CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

February 17, 2026

Delano Development, LLC
Attn: Ben Pfister
PO Box 403
Wichita, KS 67201

Ref: VAC2025-000052: Vacation request in the City to vacate the west one foot of a utility easement of a property zoned B Multi-Family Residential District and LI Limited Industrial District, generally located on the east side of North Walnut Street, within 175 feet south of West 1st Street North (220 North Walnut St.).

Dear Applicant,

At the **Tuesday, February 17, 2026**, 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,

Samuel Deetz
Current Plans
Associate Planner

Wichita-Sedgwick County Metropolitan Area Planning Department

December 18, 2025

Delano Development, LLC
Attn: Ben Pfister
PO Box 403
Wichita, KS 67201

Ref: VAC2025-000052: Vacation request in the City to vacate the west one foot of a utility easement of a property zoned B Multi-Family Residential District and LI Limited Industrial District, generally located on the east side of North Walnut Street, within 175 feet south of West 1st Street North (220 North Walnut St.).

Dear Applicant,

At the **Thursday, December 18, 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 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) Dedicate an additional one foot of utility easement as proposed in the site plan. This must be provided to the Planning Department prior to this case going to City Council for final action.

(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.

The above conditions must be met before this case can have final approval. Therefore, this case is scheduled for final action by the Wichita City Council at an appropriate meeting after Planning has received the conditions. 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,



Samuel Deetz
Current Plans
Associate Planner

Document #: 2026-011287
Date Recorded: 03/03/2026 03:05:54 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 UTILITY EASEMENT	)	
GENERALLY LOCATED ON THE EAST SIDE OF NORTH WALNUT STREET WITHIN 175 FEET SOUTH OF WEST 1ST STREET NORTH	)	**VAC2025-00052**
MORE FULLY DESCRIBED BELOW	)	

VACATION ORDER

NOW on this 17th day of February, 2026, comes on for hearing the petition for vacation filed by Delano Development LLC (owner), praying for the vacation of described portion of a utility easement, to wit:

The West 1.00 foot of the apparent Utility Easement retained over the vacated 15-foot alley, lying adjacent to Lots 36, 38, 40 and 42 on Walnut Street, West Wichita, Sedgwick County, Kansas.

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 on November 26, 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 utility easement, and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner(s), the prayer of the petition 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 utility easement, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 17th day of February, 2026, ordered that the described portion of a utility easement is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

CITY OF WICHITA, KANSAS

Lily Wu, Mayor

ATTEST:

Shinita Rice, City Clerk

Approved as to Form:

Jennifer Magana, City Attorney and Director of Law

UTILITY EASEMENT

THIS EASEMENT made this 12 day of JAN, ~~2025~~ 2026, by and between Delano Development, LLC, 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 or the franchised utility entity a perpetual easement for the purpose of constructing, operating, maintaining, and repairing all public and/or franchised utilities, and any appurtenances thereto, over, along, and under the following described real estate situated in Sedgwick County, Kansas; to wit:

The West 1.00 foot of Lots 55, 57, 59 and 61 on Wichita Ave (Now Handley St) West Wichita, Sedgwick County, Kansas.

And said Grantee and/or agents of the franchised utilities are hereby granted the right to enter upon said premises at any time for the purpose of construction, operating, maintaining, and repairing such utility, and any appurtenances thereto.

IN WITNESS WHEREOF: The said first party has signed these presents the day and year first written.

Delano Development, LLC

Ben Pfister Sole Member

Ben Pfister

State of Kansas)
) SS
Sedgwick County)

The foregoing instrument was acknowledged before me this 12 day of January, ~~2025~~ 2026 by Ben Pfister, Sole Member, on behalf of Delano Development, LLC.

Amber Brummer, Notary Public
(signature of notary officer)

AMBER BRUMMER
Notary Public - State of Kansas
My Appt. Expires 04/26/2028

My appointment expires: April 26, 2028.

