

City of Wichita
City Council Meeting
September 29, 1987

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: V-1489 - REQUEST TO VACATE PLATTED ACCESS CONTROL.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve vacation of access control. (unanimous)

Staff Recommendation: Deny vacation of access control.

Location: On the west side of Rock Road, in an area north of Harry Street.
(District #2).

Applicant: John D. Mash, 1261 S. Rock Road, Wichita, KS 67207

Site Size: 85 feet of frontage to Rock Road.

Current Zoning: "LC" (Light Commercial)

Background: This vacation case has been requested in order to permit another driveway to Rock Road from the applicant's property (Western Sizzlin Steak House). This site is presently accessed to Rock Road by a "shared driveway" with the property owner to the north (McDonald's).

When this vacation case was considered by the Subdivision and Utility Advisory Committee's it was opposed by the City Engineer's representative. Engineering staff opposed the vacation because it was believed that turning movements into and out of the proposed new driveway would be disruptive to traffic on Rock Road. The applicant's agent, Jim Schaefer, countered these remarks by stating that the new driveway was needed to alleviate traffic congestion existing on his client's property and on the property to the north. After hearing staff's opposition, and the applicant's agent's arguments, the Subdivision Committee voted to recommend approval of the request.

When this case was reviewed by the full Planning Commission, the Traffic Engineer voiced his opposition to the case. He stated that traffic characteristics on adjacent Rock Road would prevent the new driveway from operating as expected by the applicant. He proposed an alternate plan to upgrade the existing "shared driveway". Basically, he proposed widening out the "shared driveway" which, in his opinion, would more efficiently handle traffic into and out of the two properties which share the common driveway. The applicant's agent voiced opposition to the Traffic Engineer's alternate plan, and the Planning Commission voted to recommend approval of the vacation case as requested by the applicant. Minutes of the Planning Commission meeting are attached. The vacation request has been reviewed and approved by the Planning Commission, subject to conditions.

Legal Considerations: The City Clerk needs to certify as to proper notification and no filing of written protest.

Recommendations/Action:

Close public hearing; approve vacation; authorize the Mayor to sign the Vacation Order; and record certified copy of Order, recording costs to be billed to:

755-68-360-50000-295-000-000

OR

Close public hearing and deny vacation request.

3. APPLICATION FILED 8/12/87
POSTED TO ATLAS _____
NOTICES SENT _____
S/D COMM. ACTION 8/27/87 *approved*
DEPT. REPORT _____
M.A.P.C. ACTION 9/3/87 *approved*
DEPT. REPORT _____

ORD/RES. SUBMITTED _____
APPROVED BY DEPT OF LAW _____
B.C.C. ACTION 9/29/87 *Denied* 5-0
ORD/RES _____ PUBLISHED _____
BD. CO. CO. ACTION _____
ORDER TO VACATE RECORDED _____

MAP NO. 5946 B
 SEC. NO. 29
 TWP. NO. 27S
 RANGE 2E

CASE NO.: V-1489

ASSOCIATED CASE:

1. VACATION OF: Platted access control.

GENERALLY LOCATED: In an area west of Rock Road and north of Harry.

