

AGENDA
SUBDIVISION AND UTILITY ADVISORY COMMITTEE
THURSDAY, JULY 12, 2012
10:00 A.M.

The regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission will be held on Thursday, **July 12, 2012** at 10:00 a.m. in the Planning Department Conference Room, City Hall, 10th Floor, 455 N. Main Street, Wichita, Kansas.

NOTE: Vacation legal descriptions are available for public inspection in the Metropolitan Area Planning Department.

1. **VAC2012-00019: City request to vacate an easement dedicated by separate instrument;** generally located south of 29th Street North on the east side of Greenwich Road.

2. **VAC2012-00020: City request to vacate platted access control;** generally located 500 feet south of 13th Street North on the west side of Greenwich Road.

3. **VAC2012-00021: City request to vacate portions of a platted easement, reserve and floodway;** generally located north of 13th Street North, south of Waterfront Parkway, on the east side of Webb Road.

4. **VAC2012-00022: City request to vacate platted setbacks, easement, reserve and street;** generally located south of 21st Street North, north of the rails to trails bike path, west of 143rd Street East, and south of the Burning Tree and Rock Hill Streets intersection.

5. **VAC2012-00023: City request to vacate a platted drainage and utility easement;** generally located 1500 feet west of 143rd Street East, south of 21st Street North, on the southeast corner of Castle Rock Street and Castle Rock Court.

6. **SUB2012-00017: One-Step Final Plat – SEDGWICK COUNTY FIRE STATION NO. 36 ADDITION;** located 1500 feet south of 47th Street South, on the west side of Oliver.

Engineer: Baughman Company P.A.
Acreage: 2.26 acres
Lots: 1

STAFF REPORT

CASE NUMBER: VAC2012-00019 - City request to vacate a rural water easement dedicated by separate instrument

APPLICANT/AGENT: Surgicare of Wichita, c/o Mark Worsham (applicant) MKEC, c/o Brian Lindebak (agent)

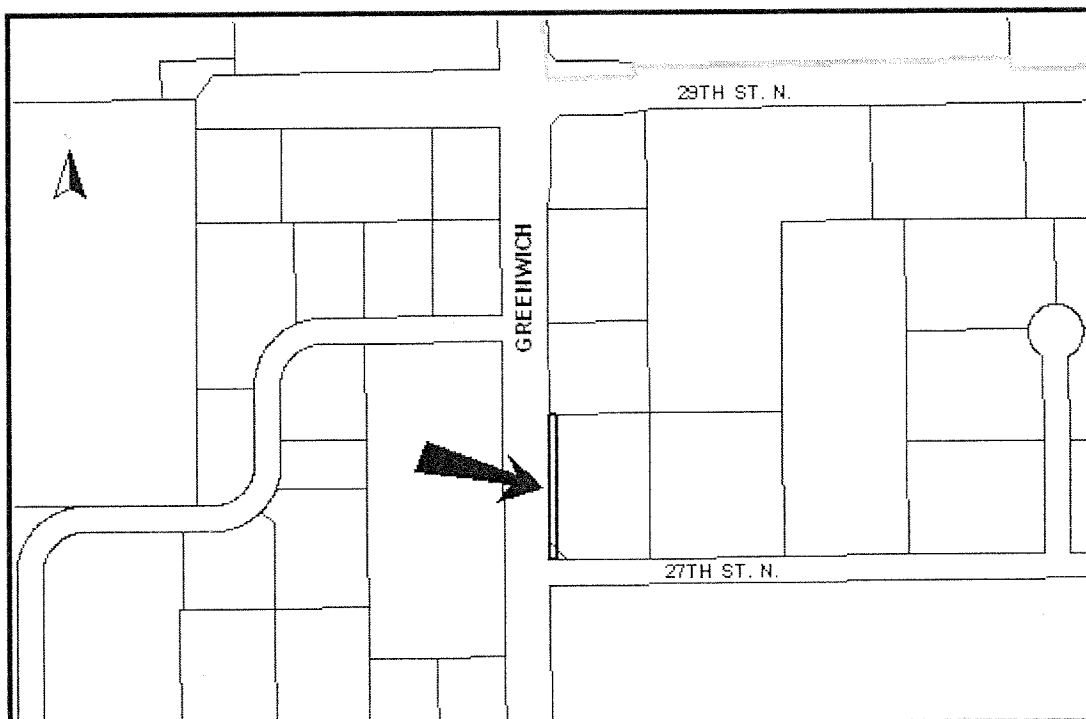
LEGAL DESCRIPTION: Generally described as vacating the west 20 feet of the Rural Water easement dedicated by separate instrument (Film 1420 – Page 1540-1541, March 8, 1993), located along the west lot line of Lot 4, Block 1, Greenwich Business Center Addition, Wichita, Sedgwick County, Kansas

LOCATION: Generally located south of 29th Street North on the east side of Greenwich Road (WCC #11)

REASON FOR REQUEST: Not needed

CURRENT ZONING: The site and the abutting and adjacent northern, eastern and western (across Greenwich Road) properties are zoned LI Limited Industrial (“LI”). Adjacent southern (across 27th Street North) properties are zoned SF-5 Single-Family Residential (“SF-5”)

VICINITY MAP:



The applicant proposes to vacate the described portion of the rural water easement dedicated by separate instrument. There are no public utilities located in easement; all public/city utilities are available to the site. Comments from franchised utilities have not been received and are needed to determine if they have utilities located within the site. The Greenwich Business Center Addition was recorded with the Register of Deeds November 9, 2007; the Rural Water #1 easement dedicated by separate instrument was recorded March 8, 1993.

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/Storm Water, 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 rural water easement dedicated by easement.

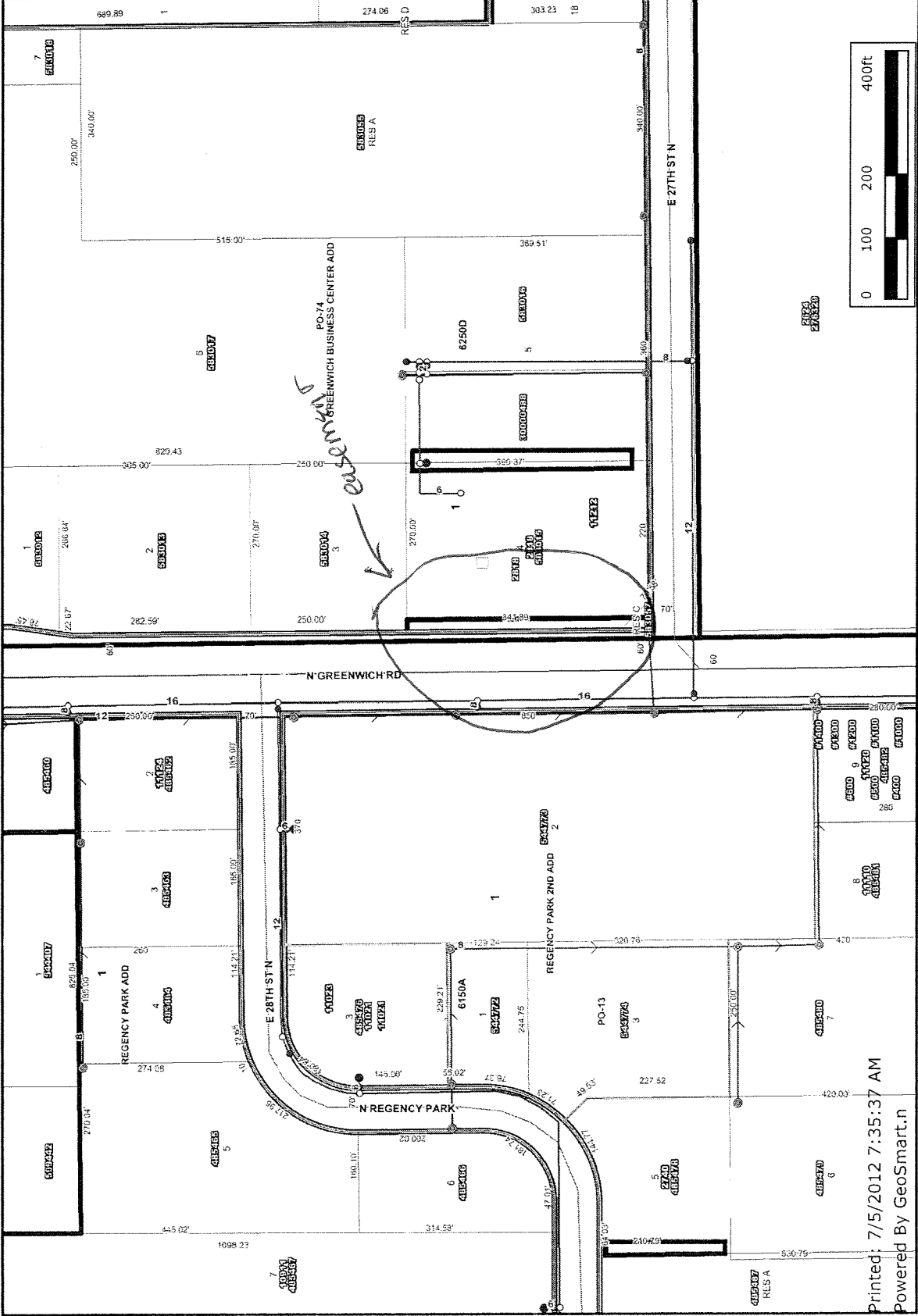
Conditions (but not limited to) associated with the request:

- (1) Abandonment or relocation/reconstruction of any/all utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicant. Provide approved project numbers 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 of the applicants and at the applicants' expense, including the relocation of any Rural Water lines. Provide any needed easements for relocated utilities, prior to this case going to City Council for final action.
- (3) All improvements shall be according to City Standards and at the applicant's expense. 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.

VAC2012-19

water & sewer

	McConnell AOI
	Sewer Manholes
	Sewer Observation Manholes
	Hydrant Schematic
	Water Valve Schematic
	Water Node Schematic
	City Limit Boundaries
	Historic Districts
	Old Town Delano Overlay District
	NO Property Parcels
	YES Property Parcels
	Lot Block Subdivisions
	Sewer Flow
	Sewer Lines Schematic
	Water Lines Schematic
	Roads
	State Highway
	US Federal Highway
	Interstate
	KTA
	Arterial
	Collector
	Minor
	Ramp
	Railroads
	Quarter Section
	HOA



