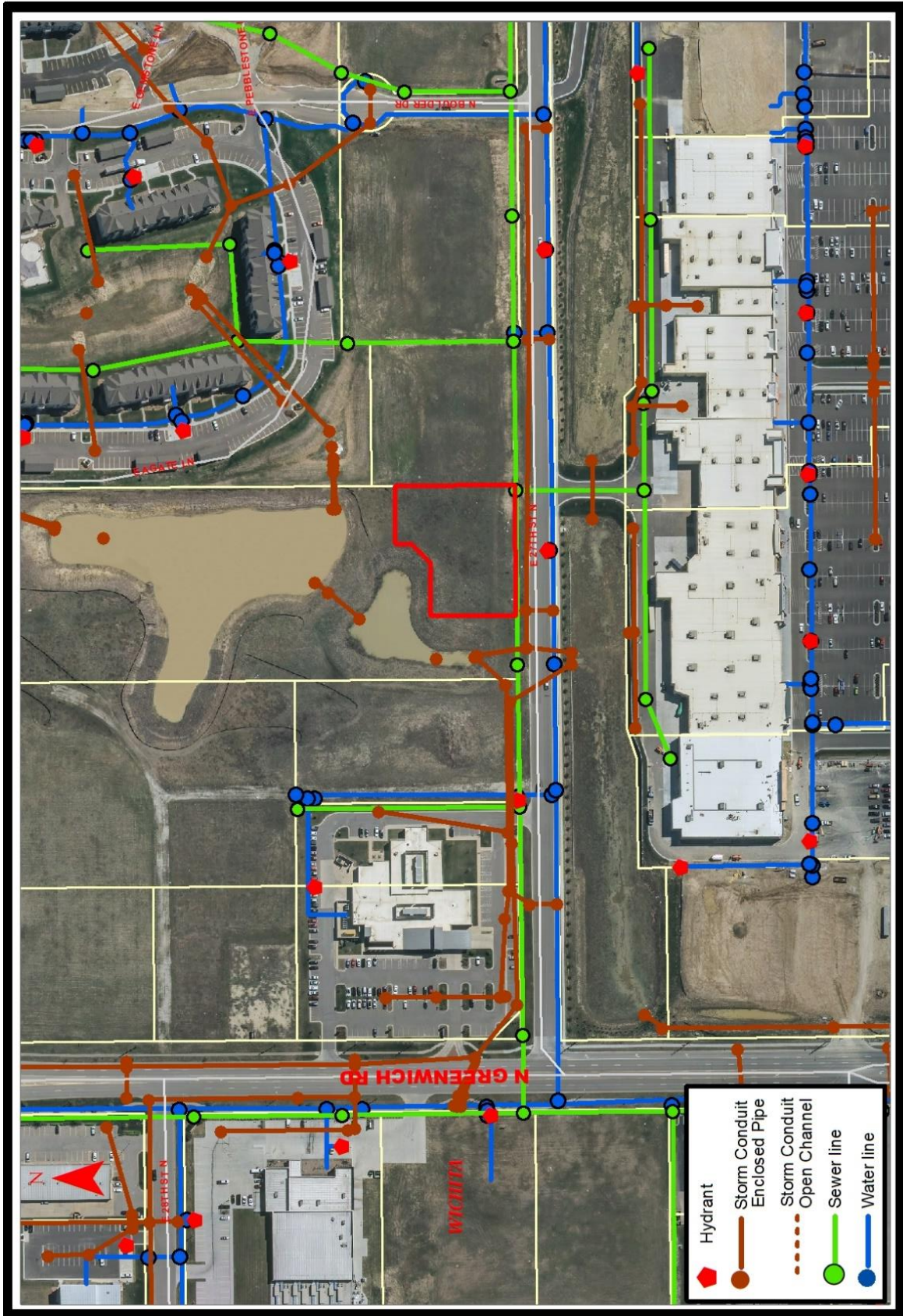


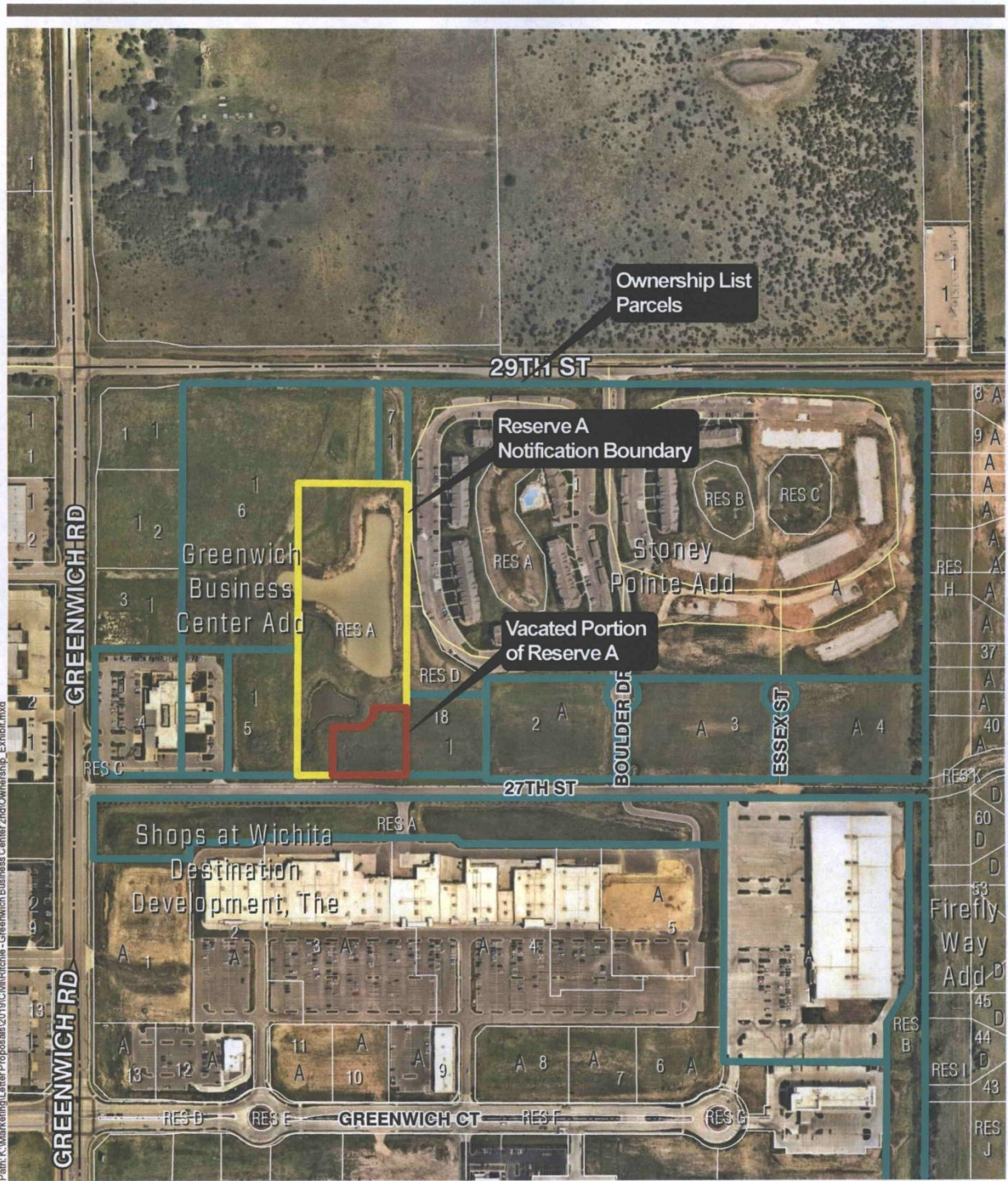
The applicant is requesting to vacate a portion of the platted reserve and reserve uses located adjacent to Lot 18, Block 1, Greenwich Business Center Addition. The applicant owns said Lot 18 as well as the requested portion of Reserve A to be vacated and intends to construct a new building on the site. The platting text states that reserves shall remain at established grades or as modified with the approval of the applicable City Engineer, and unobstructed to allow for the conveyance of storm water as approved by the drainage plan that was developed. The platting text continues by stating the platted drainage reserve is for “drainage, signs, landscaping, irrigation, pergolas and or gazebos, open space, berms, and monuments.” Finally, the platting text states that reserves shall be owned and maintained by the Lot Owner Association; however the Lot Owner Association may deed parcels of the reserves to an owner of an adjoining lot subject to the obligation to maintain the deeded parcel in compliance with the stated regulations.

