



Wichita-Sedgwick County Metropolitan Area Planning Department

June 24, 2002

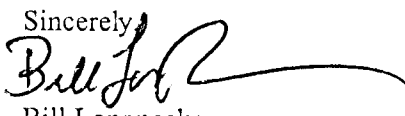
Evcon Industries Inc.
Attention: Robert Fowler
801 E. 37th Street North
Wichita, KS 67219

Re: **VAC2001-00015** - Request to vacate drainage easement generally located Southeast of the 33rd Street North and Meade Avenue intersection.

Dear Mr. Fowler:

At the Thursday, April 19, 2001, meeting of the Metropolitan Area Planning Commission the above-referenced vacation request was approved subject to the conditions recommended by the Subdivision Committee and stated in our letter of April 13, 2001. Since you have completed all the approval conditions, this case will be placed on the Consent Agenda for final approval by the Wichita City Council on Tuesday, July 2, 2002, at 9:00 A.M. in the City Council Chamber, First Floor, City Hall, 455 North Main Street, Wichita, Kansas.

The public hearing on planning items is conducted by the MAPC under provisions of State Law. Adopted policy is that the City Council will not take additional testimony on zoning-related applications and other issues for which the MAPC has held a public hearing. However, interested parties may file a written statement before the City Council meeting, stating any objections to the proposed vacation. The Council will determine from such statements whether to return the issue to the MAPC for reconsideration or to reverse their recommendation.

Sincerely,

Bill Longnecker
Senior Planner

BL:le

cc: Mike Lindebak, City Engineer, Public Works Department, Mail Stop 171
Paul Gunzelman/ Carla Jones, Public Works Engineering, Mailstop 1-71
Baughman Company, P.A., c/o Phil Meyer, 315 Ellis, Wichita, KS 67211



Wichita-Sedgwick County Metropolitan Area Planning Department

April 13, 2001

Evcon Industries, Inc.
Attention: Robert Fowler
801 E. 37th Street North
Wichita, KS 67219

Re: **VAC2001-00015** - Request to vacate drainage easement generally located approximately 865 feet south of 33rd Street North on the east side of Meade Avenue.

Dear Sirs:

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, April 12, 2001, the above-captioned vacation request was considered. The action of the Committee was to recommend that this vacation be approved subject to:

1. Applicant must assume all responsibility for drainage and flooding made by this vacation.
2. Applicant must guarantee the reroute of drainage with a letter of credit or a cash guarantee.
3. Any relocation or reconstruction of utilities made necessary by vacation shall be the responsibility of the applicant.
4. All improvements shall be according to City Standards.

This matter is set for public hearing by the Metropolitan Area Planning Commission on Thursday, April 19, 2001 at 1:00 p.m. in the Planning Conference Room, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas. If you have any questions, please call at 268-4421.

Sincerely,

Bill Longnecker
Senior Planner

BL:le

cc: Mike Lindebak, City Engineer, Public Works Department, Mail Stop 1-82
Carla Jones / Paul Gunzelman, Public Works Engineering, Mailstop 1-82
Baughman Company, P.A., c/o Phil Meyer, 315 Ellis, Wichita, KS 67211

