

STAFF REPORT

CASE NUMBER: VAC2022-00002 - Request in the City to vacate portions of platted complete access control

APPLICANT: City of Wichita – Public Works, c/o John Philbrick, City Property Manager, & Bill Perkins Public Works, (owner/applicant), Professional Engineering Consultants, PA, c/o Rebecca Mellies (agent)

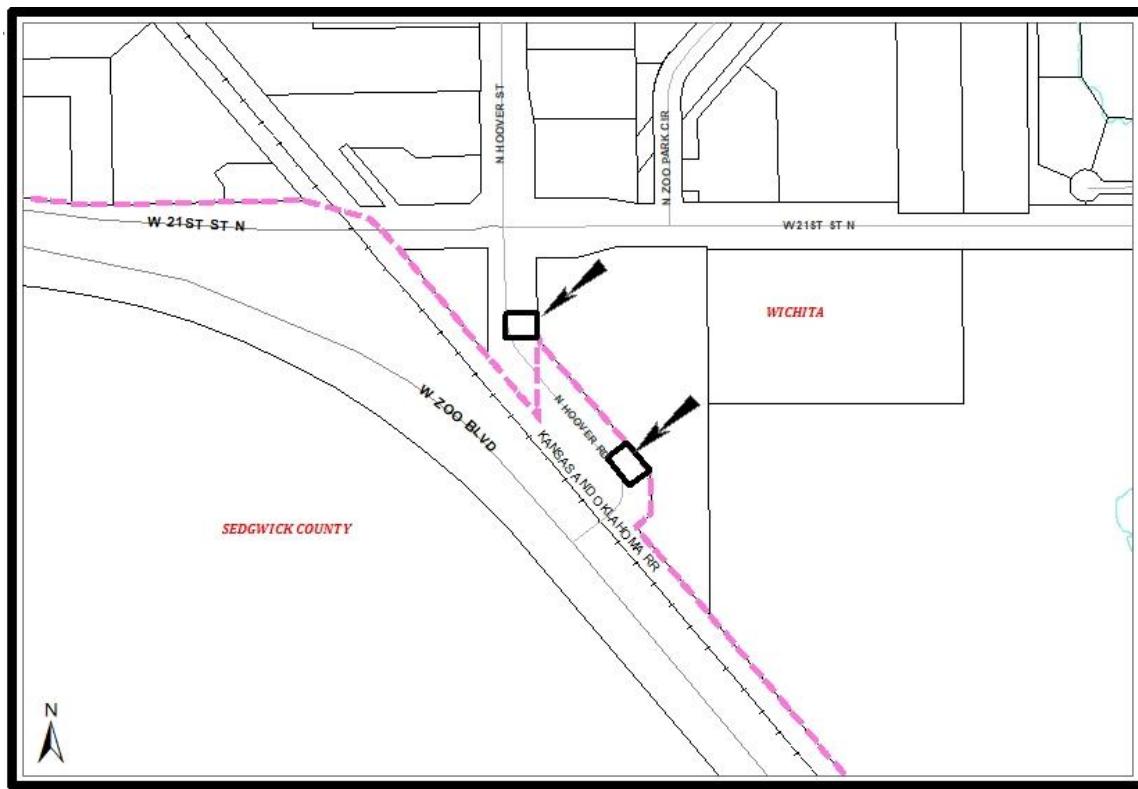
LEGAL DESCRIPTION: Generally described as vacating the south 90 feet of the 417.42 feet of platted complete access control & the south 60 feet of the 199.25 feet of platted complete access control all onto North Hoover Road, all located on the west side of Lot 1, Block 1, U Needa Self Storage Addition, Wichita, Sedgwick County, Kansas (see attached legal description)

LOCATION: Generally located south of West 21st Street North on the east side of North Hoover Road (District VI)

REASON FOR REQUEST: To allow two driveways onto North Hoover Road

CURRENT ZONING: The subject site is zoned OW Office Warehouse. East abutting properties are zoned SF-5 Single-Family Residential with a Conditional Use, CON2016-00014, & IP Industrial Park. North Hoover Road abuts the west side of the site with GC General Commercial zoned property west of North Hoover Road. North Hoover Road and SF-5/CON2016-00014 zoned property abut the site's south side. West 21st Street North abuts the north side of site with LI Limited Industrial, LC Limited Commercial, & IP zoned properties north of West 21st Street North.

VICINITY MAP:



The applicant proposes to vacate two portions of platted complete access control on the subject site; Lot 1, Block 1, U Needa Self Storage Addition. Most of the west property line of the subject site runs parallel, northwest - southeast, with this section of North Hoover Road, which also runs parallel to an active RR railroad track before it separates from the RR track to run south - north to its intersection with West 21st Street North. The subject site is located in the City on the southeast corner of West 21st Street North and North Hoover Road. The two proposed driveways will provide access to the City of Wichita's Northwest Water Treatment Plant; CON2016-00014. The U-Needa Self Storage Addition was recorded with the Register of Deeds April 16, 1999.

