



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

February 27, 2025

WAM Investments, LLC
1223 N. Rock Rd. Ste. E200
Wichita, KS 67206

Baughman Company, P.A.
Attn: Jay Cook
315 S. Ellis
Wichita, KS 67211

Ref: VAC2024-00062: Vacation request in the City to reduce a platted 60 -foot to 30 feet to bring an existing building into compliance on property zoned LI Limited Industrial, located one-quarter mile east of South Hydraulic Ave and two-blocks south of East Wassall St. (2110 E. Industrial).

Dear Applicant,

At the **Tuesday, February 25, 2025**, meeting of the Wichita City Council, the above-referenced vacation request was approved.

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,

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

Philip Zevenbergen
Current Plans
Division Manager



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

January 24, 2025

WAM Investments, LLC
1223 N. Rock Rd. Ste. E200
Wichita, KS 67206

Baughman Company, P.A.
Attn: Jay Cook
315 S. Ellis
Wichita, KS 67211

Ref: VAC2024-00062: Vacation request in the City to reduce a platted 60 -foot to 30 feet to bring an existing building into compliance on property zoned LI Limited Industrial, located one-quarter mile east of South Hydraulic Ave and two-blocks south of East Wassall St. (2110 E. Industrial).

Dear Applicant,

At the **Thursday, January 23, 2025**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) Abandonment or relocation/reconstruction of any/all utilities made necessary by the vacation of the described portion of a wall easement and utility easement shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide approval from franchised utilities for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.
- (2) As needed provide Planning with dedication of easements by separate instruments with original signatures to go with the Vacation Order to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds. All to be provided to the Planning Department prior to this 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.

VAC2024-00062: Vacation request in the City to reduce a platted 60 -foot to 30 feet to bring an existing building into compliance on property zoned LI Limited Industrial, located one-quarter mile east of South Hydraulic Ave and two-blocks south of East Wassall St. (2110 E. Industrial).
Page 2

These conditions have been met. Therefore, this case is scheduled for final action by the Wichita City Council on **Tuesday, February 25, 2025**. 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



Tonya Buckingham

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

**IN THE MATTER OF THE VACATION OF A PORTION OF)
A PLATTED BUILDING SETBACK)**

**GENERALLY LOCATED ONE-HALF MILE EAST OF SOUTH)
HYADRAULIC AVENUE AND ONE-QUARTER MILE SOUTH)
OF EAST WASSALL STREET)**

VAC2024-00062

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 25th day of February 2025, comes on for hearing the petition for vacation filed by WAM Investments, LLC. (owner) praying for the vacation of a portion of a platted building setback, to wit:

Portion of a platted building setback to be vacated:

A 30.00 foot strip along the southwest edge of the 60 foot Building Line, of the South 120 feet of Block E, EXCEPT the West 211 feet thereof, Industrial Addition, Wichita, Sedgwick County, Kansas, as prepared by Baughman Co. P.A. Professional Surveyors, CLS 58, in aforesaid County and State, on December 12, 2024, and being described as follows, COMMENCING at the Northeast corner of subject property; THENCE West, coincident with the north boundary of subject tract, 37.83 feet, to a point 30.00 normally distant southwest of the northeast boundary of subject tract; THENCE Southeast, parallel with and 30.00 feet normally distant southwest of the northeast boundary of subject tract, 113.50 feet, to a point 30.00 feet north of the south boundary of subject tract; THENCE West, parallel with and 30.00 feet north of the south boundary of subject tract, 37.83 feet, to the platted 60 foot building line; THENCE Northwest, coincident with the platted 60 foot building line, 113.50 feet, to the north boundary of subject tract; THENCE East, coincident with the north boundary of subject tract 37.83 feet, to the POINT OF BEGINNING.

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,

February 25, 2025
VAC2024-00062

in The Wichita Eagle and at www.wichita.gov/LegalNotices on January 2, 2025, which was at least 20 days prior to the public hearing.