Reviewed and approved by the City Engineer: Matt Schultze 1/16/26
MATT SCHULTZE
FOR PAUL GUNZELMAN, PE

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
41100	IPL0293011	Legal Ad - IPL0293011	MAPC/BZA December 18, 2025	2.0	166.0L

ATTENTION: CITY OF WICHITA/PLANNING DEPT IP
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202
MHEBERT@wichita.gov;kgonzalez@wichita.gov

MAPC/BZA December 18, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, December 18, 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.**

BZA2025-00079: Variance request in the City to have less than three feet of building separation between the primary structure and the accessory structure, generally located on the west side of North Meridian Avenue, within 75 feet north of West 3rd Street North (409 North Meridian Avenue).

BZA2025-00080: Variance request in the City to reduce the front building setback to three feet on property zoned B Multi-Family Residential District and LI Limited Industrial District, generally located on the east side of North Walnut Street, within 175 south of West 1st Street North (220 North Walnut Street).

PUD2025-00026: PUD amendment request in the City to PUD #66 to modify allowed uses, signage, parking, and ownership requirements on property generally located on the north side of West MacArthur Road, within a quarter-mile west of South Seneca Street.

VAC2025-00052: Vacation request in the City to vacate the west one foot of a utility easement of a property zoned B Multi-Family Residential District and LI Limited Industrial District, generally located on the east side of North Walnut Street, within 175 feet south of West 1st Street North (220 North Walnut St).

VAC2025-00053: Vacation request in the City to vacate a portion of the street right-of-way to allow for future development, generally located on the northwest corner of East Waterman Street and South Washington Avenue.

VAC2025-00054: Vacation request in the City to vacate a portion of a platted setback, generally located south of West Taft Avenue and 1,800 feet east of South Ridge Road (6803 West Taft Avenue).

ZON2025-00056: Zone Change request in the City from NR Neighborhood Retail to LC Limited Commercial District with Protective Overlay, generally located south of East 21st Street North and one-quarter mile west of North Hillside Avenue.

ZON2025-00058: Zone Change request in the City from SF-5 Single-Family Residential District to MF-18 Multi-Family Residential District for a senior living development, generally located on the southeast corner of East Gilbert Street and South Rock Road (8031 East Gilbert Street).

ZON2025-00059: Zone Change request in the City from SF-5 Single-Family Residential District to MF-18 Multi-Family Residential District for a senior living development, generally located on the southwest corner of West 27th Street South and South Elizabeth Street (1511 West 27th Street South).

ZON2025-00060: Zone Change request in the City from B Multi-Family Residential District to LI Limited Industrial District to expand an existing warehouse, generally located on the east side of North Walnut Street, within 175 feet south of West 1st Street North (220 North Walnut Street).

ZON2025-00061: Zone Change request in the City from SF-5 Single-Family Residential District to LC Limited Commercial District and GO General Office District for future development, generally located on the southeast corner of West 51st Street North and North Meridian Avenue.

ZON2025-00062: Zone Change request in the City from SF-5 Single-Family Residential District to GO General Office District for medical office and apartment development, generally located south of West 37th Street North and 2,000 feet east of North Ridge Road.

ZON2025-00063: Zone Change request in the City from NR Neighborhood Retail District to GO General Office District, generally located on the southeast corner of South Hillside Avenue and East English Street (200 South Hillside Avenue).

ZON2025-00064: Zone Change request in the City from LC Limited Commercial to GC General Commercial with PO #467, generally located on the northeast corner of East 29th Street North and North Oliver Avenue.

IPL0293011
Nov 26 2025

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

the undersigned, 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.

