



## Wichita-Sedgwick County Metropolitan Area Planning Department

June 13, 2022

K.E. Miller Engineering, P.A.  
Attn: Kirk Miller  
117 E. Lewis  
Wichita, KS 67202

**Ref: VAC2022-00014:** Request in the City to vacate a portion of platted North Millwood Avenue for redevelopment (associated with PUD2022-00011 for multi-family use); generally located on the south side of North McLean Boulevard, one-half mile west of North Seneca Street, between North Vine and North Fern Avenues.

Kirk,

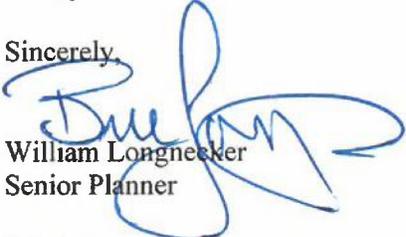
At the **Thursday, June 02, 2022**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) Vacation of the described portion of North Millwood ROW is contingent upon the approval of PUD2022-00011.
- (2) Vacate the described portion of North Millwood Avenue ROW as described in an approved legal description on a Word document sent by E-mail that can be copied and used on the Vacation Order. This must be provided to Planning prior to the vacation case going to City Council for final action.
- (3) Dedicate a 15-foot wide water line – pedestrian easement that will provide unhindered access to the water line and allow unhindered pedestrian access from that portion of North Millwood Avenue not included in the vacation to the sidewalk located in and running parallel to the North McLean Boulevard ROW. The pedestrian access will be paved to City Standards, will be the applicant's responsibility and at the applicant's expense. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (4) Dedicate an easement to cover Storm Water lines and equipment in the vacated portion of North Millwood Avenue, per the standard as directed by the Storm Water Engineer. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (5) As needed dedicate utility easement(s) by separate instrument(s), with original signatures, to cover utilities, located in the vacated public street right-of-way. These must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (6) As needed provide utilities with any needed project plans for the relocation of utilities for review and approval. Any relocation/reconstruction of utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide an approved project number(s) to Planning prior to the case going to City Council for final action.

- (7) All improvements shall be according to City Standards and at the applicants' expense.
- (8) Provide a restrictive covenant, with original signatures, binding and tying the described vacated portion of North Millwood Avenue public street right-of-way to the abutting properties. This must be provided to Planning prior to the case going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (9) 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 **June 16, 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,

  
William Longnecker  
Senior Planner

WL:kw

cc: NAI Martens, Jeff Englert, 1300 E Douglas, Wichita KS 67214  
City of Wichita, John Philbrick, 455 N Main – 13<sup>th</sup> Floor, Wichita KS 67202