



Sedgwick County
Register of Deeds - Tonya Buckingham
Doc.#/Fim-Pg: 30262956

Receipt #: 2396000
Pages Recorded: 2

Recording Fee: \$0.00

Cashier: ephillip
Authorized By: *Tonya Buckingham*
Date Recorded: 09/08/2023 02:26:00 PM

**BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

**IN THE MATTER OF THE VACATION OF A PORTION)
OF A PLATTED 70-FOOT SETBACK AND A PORTION)
OF A PLATTED 100-FOOT SETBACK)**

**GENERALLY LOCATED ON THE SOUTHWEST)
CORNER OF WEST MAPLE STREET AND SOUTH)
RIDGE ROAD)**

VAC2023-00025

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this 5th day of September 2023, comes on for hearing the petition for vacation filed by Lowe's Home Centers, LLC (owner), praying for the vacation of the described portions of a platted 70-foot setback and platted 100-foot setback, to wit:

The Southwest 70 feet of the Northeast platted 100 foot building setback of Lot 1 of Lowe's Addition, Wichita, Sedgwick County, Kansas, as prepared by Charles R. Robinson, PS 1395 on June 5th, 2023 and more particularly described as follows: beginning at the Northeast corner of Lot 1 of Lowe's Addition, Wichita, Sedgwick County, Kansas; thence along the North line of said Lot 1 on a bearing of North 90 degrees 00 minutes 00 seconds West, a distance of 30.00 feet; thence South 00 degrees 31 minutes 00 seconds West, a distance of 35.00 feet to the Point of Beginning; thence continuing South parallel with the East line of said Lot 1 on a bearing of South 00 degrees 31 minutes 00 seconds West, a distance of 141.92 feet; thence continuing Southerly parallel with the East line of Lot 1 on a bearing of South 08 degrees 01 minutes 30 seconds East, a distance of 49.51 feet; thence West parallel with said North line of Lot 1 on a bearing of North 90 degrees 00 minutes 00 seconds West, a distance of 70.69 feet; thence North parallel with said East line of Lot 1 on a bearing of North 08 degrees 01 minutes 30 seconds West, a distance of 44.87 feet; thence continuing North parallel with said East line of Lot 1 on a bearing of North 00 degrees 31 minutes 00 seconds East, a distance of 111.56 feet; thence East parallel with said North line of Lot 1 on a bearing of North 90 degrees 00 minutes 00 seconds East, a distance 17.00 feet; thence North parallel with said East line of Lot 1 on a bearing of North 00 degrees 31 minutes 00 seconds East, a distance of

35.00 feet; thence East parallel with said North line of Lot 1 on a bearing of North 90 degrees 00 minutes 00 seconds East, a distance 53.00 feet to the point of beginning.

Said tract contains 12,806.98 square feet which is 0.29 acres.

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 July 6, 2023, 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 portions of a platted 70-foot setback and platted 100-foot setback, 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 portions of a platted 70-foot setback and platted 100-foot setback, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 5th day of September 2023, ordered that the described portions of a platted 70-foot setback and platted 100-foot setback, 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


Brandon J. Whipple, Mayor

ATTEST:


Jamie Buster, City Clerk



Approved as to Form:


Jennifer Magana, City Attorney and Director of Law

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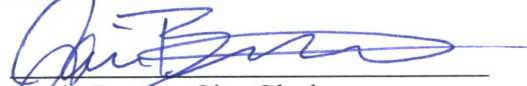
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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 5th day of September 2023, ordered that the described portions of a platted 70-foot setback and platted 100-foot setback, is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County.

CITY OF WICHITA, KANSAS

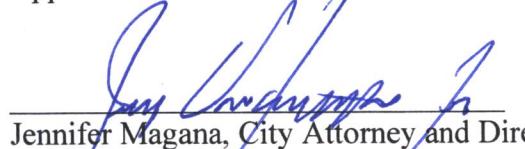

Brandon J. Whipple, Mayor

ATTEST:


Jamie Buster, City Clerk



Approved as to Form:


Jennifer Magana, City Attorney and Director of Law



Wichita-Sedgwick County Metropolitan Area Planning Department

September 5, 2023

Lowe' Home Centers, LLC
1000 Lowes Blvd.
 Mooresville, NC 28117

Schwab Eaton
Attn: Mike Stump and Chuck Robinson
800 East 1st Street North
Wichita, KS 67202

RE: VAC2023-00025: Request in the City to vacate a portion of a platted 100-foot building setback for site development; generally located on the southwest corner of West Maple Street and South Ridge Road (333 S. Ridge Road).

Dear Applicant;

At its regular meeting on September 5, 2023, the Wichita City Council considered the above captioned request. The action of the City Council was to APPROVE the vacation request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Philip Zevenbergen'.

Philip Zevenbergen, AICP
Current Plans
Division Manager



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

FILE COPY

July 28, 2023

Schwab Eaton
Mike Stump and/or
Chuck Robinson
800 E. 1st Street N., Ste 240
Wichita, KS 67202

Ref: VAC2023-00025: Request in the City to vacate a portion of a platted 100-foot building setback for site development; generally located on the southwest corner of West Maple Street and South Ridge Road (333 S. Ridge Road).

Mike and/or Chuck,

At the Thursday, July 27, 2023, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) Vacate the generally described south 35 feet the platted 70-foot platted building setback along the north property line and vacate the generally described west 70 feet of the 100-foot platted building setback along the east property line on Lot 1, Lowes Addition, Wichita, Sedgwick County, Kansas.
- (2) Provide planning staff with an updated legal description 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.
- (3) 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 for recording with the Register of Deeds. All original dedications will go with the Vacation Order to City Council for final action and filling with the Sedgwick County Register of Deeds. These conditions must be completed prior to the case going to Council for final action.
- (4) If approved, the applicant shall submit an Administrative Adjustment to the Ridge Plaza Community Unit Plan DP-37 to reflect the vacated portions of the setbacks on the face of the CUP prior to the issuance of building permits.
- (5) All improvements shall be according to City Standards and at the applicant's expense.
- (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

VAC2023-00025: Request in the City to vacate a portion of a platted 100-foot building setback for site development; generally located on the southwest corner of West Maple Street and South Ridge Road (333 S. Ridge Road).

July 28, 2023

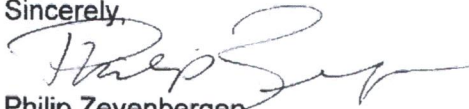
Page 2

FILE COPY

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.

