

**STAFF REPORT**

**CASE NUMBER:** VAC2018-00023 – City Vacation of street right-of-way and platted building setback lines for proposed Watson Street west of Clear Creek Street in Clear Creek Addition

**APPLICANT:** Clint Miller Properties, Inc. (applicants) Garver (agent)

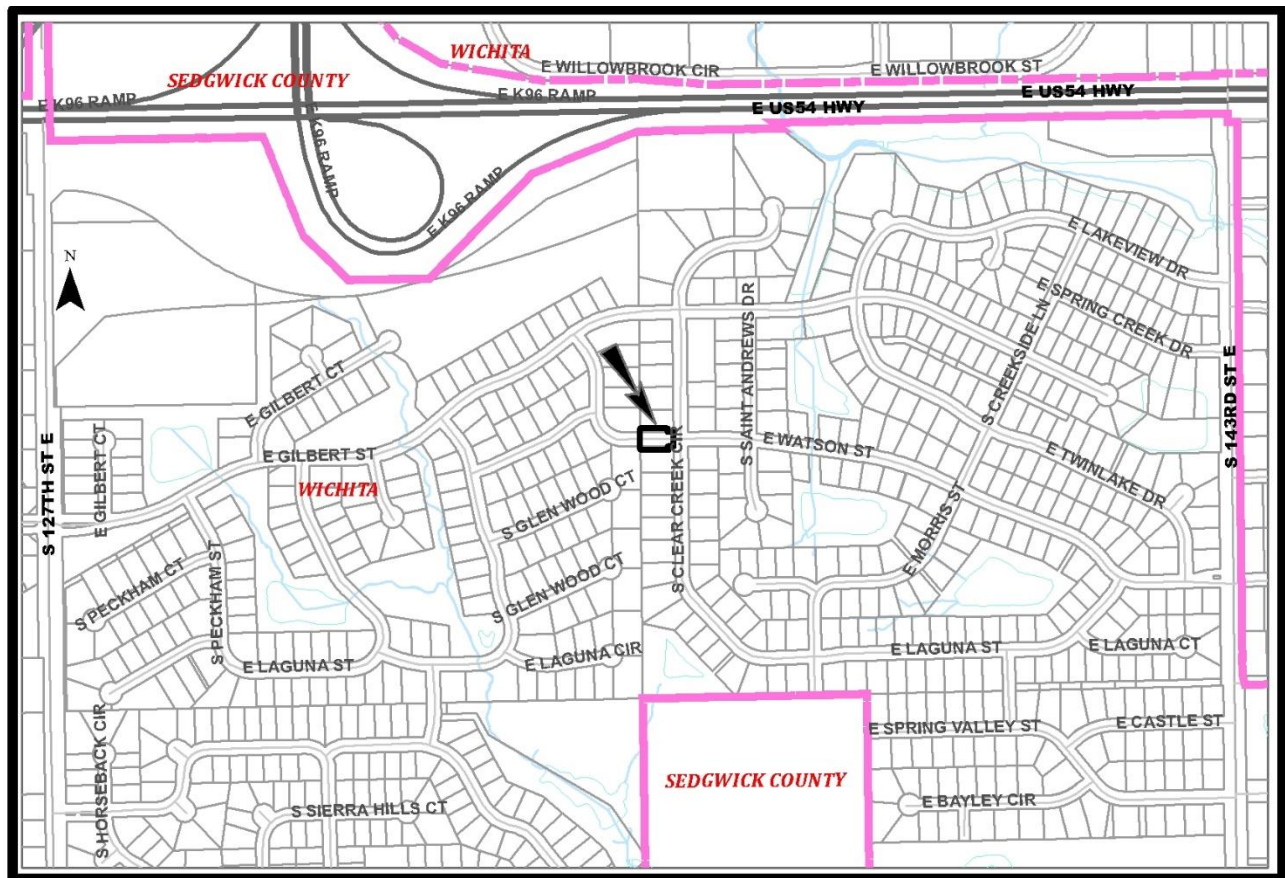
**LEGAL DESCRIPTION:** See Attached

**LOCATION:** Generally located ½ mile south of Kellogg and ½ west of 143rd Street East (WCC II)

**REASON FOR REQUEST:** Removing a platted street stub and associated building setbacks, related to a replat of a portion of the Country Hollow Addition (SUB2018-25)

**CURRENT ZONING:** Abutting and adjacent properties are zoned SF-5 Single Family

**VICINITY MAP:**



The applicant is requesting the vacation of a portion of Watson Street lying west of Clear Creek Street; dedicated on the Clear Creek Addition. Following a replat of a portion of the Country Hollow Addition, SUB2018-25 approved on August 23, 2018, a portion of Watson Street was left as a stub. The proposed vacation will remove the stub and allow the land to be converted into additional residential lots. There are no public utilities located in the vacation area. Westar has no objection to the vacation.

