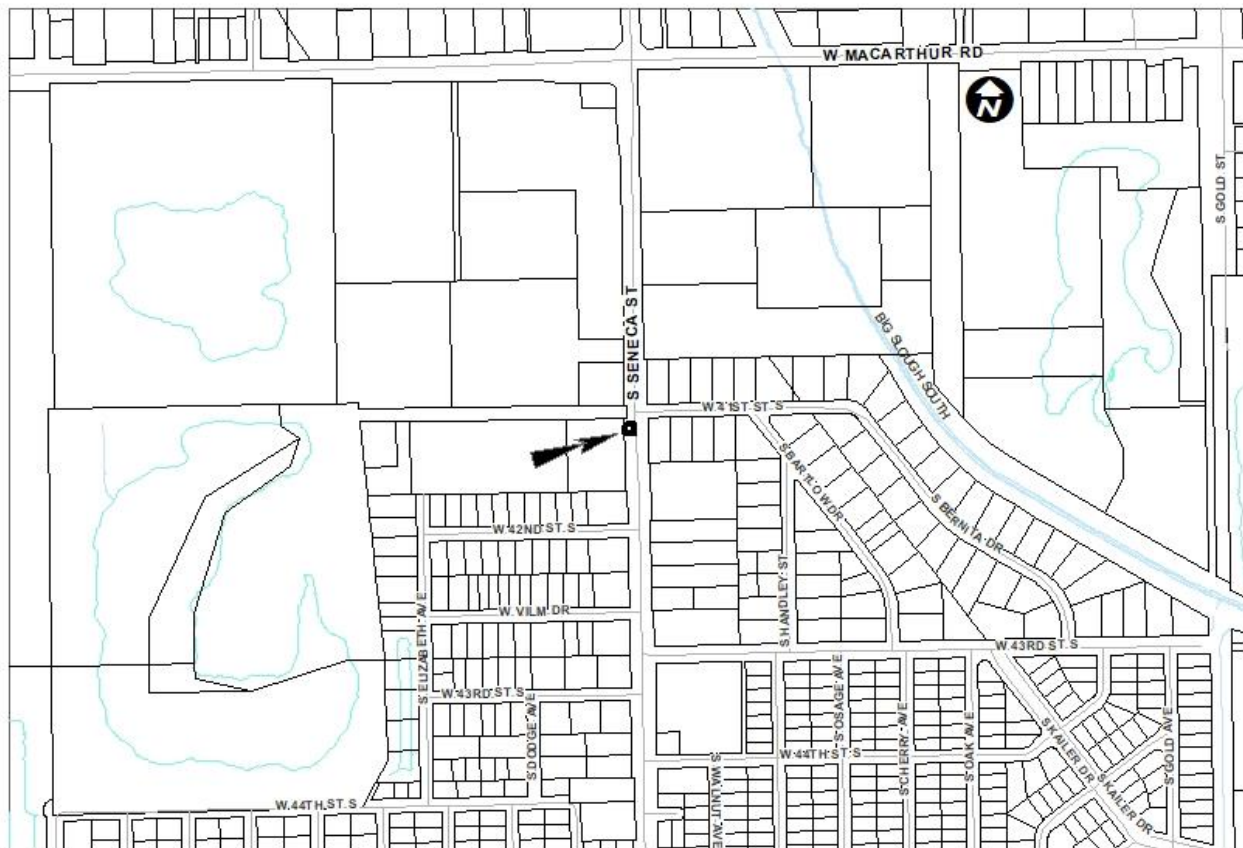


STAFF REPORT

- CASE NUMBER:** VAC2022-00023 – Vacation Request in the City to Vacate a Portion of Platted Complete Access Control on Property Zoned PUD Planned Unit Development
- OWNER/APPLICANT:** James Selenke (applicant), Evans Building Company- Jeffrey Johnson (agent)
- LEGAL DESCRIPTION:** Generally described as vacating the south 40 feet of the north 65.28 feet of platted complete access control onto South Seneca Street located on the east property line of Lot 1, Block B, Cross Gate Addition, Wichita, Sedgwick County, Kansas.
- LOCATION:** Generally located on the west side of South Seneca Street, within one-quarter mile south of West MacArthur Road.
(WCC IV)
- REASON FOR REQUEST:** Add a right-in/right-out driveway on the north side of the property.
- CURRENT ZONING:** The site is zoned PUD Planned Unit Development.
- VICINITY MAP:**



The applicant is requesting a vacation of the south 40 feet of the north 65.28 feet of platted complete access control onto South Seneca Street located on the east property line of Lot 1, Block B, Cross Gate Addition. The plat permits two access points onto the site. One 50-foot opening is permitted midpoint on the site and one 40-foot opening is permitted on the south property line of the site. The midpoint access point is currently constructed with a driveway. The applicant is proposing one 40-foot, driveway 25.28 feet south of the north property line and an additional 30-foot full access driveway on the south property line (within the platted opening). This will allow truck access along the north part of the site. The existing midpoint driveway does not facilitate efficient truck movement through the site.

