

**STAFF REPORT**

**CASE NUMBER:** VAC2019-00030 - City vacation of platted access control to allow one additional drive on property zone GC General Commercial.

**APPLICANT/AGENT:** Med Ridge West, LLC (applicant), Dustin Marsh (agent)

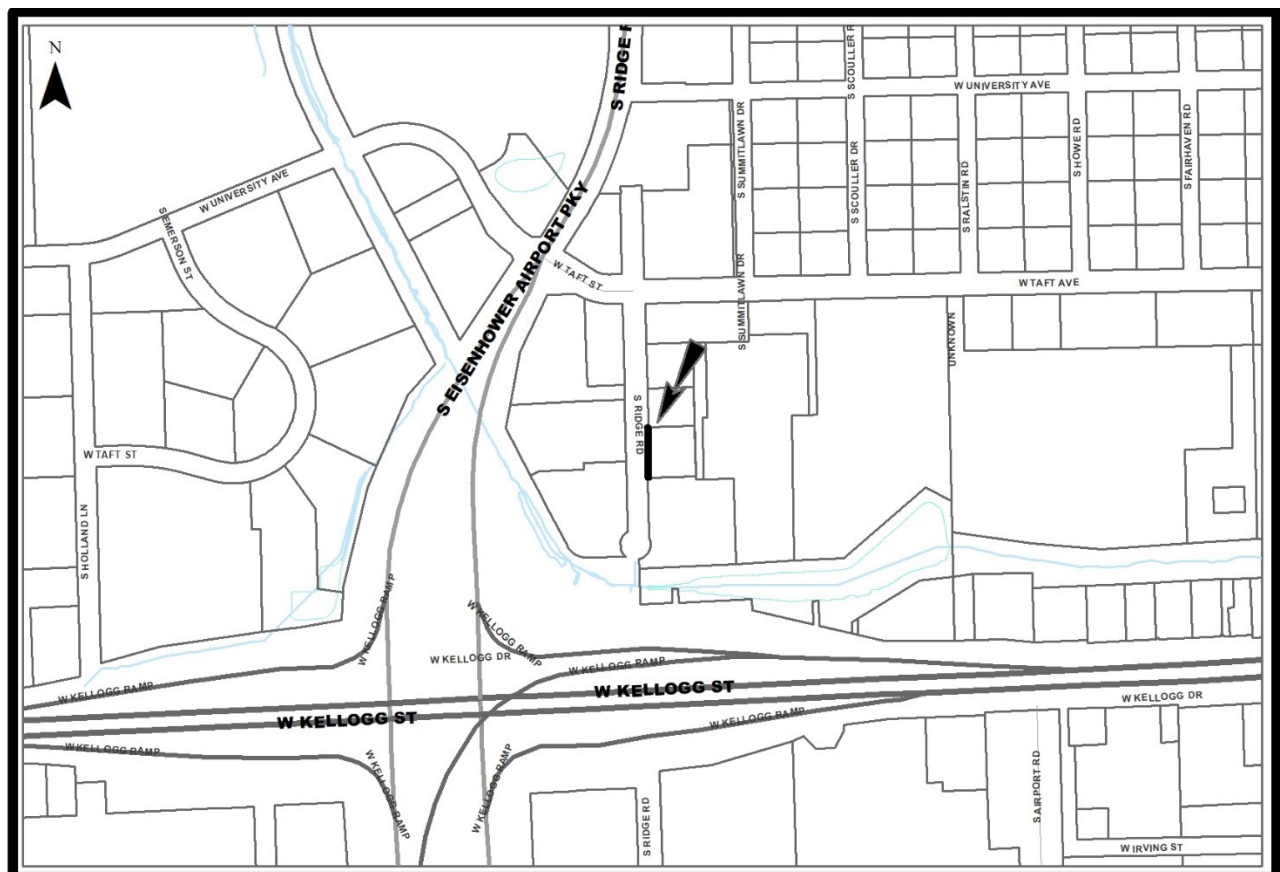
**LEGAL DESCRIPTION:** Generally described as vacating the platted access control to allow one additional drive on Lot 1, EXCEPT the north 130 feet, Block A, Rishel Addition, Wichita, Sedgwick County, Kansas.

**LOCATION:** Generally located one block south of West Taft Avenue and on the east side of South Ridge Road. (District IV)

**REASON FOR REQUEST:** To allow one additional drive (total of 2) on Lot 1.

**CURRENT ZONING:** The site is zoned GC General Commercial. Adjacent property to the north is zoned GC and SF-5 Single Family Residential. Adjacent properties to the east and south are zoned GC. Property adjacent to the west is zoned LC Limited Commercial.

**VICINITY MAP:**



The applicant is requesting vacation of platted complete access control onto South Ridge Road from Lot 1, Block A, Rishel Addition. The site is generally located one block south of West Taft Avenue and on the east side of South Ridge Road. The request excludes the north 130 feet because Lot 1 is split into two separate tax parcels. The plat restricts access except for 2 drives. The site currently has 2 drives: one on the north parcel and on the south parcel. The applicant would like to construct one additional drive on the south parcel. As part of the redevelopment of the south parcel, the current drive will be reconstructed north of its current location and the second drive will be constructed 120 feet south of the new north drive. The applicant states that the additional drive will aide with site access and parking lot circulation. If the vacation of access control is approved, the existing 4-foot sidewalk shall be reconstructed when the current drive is removed. The site plan shows this reconstructed side walk in addition to accessible ramps to the sidewalk from broth driveways. There is also a 5-foot access path from the sidewalk to the parking area and new building.

There are no public utilities in the area to be vacated. Westar and Cox have no equipment and no objections to this vacation request. Ennidh Garcia is the Westar Area Representative for this case and can be contacted at 316-261-6359 regarding this case. City Traffic is not opposed to this vacation. Ridge Road at this location is not an arterial street; therefore access management standards do not apply. The Rishel Addition was recorded September 4, 2008.

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 August 29, 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) Vacation of the platted complete access control of Lot 1 except the north 130 feet, Block A, Rishel Addition, is contingent on approval by the Traffic Engineer and the Fire Department. If approved with noted condition provide Planning with a dedication of access control by separate instrument 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) A Lot Split shall be completed for Lot 1, Block A, Rishel Addition to create a new Lot for the subject tax parcel prior to the issuance of building permits.
- (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.

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September 19, 2019

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