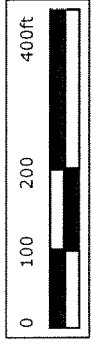
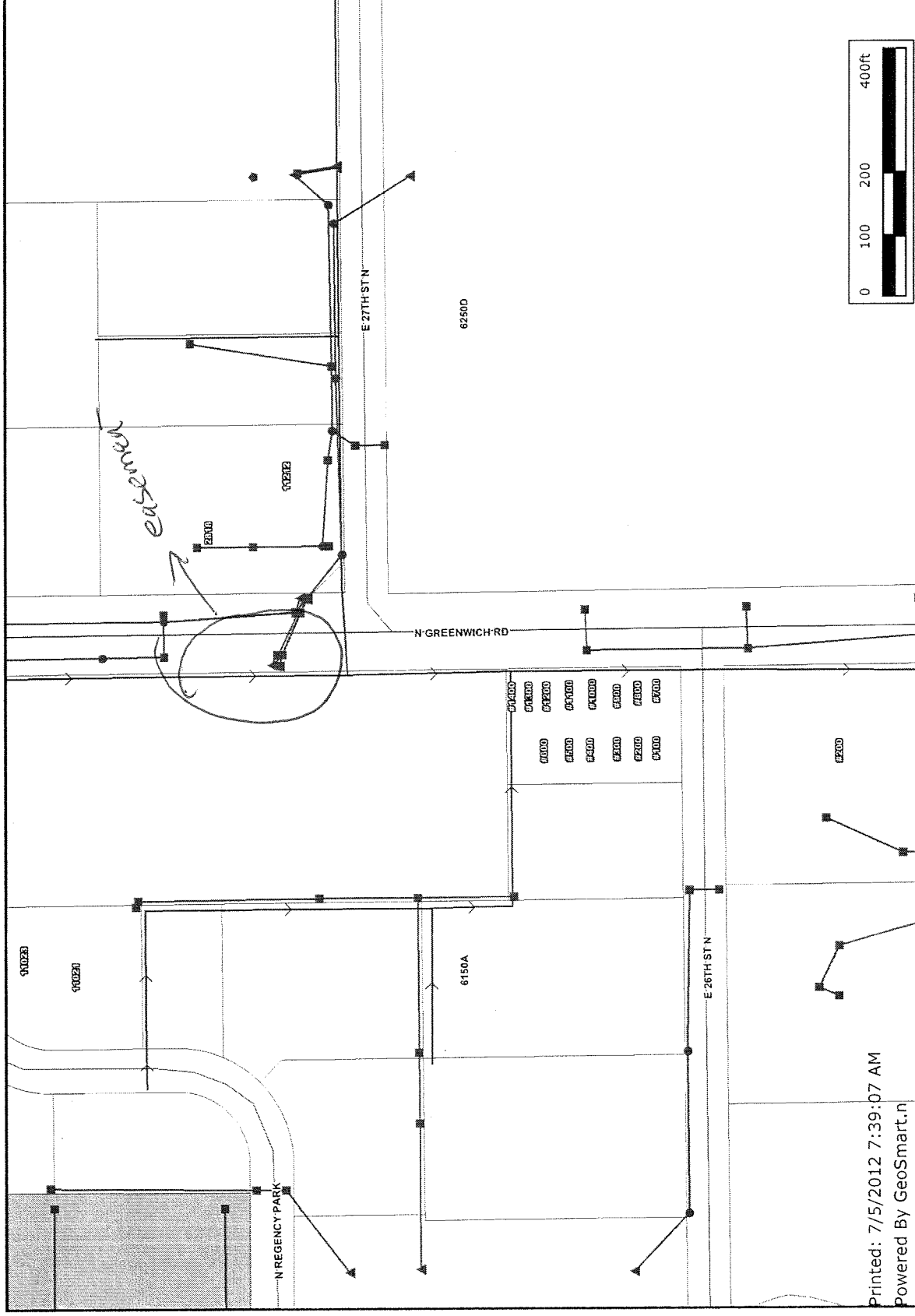
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VAC2012-19 stormwater



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	Label Structure Addresses
	Storm Conduit
	Storm Structures
	Inlet
	Manhole
	Outfall
	Toe Drain
	Relief Well
	Other
	Property Parcels
	Sewer Flow
	Sewer Lines
	Roads
	State Highway
	US Federal Highway
	Interstate
	KTA
	Arterial
	Collector
	Minor
	Ramp
	Quarter Section
	Waterways
	Streams
	Parks
	Airports
	City Limits
	Andale
	Bel Aire
	Bentley
	Cheney
	Clearwater
	Colwich
	Derby
	Eastborough
	Garden Plain



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**DESCRIPTION OF
Waterfront Vacation Cases**

20' Utility Easement – Vacation / Temporary Easement description

A tract of land lying within portions of Lot 1, Block 1, The Waterfront Third Addition, an addition to Wichita, Sedgwick County, Kansas, and Reserve "C", The Waterfront Addition, an addition to Wichita, Sedgwick County, Kansas, said tract of land being more particularly described as follows:

COMMENCING at the southeast most corner of said Lot 1, thence along the common line to said Lot 1, and said Reserve "C", on a platted bearing of N00°53'35"W, 75.44 feet; thence S89°06'30"W, 4.47 feet to a point of intersection on the south line of a platted 20 foot utility easement and being the POINT OF BEGINNING, thence N13°02'28"W, 20.46 feet to a northerly point of intersection on the north line of said easement; thence along said north line, N64°48'35"E, 111.13 feet; thence continuing along said north line, S75°25'16"E, 54.31 feet; thence S14°21'18"W, 20.00 feet to said south line; thence continuing along said south line, N75°25'16"W, 47.15 feet; thence continuing along said south line, S64°48'35"W, 108.20 feet to the POINT OF BEGINNING.

Reserve "C" – Vacation all uses including Floodway Easement

A tract of land lying within a portion of Reserve "C", The Waterfront Addition, an addition to Wichita, Sedgwick County, Kansas; said tract of land being more particularly described as follows:

COMMENCING at the southeast most corner of said Lot 1, thence along the common line to said Lot 1, and said Reserve "C", on a platted bearing of N00°53'35"W, 40.00 feet to the POINT OF BEGINNING, thence continuing along said common line, N00°53'35"W, 48.43 feet; thence continuing along said common line, N64°48'35"E, 17.04 feet; thence continuing along said common line, N89°06'30"E, 40.44 feet; thence continuing along said common line, N43°50'46"E, 151.25 feet; thence continuing along said common line, N20°06'46"E, 25.39 feet; thence S14°06'20"W, 123.39 feet; thence S52°04'46"W, 112.02 feet; thence S89°11'19"W, 50.16 feet to the POINT OF BEGINNING.

Floodway Easement – Vacation description

A tract of land lying within portions of Lot 1, Block 1, The Waterfront Third Addition, an addition to Wichita, Sedgwick County, Kansas, said tract of land being more particularly described as follows:

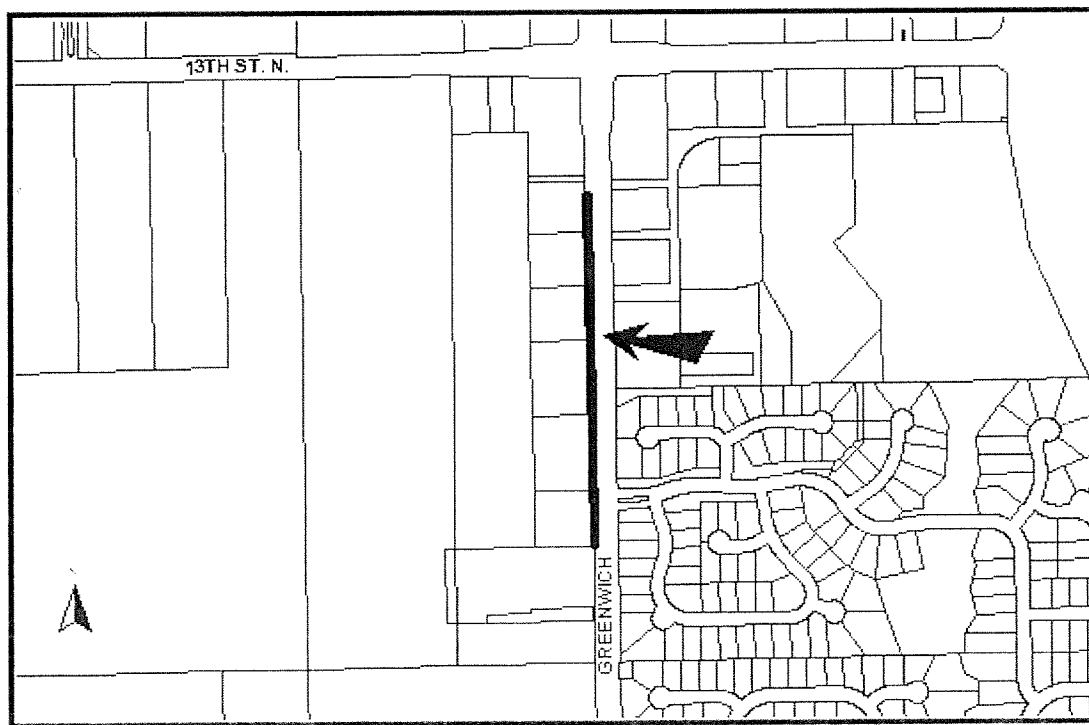
COMMENCING at the southeast most corner of said Lot 1, thence along the common line to said Lot 1, and said Reserve "C", on a platted bearing of N00°53'35"W, 40.00 feet to the POINT OF BEGINNING, thence S89°06'25"W, 8.00 feet; thence N00°53'35"W, 55.44 feet; thence N89°06'25"E, 8.00 feet; thence S00°53'35"E, 55.44 feet to the POINT OF BEGINNING,

TOGETHER WITH,

COMMENCING at the southeast most corner of said Lot 1, thence along the common line to said Lot 1, and said Reserve "C", on a platted bearing of N00°53'35"W, 88.43 feet; continuing along said common line, N64°48'35"E, 17.04 feet; thence N43°50'46"E, 151.25 feet; continuing along said common line, N20°06'46"E, 188.32 feet to the POINT OF BEGINNING, thence along a west platted floodway easement line, N03°55'18"W, 282.39 feet; thence continuing along said west line, N19°05'45"W, 56.89 feet to a point on a non-tangent curve to the right, having a radius of 250.00 feet, a central angle of 08°30'40", a chord bearing of N85°57'17"E, and a chord distance of 37.10 feet; thence along the arc of said curve and along the north line of said Lot 1, a distance of 37.14 feet; thence along the east line of said Lot 1 for the remaining courses, S00°03'11"W, 44.12 feet; thence S24°56'22"E, 40.31 feet; thence S05°54'52"W, 85.53 feet; thence S03°55'18"E, 128.86 feet; thence S20°06'46"W, 46.65 feet to the POINT OF BEGINNING.

STAFF REPORT

- CASE NUMBER: VAC2012-00020 - City request to vacate platted access control
- APPLICANT/AGENT: Gateway Plaza, LLC, Attn: George Laham; Motorcar Realty, LLC, Attn: Thomas M. Mack (Owners); MKEC Engineering Consultants, Inc., Attn: Brian Lindebak (Agent)
- LEGAL DESCRIPTION: Generally described as vacating all access controls platted along the frontage of Greenwich Road abutting Lots 4 through 9, Block 1, Kiser West Addition to Wichita, Sedgwick County, Kansas, except that part replatted as Kiser West 2nd Addition, an addition to Wichita, Sedgwick County, Kansas
- LOCATION: Generally located 500 feet south of 13th Street North on the west side of Greenwich Road (WCC #II)
- REASON FOR REQUEST: Adjust access controls to correspond with medians built in Greenwich Road
- CURRENT ZONING: The site is zoned LC Limited Commercial and is included within Parcels 4 through 9 of the Kiser West CUP (DP-254). Abutting southern property is zoned LI Limited Industrial. Abutting northern property is zoned GC General Commercial. Abutting western property is zoned LI Limited Industrial. Adjacent eastern property is zoned LC Limited Commercial and TF-3 Two-family Residential.
- VICINITY MAP:



VAC2012-00020 – City request to vacate platted access control

July 12, 2012

Page 2

The applicant proposes seven access openings for Lots 4 through 9 in the Kiser West Addition along the site's Greenwich Road frontage in conjunction with boundary shifts. The plat and associated CUP permit four openings for these undeveloped lots. Five proposed openings are limited to rights-in/out movements and two openings (for Lot 6 and Lot 9) are full movement drives. The access openings were adjusted to align with the medians constructed in Greenwich Road.

