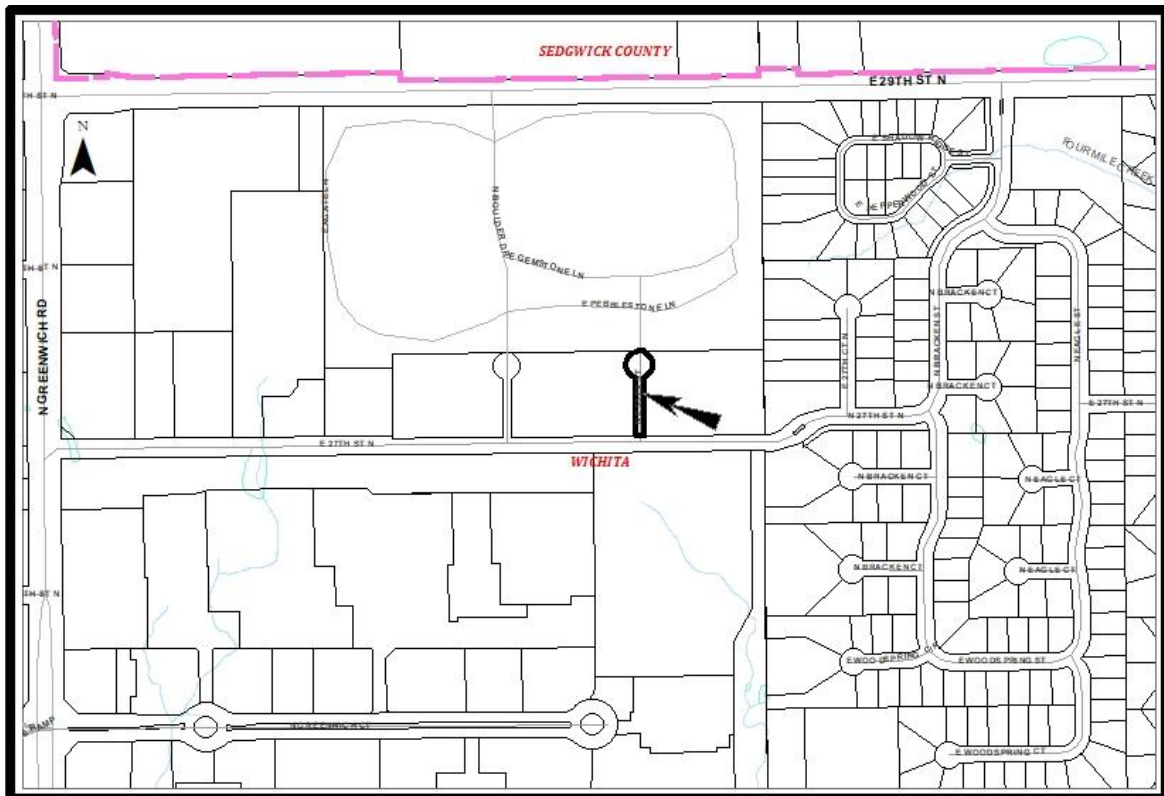


STAFF REPORT

- CASE NUMBER:** VAC2020-00053 – City Vacation of a portion of platted public street right-of-way
- APPLICANT:** Edward Rose Development Company, LLC (applicant)
- LEGAL DESCRIPTION:** Generally described as vacating a portion of the platted East 27th Court public street right-of-way between Lots 3 and 4, Block A, dedicated on the Stoney Pointe Addition, Wichita, Sedgwick County, Kansas
- LOCATION:** Generally located within one-quarter mile south of East 29th Street North and within one-half mile east of North Greenwich Road.(WCC II)
- REASON FOR REQUEST:** Future development opportunities.
- CURRENT ZONING:** Abutting and adjacent properties are zoned LC Limited Commercial, MF-29 Multi-Family, and LI Limited Industrial.
- VICINITY MAP:**



The applicant is requesting the vacation of the eastern most East 27th Court public street right-of-way located between Lots 3 and 4, Block A of the Stoney Pointe Addition. The site is generally located within one-quarter mile south of East 29th Street North and within one-half mile east of North Greenwich Road. The original intent of the subject right-of-way was to provide an additional access point to the apartment development to the north. However, the development plans for the apartment development have changed and it is no longer needed. Vacating the subject right-of-way provides more development options for the abutting Lots 3 and 4 on the east and west sides of it. The apartment development abutting to the north will still have two points of access. Therefore, Wichita Fire has no objection to this request. A public sewer line runs east/west across the southern portion of the subject right-of-way. It is protected by an easement by separate instrument. This easement shall be retained. Evergy has no equipment in the subject right-of-way, and they have no objection to the request. The Stoney Pointe Addition was recorded with the Register of Deeds April 12, 2011.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works, Water & Sewer, Stormwater, 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 public street right-of-way.

- 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 14, 2021, 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 right-of-way 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.