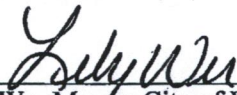
2. No private rights will be injured or endangered by the vacation of the described portion of a platted building setback and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner, the prayer of the petitioner 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 portion of a platted building setback should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 25th day of February 2025, ordered that the above-described portion of a platted building setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Sedgwick County Register of Deeds for recording.



Lily Wu, Mayor, City of Wichita

ATTEST:



Paul Leeker, City Clerk



Approved as to Form:



Jennifer Magana, City Attorney and Director of Law

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

**IN THE MATTER OF THE VACATION OF A PORTION OF)
A PLATTED BUILDING SETBACK)**

**GENERALLY LOCATED ONE-HALF MILE EAST OF SOUTH)
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February 25, 2025
VAC2024-00062

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ATTEST:



Paul Leeker, City Clerk



Approved as to Form:



Jennifer Magana, City Attorney and Director of Law



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
 Ledger-Enquirer

Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
 Rock Hill | The Herald
 The Sacramento Bee
 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	622544	Print Legal Ad-IPL02097400 - IPL0209740	MAPC/BZA 1/23/25	\$60.00	2	49 L

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

MHEBERT@wichita.gov

OCA 150004
Published in The Wichita Eagle on December 29, 2024
(One Time Only)
MAPC/BZA January 23, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, January 23, 2025, no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421. Full notice can be found at www.wichita.gov/LegalNotices.

CON2024-00247: Conditional Use in the City to allow a Short-Term Rental on property zoned SF-5 Single Family Residential; located approximately 357 feet south of the intersection of East 2nd Street North and West 9th Street North and North Battin Avenue (227 North Battin Avenue).

CON2024-00280: Conditional Use in the City to allow for Day Care, General on properties zoned SF-5 Single-Family Residential, located on the northwest corner of South Seneca Street and West Regal Street (2801 South Seneca Street and 1121 West Regal Street).

CON2024-00282: Conditional Use request in the City for Utility, Major for an internet exchange point on property zoned SF-5 Single-Family Residential; located on the north side of East 21st Street North and within one-half west of North Oliver Avenue (on the northwest corner of East Hillside and North Fountain).

CUP2024-00048: CUP Amendment in the City to CUP DP-8 to amend maximum height, maximum building coverage, maximum gross area, and floor area ratio on Parcel 2C, generally located northwest of the intersection of East 21st Street and Pinecrest Avenue.

DER2024-00009: Unified Zoning Code amendment creating the Short-Term Rental in the County land use and the establishment of permitting standards.

VAC2024-00059: Vacation request in the City of Interior side setback; generally located on the south side of East Willowbrook Circle and within one-quarter mile west of South 159th Street East (15513 East Willowbrook Circle).

VAC2024-00061: Vacation request in the City to reduce a platted 15-foot street side setback to 12 feet for future development on property zoned TF-3 Two-Family Residential District; located within one-block west of North 151st Street West and within one-quarter mile south of West 21st Street North.

VAC2024-00062: Vacation request in the City to vacate a portion of a platted 60-foot to reduce it to 55 feet to bring an existing building in compliance, on property zoned LI Limited Industrial; located one-quarter mile east of South Hydraulic Ave and two-blocks south of East Wassall St (2110 E. Industrial Ave).

ZON2024-00061: Zone Change request in the City from SF-5 Single-Family Residential District to MF-18 Multi-Family Residential, generally located on the north side of West 51st Street North and one-quarter mile west of North Seneca Street (1608 West 51st Street North).

IPL0209740
 Jan 1 2025

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

1 insertion(s) published on:

01/01/25

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, of lawful age, being first duly sworn, deposeth 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 01/01/2025 to 01/01/2025.

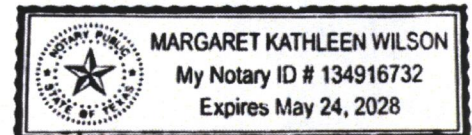
Mary Castro

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

DATED: 01/02/2025

Margaret K. Wilson

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!