1.0 insertion(s) published on:
11/26/25 Print

Print Tearsheet Link

Marketplace Link

Amanda Rodela

DIGITALLY SIGNED

Amanda Rodela

Mary Castro

DIGITALLY SIGNED

Sworn to and subscribed before me on Nov 26, 2025, 12:08 PM EST

NOTARY PUBLIC STATE OF TEXAS
MARY CASTRO
ELECTRONIC NOTARY PUBLIC
STATE OF TEXAS
COMMISSION # 134932849
MY COMMISSION EXPIRES 6/5/2028

Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNiX®

METROPOLITAN AREA PLANNING COMMISSION

AGENDA REPORT NO.
December 18, 2025

STAFF REPORT

CASE NUMBER: **VAC2025-00052 -** Request to vacate a utility easement.

OWNER/APPLICANT: Delano Development LLC (Applicant); Garver LLC (Agent)

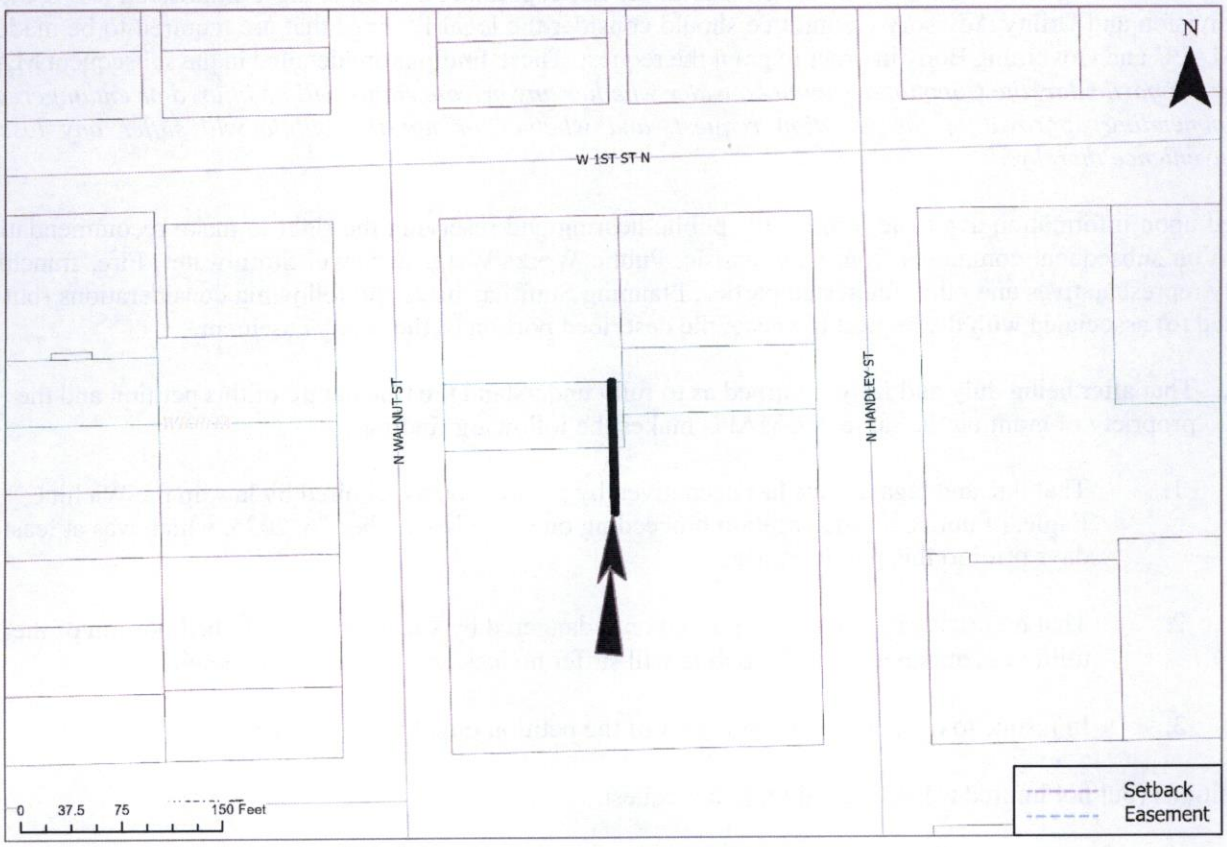
LEGAL DESCRIPTION: Generally described as vacating a portion of the utility easement running north-south in the vacated alley adjacent to Lots 36, 38, 40, and 42, Walnut Street, West Wichita Addition, Wichita, Sedgwick County, Kansas.

