



Wichita-Sedgwick County Metropolitan Area Planning Department

August 23, 2001

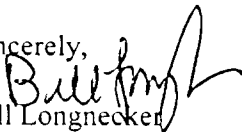
KCBB, Inc.
Attention: Tom Boyd
128 S. Dellrose
Wichita, KS 67218-1410

Re: **VAC2001-00036**- Request to vacate utility easement generally located Northwest corner of Maize Road and Central Avenue.

Dear Mr. Boyd:

At the Thursday, August 23, 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 August 17, 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, September 11, 2001, 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 1-71
Carla Jones / Paul Gunzelman, Public Works Engineering, Mailstop 1-71
Baughman Company, P.A., 315 Ellis, Wichita, KS 67211
S K Holdings, LLC, Attention: John Broe, 17223 N. 19th Avenue, Phoenix, AZ 85023-2407
Star Lumber & Supply Company, Inc., P.O. Box 7712, Wichita, KS 67277



Wichita-Sedgwick County Metropolitan Area Planning Department

August 17, 2001

KCBB, Inc.
Attention: Tom Boyd
128 S. Dellrose
Wichita, KS 67218-1410

Re: **VAC2001-00036** - Request to vacate utility easement generally located Northwest corner of Maize Road and Central Avenue.

Dear Mr. Boyd :

At the regular meeting of the Subdivision Committee of the Metropolitan Area Planning Commission on Thursday, August 16, 2001, the above-captioned vacation request was considered. The action of the Committee was to recommend that this vacation be approved subject to:

1. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.
2. All improvements shall be according to City Standards.
3. This subdivision is part of CUP DP 134 and any deviation from this CUP will require an amendment or adjustment to it.

This matter is set for public hearing by the Metropolitan Area Planning Commission on Thursday, August 23, 2001 at 1:30 p.m. in the Planning Conference Room, Tenth Floor, City Hall, 455 North Main, Wichita, Kansas. If you have any questions, please call at 268-4494.

Sincerely,

Bill Longnecker
Senior Planner

BL:le

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

CASE NUMBER: VAC2001-00036: Request to vacate utility easements.

APPLICANT/OWNER: KCBB, Inc./Tom Boyd SK Holdings /John Broe

AGENT: Baughman Company PA/Russ Ewy

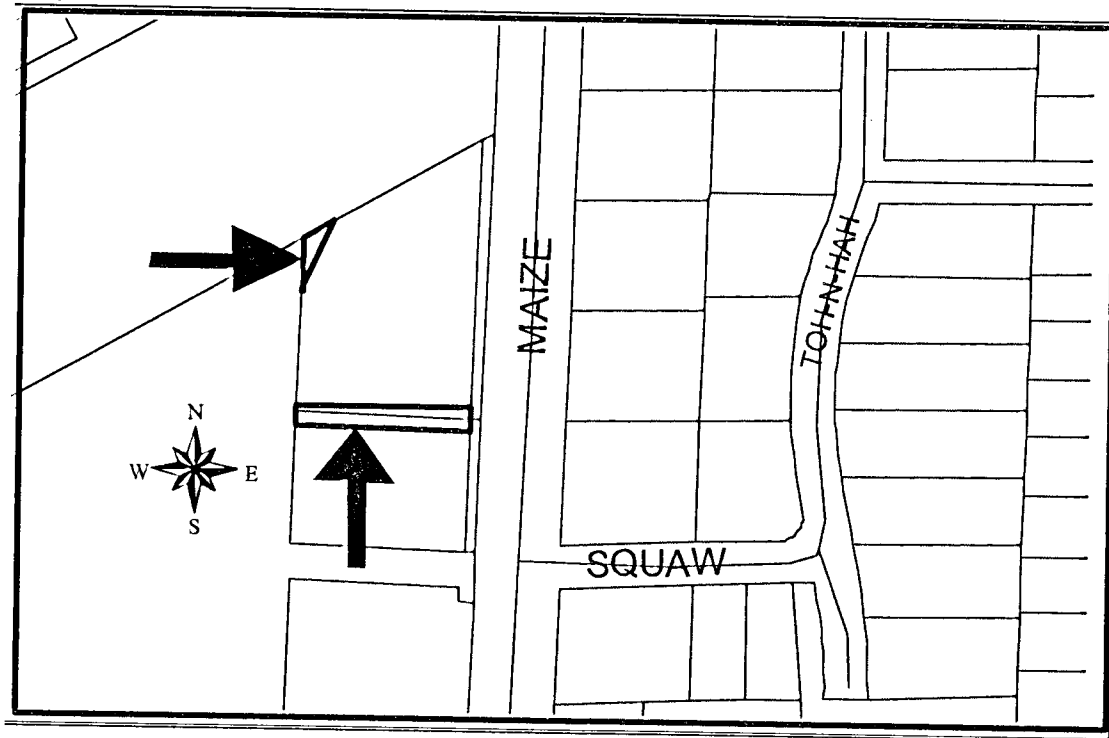
LEGAL DESCRIPTION: That part of the 20 foot utility easement as granted in Reserve "A" , Reserve "B", Lot 2, Block A, and Lot 3, in said Block A, Timber Grove Lakes 2nd Addition, Wichita, Sedgwick County, Kansas described as follows: The south 10.00 feet of said Reserve "A", TOGETHER with the north 10.00 feet of said Reserve "B", TOGETHER with the south 10.00 feet of said Lot 2, except the west 10.00 feet thereof, TOGETHER with the north 10.00 feet of said Lot 3, except the west 10.00 feet thereof, TOGETHER with that part of an utility easement as granted in said Lot 2, described as follows: Commencing at the NW corner of said Lot 2; thence S00deg00'00"E along the west line of said Lot 2, 108.68 feet; thence N90deg00'00"E, 10.00 feet to a deflection point in the east line of said utility easement, and for a point of beginning; thence N16deg08'56"E along the east line of said utility easement, 100.87 feet to a point on the southeast line of a 30 foot utility easement as granted in said Lot 2; thence S58deg21'33"W along the southeast line of said 30 foot utility easement, 32.95 feet to a point 10.00 feet normally distant east of the west line of said Lot 2; thence S00deg00'00"E parallel with the west line of said Lot 2, 79.60 feet to the point of beginning.

LOCATION: Generally located northwest of the Maize Road and Central Avenue intersection.

REASON FOR REQUEST: To allow future development on this site.

CURRENT ZONING: Subject property is zoned LC Limited Commercial. Property to the north is zoned GO General Office. Property to the east is zoned SF-5 Single Family Residential and LC Limited Commercial. Properties to the south and the west is zoned LC Limited Commercial.

VICINITY MAP:



The applicant is requesting consideration to vacate a 20-ft utility easement between Lots 2 & 3 and a triangular portion of a utility easement on Lot 2, all in Block A, the Timber Grove Lakes 2nd Addition, recorded August 1994. The applicant is proposing the vacation to accommodate future development of the property. This subdivision is part of CUP DP 134 and any deviation from this CUP will require an amendment or adjustment to it.

- A. **City Public Works** needs to comment on the acceptability of this vacation and if any substitute easements and/or dedications should be required, especially of water and/or sewer lines.
- B. **Utility Representatives** need to comment on the acceptability of this vacation and any requirements.
- C. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.
- D. All improvements shall be according to City Standards.