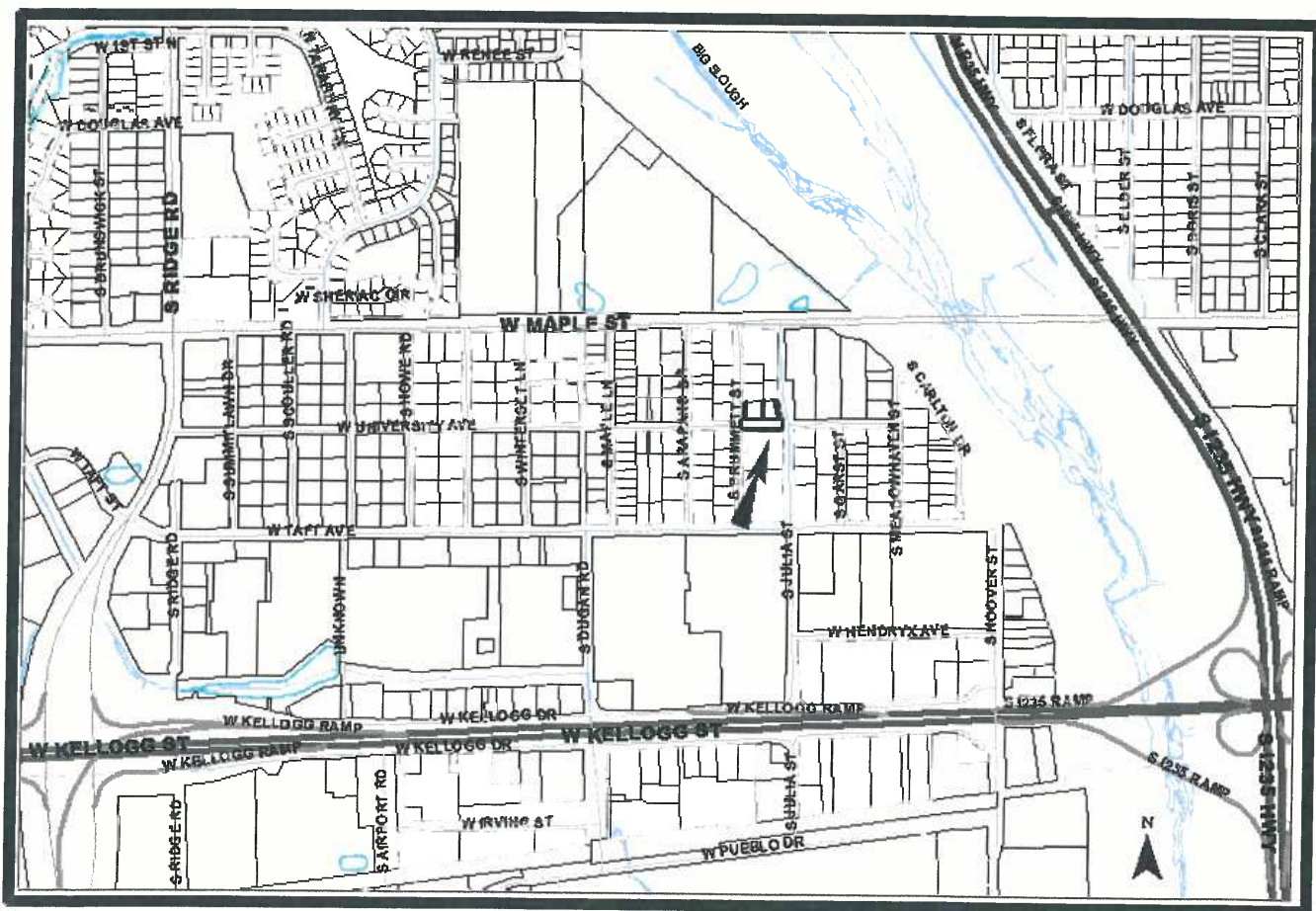


**STAFF REPORT**

- CASE NUMBER:** VAC2018-00008 - City Vacation of unused West University Street right of way to create a larger multi-family development parcel associated with ZON2018-00010
- AGENT:** Kirk Miller with K. E. Miller Engineering (Agent)
- APPLICANT:** Vintage Construction (Applicant)
- LEGAL DESCRIPTION:** See attached
- LOCATION:** Generally located south of West Maple Street and west of South Julia Street.
- REASON FOR REQUEST:** To allow for a proposed multifamily development
- CURRENT ZONING:** The northern property is zoned SF-5 Single Family and the southern property is zoned LC Limited Commercial
- VICINITY MAP:**