When all of the above conditions have been completed and there are no other documents requested; this case will be scheduled for final action by the Wichita City Council at the first appropriate date after **August 10, 2023**, (end of the two-week protest period). 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,



Philip Zevenbergen
Current Plans Division Manager

PZ:kw

cc: Lowe's Home Centers LLC, 1000 Lowes Blvd, Mooresville NC 28117



Beaufort Gazette
 Belleville News-Democrat
 Bellingham Herald
 Bradenton Herald
 Centre Daily Times
 Charlotte Observer
 Columbus Ledger-Enquirer
 Fresno Bee

The Herald - Rock Hill
 Herald Sun - Durham
 Idaho Statesman
 Island Packet
 Kansas City Star
 Lexington Herald-Leader
 Merced Sun-Star
 Miami Herald

el Nuevo Herald - Miami
 Modesto Bee
 Raleigh News & Observer
 The Olympian
 Sacramento Bee
 Fort Worth Star-Telegram
 The State - Columbia
 Sun Herald - Biloxi

Sun News - Myrtle Beach
 The News Tribune Tacoma
 The Telegraph - Macon
 San Luis Obispo Tribune
 Tri-City Herald
 Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	439976	Print Legal Ad-IPL01299290 - IPL0129929		\$142.59	2	85 L

Attention: MANDY HEBERT
 CITY OF WICHITA/PLANNING DEPT
 271 WEST THIRD ST., 2ND FL, SU 203
 WICHITA, KS 67202

MHEBERT@wichita.gov

LEGAL PUBLICATION

OCA 150004
 Published in The Wichita Eagle on July 6, 2023
 (One Time Only)
 MAPC/BZA July 27, 2023
 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, July 27, 2023, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/ Board Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

DER2023-00004: Unified Zoning Code amendment to the Old Town Overlay to allow Tattoo and Body Piercing Facility as a permitted use within the Old Town Overlay District, located between North Santa Fe Avenue and North Washington Avenue, and between East Douglas Avenue and East 3rd Street North.

VAC2023-00025: Request in the City to vacate a portion of a platted 100-foot building setback for site development; generally located on the southwest corner of West Maple Street and South Ridge Road (333 S. Ridge Road).

VAC2023-00026: Request in the City to vacate a portion of platted street right-of-way and a 40 foot platted building setback; generally located on the northeast corner of Harry Street and Greenwich Avenue (1045 S. Dowell Terrace).

ZON2023-00040: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District to allow duplex; generally located on the south of W MacArthur Road and east of S Hoover Road (5515 W MacArthur Rd).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

Options to participate (see below):

- 1) Participate virtually
- 2) Attend in-person at the Ronald Reagan Building
- 3) Submit comments ahead of time

Participate Virtually

Join Zoom Meeting
<https://us06web.zoom.us/j/4089866967?pwd=a0k3bW0ySElnbFJQTFYyV0xPVDExLT09>

Meeting ID: 408 986 6967

Passcode: 094136

One tap mobile

+16699006833,4089866967#,,,,*094136# US (San Jose)

+17193594580,4089866967#,,,,*094136# US

Meeting ID: 408 986 6967

Passcode: 094136

Find your local number: <https://us06web.zoom.us/j/kc65codfb1>

Attend In-Person

You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email Planning@wichita.gov

Mailing Address Wichita-Sedgwick County Metropolitan Area Planning Department

Attn: Scott Wadle

271 W. 3rd Street - Suite 201

Wichita, KS 67202

Phone 316.268.4421

Fax 316.858.7764

WITNESS MY HAND on July 6, 2023

Scott Wadle, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

IPL0129929

Jul 6 2023

In The STATE OF KANSAS
 In and for the County of Sedgwick

1 insertion(s) published on:
 07/06/23

STATE OF KANSAS)

SS

County of Sedgwick)

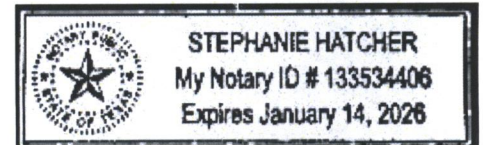
Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 07/06/2023 to 07/06/2023.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 07/06/2023

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

Galaxy edge LAFC in front of MLS record 82,110 fans

Field Level Media

In front of an MLS-record crowd of 82,110 supporters, Riqui Puig's 73rd-minute goal gave the Los Angeles Galaxy a 2-1 victory over visiting Los Angeles FC on Tuesday at the Rose Bowl in Pasadena, Calif.

The announced crowd marked the highest single-match attendance in MLS history. The previous record was 74,479 in attendance at Charlotte FC's inaugural home match on March 5, 2022, which was also against the Galaxy.

With the score tied 1-1, pass downfield found Tyler Boyd on the far side, and Puig outpaced two LAFC players racing up the middle of the field. Boyd's cross found the streaking Puig, whose sliding touch delivered his second goal of the season.

The Galaxy are unbeaten (2-0-4) in their past six matches, as the team is starting to regain its form after some dire early-season struggles. Even with the unbeaten streak, the Galaxy (4-9-7, 19 points) still sit in 13th place in the 14-team Western Conference. LAFC (9-6-5, 32 points)



A general overall view shows an MLS record crowd of 82,110 during the game between the LA Galaxy and the LAFC at the Rose Bowl in Pasadena, California.

have lost three consecutive matches, and they have a 2-5-1 record in their past eight matches. Boyd put the Galaxy ahead in the 26th minute

on a superbly aimed shot from the corner of the box. Taking a pass from Puig, Boyd had space to turn and fire across the box and into the top right

corner. Ilie Sanchez had Los Angeles FC's lone goal, leveling the score in the 57th minute. After an uninspiring performance

in the first half, LAFC dominated the first 15 minutes after the halftime break, highlighted by Sanchez's header deflection of a corner kick.

Court 18 incidents result in 3 arrests at Wimbledon

FIELD LEVEL MEDIA

Two separate incidents involving protesters on Court 18 resulted in the arrests of three persons on Wednesday at Wimbledon.

Just Stop Oil activists stormed the court of two different matches and unloaded containers of confetti and puzzle pieces onto the grass court. Two men and a woman were taken into custody and removed from the grounds. They were charged with

aggravated trespass and criminal damage, according to a post from the Wimbledon Twitter account.

The first match that was disrupted was between No. 21 seed Grigor Dimitrov and Sho Shimabukuro, a match won by Dimitrov in straight sets. "Obviously it's not pleasant," said Dimitrov. "In the end of the day, there is not much you can do. I think everyone in a way did their part as quick as possible."

The second match disrupted was between Brit-

ish wild card Katie Boulter and Daria Saville of Australia. Both players helped clean up the debris before Boulter went on to win in straight sets.

The incidents took place despite "uplifted" security measures being taken by the All England Club.

The measures that were announced last week came in the aftermath of similar incidents in Britain, including a cricket match last Wednesday and England and Australia. Anti-oil activists and protesters also disrupted the Premiership Rugby final, World Snooker Championship and the Grand National horse race, among others.

