Wichita-Sedgwick County Metropolitan Area Planning Department

June 4, 2025

Carlos Estrada
4104 E. Cessna St.
Wichita, KS 67210

Ref: VAC2025-00010: Vacation request in the City to vacate a portion of a platted easement, generally locate between East Cessna Street and South George Washington Boulevard (4104 East Cessna St.).

Dear Applicant,

At the **Tuesday, June 3, 2025**, meeting of the Wichita City Council, the above-referenced vacation request was approved.

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,

Philip Zevenbergen
Current Plans
Division Manager

Document #: 2025-025193
Date Recorded: 06/09/2025 03:34:53 PM
Pages: 2 Recording Fee: 0.00
Sedgwick County Kansas
Tonya Buckingham,
Register of Deeds

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

IN THE MATTER OF THE VACATION OF A PORTION OF A PLATTED UTILITY EASEMENT	)	
GENERALLY LOCATED ONE-BLOCK WEST OF SOUTH GEORGE WASHINGTON BOULEVARD, WITHIN ONE-BLOCK SOUTH OF EAST PAWNEE AVENUE	)	**VAC2025-00010**

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 3rd day of June 2025, comes on for hearing the petition for vacation filed by Carlos and Veronica Estrada (owners) praying for the vacation of a portion of a platted utility easement, to wit:

Portion of utility easement to be vacated:
The North 14 feet of the South 22 feet of Lot 11, Block D, Planeview Subdivision No. 1, Wichita, Sedgwick County, Kansas; EXCEPT the West 16 feet of said Lot 11, AND EXCEPT the East 18 feet of said Lot 11.

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:

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 April 3, 2025, 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 utility easement, 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. The vacation of the described portion of a platted utility easement, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 3rd day of June 2025, ordered that the above-described portion of a platted utility easement 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.

Lily Wu, Mayor, City of Wichita

ATTEST:

Paul Leeker, City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law

CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

April 24, 2025

Carlos Estrada
4104 E. Cessna St.
Wichita, KS 67210

Ref: VAC2025-00010: Vacation request in the City to vacate a portion of a platted easement, generally locate between East Cessna Street and South George Washington Boulevard (4104 East Cessna St.).

Dear Applicant,

At the **Thursday, April 24, 2025**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

(1) Abandonment or relocation/reconstruction of any/all utilities made necessary by the vacation of the described utility easement shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide approval from franchised utilities for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.
(2) All improvements shall be according to City Standards and at the applicants' expense.
(3) Provide Planning with a legal description of the vacated portion of the platted utility easement on a Word document via E-mail that can be used on the Vacation Order. This must be provided to the Planning Department prior to this case going to City Council for final action.
(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.

These conditions have been met. Therefore, this case is scheduled for final action by the Wichita City Council on **Tuesday, June 3, 2025.** 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,

Philip Zevenbergen
Current Plans
Division Manager

McClatchy

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	Cols	Depth
16399	651733	Print Legal Ad-IPL02264370 - IPL0226437		2	47 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 April 9, 2025
(One Time Only)
MAPC/BZA April 24, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, April 24, 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.

BZA2025-00015: Variance request in the City to increase the size of the allowed building sign of a property zoned TF-3 Two-Family Residential District, generally located within one-half mile south of East 13th Street North and east of North Roosevelt Avenue (1034 North Roosevelt Avenue).

CON2025-00052: Conditional Use request in the City for an Accessory Apartment on property zoned SF-5 Single-Family Residential; generally located on the west side of North Clifton Avenue approximately 300 feet south of East Central Avenue (435 North Clifton Avenue).

CON2025-00053: Conditional Use request in the City for an Accessory Apartment on property zoned SF-5 Single Residential; Generally located on the northwest corner of East Waterman Street and South Rutan Avenue (255 South Rutan Avenue).

CON2025-00056: Conditional Use request in the City for Entertainment Establishment in the City; generally located on the south side of East 47th Street South and within 150 feet east of South Hydraulic Avenue (1827 East 47th Street South).

VAC2025-00010: Vacation request in the City of a portion of a platted easement, generally located between East Cessna Street and South George Washington Boulevard (4104 East Cessna Street).