Traffic Engineering supports the proposed vacation to adjust the access controls as requested. The proposed openings are in accordance with the access management standards.

Stormwater Management and City of Wichita Public Works and Utilities Department have no objection to the proposed vacation.

Westar Energy has no objection to the proposed vacation and no objections have been received from other franchised utilities. The Kiser West Addition was recorded with the Register of Deeds on January 29, 2002.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from 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 access control.

- (1) Per the approval of the Traffic Engineer, vacate the platted access control along the property's Greenwich Road frontage to allow seven openings to Lots 4 through 9, Block 1, Kiser West Addition, which includes a full movement drive for Lot 6 and Lot 9. Provide Planning Staff with a legal description of the approved vacated portion of the complete access control on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. This must be provided to Planning prior to the case going to Council for final action.
- (2) Provide boundary shifts to the County Clerk which reflect the reconfigured lots and adjust the access controls and lot sizes in the Kiser West CUP DP-254.
- (3) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicants' expense.
- (4) All improvements shall be according to City Standards and at the applicant's expense, including: (a) the construction of the new drives from the site onto Greenwich Road and (b) the continuation of the curb and gutter. Provide Public Works with a guarantee (approved project/plans) to ensure that these and any other associated improvements will be made. If the drives are not being immediately constructed, provide a drive approach certificate, which will be recorded with the Register of Deeds. Either the guarantee(s) and/or the drive approach certificate must be provided to Public Works (guarantee) or Planning (drive approach certificate) prior to the case going to 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

VAC2012-00020 – City request to vacate platted access control

July 12, 2012

Page 3

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.

N00°32'23"W 279.1
N00°32'16"W 279.5

S88°56'31"W 337.44'(M)
S88°56'33"W 337.33'(D)

S88°56'33"W(D,P)
250.00'(D,P)
249.95(M)

S01°03'34"E(M)
S01°03'27"E(P,D)
240.31'(D,M)

Basis of Bearings: Kansas coordinate syst
GNE (COMPLETE)
full movement
bearing 90.00'

15'
20'
60'
260.31'

R

230.00'

F

NEW LINE

200.00'

R

200.00'

NEW LINE

R

304.37'

NEW LINE

R

200.00'

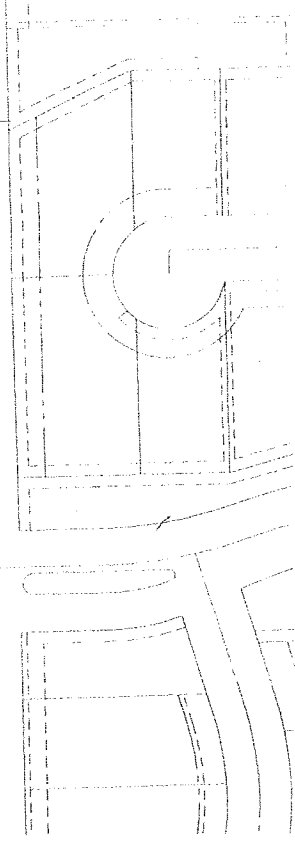
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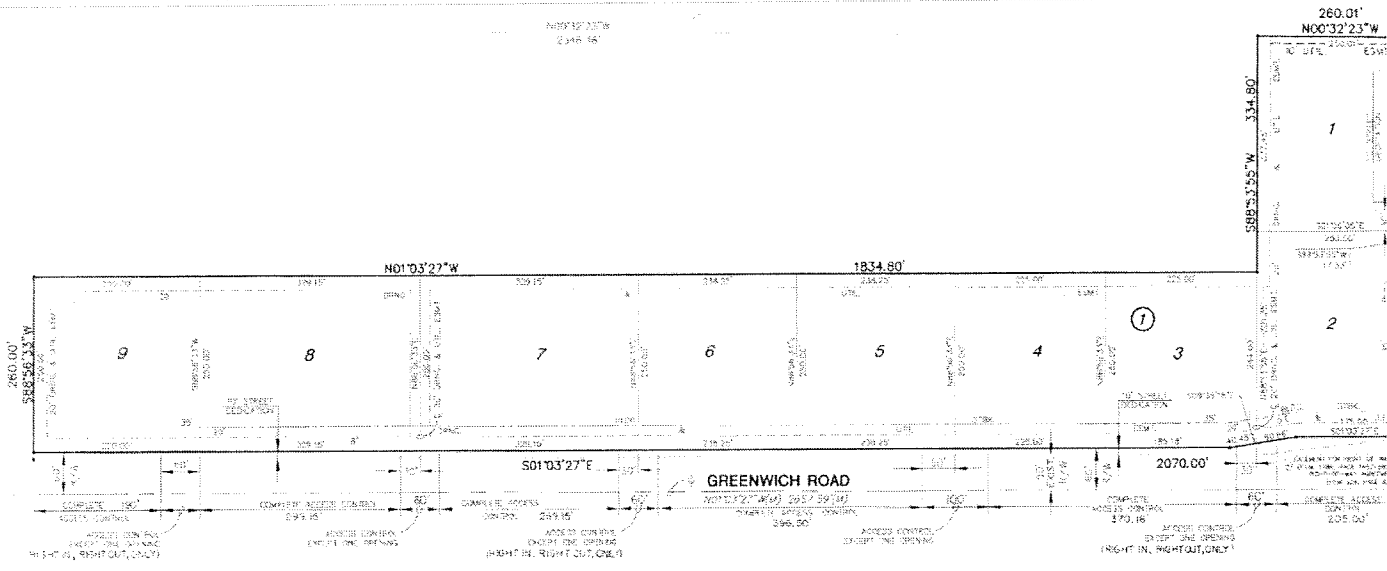
NEW LINE

190.00'

R

0'





This plan has been
in effect to
annular, see file

John, King 2 and
family, recorded as

Kaw Inc., a Kansas Corporation

John King
A. King, President

This plan approved and as designated herein, it is adopted
by the City Council of the City of Wichita, Kansas, this **15**
January, 2012

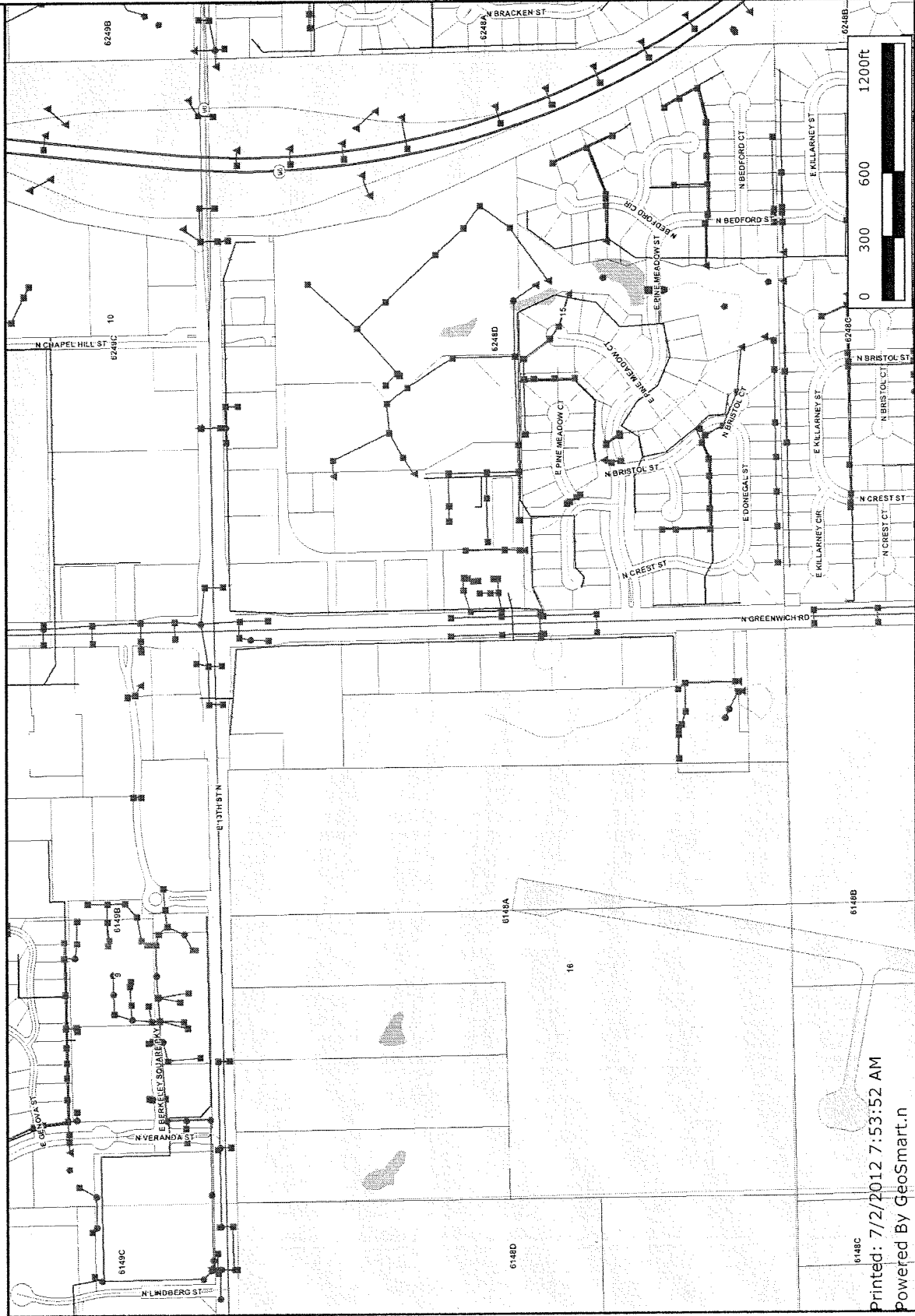
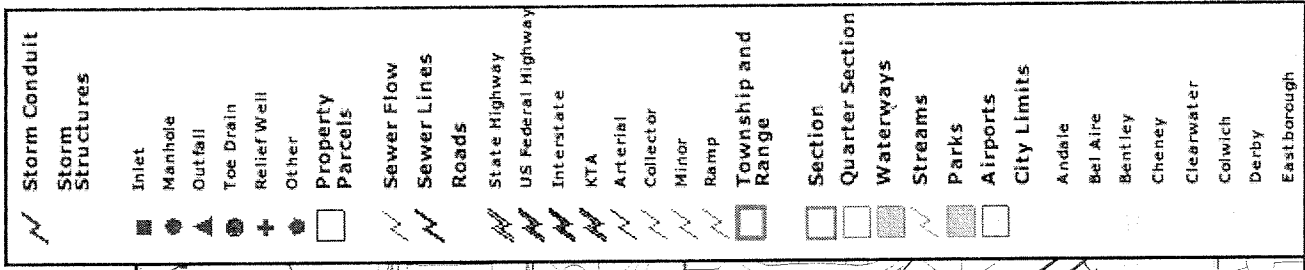
At the direction of the City Council
[Signature] City Manager

Recorded in accordance with K.S.A.
November, 2011

Travis A. Labelle



STORMWATER



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STAFF REPORT

- CASE NUMBER: VAC2012-00021 - Request to vacate portions of a platted utility easement, floodway easements and reserve
- APPLICANT/AGENT: Beech Lake Investment LLC, c/o Steve Clark (applicant) MKEC, c/o Brian Lindebak (agent)
- LEGAL DESCRIPTION: Generally described as vacating a portion of a platted 20-foot utility easement located along the south side of Lot 1, Block 1, Waterfront Third Addition, portions of platted floodway easements located along a northeast portion of Lot 1, Block 1, and Waterfront Third Addition and the southern portion of said lot and a portion of the platted Reserve C (as recorded on the Waterfront Addition), located along the south side of Lot 1, Block 1, Waterfront Third Addition, Wichita Sedgwick County, Kansas (see attached exhibit)
- LOCATION: Generally located north of 13th Street North, south of Waterfront Parkway, on the east side of Webb Road (WCC #II)
- REASON FOR REQUEST: Proposed future development.
- CURRENT ZONING: The site and all abutting northern, southern and eastern properties are zoned LI Limited Industrial ("LI"). Adjacent western properties (across Webb Road) are zoned SF-5 Single-Family Residential ("SF-5").
- VICINITY MAP:



The applicant proposes to vacate a portion of a platted utility easement. There is a sewer line in the easement. This sewer line and easement crosses (east to west) a portion of Reserve C's lake. The applicant has provided an exhibit showing the general area of the vacation and showing a proposed relocated replacement easement. The applicant will be required to turn in a private project for relocation of the sewer line and an easement dedicated by separate instrument for review and approval by Public Works.