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STAFF REPORT

CASE NUMBER: VAC2001-00015: Request to vacate 30-ft drainage easement

OWNER/APPLICANT: Evcon Industries, Inc

AGENT: Baughman Company, PA/Phil Myer

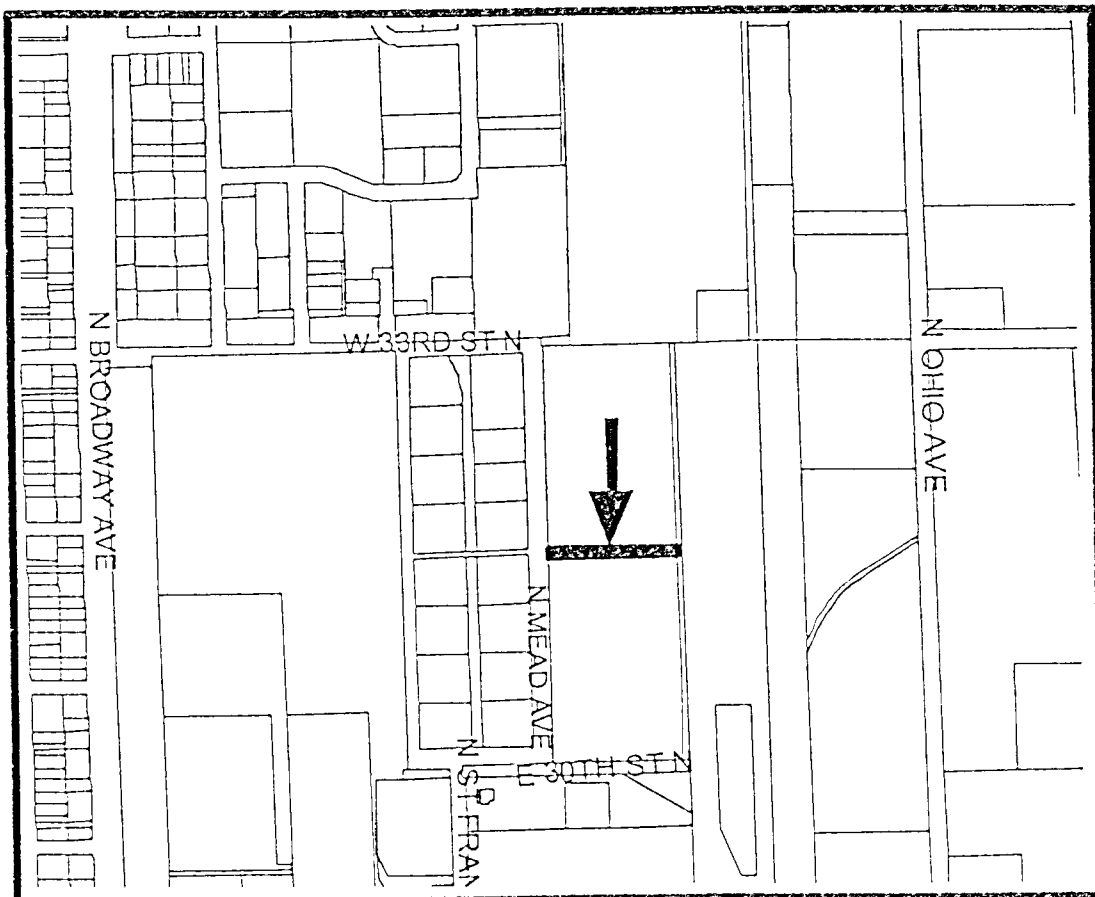
LEGAL DESCRIPTION: The 30-ft drainage easement lying over the south 30-ft of Lot 2, Coleman Company Addition, Wichita, Sedgwick County, Kansas.

LOCATION: Generally located southeast of the 33rd St. N & Meade Avenue intersection

REASON FOR REQUEST: Expansion of the York Facilities.

CURRENT ZONING: Subject property is zoned LI Limited Industrial. Properties to the east, west and south are zoned LI Limited Industrial. Property to the north is registered as a State and National Historic Site

VICINITY MAP:



The applicant proposes expansion of the York facility on this site.

Based upon the information available prior to the public hearing, staff recommends the MAPC make the following findings and recommendation to the City Council:

- 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, by publication in the Wichita Eagle of notice of this vacation proceeding one time March 29, 2001, which was at least 20 days prior to this public hearing.
 - 2. That no private rights will be injured or endangered by the vacation of the above-described access control, 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.
- B. Therefore, the vacation of the drainage easement described in the petition should be approved subject to the following conditions.
 - 1. Applicant must assume all responsibility for drainage and flooding made by this vacation.
 - 2. Applicant must guarantee the reroute of drainage with a letter of credit or a cash guarantee.
 - 3. Any relocation or reconstruction of utilities made necessary by vacation shall be the responsibility of the applicant.
 - 4. All improvements shall be according to City Standards.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

The Subdivision Committee recommends approval subject to the following conditions:

- 1. Applicant must assume all responsibility for drainage and flooding made by this vacation.

2. Applicant must guarantee the reroute of drainage with a letter of credit or a cash guarantee.
3. Any relocation or reconstruction of utilities made necessary by vacation shall be the responsibility of the applicant
4. All improvements shall be according to City Standards