VAC2025-00011: Vacation request in the City to vacate a portion of building setback for an egress window well, generally located on the east side of South Millwood Avenue and within 375 feet north of West 47th Street South (4716 South Millwood Avenue).

ZON2025-00009: Zone Change request in the City from SF-5 Single Family Residential to TF-3 Two-Family Residential District to allow two duplexes, generally located within two blocks south of West Maple Street on the west side of South All Hallows Avenue.

ZON2025-00010: Zone Change request from TF-3 Two-Family Residential District to B Multi-Family Residential District to build five apartments, generally located on the west side of North Volutsia Avenue, within 200 feet north of East Douglas Avenue (117 North Volutsia Avenue).

IPL0226437
Apr 10 2025

In The STATE OF KANSAS
In and for the County of Sedgwick

1 insertion(s) published on:
04/10/25

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 04/10/2025 to 04/10/2025.

Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 04/10/2025

Amy Robbins

Notary Public in and for the state of South Carolina, residing in Beaufort County

AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

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

METROPOLITAN AREA PLANNING COMMISSION

AGENDA REPORT NO.
April 24, 2025

STAFF REPORT

CASE NUMBER: **VAC2025-00010 -** Request to vacate a portion of a platted utility easement.

OWNER/APPLICANT: Carlos Estrada (Applicant)

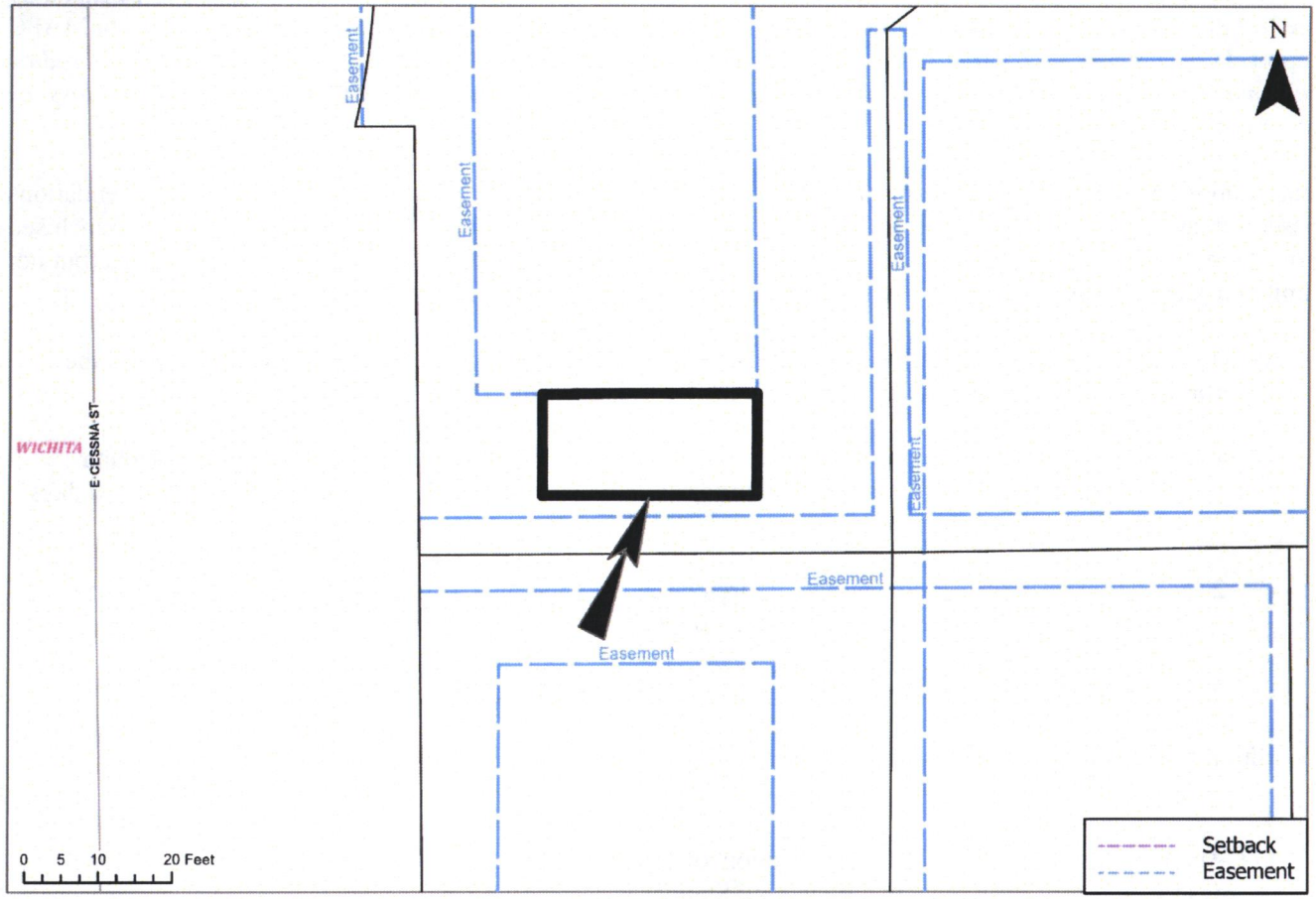
LEGAL DESCRIPTION: Vacating the North 14 feet of the South 22 feet of Lot 11, Block D, Planeview Subdivision No. 1, Wichita, Sedgwick County, Kansas; EXCEPT the West 16 feet of said Lot 11, and EXCEPT the East 18 feet of said Lot 11.

