

STAFF REPORT

CASE NUMBER: VAC2018-00025 - City Vacation of access controls along 159th Street East and south of 21st Street North

OWNER/APPLICANT: Brian Lindebak with MKEC Engineering (Agent) | Amy Liebau with Ranch 21, LLC (Applicant)

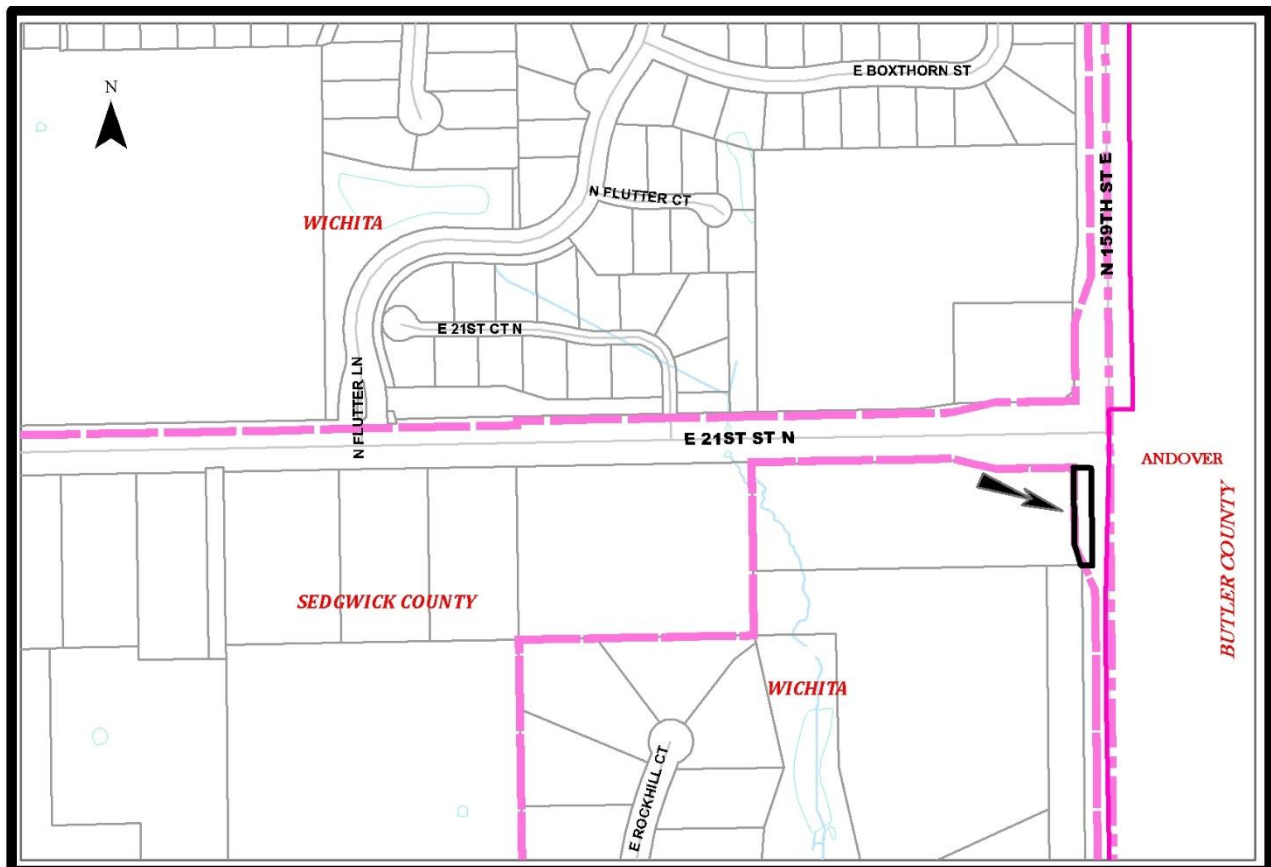
LEGAL DESCRIPTION: Vacation of access controls along the eastern lot line of Lot 29, Block A, The Ranch Addition.

LOCATION: Generally located on the southwest side of 159th Street East and south of 21st Street North

REASON FOR REQUEST: To allow for a full movement drive

CURRENT ZONING: The site is zoned LC Limited Commercial with a Protective Overlay 330

VICINITY MAP:



The applicant requests the vacation of platted access controls along the eastern lot line of Lot 29, Block A, The Ranch Addition in order to allow for a full movement drive. The applicants are requesting the vacation of the entirety of the access controls along the eastern lot line. The re-dedication of access controls will allow for one full movement opening.

Franchised utilities have no objection to this vacation. The Ranch Addition was recorded December 13, 2013.

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 portion of the access control.