FROM PAGE 1B WILSON

player with zero years of service. Only players with four or fewer years of NBA service are able to sign two-way contracts, which can be for either one or two seasons. The two-way contract salary is expected to be \$560,000 for the 2023-24 season.

According to Netsdaily.com, "it has been common practice for the last several years for the Nets to sign second-rounders to two-ways. In addition to Gray who was taken at No. 59 in the 2021, the Nets signed Kessler Edwards, taken at No. 44 in that same draft,



Kansas Jayhawks forward Jalen Wilson (10) dribbles against Arkansas Razorbacks guard Davonte Davis (4) during the second half at Wells Fargo Arena in Des Moines on March 18, 2023.

to a two-way before he was converted to a standard deal in 2022."

Gary Bedore: 816-234-4068, @garybedore

FROM PAGE 1B FOOTBALL

- homa State
- WR Xavier Worthy, Texas
- WR Jerard Bradley, Texas Tech
- TE Ja'Tavion Sanders, Texas
- OL Kingsley Suamataia, BYU
- OL Mike Novitsky, Kansas
- OL Cooper Beebe, Kansas State
- OL Kelvin Banks Jr., Texas
- OL Zavi Frazier, West Virginia
- PK Griffin Kell, TCU
- KR/PR Phillip Brooks, Kansas State

DEFENSE
DL Dontay Corleone, Cincinnati
DL Ethan Downs, Okla-

- homa
- DL Damon Williams, TCU
- DL Byron Murphy II, Texas
- DL Jaylon Hutchings, Texas
- LB Johnny Hodges, TCU
- LB Jaylan Ford, Texas
- DB T.J. Tampa, Iowa State
- DB Cobee Bryant, Kansas
- DB Kobe Savage, Kansas State
- DB Kendal Daniels, Oklahoma State
- DB Josh Newton, TCU
- F Mason Fletcher, Cincinnati

Kellis Robinett: @KellisRobinett

FROM PAGE 1B GREINKE

around. "The Royals replaced him with reliever Nick Wittgren. Prior to his exit, Greinke generated 35 swings and just four whiffs. "I didn't feel very sharp that last inning going out," Greinke said. "I actually felt good most of the game."

BOBBY WITT JR. DRILLS 13TH HOME RUN

Bobby Witt Jr. continued his surge at the plate. Witt, who was named the Royals Player of the Month for June, carried over his momentum against the Twins.

In the fourth inning, Witt hit his 13th home run off Twins starter Kenta Maeda. The blast traveled 432 feet and landed in the Royals bullpen. Witt connected on a 91-4 four-

seam fastball that was left in the strike zone.

"Bobby is swinging the bat great," Quattraro said. "His at-bats have been tremendous for a while now. He is super competitive up there and making some adjustments on the fly."

The home run cut into the Twins' four-run lead. It was one of the Royals' three hits against Maeda on Tuesday.

Witt is hitting .444 (4 for 9) with three RBIs, two extra-base hits and two stolen bases this series.

What's next: The Royals conclude their three-game set against the Twins. Alec Marsh will make his second MLB start against Pablo Lopez on Wednesday night.

Jaylon Thompson: @jaylonthompson

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Legals

LEGAL PUBLICATION
OCA 190094
Published in The Wichita Eagle on July 6, 2023
City: One Town Overlay
MPC#023 July 27, 2023
OFFICIAL HEARING NOTICE
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DEP0203-0004: Unified Zoning Code amendment to the Old Town Overlay to allow Tattoo and Body Piercing Facility as a permitted use within the Old Town Overlay District, located between North Santa Fe Avenue and North Washington Avenue, and between East Douglas Avenue and East Street North.

MAC2023-0025: Request in the City to vacate a portion of a platted 100-foot building setback for site development; generally located on the southwest corner east Maple Street and South Ridge Road (S33 S. Ridge Road).

MAC2023-0026: Request in the City to vacate a portion of platted street right-of-way and a 40-foot setback building setback; generally located on the northeast corner of Harry Street and Greenwood Avenue (1048 S. Dowell Terrace).

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Options to participate (see below):
1) Participate virtually
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3) Submit comments ahead of time
Participate Virtually
Join Zoom Meeting
https://us02web.zoom.us/j/4089866967?pwd=dkB3bW9ScEhRUCJFOTVpV0p-
V0R0UDR5
Meeting ID: 408 986 6967
Passcode: 084136
One tap mobile
+11899906633.4089866967?_tq=11568 US (San Jose)
+11899906633.4089866967?_tq=11568 US
Meeting ID: 408 986 6967
Passcode: 084136
Find your local number: https://us02web.zoom.us/j/4089866967
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Email: Planning@wichita.gov
Mailing Address: Wichita-Sedgewick County Metropolitan Area Planning Department
Attn: Scott Wade
271 W. 3rd Street - Suite 201
Wichita, KS 67202
Phone: 316-268-6421
Fax: 316-568-7752
WITNESS MY HAND on July 6, 2023
Scott Wade, Secretary
WichitaSedgewick County
Metropolitan Area Planning Commission
PR 01292023
Jul 6 2023

LEGAL PUBLICATION
BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS
IN THE MATTER OF THE APPLICATION OF MERIT ENERGY COMPANY, LLC, FOR AN EXCEPTION TO THE 10-YEAR TIME LIMITATION OF K.A.R. 82-3-111 FOR ITS JOHNSON HEIRS 1 WELL IN THE SOUTH-EAST QUARTER OF THE NORTH-EAST QUARTER OF SECTION 30, TOWNSHIP 29 SOUTH, RANGE 28 WEST, GRANT COUNTY, KANSAS.
DOCKET NO. 24-CONS-3003-CEDC; CONSERVATION DIVISION LICENSE NO. 24448

NOTICE OF FILING APPLICATION
THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS TO: ALL OIL AND GAS PRODUCERS, UNLEASED MINERAL INTEREST OWNERS, LANDOWNERS, AND ALL PERSONS WHOEVER CONCERNED:
YOU and each of you, are hereby notified that Merit Energy Company has filed an Application for an exception to the ten-year time limitation of K.A.R. 82-3-111 for the Johnson Heirs 1 well, located in the Southeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 30, Township 29 South, Range 28 West, Grant County, Kansas, API # 15-067-21021-00-01. YOU are further notified that unless written protest is received by the State Corporation Commission within fifteen (15) days after publication of this Notice, the Application in this matter can be granted by administrative approval after said 15-day period. Any such protest should be mailed to: State Corporation Commission of the State of Kansas, Conservation Division, 286 North Main, Suite 220, Wichita, Kansas, 67202, and to the Applicant at the address shown.

