Wichita-Sedgwick County Metropolitan Area Planning Department

December 16, 2025

Hoover Road, LLC
Attn: Stephen Clark, II
1717 N. Waterfront Pkwy.
Wichita, KS 67206

Ref: VAC2025-000047: Vacation request in the City to vacate platted setbacks to allow for the zoned/CUP setbacks to govern and vacate street right-of-way, generally located on the southeast corner of East Kellogg Drive and South Wildcat Lane (9901 East Kellogg Street).

Dear Applicant,

At the **Tuesday, December 16, 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,

Samuel Deetz
Current Plans
Associate Planner

CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

November 20, 2025

Hoover Road, LLC
Attn: Stephen Clark, II
1717 N. Waterfront Pkwy.
Wichita, KS 67206

Ref: VAC2025-000047: Vacation request in the City to vacate platted setbacks to allow for the zoned/CUP setbacks to govern and vacate street right-of-way, generally located on the southeast corner of East Kellogg Drive and South Wildcat Lane (9901 East Kellogg Street).

Dear Applicant,

At the **Thursday, November 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 platted setback and right-of-way. Provide planning staff with legal descriptions of the approved vacated portion of the platted setback and 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 City Council for final action.

(2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide Planning with any needed easements dedicated by separate instrument with original signatures. These conditions must be completed prior to the case going to City Council for final action.

(3) All improvements shall be according to City Standards and at the applicant's expense.

(4) The applicant shall record a restrictive covenant binding and tying the described vacated right-of-way to the applicant's property. This must be provided to Planning prior to the case going to City Council for final action.

(5) The applicant shall dedicate a waterline easement in place of the right-of-way, subject to approval of Public Works and Utilities. This must be provided to Planning prior to the case going to City Council for final action.

(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.

These conditions have been met. Therefore, this case is scheduled for final action by the Wichita City Council on **Tuesday, December 16, 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,

Samuel Deetz
Current Plans
Associate Planner

Document #: 2025-064833
Date Recorded: 12/22/2025 04:10:27 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 BUILDING SETBACK AND RIGHT-OF-WAY	)	
GENERALLY LOCATED ON THE SOUTHEAST CORNER OF EAST KELLOGG DRIVE AND SOUTH WILDCAT LANE	)	**VAC2025-00047**
MORE FULLY DESCRIBED BELOW	)	

VACATION ORDER

NOW on this 16th day of December, 2025, comes on for hearing the petition for vacation filed by Hoover Road, LLC (owner), praying for the vacation of described building setback and right-of-way, to wit:

Building Setback Vacation

The north 35 feet of Lot 1, Block A, Wildcat-Kellogg Addition, Wichita, Sedgwick County, Kansas,
TOGETHER WITH,
The west 35 feet of Lot 1, Block A, Wildcat-Kellogg Addition, Wichita, Sedgwick County, Kansas,
TOGETHER WITH,
The west 35 feet of Lot 4, Block A, Wildcat-Kellogg Addition, Wichita, Sedgwick County, Kansas

Right-of-Way Vacation

A tract of land adjoining Lot 1, Block A, Wildcat-Kellogg Addition, Wichita, Sedgwick County, Kansas; said tract being more particularly described as follows:
COMMENCING at the northeast corner of said corner of said Lot 1, thence along the north line of said Lot 1 on a platted basis on bearing of S88°58'45"W, 3.87 feet to the POINT OF BEGINNING, said point being a point on the north line of said Lot 1; thence along the north lines of said Lot 1 for the next two course, S73°53'43"W 103.75 feet;

thence S88°58'32"W, 52.31 feet to the northwest corner of said Lot 1; thence along the extended west line of said Lot 1, N00°38'29"W, 27.00 feet to a point on the extended north line of the north most line of said Lot 1, N88°58'45"E, 152.31 feet to the POINT OF BEGINNING.

Said tract contains: 2,762 sq. ft. or 0.06 acres of land more or less.

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 October 23, 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 building setback and right-of-way, 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 building setback and right-of-way, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 16th day of December, 2025, ordered that the described building setback and right-of-way 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

State of Kansas
County of Sedgwick } ss.