The applicant is requesting the vacation of street right of way to allow for a proposed development to occur in the proposed vacation area as well as on the abutting parcels to the north and south. As a part of this application the applicant is also requesting that the setback requirements along the east and west sides of the northern half of the vacation area be reduced from 30 feet to 15 feet. The attached site plan shows the nature of the proposed development and the attached Vacation Description page explains the details of what the applicant is requesting.

The applicant is also requesting a zone change (ZON2018-00010) to facilitate the construction of a multi-family residential development. This zone change case would convert both the northern and southern parcels to LC Limited Commercial, and put in place a protective overlay that would limit the allowed uses on site and account for other development factors (see attached).

There are gas lines running east-west through the proposed right of way vacation area. The applicant has indicated that their plan is to relocate these lines to accommodate the development, rather than retain the services and dedicate an easement.

There are no public utilities in the area to be vacated. Comments from all franchised utilities have not been received and are needed to determine if they have utilities located within the subject area. The West Maple Gardens Addition was platted on 1 February 1956 and the Earnest Jordan Addition was platted on 5 September 2002.

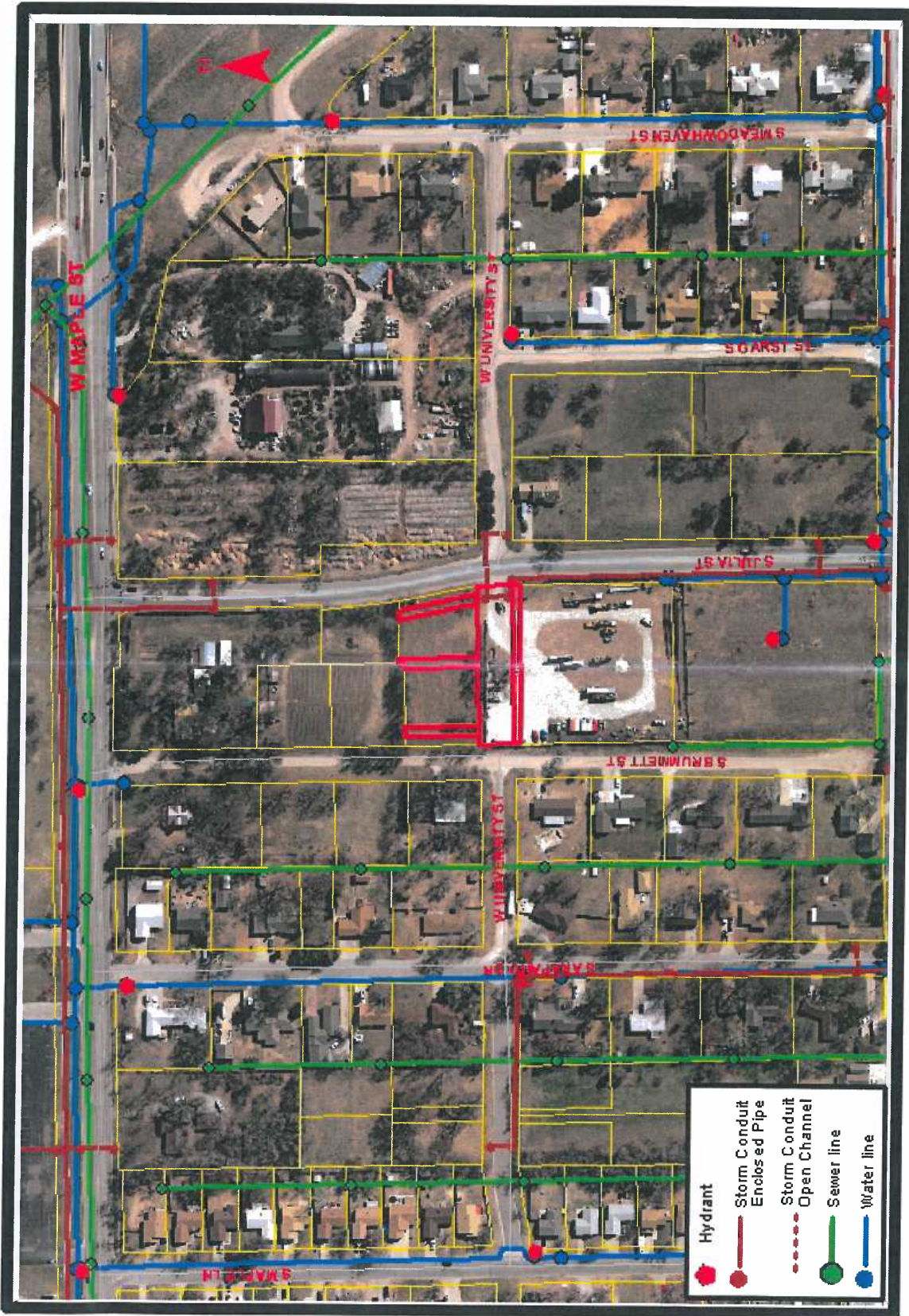
Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Traffic, Public Works/Water & Sewer/Stormwater, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portion of the platted complete access control.

