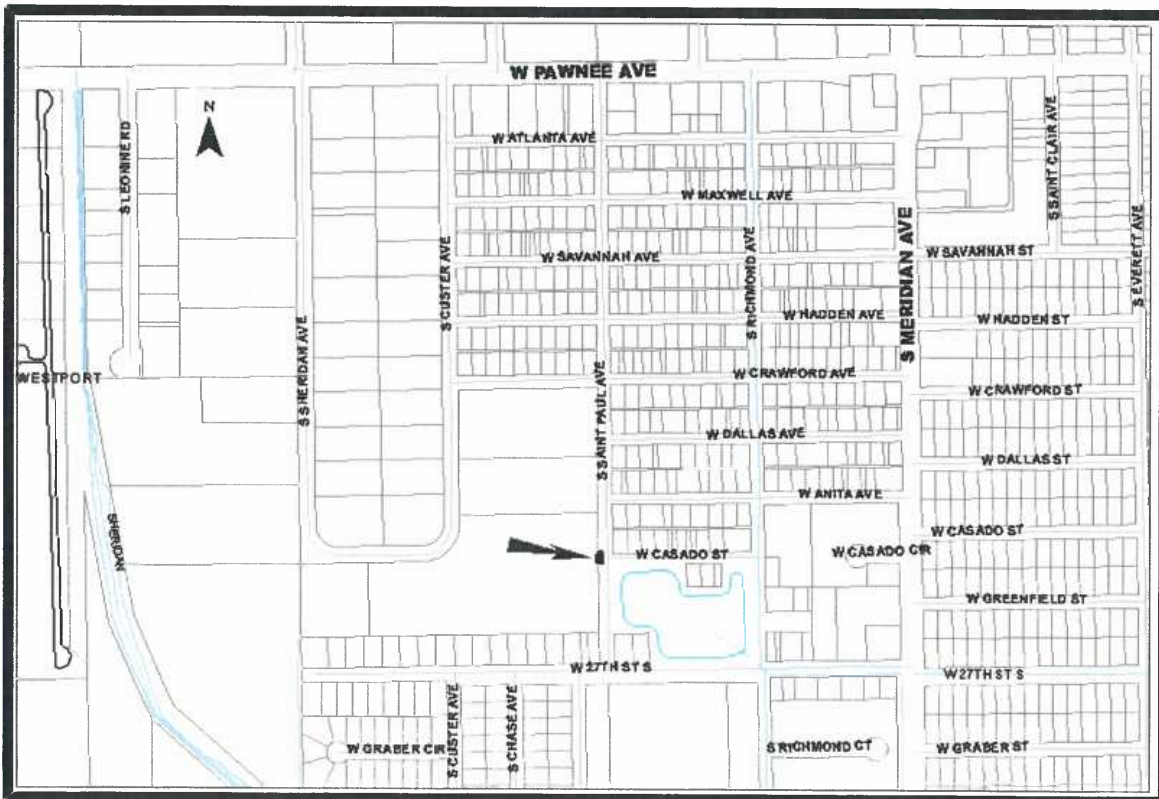


STAFF REPORT

- CASE NUMBER:** VAC2018-00004 - City Vacation of Platted Access Controls to Facilitate Truck Access and Loading/Unloading Operations Onsite, Generally Located South of West Pawnee Avenue and West of South Meridian Avenue (2700 South Custer).
- OWNER/APPLICANT:** JT Acquisitions, LLC (applicant), K.E. Miller Engineering, P.A. c/o Kirk Miller (agent)
- LEGAL DESCRIPTION:** Generally described as vacating the south 35 feet of the north 211.50 feet of platted complete access control along the east line of Lot 2, Block 2, Wichita Builders 3rd Addition, Wichita, Sedgwick County, Kansas.
- LOCATION:** Generally Located South of West Pawnee Avenue and West of South Meridian Avenue (WCC #IV)
- REASON FOR REQUEST:** Complete access on and off of South Saint Paul Avenue
- CURRENT ZONING:** The site is zoned LI Limited Industrial. Adjacent properties to the north and west are zoned LI Limited Industrial. Adjacent properties to the east are zoned SF-5 Single Family. Adjacent properties to the south are zoned MF-18 Multi Family.

VICINITY MAP:



The applicant is requesting vacation of 35 feet of platted complete access control onto South Saint Paul Avenue located on the east line of Lot 2, Block 2, Wichita Builders 3rd Addition. A new approach will be constructed in this location to facilitate truck access and loading/unloading operations at a proposed building. The new access point will be in line with West Casado Street.