LOCATION: Generally located on the east side of North Walnut Street, within 175 feet south of West 1st Street (220 North Walnut Street).

REASON FOR REQUEST: To allow for a planned expansion to an existing storage warehouse.

CURRENT ZONING: The subject site is zoned B Multi-Family Residential District (B) and LI Limited Industrial District (LI). Properties to the west are zoned B Multi-Family Residential District (B). Property to the north and east is zoned GC General Commercial (GC). Property to the south is zoned LI Limited Industrial (LI).

VICINITY MAP:



The applicant proposes to vacate a portion of a utility easement running along the east side of Lots 36, 38, 40, and 42, Walnut Street, West Wichita Addition. The site is addressed as 220 North Walnut Street and generally located on the east side of North Walnut Street, within 175 feet south of West 1st Street. The subject site is zoned B Multi-Family Residential District (B) and LI Limited Industrial District (LI) and developed with a warehouse at the south end of the property. This case is associated with ZON2025-00060 and BZA2025-00080. These cases will rezone the property to LI Limited Industrial District (LI) and reduce the front building setback to three feet. The purpose of the vacation is to allow for a planned expansion to the existing storage warehouse. The applicant proposes to dedicate one foot of utility easement along the east side of the existing utility easement in the vacated alley. There are no additional easements, nor public water or sewer lines on the property which will be affected by this request.

Wichita Public Works and Utilities, Fire, Stormwater, or Traffic Engineering do not object to this vacation. Public Works noted that no footings, awnings, roof, or overhangs can be inside the easement. Comments from franchised utilities have been received. Cox and Kansas Gas have no objection to this vacation. However, Kansas Gas has a line in the subject easement, and any relocation will be at the applicant's expense. Cox has aerial lines on Evergy poles, and any relocation will be at the applicant's expense.

Evergy has no items in the vacation area and therefore has no objection. Eric O'Donnell, Area Design Representative, will be the contact for this vacation request and any project associated with it. He can be contacted at (316) 261-6359 for any questions or discussion. Standard language will apply: **Any relocation or removal of existing Evergy equipment will need to be discussed and will be at the applicant's expense.**

The West Wichita Addition was recorded on August 4, 1872.

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 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 November 26, 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 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 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) Dedicate an additional one foot of utility easement as proposed in the site plan. This must be provided to the Planning Department prior to this case going to City Council for final action.