- A. That after being duly and fully informed as to fully understanding 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 at least 20 days prior to this public hearing.
  2. That no private rights will be injured or endangered by vacating the platter's text to amend the access controls 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.

The Subdivision Committee recommends approval subject to the following stipulations:

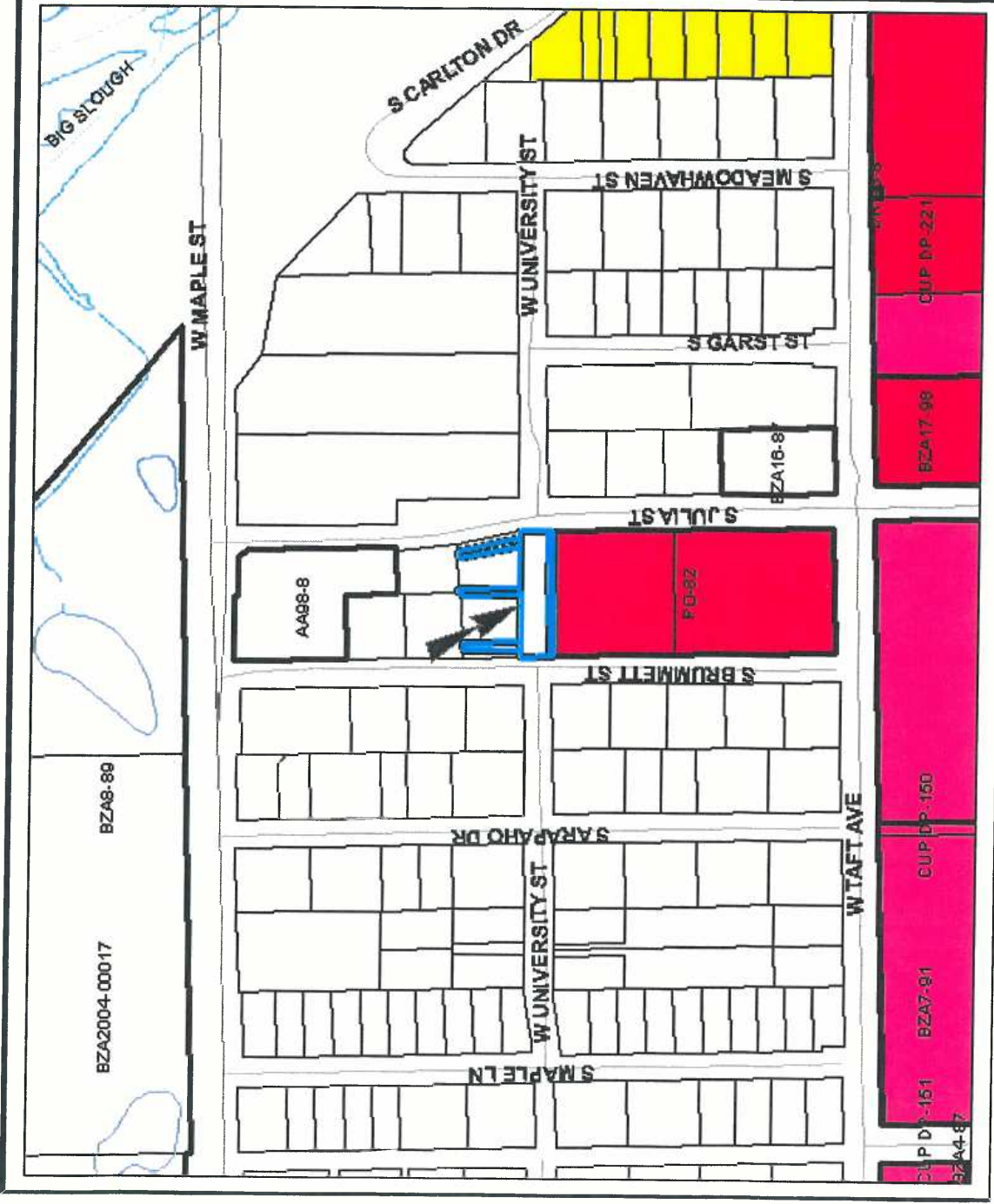
- (1) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide Planning with any needed easements dedicated by separate instrument with original signatures. These conditions must be completed prior to the case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

