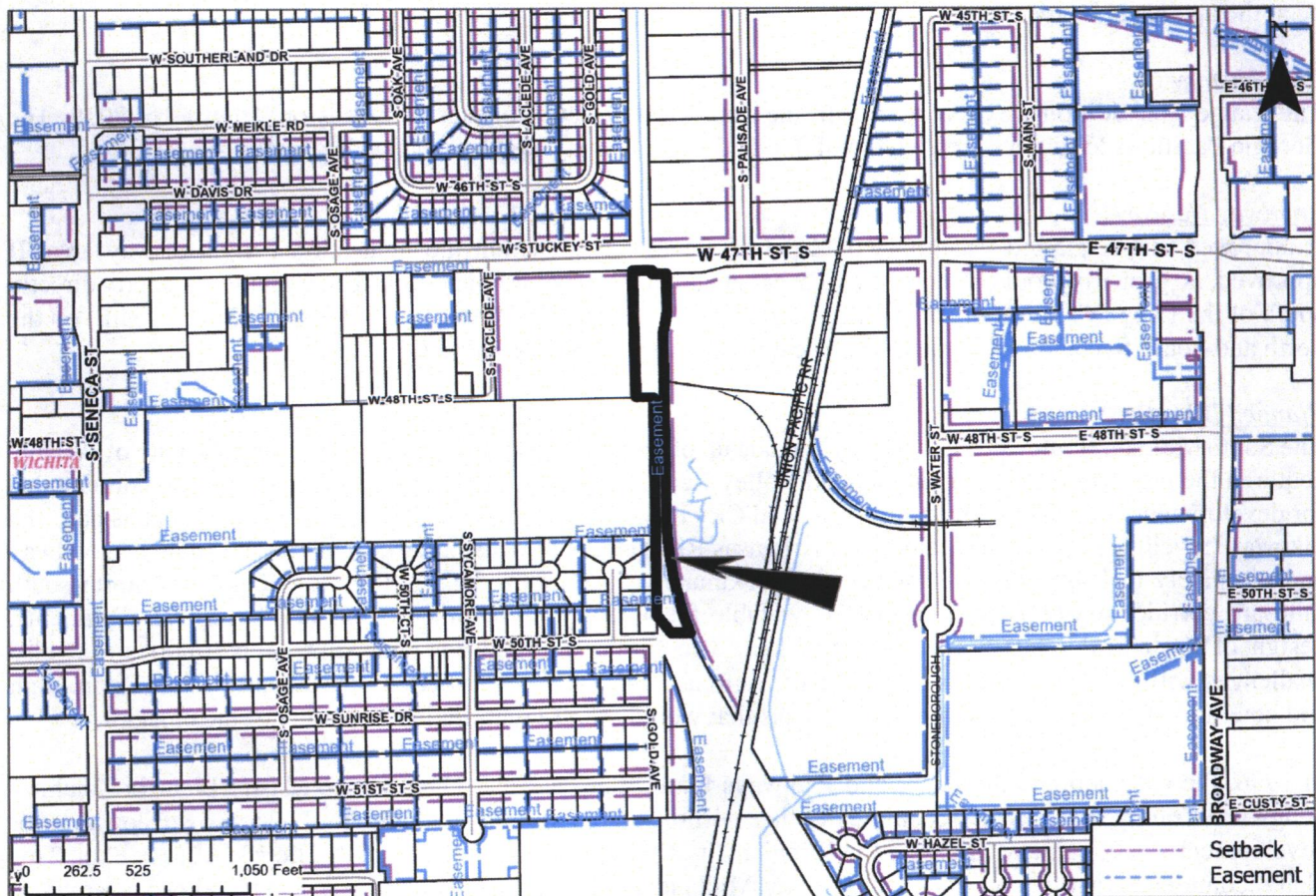
APPLICANT/AGENT: JBL, Inc. and TCRS, LLC (Applicants)/ Baughman Company, P.A.

LEGAL DESCRIPTION: Generally described as vacating a portion of the McLean Blvd. right-of-way a dedicated in the Lange 4th Addition and the Georgia Pacific Addition.

LOCATION: Generally located on the south side of West 47th Street South and one-half mile east of South Seneca Street.

REASON FOR REQUEST: To allow development within the unused street right-of-way.

