



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

April 15, 2025

Catholic Diocese
424 N. Broadway
Wichita, KS 67216

Baughman Company, P.A.
Attn: Jay Cook
315 S. Ellis Ave.
Wichita, KS 67211

Ref: VAC2025-00005: Vacation request in the City of a portion of a platted 30-foot building setback on property located one-quarter mile south of East Pawnee Avenue and within one-quarter mile east of South Washington Avenue (2635 S. Pattie Ave.).

Dear Applicant,

At the **Tuesday April 15, 2025**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved.

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,

A handwritten signature in blue ink, appearing to read 'Philip Zevenbergen'.

Philip Zevenbergen
Current Plans
Division Manager



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

March 14, 2025

Catholic Diocese
424 N. Broadway
Wichita, KS 67216

Baughman Company, P.A.
Attn: Jay Cook
315 S. Ellis Ave.
Wichita, KS 67211

Ref: VAC2025-00005: Vacation request in the City of a portion of a platted 30-foot building setback on property located one-quarter mile south of East Pawnee Avenue and within one-quarter mile east of South Washington Avenue (2635 S. Pattie Ave.).

Dear Applicant,

At the **Thursday, March 13, 2025**, meeting of the Metropolitan Area Planning Commission (MAPC), the above-referenced vacation request was approved subject to the following conditions:

- (1) Vacate the described portion of the platted 30-foot building setback associated with Lots 1-12 and vacated Pattie Court, Block B, Lowrey Addition. Provide Planning with the legal description in a Word Document prior to the case going to the City Council for final action.
- (2) As needed provide Planning with dedication of easements by separate instruments with original signatures to go with the Vacation Order to City Council for final action and subsequent recording with the Vacation Order at the Register of Deeds. All to be provided to the Planning Department prior to this case going to City Council for final action.
- (3) All improvements shall be according to City Standards and at the applicants' expense.
- (4) 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.

These conditions have been met. Therefore, this case is scheduled for final action by the Wichita City Council on **Tuesday, April 15, 2025**. 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.

VAC2025-00005: Vacation request in the City of a portion of a platted 30-foot building setback on property located one-quarter mile south of East Pawnee Avenue and within one-quarter mile east of South Washington Avenue (2635 S. Pattie Ave.).
Page 2

Sincerely,

A handwritten signature in blue ink, appearing to read "Philip Zevenbergen", with a large, stylized initial "P" and a long horizontal flourish extending to the right.

Philip Zevenbergen
Current Plans
Division Manager



Sedgwick County Kansas
Tonya Buckingham
Tonya Buckingham,
Register of Deeds

**BEFORE THE CITY COUNCIL OF THE
CITY OF WICHITA, SEDGWICK COUNTY, KANSAS**

**IN THE MATTER OF THE VACATION OF A PORTION OF A)
PLATTED 30-FOOT BUILDING SETBACK)**

**GENERALLY LOCATED ONE-QUARTER MILE SOUTH)
OF EAST PAWNEE AVENUE AND WITHIN ONE-QUARTER)
MILE EAST OF SOUTH WASHINGTON AVENUE)**

VAC2025-00005

MORE FULLY DESCRIBED BELOW

VACATION ORDER

NOW on this 15th day of April 2025, comes on for hearing the petition for vacation filed by the Catholic Diocese (owner) praying for the vacation of a portion of a platted 30-foot building setback, to wit:

Portion of building setback to be vacated:

The West 10.00 feet of the eastern 30 Foot Building Setback Line adjoining Pattie Ct., of Block "B", LOWREY, an addition in Wichita, Sedgwick County, Kansas, as prepared by Baughman Co. P.A. Professional Surveyors, CLS 58, in aforesaid County and State, on February 4, 2025, being described as beginning at the Southeast Corner of Lot 7, of said Block "B"; THENCE North 00°00'00" West, on an assumed bearing, coincident with the west boundary of Pattie Avenue, of said LOWREY, and the east boundary of said Block "B", a distance of 30.03 feet; THENCE North 90°00'00" West, perpendicular to the eastern boundary of said Block "B", 20.00 feet, to a non-tangential curve 30.00 feet normally distant north of the southern boundary of said Block "B", and the POINT OF BEGINNING; THENCE Northwest, parallel with and 30.00 feet normally distant north of the south boundary of said Block "B", following a curve to the right having a radius of 380.00 feet, an arc distance of 10.01 feet, a delta angle of 1°30'32", a chord bearing North 87°55'45" West and a chord distance of 10.01 feet, to a point 30.00 feet normally distant west of the east boundary of said Block "B"; THENCE North 00°00'00" East, parallel with and 30.00 feet normally distant west of the east boundary of said Block "B", 361.33 feet, to a point of curvature; THENCE Northwest, parallel with and 30.00 feet normally distant west of the east boundary of said Block "B", following a curve to the left having a radius of 316.65 feet, an arc distance of 118.82 feet, a delta angle of 21°30'00", a chord bearing North 10°45'00" West and chord length of 118.13 to a point of reverse curve; THENCE Northwest, parallel with and 30.00 feet normally distant west of the east boundary of said Block "B", following a curve to the right having a radius

