

Planning Agenda # _____

**City of Wichita
City Council Meeting
January 13, 1998**

Agenda Report # _____

TO: Mayor and City Council

SUBJECT: V-2053 VACATE A CONTINGENT DEDICATION OF VALLEY HI ROAD
LOCATED IN AN AREA EAST OF CITY VIEW STREET, SOUTH OF MAPLE,
(District outside City of Wichita)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

Staff Recommendation: Deny vacation of contingent dedication.

MAPC Recommendation: Deny vacation of contingent dedication. (unanimous)

Background: The property owners on whose land the contingent dedication of Valley Hi Road exists petitioned to vacate the contingent dedication. The land in question is adjacent to the Auburn Hills Development, but there has not been a final plat approved for the land that abuts Valley Hi Road. The condition of the contingent dedication is that at the time of development of the adjoining property, if a like amount of right-of-way is dedicated, then Valley Hi Road would become a public street.

The Subdivision Committee voted unanimously to deny the requested vacation as being premature. It was felt by all members that some of the contingent road may be viable to be vacated once it is known how Auburn Hills will develop adjacent to the land in question. But until that time, none of the contingent dedication should be vacated.

The MAPC heard this case on 3 occasions. At the first two meetings, the case was continued so the petitioners and the developer of Auburn Hills could work out a possible agreement on what portion of Valley Hi Road would be used. After delaying the case 1 ½ months for the parties to work out an agreement, which did not occur, the MAPC voted unanimously to recommend the vacation be denied for the same reasons as the Subdivision Committee.

Since this is a county case, but is within the 3-mile area of the City, the City Council is afforded the

opportunity to review and comment on the petition prior to the hearing before the Board of County Commissioners. There is no public hearing, but the Council may take comments.

Recommendations/Actions: After taking comments, if any, approve the recommendations of the Subdivision Committee and the MAPC in denying the petition to vacate the contingent right-of-way dedication for Valley Hi Road.

October 30, 1997

STAFF REPORT

Approved October 23, 1997

CASE NUMBER: V-2053 - Request to vacate a Contingent Dedication of Valley Hi Road

OWNER/APPLICANT: Thomas J. And Deanna Farmer, Revocable Trust Agreement
14126 Valley Hi Road, Wichita, KS 67235

AGENT: James R. Schaefer, Attorney-at-Law
1422 Stratford, Wichita, KS 67206

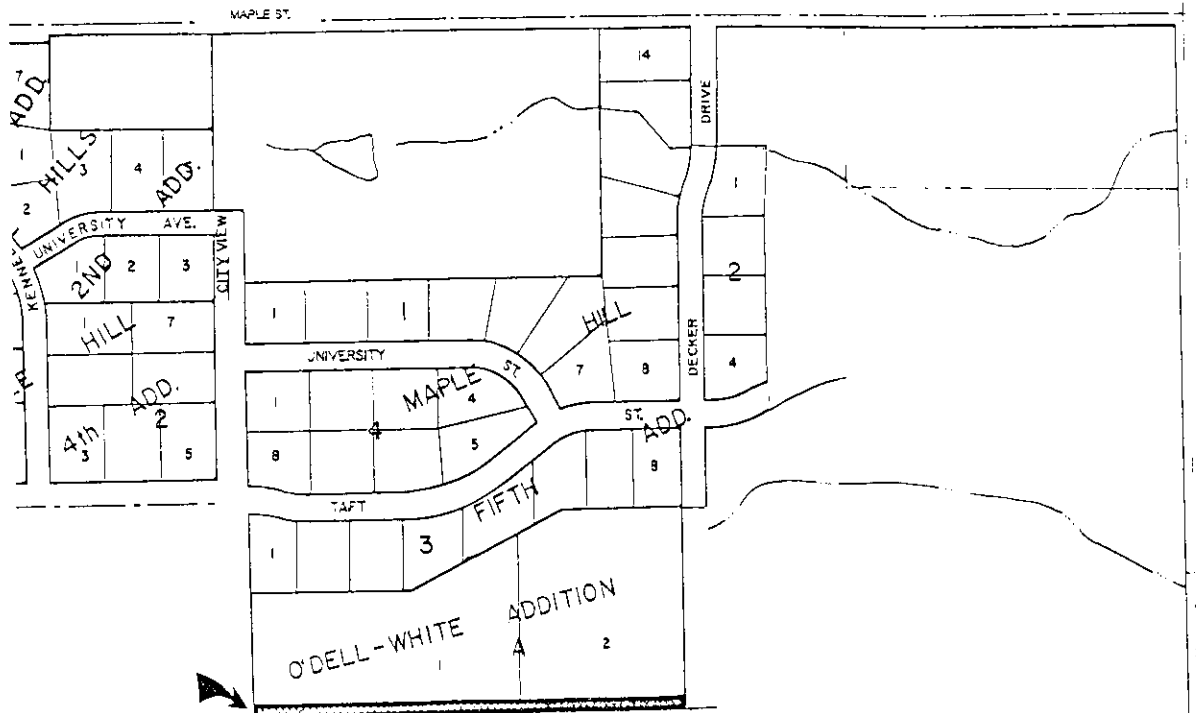
LEGAL DESCRIPTION: Contingent Dedication of Valley Hi Road, being the south 35' of Lot 2, Block A, O'Dell-White Addition to Sedgwick County, Kansas

LOCATION: East side of City View Street, south of Maple

REASON FOR REQUEST: To eliminate the contingent dedication of part of Lot 1, Block A, O'Dell-White Addition to Sedgwick County, Kansas.

CURRENT ZONING: "SF-20" Single Family

VICINITY MAP:



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SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

Deny the vacation.