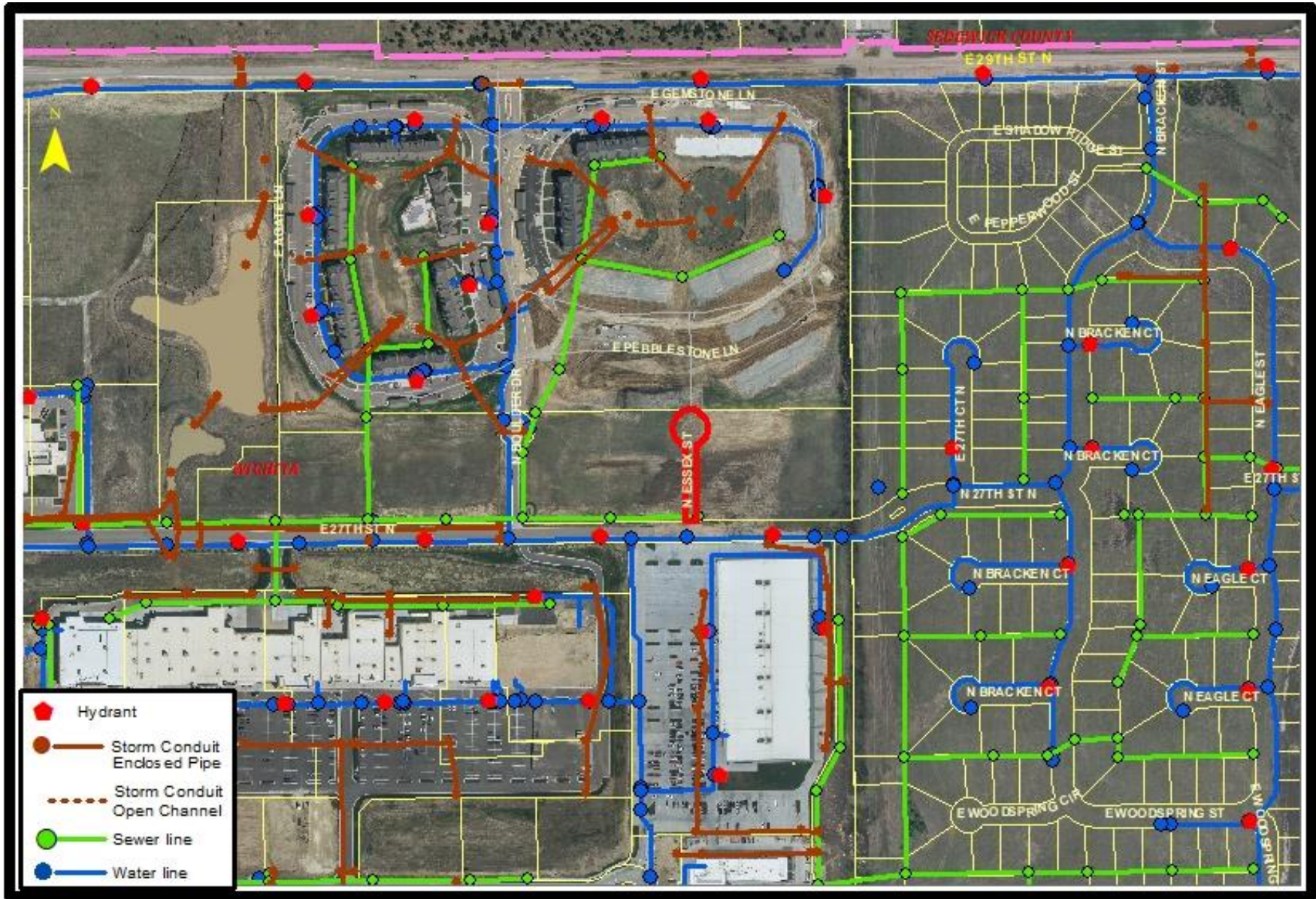
Conditions (but not limited to) associated with the request:

- (1) Provide covenants, with original signatures, binding and tying the described vacated public street right-of-way to the applicants' abutting property. This must be provided to Planning prior to this case proceeding to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds and the Sedgwick County Appraisers Office.
- (2) As needed provide utilities with any needed project plans for the relocation of utilities for review and approval. Any relocation/reconstruction of utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number(s) to Planning prior to the 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) Site Plan