- (2) Provide covenants, with original signatures, binding and tying the vacated described right of way to the abutting properties. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (3) All improvements shall adhere to City Standards and at the applicants' expense.
- (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.



**ZONING**

RR SF-20 SF-10 SF-5 TF-3 MF-18 MF-29 B MH NO GO NR LC GC CBD OW IP LI IP-A GI AFB U PUD AIRPORT OLD TOWN



## Vacation Description

Street Vacation – All of University Street from the east line of Brummett to the west line of Julia.

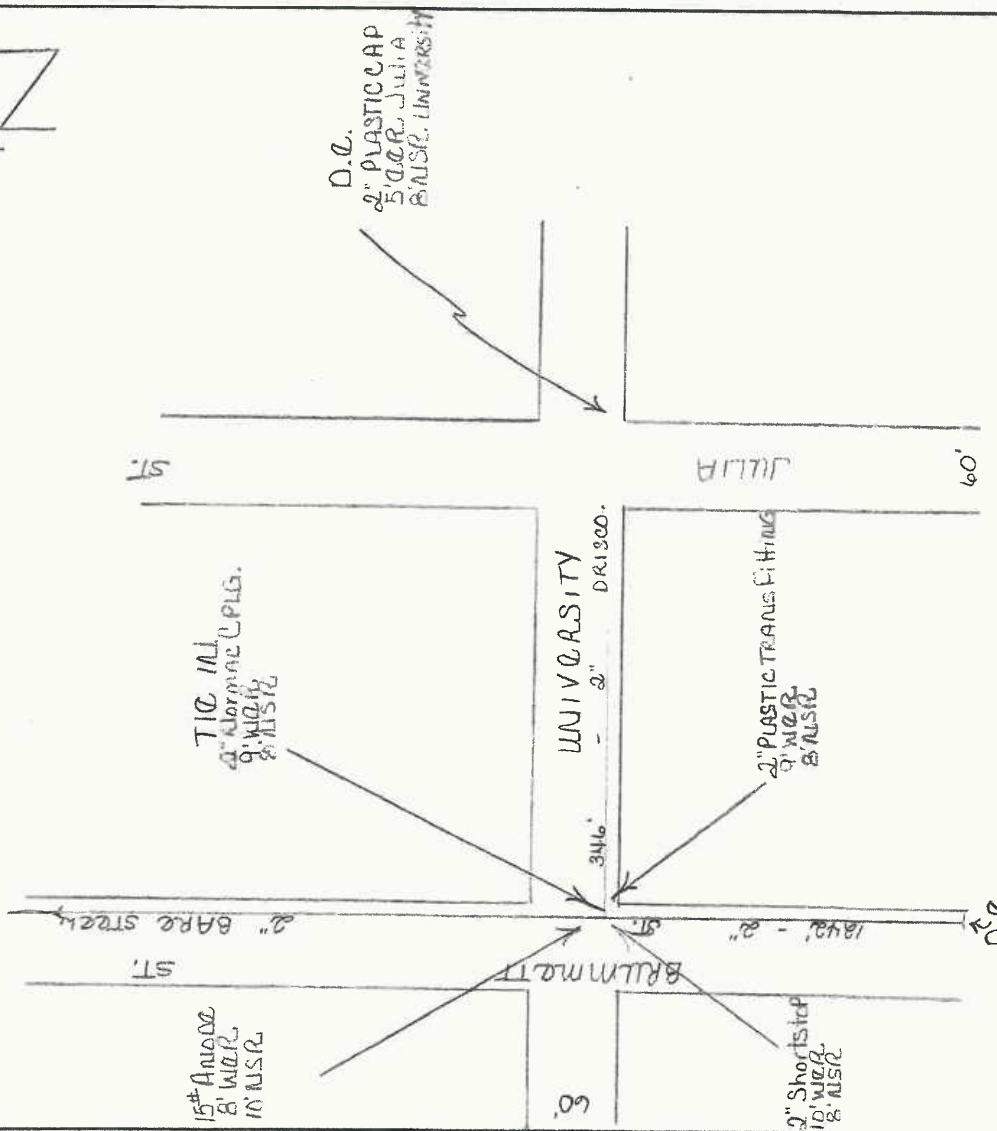
Easement Vacation – The north 10 feet of Ernest Jordan Addition; and the east 8 feet of Lot 3 and the west 8 feet of Lot 5, Block B, West Maple Gardens Addition.