The plat's drawing shows the floodway easement, while the plat's text references "Easements for the constructed and maintenance of public utilities and drainage as indicated on the accompanying plat, are hereby granted to the public." The applicant will be required to turn in plans for review and approval by Public Works/Stormwater.

The plat's text states that Reserve C, Waterfront Addition, has been platted for monuments, landscaping, irrigation, open space, lakes, a floodway, drainage sidewalks and berming. The applicant wished to vacate the described portions of the Reserve C and to vacate the plat's text to eliminate all those uses Reserve C has been restricted to. The applicant will be required to turn in plans to Public Works/Stormwater for review and approval as well as restrictive covenant(s) binding and tying the vacated portion of Reserve C to Lot 1, Block 1, Waterfront Third Addition. It also states that it shall be owned and maintained by the lot owner or home owners association. The owner of Reserve C, Waterfront Addition and Lot 1, Block 1, Waterfront Third Addition is the applicant.

Comments from franchised utilities have not been received and are needed to determine if they have utilities located within the site. The Waterfront Third Addition was recorded with the Register of Deeds June 24, 2004. The Waterfront Addition was recorded with the Register of Deeds January 24, 2003.

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/Storm Water, 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 portions of the platted utility easement, floodway easements and reserve.

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

- (1) Provide Public Works/Water and Sewer/Stormwater with a private project for relocation of the sewer line and an easement dedicated by separate instrument for review and approval by Public Works. Abandonment or relocation/reconstruction of any/all utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicant. Provide approved project numbers to Planning prior to the case going to City Council for final action.
- (2) Provide franchise utilities with any needed project plans for the abandonment or relocation of the utilities for review and approval. Abandonment or relocation/reconstruction of any/all utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicant. Provide approved project numbers to Planning prior to the case going to City Council for final action.

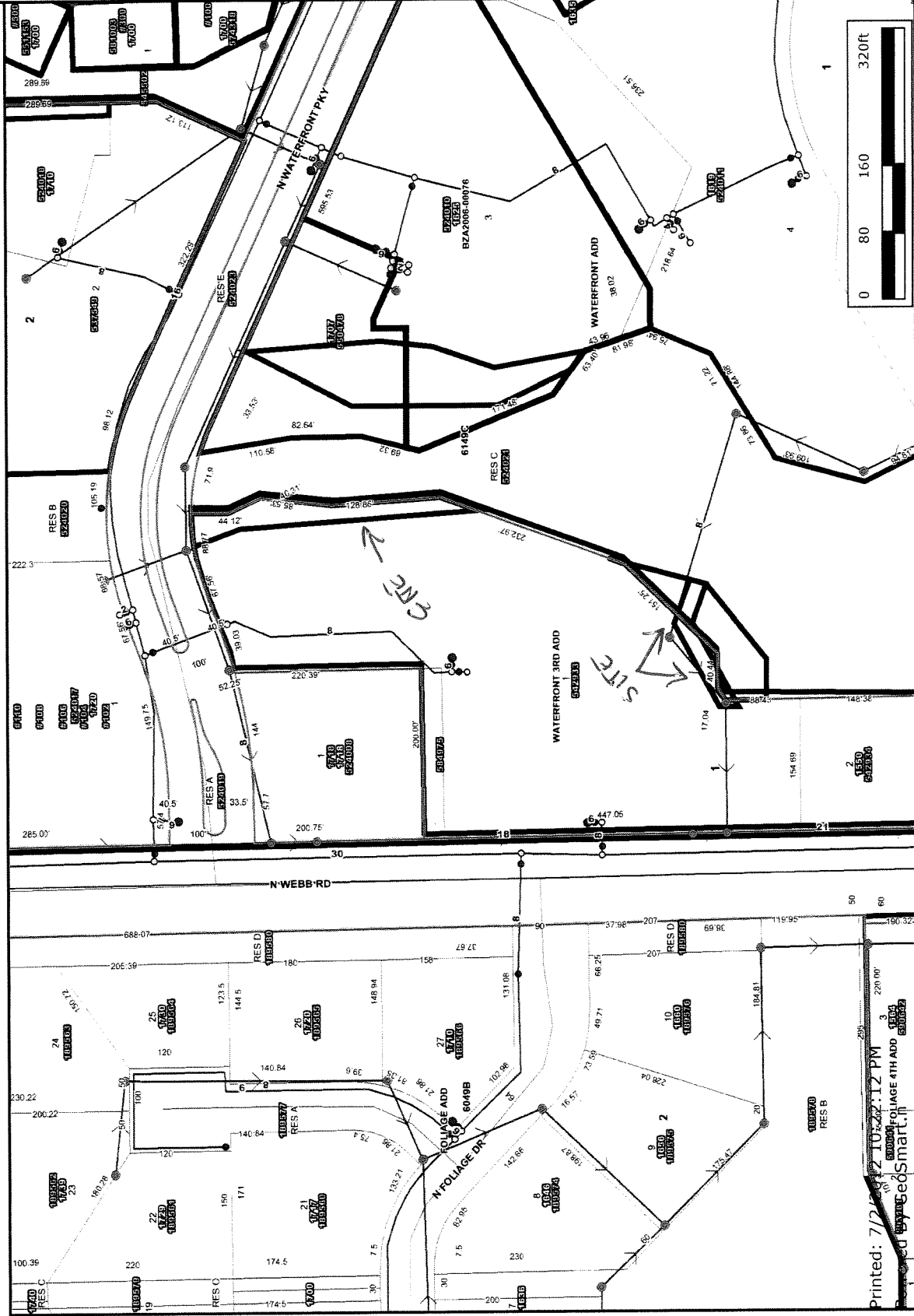
- (3) The applicant will be required to turn in plans for review and approval by Public Works/Stormwater in reference to floodway easement. Provide Public Works/Stormwater with any needed easements. The approval of the plans must be provided to Planning prior to the case going to City Council for final action. The easement(s) must be provided to Planning prior to the case going to City Council and subsequent recording with the Register of Deeds.
- (4) Provide Planning with a legal description of the vacated utility easement, floodway easement and reserve C on a Word document, via e-mail. This must be provided to Planning prior to the case going to City Council for final action.
- (5) Provide original restrictive covenant(s) binding and tying the vacated portion of Reserve C to Lot 1, Block 1, Waterfront Third Addition. This must be provided to Planning prior to the case going to City Council and subsequent recording with the Register of Deeds.
- (6) 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.

vac2012-21

water & sewer



	McConnell AOI
	Sewer Observation Manholes
	Hydrant Schematic
	Water Valve Schematic
	Water Node Schematic
	City Limit Boundaries
	Historic Districts
	Old Town Delano Overlay District
	NO
	YES
	Property Parcels
	Lot Block
	Subdivisions
	Sewer Flow
	Sewer Lines Schematic
	Water Lines Schematic
	Roads
	State Highway
	US Federal Highway
	Interstate
	KTA
	Arterial
	Collector
	Minor
	Ramp
	Railroads
	Quarter Section
	HOA



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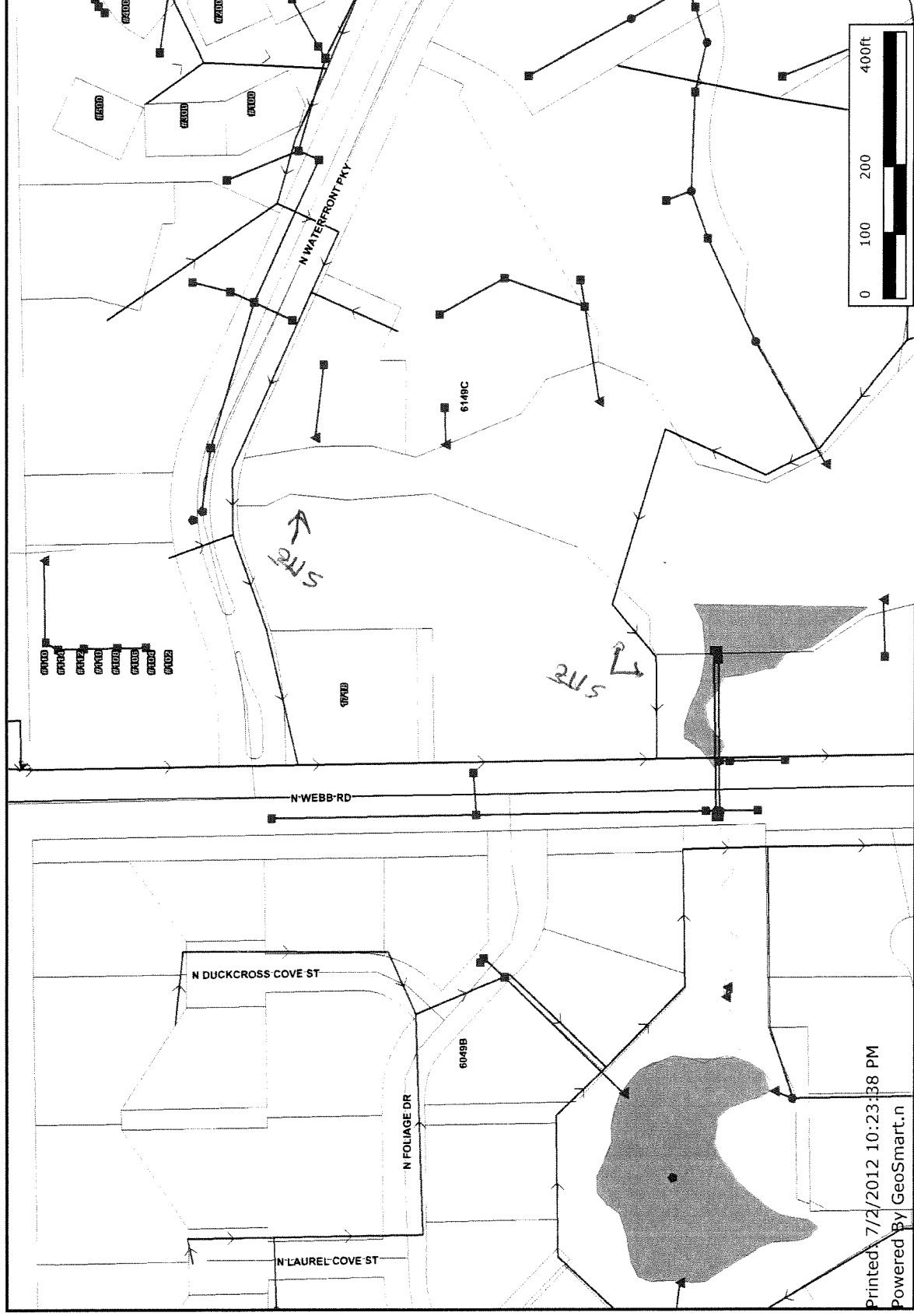
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vac2012-21 stormwater