April 15, 2025
VAC2025-00005

of 416.43 feet, an arc distance of 65.05 feet, a delta angle of 8°56'58", a chord bearing North 17°01'31" West and a chord distance of 64.98 feet, to a point 30.00 feet normally distance south of the north boundary of said Block "B"; THENCE North 89°34'54" East, parallel with and 30.00 feet normally south of the northern boundary of said Block "B", 10.23 feet, to a point 20.00 feet normally distant west of the east boundary of said Block "B"; THENCE Southeast, parallel with and 20.00 feet normally distant west of the east boundary of said Block "B", following a curve to the left having a radius of 406.43 feet, an arc distance of 61.33 feet, a delta angle of 8°38'47", a chord bearing South 17°10'37" East and a chord distance of 61.27 feet, to a point of reverse curve; THENCE Southeast, parallel with and 20.00 feet normally distant west of the east boundary of said Block "B", following a curve to the right having a radius of 326.65 feet, an arc distance of 122.57 feet, a delta angle of 21°30'00", a chord bearing South 10°45'00" East and a chord distance of 121.86 feet, to a point of tangency; THENCE South 00°00'00" West, parallel with and 20.00 feet normally distant west of the east boundary of said Block "B", 361.70 feet, to the POINT OF BEGINNING.

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication, as required by law, in The Wichita Eagle and at www.wichita.gov/LegalNotices on February 20, 2025, which was at least 20 days prior to the public hearing.
2. No private rights will be injured or endangered by the vacation of the described portion of a platted 30-foot building setback, and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner, the prayer of the petitioner ought to be granted.
4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.
5. The vacation of the described portion of a platted 30-foot building setback, should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 15th day of April 2025, ordered that the above-described portion of a platted 30-foot building setback is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Sedgwick County Register of Deeds for recording.

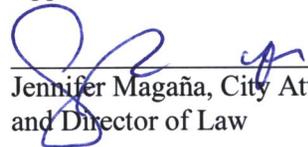
ATTEST:


Paul Leeker, City Clerk




Lily Wu, Mayor, City of Wichita

Approved as to Form:


Jennifer Magaña, City Attorney
and Director of Law

May 14, 2024
VAC2024-00013



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
 Ledger-Enquirer

Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
 Rock Hill | The Herald
 The Sacramento Bee
 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	636629	Print Legal Ad-IPL02177390 - IPL0217739		\$70.80	2	58 L

Attention: Mandy Hebert
 CITY OF WICHITA/PLANNING DEPT
 271 WEST THIRD ST., 2ND FL, SU 203
 WICHITA, KS 67202

MHEBERT@wichita.gov

OCA 150004
Published in The Wichita Eagle on February 19, 2025
(One Time Only)
MAPC/BZA March 13, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, March 13, 2025, no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421. Full notice can be found at www.wichita.gov/LegalNotices.

CON2024-00278: Conditional Use request in the City to permit a Short Term Rental on property zoned SF-5 Single-Family Residential District; located within one-quarter mile south of East Central Ave. and within one-half mile east of North Rock Road (8539 E. Brookhollow Ln).

CON2025-00023: Conditional Use to allow Event Center in the City to have small gatherings on property zoned GC General Commercial District, generally located on the northeast corner of East Douglas Avenue and North Hillside Avenue (3202 East Douglas Avenue).

CON2025-00024: Conditional Use request in the City (with ZON2025-0003 from GO to LC) to permit a Carwash within 200 feet of residential zoning, generally located on the southwest corner of East Kellogg and South 143rd Street East.

CUP2025-00005: CUP Amendment in the City to the North Ridge Village CUP DP-280 to permit Warehouse, Self-Storage and exclude Parcel 4 from architectural controls, on property zoned LC Limited Commercial, located one-quarter mile west of N. Ridge Rd. and within one-half mile north of W. 37th St. North.

CUP2025-00006: CUP Amendment to Dugan Centre DP-151 to allow Warehouse, Self-Service Storage on Parcel 3A and modify architectural controls, generally located on the south side of West Taft Avenue, within one-quarter mile east of South Ridge Road (6803 West Taft Avenue).

VAC2025-00002: Vacation request in the City to vacate a sewer easement under an existing building, located approximately 680 feet east of the intersection of S. Seneca St. and West 31st St. S. (928 W. 31st St. S.)

