

The applicant is requesting to vacate the platted 30-foot building setback of multiple lots of Blocks A and D of the University Park 2nd Addition. These properties are located south of East 17th Street North and approximately ½ mile east of North Hillside Avenue. The properties are described as follows:

Platted Building Setback Vacation

- Block A
 - Lots 7-10 inclusive (fronting Gentry St.) & Lots 11-12 inclusive (fronting Bluff Ave.).
- Block D
 - Lots 6, 7, & 10 (fronting Bluff Ave.) and Lots 11, 15, & 18 (fronting Fountain Ave.).

The applicant is requesting these vacations to allow the zoning setbacks to govern the described lots in order to redevelop the properties into student housing/multi-family including the required parking. The following describes the applicable zoning setbacks for the subject lots in the vacation area.

- Block A
 - Lots 7 & 8
 - Zoned B Multi-Family with a 20-foot front setback.
 - Lots 9 -12
 - Zoned SF-5 Single Family with a required 25-foot front setback.
- Block D
 - Lots 6, 7, 10, 11, 15, & 18
 - Zoned SF-5 with a required 25-foot front setback.

This case is associated with ZON2019-00052 in which the applicant is seeking approval to rezone the described SF-5 lots to B-Multi-Family. This case is being heard concurrently with this vacation request. Once approved by City Council, all zoning lots will have a consistent front setback of 20 feet as there will no longer be any SF-5 zoned lots.

Evergy has existing lines near some of the front setbacks, but does not object to the vacation. Any relocation shall be at the applicant's expense. Becky Thompson is the Area Construction Representative and can be contacted at 316-261-6320 with any questions about this case. The University Park 2nd Addition was recorded with the Register of Deeds September 14, 1948.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Public Works, Stormwater, 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 portions of platted building setbacks and utility easement.

- 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 January 2, 2020, 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 platted front 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 platted 30-foot building setbacks of the described lots platted in Blocks A and D of the University Park 2nd Addition. Provide Planning Staff with legal descriptions of the approved vacated portions of the platted setbacks 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.
- (3) 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.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION

The Subdivision Committee recommends approval per staff recommendations.

Attachments:

1. Aerial Map
2. Vacation Exhibit