CURRENT ZONING: The applicant's property on the east side is zoned LI Limited Industrial District (LI) and developed with a manufacturing use. The other applicant's property on the west side is zoned LI with PO-334 and is undeveloped. Properties on the west side farther south are zoned SF-5 Single-Family Residential District and TF-3 Two-Family Residential District and are undeveloped.



The applicants are requesting the vacation of a portion of the South McLean Blvd. right-of-way (former Midland Valley Railroad) located on the south side of West 47th Street South and one-half mile east of South Seneca Street. The right-of-way was dedicated abutting Lot 1, Block A, Lange 4th Addition on the west and Lot 1, Block A, Georgia Pacific Addition on the east (See attached Exhibit and Legal Description). The vacation of the South McLean Blvd. right-of-way (former Midland Valley Railroad) as shown in the Georgia Pacific Addition does not include any of the platted right-of-way south of west 50th Street South. Other properties farther south abut the right-of-way (former Midland Valley Railroad). One such proeprty is unplatted and the other is platted in the Sycamore Pond Addition. Neither of which deidcated any land to the McLean Blvd. right-of-way. The development of South McLean Boulevard terminates at West 31st Street South and construction of any portion of the boulevard farther south was never initiated.

Public Utilities

There are no public utilities in the subject portion of the right-of-way. Wichita Fire and Stormwater do not have any objection to the vacation request.

Wichita Public Works is requesting the following easement for future extention of water:

1. A 15-foot waterline easement for future expansion of water service in the area in order to provide water service to the unplatted parcel south of 533 West 47th Street South. Currently, this unplatted parcel can utilize the subject right-of-way for the extension of service. If the right-of-way is vacated, that will prevent any extension of service. It could be dedicated elsewhere on the applicants' property.

Comments from franchise utilities have been received. Neither Evergy nor Cox object to the requested vacation. Evergy does not have any lines or equipment in the right-of-way. Any relocation of Cox lines or equipment would be at the applicants' expense.

Case History

The Lange 4th Addition was recorded with the Sedgwick County Register of Deeds on August 15, 2019. The Georgia Pacific Addition was recorded with the Sedgwick County Register of Deeds on May 22, 1973.

Roadway Network

If approved, the requested vacation would permit development within the undeveloped right-of-way area. If approved, no property would be deprived of access to the public roadway network. The unplatted property directly south of the Lange 4th Addition can be accessed from South Laclede Avenue (via West 47th Street South) on the north and South Sycamore Avenue in the Sycamore Pond Addition on the south.

Planned Bikeway

The South McLean Boulevard right of way is made up of the former Midland Valley Railroad. The City of Wichita acquired the property of the former Midland Valley Railroad in the 1980s. This corridor has been recommended for development as a bikeway in multiple official City Plans. Multiple plans recommend this segment as part of a bikeway traveling from the path along the Arkansas River near OJ Watson Park to the M.S. Mitchell Floodway and ultimately to Haysville; a distance of approximately 5.69 miles. This is the only abandoned north-south railroad corridor in South Wichita that is available for bikeway devleopment. Beyond conceptual alignments, design of the corridor has not been undertaken. The former railroad corridor offers opportunities, but also challenges with crossing arterials and an active railroad. The corridor has been tested as part of KDHE program and determined to not have contamination levels that would require remediation or paving of the corridor.

In 1996, the City adopted the Parks and Pathways Plan – the Park and Open Space Master Plan for Wichita-Sedgwick County, Kansas. It recommends this portion of the former Midland Valley Railroad corridor for development as a greenway. In 2012, the Wichita City Council endorsed the Wichita Bicycle Master Plan. This plan recommends that this portion of the former Midland Valley Railroad corridor be developed as a shared use path. In 2025, the Wichita City Council endorsed the City of Wichita Bicycle Plan. It recommends that this portion

of the former Midland Valley Railroad corridor be developed as part of the long-term bicycle network, and it is not identified as part of the Priority Bikeway Network in that plan.

In previous years, the Wichita Bicycle and Pedestrian Advisory Board has identified the development of the Arkansas River to Haysville bikeway as one of the top priority projects for funding in the Capital Improvement Program. In 2024, the board recommended that the City Council prioritize completion and improvements to various bikeways, the board did not specifically identify/recommend the Arkansas River to Haysville bikeway. The 2024 letter was submitted at the same time as the planning effort for the City of Wichita Bicycle Plan was underway.