The applicant is also requesting the vacation of the platted 15-foot building setbacks along the proposed vacated portion of Watson Street, except the eastern 25 feet. These setbacks are located on and running parallel to the north property line of Lot 1, Block 3, Clear Creek Addition, and the south property line of Lot 4, Block 10, Clear Creek Addition. The lots are zoned SF-5 Single Family. Westar has no objection to the vacation. If approved, the two Lots and vacated portion of Watson Street will be divided into three residential Lots. The Clear Creek Addition was recorded with the Register of Deeds May 29, 2003.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works, Water & Sewer, Stormwater, 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 public street right-of-way and platted building setbacks.

- 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 at least 20 days prior to this public hearing.
  2. That no private rights will be injured or endangered by vacating the described portions of street right-of-way and platted building setbacks 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.

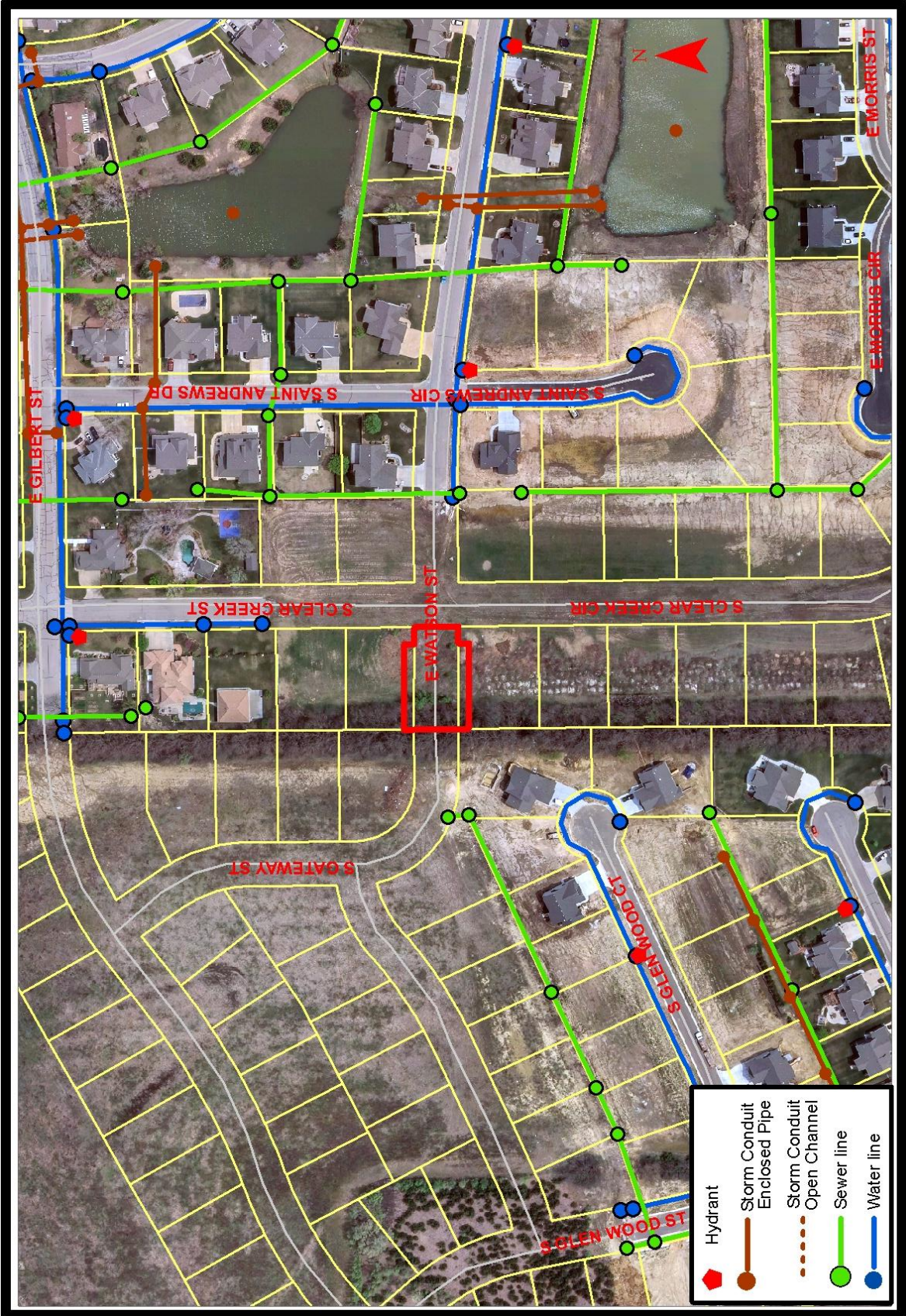
Conditions (but not limited to) associated with the request:






- (1) Provide a covenant, with original signatures, binding and tying the described vacated public street right-of-way to the applicants' abutting property. This must be provided to Planning prior to VAC2018-00023 proceeding to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds and the Sedgwick County Appraisers Office.
- (2) As needed provide utilities with any needed project plans for the relocation of utilities for review and approval. Any relocation/reconstruction of utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number(s) to Planning prior to the case going to City Council for final action.
- (3) All improvements shall be according 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.

**SUBDIVISION COMMITTEE’S RECOMMENDED ACTION**

The Subdivision Committee recommends approval per staff recommendations.

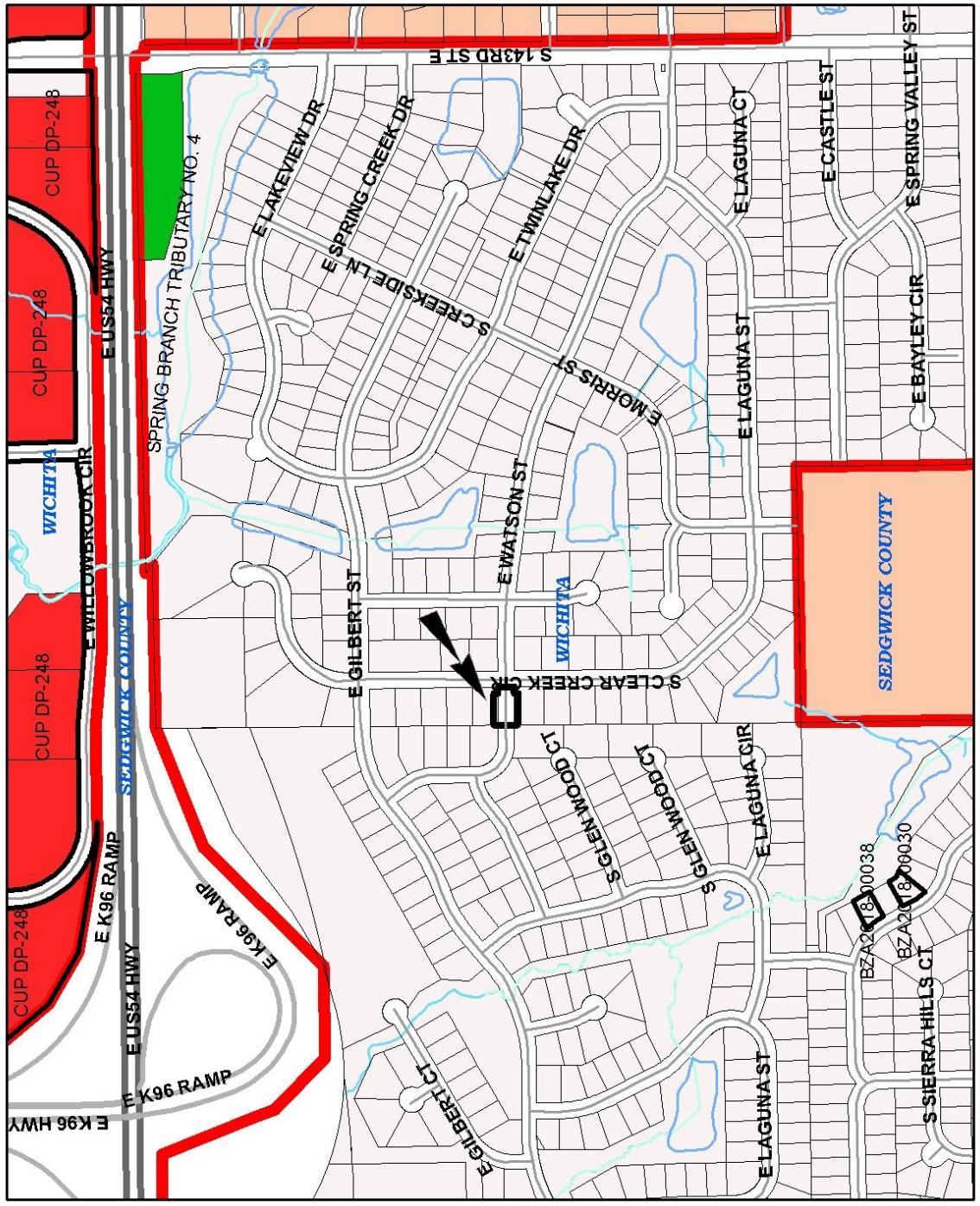


	Hydrant
	Storm Conduit Enclosed Pipe
	Storm Conduit Open Channel
	Sewer line
	Water line



