

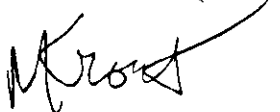
Planning Agenda # _____

**City of Wichita
City Council Meeting
March 23, 1999**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: V-2148 REQUEST TO VACATE ACCESS CONTROL
LOCATED IN AN AREA NORTH OF 21ST STREET DRIVE,
APPROXIMATELY ¼ MILE WEST OF HOOVER. (District V)

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of access control.

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

Background: The applicant is requesting to vacate the western 25 feet of access control to allow for the placement of a joint opening between this lot and the lot just west of this one. The applicant has submitted an administrative adjustment request to remove the access control on the CUP, as well as a guarantee to close an existing opening on Lot 2, Cox Machine Addition.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, subject to the applicant guaranteeing the closure on Lot 2, Cox Machine Addition and the area being retained as a utility easement. The applicant has submitted a financial guarantee for this closure of the driveway. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order will be recorded with the Register of Deeds.

Recommendations/Actions: Follow the recommendation of the Metropolitan Area Planning Commission and approve the Vacation Order, and authorize the Mayor to sign.

Aug.

**BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

IN THE MATTER OF THE VACATION OF	)	
ACCESS CONTROL	)	
	)	
GENERALLY LOCATED	)	Case No. V-2148
NORTH OF 21ST STREET DRIVE,	)	
APPROXIMATELY ½ MILE WEST OF	)	
HOOVER	)	
	)	
<u>MORE FULLY DESCRIBED BELOW</u>	)	

VACATION ORDER

NOW on this 23rd day of March, 1999, comes on for hearing the petition for vacation filed by Robl Construction, c/o Steve Robl, praying for the vacation of the following described access control, to-wit:

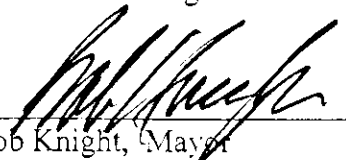
The west 25 feet of access control to 21st Street Drive as platted along the southern property line of Lot 14, Block 2, Horseshoe Lake Addition, Wichita, Sedgwick County, Kansas.

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication as required by law, by publication in the Daily Reporter on January 15, 1999, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described access control, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.
5. The vacation of the access control described herein should be approved, subject to the following condition:

- A) The area shall be retained as a utility easement.
- B) The applicant shall guarantee the closure of the access opening on Lot 2, Cox Machine Addition.
- C) Any relocation or reconstruction of any utilities made necessary by this vacation shall be the responsibility of the applicant.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 23rd day of March, 1999, ordered that the above-described access control is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Sedgwick County.

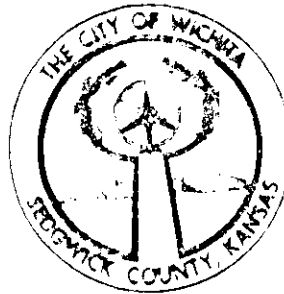


Bob Knight, Mayor

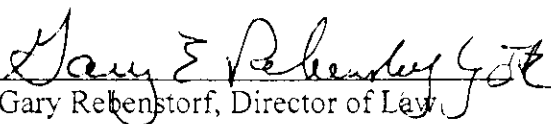
ATTEST:



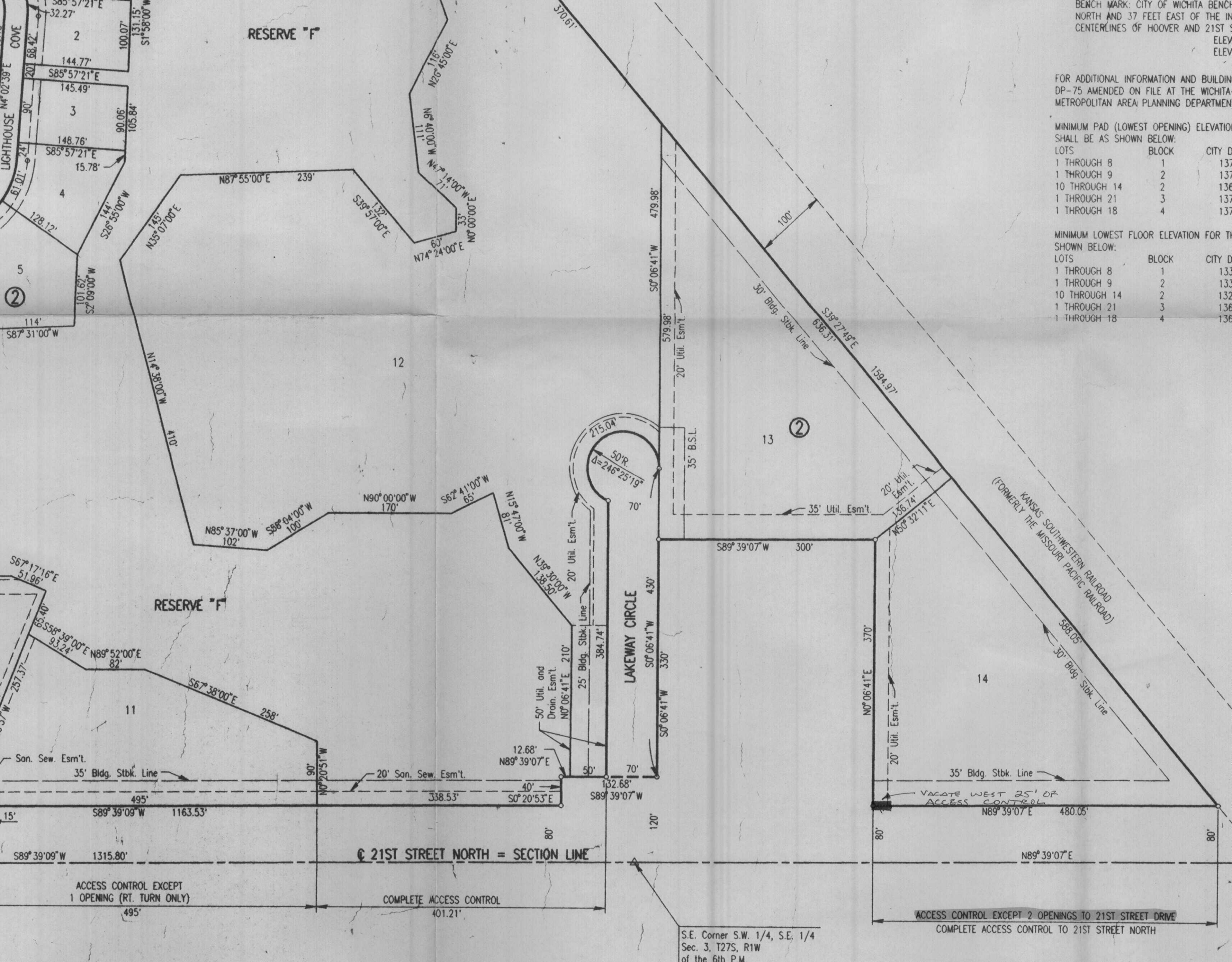
Pat Burnett, City Clerk



Approved as to Form:



Gary Rebenstorf, Director of Law



FOR ADDITIONAL INFORMATION AND BUILDING
DP-75 AMENDED ON FILE AT THE WICHITA
METROPOLITAN AREA PLANNING DEPARTMENT

MINIMUM PAD (LOWEST OPENING) ELEVATION
SHALL BE AS SHOWN BELOW:

LOTS	BLOCK	CITY D
1 THROUGH 8	1	137
1 THROUGH 9	2	137
10 THROUGH 14	2	136
1 THROUGH 21	3	137
1 THROUGH 18	4	137

MINIMUM LOWEST FLOOR ELEVATION FOR THE
SHOWN BELOW:

LOTS	BLOCK	CITY D
1 THROUGH 8	1	133
1 THROUGH 9	2	133
10 THROUGH 14	2	132
1 THROUGH 21	3	136
1 THROUGH 18	4	136

S.E. Corner S.W. 1/4, S.E. 1/4
Sec. 3, T27S, R1W
of the 6th P.M.