These sections of North Hoover Road and West 21st Street North are classified as collector streets by WAMPO's '2019 Federal Roadway Functional Classification Map.' The Access Management Guidelines do not require minimum separation standards for collector streets. West Zoo Boulevard is classified as an arterial by WAMPO's 2019 Federal Roadway Functional Classification Map.

The applicant proposes to vacate the south 90 feet of the 417.42 feet of the platted complete access control that runs parallel, northeast - southwest, to North Hoover Road. If approved this would allow a full movement driveway onto North Hoover Road. This south most driveway would be located approximately 120 feet north of the North Hoover Road – West Zoo Boulevard intersection. The noted active RR track is located between the North Hoover Road – West Zoo Boulevard intersection.

The applicant also proposes to vacate the south 60 feet of the 199.25 feet of the platted complete access control that runs parallel, south - north, to North Hoover Road where it intersects with West 21st Street North. If approved this would allow another full movement driveway onto North Hoover Road. This north most driveway would be located approximately 140 feet south of the North Hoover Road – West 21st Street North intersection. Approximately 350 feet separate the proposed driveways.

There was and may be still an existing driveway located approximately 30-35 feet south of the proposed south most driveway. This was or is till existing driveway is permitted per the U-Needa Self Storage Addition. This is currently the only driveway onto North Hoover Road permitted by the plat from the subject site. If the existing driveway is still open it will need to be closed and dedication for complete access control is required.

Both North Hoover Road and West 21st Street North are two-lane paved roads (no curbs) with open drainage channels at this location. North Hoover Road has 125 feet of ROW Right-of-way at this location. The "Wichita Destinations and Bicycle Facilities Map's 'Planned Bicycle Facilities' (Bike Plan) proposes this section of North Hoover Road as a 'shared use path.' The proposed vacation will not negatively impact the Bike Plan's proposal of this section of North Hoover Road being a shared path. West Zoo Boulevard is a paved four-lane arterial with a center turn lane at his location.

City Water lines, a water hydrant and a water valve are located in the areas of the vacation in the North Hoover Road ROW. There are no sewer lines or drainage equipment located in this section of North Hoover Road. Evergy has overhead lines near the south most proposed driveway; conditions #3 and #4 covers Evergy. Brandon Chadd is the Evergy Design Representative for this area and be reached at 316-508-2700. Conditions #2, #3, and #4 cover all utilities. ROW trees removed for the proposed driveway will be replaced at the applicant's expense with trees recommended by the Landscape Ordinance. Vehicular traffic, pedestrian traffic and public safety will not be impacted by this vacation request, per the conditions of approval.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Public Works, Storm Water, 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 complete access control.

- 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 February 10, 2022, 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 portions of the platted complete access control, 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) Per the approval of the Traffic Engineer, vacate the described portions of platted complete access control. Provide Planning Staff with a legal description of the approved vacated portions of the platted complete access control 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) All improvements shall be according to City Standards and at the applicant's expense, including, but not limited to the construction of the two new driveways from the site onto North Hoover Road. Provide Public Works and utilities with a guarantee (approved project/plans) to ensure that this and any other associated improvements will be made. If the two driveways are not being immediately constructed, provide a drive approach certificate, which will be recorded with the Register of Deeds. Either the guarantee(s) and/or the drive approach certificate must be provided to Public Works (guarantee) or Planning (drive approach certificate) 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. All improvements shall be according to City Standards and will be at the applicant's expense. Approval of plans for the relocation of any and all utilities by Public Works and/or franchised utilities must be completed prior to the case going to City Council for final action. Provide Planning with letters of approval or E-mails of approval.

(4) Provide Planning with any required easement(s) dedicated by separate instrument(s) 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.

(5) If the existing driveway located south of the proposed south most driveway is still in existence, provide a drive closure certificate and dedicate complete access control on that portion of the plat, which currently allows one driveway at this location. The drive closure certificate must be provided to Planning prior to the request proceeds to City Council for final action. Closure of the driveway will be per City Standards and at the applicant's expense. The dedication of complete access control must be provided to Planning and will go with the Vacation Order to City Council for final action and filing with the Sedgwick County Register of Deeds.

(6) ROW trees removed for the proposed driveway will be replaced at the applicant's expense with trees recommended by the Landscape Ordinance as shown on a plan showing the replaced trees as provided to Planning.