LOCATION: Generally located within one-block west of South George Washington Blvd. and within one-block south of East Pawnee Avenue (4104 E. Cessna). (WCC III).

REASON FOR REQUEST: To allow construction of a garage.

CURRENT ZONING: The subject site and all surrounding properties west of South George Washington Boulevard are zoned MF-29 Multi-Family Residential District and developed with a mixture of single-family and multi-family dwellings.

VICINITY MAP:



The applicant proposes to vacate a portion of a platted utility easement on Lot 11, Block D, Planeview Subdivision No. 1 in order to build a garage. The subject site is zoned MF-29 Multi-Family Residential District (MF-29) and located within one-block west of South George Washington Boulevard and within one-block south of East Pawnee Avenue (4104 E. Cessna). The Planeview Subdivision No. 1 was recorded on August 29, 1955.

If approved, it would allow construction of a garage eight feet north of the south property line, which exceeds the minimum six feet required for an interior side setback required in the MF-29 District. However, the garage would only be 16 feet from the front property line. The MF-29 District requires a 25-foot front building setback for all structures on the front half of the property. The existing dwelling appears to be a non-conforming structure to the setback. The Unified Zoning Code (UZC) does not allow new construction to increase the degree on non-conformity. New structures must meet minimum development standards or submit an application to request those standards to be reduced for the new structure. The applicant may be able to achieve the desired reduction through an Administrative Adjustment to establish a new front setback based on setback averaging of nearby properties. If the setback averaging cannot provide the necessary reduction, a Variance may need to be requested. Either one of these options would need to be approved prior to the issuance of building permits.

There are no public utilities in the subject portion of the easement. Wichita Public Works, Fire, Stormwater, and Traffic Engineering do not object to the request. Comments from franchised utilities have been received. Neither Cox, Evergy, nor Kansas Gas have any lines or equipment in the vacation area and do not object to the request.

When determining a recommendation to be made to the Metropolitan Area Planning Commission (MAPC), the Subdivision and Utility Advisory Committee should consider the legal findings that are required to be made by the MAPC and Governing Body in order to grant the request. These findings are detailed in the subsequent MAPC report. *In particular, the Committee should consider whether any private rights will be injured or endangered by recommending approval of the vacation request, and whether or not the public will suffer any loss or inconvenience thereby.*

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Traffic, Public Works/Water & Sewer/Stormwater, 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 portion of the platted 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 April 3, 2025, 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 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) Abandonment or relocation/reconstruction of any/all utilities made necessary by the vacation of the described utility easement shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide approval from franchised utilities for the relocation of franchised

utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.

(2) All improvements shall be according to City Standards and at the applicants' expense.

(3) Provide Planning with a legal description of the vacated portion of the platted utility easement on a Word document via E-mail that can be used on the Vacation Order. This must be provided to the Planning Department prior to this case going to City Council for final action.

