

The applicant is requesting vacation of the west 50 feet of the east 165.36 feet of platted access control along West MacArthur Road over the south property line of Block A, Skyline Heights Addition. The property is generally located on the northeast corner of West MacArthur Road and South Hoover Road. This request is to allow one drive onto the commercial property for future development. Currently the site does not have any drive access from either MacArthur or Hoover. The requested location for this driveway is less than 400 feet from the intersection of two arterial streets. This does not meet the minimum 400-foot distance guideline for urban arterial access management. Therefore, the City Traffic Engineer is recommending this drive be constructed as right-in/right-out only. The property has no access restrictions along Hoover, and can support a full movement driveway along the west property line in line with an existing drive to the property across Hoover to the west.

In addition, as seen on the site plan, the drive would be located completely within Tract 2 of the development. Therefore, a cross-lot agreement is recommended to allow movement between both Tracts. As seen on the aerial image, South Flora Street's access to MacArthur has been closed. This was done to prevent traffic from bypassing the signal at the Hoover intersection by driving through the neighborhood along Flora and York Streets. In light of this, it recommended that access control be dedicated along the north and east property lines to reduce commercial traffic on residential streets.

There are no public utilities in the described area requested for vacation. Everygy does not have any existing facilities in the area. Ennidh Garcia is the Area Construction Representative and can be contacted at 316-261-6359 with questions regarding this case. The Skyline Heights Addition was recorded May 6, 1965.

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 portions of the 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 October 17, 2019, 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 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.

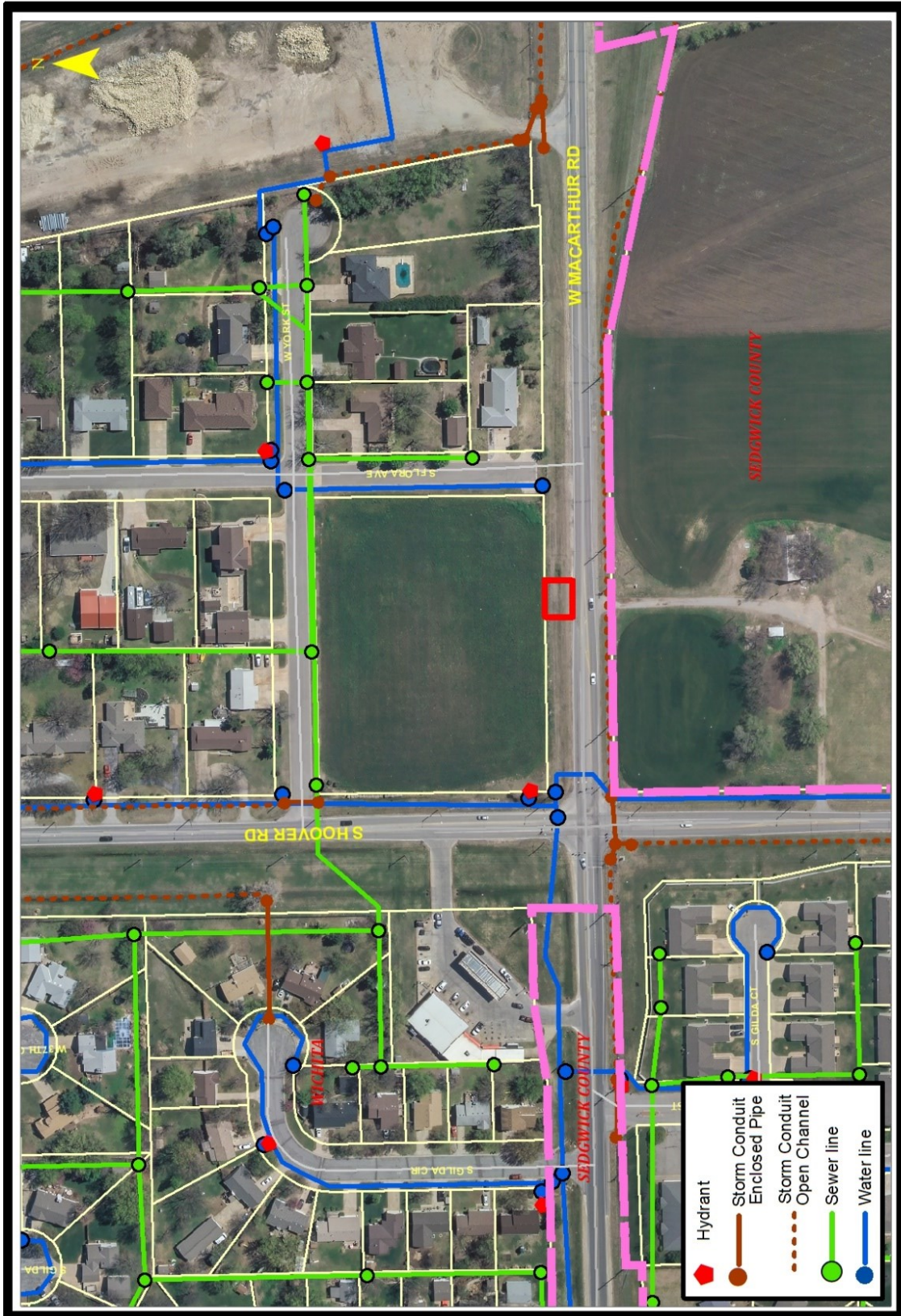
Conditions (but not limited to) associated with the request:

- (1) Vacate the described portion of complete access control and provide planning with a dedication of access control by separate instrument, with original signatures to go with the Vacation Order. This must be provided to Planning prior to the case going to City Council for final action.
- (2) A lot-split shall be required to officially separate Tract 1 and Tract 2 to create two separate Lots. This shall be completed prior to the case going before City Council for final action.
- (3) A cross-lot access easement shall be dedicated between Lots 1 and 2. Provide Planning with a copy of the cross-lot agreement. This must be provided to Planning prior to the case going to City Council for final action.
- (4) The driveway access onto West MacArthur from the subject property shall be constructed as a right-in, right-out per the recommendation of the City Traffic Engineer. The drive shall have signage, striping, and rollover curb and shall be approved by the City Traffic Engineer.