This instrument was acknowledged before me on November 19, 2025

by Stephen Clark

as Member of Hoover Road, LLC

(seal)

ANNETTE KUNGU
Notary Public - State of Kansas
My Appt. Expires 3/6/2027

Notary Public
My Commission expires: 3/6/2027

Reviewed and approved by the City Engineer:

11/12/25

MATT SCHULTZE

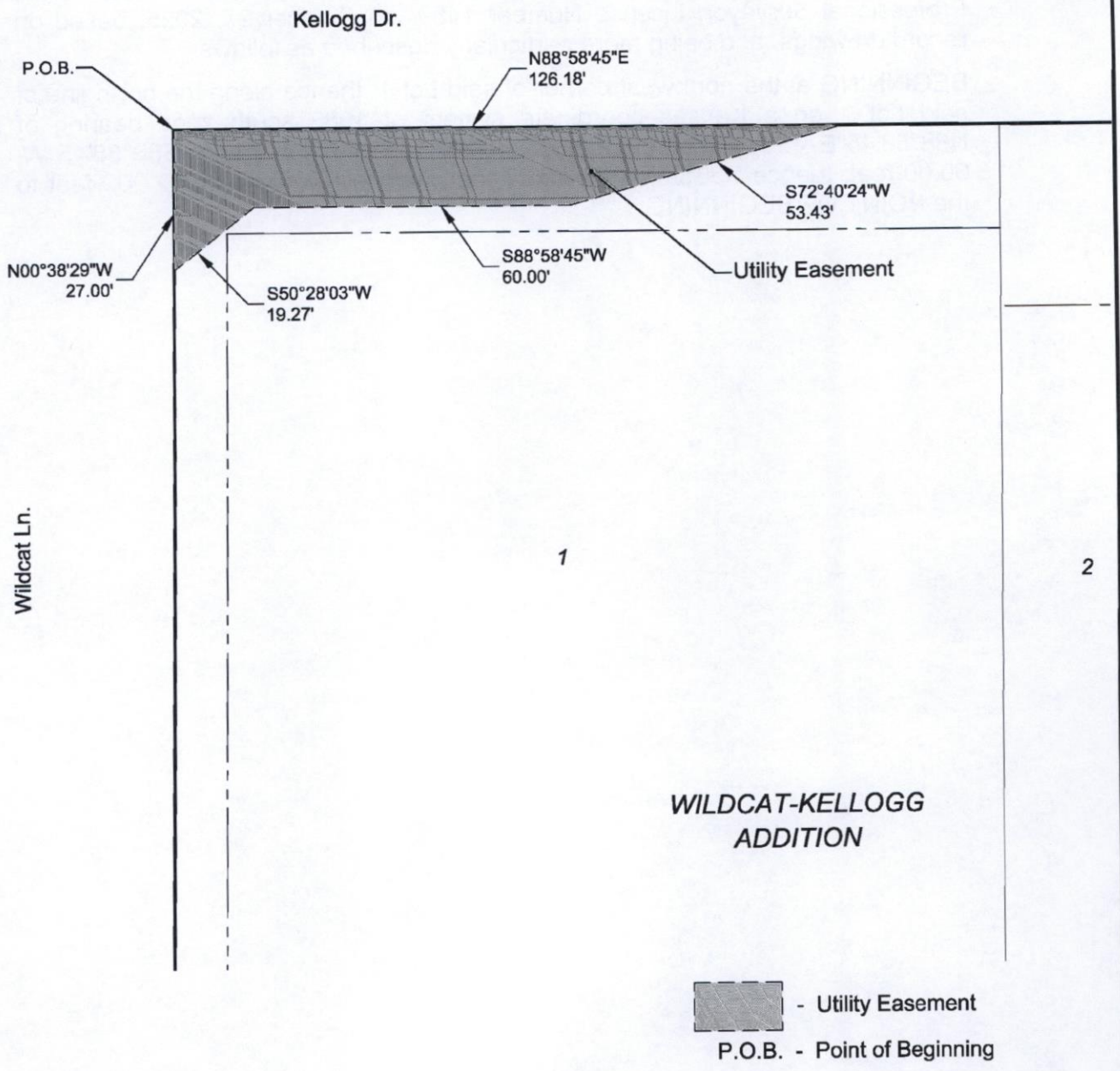
FOR PAUL GUNZELMAN, PE

'Exhibit A'
DESCRIPTION OF
Utility Easement

A tract of land lying within Lot 1, in Wildcat-Kellogg Addition, an addition to the City of Wichita, Sedgwick County, Kansas, as described by Ernest Patrick Fink, Professional Surveyor, License Number 1459, on October 27, 2025, based on record drawings, and being more particularly described as follows:

BEGINNING at the northwest corner of said Lot 1; thence along the north line of said Lot 1 on a Kansas coordinate system of 1983 south zone bearing of N88°58'45"E, 126.18 feet; thence S72°40'24"W, 53.43 feet; thence S88°58'45"W, 60.00 feet; thence S50°28'03"W, 19.27 feet; thence N00°38'29"W, 27.00 feet to the POINT OF BEGINNING.