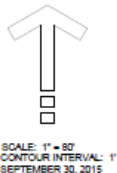


STONEY POINTE APARTMENTS

WICHITA, KANSAS

PRELIMINARY SITE PLAN

PREPARED BY:
 EDWARD ROSE DEVELOPMENT COMPANY, L.L.C.
 6101 NEWPORT ROAD
 KALAMAZOO, MICHIGAN 49002
 269/323-9484

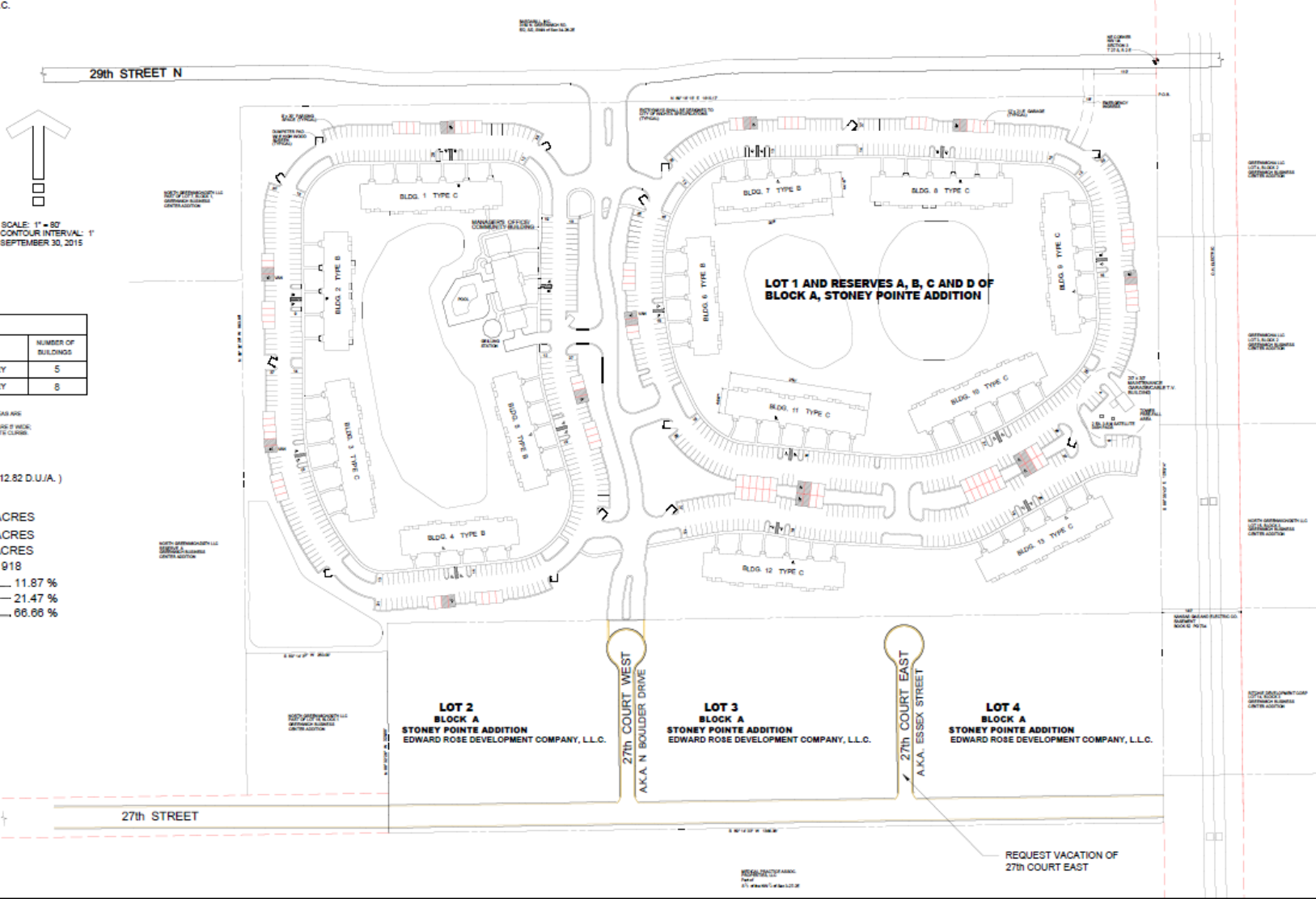


BUILDING SCHEDULE					
BUILDING TYPE	ONE BEDROOM	TWO BEDROOM	TOTAL UNITS	TYPE OF BUILDING	NUMBER OF BUILDINGS
B	19	11	30	3 STORY	5
C	22	14	36	3 STORY	8

NOTE:
 DOUBLE-LOADED PARKING AREAS ARE 44' WIDE; SINGLE-LOADED PARKING AREAS ARE 44' WIDE. PARKING AREAS ARE 12' OFF DRIVEWAYS AND 12' OFF CURBS.
 ALL PRIVATE DRIVEWAYS ARE 12' WIDE. DRIVEWAYS ADJACENT TO PARKING LOTS ARE 8' WIDE.
 ALL OTHER DRIVEWAYS ARE 8' WIDE. ALL PARKING AREAS HAVE 2' WIDE CONCRETED CURBS.

TOTAL UNITS	438	(12.82 D.U./A.)
ONE BEDROOM	271	
TWO BEDROOM	167	
SITE SIZE	45.77 ACRES	
APARTMENTS	34.18 ACRES	
COMMERCIAL	11.61 ACRES	
PARKING SPACES	918	
BUILDING COVERAGE	11.87 %	
PARKING LOT & DRIVE COVERAGE	21.47 %	
OPEN SPACE	66.66 %	

Legal Description:
 Lot 1 and Reserves A, B, C and D of Block A, Stoney Pointe Addition.
 Subject Property including Street Dedication contains:
 1,686,000 square feet or 34.18 acres of land.



DATE: 09/30/15
 BY: [Signature]
 TITLE: [Title]