

Planning Agenda # \_\_\_\_\_

City of Wichita  
City Council Meeting  
April 11, 2000

Agenda Report # \_\_\_\_\_

**TO:** Mayor and City Council

**SUBJECT:** V-2167 - PUBLIC HEARING REQUEST TO VACATE ACCESS CONTROL LOCATED IN AN AREA NORTH OF SHADE AND EAST OF RIDGE ROAD.  
(District #V)

**INITIATED BY:** Metropolitan Area Planning Department

**AGENDA ACTION:** Planning

*M. Hault  
butte*

-----

Staff Recommendation: Approve vacation of access control.

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

Background: The applicant is requesting to vacate access control as a condition of Z-3199. Z-3199 was approved by the City Council in 1996, subject to the applicant vacating access controls and guaranteeing a left turn lane along Ridge Road to this site. The applicant mistakenly believed these requirements were taken care of, and just found out recently they were not.

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 one point of access shall be granted to Ridge Road which matches the location of Brunswick located west of Ridge Road, and a guarantee submitted for left turn bay improvements. No written protests have been filed.

Legal Considerations: A certified copy of the Vacation Order and the Certificate of Petition 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 necessary signatures to sign.

Approved / Accepted By City Council

APR 11 2000

This

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

<b>IN THE MATTER OF THE VACATION OF</b>	)	
<b>ACCESS CONTROL</b>	)	
	)	
<b>GENERALLY LOCATED</b>	)	<b>Case No. V-2167</b>
<b>NORTH OF SHADE AND EAST OF RIDGE</b>	)	
<b>ROAD</b>	)	
	)	
<b><u>MORE FULLY DESCRIBED BELOW</u></b>	)	

**VACATION ORDER**

NOW on this 11<sup>th</sup> day of April, 2000, comes on for hearing the petition for vacation filed by Randco Marketing Systems, Inc., c/o Randy Hayes, praying for the vacation of the following described access control, to-wit:

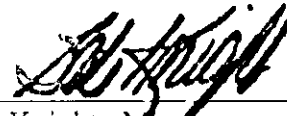
Lot(s) 1, Woodland Heights 2nd Addition, Wichita, Sedgwick County, Kansas.

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 March 26, 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) One point of access shall be granted to Ridge Road which matches the location of Brunswick located west of Ridge Road.
- B) The applicant shall provide a new legal description depicting this opening.
- C) The applicant shall meet with staff to discuss other possible solutions to this request between the Subdivision Committee meeting and the Planning Commission.
- D) 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 11<sup>th</sup> day of April, 2000, 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

RIDGE RD

NEWELL ST.

1  
3  
5  
NIEDENS St  
2

SUMMITLAWN LANE

13 12  
15 16  
10 9  
12 13

FRAZIER LANE

COUNTRY ACRES E ADD

SIXTH F

WAYSIDE

FREEMAN LANE

LANE  
PARADISE DEDICATION

HEIGHTS 4

DRAINAGE DEDICATION



WOODLAND 2nd

ADD. 3

SQUARE 9 10 8

SHADE

PAR

FARMINGTON

ADDITION 3 3

2 2N

5

3

2

3