U.S. 54/400 Kellogg



1"=30'

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MKEC
Wichita, KS • 316.684.9600

EXHIBIT A
UTILITY EASEMENT
WILDCAT-KELLOGG ADDITION

PROJECT NO. 2501010591	DATE: OCTOBER 2025	SHEET NO.
DRAWN BY: TAW	DESIGNED BY: JGD	APPROVED BY: BDL	1 OF 1

J:\PROJECTS\2025\2501010591_CLARK INVESTMENT_WILDCAT KELLOGG FLEX SPACE\00 CAD\XREF\MKEC\05 CIVIL\MODELS\250591_PLDWG

METROPOLITAN AREA PLANNING COMMISSION

AGENDA REPORT NO.
November 13, 2025

STAFF REPORT

CASE NUMBER: **VAC2025-00047** - City vacation of a portion of a platted setback and right-of-way.

APPLICANT/AGENT: Hoover Road, LLC (applicant)/ MKEC Engineering, Inc. (agent)

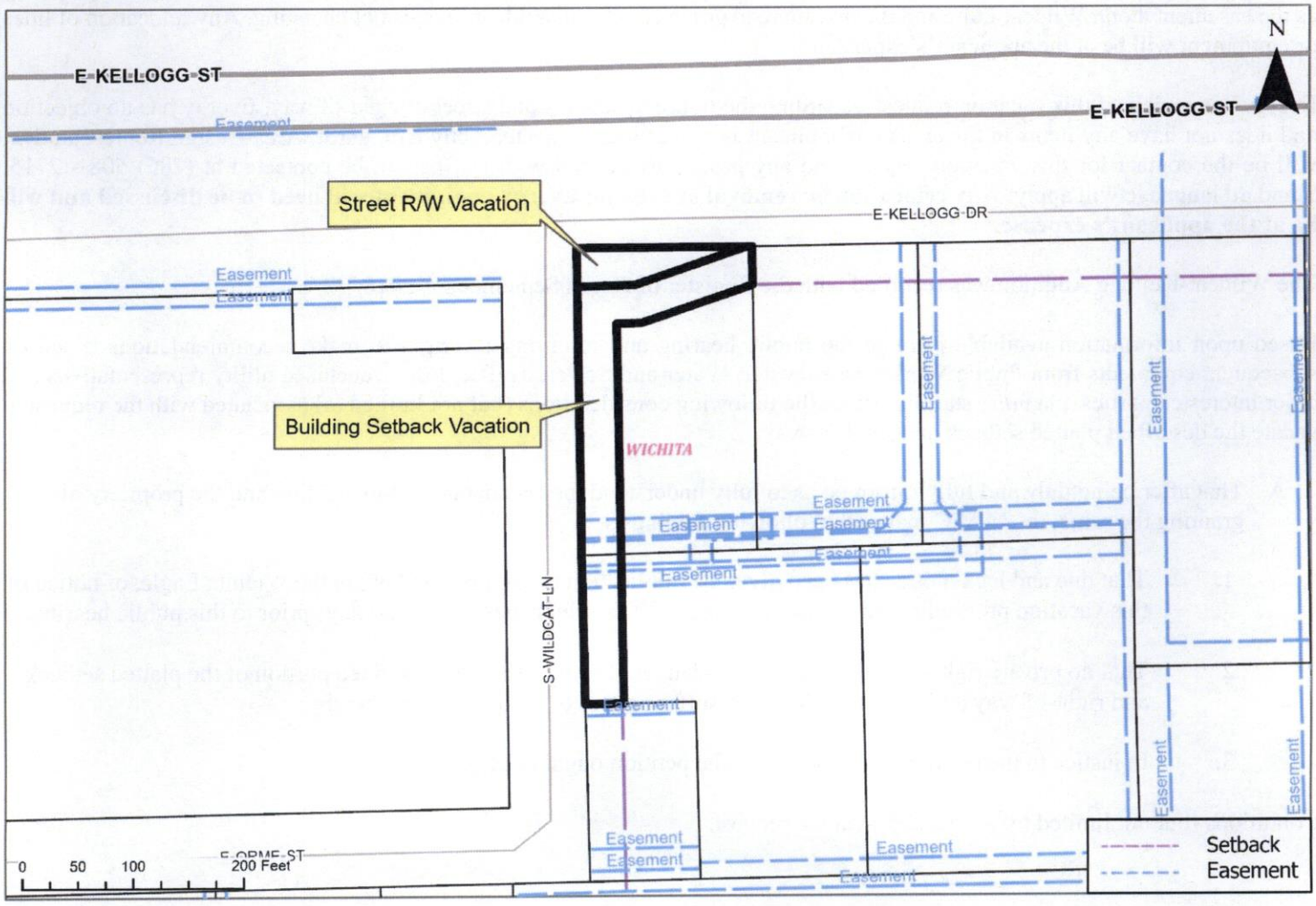
LEGAL DESCRIPTION: Vacating the north and west 35-foot setback on Lots 1 & 4, Block A, Wildcat-Kellogg Addition, and a 2,762 square foot portion of right-of-way along East Kellogg Drive abutting the north property line of Lot 1, Block A, Wildcat-Kellogg Addition, Wichita, Sedgwick County, Kansas.