All parties in any way interested or concerned shall take notice of the foregoing and govern themselves accordingly.
Merit Energy Company
By: Katherine McClurkin
Regulatory Analyst
13727 Noel Road, Suite 1200
Dallas, Texas 75240
(972) 629-1660
FL2130140
Jul 6 2023

Announcements

Community Events

Panoka Fee & Grab Sale Fundraiser
Maize Community Center, 401 S Khewie, Maize, KS 67101
8am-12pm
July 22, 2023
All-you-can-eat pancakes, sausage, coffee, and juice

Auctions

Garage Sales

St. Anne Parish Annual Garage Sale
July 6 & 7 8AM-4PM July 8 8AM-4PM
2801 S Seneca St, Wichita

Animals

Dogs

Mini Bernedoodle & Cockapoo
Puppies for sale! 816-353-0489
Mewestgoodbreeds.com 81500+

Golden Retrievers S/W Wet Chock
8400 Emerald for info: 316-377-6963
alexandrc@gmail.com Ready to go.

Multi-Poo Puppies
Sweet puppies! Firm raised, vet checked, first shots given. 8 wks. old. Call 620-259-0148 for more info.

Merchandise

Wanted to Buy

FREON - Wanted: Certified buyer looking to buy R11, R12, R22 & more! Call Xiomara at 312-967-1976.

Service Directory

Junk/Trash/Debris Removal
Estate clean-out, Junk hauling, tree removal 990-8897
Lawn/Care/Landscaping/Trees
Landscaping, dirt work, tree removal 990-8897
KANSAS.COM

Announcements

Art House 310 First Friday
310 S. Laura
6-10pm
First Friday, July 7th
Charlotte Meris & Sarah Daniels
Show hangs through July 23rd, 2023.



Beaufort Gazette
 Belleville News-Democrat
 Bellingham Herald
 Bradenton Herald
 Centre Daily Times
 Charlotte Observer
 Columbus Ledger-Enquirer
 Fresno Bee

The Herald - Rock Hill
 Herald Sun - Durham
 Idaho Statesman
 Island Packet
 Kansas City Star
 Lexington Herald-Leader
 Merced Sun-Star
 Miami Herald

el Nuevo Herald - Miami
 Modesto Bee
 Raleigh News & Observer
 The Olympian
 Sacramento Bee
 Fort Worth Star-Telegram
 The State - Columbia
 Sun Herald - Biloxi

Sun News - Myrtle Beach
 The News Tribune Tacoma
 The Telegraph - Macon
 San Luis Obispo Tribune
 Tri-City Herald
 Wichita Eagle

CITY OF WICHITA/PLANNING DEPT
 271 WEST THIRD ST., 2ND FL, SU 203
 WICHITA KS 67202

MEMO INVOICE	
Order No.:	439976
Memo Date:	07/06/2023
Bill-To Account:	16399

Dates	Order No.	Description	Product	Size	Billed Units	Times Run	Net Amount
07/06/2023 - 07/06/2023	439976	Print Legal Ad-IPL01299290 IPL0129929	WIC-Wichita Eagle Legal Legals & Public Notices CLS	2 x 85 L	170 L	1	\$142.59

 Please Return This Portion With Your Payment (Thank You)

McClatchy Company LLC
 PO Box 510150
 Livonia MI 48151

*** MEMO INVOICE ***

CITY OF WICHITA/PLANNING DEPT
 271 WEST THIRD ST., 2ND FL, SU 203
 WICHITA KS 67202

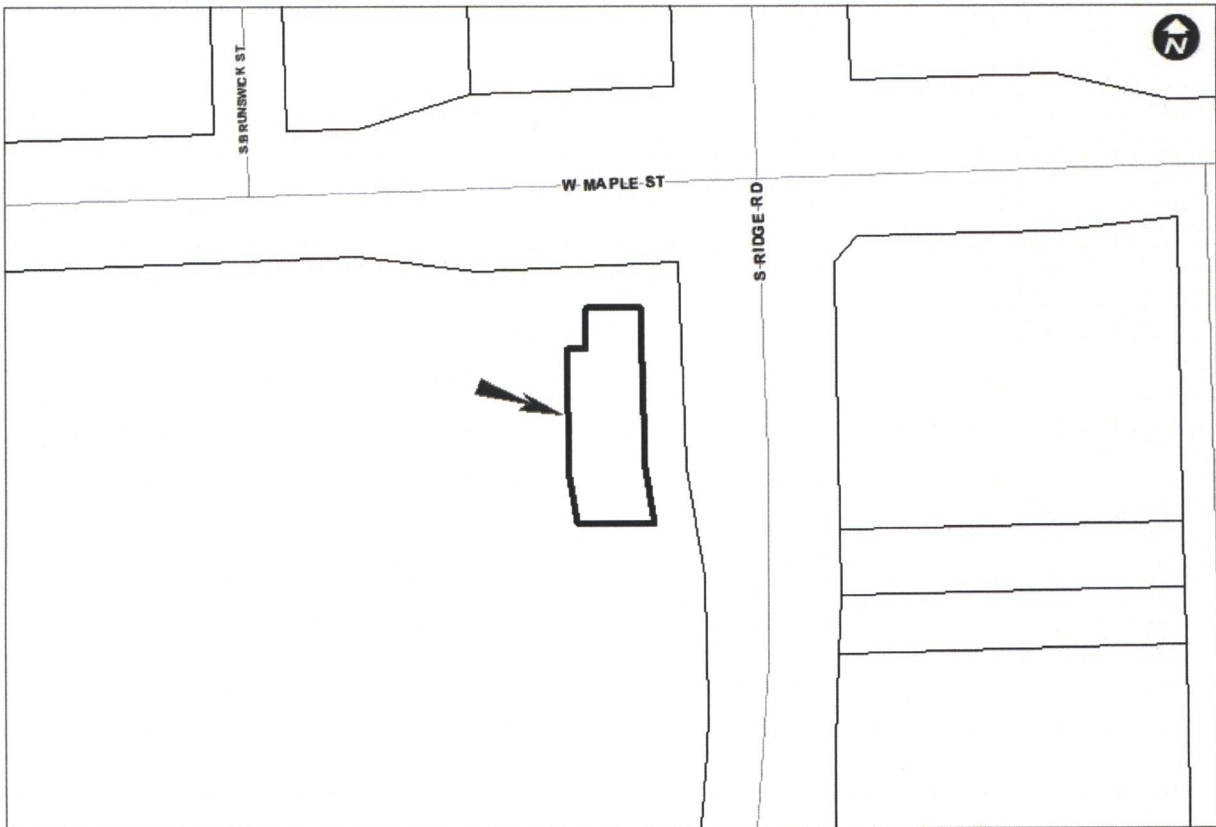
MEMO INVOICE	
Order No.:	439976
Account No.:	16399
Account Name:	CITY OF WICHITA/PLANNING DEPT
Order Amount:	\$142.59

