Wichita-Sedgwick County Metropolitan Area Planning Department

BRZ Investments, Inc.
3540 W Douglas Ave.
Wichita, KS 67203

June 8, 2020

RE: **BZA2020-00004** – City Variance to waive Landscape Code requirement of Landscaped Street yard and Parking Lot screen for property zoned LI Limited Industrial located on the east side of South Hydraulic Avenue, 950 feet south of East 31st Street South (3348 South Hydraulic Avenue).

Dear Applicant,

At its regular meeting on **May 21, 2020**, the Wichita - Sedgwick County Board of Zoning Appeals considered the above captioned request. The action of the BZA was to **APPROVE** the request.

Enclosed is a signed copy of the above referenced BZA Resolution adopted by the Board of Zoning Appeals. This resolution reflects the official actions of the Board and is forwarded for your information and files.

Part of the resolution indicates conditions that must be met in order for the variance to take effect.

1. The applicant shall submit to Planning a revised site plan, illustrating the required landscaped street yard and parking lot screening. This site plan shall be reviewed and approved by the Planning Director.
2. The landscaped street hard shall adhere to the requirements as stated in the Landscape Ordinance, but shall be reduced by 50 percent of the required square footage.
3. The parking lot screening shall adhere to the requirements as stated in the Landscape Ordinance.
4. The resolution authorizing this Variance may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Philip Zevenbergen, AICP
Associate Planner

Copies to: MABCD
Kaw Valley Engineering, Brian Coon, 200 N Emporia Ste 100, Wichita, KS 67202

BZA RESOLUTION NO. BZA2020-00004

WHEREAS, BRZ Investments, Inc. (Applicant); pursuant to Kansas Statutes Annotated 12-759, requests a Variance to waive Landscape Ordinance requirements of a Landscaped Street Yard and Parking Lot Screening on property zoned LI Limited Industrial, and generally located on the east side of South Hydraulic Avenue and 950 south of East 31st Street South (3348 South Hydraulic Avenue) and legally described as follows:

> A portion of Lot 2, Block 1, I-135 Power Center Addition to the City of Wichita, Sedgwick County, Kansas, being described as follows:
> Beginning at the Southwest corner of Lot 4 Block, A, I-135 Power Center 2nd Addition; thence with an assumed bearing on the South line of said Lot 4, N89°09'18" E 360.80 feet; thence S00°49'41"E 149.61 feet; thence S89°09'18"W 360.80 feet to the Northwest corner of Lot 3, Block 1, I-135 Power Center Addition; thence N00°49'41"W 149.61 feet to the point of beginning.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of May 21, 2020, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Kansas Statutes Annotated 12-759 *et. seq.*; and

WHEREAS, the conditions of the request are unique to the subject property. In this case, the depth-to-width ratio is unusually large, a product of development in the area and not by an action of the property owner.

WHEREAS, waving the requirements will not adversely affect the rights of adjacent property owners. The abutting owners have open material storage and open vehicle storage. The applicant's building will allow vehicles being worked on to be enclosed where the owners can work on the vehicles, have a restroom, and keep their projects out of residential driveways.

WHEREAS, the strict application of the applicable Code will constitute an unnecessary hardship upon the property owner. The large amount of landscaping required makes little sense when compared to abutting properties. They state that any landscape buffer would not be consistent with abutting properties. They state that losing any area to landscaping drastically diminishes the value and developable area of the property.

WHEREAS, it is the opinion of the Board of Zoning Appeals that the requested variance would not adversely affect the public interest, health, safety or welfare; and

WHEREAS, It is the opinion of Board of Zoning Appeals that the spirit and intent of the Zoning Code is being met in this case; and

WHEREAS, each of the five conditions required by Kansas Statutes Annotated 12-759, are found to be present for a variance to be granted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals, pursuant to Kansas Statutes Annotated 12-759, a Variance to waive Landscape Ordinance requirements of a Landscaped Street Yard and Parking Lot Screening on property zoned LI Limited Industrial, and generally located on the east side of South Hydraulic Avenue and 950 south of East 31st Street South (3348 South Hydraulic Avenue and legally described as follows:

> A portion of Lot 2, Block 1, I-135 Power Center Addition to the City of Wichita, Sedgwick County, Kansas, being described as follows:
> Beginning at the Southwest corner of Lot 4 Block, A, I-135 Power Center 2nd Addition; thence with an assumed bearing on the South line of said Lot 4, N89°09'18" E 360.80 feet; thence S00°49'41"E 149.61 feet; thence S89°09'18"W 360.80 feet to the Northwest corner of Lot 3, Block 1, I-135 Power Center Addition; thence N00°49'41"W 149.61 feet to the point of beginning.

The variance is hereby GRANTED, subject to the following conditions:

1. The applicant shall submit to Planning a revised site plan, illustrating the required landscaped street yard and parking lot screening. This site plan shall be reviewed and approved by the Planning Director.
2. The landscaped street hard shall adhere to the requirements as stated in the Landscape Ordinance, but shall be reduced by 50 percent of the required square footage.
3. The parking lot screening shall adhere to the requirements as stated in the Landscape Ordinance.
4. The resolution authorizing this Variance may be declared null and void upon findings by the Board that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, this 4th Day of June 2020.