Setback Vacation - The north 10 feet of Ernest Jordan Addition; and the east 15 feet of the west 30 feet of Lot 3 and the west 15 feet of the east 30 feet of Lot 5, Block B, West Maple Gardens Addition.

## Protective Overlay

1. The following uses shall not be permitted; convenience store; drive-thru restaurant; cemetery; correctional placement residence; golf course; halfway house; recycling collection station; reverse vending machine; animal care, general; car wash; kennel; marine facility, recreational; night club; pawnshop; printing and publishing, general; recreation and entertainment, outdoor; and recreational vehicle campground.
2. A 6-foot high masonry wall shall be constructed parallel to the west property line. A 15-foot deep landscape buffer shall be provided along the entire length of the west property line on the west side of the masonry wall. The landscaped buffer shall be planted with 1 shade tree or 2 ornamental trees per 30 lineal feet of frontage along Brummett, if used for other than residential purposes. If used for residential purposes, there shall be an 8-foot landscape buffer shall be planted with 1 shade tree or 2 ornamental trees per 30 lineal feet of frontage along Brummett.
3. If the vacant property north of the site develops with residential purposes, a 6-foot high masonry wall shall be constructed along the north property line, if the site is used for other than residential purposes.
4. Light poles shall be limited to a maximum height of 14 feet.
5. If the site is used for commercial uses, building exteriors shall share uniform architectural character and shall be predominantly earth-tone colors with vivid colors limited to incidental accent. Extensive use of backlit canopies and neon or fluorescent tub lighting on buildings shall not be permitted.