The 2023-2032 Wichita Capital Improvement Program programmed funding for bikeway improvements, and specifically listed the Arkansas to Haysville bikeway for funding in 2007. The current 2025-2034 Wichita Capital Improvement Program includes \$6.8 million for Bikeways and Bike Improvements. It does not identify which specific projects should receive funding.

Examples of secure industrial facilities with path/trail crossings exist in Wichita. Examples of these types of crossings are located along the Prairie Sunset Trail, between Tyler Road and Woodchuck Lane. It is not known how often the crossings are used and what types of materials are transported across the path. Security fencing is present along the Bombardier properties with fence gates to allow for crossing the path/trail.

Review Process

On January 2, 2025, the MAPC Subdivision and Utility Advisory Committee considered this application. The action of the Committee was to defer the application to the January 15, 2025 meeting due to new information being presented about a proposed shared use path that would utilize the subject right-of-way as recommended by the Wichita Bicycle Master Plan. The proposed shared use path would provide an off-street route connecting existing bicycle infrastructure in Wichita with the City of Haysville. A standard shared use path requires a 20-foot easement to accommodate a 10-foot-wide path with five feet of additional space on either side. In lieu of an easement, the applicant could revise the legal description to exclude a 20-foot-wide area of the right-of-way from being vacated.

On January 15, 2025, the MAPC Subdivision and Utility Advisory Committee considered the application and deferred it to their next meeting in order to provide additional time for staff and the applicant to discuss the application.

Based upon information available prior to the public hearing; that multiple official City plans recommend the corridor to be developed as a bikeway; and reserving the right to make recommendations based on subsequent comments from City Traffic, Public Works/Water & Sewer/Stormwater, Park and Recreation, Fire, franchised utility representatives and other interested parties, Planning Staff recommends **DENIAL** of the application.

A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of not 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 19, 2024, which was at least 20 days prior to this public hearing.
2. That private rights will be injured or endangered by vacating the described portion of the platted street right-of-way and that the public will suffer loss or inconvenience thereby.
3. In justice to the petitioner, the prayer of the petition should not be granted.

Alternative

Should the MAPC decide to recommend approval, Staff recommends the following considerations (but not limited to) associated with the request to vacate the described portion of the platted street right-of-way.

- (1) Vacate the described portion of the South McLean Blvd. right-of-way abutting Lot 1, Block A, Lange 4th Addition on the west and Lot 1, Block A, Georgia Pacific Addition on the east, Wichita, Sedgwick County Kansas.
- (2) The applicants shall dedicate a 30-foot easement, by separate instrument, for construction of a shared use path along the south portion of the vacation area to the south line of Lot 1, Block A, Lange 4th Addition, then along the south, west, and north property lines of Lot 1, Block A, Lange 4th Addition. The easement must be provided to Planning prior to the case going to Council for final action.
- (3) Dedicate a 15-foot waterline easement, by separate instrument, for the future extension of water service. The easement must be provided to Planning prior to the case going to Council for final action.
- (4) Provide planning staff with legal descriptions of the approved vacated portion of the platted right-of-way on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.
- (5) The applicants shall record restrictive covenants, binding and tying their respective portions of the subject right-of-way to their Lots. The restrictive covenants shall be provided to Planning prior to the case going to Council for final action.
- (6) All improvements shall be according to City Standards and at the applicant's expense.
- (7) Per MAPC Policy Statement #7, all conditions shall 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 **DENIAL** per staff recommendations.

Attachments:

- 1) Public Comment
- 2) Aerial Map
- 3) Applicant's Exhibit
- 4) Bicycle Master Plan Map Exhibits

Public Comment

Ladies and Gentlemen:

I am writing to update my previous comments on the subject case.

My prior comments were based on the staff report and other information I had at that time. As a result of the updated staff report and additional information, my previous comment also needs to be updated. Based on the background I provided below and that updated information, on behalf of Bike Walk Wichita, I agree with the updated staff report and recommendations stated in the agenda packet for the February 6 meeting of the Subdivision Committee.

Thank you again for your consideration.

