



Wichita-Sedgwick County Metropolitan Area Planning Department

May 10, 2021

Baughman Company, P.A.
Attn: Russ Ewy
315 Ellis
Wichita, KS 67211

Ref: VAC2021-00018: City Vacation of a portion of a platted front yard setback on LC Limited Commercial zoned property generally located east of North Webb Road on the north side of East 21st Street North (9750 East 21st Street North).

Russ,

At the Thursday, May 6, 2021, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) Provide Planning staff with an approved legal descriptions of the vacated portion of the platted street side yard 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. All improvements shall be according to City Standards and will be at the applicant's expense. Approval of plans for the relocation of any and all utilities by Public Works and/or franchised utilities must be completed prior to the case going to City Council for final action. Provide Planning with letters of approval or E-mails of approval.
- (3) Provide Planning with any required easement(s) dedicated by separate instrument(s) with original signatures for recording with the Register of Deeds. These original dedications will go with the Vacation Order to City Council for final action and filling with the Sedgwick County Register of Deeds.
- (4) Adjust CUP DP-168 to reflect the vacated portion of the subject setback, referencing the final action on VAC2021-00018.
- (5) 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 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 **May 20, 2021** (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,

Bill Longnecker
Senior Planner

BL:kw

cc: 21st Street Custard LLC, Doug Malone, 301 N Main St, Suite 1400, Wichita KS 67202