

The applicant is requesting a vacation of a portion of the platted 25-foot front yard building setback on the SF-5 Single-Family Residential zoned Lot 47, Block A, the Rennick Addition; subject site.. The subject setback runs parallel to the east side of North Ridge Port Street. The Rennick Addition was recorded with the Register of Deeds on April 6, 2021. This vacation request is associated with CON2022-00007, a Conditional Use to allow ancillary parking for a clubhouse and pool in the abutting SF-5 zoned Reserve F, Rennick Addition; see also VAC2022-00010, vacation of plattor's text of a platted reserve to allow a clubhouse and pool.

The applicant has stated that if they had known that a neighborhood swimming pool, a club house and ancillary parking was going to be part of the development the subject site would have been platted as a reserve for ancillary parking with zero setback. As it is the subject lot is not going to be developed for a single-family residence but is going to function like a reserve. The proposed 3-foot setback will allow for the required parking lot landscaping.

There are no public utilities in the in the setback. Evergy has no objection but is in the process of starting the installation of underground equipment and lines to this area of Rennick and specifically the subject site, Lot 47, Block A, Rennick Addition. Evergy requires that the applicant verify that the area they are wanting to vacate is not in conflict with that new installation. A map of the Work Order is attached also to show location we will be installing. Conditions #2, #3 & #4 cover all utilities. Heide Bryan is the Evergy Subdivision Representative for this area and can be contacted at (316)-261-6354.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Public Works, Storm Water, Water and Sewer, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portion of the platted setback.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time April 28, 2022, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portion of the building setback, and that the public will suffer no loss or inconvenience thereby.
 3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

- (1) Vacate the current portion of front building setback of Lot 47, Block A, and provide Planning Staff with revised legal description for a 3-foot building setback on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. All provided to Planning prior to the case going to the Wichita City Council for final action.
- (2) Abandonment or relocation/reconstruction of any/all utilities made necessary by the development of the property shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide approval from franchised utilities for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.
- (3) Provide any needed easements for utilities. 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.
- (4) All improvements shall be according to City Standards and at the applicant's expense.
- (5) 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.

