



Wichita-Sedgwick County Metropolitan Area Planning Department

February 8, 2022

MKEC Engineering, Inc.
Attn: Brian Lindebak
411 N. Webb Rd
Wichita, KS 67206

Ref: VAC2021-00055: Request in the City to vacate portion of platted complete access control and platted easements on LC Limited Commercial zoned property generally located west of North Rock Road on the north side of East 32nd Street North.

Brian,

At the **Thursday, February 3, 2022**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) Per the approval of the Traffic Engineer, vacate all of the platted complete access control along the south side of Lot 1, Block 1, Killarney Plaza Fourth Addition, to provide a full movement driveway from the subject site onto East 32nd Street North. The driveway will be constructed to City standards. Provide Planning Staff with a legal description of the vacated portion complete access control 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) All improvements shall be according to City Standards and at the applicant's expense, including, but not limited to; (a) the construction of the new drive from the site onto East 32nd Street North and (b) the continuation of the K-96 Bicycle Path. Provide Public Works and utilities with a guarantee (approved project/plans) to ensure that these and any other associated improvements will be made. If the drive is not being immediately constructed, provide a drive approach certificate, which will be recorded with the Register of Deeds. Either the guarantee(s) and/or the drive approach certificate must be provided to Public Works (guarantee) or Planning (drive approach certificate) prior to the case going to Council for final action.
- (3) Right-of-way trees and/or landscaping removed for the proposed driveway will be replaced at the applicant's expense with trees recommended by the Landscape Ordinance. Provide Planning with a landscape plan showing compliance with these conditions. This must be provided prior to the case goes to the City Council for final action.
- (4) Provide Planning with approved legal descriptions of the vacated portions of the sanitary sewer easement dedicated by separate instrument and the 20-10 foot wide platted utility easement. This must be provided prior to the case goes to the City Council for final action.
- (5) 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.

- (6) Provide Planning with any required easement(s) dedicated by separate instrument(s) with original signatures for recording with the Register of Deeds. All original dedications will go with the Vacation Order to City Council for final action and filing with the Sedgwick County Register of Deeds.
- (7) As needed, adjust Community Unit Plan overlay, CUP DP-158, to show the approved driveway.
- (8) 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 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 **February 17, 2022** (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

WL:kw

cc: FAM US Hospitality LLC, Hasu Patel, 2 Sunny Oaks Pl, Conroe TX 77385