Email questions to ssccreditandcollections@mcclatchy.com

McClatchy Company LLC
 PO Box 510150
 Livonia MI 48151

STAFF REPORT

- CASE NUMBER:** VAC2023-00025- Request in the City to vacate reduce two platted setbacks from 70 feet to 35 feet and from 100 feet to 35 feet respectively.
- APPLICANTS:** Lowe’s Home Centers, LLC (owner)/ Schwab Eaton (agent)
- LEGAL DESCRIPTION:** Generally described as vacating the south 35 feet of a platted 70-foot setback along West Maple Street and vacating the west 70 feet of a platted 100-foot setback along South Ridge Road (see attached legal description).
- LOCATION:** Generally located on the southwest corner of West Maple Street and South Ridge Road. (WCC District IV)
- REASON FOR REQUEST:** To allow construction of a retail coffee outlet.
- CURRENT ZONING:** The site is zoned LC Limited Commercial District with CUP DP-37. The abutting properties to the north, east, south and west are zoned LC Limited Commercial District. Property to the south and west are within CUP DP-37 and developed with a home improvement store and a restaurant. Property to the north, across West Maple Street, is developed with a gas station and convenience store. Property to the east is developed with a restaurant.



VAC2023-00025- Request in the City to vacate a portion of platted building setbacks on property zoned LC Limited Commercial with CUP DP-37, located on the southwest corner of West Maple Street and South Ridge Road.

July 27, 2023

Page 2

The applicant is requesting to vacate a portion of two-platted building setbacks on Lot 1, Lowes Addition in order to construct a new retail coffee establishment in the northeast corner of the existing Lowe's Home Improvement Store's parking lot. The subject property is zoned LC Limited Commercial District and is a portion of Parcel 5A in the Ridge Plaza Community Unit Plan (CUP) DP-37. The property is generally located on the southwest corner of West Maple Street and South Ridge Road.

More specifically, Lot 1 has a platted 70-foot building setback along West Maple Street and a platted 100-foot setback along South Ridge Road. The applicant is requesting to reduce the 70-foot setback by 35 feet and reduce the 100-foot setback by 70 feet, creating a uniform 30-foot building setback along the proposed new building footprint (see attached exhibit).

Section III-C.2.b of the Unified Zoning Code (UZC) requires a minimum of a 35-foot building setback from the CUP district boundaries for all nonresidential CUPs. The requested reduction of the setback along West Maple Street does not exceed this requirement. The request to reduce the setback to 30 feet along South Ridge Road exceeds this requirement by 5 feet. However, zoning setbacks within CUPs can be reduced by 5 feet by administrative adjustment. Staff does not think the additional 5 feet will have any negative impacts vehicular movement or harmonious development. These platted setbacks are denoted on the CUP DP-37 drawing. If the vacation application is approved, the applicant will be required to submit an administrative adjustment to CUP DP-37 to reflect the changed setbacks on the face of the CUP. The applicant is entering into a long-term lease with the owner of Lot 1, which does not require a lot split or creation of a new parcel.

The applicant does not intend to construct any additional drives onto West Maple Street or South Ridge Road. Access to the site will be via the existing drives to the west and south of the subject area.

City water is located in the West Maple Street right-of-way. City sewer is located in a platted 25-foot utility easement on Lot 1, approximately 400 feet south of the subject site. Sewer will need to be extended in order to serve the proposed new development. Evergy does not object to the request. They have poles, equipment, and lines near the subject setback. Conditions #2 and #3 cover all utilities. Abby Brungardt is the Evergy Representative for this project and can be contacted at 785-508-2715. Vehicular traffic, pedestrian traffic, and public safety should not be impacted by this vacation request if approved with the listed conditions.

The Lowes Addition was recorded with the Sedgwick County Register of Deeds on September 23, 1997.

- 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 July 6, 2023, 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 street 100-foot setback 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:

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 portion of platted building setbacks.

- (1) Vacate the generally described south 35 feet the platted 70-foot platted building setback along the north property line and vacate the generally described west 70 feet of the 100-foot platted building setback along the east property line on Lot 1, Lowes Addition, Wichita, Sedgwick County, Kansas.
- (2) Provide planning staff with an updated legal description 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.
- (3) 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 for recording with the Register of Deeds. All original dedications will go with the Vacation Order to City Council for final action and filing with the Sedgwick County Register of Deeds. These conditions must be completed prior to the case going to Council for final action.
- (4) If approved, the applicant shall submit an Administrative Adjustment to the Ridge Plaza Community Unit Plan DP-37 to reflect the vacated portions of the setbacks on the face of the CUP prior to the issuance of building permits.
- (5) All improvements shall be according to City Standards and at the applicant's expense.
- (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.

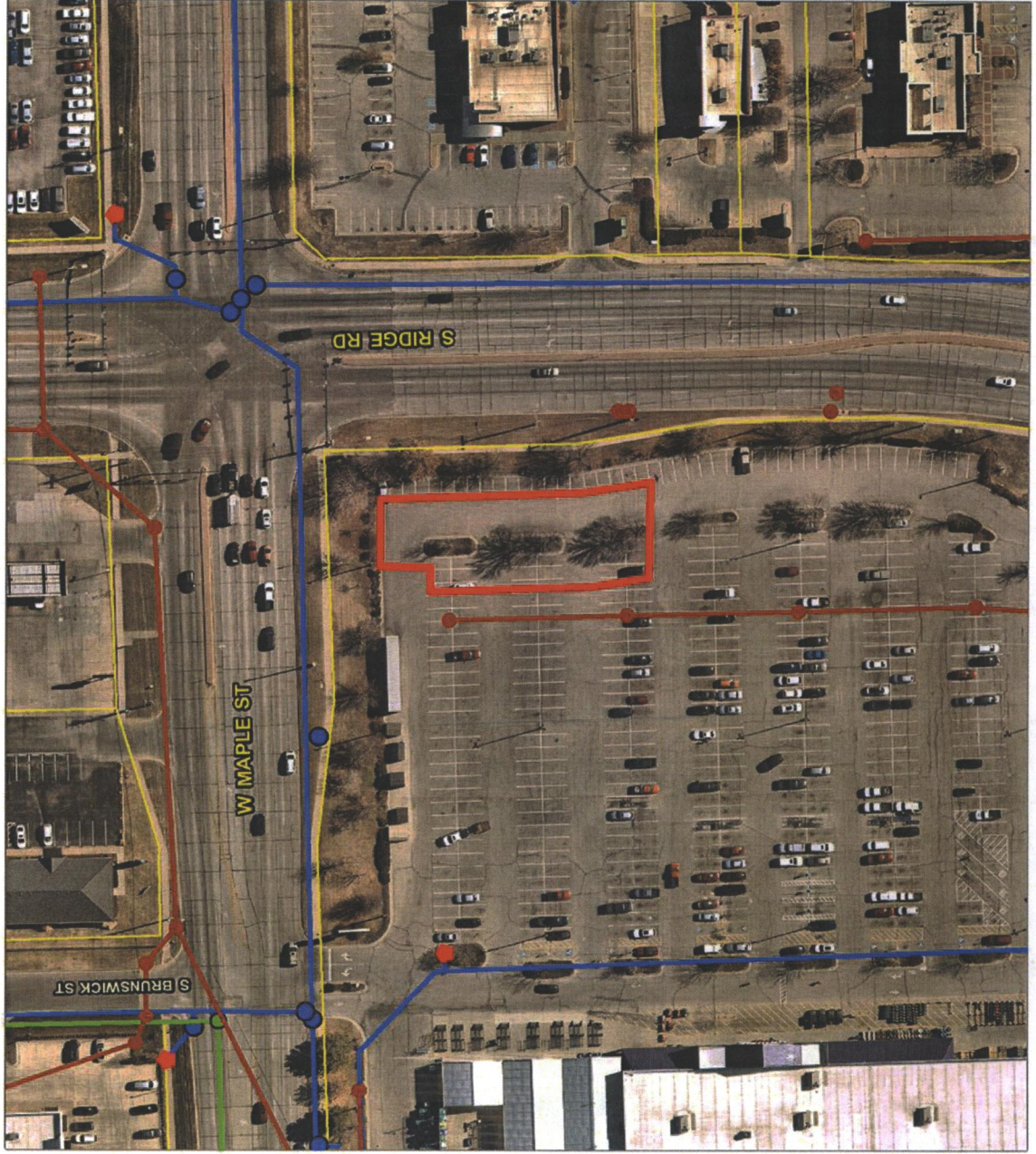
SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