	Label Structure Addresses
	Storm Conduit
	Storm Structures
	Inlet
	Manhole
	Outfall
	Toe Drain
	Relief Well
	Other
	Property Parcels
	Sewer Flow
	Sewer Lines
	Roads
	State Highway
	US Federal Highway
	Interstate
	KTA
	Arterial
	Collector
	Minor
	Ramp
	Quarter Section
	Waterways
	Streams
	Parks
	Airports
	City Limits
	Andale
	Bcl Air
	Bentley
	Cheney
	Clearwater
	Colwich
	Derby
	Eastborough
	Garden Plain



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WEBB ROAD

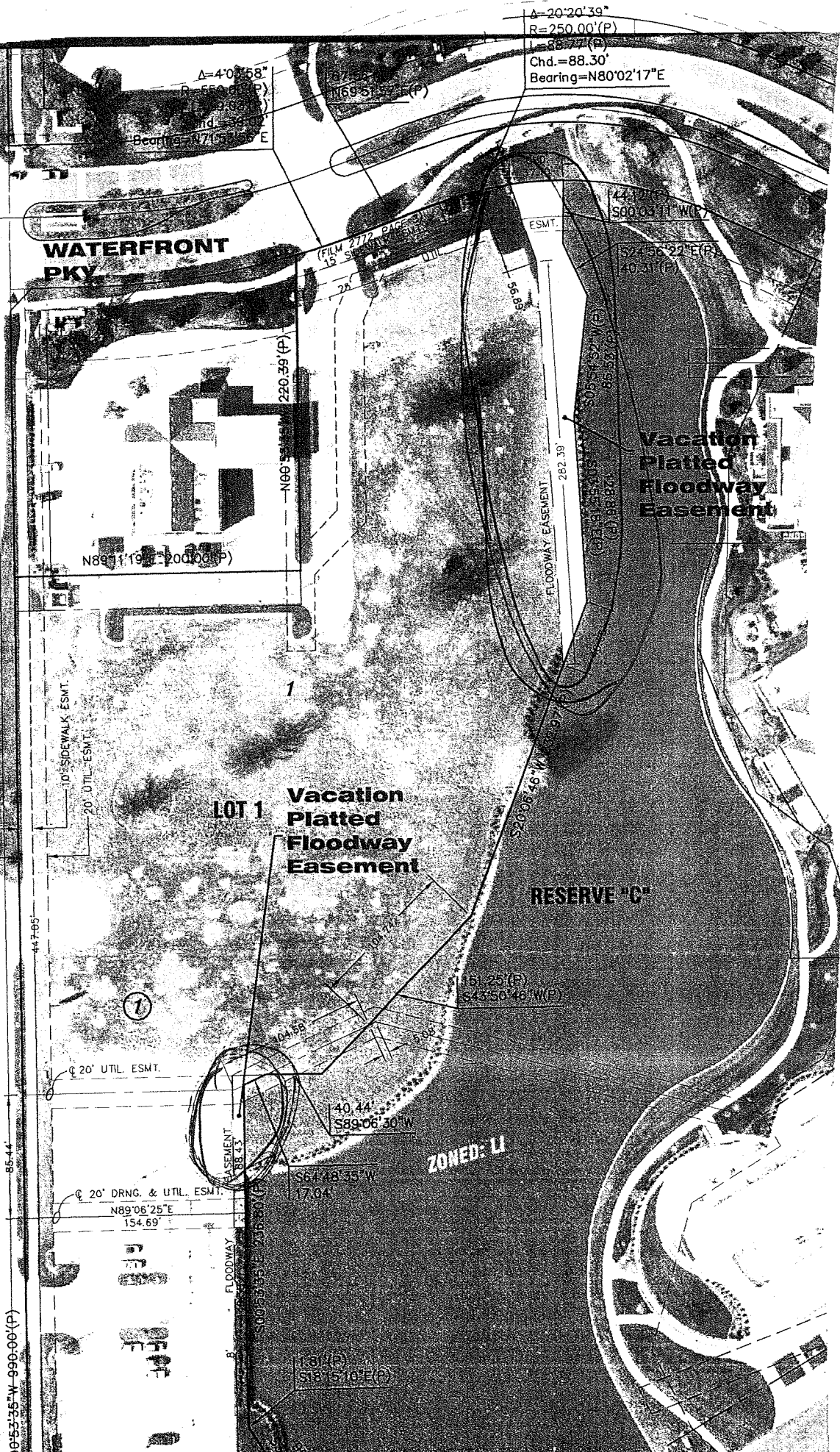
WATERFRONT PKY.

LOT 1 Vacation Platted Floodway Easement

Vacation Platted Floodway Easement

RESERVE "C"

ZONED: LI



$\Delta = 4^{\circ}08'58''$
 $R = 550.00'(P)$
 $L = 88.77'(P)$
 $\text{Chd.} = 88.30'$
 $\text{Bearing} = N71^{\circ}53'59''E$

$\Delta = 20^{\circ}20'39''$
 $R = 250.00'(P)$
 $L = 88.77'(P)$
 $\text{Chd.} = 88.30'$
 $\text{Bearing} = N80^{\circ}02'17''E$

250.39'(P)
 106.33'(P)
 $N89^{\circ}11'19''E = 200.00'(P)$

44'
 $S60^{\circ}03'11''W(PT)$

$S27^{\circ}55'52''E(PT)$
 $40.31'(P)$

58.98'
 $S05^{\circ}51'52''W(PT)$
 $85.59'(P)$

282.39'
 FLOODWAY EASEMENT

10' SIDEWALK ESMT.
 20' UTIL. ESMT.

20' UTIL. ESMT.

20' DRNG. & UTIL. ESMT.
 $N89^{\circ}06'25''E$
 154.69'

FLOODWAY EASEMENT
 88.43'

40.44'
 $S89^{\circ}06'30''W$

17.04'
 $S64^{\circ}48'35''W$

1.81'(P)
 $S18^{\circ}15'16''E(PT)$

151.25'(P)
 $S43^{\circ}50'48''W(PT)$

$S20^{\circ}05'46''W(PT)$
 $20.79'(P)$

$S0^{\circ}52'35''W = 990.00'(P)$

44.7-95'

85.44'

(FILM 2772) PAPER
 15' SIDEWALK ESMT.

ESMT.

(PT) 98.80'

WEBB ROAD

WATERFRONT PKY

LOT 1

RESERVE "C"

Vacation Part of Reserve "C"

ZONED: LI

0°53'35"W-990.00'(P)

86.44'

20' UTIL. ESMT.

20' DRNG. & UTIL. ESMT.
N89°06'25"E
154.69'

FLOODWAY EASEMENT

500.53'±(P)

18'(E)
S181°40'E(P)

S64°48'05"W
17.04'

40.44'
S89°06'30"W

104.56'

151.25'(P)
S43°50'46"W(P)

S20°35'46"W
297.67'(P)

FLOODWAY EASEMENT

282.39'

305°55'52"W(P)
85.59'(C)

524°56'22"E(P)
40.31'(P)

44'
S00°03'11"W(P)

A=20°20'39"
R=250.00'(P)
L=88.77'(P)
Chd.=88.30'
Bearing=N80°02'17"E

A=4°02'58"
R=550.00'(P)
L=97.03'(P)
Chd.=97.03'
Bearing=N71°55'55"E

67.36'
N69°51'57"E(P)

(FILM 277) PAGE OF 15
15' SIDEWALK ESMT.

N60°55'55"W
220.39'(P)

N80°14'19"W
200.00'(P)

10' SIDEWALK ESMT.

20' UTIL. ESMT.

44.705'

1

1

1

1

1

1

1

WEBB ROAD

WATERFRONT PKY

LOT 1

Vacation
20' Utility
Easement

RESERVE "C"

Relocated
Sanitary Sewer
Route / Easement

ZONED: L1

$A=20'20'39"$
 $R=250.00'(P)$
 $L=88.77'(P)$
 $Chd.=88.30'$
 $Bearing=N80'02'17"E$

$A=4'0'58"$
 $R=550.00'(P)$
 $L=9.00'(P)$
 $Chd.=54.30'$
 $Bearing=N71'55'58"E$

$A=69'51'57"$
 $R=15.50'(P)$

$A=4'4'22"$
 $R=990.00'(P)$

$S24'56'22"E(R)$
 $40.31'(P)$

$N89'11'19"E$
 $200.00'(P)$

$N60'53'55"E$
 $220.39'(P)$

FLOODWAY EASEMENT
 $282.59'$

$S30'06'46"W$
 $27.87'(P)$

$S05'53'39"W$
 $85.59'(P)$

$S21'15'05"$
 $(23)198.87'$

$A=15'25'(P)$
 $S43'50'46"W(R)$

$A=104.59'$

$A=40'44'$
 $S89'06'30"W$

$A=64'48'35"$
 $117.04'$

$A=1'8'(P)$
 $S18'15'40"E(P)$

10' SIDEWALK ESMT.

20' UTIL. ESMT.

20' UTIL. ESMT.

20' DRNG. & UTIL. ESMT.
 $N89'06'25"E$
 $154.69'$

FLOODWAY EASEMENT
 $88.43'$

$N60'53'35"W$
 $990.00'(P)$

$44.70'$

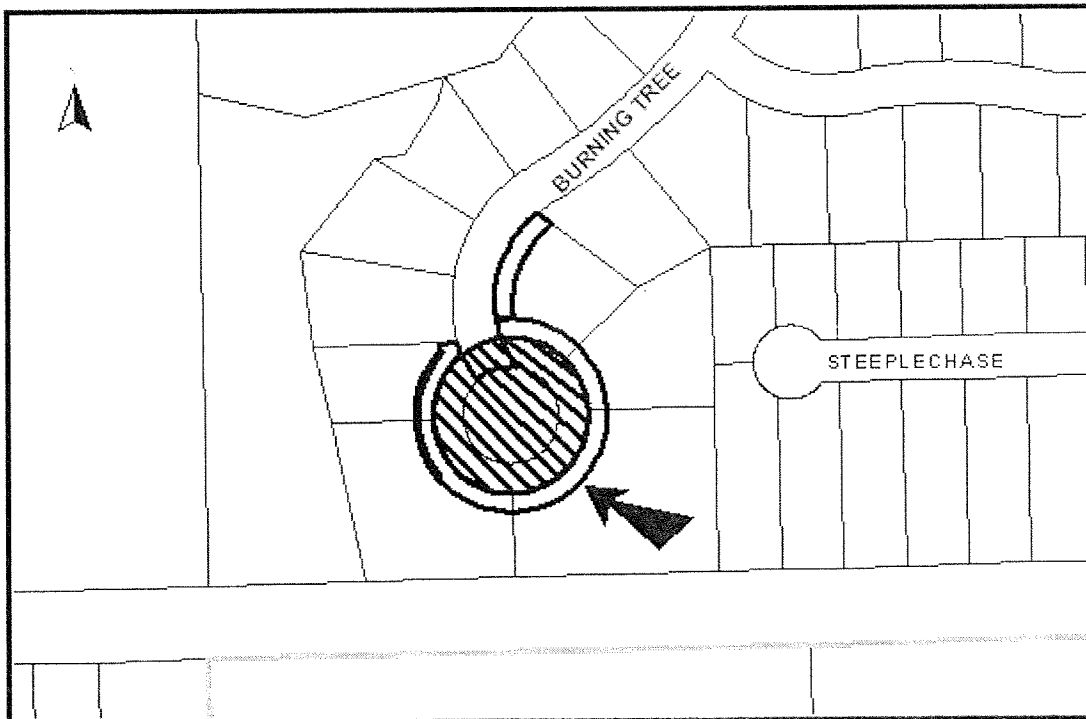
$85.44'$

$15.50'$

$15.50'$

STAFF REPORT

- CASE NUMBER: VAC2012-00022 - City request to vacate platted setbacks, street, reserve and easements
- APPLICANT/AGENT: Krug South Residential, LLC & Garden Walk Owners Association, c/o Kevin Mullen (applicant) MKEC, c/o Brian Lindebak (agent)
- LEGAL DESCRIPTION: Generally described as vacating all of the platted 25-foot front yard building setback on Lots 49, 50, 51, 52 and 53, & the platted 40-foot Burning Tree street right-of-way adjoining the platted Reserve J & all of the platted Reserve J, & the platted 20-foot utility easement running parallel to the east lot lines of Lots 52 and 53, all Block 2, Krug South Addition, Wichita, Sedgwick County, Kansas
- LOCATION: Generally located south of 21st Street North, north of the rails to trails bike path, west of 143rd Street East and south of the Burning Tree and Rock Hill Streets intersection (WCC #11)
- REASON FOR REQUEST: Future development
- CURRENT ZONING: The site and all abutting and adjacent properties are zoned SF-5 Single-Family Residential ("SF-5").
- VICINITY MAP:



The applicant proposes to vacate the described portions of the platted setbacks, street, reserve and easements. A sewer line and manholes are located in a portion the platted easement and the platted cul-de-sac street right-of-way. There are no stormwater or water lines in the site. Comments from franchised utilities have not been received and are needed to determine if they have utilities located within the site. The Krug South Addition was recorded with the Register of Deeds March 1, 2007.

The SF-5 Single-Family Residential ("SF-5") zone subject lots' platted 25-foot front setbacks is the same as the Unified Zoning Code's ("UZC") minimum front setback for the SF-5 zoning district. The applicant can either dedicate by separate instrument front setbacks for the subject lots, reflecting the SF-5 zoning district's minimum front setback or what it would be if adjusted (20-foot) or allow the ("UZC") minimum front setback for the SF-5 zoning district to cover the subject lots.

The applicant proposes to vacate the unimproved, cul-de-sac portion of the platted 40-foot Burning Tree public street right-of-way and Reserve J. The applicant has dedicated by separate instrument a replacement cul-de-sac; DOC#/FLM: 29283996. The new cul-de-sac has eliminated Reserve J and allowed the abutting Lots 49-53 to extend into what was the platted cul-de-sac, thus creating larger lots.

The plattor's text states that Reserve J has been platted for utilities confined to easements, berms, monuments, landscaping, irrigation and open space. The applicant wished to vacate Reserve J and to vacate the plattor's text to eliminate all those uses Reserve J has been restricted to. Reserve J is proposed to become public street right-of-way (DOC#/FLM: 29283996). The plattor's text also states that Reserve J shall be owned and maintained by a home owners association. The owner of Reserve J is the applicant and the head of the home owners association.

The applicant will need to dedicate new easements for Lots 52 and 53.

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/Storm Water, 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 portions of the platted setbacks, street, reserve and easements.

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

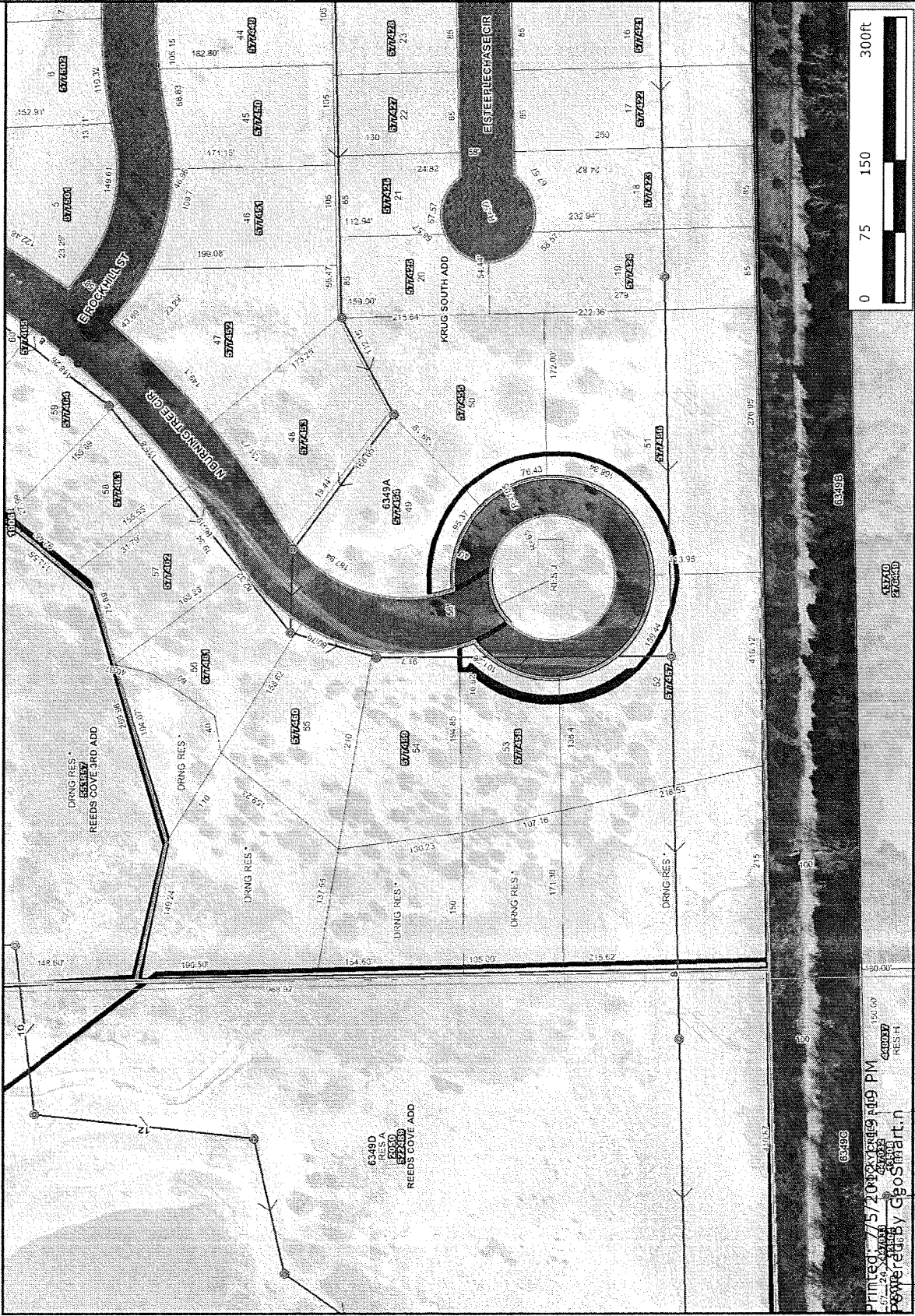
- (1) Any relocation or reconstruction of all utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicants' expense, including the relocation of the sewer line and manholes and shall be to City Standards. If needed provide a private project for relocation of the sewer line and manhole. The approved private project number must be provided to Planning prior to the case going to City Council and subsequent recording with the Register of Deeds.
- (2) Provide all needed easements for relocated utilities. These must be provided to Planning prior to the case going to City Council and subsequent recording with the Register of Deeds.

- (3) Provide original restrictive covenant(s) binding and tying the vacated portion of the vacated cul-de-sac public street right-of-way to Lots 49-53., Block 1, Waterfront Third Addition. These must be provided to Planning prior to the case going to City Council and subsequent recording with the Register of Deeds.
- (4) Provide Planning with a legal description of the vacated utility easements, street right-of-way and reserve on a Word document, via e-mail. This must be provided to Planning prior to the case going to City Council for final action.
- (5) Provide a copy of any recorded boundary shifts for the case file.
- (6) All improvements shall be according to City Standards and at the applicant's expense. 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.



vac2012-22

sewer



	McConnell AOI		Sewer Manholes		Sewer Observation Manholes		Hydrant Schematic		Water Valve Schematic		Water Node Schematic		City Limit Boundaries		Historic Districts		Old Town Delano Overlay District		NO		YES		Property Parcels		Lot Block		Subdivisions		Sewer Flow		Sewer Lines Schematic		Water Lines Schematic		Roads		State Highway		US Federal Highway		Interstate		KTA		Arterial		Collector		Minor		Ramp		Railroads		Quarter Section		HOA
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Sedgwick County
Register of Deeds - Bill Meek
DOC.#/FLM-PG: 29283996

Receipt #: 1813407
Pages Recorded: 1
Cashier Initials: RF

Recording Fee: \$8.00
Authorized By

Date Recorded: 4/13/2012 3:15:55 PM



DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, GARDEN WALK OWNERS' ASSOCIATION, a Kansas not for profit corporation, being the owner of the following described real estate in Wichita, Sedgwick County, Kansas, to-wit:

Reserve J, Krug South Addition, an addition to Wichita, Sedgwick County, Kansas.

Said tract CONTAINS: 13,273 square feet or 0.30 acre of land, more or less.

Do hereby dedicate the above-described real estate to the public for Street purposes.

Executed this 3rd day of April, 2012.

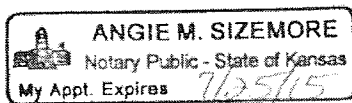
GARDEN WALK OWNERS' ASSOCIATION, a Kansas not for profit corporation

_____, President
Kevin Mullen, President
Ritchie Development Corporation, manager

STATE OF KANSAS, SEDGWICK COUNTY} ss:

This instrument was acknowledged before me on this 3rd day of April, 2012, Kevin Mullen, Vice President, Ritchie Development Corporation, manager, Garden Walk Owners' Association, a Kansas not for profit corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.



_____, Notary Public
Notary Public: Angie M. Sizemore
My Term Expires: 7/25/15

Upon recording mail to:
AKEC Engineering Consultants Inc.
411 N. Webb Rd. Wichita, KS 67206
K:\WP\PROJECT\2005\05291 - Krug South\Abstrac\Separate Instruments\DEDICATION of Res J.doc

DESCRIPTION OF
Vacation of Utility Easement Lots 52 and 53

VAC 2012-23

~~Part A~~

← Separate application

All of a platted for 20 foot Drainage and Utility Easement centered on the common line of Lots 1 and 2, Block 1, Krug South Second Addition, an addition to Wichita, Sedgwick County, Kansas, EXCEPT the south most 10 feet thereof.

Part B

All of platted 25 foot building setbacks platted on Lots 49, 50, 51, 52, and 53, Block 2, Krug South Addition, an addition to Wichita, Sedgwick County, Kansas.

Part C

The platted 40 foot Burning Tree street right-of-way adjoining Reserve "J", Krug South Addition, an addition to Wichita, Sedgwick County, Kansas, TOGETHER WITH all of platted Reserve "J".