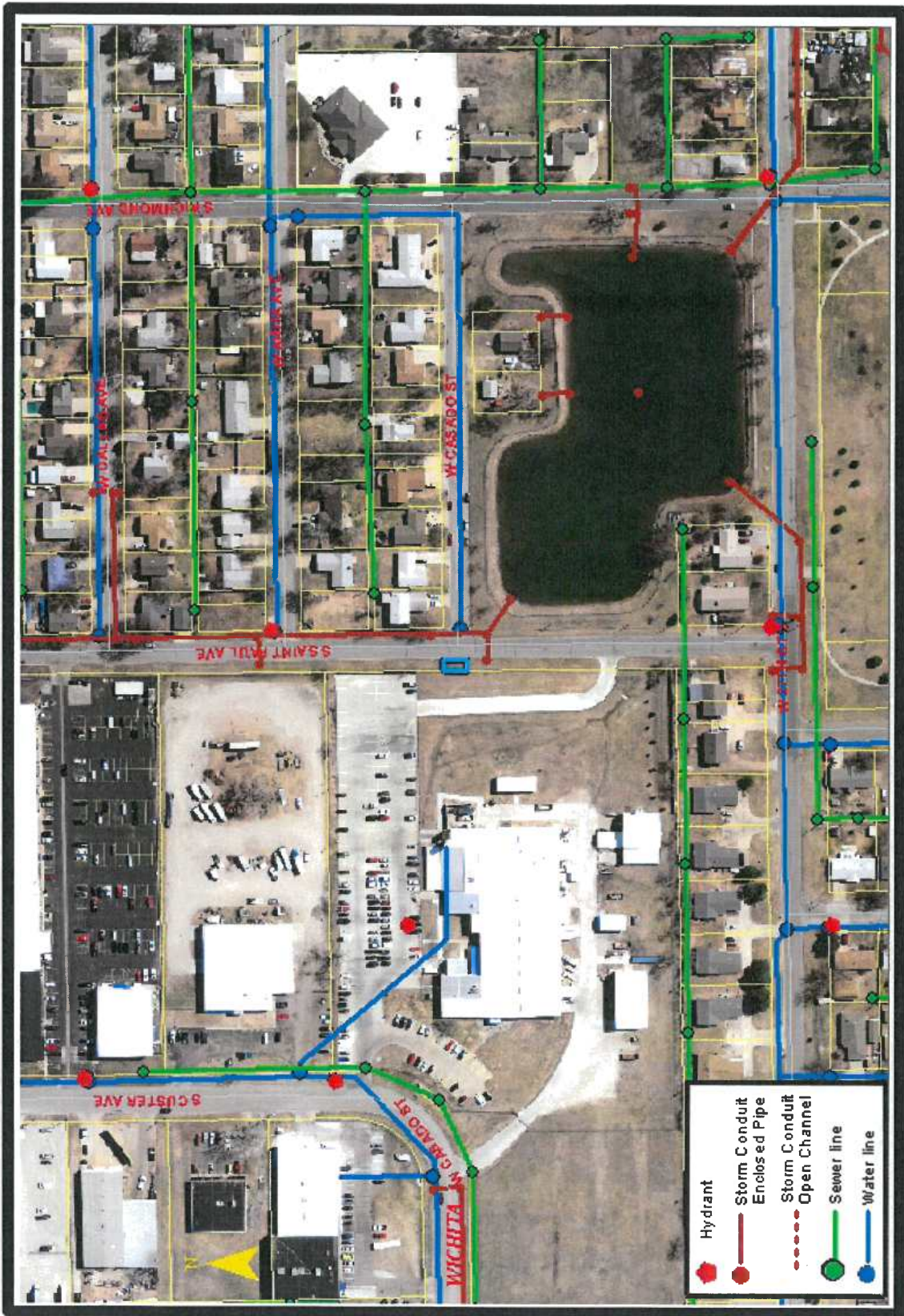
Comments from franchised utilities have not been received and are needed to determine if they have utilities located within the subject easement. Wichita Builders 3rd Addition was recorded January 9th, 1973.

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.