A



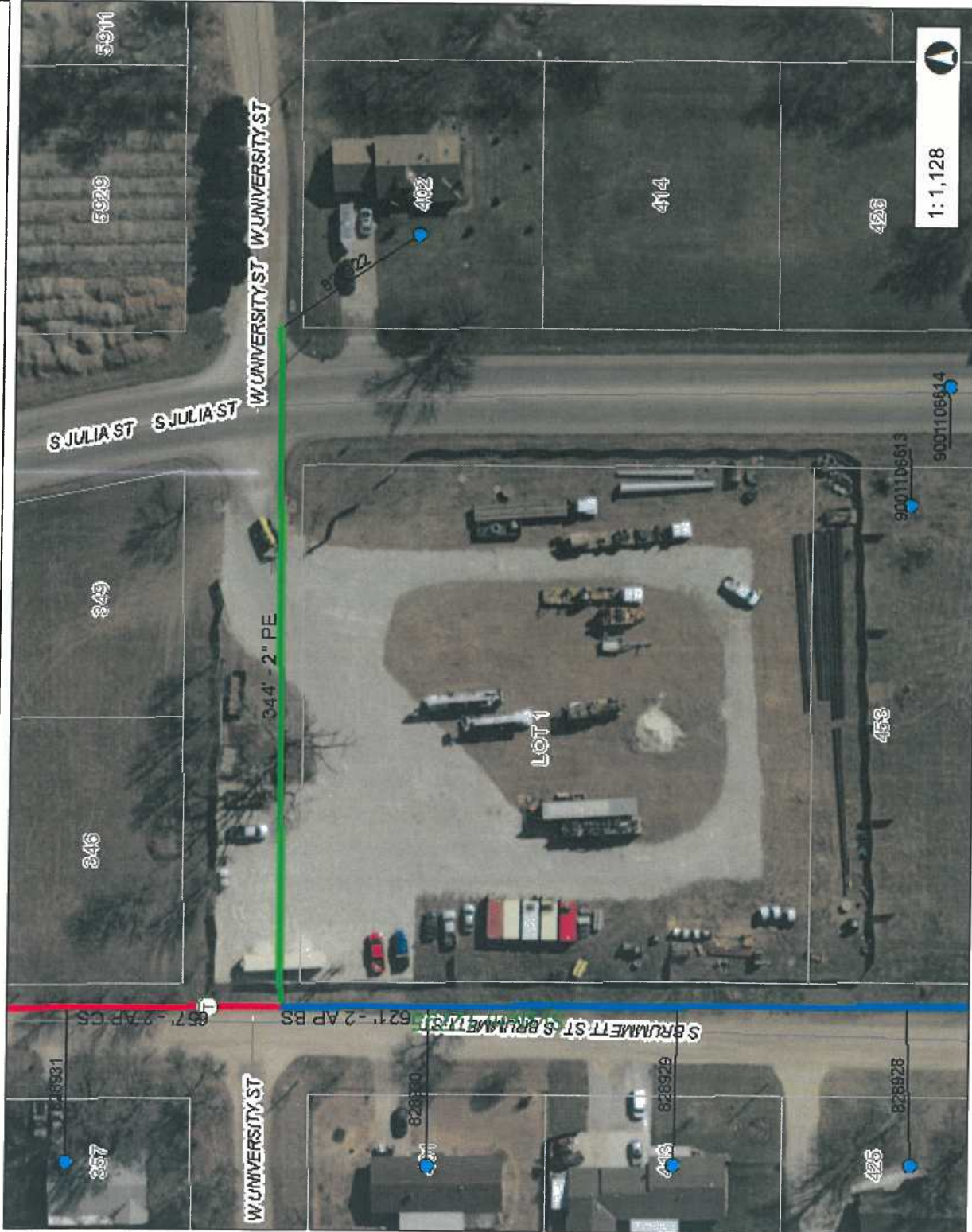
PLAT AIDS

<b>0000</b>	
<b>GAS SERVICE COMPANY</b>	
DIV. WICHITA	
CITY WICHITA	
COUNTY SEDGWICK	
STATE KANSAS	
SEC. TWP. RANG.	
SCALE 1/4" = 10'	
DATE 1-10-77	DRAPP BY
W.O. 7/6	4-536