Part D

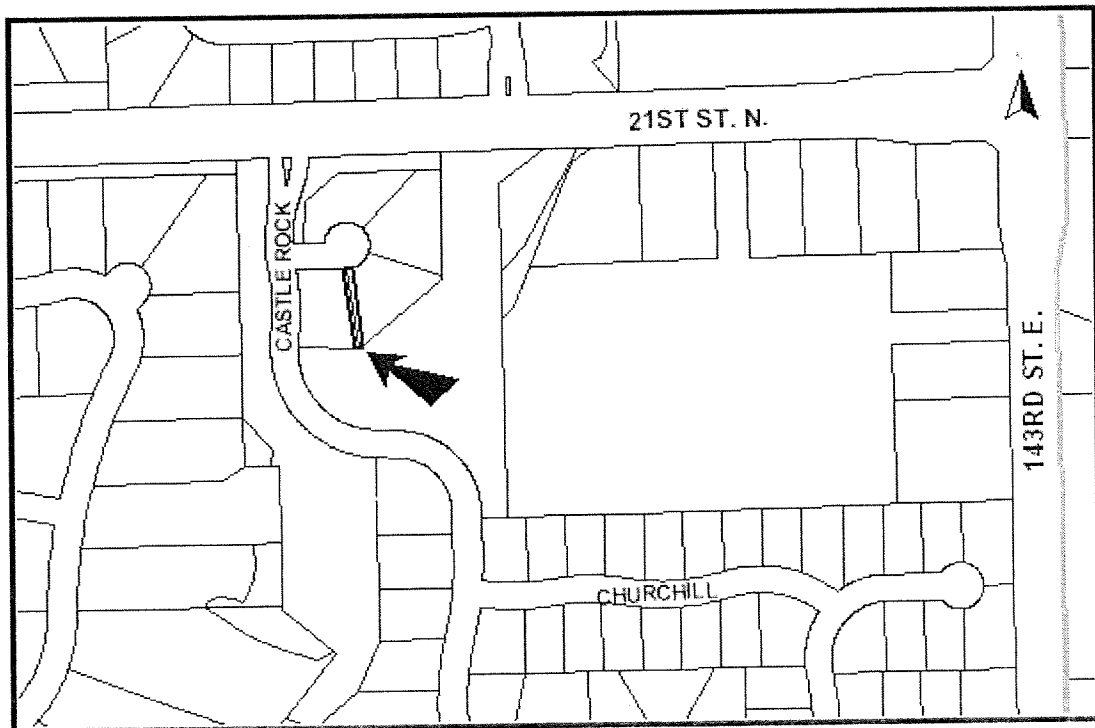
A platted Utility Easement lying within the easterly portions of Lots 52 and 53, Block 2, Krug South Addition, an addition to Wichita, Sedgwick County, Kansas, said tract being more particularly described as follow:

COMMENCING at the southeast corner of said Lot 52, thence N01°21'39"W, 110.00 feet to the POINT OF BEGINNING, thence S88°38'21"W, 98.00 feet; thence N01°21'39"W, 31.36 feet to a point on a non-tangent curve to the right, having a radius of 125.00 feet, a central angle of 81°30'35", a chord bearing of N01°01'21"E, and a chord distance of 163.21 feet; thence along the arc of said curve a distance of 177.83 feet to a point on a non-tangent curve to the right, having a radius of 234.00 feet, a central angle of 03°31'59", a chord bearing of N15°43'14"W, and a chord distance of 14.43 feet; thence along the arc of said curve a distance of 14.43 feet; thence N89°02'12"E, 25.74 feet to a point on a non-tangent curve to the left, having a radius of 209.00 feet, a central angle of 04°38'19", a chord bearing of S17°51'35"E, and a chord distance of 16.92 feet; thence along the arc of said curve a distance of 16.92 feet to a point on a non-tangent curve to the left, having a radius of 105.00 feet, a central angle of 142°16'23", a chord bearing of S20°13'27"E, and a chord distance of 198.72 feet; thence along the arc of said curve a distance of 260.73 feet; thence S01°21'39"E, 3.95 feet to the POINT OF BEGINNING.

VAC 2012-22

STAFF REPORT

- CASE NUMBER:** VAC2012-00023 – City request to vacate a platted drainage and utility easement
- APPLICANT/AGENT:** Krug South Residential LLC, Attn: Kevin Mullen; Garden Walk Owners' Association, Attn: Kevin Mullen (Owner); MKEC Engineering Consultants, Inc. (Agent)
- LEGAL DESCRIPTION:** Generally described as vacating all of a platted 20-foot drainage and utility easement centered on the common lot line of Lots 1 and 2, Block 1, Krug South Second Addition, as addition to Wichita, Sedgwick County, Kansas except the southernmost ten feet thereof.
- LOCATION:** Generally located 1500 feet west of 143rd Street East, south of 21st Street North, on the southeast corner of Castle Rock Street and Castle Rock Court (WCC #II)
- REASON FOR REQUEST:** No utilities exist in the easement
- CURRENT ZONING:** The site is zoned SF-5 Single-family Residential. Abutting southern and eastern properties are zoned Single-family Residential. Adjoining northern and western properties are zoned Single-family Residential.
- VICINITY MAP:**



VAC2012-00023 – City request to vacate a platted drainage and utility easement

July 12, 2012

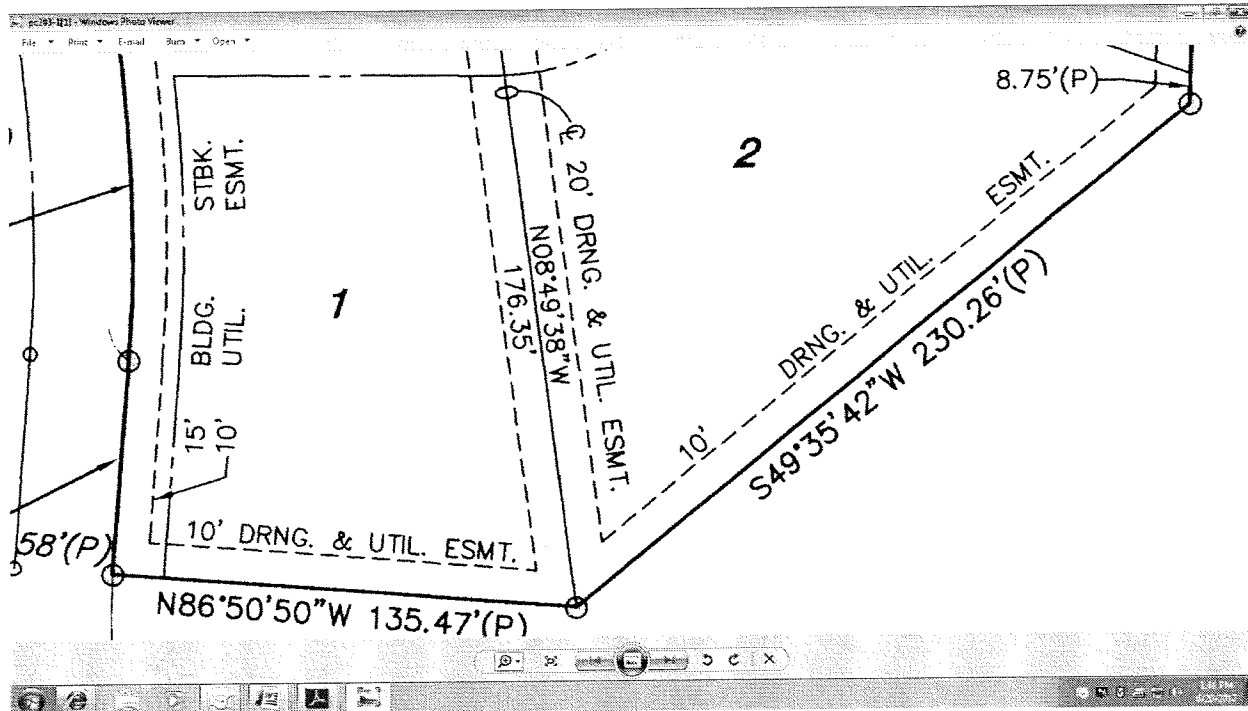
Page 2

The applicant proposes to vacate the platted 20-foot drainage and utility easement centered between Lots 1 and 2, Block 1, Krug South 2nd Addition.

City Stormwater Management and City of Wichita Public Works and Utilities Department have no objection to the proposed vacation. Westar Energy has no equipment located within the subject easement and has no objection to the vacation request. No objections have been received from other franchised utilities. The Krug South 2nd Addition was recorded with the Register of Deeds on February 13, 2008.

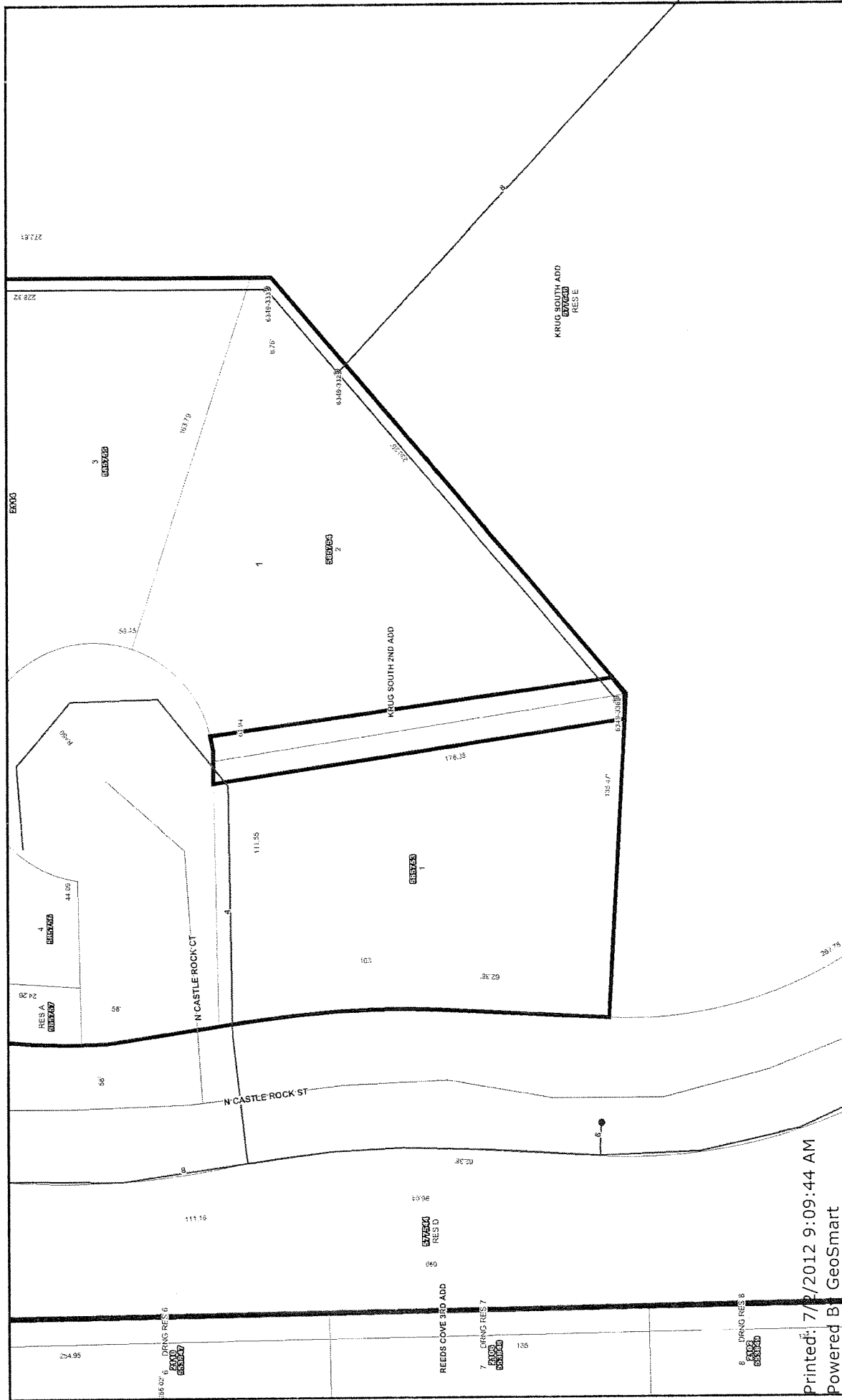
Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described platted drainage and utility easement.