(7) 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 subject to the following (but not limited to) conditions :

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(6) ROW trees removed for the proposed driveway will be replaced at the applicant's expense with trees recommended by the Landscape Ordinance as shown on a plan showing the replaced trees as provided to Planning.

(7) 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.

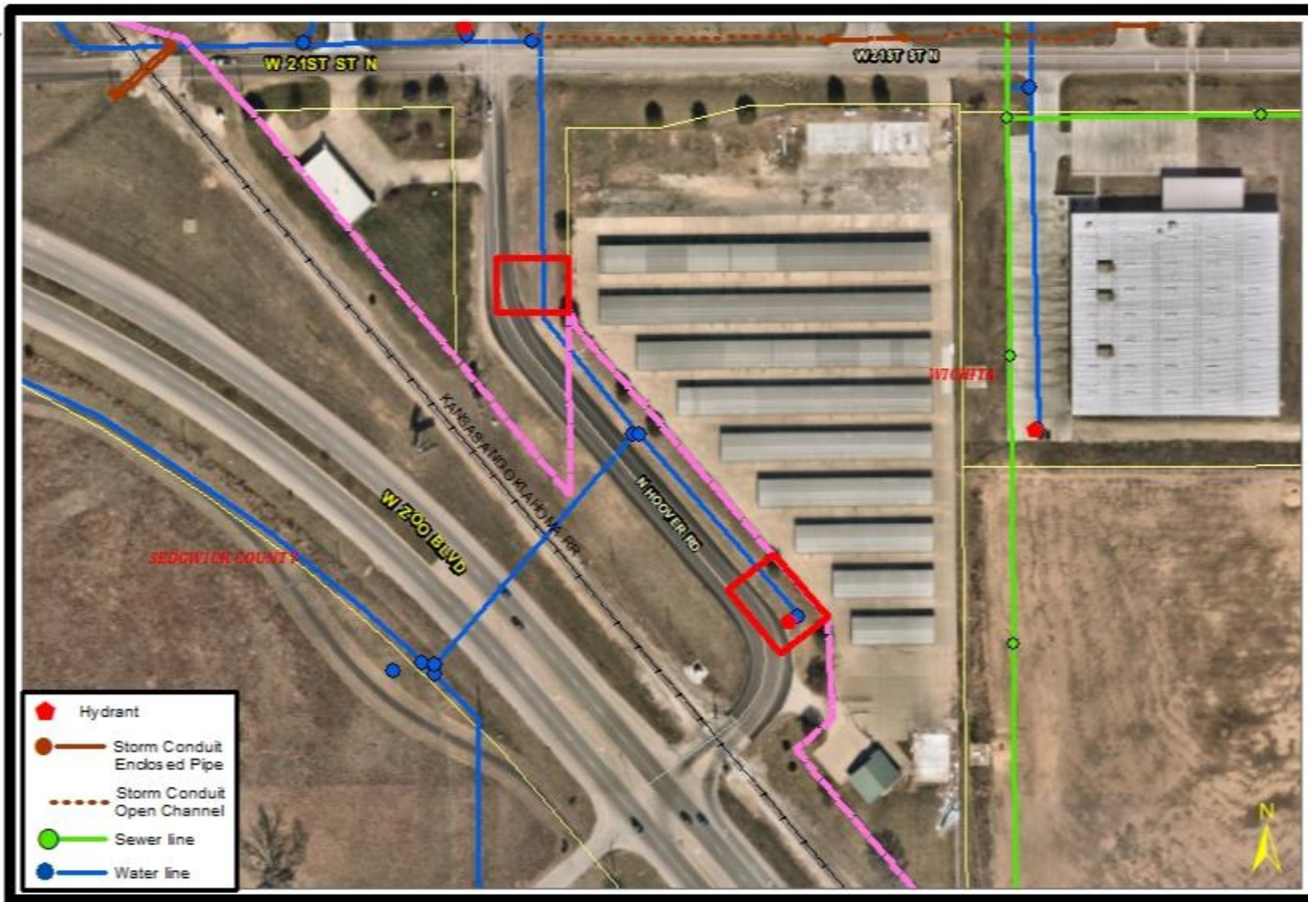
Attachments:

- Aerial with public utilities & location of proposed driveways
- Applicant's exhibit
- Lot 1, Block 1, U Needa Storage Addition showing platted access control
- Legal description