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
 Ledger-Enquirer

Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
 Rock Hill | The Herald
 The Sacramento Bee
 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

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IPL0209739
 Dec 29 2024

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

1 insertion(s) published on:

12/29/24

STATE OF KANSAS)

SS

County of Sedgwick)

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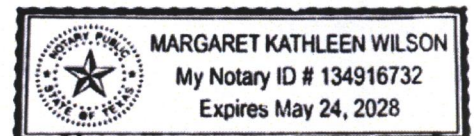
Mary Castro

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

DATED: 12/30/2024

Margaret K. Wilson

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!

METROPOLITAN AREA PLANNING COMMISSION

**AGENDA REPORT NO.
January 23, 2025**

STAFF REPORT

CASE NUMBER: VAC2024-00062 - City Vacation of a portion of a platted 60-foot building setback.

APPLICANT: WAM Investments, LLC (applicant)/ Baughman Company, P.A. (agent)

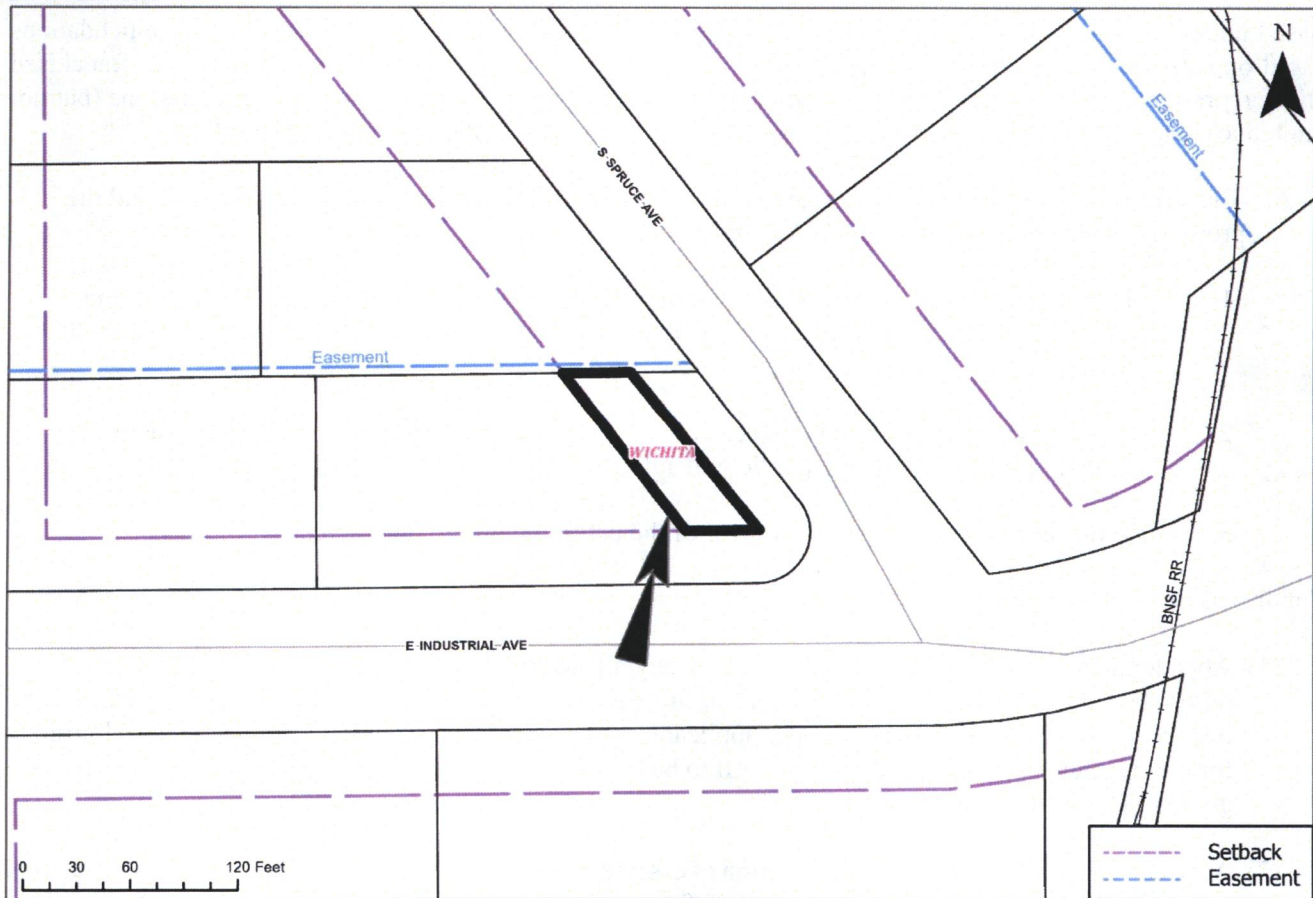
LEGAL DESCRIPTION: Generally described as vacating the west 30 feet of the east 60 feet of the east 211 feet of the south 120 feet of Block E, Industrial Addition, Wichita, Sedgwick County, Kansas, EXCEPT the south 30 feet thereof.