Chuck Warren, BZA Board Chair

ATTEST:

David L. Yearout,
BZA Secretary

PLANT SCHEDULE

KEY	QTY	COMMON NAME	BOTANICAL NAME	SIZE & METHOD OF HANDLING
DECIDUOUS TREES				
SHU	1	SHUMARD OAK	QUERCUS SHUMARDII	3" CAL. /B&B
EVERGREEN SHRUBS				
TAM	10	TAM JUNIPER	HIBERNALOE PARAVIFLORA 'SHAVE LIGHTS'	#3 CONT.
ORNAMENTAL GRASSES				
SGO	6	'SHENANDOAH' SWITCHGRASS	PANICUM VIRGATUM 'SHENANDOAH'	#3 CONT.

ALL DISTURBED AREAS NOT RECEIVING LANDSCAPE BED TREATMENT SHALL BE SEEDED WITH TURF IN LIKE KIND OF THE ADJACENT NON DISTURBED AREA

LANDSCAPE CODE CALCULATIONS

LANDSCAPED STREET YARD

LANDSCAPED STREET YARD YARD REQUIRED:

145.69'	LF HYDRAULIC AVE.
8.00'	AVERAGE LOT DEPTH
66	REQUIRED SQUARE FOOTAGE FACTOR FOR LOT DEPTH (SEE NOTE BELOW)
145.69'	LINEAR FEET OF STREET FRONTAGE
x 66	SQUARE FOOTAGE FACTOR
1,188 SF	TOTAL LANDSCAPED STREET YARD REQUIRED

LANDSCAPED STREET YARD PROVIDED:

1,380 TOTAL SQ. FT. PROVIDED

STREET YARD TREES REQUIRED:

1,188 SF / 550 = 2 STREET YARD TREES REQUIRED
(UP TO ½ CAN BE PROVIDED BY SHRUBS)

TOTAL TREES PROVIDED:

1 SHADE TREE + 1 EXISTING TREE IN STREET YARD + 10 SHRUBS =3 TREES TOTAL

PARKING LOT SCREENING AND LANDSCAPING

PARKING LOT SCREENING PROVIDED

PARKING LOT TREES REQUIRED

7 PARKING STALLS / 20 = 1 TREE REQUIRED
(ONE HALF OF THE REQUIRED STREET YARD TREES MAY BE USED TO FULFILL PARKING LOT TREE REQUIREMENT)

NOTE: PER CITY VARIANCE TO WAIVE LANDSCAPE CODE REQUIREMENT OF LANDSCAPE STREET YARD (BZA2020-00004) THE LANDSCAPE STREET YARD HAS BEEN REDUCED TO 6 SQUARE FEET PER LINEAR STREET OF LOT FOOTAGE.

GENERAL LANDSCAPE NOTES:

1. CONTRACTOR SHALL MAKE THEMSELVES FAMILIAR WITH ALL APPLICABLE SPECIFICATIONS RELATED TO THE LANDSCAPE AND IRRIGATION.

2. LANDSCAPE CONTRACTOR IS TO VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES (INCLUDING THOSE INDICATED ON THE PLANS PRIOR TO INSTALLATION OF PLANT MATERIAL. UTILITIES CAN BE FLAGGED BY CALLING 811, OR 1-800-344-7233, OR ONLINE AT www.kansas811.com. DAMAGE TO UTILITIES SHALL BE AVOIDED DURING THE COURSE OF WORK. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCUR AS A RESULT OF THE LANDSCAPE CONSTRUCTION.

3. LANDSCAPE CONTRACTOR SHALL COORDINATE WITH THE MASS GRADING CONTRACTOR TO ENSURE THEY THOROUGHLY RIP AND ALLEVIATE ALL COMPACTED SOILS FROM THEIR HAULING AND PLACEMENT OPERATIONS.

4. ALL WATER REQUIRED FOR LANDSCAPE OPERATIONS AND FOR ESTABLISHING LANDSCAPE ON THIS SITE WILL BE PROVIDED BY THE OWNER FROM ON-SITE SOURCES AND SUPPLIED TO THE LANDSCAPE CONTRACTOR AT NO CHARGE.

5. PLANTING DATES FOR PLANT MATERIAL SHALL BE DURING THE MONTHS BETWEEN FEB. 15TH AND MAY 31ST OR SEPT. 15TH AND DEC. 15. PLANTING SHALL ONLY BE CONDUCTED WHEN THE GROUND IS NOT FROZEN, SNOW-COVERED, OR IN AN OTHERWISE UNSUITABLE CONDITION FOR PLANTING. DEVIATION FROM THE ABOVE PLANTING DATES WILL ONLY BE PERMITTED WITH APPROVAL FROM THE OWNER'S REPRESENTATIVE.