City Traffic Engineering has reviewed the request. Though the proposed north driveway does not align with arterial access management standards, City Traffic Engineering is supportive of permitting the drive with the following conditions:

1. It be constructed as a right-in/right-out driveway.
2. The midpoint driveway be closed and access control be dedicated.

The applicant is agreeable to these conditions.

Property to the north is a private driveway that aligns with West 41st Street on the east side of South Seneca Street. The proximity of this intersection provides the most opportunity for vehicular conflict. This conflict will be mitigated with the proposed drive being required to be right-in/right-out only.

Evergy has no objection. They have existing lines and street light equipment in the area of complete access control. Condition #2 covers this equipment. If the applicant needs to relocate any existing services equipment, it will be at their expense. Jeremy Lane, Design Representative for Evergy, can be contacted at 785-508-2703. The Cross Gate Addition was recorded April 18, 2016.

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 11, 2022, 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 complete 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) 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.

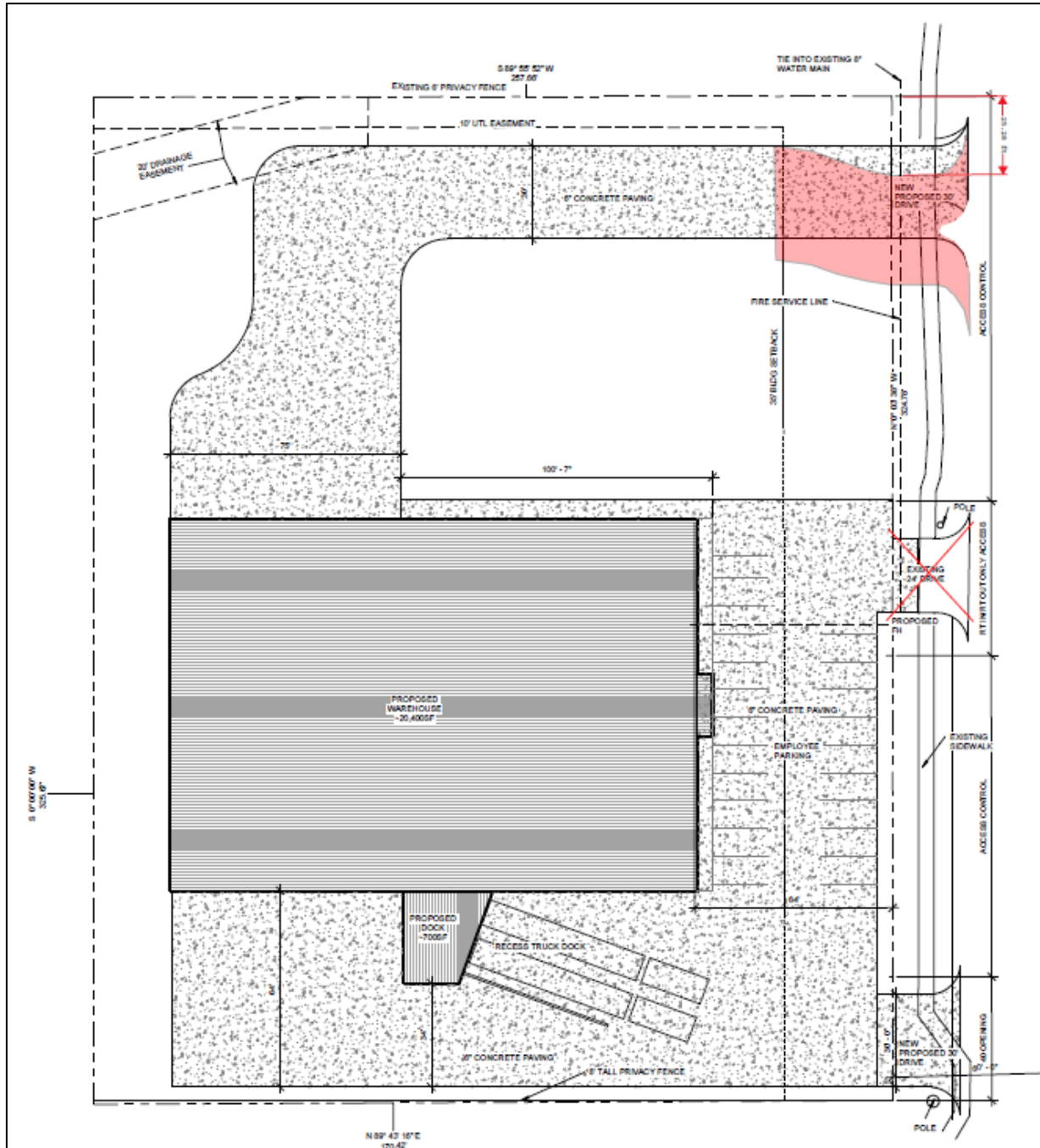
- (3) Vacation of the south 40 feet of the north 65.28 feet of platted complete access control located on and running parallel with the east property line of Lot 1, Block B, Cross Gate Addition, is contingent on approval by the Traffic Engineer and the Fire Department. Approval includes the requirement to dedicate access control to close the midpoint, 50-foot opening. The applicant shall 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.
- (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.