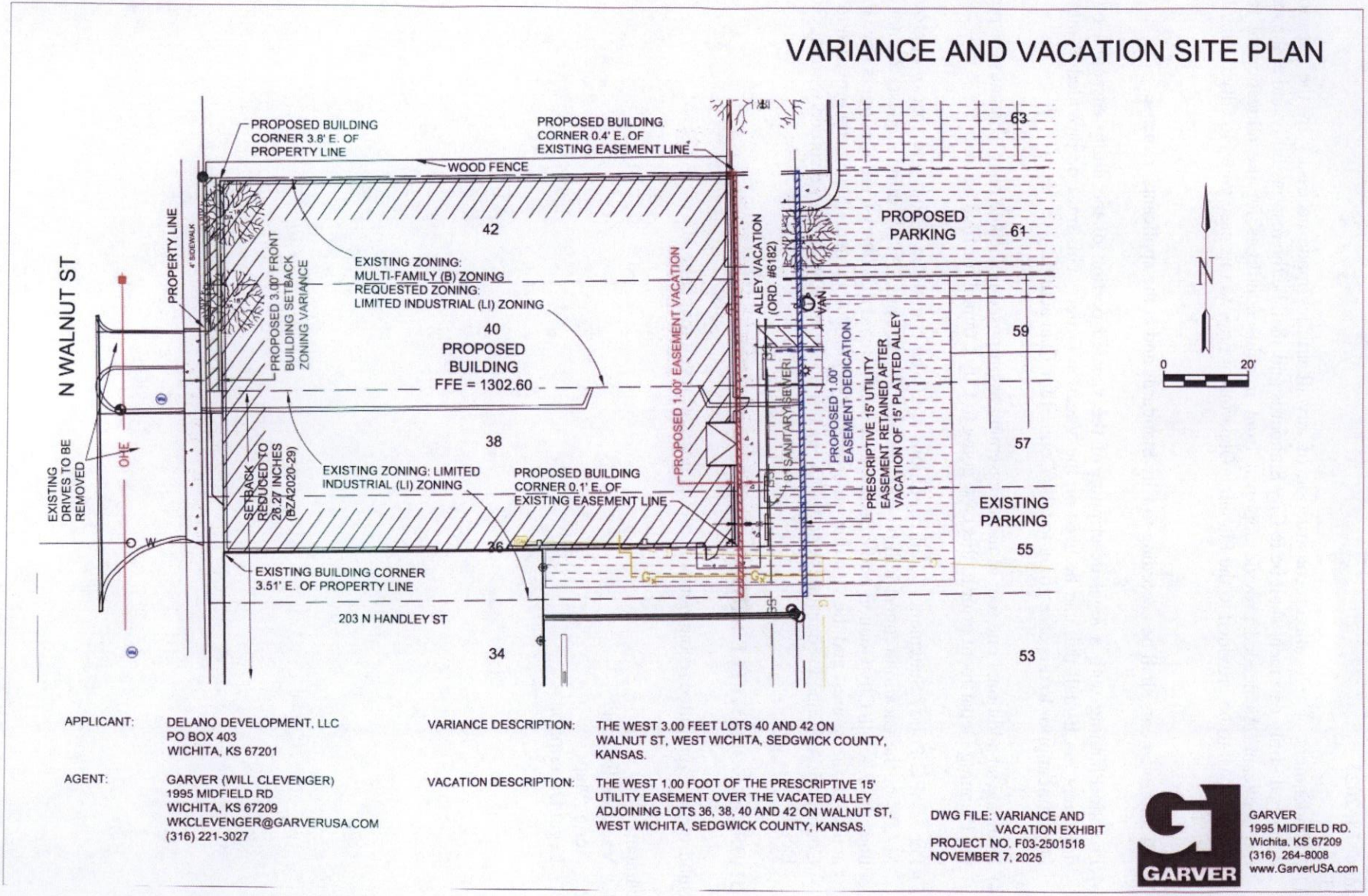
(5) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken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

Vacation Exhibit



APPLICANT: DELANO DEVELOPMENT, LLC
PO BOX 403
WICHITA, KS 67201

AGENT: GARVER (WILL CLEVENGER)
1995 MIDFIELD RD
WICHITA, KS 67209
WKCLEVENGER@GARVERUSA.COM
(316) 221-3027

VARIANCE DESCRIPTION: THE WEST 3.00 FEET LOTS 40 AND 42 ON WALNUT ST, WEST WICHITA, SEDGWICK COUNTY, KANSAS.

VACATION DESCRIPTION: THE WEST 1.00 FOOT OF THE PRESCRIPTIVE 15' UTILITY EASEMENT OVER THE VACATED ALLEY ADJOINING LOTS 36, 38, 40 AND 42 ON WALNUT ST, WEST WICHITA, SEDGWICK COUNTY, KANSAS.

DWG FILE: VARIANCE AND VACATION EXHIBIT
PROJECT NO. F03-2501518
NOVEMBER 7, 2025

GARVER
1995 MIDFIELD RD.
Wichita, KS 67209
(316) 264-8008
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