LOCATION: Generally located at the southeast corner of East Kellogg Drive and South Wildcat Lane. (9901 East Kellogg Street).

REASON FOR REQUEST: To allow for zoning and CUP setbacks to apply, to straighten the street right-of-way, and to provide an easement for water.

CURRENT ZONING: The subject site and all adjacent properties are zoned GC General Commercial District (GC) within Community Unit Plan CUP DP-347.

VICINITY MAP:



The applicant is requesting the vacation of the 35-foot setback along the north and west sides of Lot 1, Block A, and the 35-foot setback along the west side of Lot 4, Block A, Wildcat-Kellogg Addition. Additionally, a 2,762 square foot portion of right-of-way along East Kellogg Drive abutting the north property line of Lot 1, Block A, Wildcat-Kellogg Addition is proposed to be vacated. A utility easement will cover this vacation area. The property is generally located at the southeast corner of East Kellogg Drive and South Wildcat Lane. The property is addressed 9901 East Kellogg Street and zoned GC General Commercial District (GC) within Community Unit Plan CUP DP-347.

The purpose of this request is to allow for zoning and CUP setbacks to apply, to straighten the street right-of-way, and to provide an easement for water. The 35-foot building setbacks and right-of-way are shown on the face of the CUP drawing. The applicant has submitted a concurrent CUP amendment (CUP2025-00036) to incorporate the right-of-way and set setbacks at 20 feet along East Kellogg Drive and 10 feet along South Wildcat Lane. This will meet and exceed the Unified Zoning Code requirements of a 20-foot front setback and a 0-foot street-side setback within the GC District.

Traffic Engineering, Fire, or Stormwater do not object to this vacation. Wichita Public Works and Utilities has a 20-inch located within the Right-of-Way. Public Works agrees to the Right-of-Way vacation provided that a waterline easement of equal dimensions is dedicated in its place. This 20-inch waterline serves as the primary feed for areas south of 21st Street within the East Pressure Zone, extending from the 21st Street Pump Station to Harry and Pawnee. Based on discussions with Public Works, the CUP setbacks along East Kellogg Drive were modified as shown in the attachments.

Comments from franchised utilities have been received. Kansas Gas does not object to the vacation. They do not have any lines or equipment in the vacation area. AT&T has a manhole in the proposed right-of-way vacation area. Any relocation will be at applicant's expense. Cox has equipment and buried lines in the set back and street right of way. Cox has no objection so long as the easement along Wildcat Lane and the private road going east from Wildcat Lane is not changing. Any relocation of lines or equipment will be at the applicant's expense.

Evergy has reviewed this vacation request, regarding the building setback and street of right of way. Evergy has no objection and does not have any items in the areas the applicant is requesting to vacate. Abby Brungardt, Area Design Representative, will be the contact for this vacation request and any project associated with it. She can be contacted at (785) 508 - 2715. 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 Wildcat-Kellogg Addition was recorded with the Register of Deeds September 7, 2018.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Public Works, Stormwater, Water and Sewer, 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 platted setback and right-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 October 23, 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 setback and right-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) Vacate the described platted setback and right-of-way. Provide planning staff with legal descriptions of the approved vacated portion of the platted setback and 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 City Council for final action.

(2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide Planning with any needed easements dedicated by separate instrument with original signatures. These conditions must be completed prior to the case going to City Council for final action.

(3) All improvements shall be according to City Standards and at the applicant's expense.

(4) The applicant shall record a restrictive covenant binding and tying the described vacated right-of-way to the applicant's property. This must be provided to Planning prior to the case going to City Council for final action.

(5) The applicant shall dedicate a waterline easement in place of the right-of-way, subject to approval of Public Works and Utilities. This must be provided to Planning prior to the case going to City Council for final action.

