

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

**City of Wichita  
City Council Meeting  
December 17, 2002**

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

**TO:** Mayor and City Council

**SUBJECT:** **VAC2002-00025 - REQUEST TO VACATE A PORTION OF A  
PLATTED ALLEY, GENERALLY LOCATED NORTHWEST  
OF THE ZOO BOULEVARD - CENTRAL AVENUE  
INTERSECTION.  
(District IV)**

**INITIATED BY:** Metropolitan Area Planning Department *DM*

**AGENDA ACTION:** Planning

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Staff Recommendation: Approve

MAPC Recommendation: Approve (unanimous)

Background: The applicant is requesting the west 259.50-feet of the platted 20-ft alley be vacated. The applicant proposes to pave both the alley and his properties abutting it on the north and south sides. There are utilities in the alley. Reversion of the alley to private property will be to the property north and south of the alley, both which are owned by the applicant.

Both the Fire Department and the Traffic Engineer did have conditions that the applicant had to meet for the alley to be vacated. The Fire Department required that the alley have either siren operated gates or Knox Box gates installed at both ends. Gates must have a reflective material, to be visible at night, placed the width of them. Signage to be approved by the Fire Department. The applicant must post a sign at the east-Zoo Boulevard-N Sheridan Ave intersection advising that this is not a through alley. Sign must be made of reflective material, to be visible at night, and the Traffic Engineer must approve the size, type and placement. The applicant has obtained pre-installation approval of these conditions, by purchasing the needed Knox Box lockage, per Fire, and submitted proposed/approved signage to Traffic

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. No written protests have been filed.

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

**IN THE MATTER OF THE VACATION OF  
A PORTION OF AN ALLEY**

**GENERALLY LOCATED  
NORTHWEST OF THE ZOO BOULEVARD -  
CENTRAL AVENUE INTERSECTION**

**MORE FULLY DESCRIBED BELOW**

Case No. VAC2002-00025

**RECEIVED**

DEC 20 2002

METROPOLITAN PLANNING  
ROUTE ☐ \_\_\_\_\_

**VACATION ORDER**

NOW on this 17<sup>th</sup> day of December, 2002, comes on for hearing the petition for vacation filed by Marlin K Penner, praying for the vacation of the following described a portion of an alley, to-wit:

The west 259.50-feet of the platted 20-foot alley dedicated on the Davis Green Addition.

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 Wichita Eagle on July 16, 2002, 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 portion of the alley, 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. Retain the alley as a utility easement.
6. The vacation of a portion of the alley described herein should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 17<sup>th</sup> day of December 2002, ordered that the above-described portion of the alley 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.

  
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Bob Knight, Mayor

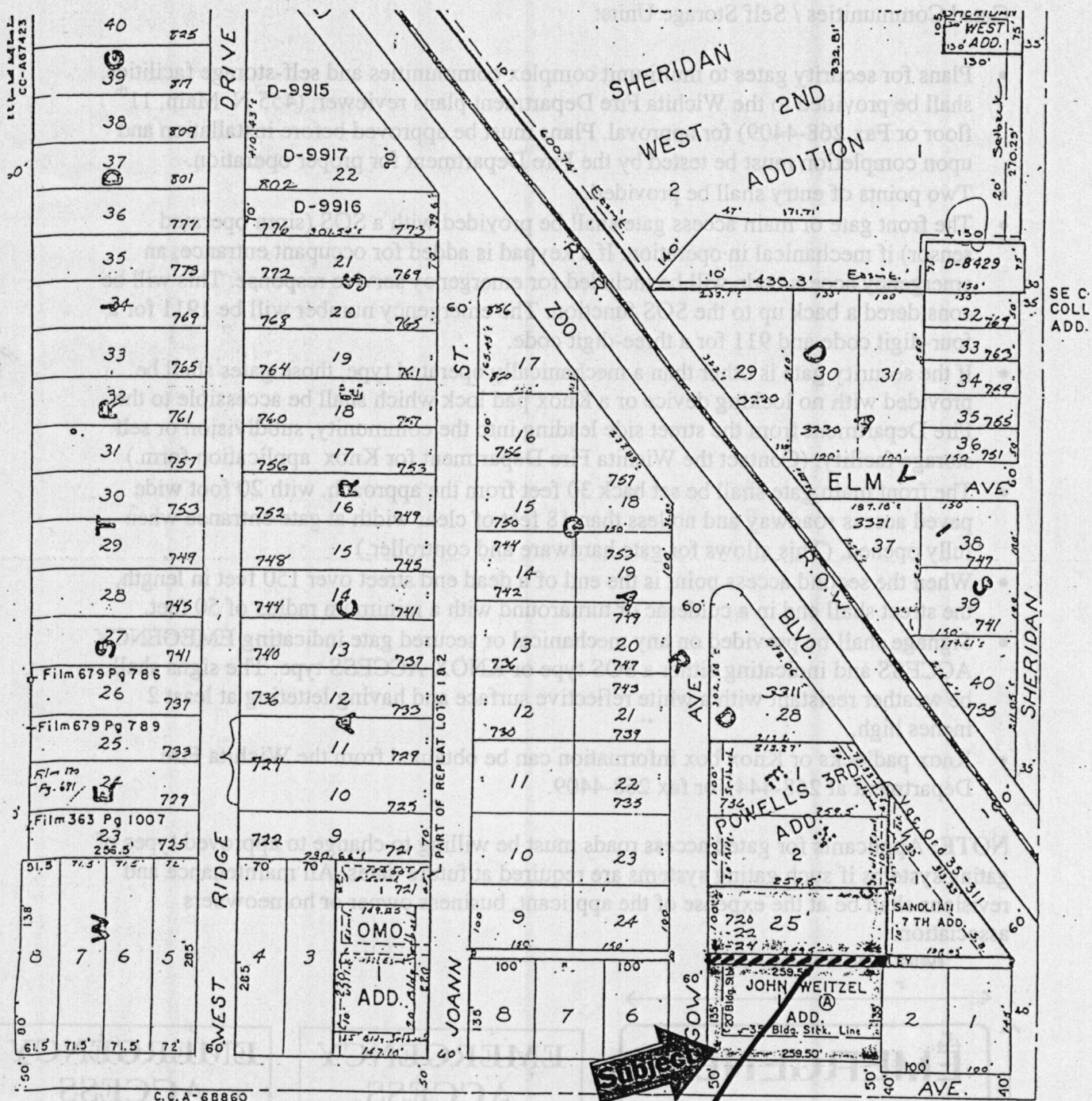
ATTEST:

  
\_\_\_\_\_  
Pat Graves  
City Clerk



Approved as to Form:

  
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Gary Rebenstorf, Director of Law



**Subject**

**Alley to be vacated**

C.C.A-68860