- (1) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicants' expense.
- (2) All improvements shall be according to City Standards and at the applicant's expense.
- (3) 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.





WATER AND SEWER



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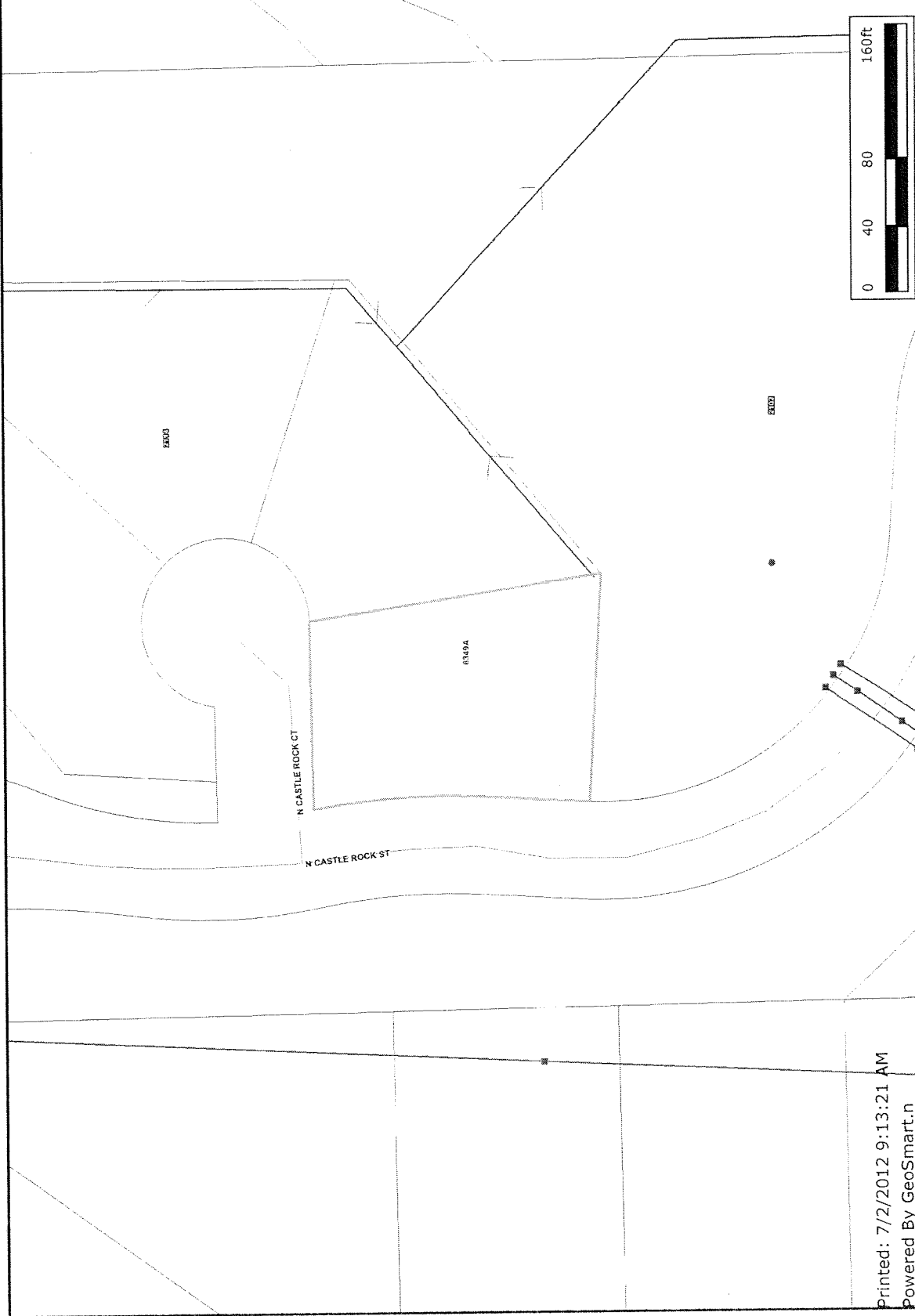


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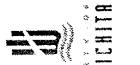
STORMWATER



	Selected Features
	Label Structure Addresses
	Storm Conduit
	Storm Structures
	Inlet
	Manhole
	Outfall
	Toe Drain
	Relief Well
	Other
	Property Parcels
	Sewer Flow
	Sewer Lines
	Roads
	State Highway
	US Federal Highway
	Interstate
	KTA
	Arterial
	Collector
	Minor
	Ramp
	Quarter Section
	Waterways
	Streams
	Parks
	Airports
	City Limits
	Andale
	Bel Aire
	Bentley
	Cheney
	Clearwater
	Colwich
	Derby
	Eastborough



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STAFF REPORT
(One-Step Final Plat)

CASE NUMBER: SUB2012-00017 – SEDGWICK COUNTY FIRE STATION NO. 36
ADDITION

OWNER/APPLICANT: C & S Group, Inc., Attn: Ron Cornejo, 2060 East Tulsa, Wichita,
KS 67216; (Contract purchaser) Sedgwick County, Attn: Rob
Lawrence, 538 North Main, Wichita, KS 67203

SURVEYOR/AGENT: Baughman Company, P.A., Attn: Kris Rose, 315 Ellis, Wichita, KS
67211

LOCATION: West side of Oliver, 1500 feet south of 47th Street South (County
District V)

SITE SIZE: 2.26 acres

NUMBER OF LOTS

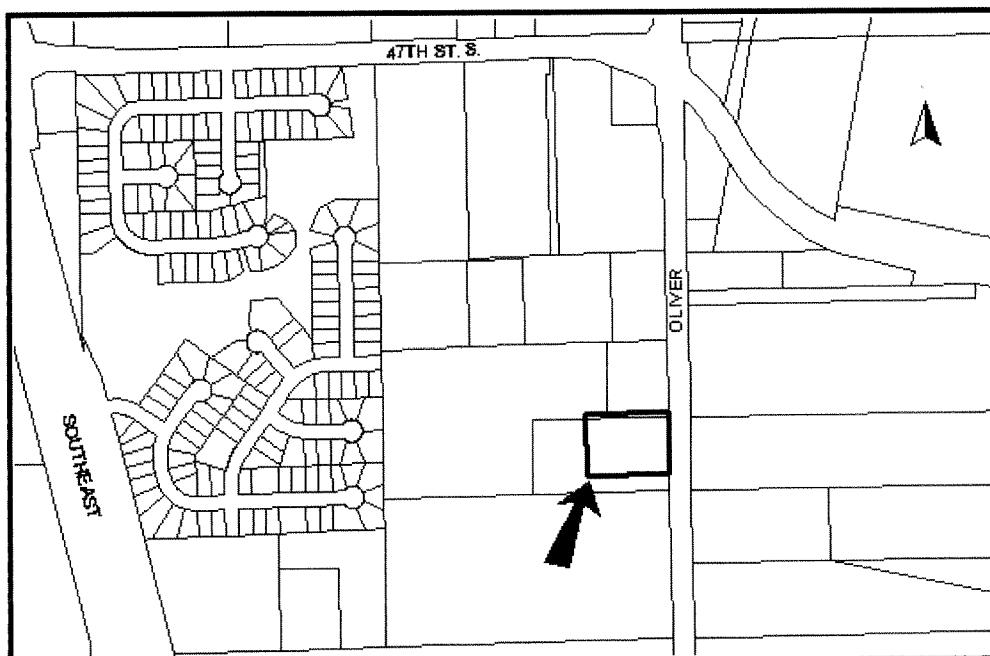
Residential:
Office:
Commercial:
Industrial: 1
Total: 1

MINIMUM LOT AREA: 2.26 acres

CURRENT ZONING: LI Limited Industrial

PROPOSED ZONING: Same

VICINITY MAP



**SUB2012-00017 -- One-Step Final Plat of SEDGWICK COUNTY FIRE STATION NO. 36
ADDITION
July 12, 2012 - Page 2**

NOTE: This is unplatted property located in the County within three miles of the City of Wichita. It is in an area designated as "Wichita 2030 Urban Growth Area" by the Wichita-Sedgwick County Comprehensive Plan. It is located in the Derby Area of Influence.

The Subdivision Committee may recommend a modification of the design criteria in Article 7 of the Subdivision Regulations only if it finds that the strict application of the design criteria will create an unwarranted hardship, the proposed modification is in harmony with the intended purpose of the Subdivision Regulations and the public safety and welfare will be protected.

STAFF COMMENTS:

- A. City of Wichita Public Works and Utilities Department advises of the need to extend water (transmission and distribution) to serve the lot being platted. An Outside-the-City Water Agreement is needed. The property is in the Oaklawn Improvement District's area for sewer service. An offsite sewer easement is needed.
- B. If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) shall be submitted to the Planning Department for recording.
- C. County Public Works advises the need for a drainage agreement with the property to the south. A stormwater permit and a Notice of Intent are needed from the state. City Stormwater Management requests a copy of the drainage plan.
- D. The plat denotes two openings along Oliver. County Engineering has approved the access controls subject to the openings being defined. Access controls referenced in the plat's text shall replace "City of Wichita" with "appropriate governing body".
- E. Sedgwick County Fire Department advises that the plat will need to comply with the Sedgwick County Service Drive Code.
- F. The applicant shall guarantee the closure of any driveway openings located in areas of complete access control or that exceed the number of allowed openings. A Driveway Closure Certificate in lieu of a guarantee may be provided.
- G. The applicant shall submit an avigational easement covering all of the subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- H. The signature block for the Board of Commissioners Chairman should be revised to read underneath the signature line, "Tim R. Norton, Second District."
- I. A site benchmark is needed.
- J. In the surveyor's certificate, the reference to "K.S.A. 12-512(b)" should read "K.S.A. 12-512b."
- K. The spelling of "Corps of Engineers" needs corrected.
- L. The signature block for the owner and notary public needs to be corrected to reference the Chairman of the Board of Commissioners, "Tim R. Norton, Second District."

**SUB2012-00017 -- One-Step Final Plat of SEDGWICK COUNTY FIRE STATION NO. 36
ADDITION
July 12, 2012 - Page 3**

- M. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.
- N. The platlor's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer and unobstructed to allow for the conveyance of stormwater.
- O. The applicant shall install or guarantee the installation of all utilities and facilities that are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- P. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- Q. Prior to development of the plat, the applicant is advised to meet with the United States Postal Service Growth Management Coordinator (Phone: 316-946-4556) in order to receive mail delivery without delay, avoid unnecessary expense and determine the type of delivery and the tentative mailbox locations.
- R. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Route 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- S. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State National Pollutant Discharge Elimination System Stormwater Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
- T. Perimeter closure computations shall be submitted with the final plat tracing.
- U. Any removal or relocation of existing equipment of utility companies will be at the applicant's expense.
- V. A compact disc (CD) should be provided, which will be used by the City and County GIS Departments, detailing the final plat in digital format in AutoCAD. Please include the name of the plat on the disc. If a disc is not provided, please send the information via e-mail to Kathy Wilson (e-mail address: kwilson@wichita.gov).