

**EXCERPT MINUTES OF JUNE 22, 2017, WICHITA-SEDGWICK COUNTY METROPOLITAN
AREA PLANNING COMMISSION MEETING**

Case No. VAC2017-00017 – County Vacation of Platted Access Controls, Generally Located on the West Side of Hydraulic Avenue and the South Side of East 117th Street North (11565 North Hydraulic) on property described as:

Lot 2, Allen Estates Addition to Sedgwick County, Kansas.

The applicant is requesting vacation of the south 50 feet of Access Control as granted along the east line of Lot 2, Allen Estates Addition, Sedgwick County, Kansas. Currently the Lot contains one shared drive onto Hydraulic Avenue at the north end. The applicant will be constructing a new home on the south side of the lot. In order to avoid constructing a driveway through the platted floodway reserve, the applicant would like to add a new drive onto Hydraulic Avenue at the south end of the Lot. Westar has no existing facilities in vacation area. Tracy Wood is the area representative and can be contacted at 316-284-5709 for this item. The Allen Estates Addition was recorded February 15th, 2001.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from 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 portion of platted 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 Derby Informer, of notice of this vacation proceeding one time May 31, 2017, 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 platted 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) All improvements shall be according to County Standards and at the applicants' expense.
- (2) Vacation of south 50.00 feet of Access Control as granted along the east line of Lot 2, Allen Estates Addition, is contingent on approval by the Traffic Engineer and the Fire Department.
- (3) 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 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 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.

MOTION: To approve subject to the recommendation of the Subdivision Committee and staff recommendation

MILES moved, **GREENE** seconded the motion, and it carried (10-0)