To LAY  
 346' - 2" PLASTIC  
 DRISCOPE  
 POUNDS PRESSURE



# University and Julia St.



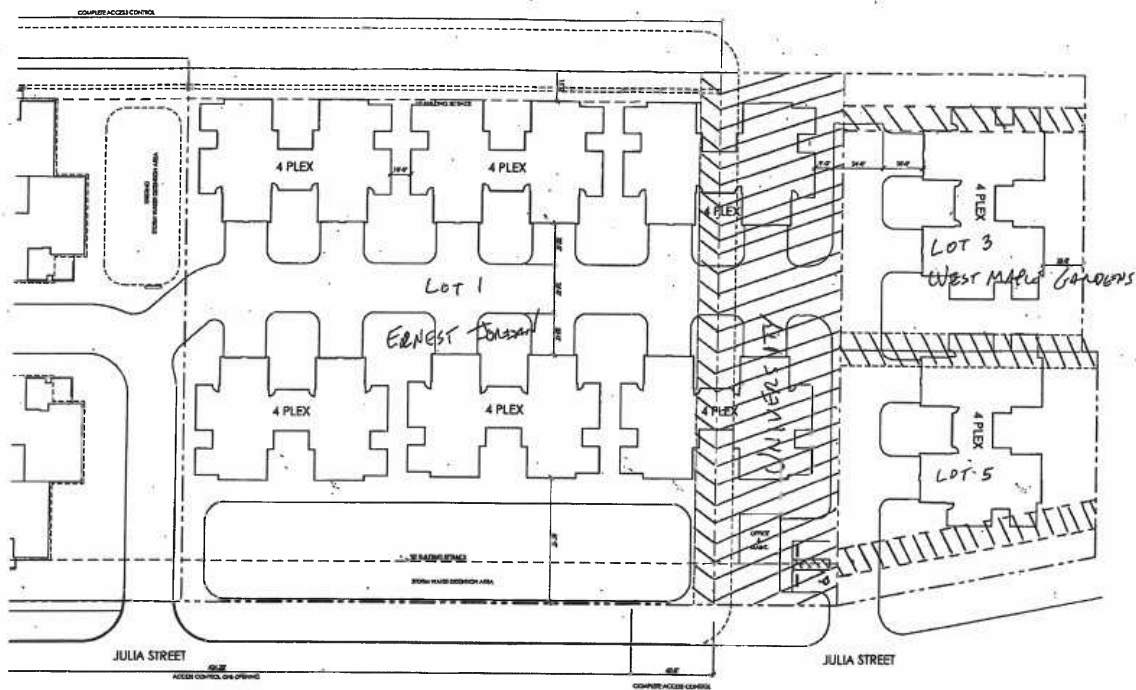
188.1  
 0 94.04 188.1  
 Feet  
 WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
 © Latitude Geographics Group Ltd.

Notes

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## Legend

- CP Bond Junction
- CP Cable
- Bond Wire
- Recifier Cable
- CP Ground Bed
- CP Rectifier
- CP Anode
- CP Test Station
- CP System Label
- Controllable Fitting
- Short Stop
- 3-Way Tee
- Tapping Tee
- Meter Setting
- Gas Valve
- Critical/Inspection Not Required
- Critical/Inspection Required
- Non-Critical
- Regulator Station
- Town Border Station
- Drip
- Non Controllable Fitting
- Other Non Controllable Fittings
- Insulated Coupling
- Service Point
- Gas Main
- Steel
- Wrapped Steel
- PE
- PVC
- Cast Iron
- Ductile Iron
- Copper
- Wrought Iron
- ABS
- Extruded Tubing
- Plastic
- Gas Pipe Casing
- Service Line
- <all other values>
- Operating
- Pending
- Decommissioned
- Abandoned Gas Main
- Location Notes
- Pipe Exposure (from Maximo)
- Service Line (New Assets)
- Service Line - Pending Decommissi
- Potentially Active, Pending Decomr
- Offset - Potentially Active, Pending
- Streets Labels Only (KS)
- Streets Labels Only(OK)
- Streets Labels Only (TX)
- Streets (KS)
- Streets (OK)
- Streets (TX)
- Parcel Boundary



**A SITE DEVELOPMENT PLAN**  
1" = 30'

**SITE DATA**  
1" = 1' HORIZONTAL SCALES  
1" = 2' VERTICAL SCALES

REVISED

PRINTED PLOTTED  
 0-25-18



DATE

**VINTAGE COURT**  
 WICHITA, KS

**PREPARED BY**  
 1000  
 316.267.4888  
 ARCHITECTURAL DESIGN

**SHEET NO.**  
**SA1.1**