Attachments:

1. Aerial Map
2. Applicant's Exhibit
3. Plat Excerpt
4. CUP DP-37 Drawing
5. Legal Description
6. Site Photos

Attachment 1. Aerial Map



- VAC2023-00025
- Storm Structures
- Enclosed Gravity Pipe
- Force Main
- Open Channel
- Siphon
- ◆ Water Hydrants
- Sewer Manholes
- Sewer Mains
- Water Valves
- Water Mains



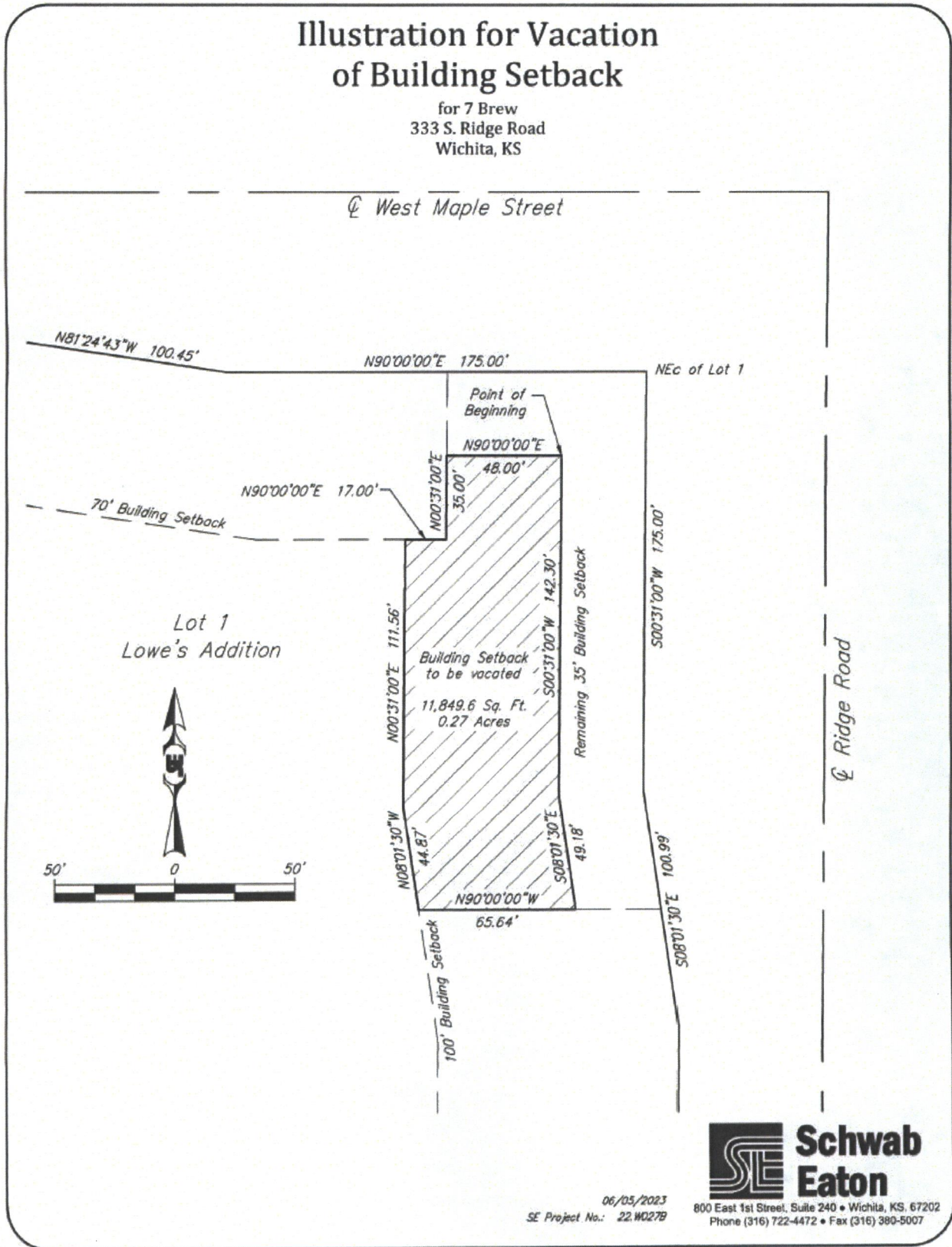
Software: ArcGIS

Map Data Sources:
 City of Wichita
 Sedgwick County

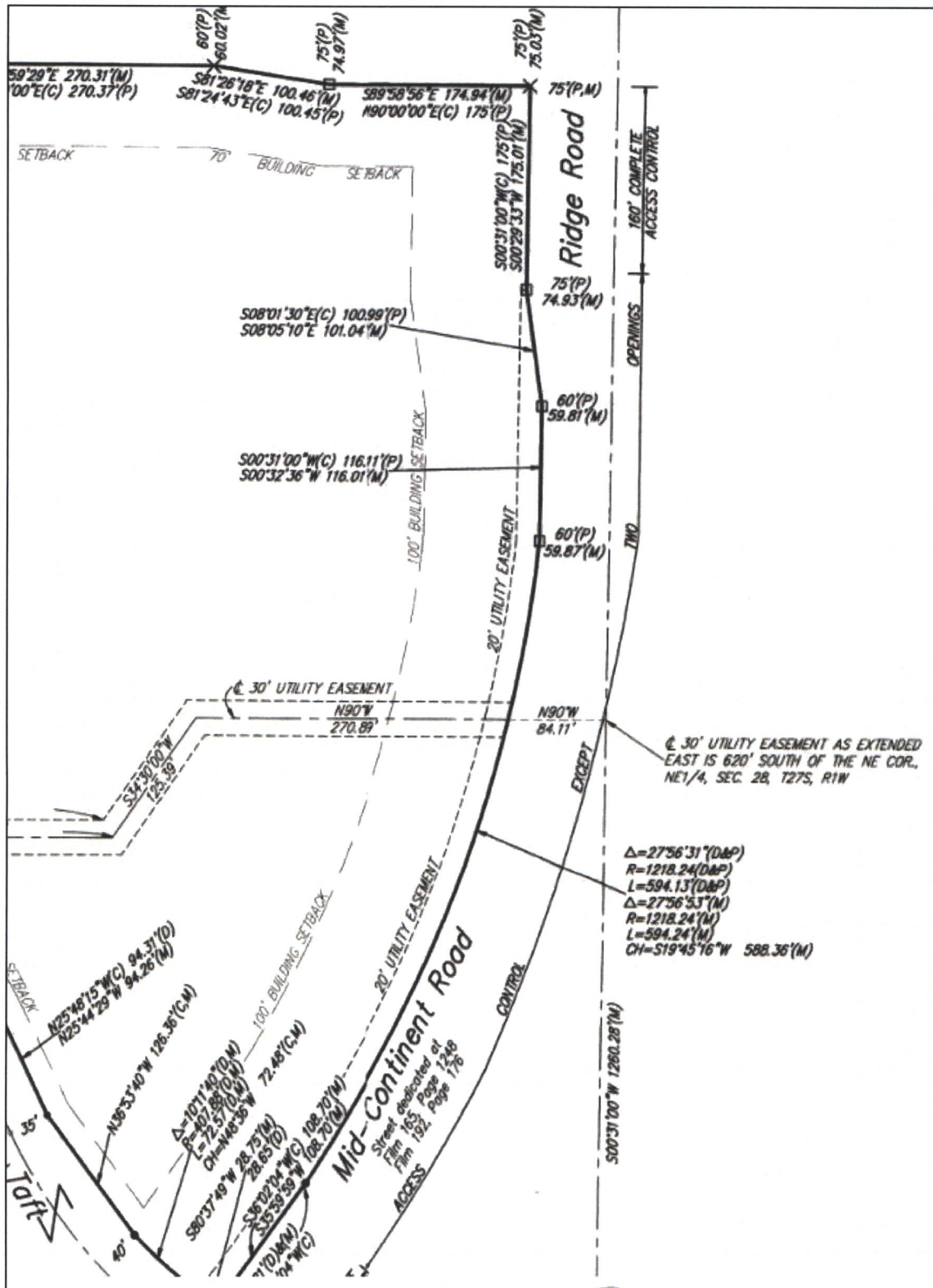
Prepared: 07/14/2023

It is understood that while the City of Wichita, Data Center Geographical Information Systems Department have no indication and reason to believe that there are inaccuracies in information incorporated in the base map, the City of Wichita does not warrant the accuracy of the information or data displayed, with respect to the information or data displayed.
 Note: Public property represented on this map is not intended to be inclusive.