6. LANDSCAPE BED EDGES SHALL BE LINED WITH PRO-STEEL EDGING (OR APPROVED EQUAL).

7. INSTALL 4" MIN. DEPTH ROCK MULCH IN PLANTING BED AREAS (ROCK MULCH SHALL BE 2" DIA) AND WITHIN A 3' DIAMETER CIRCLE AROUND ALL TREES PLANTED IN LAWN AREAS. PULL MULCH AWAY FROM TREE TRUNKS WITHIN 3" OF TRUNK.

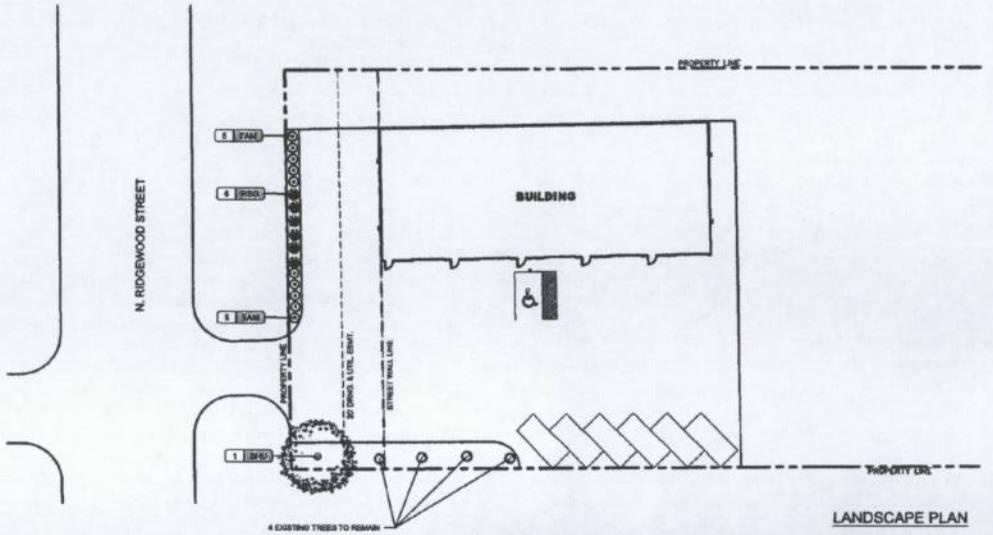
8. ALL PLANTS SHALL CONFORM TO ANSI Z60.1 FOR SIZE AND QUALITY STANDARDS.

9. EACH PLANT WITH A SECURELY ATTACHED, WATERPROOF TAG BEARING LEGIBLE DESIGNATION OF BOTH BOTANICAL AND COMMON NAME. DO NOT REMOVE UNTIL AFTER PROVISIONAL ACCEPTANCE.

10. SUBSTITUTION OF PLANT SPECIES FOR THOSE LISTED IN THE PLANT LIST IS NOT PERMISSIBLE. ONLY SIZE WILL BE CONSIDERED.

11. STAKES AND GUYING SHALL BE REMOVED AT THE END OF ONE FULL GROWING SEASON.

12. ALL LANDSCAPE PLANTS SHALL BE GUARANTEED FOR ONE YEAR FOLLOWING INITIAL ACCEPTANCE. DEAD OR DEFICIENT PLANTINGS SHALL BE ACCEPTABLY REPLACED, IN PROPER PLANTING SEASON, ONE TIME AT NO COST TO THE OWNER. SOD AND SEED AREAS MAY BE FINAL ACCEPTED AT TIME OF COMPLETION OF ESTABLISHMENT. (SEE NOTES ABOVE), WITH NO FURTHER GUARANTEE REQUIRED.

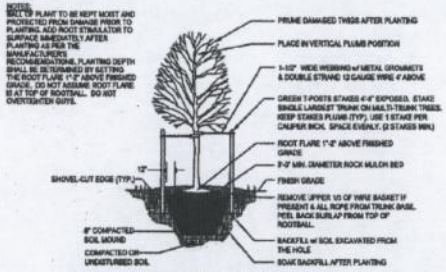


LANDSCAPE PLAN

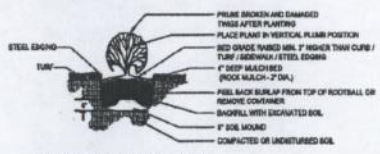
0 10' 20' 40'
1"=20'
NORTH

LANDSCAPE PLAN

APPROVED 6/1/20 BY [signature] BZA 2020-04



TREE PLANTING IN TURF AREA DETAIL
NOT TO SCALE



SHRUB PLANTING DETAIL
NOT TO SCALE

STUDIUM
151 N. Rock Island, Suite 1B
Wichita, Kansas 67202
studiumwichita.com 316.295.4563

md studio
316.613.9423

Mancaves - phase 1
3360 S. Hydraulic, Wichita, KS

Permit Set
01.03.20
02.11.20
02.28.20

L1.0