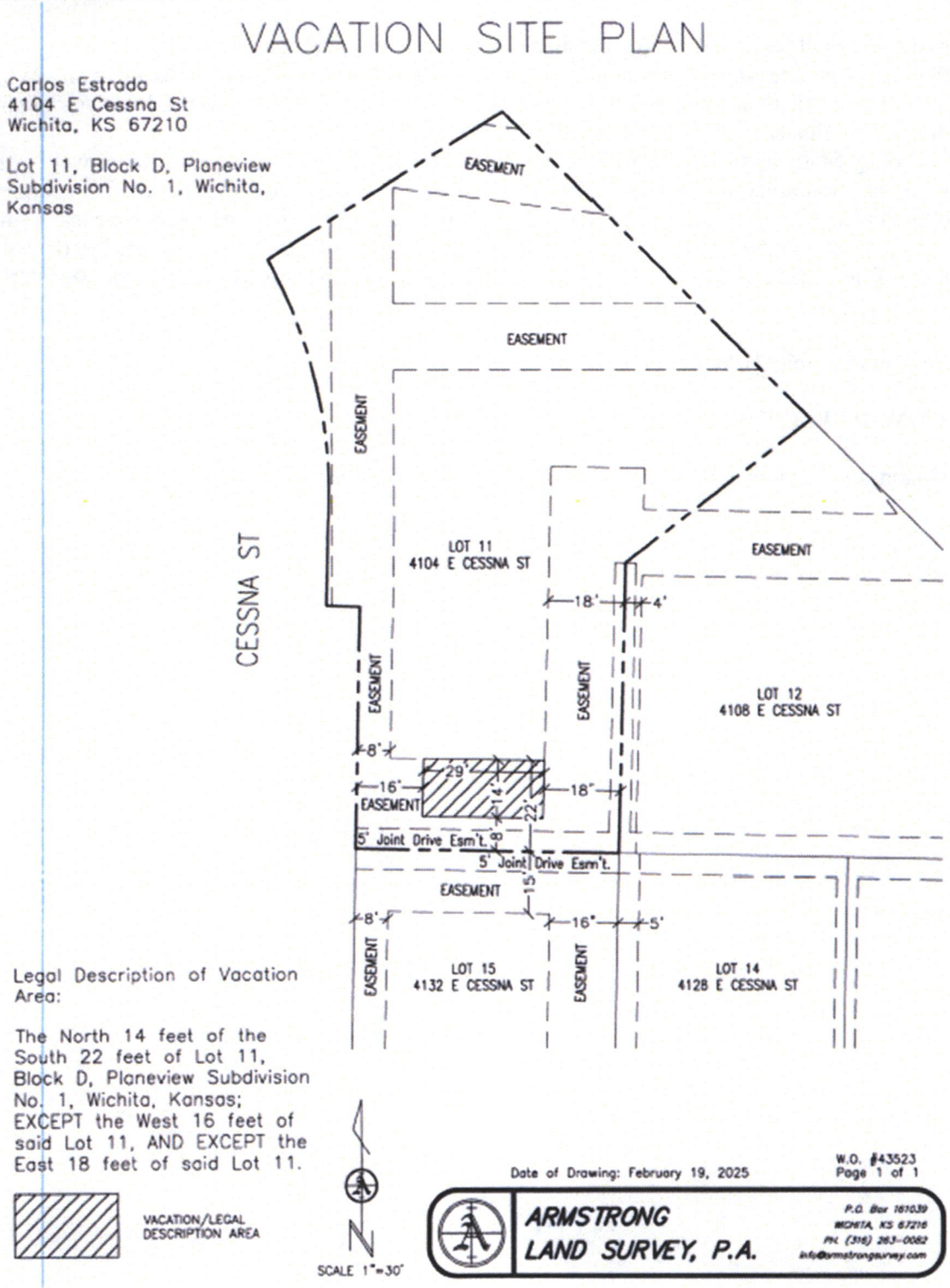
(4) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken 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.

Attachments: 1) Vacation Exhibit, 2) Aerial Map

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

Vacation Exhibit



Aerial Map


VAC2025-10
City Limits
Storm Structures
Enclosed Gravity Pipe
Force Main
Open Channel
Siphon
Water Hydrants
Sewer Manholes
Sewer Mains
Water Valves
Water Mains
E CESSNA ST
WICHITA