LOCATION: Generally located one-half mile east of South Hydraulic Avenue, and one-quarter mile south of East Wassall Street (2110 East Industrial Ave.). (WCC III)

REASON FOR REQUEST: To bring existing building into compliance with platted setback.

CURRENT ZONING: The subject site and all abutting sites are zoned LI Limited Industrial District and developed with industrial uses.

VICINITY MAP:



The applicant proposes to vacate the west 30 feet of the east 60 feet of the east 211 feet of the south 120 feet of Block E, Industrial Addition, except the south 30 feet thereof. The purpose of the request is to bring the existing building into compliance with the platted setback. The northwest corner of the building and an existing "lean-to" structure on the east side of the building encroach into the setback. The platted 60-foot front exceeds the minimum 20-foot zoning setback for the LI Limited Industrial District by 40 feet. The request would reduce the setback to 30 feet, which still exceeds the minimum 20-foot zoning front setback.

Wichita Public Works and Utilities, Wichita Traffic Engineering, and Wichita Fire Department do not object to the vacation of the platted setback. Comments from franchised utilities have been received. Neither Cox nor Evergy have any objection to this vacation request. Cox does not have any lines or equipment in the area. Evergy has overhead lines near the setback area. Any structures would need to maintain proper clearance from this line. Evergy Service Clearance Standards are attached. Whitney Rusk is Evergy's Area Distribution Design Representative and can be contacted at 785-508-2695 with any questions or discussion about this case.

The Industrial Addition was recorded on May 16, 1951.

When determining a recommendation to be made to the Metropolitan Area Planning Commission (MAPC), the Subdivision and Utility Advisory Committee should consider the legal findings that are required to be made by the MAPC and Governing Body in order to grant the request. These findings are detailed in the subsequent MAPC report. In particular, the Committee should consider whether any private rights will be injured or endangered by recommending approval of the vacation request, and whether or not the public will suffer any loss or inconvenience thereby.

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 building setback.

- 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 January 2, 2025, 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 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:

- (1) Abandonment or relocation/reconstruction of any/all utilities made necessary by the vacation of the described portion of a wall easement and utility easement shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide approval from franchised utilities for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.
- (2) As needed provide Planning with dedication of easements by separate instruments with original signatures to go with the Vacation Order to City Council for final action and subsequent recording with the Vacation

Order at the Register of Deeds. All to be provided to the Planning Department prior to this 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.