REQUESTED BY: John D. Mash, etux
 ADDRESS: 1261 S. Rock Road, Wichita, KS 67207

PHONE: 684-5173

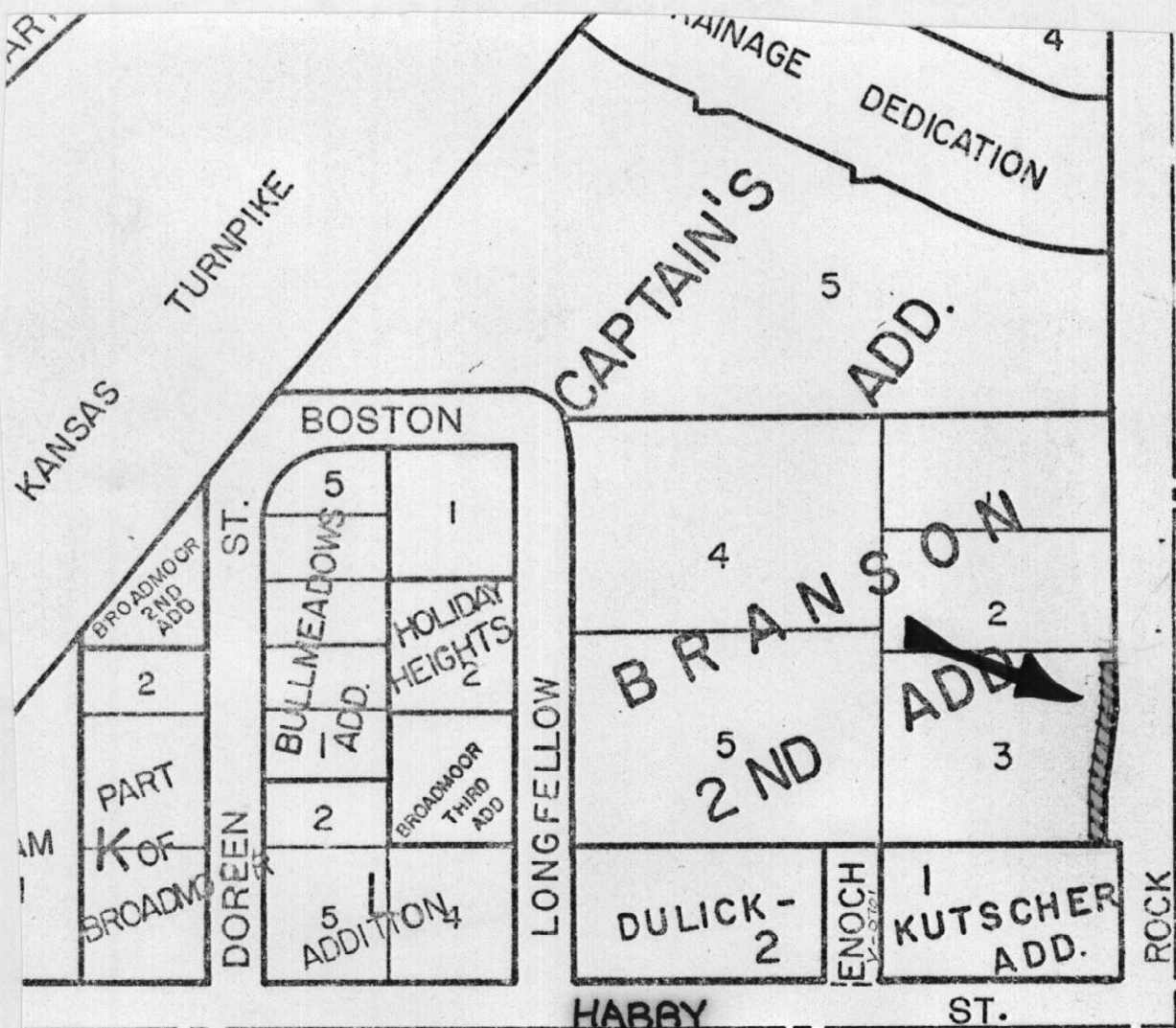
AGENT: James R. Schaefer
 ADDRESS: 400 N. Woodlawn, Suite 205, Wichita, KS 67208

PHONE: 685-3200

REASON FOR REQUEST:

To permit the construction of a drive from Rock Road onto applicant's property,
 at 1261 S. Rock Road, Wichita, Kansas.

2. SKETCH.



3. APPLICATION FILED 8/12/87
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 NOTICES SENT _____
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 DEPT. REPORT _____
 M.A.P.C. ACTION 9/3/87 *approved*
 DEPT. REPORT _____

ORD/RES. SUBMITTED _____
 APPROVED BY DEPT OF LAW _____
 B.C.C. ACTION 9/29/87 *Denied 5-0*
 ORD/RES _____ PUBLISHED _____
 BD. CO. CO. ACTION _____
 ORDER TO VACATE RECORDED _____