

Planning Agenda # _____

**City of Wichita
City Council Meeting
March 3, 1998**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: PUBLIC HEARING V-2058 REQUEST TO VACATE COMPLETE ACCESS
CONTROL LOCATED AT THE SOUTHWEST CORNER OF ST. PAUL
AVENUE AND 2ND STREET.
(District #4)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Approve vacation of complete access control.

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

Background: This property is identified as Parcel 2 in DP-61, the Woodlake Community Unit Plan. The CUP has been adjusted to modify the uses permitted on parcel 2 to allow a community assembly as the sole use, as well as the results sought within this vacation request.

The agent for the applicant also reports that submission of the application to formally Lot Split this parcel has been made. The plat includes parcel 2 as part of Lot 1 of Woodlake Addition.

The landowner of the property immediately north across 2nd Street spoke concerning the access point. A duplex exists on their property which has its driveway from the garage off 2nd Street. If the drive to the community assembly facility off 2nd Street is directly across from the driveway to the duplex, the landowner felt it would result in traffic flow problems. This concern was taken into account by the Subdivision Committee in its final recommendation.

The Subdivision/Utility Committee recommended the petition to vacate the platted Access Control on 2nd Street and St. Paul Avenue subject to the following:

- A. Approve the requested vacation of Access Control on St. Paul Avenue as requested.

- B. Approve vacation of Access Control on 2nd Street only for that portion of the property that is across from the right-of-way for Clayton Street. All other Access Control on 2nd Street to remain.
- C. Applicant to erect and maintain signage designating the drive access as a "Private Drive".
- D. Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicant.

The MAPC recommended the vacation be approved subject to the Subdivision/Utility Committee recommendation.

Recommendations/Actions:

Close the public hearing, approve the vacation; authorize the Mayor to sign the Vacation Order; record the certified copy of the Vacation Order, recording costs to be billed to: 150003-2909

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Approved, Accepted By City Council

This MAR 3 1998

STATE OF KANSAS } SS
SEDGWICK COUNTY }

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S. Christensen
Deputy



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

IN THE MATTER OF THE VACATION OF
COMPLETE ACCESS CONTROL

GENERALLY LOCATED
SOUTHWEST CORNER OF ST. PAUL AVENUE
AND 2ND STREET

MORE FULLY DESCRIBED BELOW

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)
)
) Case No. V-2058
)
)
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MICROFILMED
OF RECORD

VACATION ORDER

NOW on this 3rd day of March, 1998, comes on for hearing the petition for vacation filed by Arc of Sedgwick County, by Lucille A. Shifton, praying for the vacation of the following described complete access control, to-wit:

The complete access control on the south 127 feet of the north 377 feet of Lot 1, Woodlake Addition to Wichita, Sedgwick County, Kansas, fronting on St. Paul Avenue, and the complete access control 25 feet either side of a point located 135 feet west of the northeast corner of said Lot 1, Woodlake Addition, fronting on 2nd Street.

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 of notice of this one time 2-6-98, which was at least 20 days prior to this public hearing.
2. No private rights will be injured or endangered by the vacation of the above-described complete 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 complete access control described herein should be approved.

CITY CLERK

CITY HALL

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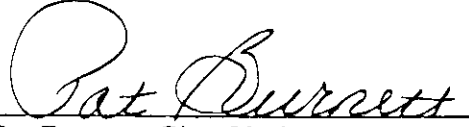
Vacation Order
V - 2058

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IT IS, THEREFORE, BY THE CITY COUNCIL, on this 3rd day of March, 1998, ordered that the above-described complete 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.

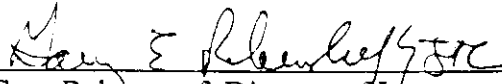

Bob Knight, Mayor

ATTEST:


Pat Burnett, City Clerk



Approved as to Form:

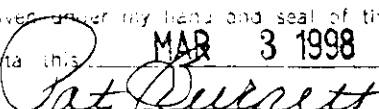

Gary Rebenstorf, Director of Law



State of Kansas)
Sedgwick County) ss
City of Wichita)

I, Pat Burnett, City Clerk of the City of Wichita, Kansas, hereby certify that the document to which this is attached is a true and correct copy of the original on file in my office.

Given under my hand and seal of the City of Wichita this MAR 3 1998


Pat Burnett, City Clerk

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