**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

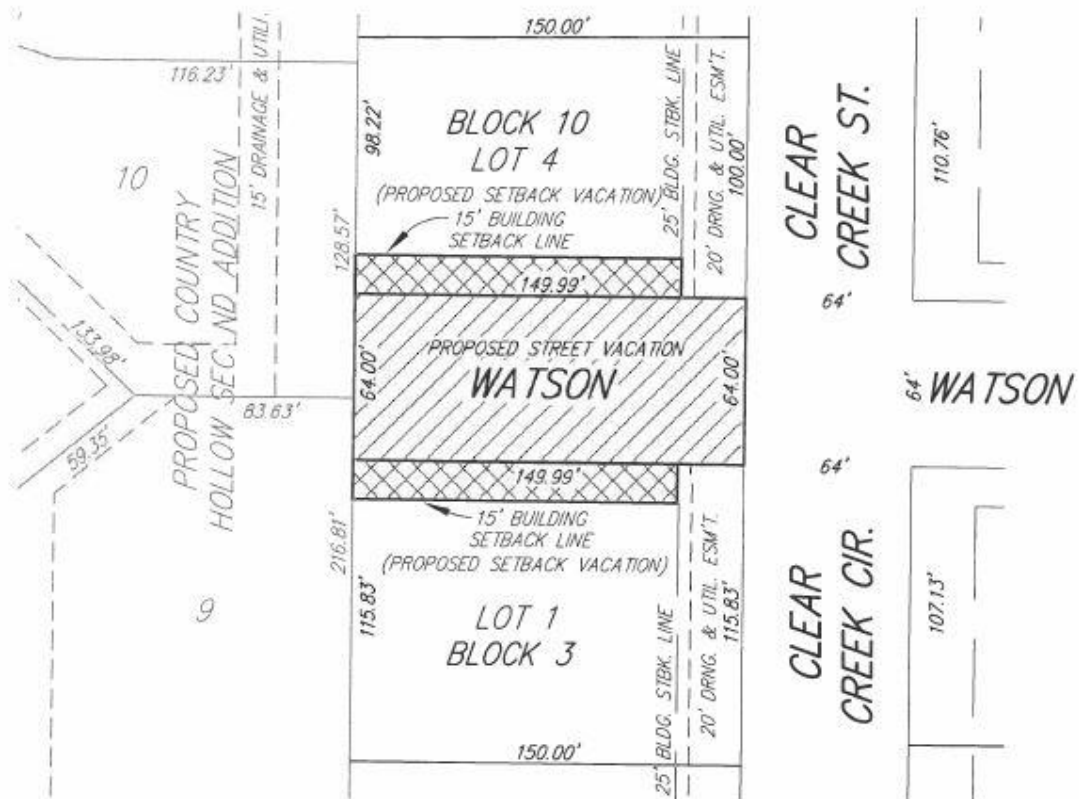


# CLEAR CREEK

Wichita, Sedgwick Co



# VACATION SITE PLAN



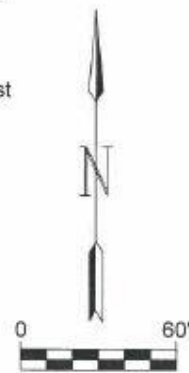
**STREET VACATION LEGAL DESCRIPTION**

That part of Watson Street lying west of Clear Creek Street and Clear Creek Circle as platted in Clear Creek Addition, Wichita, Sedgwick County, Kansas.



**BUILDING SETBACK VACATION LEGAL DESCRIPTION**

The North 15.00 feet of Lot 1, Block 3, EXCEPT the East 25.00 feet, TOGETHER WITH the South 15.00 feet of Lot 4, Block 10, EXCEPT the East 25.00 feet, Clear Creek Addition, Wichita, Sedgwick County, Kansas.



DWG FILE: SURVEYBASE  
PROJECT NO. 18266034

**Street Vacation Legal Description**

That part of Watson Street lying west of Clear Creek Street and Clear Creek Circle as platted in Clear Creek Addition, Wichita, Sedgwick County, Kansas.

**Building Setback Vacation Legal Description**

The North 15.00 feet of Lot 1, Block 3, EXCEPT the East 25.00 feet; TOGETHER WITH the South 15.00 feet of Lot 4, Block 10, EXCEPT the East 25.00 feet, Clear Creek Addition, Wichita, Sedgwick County, Kansas.