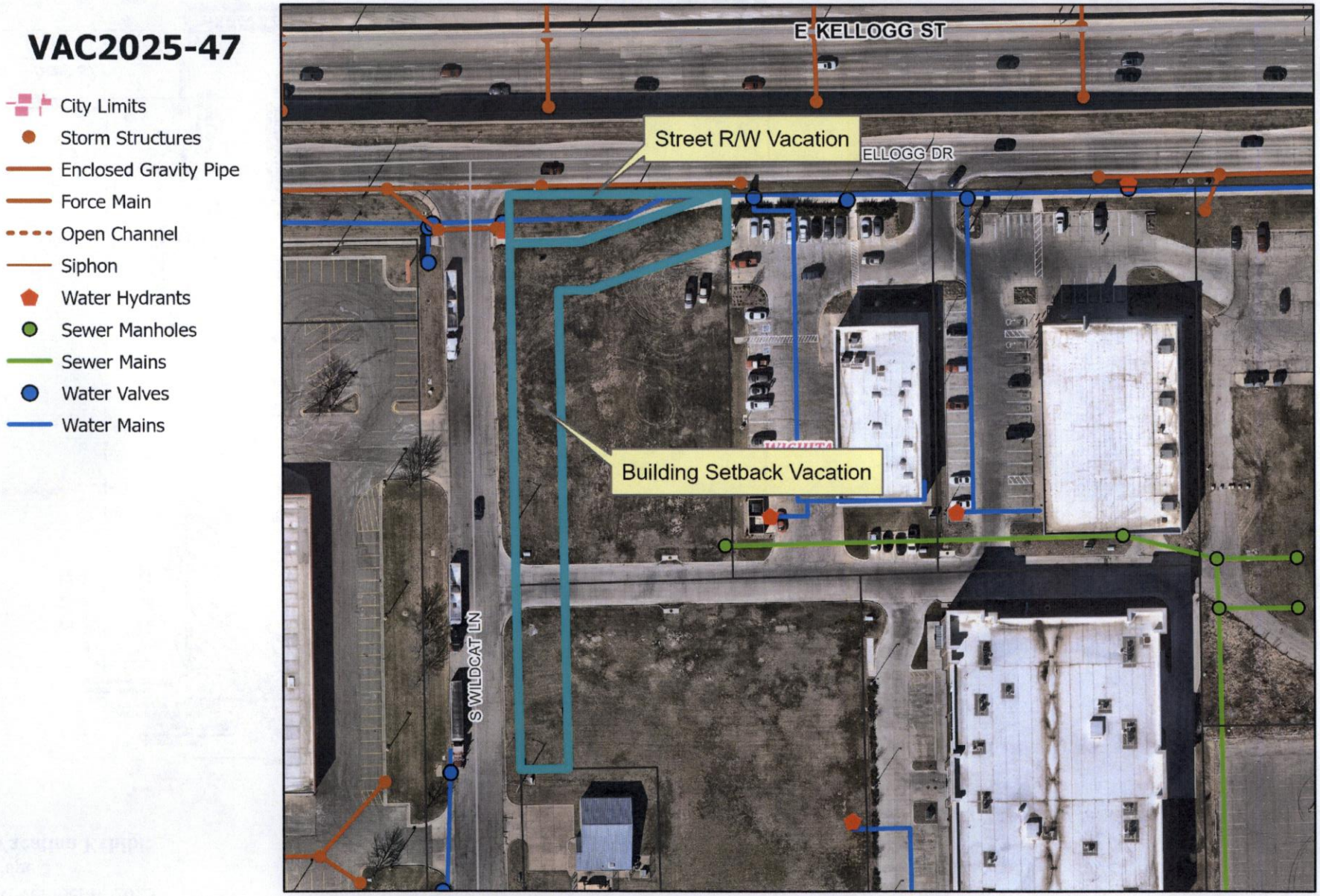
(6) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final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