Alan Kailer

alan@bikewalkwichita.org

bikewalkwichita.org

Bike Walk Wichita's Mission is To transform Wichita into a more livable, accessible, connected city by making biking and walking safe, equitable, and appealing.

On Jan 11, 2025, at 2:12 PM, Alan Kailer <alan@bikewalkwichita.org> wrote:

Ladies and Gentlemen

I am writing on behalf of Bike Walk Wichita to request that, in the subject case, the Subdivision Committee assure that sufficient accommodation is made for the planned shared use path described in the staff report, either by denying the request, by providing for an easement, or otherwise. Bike Walk Wichita, Inc. is a 501(c)(3) non-profit organization formed in 2010 to improve the safety of walking and biking in the Wichita area. We have over 15,000 supporters involved in our mission, and we have been actively involved in local planning regarding bicycle and pedestrian facilities. I am unable to attend the Committee's meeting on January 15 and ask that these comments be considered in the Committee's deliberations.

I serve as the Chair of the City of Wichita's Bicycle & Pedestrian Advisory Board, which advises the Wichita City Council on matters relating to bicycle and pedestrian facilities, including the development and implementation of Wichita's bicycle master plans. The subject property is identified in Wichita's 2013 Bicycle Master Plan as the intended route of a shared use path to connect Wichita and Haysville.

See: <https://www.wichita.gov/DocumentCenter/View/9563/Chapter-5---SW-Bikeway-Network-Map-PDF>. The City's Capital Improvement Program budget does not generally itemize specific bike and pedestrian improvements included in the budget, but includes only general categories such as "Bikeway Improvements." However, the Advisory Board annually makes recommendations to the City Council regarding the projects that it believes are of the highest priority for that budget. The Advisory Board has consistently included the connection between Wichita and Haysville in its recommended list when it has recommended specific projects.

The Advisory Board recently served as the steering committee in the development of a revised bicycle plan, which is scheduled to be considered by the Wichita City Council on January 14. The revised bicycle plan also identifies the subject property as part of the City's priority long-term bikeway network. See p. 58 of the revised plan:

https://static1.squarespace.com/static/64dcf7a0aaec2263208d0b72/t/673503dc7e6ce913ecc26555/1731527652977/Draft+Wichita+Bicycle+Plan+2024_Reduced.pdf

I also serve as co-chair of the Active Transportation Committee of the Wichita Area Metropolitan Planning Organization. That committee is in the process of developing a regional active transportation plan that would be a part of WAMPO's Metropolitan Transportation Plan 2050. Although the committee's work is still in progress, we have received presentations from each of the communities in the WAMPO region regarding their existing active transportation plans and what they wish to see in WAMPO's plan. Overwhelmingly, the communities have said that WAMPO could best serve their interests by encouraging more active transportation connections between Wichita and the other communities, including Haysville. The subject property is a key link in providing that connection to Haysville.

Haysville's Bicycle and Pedestrian Implementation Plan does not identify a specific route to connect with Wichita, but it does emphasize that all levels of local government must cooperate to assure a safe bicycle connection to Wichita:

The city of Haysville is located in close proximity to several municipalities. The successful coordination between these municipalities to connect bicycle and pedestrian infrastructure in a meaningful way will have a dramatic impact on regional connectivity. The City of Haysville should work in coordination with the City of Wichita, the City of Derby, and Sedgwick County to implement bicycle and pedestrian infrastructure in a strategic way. This coordination is critical when considering connections to Campus High school. Due to its location, a bicycle and pedestrian connection to Campus High will pass through the jurisdiction of City of Haysville, Sedgwick County, and the City of Wichita. Due to the adjacency of multiple agencies each with their own infrastructure standards, it will be critical for each of these governing bodies to work closely to coordinate development to achieve a uniform and safety oriented bicycle and pedestrian connection. p. 37
https://www.wampo.org/files/ugd/bbf89d_dcb2064068b8404b893c7058a59c7042.pdf

For these reasons, I respectfully request that the Subdivision Committee provide adequate accommodation for the shared use path. I believe the considerations identified at the end of the staff report would provide an appropriate accommodation.

Neither the Wichita Bicycle & Pedestrian Advisory Board, nor the WAMPO Active Transportation Committee has had the opportunity to consider this specific request. Therefore, my comments are based on my own experience with and understanding of the relevant plans and input from Bike Walk Wichita.

