



Wichita-Sedgwick County Metropolitan Area Planning Department

September 11, 2020

K.E. Miller Engineering, PA
Attn: Kirk Miller
117 E. Lewis Street
Wichita, KS 67202

Ref: VAC2020-00021: City vacation of the east 15 feet of a 35-foot building setback to allow new Wendy's footprint on site for linger drive thru queue; generally located southeast of the intersection of Douglas Avenue and Rock Road (160 S. Rock Road).

Kirk,

At the Thursday, September 10, 2020, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) Vacate the described portion of the platted 35-foot front setback. Provide Planning Staff with legal descriptions of the approved vacated portions of the platted setback on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide Planning with any needed easements dedicated by separate instrument with original signatures. These conditions must be completed prior to the case going to Council for final action.
- (3) All improvements shall be according to City Standards and at the applicant's expense.
- (4) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and

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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.

When all of the above conditions have been completed and there are no other documents requested; this case will be scheduled for final action by the Wichita City Council at the first appropriate date after September 24, 2020 (end of the two-week protest period). This letter also serves as a reminder that the vacation notification signs should now be removed from the property. If you have any questions concerning this case, please contact our office at 268-4421.

Sincerely,



Philip Zevenbergen, AICP
Associate Planner

PZ:kw

cc: Tigerlily Properties LLC, 29801 Santa Margarita Pkwy, Rancho Santa Margarita CA 92688