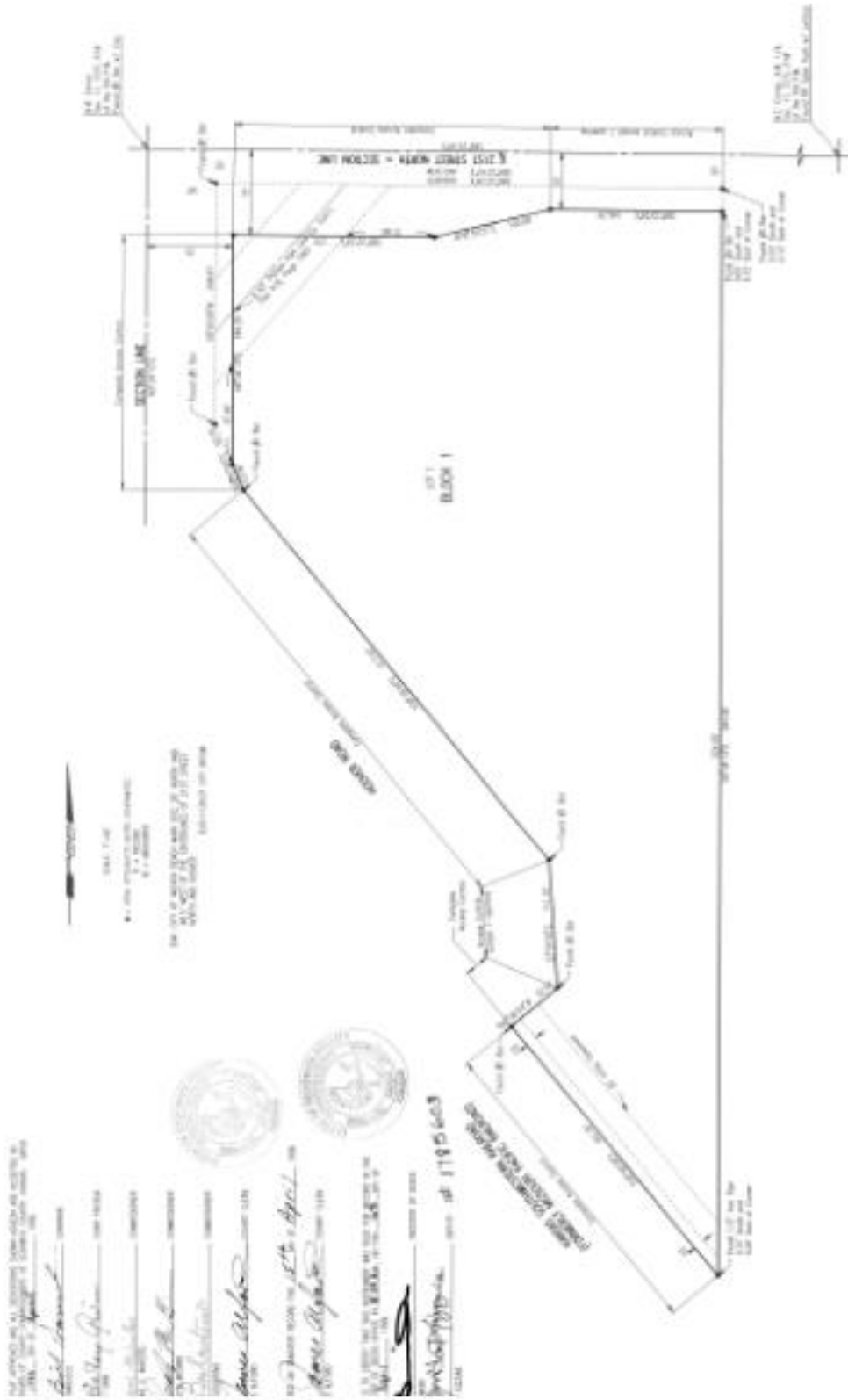
VAC2022-00002 – Request in the city to vacate portions of platted complete access control on OW Office Warehouse zoned property generally located south of West 21st Street North on the east side of North Hoover Road

March 3, 2022

Page 5



U-NEEDA SELF STORAGE ADDITION
 TO SEDGWICK COUNTY, KANSAS



An access opening described as:

Commencing at the northwest corner of Lot 1, Block 1, U Needa Self Storage Addition to Sedgwick County, Kansas, thence bearing $S00^{\circ}04'13''W$ a distance of 138.75 feet being the point of beginning; thence continuing $S00^{\circ}04'13''W$ a distance of 60 feet to the point of termination, said point also being a PI on Hoover Street right-of-way.

An access opening described as:

Commencing at the northwest corner of Lot 1, Block 1, U Needa Self Storage Addition to Sedgwick County, Kansas, thence bearing $S00^{\circ}04'13''W$ a distance of 199.25 feet, thence bearing $S22^{\circ}53'40''E$ a distance of 23.99, thence bearing $S39^{\circ}39'40''E$ a distance of 327.37 feet being the point of beginning; thence continuing $S39^{\circ}39'40''E$ a distance of 90 feet to the point of termination, said point also being a PI on Hoover Street right-of-way.