As stated, the applicant intends to construct a new building on the site, but the intended use has not been specified. The portion of Reserve A and the adjoining Lot 18 are currently vacant. The site is served by all municipal water and sewer services. Services may need to be extended to serve new construction. Because the intent is to create a buildable parcel, Public Works requires a 30-foot drainage and utility easement. There are no public utilities within the proposed area to be vacated. Comments from franchised utilities has not been received. The Greenwich Business Center Addition was recorded with the Register of Deeds November, 9, 2007.

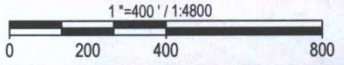
Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to)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

- (1) Vacate that portion platted reserve and reserve uses, as approved by City Engineer. Provide Planning Staff with a legal description of the approved vacated portion of the platted reserve on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. All Provide to Planning prior to the case going to the Wichita City Council for final action.
- (2) Provide a restrictive covenant, with original signatures, binding and tying the described vacated portion of Reserve A to the applicant’s abutting property. This must be provided to Planning prior to VAC2019-00013 proceeding to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (3) Dedicate a 30-foot drainage and utility easement, by separate instrument, with original signatures abutting the south boundary of the vacated portion of Reserve A, Greenwich Business Center Addition. 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.
- (4) All improvements shall be according to City Standards and at the applicant’s expense.
- (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.





Path: K:\Marketing\Letter Proposals\2019\Civil\Richie-Greenwich Business Center 2nd Ownership - Exhibit.mxd



05.08.2019



OWNERSHIP LIST EXHIBIT

VACATED PORTION OF RESERVE A

The information presented herein is best available data gathered by MKEC from various outside sources. MKEC does not guarantee the positional accuracy of the data shown. In no event shall MKEC become liable to users of the data presented herein, for any loss or damages, consequential or otherwise, including but not limited to time, money, or goodwill, arising from the use of the presented data. In using the data presented herein, users further agree to indemnify, defend, and hold harmless MKEC for any and all liability of any nature arising out of or resulting from the lack of accuracy or correctness of the data, or the use of the data.

The applicant is requesting to vacate the platted 30-foot building setback and a portion of the 8-foot utility easement of multiple lots of Blocks A and D of the University Park 2nd Addition described as follows:

Platted Building Setback Vacation

- Block A
 - Lots 1-6 inclusive (fronting Gentry St.) & lots 16-20 inclusive (fronting Bluff Ave.).
- Block D
 - Lots 1 & 2 (fronting Bluff Ave.) and Lot 19 (fronting Fountain Ave.).

Platted Utility Easement Vacation

- Block A
 - Lots 1-5 inclusive (fronting Gentry St.) & lots 16-20 inclusive (fronting Bluff Ave.)—except the south 10 feet of the utility easement requested to be vacated on Lots 5 and 16.

The applicant is requesting these vacations to allow the zoning setbacks to govern the described lots and maintain a private sewer in order to redevelop the properties into student housing/multi-family including the required parking. The following describes the applicable zoning setbacks for the subject lots in the vacation area.

- Block A
 - Lots 1-3 inclusive.
 - Zoned LC Limited Commercial with a 20-foot front setback.
 - Lots 4-6 inclusive.
 - Zoned B Multi-Family with a 20-foot front setback.
 - Lots 16-20 inclusive.
 - Zoned SF-5 Single Family with a required 25-foot front setback.
- Block D
 - Lots 1, 2, & 19
 - Zoned SF-5 with a required 25-foot front setback.

This case is associated with ZON2019-00012 in which the applicant has been approved to rezone the described SF-5 lots to B-Multi-Family. This case was approved by the MAPC on May 9, 2019 and is scheduled for Wichita City Council for June 11, 2019. Once approved by City Council, all zoning lots will have a consistent front setback of 20 feet as there will no longer be any SF-5 zoned lots.

The applicant is already working with Westar, Cox Communications and City Public Works. Comments from franchised utilities have not been received and are needed to determine if they have utilities located within the described setback. The University Park 2nd Addition was recorded with the Register of Deeds September 14, 1948.