SUBDIVISION COMMITTEE’S RECOMMENDED ACTION

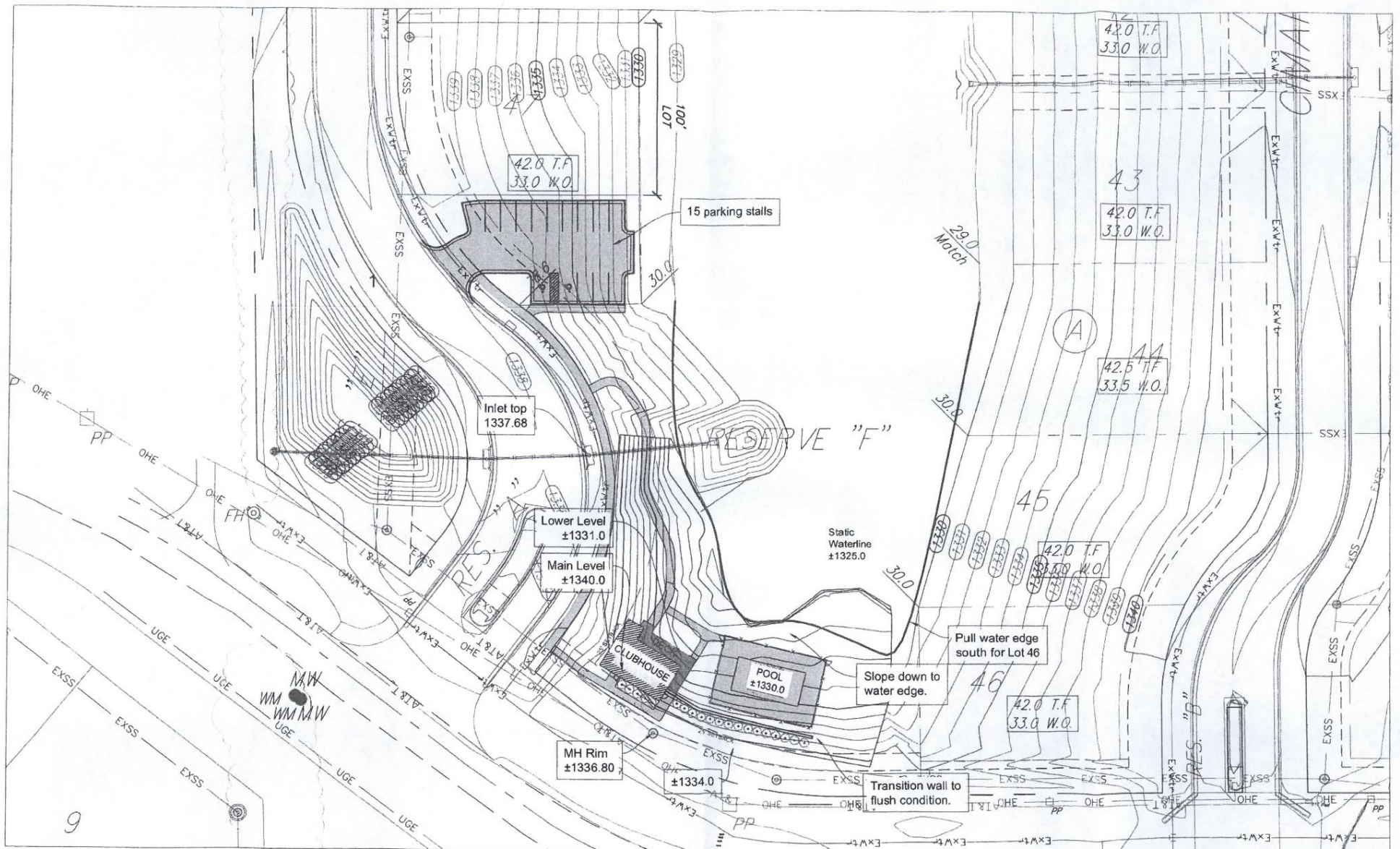
The Subdivision Committee recommends approval subject to the following conditions:

- (1) Vacate the current portion of front building setback of Lot 47, Block A, and provide Planning Staff with revised legal description for a 3-foot building setback on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. All provided to Planning prior to the case going to the Wichita City Council for final action.
- (2) Abandonment or relocation/reconstruction of any/all utilities made necessary by the development of the property shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide approval from franchised utilities for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.
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- (4) All improvements shall be according to City Standards and at the applicant’s expense.
- (5) 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.

Attachments:

1. Aerial Map
2. Site Plan showing improvements submitted by applicant
3. Plat of Rennick Addition
4. Legal Description



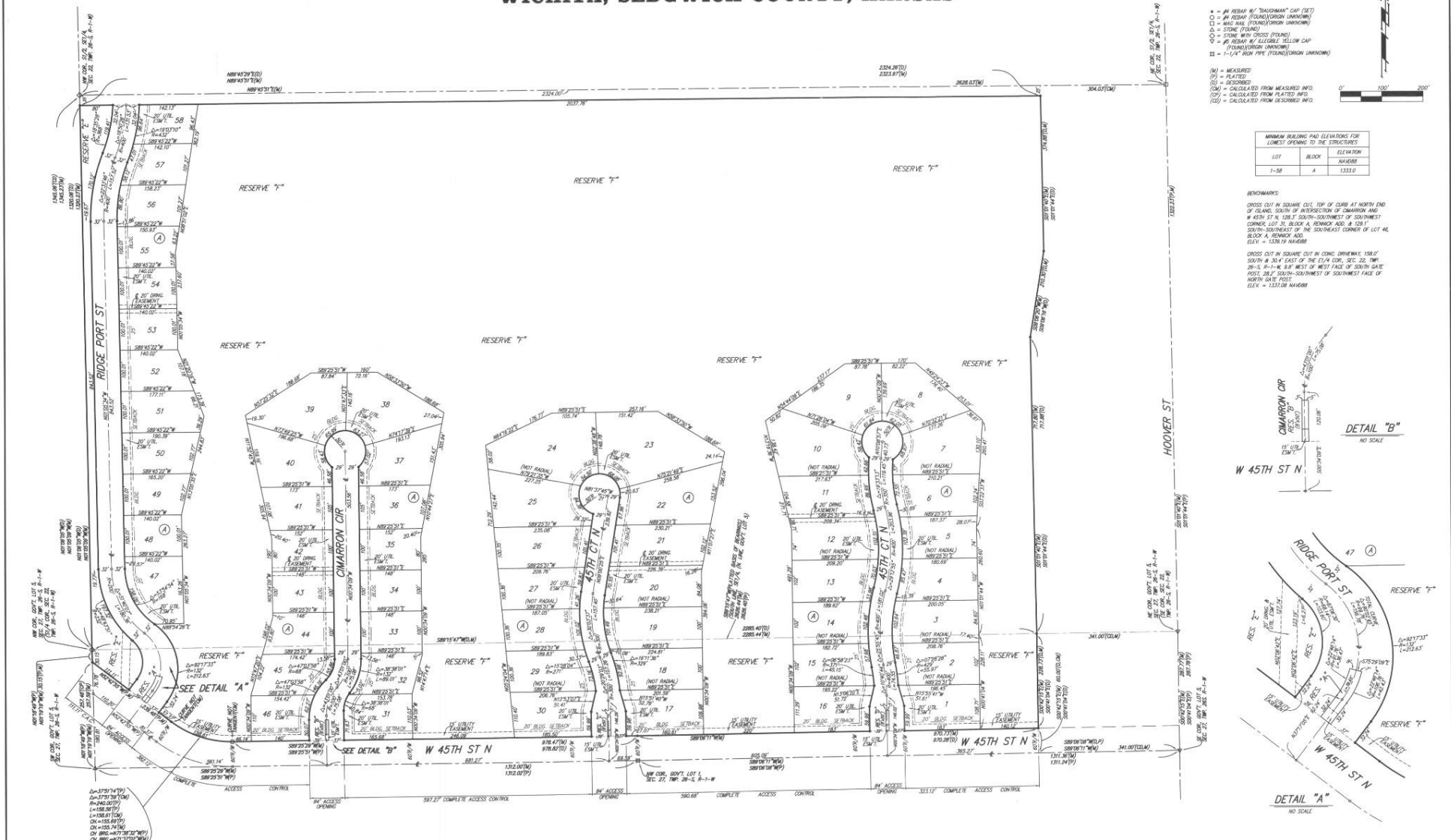


9
 SCALE: 1" = 50'

CASTAWAYS ADDITION POOL EXHIBIT

86-162 Cd

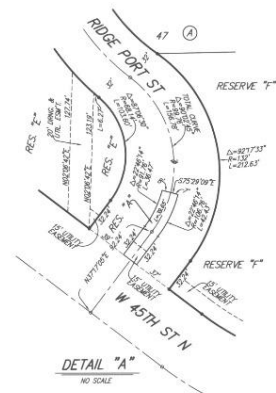
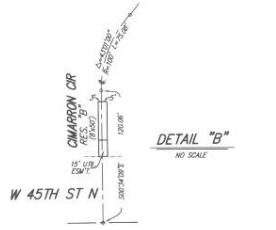
RENNICK ADDITION WICHITA, SEDGWICK COUNTY, KANSAS



- IN REPAIR BY "BAUGHMAN" CO. (SET)
 - IN REPAIR (FOUND)(ORIGIN UNKNOWN)
 - BOLD LINE (FOUND)(ORIGIN UNKNOWN)
 - STONE (FOUND)
 - STONE WITH CROSS (FOUND)
 - IN REPAIR BY "LEGISLATIVE BELL CAP" (FOUND)(ORIGIN UNKNOWN)
 - 1.5" x 4" WOOD PIPE (FOUND)(ORIGIN UNKNOWN)
- (M) = MEASURED
 (P) = PLATTED
 (R) = RECORDED
 (C) = CALCULATED FROM MEASURED INFO.
 (D) = CALCULATED FROM PLATTED INFO.
 (S) = CALCULATED FROM RECORDED INFO.