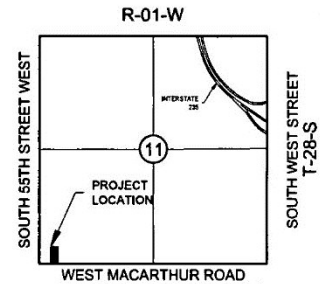
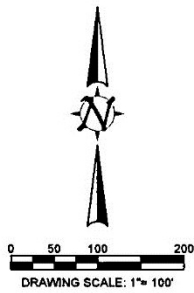
- (5) A dedication of access control, by separate instrument, with original signatures along the length of the north and east property lines of the subject site to prohibit any access to the site for residential streets. This dedication shall be submitted to Planning prior to the case going to City Council for final action.
- (6) A dedication of access control along South Hoover Road except the location that aligns with the drive to the property to the west, by separate instrument, with original signatures shall be submitted to Planning prior to this case going to City Council for final action.
- (7) A site plan shall be submitted to the Wichita Fire Marshall to be reviewed and approved prior to the issuance of building permits.
- (8) 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.
- (9) All improvements shall be according to City Standards and at the applicants' expense.
- (10) 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.



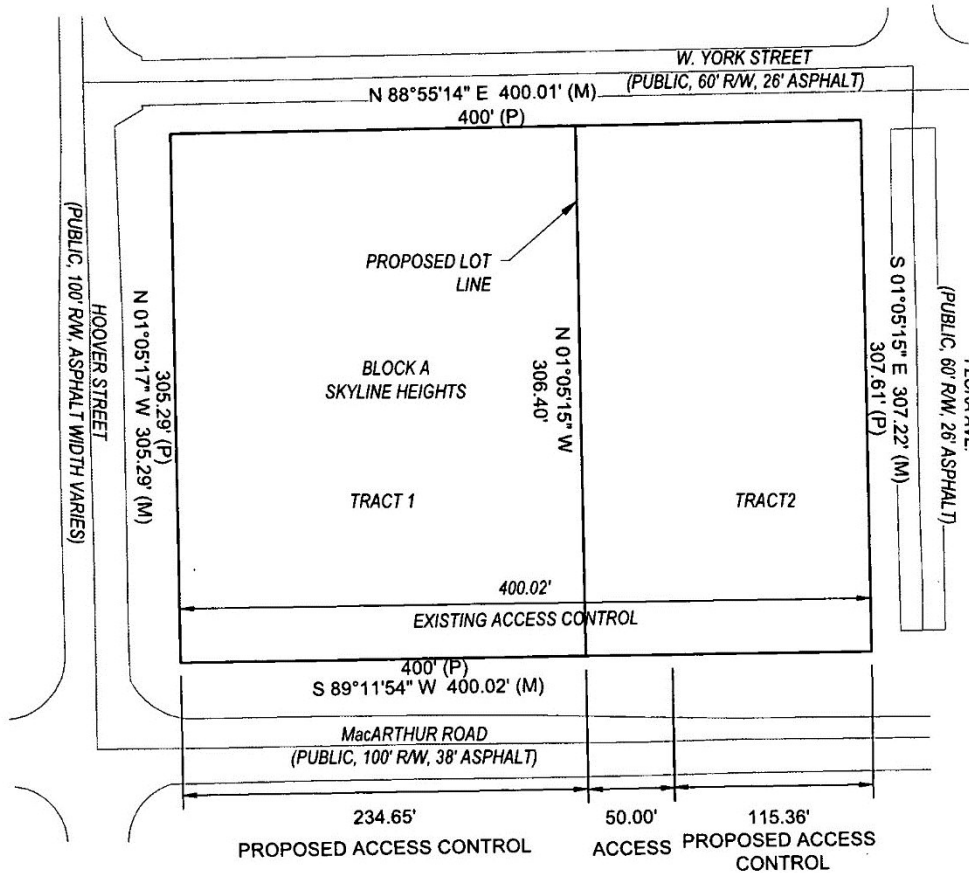
Access Control Vacation



LEGAL DESCRIPTION

THE WEST 50' OF TRACT 2 BLOCK A, OF
 SKYLINE HEIGHTS SUBDIVISION IN THE CITY
 OF WICHITA, SEDGWICK COUNTY, KANSAS.

LOCATION MAP
 SCALE: NOT TO SCALE



PLOT DATE: Thu, 26 Sep 2019 FILE: P:\KANSAS PROJECTS\280111-DG WICHITA - S HOOVER RD\DG WICHITA - S HOOVER RD\DG WICHITA KS - ACCESS VACATION EXHIBIT

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