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

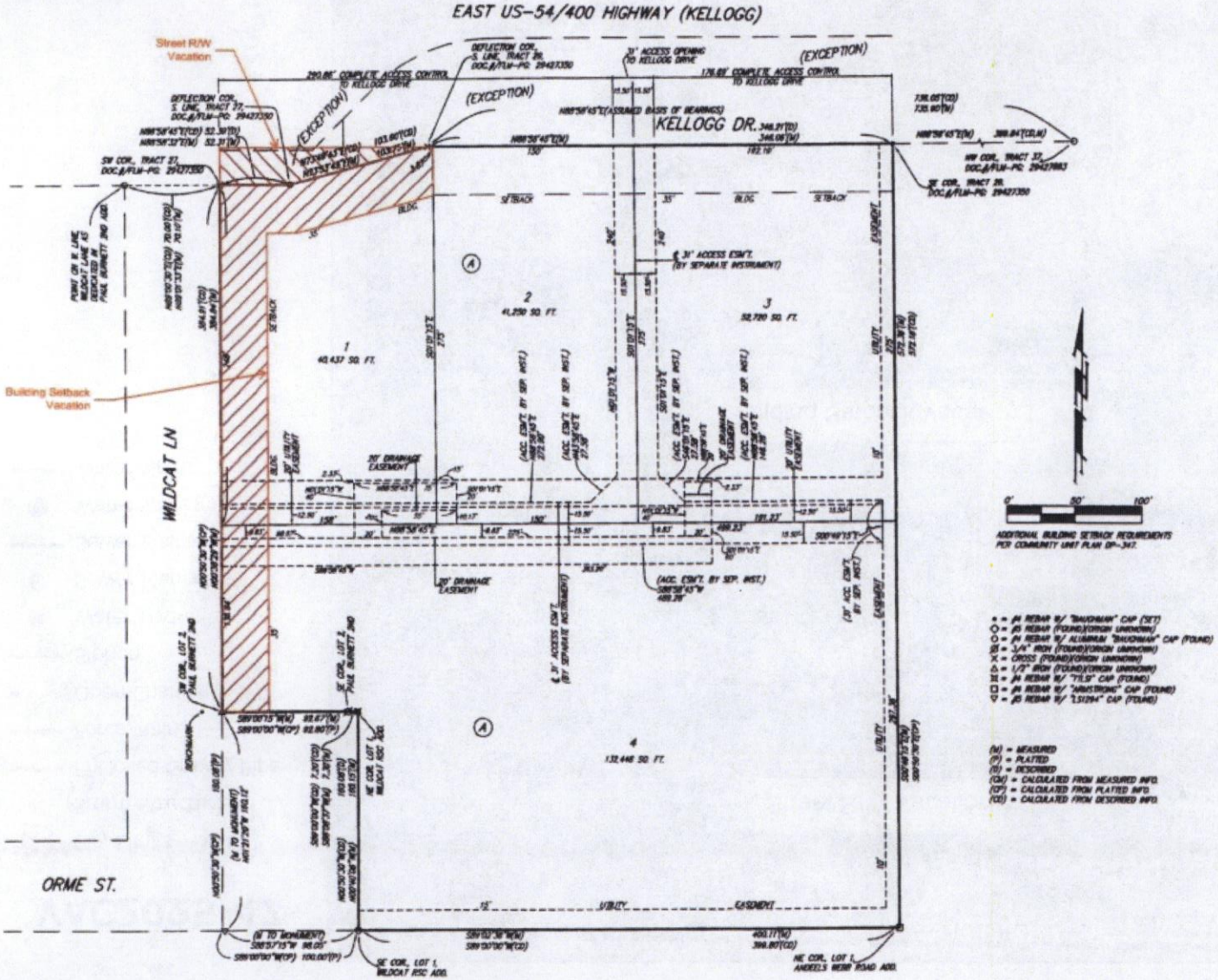
The Subdivision Committee recommends approval per staff recommendations.

Attachments:
1. Aerial Map
2. Vacation Exhibit
3. Legal Description
4. Proposed Utility Easement
5. Revised Setbacks

Aerial Map


VAC2025-47
City Limits
Storm Structures
Enclosed Gravity Pipe
Force Main
Open Channel
Siphon
Water Hydrants
Sewer Manholes
Sewer Mains
Water Valves
Water Mains
E KELLOGG ST
Street R/W Vacation
ELLOGG DR
Building Setback Vacation
S WILDCAT LN

Vacation Exhibit



Legal Description

DESCRIPTION OF
Vacation Case – Building Setback

The north 35 feet of Lot 1, Block A, Wildcat-Kellogg Addition, Wichita, Sedgwick County, Kansas,
TOGETHER WITH,
The west 35 feet of Lot 1, Block A, Wildcat-Kellogg Addition, Wichita, Sedgwick County, Kansas,
TOGETHER WITH,
The west 35 feet of Lot 4, Block A, Wildcat-Kellogg Addition, Wichita, Sedgwick County, Kansas