MINIMUM BUILDING PAD ELEVATIONS FOR LOWEST OPENING TO THE STRUCTURES		
LOT	BLOCK	ELEVATION
1-58	A	1333.0

BENCHMARKS:
 CROSS CUT IN SQUARE CUT, TOP OF CURB AT NORTH END OF ISLAND, SOUTH OF INTERSECTION OF CIMARRON AND W 45TH ST N 128.17' SOUTH-SOUTHWEST OF SOUTHWEST CORNER LOT 35 BLOCK A, HENCKY ADD. & 129.1' SOUTH-SOUTHWEST OF THE SOUTHWEST CORNER OF LOT 46, BLOCK A, HENCKY ADD.
 ELEV. = 1336.19 NAVD83
 CROSS CUT IN SQUARE CUT IN CONC. DRIVEWAY, 128.17' SOUTH & 26.5' EAST OF THE 21.4' COR. SEC. 22, T8N, 26-S, R-1-W, 3/4' WEST OF WEST FACE OF SOUTH GATE POST, 26.5' SOUTH-SOUTHWEST OF SOUTHWEST FACE OF NORTH GATE POST.
 ELEV. = 1337.08 NAVD83



DRAINAGE PLAN NOTE:
 A master drainage plan has been developed for this plat. All drainage easements, right-of-way and reserves shall remain of undivided grade (unless modified with the approval of the City Engineer) and shall be undertaken to allow for the compliance of stormwater in accordance with the Stormwater Manual. The maintenance of all drainage and drainage facilities in undivided drainage easements and reserves shall be the responsibility of the property owner, and shall be enforced by the homeowners' Association and be provided for in the homeowners' Association covenants.

BOUNDARY NOTE:
 The property is within a zone identified by the City Engineer's office as likely to have groundwater at some or all times within ten feet of the ground surface elevation. Bidding with specialty equipment foundations or with the lowest floor quality above groundwater is recommended and owners making bidding permits on this property are an advisory contract. More detailed information on recorded groundwater elevations in the vicinity of this property is available in the City Engineer's office.

PC 21 OF 2
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LEGAL DESCRIPTION FOR VACATION OF BUILDING SETBACK IN A PORTION OF LOT 47, BLOCK A

A portion of the 25.00 foot wide Building Setback lying within Lot 47, Block A, Rennick Addition, Wichita, Sedgwick County, Kansas described as commencing at the southwest corner of said Lot 47; thence N88°54'26"E coincident with the south line of said Lot 47, 4.99 feet to a point in a non-tangent curve to the left and for a point of beginning; thence northwesterly parallel with the west line of Reserve "F" in said Rennick Addition, an arc length of 4.03, a radius of 135.00 feet, a chord length of 4.03 feet and a chord bearing of N54°09'06"W to the Point of Reverse Curvature (PRC) of a curve to the right; thence northwesterly parallel with the west line of said Lot 47, an arc length of 80.20 feet, a radius of 165.00 feet, a chord length of 79.41 feet and a chord bearing of N4°05'01"W; thence N88°54'26"E perpendicular to the east line of said Lot 47, 24.96 feet to a point in a non-tangent curve to the left; thence southeasterly parallel with the west line of said Lot 47, an arc length of 58.53 feet, a radius of 143.00 feet, a chord length of 58.12 feet and a chord bearing of S43°16'59"E to the PRC of a curve to the right; thence southeasterly parallel with the west line of said Reserve "F" an arc length 30.45 feet, a radius of 157.00 feet, a chord length of 30.41 feet and a chord bearing of S49°27'03"E to a point in the south line of said Lot 47; thence S88°54'26"W coincident with the south line of said Lot 47, 32.46 feet to the point of beginning.