



Wichita-Sedgwick County Metropolitan Area Planning Department

March 21, 2019

Kaw Valley Engineering, P.A.
Attn: Levi Bond & Tim Austin
200 N. Emporia, Suite 100
Wichita, KS 67202

Ref: VAC2018-00037: City Vacation of platted reserves, alley, 20-foot utility easement, complete access control along Ida, Orme Street right-of-way and portion of Ida street right-of-way on property zoned GC and B, generally located east of South Washington Avenue, north of East Indianapolis Street.

Dear Tim and Levi,

At the Thursday, March 21, 2019, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) The applicant shall dedicate a 10-foot sidewalk and utility easement along South Washington Avenue by separate instrument, with original signatures, abutting platted Lots 21 & 23 and the portions of Lots 49, 51, & 53 as legally described, Washington Avenue, in Morton Wollman's Addition and Lots 1 and 2 in Chilton's 600 South Washington Addition. This must be provided to Planning prior to going to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds.
- (2) Provide restrictive covenants, with original signatures, binding and tying the vacated described alley 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.
- (3) Provide restrictive covenants, with original signatures, binding and tying the vacated described portion of Orme 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.

VAC2018-00037: City Vacation of platted reserves, alley, 20-foot utility easement, complete access control along Ida, Orme Street right-of-way and portion of Ida street right-of-way on property zoned GC and B, generally located east of South Washington Avenue, north of East Indianapolis Street.

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- (4) The applicant shall dedicate complete access control along South Ida Avenue by separate instrument, with original signatures, abutting Lots 22, 24, 54 and 56, Morton Wollman's Addition and the described portion of the requested vacation of East Orme Street right-of-way with the exception of one controlled, emergency access opening for the existing drive located at the intersection of Ida Avenue and Kellogg Drive. The gate shall remain closed and locked at all times, and the drive shall be used only in the case of emergency by the Fire Department for additional access to the property.
- (5) Design of the locked gate for the described emergency access drive shall be approved by the Planning Director and the Fire Marshall and shall be installed within 90 days of the approval of ZON2018-00053.
- (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) 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 has taken final action on the request and the vacation order and all required documents have been provided to the City 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 April 04, 2019 (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
Associate Planner

PZ:kw

cc: Tap of Kansas Holdings LLC, Don Patry, 620 S Washington Ave, Wichita KS 67211
JD Investments of Wichita LLC, Don Patry, 12302 W Meribeuau, Wichita KS 67235
City of Wichita, John Philbrick, 455 N Main-13th Floor, Wichita KS 67202 COW MAILSTOP 1-135