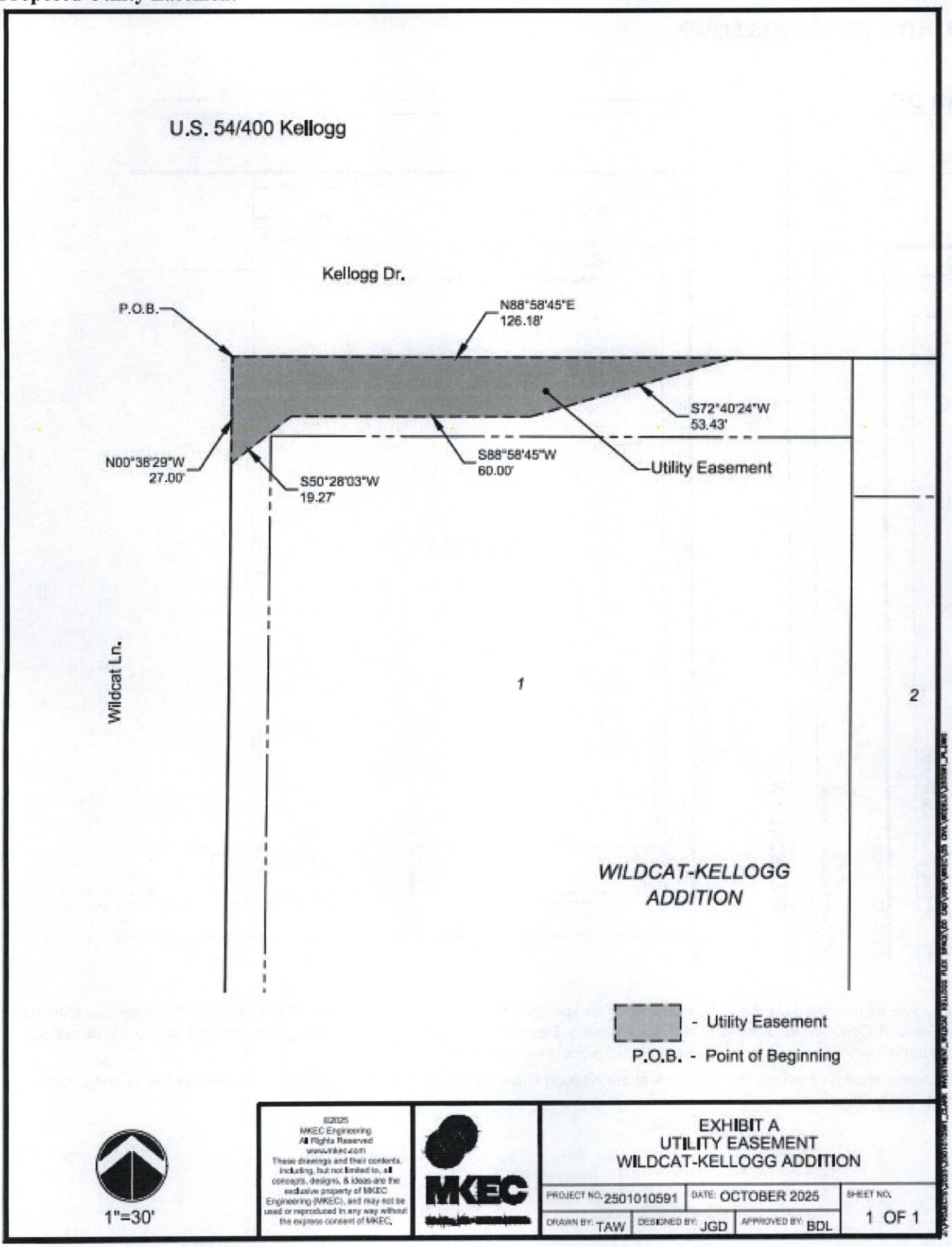
DESCRIPTION OF
Vacation Case – Right-of-Way

A tract of land adjoining Lot 1, Block A, Wildcat-Kellogg Addition, Wichita, Sedgwick County, Kansas; said tract being more particularly described as follows:

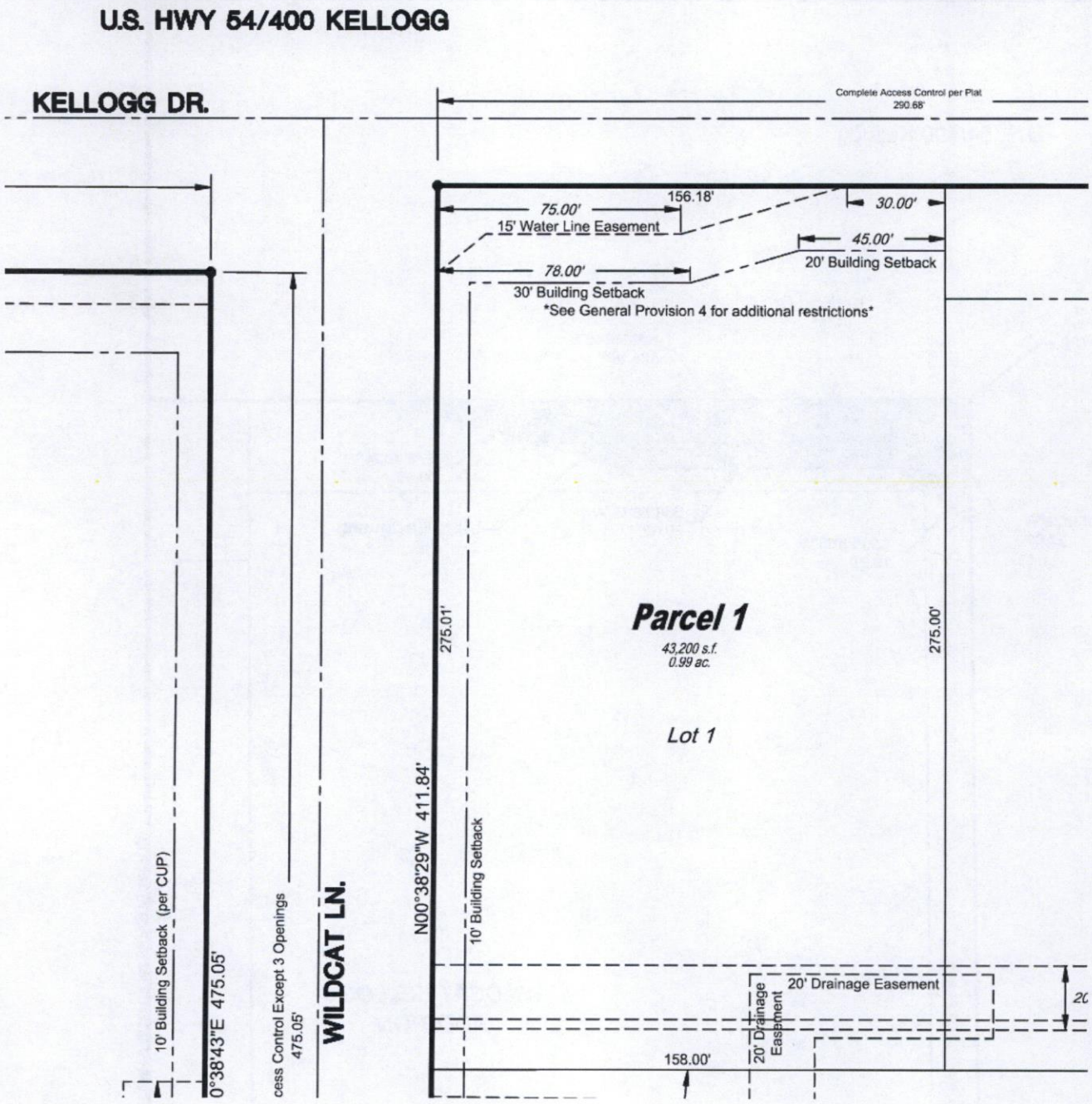
COMMENCING at the northeast corner of said corner of said Lot 1, thence along the north line of said Lot 1 on a platted basis on bearing of S88°58'45"W, 3.87 feet to the POINT OF BEGINNING, said point being a point on the north line of said Lot 1; thence along the north lines of said Lot 1 for the next two course, S73°53'43"W 103.75 feet; thence S88°58'32"W, 52.31 feet to the northwest corner of said Lot 1; thence along the extended west line of said Lot 1, N00°38'29"W, 27.00 feet to a point on the extended north line of the north most line of said Lot 1, N88°58'45"E, 152.31 feet to the POINT OF BEGINNING.

Said tract contains: 2,762 sq. ft. or 0.06 acres of land more or less.

Proposed Utility Easement



Revised Setbacks



4. Setbacks: Are as indicated on the CUP drawing, or as specified in the parcel descriptions. If not depicted the setbacks shall be per the General Commercial Zoning Districts - Property Development Standards. If contiguous parcels are to be developed under the same ownership, setbacks between those parcels will not be required.

   No adjustments shall be made to the setbacks along Kellogg Drive on Parcel 1, without the written consent of the Wichita Public Works and Utility Department.