Thank you for your consideration.

Alan Kailer
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214-208-0267
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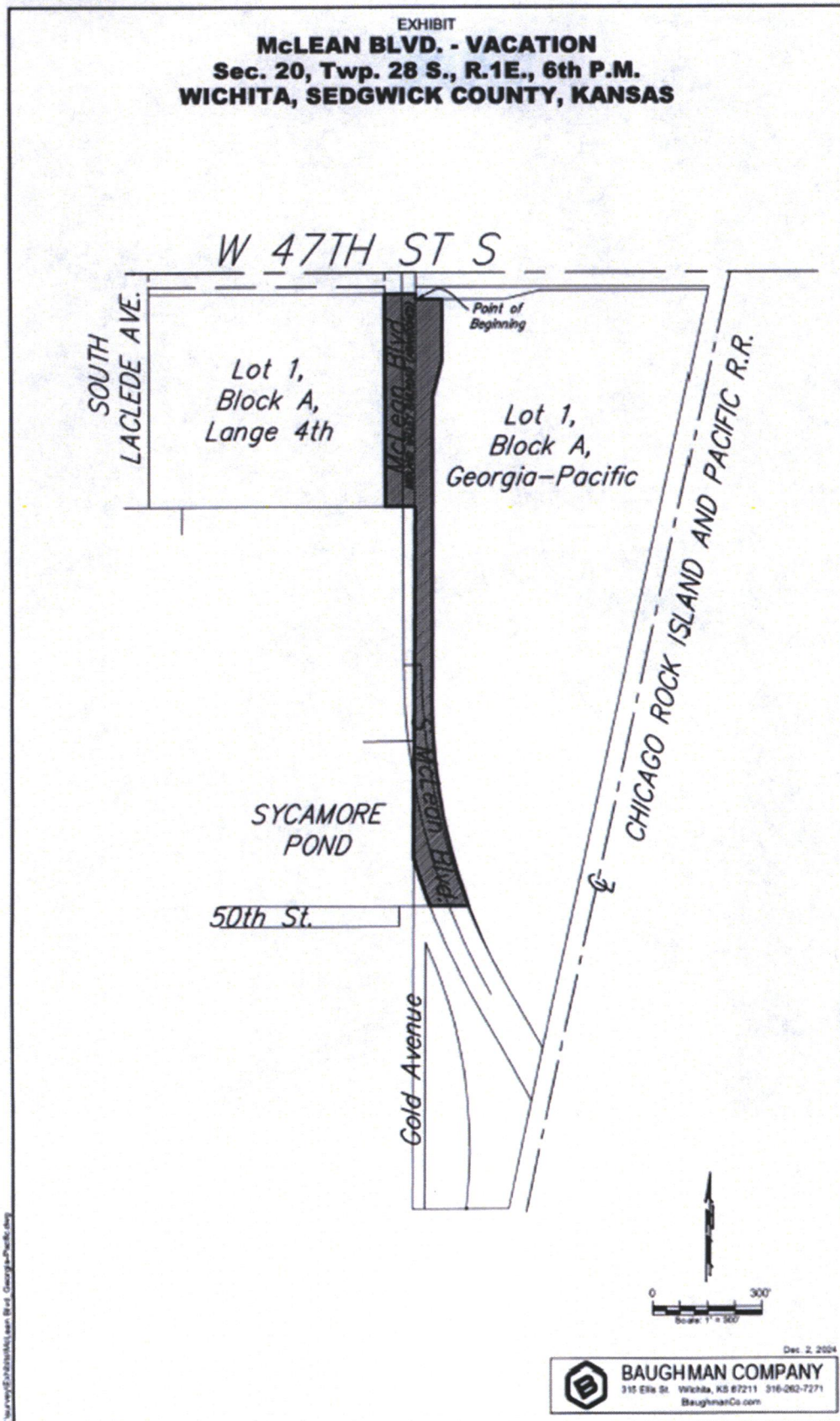
Aerial Map

VAC2024-57

-  City Limits
-  Storm Structures
-  Enclosed Gravity Pipe
-  Force Main
-  Open Channel
-  Siphon
-  Water Hydrants
-  Sewer Manholes
-  Sewer Mains
-  Water Valves
-  Water Mains



Vacation Exhibit



Bicycle Master Plan Exhibits