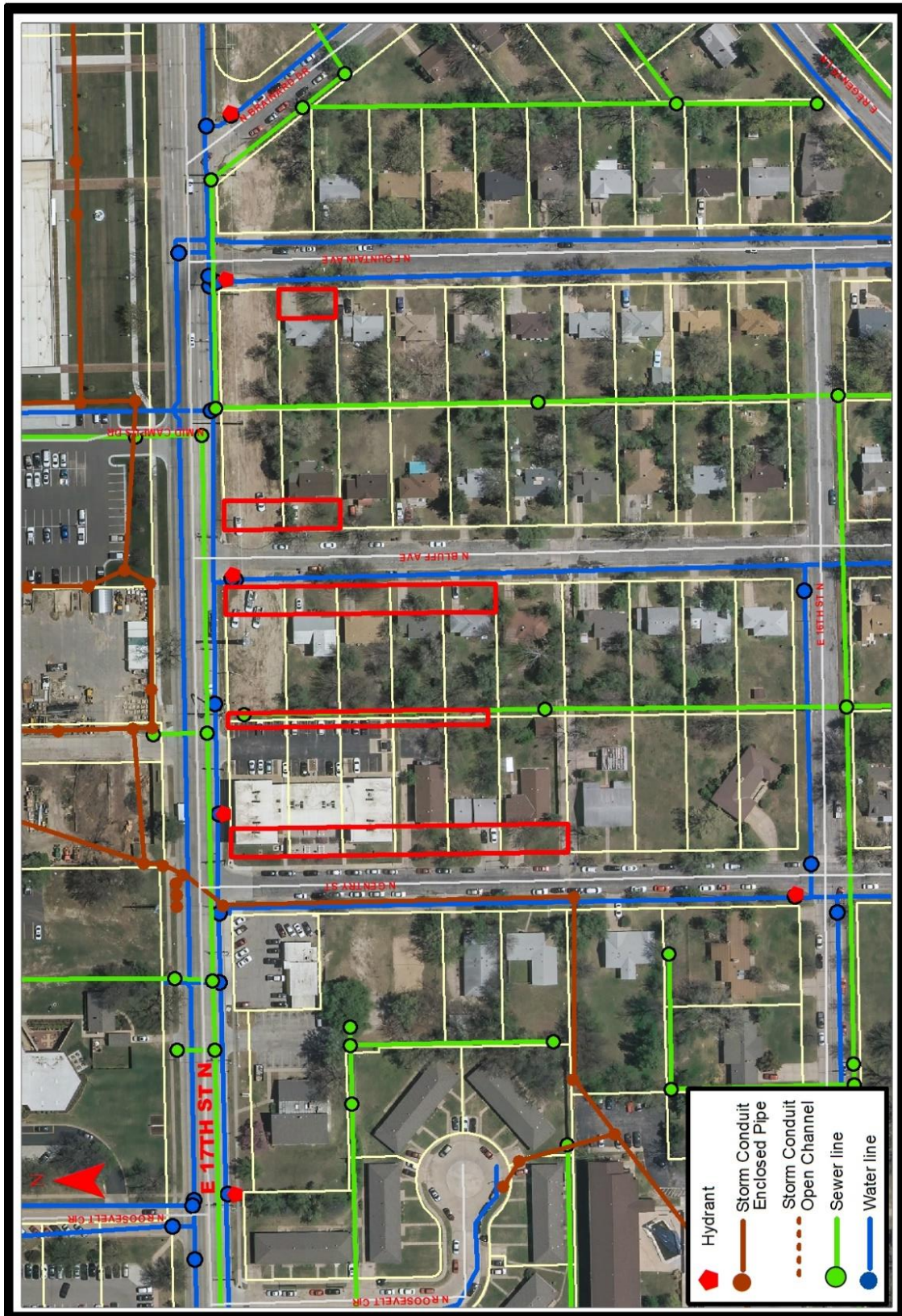
Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Public Works, Stormwater, Water and Sewer, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following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