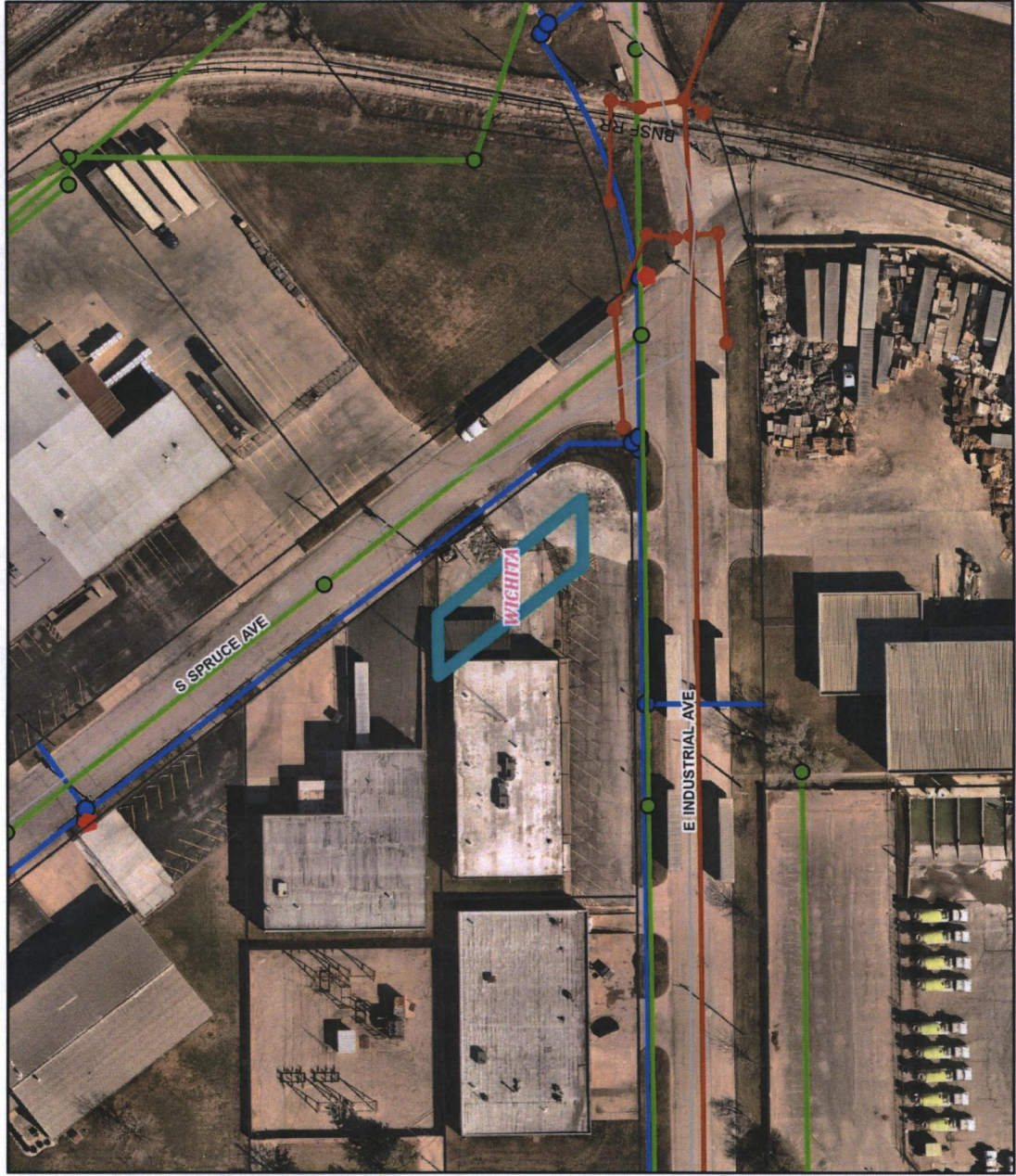
Attachments:

- 1) Aerial Map
- 2) Vacation Exhibit
- 3) Every Building Clearance Standards

Aerial Map

VAC2024-62

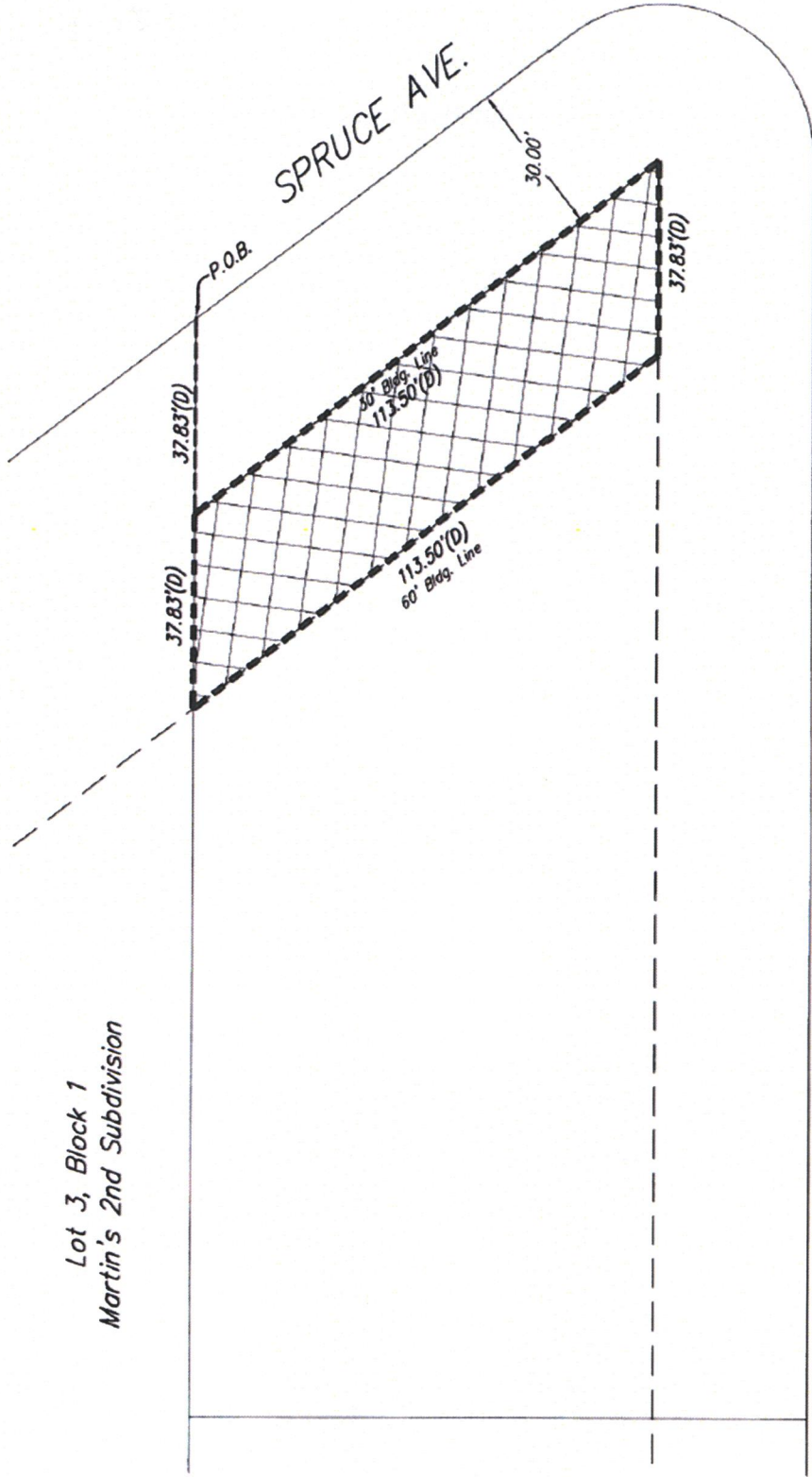
-  City Limits
-  Storm Structures
-  Enclosed Gravity Pipe
-  Force Main
-  Open Channel
-  Siphon
-  Water Hydrants
-  Sewer Manholes
-  Sewer Mains
-  Water Valves
-  Water Mains



Vacation Exhibit

EXHIBIT

*Lot 3, Block 1
Martin's 2nd Subdivision*



INDUSTRIAL AVE.