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:

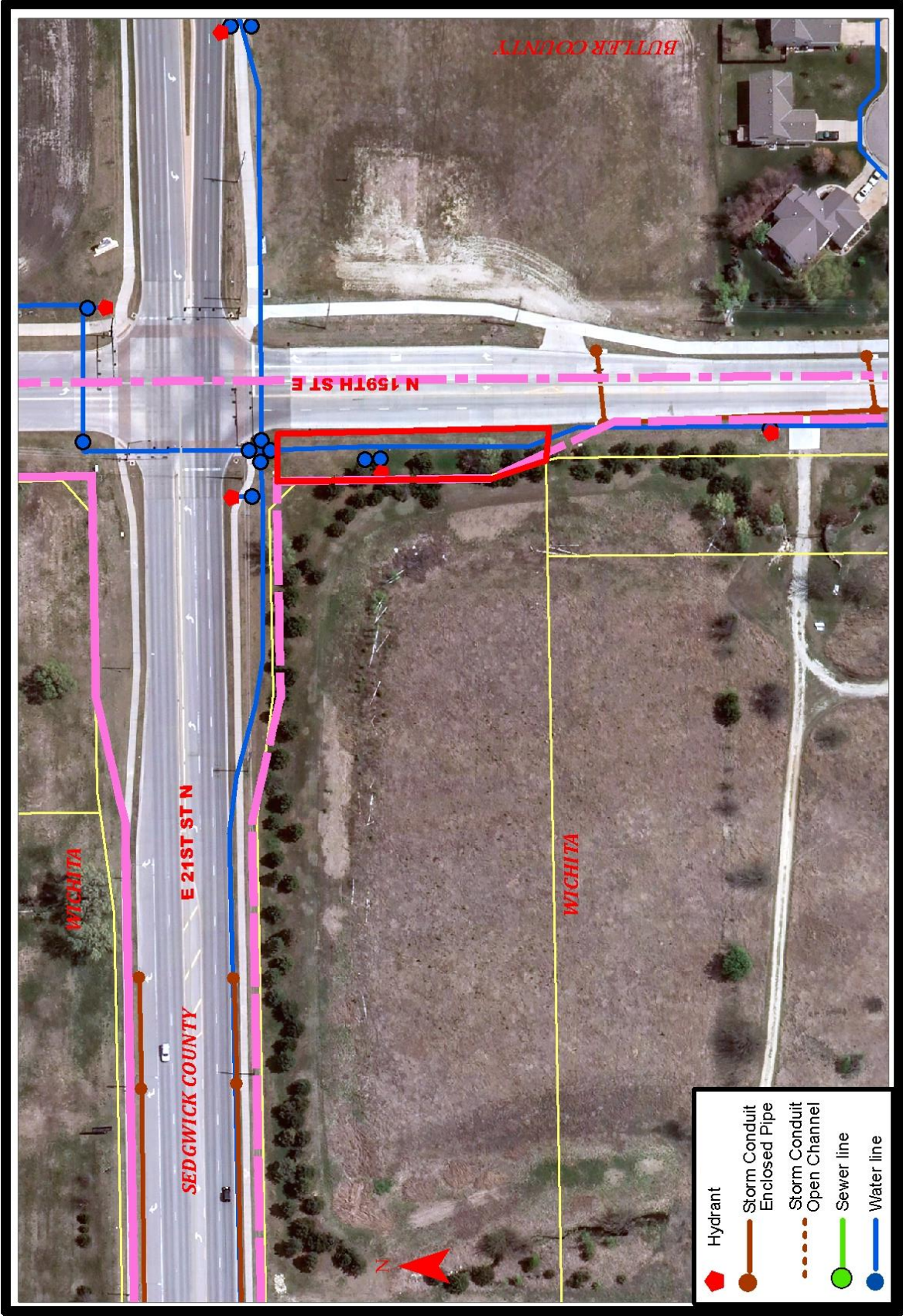
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time October 25, 2018, which was at least 20 days prior to this public hearing.
2. That no private rights will be injured or endangered by vacating the described portion of the platted building setback 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) As needed provide Planning with dedication of access control 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.
- (2) All improvements shall adhere to City Standards and at the applicants' expense.
- (3) Vacation of the access controls located on this site, is contingent on approval by the Traffic Engineer, Public Works Department and the Fire Department. Approval may be contingent on certain stipulations, such as but not limited to, continued access to existing utilities via the dedication of utility easements.
- (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.



ZONING

RR	SF-20	SF-10	SF-5	TF-3	MF-18	MF-29	B	MH	NO	GO	NR	LC	GC	CBD	OW	IP	LI	IP-A	GI	AFB	U	PUD	AIRPORT	OLD TOWN
[Light Green]	[Light Orange]	[Yellow]	[Light Yellow]	[Yellow]	[Orange]	[Light Green]	[Brown]	[Dark Brown]	[Light Orange]	[Green]	[Blue]	[Red]	[Pink]	[Cyan]	[Olive]	[Purple]	[Light Blue]	[Light Purple]	[Grey]	[Dark Grey]	[Dark Blue]	[Light Grey]	[Blue Outline]	[Red Outline]

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