VAC2025-00003: Vacation request in the City to vacate a portion of a utility easement to develop a warehouse on existing property zoned GI General Industrial District, generally located on southwest corner of 37th Street N & Saint Francis Street.

VAC2025-00004: Vacation request in the City to vacate a portion of Oak Street Right-of-Way to allow to create a private parking area for a commercial campus, generally located on within one-block north of West Douglas Avenue and one block west of North Sycamore (130 N Oak St).

VAC2025-00005: Vacation request in the City to vacate a portion of a utility easement to allow for development on property zoned GC General Commercial (PO 282 & 416), generally located on northwest corner of North Hoover Avenue & West Central Avenue (715 N & 721 N Hoover Ave).

ZON2025-00002: Zone change request in the City from LC Limited Commercial District to CBD Central Business District, generally located on the southeast corner of West Douglas Avenue and South Oak Street (623 West Douglas Avenue, D-O Delano Overlay).

ZON2025-00003: Zone change request in the City from GO General Office to LC Limited Commercial (with CON2025-00024) to permit a Carwash within 200 feet of residential zoning, generally located on the southwest corner of East Kellogg and South 143rd Street East.

IPL0217739
 Feb 19 2025

In The STATE OF KANSAS
 In and for the County of Sedgwick

1 insertion(s) published on:
 02/19/25

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 02/19/2025 to 02/19/2025.

Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 02/19/2025

Amy Robbins

Notary Public in and for the state of South Carolina,
 residing in Beaufort County



AMY L. ROBBINS
 NOTARY PUBLIC
 SOUTH CAROLINA
 MY COMMISSION EXPIRES 11-03-32

Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

METROPOLITAN AREA PLANNING COMMISSION

**AGENDA REPORT NO.
March 13, 2025**

STAFF REPORT

CASE NUMBER: VAC2025-00005 - City Vacation of a portion of a platted 30-foot building setback.

APPLICANT: Catholic Diocese (applicant)/ Baughman Company, P.A. (agent)

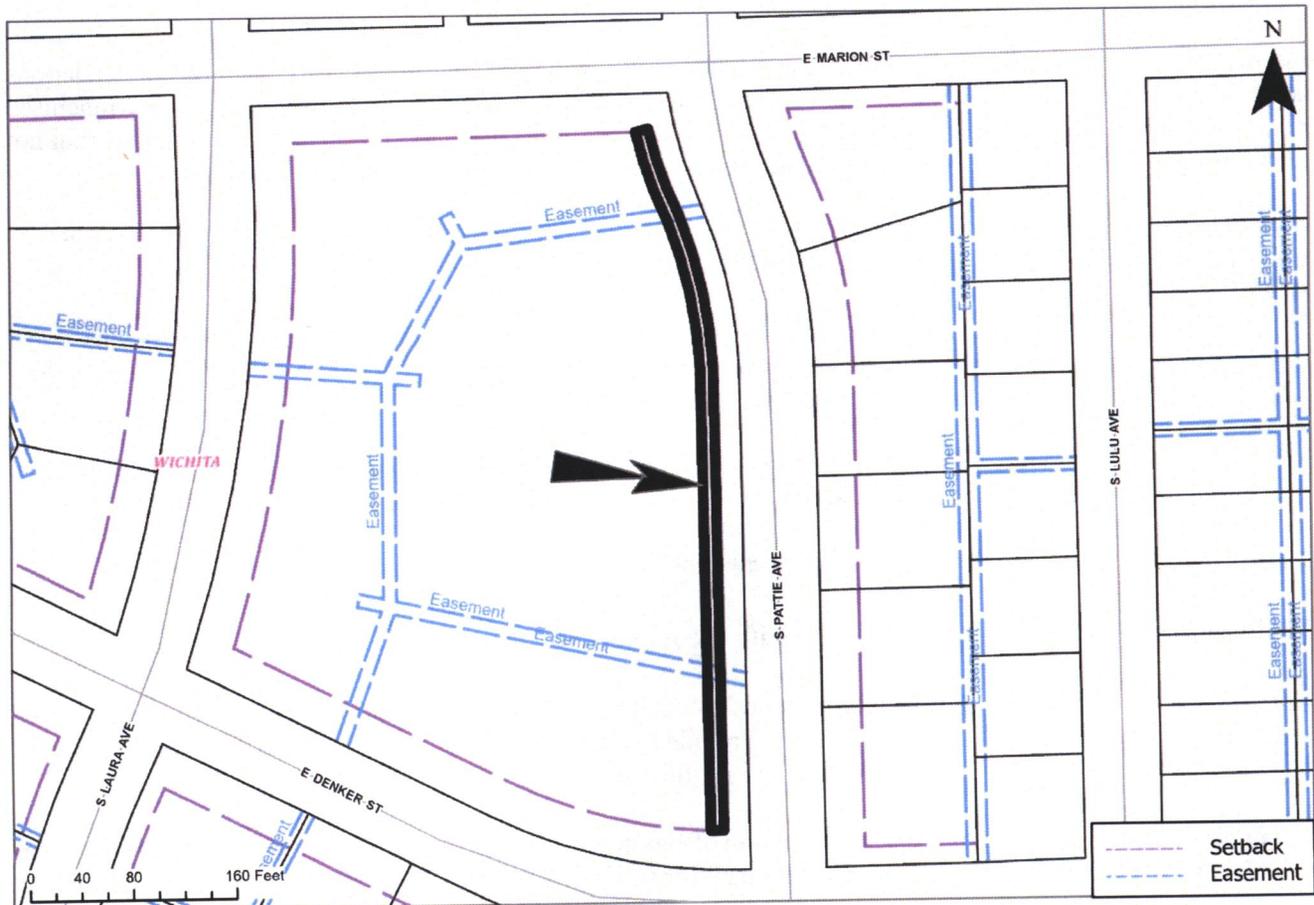
LEGAL DESCRIPTION: Generally described as vacating the west 10 feet of the east 30 feet of the platted building setback of Lots 1-12 and vacated Pattie Ct., Block B, Lowrey Addition, Wichita, Sedgwick County, Kansas.