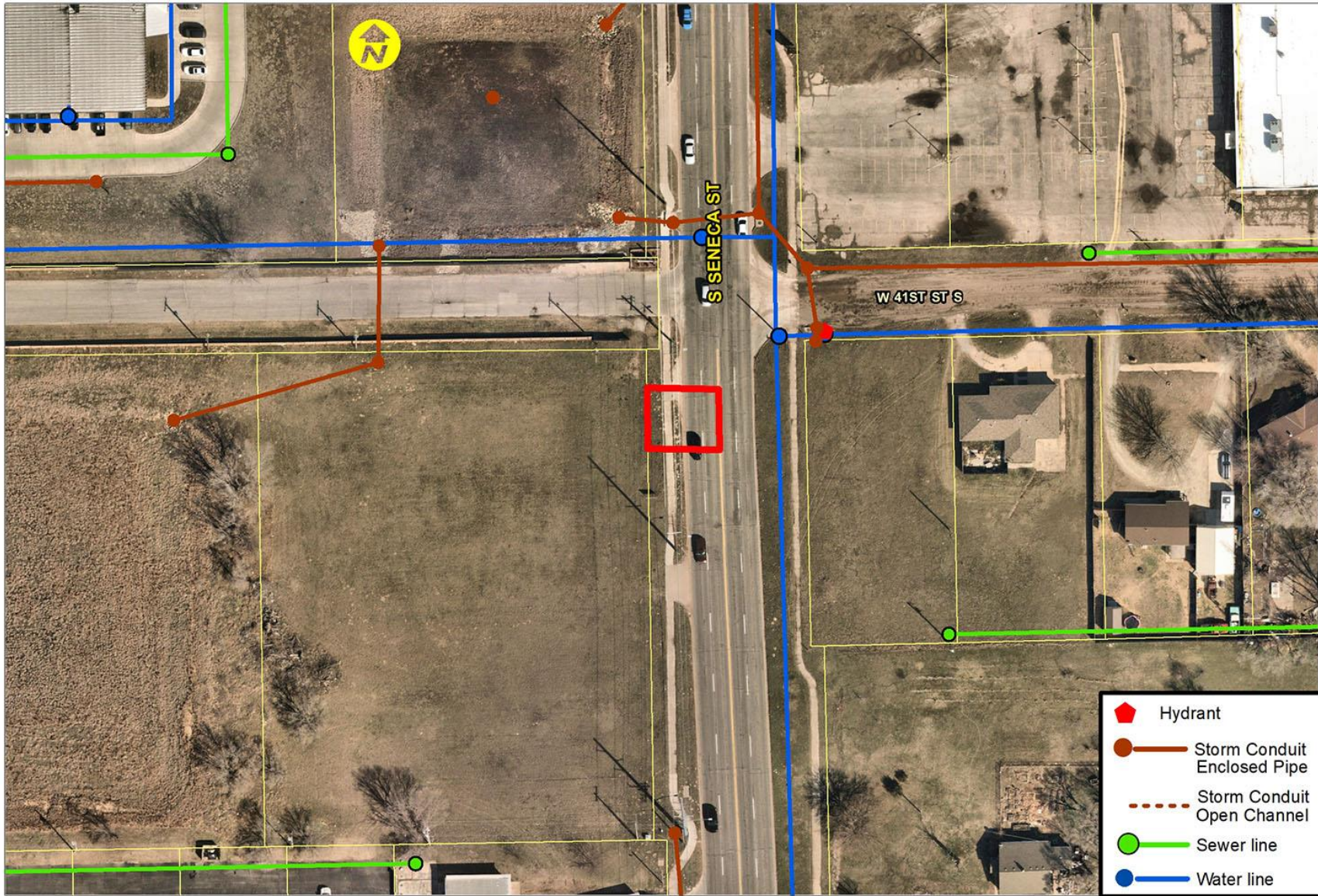
SUBDIVISION COMMITTEE’S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

Attachments:

1. Plat Detail
2. Site Plan
3. Aerial Map
4. Site Photos





Looking southwest at site



Looking west at property south of site



Looking west at existing driveway on site



Looking west at drive north of site



Looking east at West 41st Street



Looking east away from site