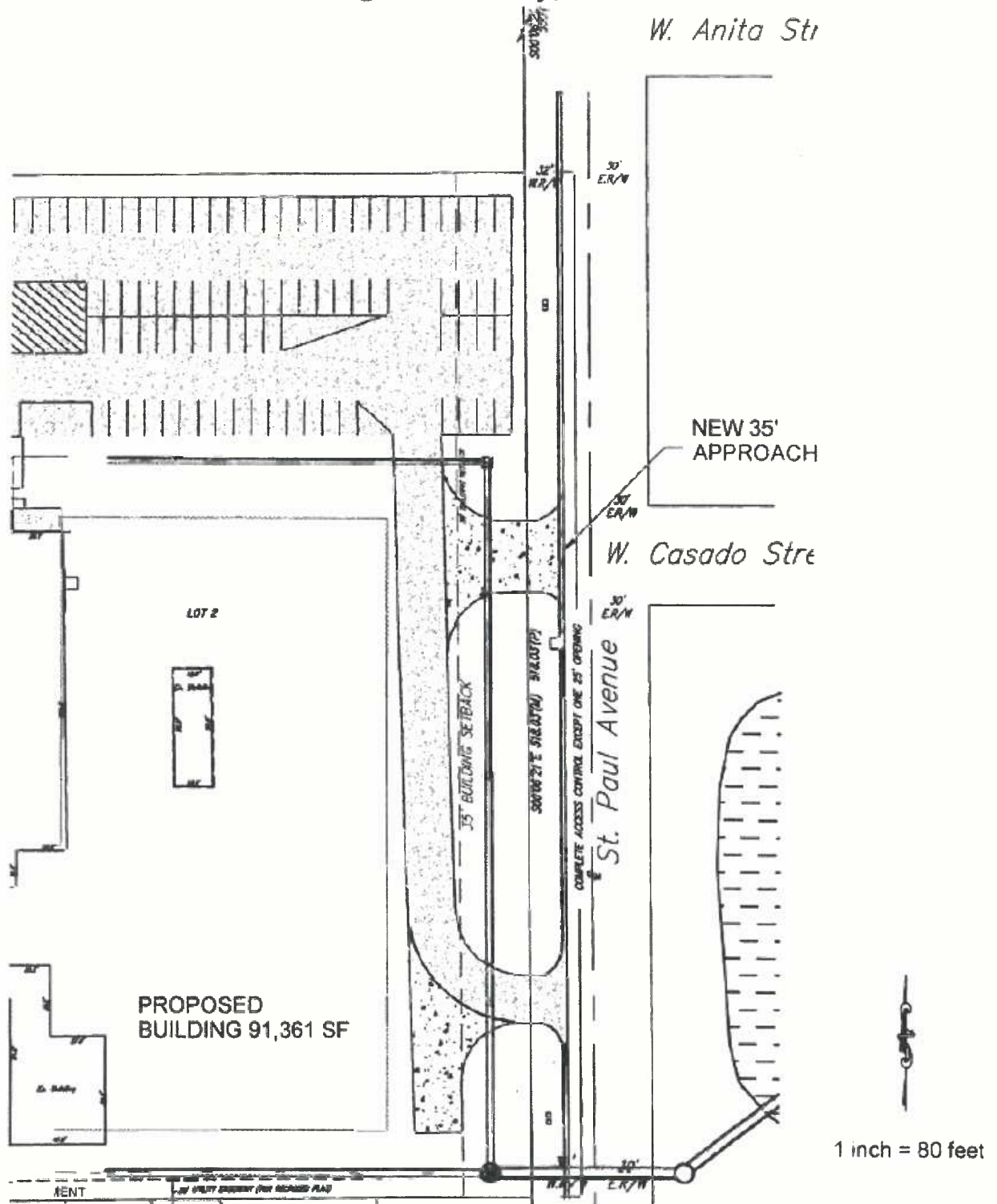
- A. That after being duly and fully informed as to fully understanding the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
 1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the platter's text to amend the access controls 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.

The Subdivision Committee recommends approval subject to the following stipulations:

- (1) As needed provide Planning with dedication of easements 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 be according to City Standards and at the applicants' expense.
- (3) Vacation of the described portions of the platted complete access control is contingent on approval by the Traffic Engineer and the Fire Department.
- (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.



Vacation of Access Control - Exhibit
 LTC - 2700 S. Custer
 Wichita, Sedgwick County, Kansas



Vacation of the following described platted Access Control, to-wit:

The south 35 feet of the north 211.50 feet of Access Control along the east line of Lot 2, Block 2, Wichita Builders 3rd, and Addition to Wichita, Sedgwick County, Kansas.