Attachment 2. Applicant's Exhibit

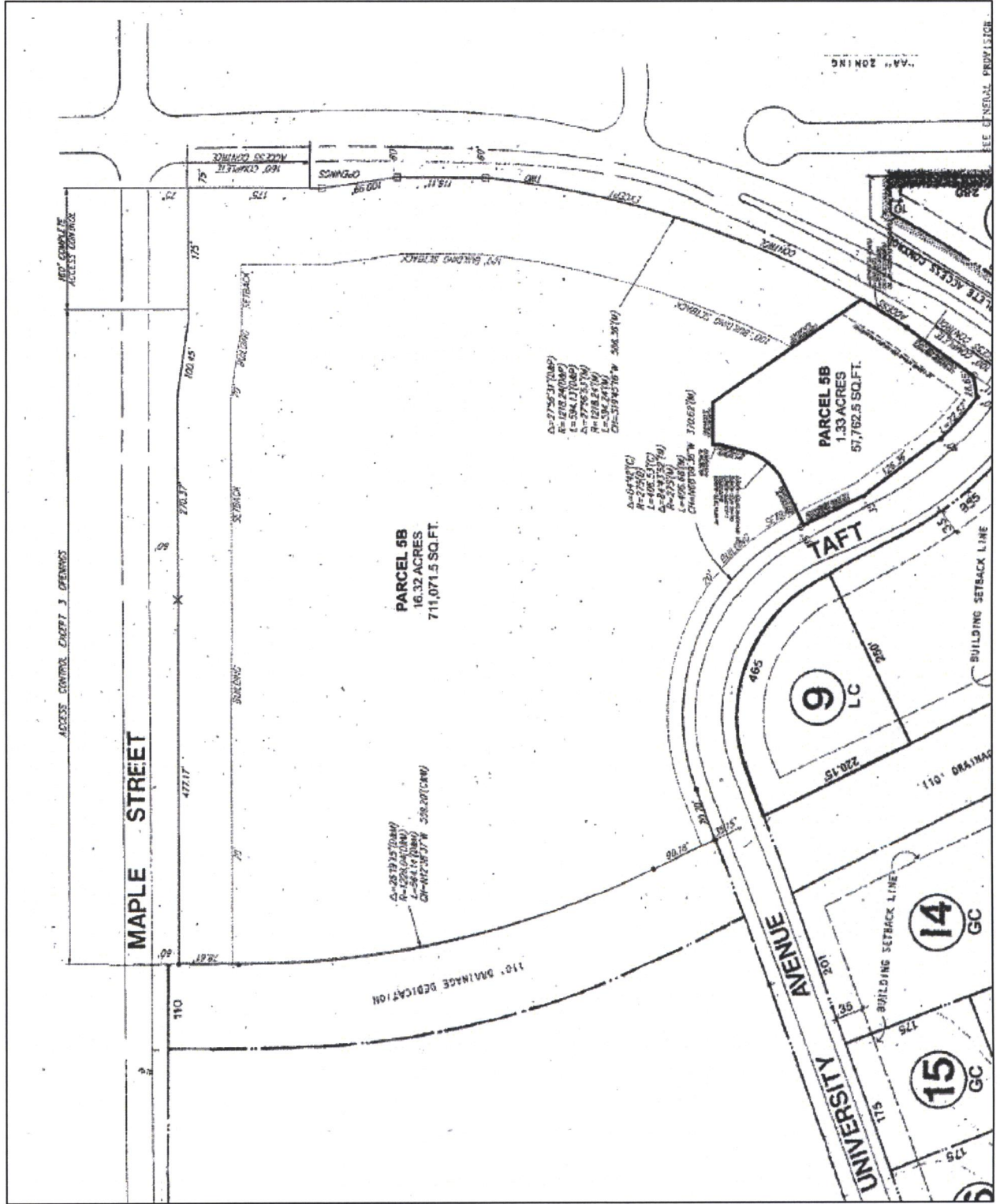


Attachment 3. Plat Excerpt



VAC2023-00025- Request in the City to vacate a portion of platted building setbacks on property zoned LC Limited Commercial with CUP DP-37, located on the southwest corner of West Maple Street and South Ridge Road.
 July 27, 2023
 Page 7

Attachment 4. CUP DP-37 Drawing Excerpt



Attachment

5. Legal Description

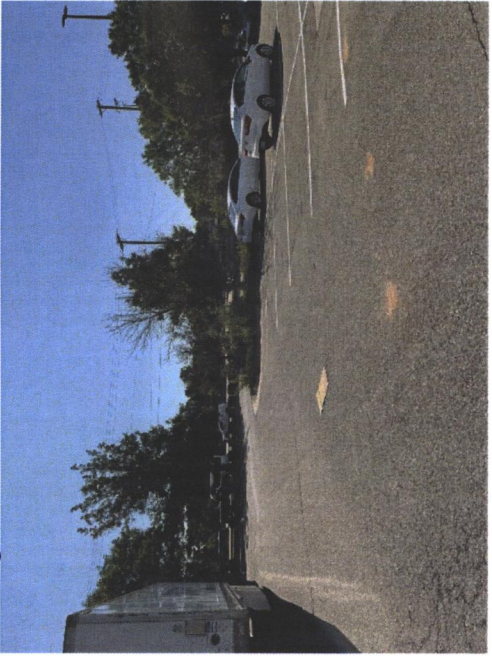
A portion of the platted building setback:

The Southwest 65 feet of the Northeast platted 100 foot building setback of Lot 1 of Lowe's Addition, Wichita, Sedgwick County, Kansas, as prepared by Charles R. Robinson, PS 1395 on June 5th, 2023 and more particularly described as follows: beginning at the Northeast corner of Lot 1 of Lowe's Addition, Wichita, Sedgwick County, Kansas; thence along the North line of said Lot 1 on a bearing of North 90 degrees 00 minutes 00 seconds West, a distance of 35.00 feet; thence South 00 degrees 31 minutes 00 seconds West, a distance of 35.00 feet to the Point of Beginning; thence continuing South parallel with the East line of said Lot 1 on a bearing of South 00 degrees 31 minutes 00 seconds West, a distance of 142.30 feet; thence continuing Southerly parallel with the East line of Lot 1 on a bearing of South 08 degrees 01 minutes 30 seconds East, a distance of 