



Wichita-Sedgwick County Metropolitan Area Planning Department

March 4, 2019

VT Properties, LLC
Attn: Jeff Arensdorf
8620 W. 21st Street North
Wichita, KS 67205

Baughman Company, P.A.
Attn: Russ Ewy
315 Ellis
Wichita, KS 67211

Re: BZA2019-12: City Administrative Adjustment to adjust Condition #6 in PO-327

Legal Description: Generally located at the northwest corner of North Ridge Road and K-96 Highway

Parcel A:

A tract in the Northeast Quarter of Section 28, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as: Commencing at a point on the East line of said Northeast Quarter which is 782.50 feet North of the Southeast corner of said Northeast Quarter, said point being on the centerline of Ridge Road, Sedgwick County, Kansas, and 647.35 feet North of the centerline of Highway K-96 as presently lying in and through said Northeast Quarter; thence West perpendicular to the East line of said Northeast Quarter 637.60 feet; thence to the left 90°00' and South 457.67 feet, to the Northerly right-of-way line of said Highway K-96; thence to the left 98°40'52" and East-Northeasterly along said North right-of-way line, 555.64 feet to the Westerly right-of-way line of said Ridge Road; thence to the right 8°40'52" and East 88.33 feet, to the East line of said Northeast Quarter; thence North along the East line of said Northeast Quarter 373.80 feet, to the point of beginning.

Parcel B:

A tract in the Northeast Quarter of Section 28, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at a point on the East line of said Northeast Quarter, (said East line having an assumed bearing of N01°35'17"W), which is 782.50 feet North of the Southeast corner of said Northeast Quarter, said point being on the centerline of Ridge Road, Sedgwick County, Kansas, and 647.35 feet North of the centerline of Highway K-96, (recorded in Deed for Highway Purposes in Book 1391, Page 366), as presently lying in and through said Northeast Quarter, said point also being the Northeast corner of a tract of land described and conveyed in the Statutory Warranty Deed recorded in Doc.#/Film-Pg:29737019; thence S88°24'43"W perpendicular to the East line of said Northeast Quarter and along the North line of said tract of land, (Doc.#/Film-Pg:29737019), 637.60 feet for a point of beginning, said point of beginning also being the Northwest corner of said tract of land, (Doc.#/Film-Pg:29737019); thence S01°35'17"E along the West line of said tract of land, (Doc.#/Film-29737029), 457.67 feet to the Northerly right-of-way line of said Highway K-96, (Book 1391, Page 366), said point also being the Southwest corner of said tract of land,

(Doc.#/Film-Pg:29737019); thence S79°39'43"W along said Northerly right-of-way line of said Highway K-96, 335.81 feet to a deflection corner in said right-of-way; thence S84°24'43"W along said Northerly right-of-way line of said Highway K-96, 111.71 feet; thence N01°35'17"W perpendicular to the westerly prolongation of the North line of said tract of land, (Doc.#/Film-Pg:29737019), 517.25 feet to the intersection with the westerly prolongation of the North line of said tract of land, (Doc.#/Film-Pg:29737019); thence N88°24'43"E along the westerly prolongation of the North line of said tract of land, 443.34 feet to the point of beginning.

Access Easement:

A tract in the Northeast Quarter of Section 28, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at a point on the East line of said Northeast Quarter, (said East line having an assumed bearing of N01°35'17"W), which is 782.50 feet North of the Southeast corner of said Northeast Quarter for a point of beginning, said point being on the centerline of Ridge Road, Sedgwick County, Kansas, and 647.35 feet North of the centerline of Highway K-96, (recorded in Deed for Highway Purposes in Book 1391, Page 366), as presently lying in and through said Northeast Quarter, said point also being the Northeast corner of a tract of land described and conveyed in the Statutory Warranty Deed recorded in Doc.#/Film-Pg:29737019; thence S88°24'43"W perpendicular to the East line of said Northeast Quarter and along the North line of said tract of land, (Doc.#/Film-Pg:29737019), 1058.36 feet; thence N01°35'17"W perpendicular to the North line of said tract of land, (Doc.#/Film-Pg:29737019), 40.00 feet; thence N88°24'43"E parallel to the North line of said tract of land, (Doc.#/Film-Pg:29737019), 1058.36 feet to the East line of said Northeast Quarter; thence S01°35'17"E along said east line of said Northeast Quarter 40.00 feet to the point of beginning. Subject to road rights-of-way of record.

Dear Applicants:

We have reviewed your request for a Zoning Adjustment to adjust Condition #6 in P.O. 327 to modify screening requirements by removing roof mounted equipment from Condition #6.

Section V-C.14 of the Unified Zoning Code ("UZC") allows the Planning Director, with the concurrence of the Zoning Administrator, to approve minor adjustments to an approved PO. We find that modifying Condition #6 meet the conditions required by Sec. V.I.6 of the Code as set out below:

Protective Overlay (P.O.) #327 Condition #6 shall read as follows:

Loading docks, trash receptacles, ground level heating, air conditioning and mechanical equipment, free-standing coolers or refrigeration units, outdoor storage including portable storage containers, outdoor work areas or similar uses shall be screened from ground level view along K-96, Ridge Road and within a distance of 200 feet from any residential uses or residential zoning adjacent to the east line of the property. Screening of rooftop mechanical units shall not be required.

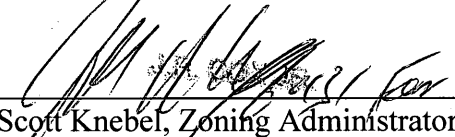
Our signatures below indicate that the modifications for P.O. #327 on the aforementioned property is hereby **GRANTED**, subject to the following conditions:

- 1) The site shall conform to all codes including but not limited to building, health and fire.

- 2) The adjustment applies only to Condition #6 of P.O. #327.
- 3) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

The "Development Application" sign should now be removed from the property.


Dale Miller, Director
Metropolitan Area Planning Department


Scott Knebel, Zoning Administrator
Metropolitan Area Planning Department

cc: MABCD
Cindy Claycomb, Council Member District VI
Brandon Findley, Community Services Representative District VI