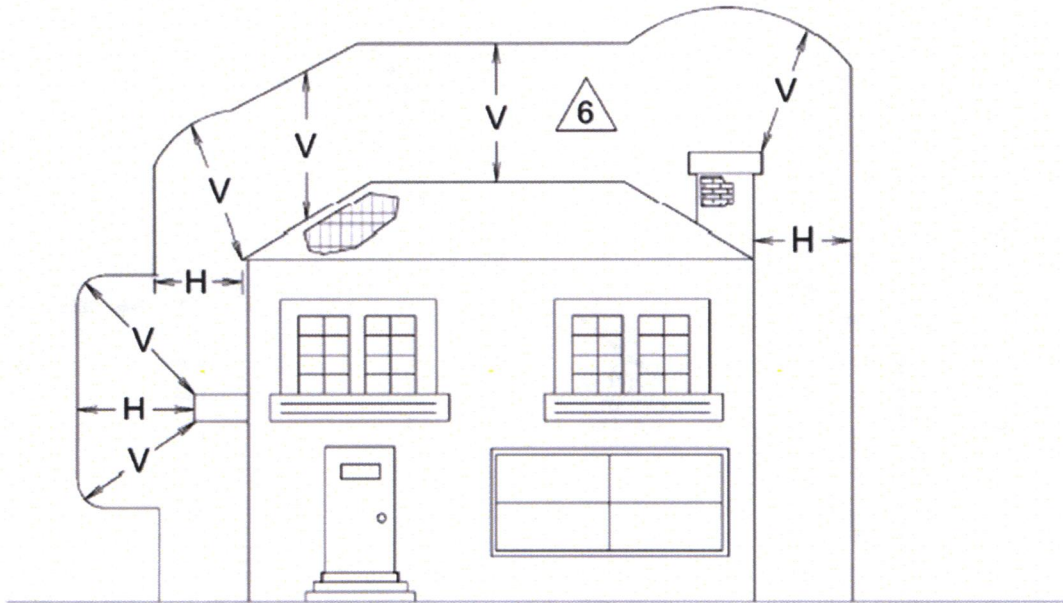


Page 2 of 2
Jan. 13, 2025
BAUGHMAN COMPANY
315 Ellis St. Wichita, KS 67211 316-262-7271
BaughmanCo.com

Evergy Building Clearance Standards



10.28 – Clearances of Conductors Adjacent to Buildings but Not Attached to the Building.



Voltage of Supply Conductors (Volts)	Horizontal Clearance (H) (Feet)	Vertical Clearance (V) (Feet)	Balconies and Flat Roofs (Feet)
System Neutral Grounded Guys 240,480V Multiplex	5.0	3.5	10.5
240, 480 V Line to Line Open Wire	5.5	11.0	11.5
12,23,34kV Line to Line	7.5	12.5	13.5
69kV Line to Line	8.5	13.5	14.5

NESC Table 234-1

1. Customers, contractors, and their work equipment shall maintain a minimum clearance of 10 feet from the company's power lines. Kansas law requires workers to notify the company when work is necessary at clearance 10 feet or less. K.S.A.66-1709-1716 & OSHA 1910.333(c)(3)(i)(A) Notification shall be made 7 working days ahead of the time when work is to be started. There may be a cost involved to isolate power lines.
2. Table values are absolute minimum in clearances to structures.
3. Clearance requirements are taken from NESC article 234.
4. Voltages specified are line to line.
5. Customer must also follow NEC codes for clearances and service drops attachments.
6. Construction of supply circuits above buildings should be avoided.