49.18 feet; thence West parallel with said North line of Lot 1 on a bearing of North 90 degrees 00 minutes 00 seconds West, a distance of 65.64 feet; thence North parallel with said East line of Lot 1 on a bearing of North 08 degrees 01 minutes 30 seconds West, a distance of 44.87 feet; thence continuing North parallel with said East line of Lot 1 on a bearing of North 00 degrees 31 minutes 00 seconds East, a distance of 111.56 feet; thence East parallel with said North line of Lot 1 on a bearing of North 90 degrees 00 minutes 00 seconds East, a distance of 17.00 feet; thence North parallel with said East line of Lot 1 on a bearing of North 00 degrees 31 minutes 00 seconds East, a distance of 35.00 feet; thence East parallel with said North line of Lot 1 on a bearing of North 90 degrees 00 minutes 00 seconds East, a distance 48.00 feet to the point of beginning.

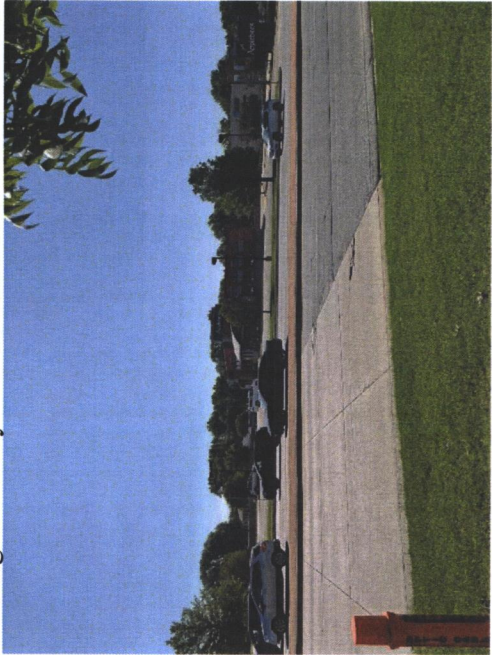
Said tract contains 11,849.60 square feet which is 0.27 acres.

VAC2023-00025- Request in the City to vacate a portion of platted building setbacks on property zoned LC Limited Commercial with CUP DP-37, located on the southwest corner of West Maple Street and South Ridge Road.
July 27, 2023
Page 9

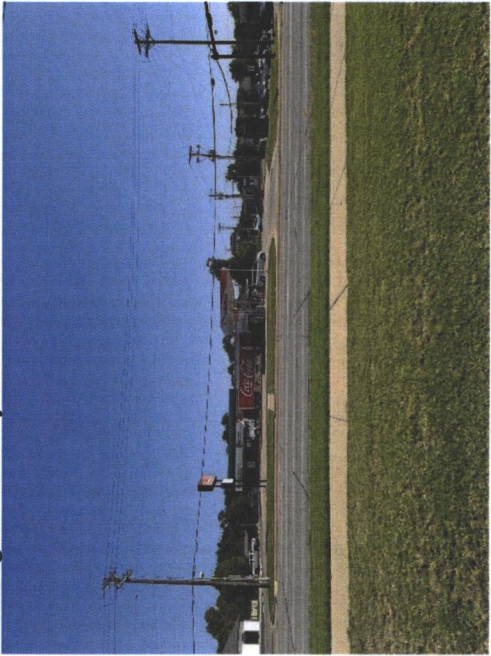
Looking east at site



Looking east away from site



Looking north away from site



Looking southwest away from site

