



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

October 20, 2000

Cambridge Office Park, LLC
Attn: Clifford A. Nies
9415 East Harry, Suite #102
Wichita, KS 67207

Re: Administrative Adjustment BZA2000-00044: An administrative adjustment to waive the screening requirements and eliminate the compatibility setbacks along the north, south, and east property lines on property zoned "GO" General Office.

Legal Descriptions: Lot 1, Hanley Addition to Wichita, Sedgwick County, Kansas. Generally located south of 21st Street North and east of Webb Road.

Dear Mr. Nies:

We have reviewed your request for an administrative adjustment to waive the screening requirements and the compatibility setbacks for the north, east, and south property lines of Lot 1, Hanley Addition. You have proposed to develop three office buildings, with a residential character, on the property. The north and east property lines abut property zoned "B" Multi-family but that is restricted to use as a reserve for drainage purposes, "Reserve A." Furthermore, the property on the opposite side of Reserve A also is zoned "GO" General Office. Regarding the south property line, the adjoining property is zoned "TF-3." We understand that there is a substantial hedge of mature trees separating these properties.

The Unified Zoning Code allows an administrative adjustment to waive the required screening requirements specified in Sec. IV-B.3.(a) of the Code when the adjacent residential property is developed with institutional or multi-family uses and the location of improvements on one or both properties provides adequate screening. On the north and east sides, the expected use of the property on both sides of Reserve A is for office use. Therefore, it is suggested that landscaping complimentary to the rear elevations of the offices would provide adequate screening. On the south side the presence of the mature hedge would provide an adequate screen.

The Code also allows an administrative adjustment to eliminate compatibility setback requirements. Compatibility setbacks are intended to provide greater separation between dissimilar land uses. The compatibility setback is unnecessary since the proposed uses are the same for both sides of Reserve A. Concerning the south property line, the presence of the existing mature hedge is an effective buffer between the proposed uses, should the property be developed with residential uses.

Therefore, we find that waiving of the screening requirements and compatibility setbacks meets the four conditions required by Section V-1.6 of the Unified Zoning Code as set out below:

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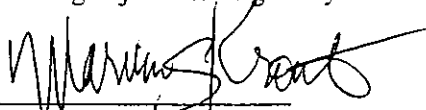
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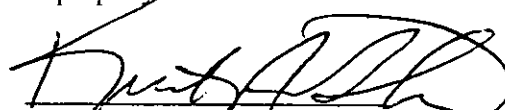
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed elimination of screening requirements and compatibility setbacks would have no impact on safety and convenience of vehicular and pedestrian circulation in the vicinity of the application area.
- 2) Impact on existing uses in surrounding areas: There are no existing uses adjacent to the subject tract to be impacted by the waiving of the screening requirements and elimination of the compatibility setback.
- 3) Compatibility with existing or permitted uses on abutting sites: The presence of "GO" General Office zoning on both sides of Reserve A eliminates the need for the screening and compatibility requirements for the north and east property lines. The mature hedge, coupled with the residential character of the proposed office use, provides adequate screening and landscaping for potential residential development to the south.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way, therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that an administrative adjustment to waive the required screening and the compatibility setbacks on the north, east, and south property lines is hereby granted subject to the following conditions:

- 1) The site shall be developed in general conformance with the submitted site plan; with a landscape buffer of one tree and five shrubs every 30 feet being provided within the 10-foot setback on the north and east side along Reserve A.
- 2) Should the "TF-3" property be developed for residential use and the mature hedgerow were removed and/or altered to no longer provide effective screening and a landscape buffer, the hedge shall be replaced by screening as required by Sec. IV-B.3.(a) and with landscaping per the Landscape Ordinance.

The zoning adjustment sign may now be removed from the property


Marvin S. Krout
Director of Planning


Kurt Schroeder
Superintendent of Central Inspection

MK/KS/dg

cc: Paul Hayes, Office of Central Inspection
Mark Janzen, Office of Central Inspection
Baughman Company, P.A. c/o Russ Ewy, 315 Ellis, Wichita KS 67211