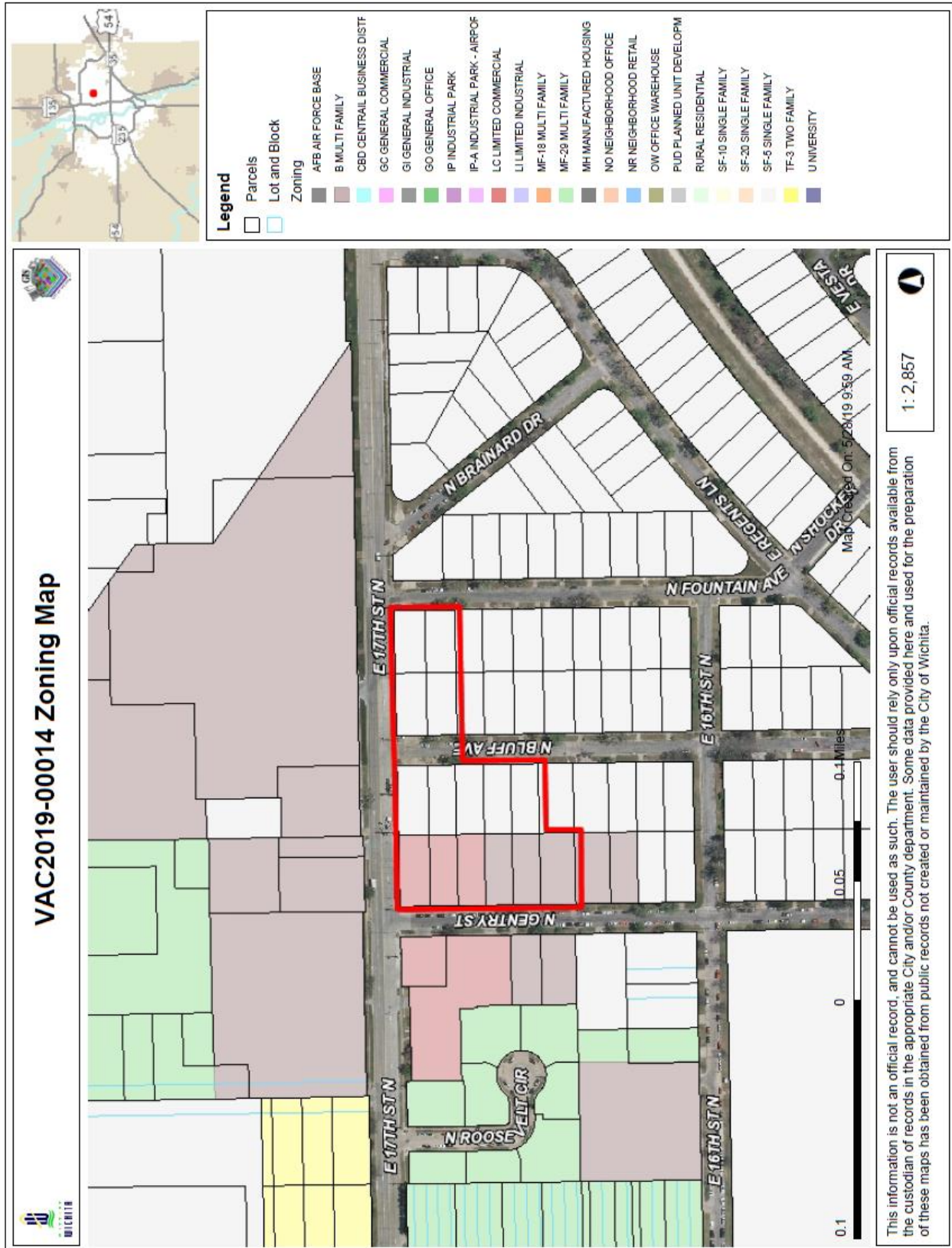
- (1) Vacate the platted 30-foot building setbacks of the described lots platted in Blocks A and D of the University Park 2nd Addition. Provide Planning Staff with legal descriptions of the approved vacated portions of the platted setbacks on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.
- (2) Provide Public Works with a Private Project for the sewer line located in the current 8-foot utility easement by separate instrument. This must be provided to Public Works 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 be according to City Standards and at the applicant's expense.
- (4) 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.

Attachments:

1. Areal Map
2. Zoning Map
3. Vacation Exhibit submitted by applicant
4. Site Plan submitted by applicant







05.08.2019

1"=50' / 1:500

LINEAR PROPERTIES

Vacation Case 2019-000 Subject Properties

The information presented hereon is best available data gathered by MKEC from various public sources. MKEC does not guarantee the positional accuracy of the data shown. In no event shall MKEC be liable for any loss or damage, consequential or otherwise, including but not limited to loss, money, or goods, arising from the use of the presented data. In using the data presented hereon, users further agree to indemnify, defend, and hold harmless MKEC for any and all liability of any nature arising out of or resulting from the lack of accuracy or correctness of the data, or the use of the data.

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