LOCATION: Generally located one-quarter mile south of East Pawnee Ave. and within one-quarter mile east of South Washington Ave. (2635 S. Pattie Ave.). (WCC III)

REASON FOR REQUEST: To permit a building addition.

CURRENT ZONING: The subject site and all abutting sites are zoned SF-5 Single-Family Residential District. The subject site is developed with a church and school. Surrounding properties are developed with single-family dwellings.

VICINITY MAP:



The applicant proposes to vacate the west 10 feet of the east 30 feet of a platted building setback on Lots 1-12 and vacated Pattie Ct., Block B, Lowrey Addition. The subject site is zoned SF-5 Single-Family Residential District (SF-5) and developed with a church and school. The purpose of the request is to permit a building addition onto the existing church/school building. In 1952, the Block B of the Lowrey addition was platted into 12 individual lots with Lots 3-6 served by Pattie Court. Not long after it was platted, Pattie Court was vacated in order for the church/school campus to be constructed. The entirety of the 12 platted lots and vacated Pattie Court function as one zoning lot. The Lowrey Addition plat does not depict the platted setback on the face of the plat. However, the plat's text denotes 30-foot front building setbacks. When Pattie Court was vacated in order for the entire block to be developed as a whole, it was determined that all four sides would be considered "front", and the 30-foot setback was applied. If approved, the vacation would reduce the setback along the eastern side of the block from 30 feet to 20 feet. The standard front zoning setback in the SF-5 District is 25 feet and can be reduced to 20 feet by Administrative Adjustment. The requested reduction does not exceed this limit.

Wichita Public Works and Utilities, Wichita Traffic Engineering, and Wichita Fire Department do not object to the vacation of the platted setback. Comments from franchised utilities have been received. No franchise utility has any equipment in the area, and they do not object to the vacation.

The Lowrey Addition was recorded on January 9, 1952.

When determining a recommendation to be made to the Metropolitan Area Planning Commission (MAPC), the Subdivision and Utility Advisory Committee should consider the legal findings that are required to be made by the MAPC and Governing Body in order to grant the request. These findings are detailed in the subsequent MAPC report. In particular, the Committee should consider whether any private rights will be injured or endangered by recommending approval of the vacation request, and whether or not the public will suffer any loss or inconvenience thereby.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Traffic, Public Works/Water & Sewer/Stormwater, 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 building 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 February 20, 2025, 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 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 described portion of the platted 30-foot building setback associated with Lots 1-12 and vacated Pattie Court, Block B, Lowrey Addition. Provide Planning with the legal description in a Word Document prior to the case going to the City Council for final action.
- (2) As needed provide Planning with dedication of easements by separate instruments with original signatures to go with the Vacation Order to City Council for final action and subsequent recording with the Vacation

Order at the Register of Deeds. All to be provided to the Planning Department prior to this case going to City Council for final action.

- (3) All improvements shall be according to City Standards and at the applicants' expense.
- (4) 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 per staff recommendations.

Attachments:

- 1) Aerial Map
- 2) Vacation Exhibit

Aerial Map

VAC2025-05

-  City Limits
-  Storm Structures
-  Enclosed Gravity Pipe
-  Force Main
-  Open Channel
-  Siphon
-  Water Hydrants
-  Sewer Manholes
-  Sewer Mains
-  Water Valves
-  Water Mains

