CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

February 25, 2025

Edgehill Happiness Plaza, LLC
6103 E. Central Ave.
Wichita, KS 67208

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

Re: **BZA2025-00006:** Administrative Adjustments in the City to reduce the east front setback and the south street side setback by 20 percent each for construction of an Ancillary Parking Lot on property zoned TF-3 Two-Family Residential District, generally located within one-block south of East Douglas Avenue and on the west side of South Clifton Avenue (125 S. Clifton Ave.).

Legal Description: Lot 25, Lenore Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants,

We have reviewed your request for Zoning Adjustments to reduce the east front setback and the south street side setback by 20 percent each for construction of an Ancillary Parking Lot on the aforementioned property. The request is to reduce the front setback along South Clifton Avenue from 25 feet to 20 feet and the street-side setback along East Oakland Avenue from 15 feet to 12 feet so that no parking space encroaches into these setbacks and will allow construction of a standard width, two-way drive aisle.

The Ancillary Parking Lot was approved in the TF-3 District by Conditional Use CON2024-00210. The original site plan showed portions of parking spaces encroaching into the front and street side setbacks, which is not permitted in the TF-3 District. This requested Administrative Adjustment provided a revised site plan that differs from the one submitted for the Conditional Use. The revised site plan illustrates a rectangular parking lot (versus the previous curvilinear design) and added circulation aisles between the proposed parking lot and the associated commercial development to the north. The revised site plan illustrates that parking spaces would encroach into the front and street side setbacks.

Section V-I.2.a of the Unified Zoning Code ("UZC") allows reducing the minimum front and street side setback (required by the property development standards of the zoning district) by up to 20 percent. This adjustment is permissible when the provisions of those sections and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the setback as proposed meets the provisions of Section V-I.2.a and the four criteria required by Section V-1.6 as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed reduction of the east front setback from 25 to 20 feet and the south street side setback from 15 feet to 12 feet will have no impact on the safety and convenience of vehicular and pedestrian circulation in the right-of-way.

2) Impact on existing uses in surrounding areas: The request to reduce the setbacks on East Oakland Avenue and South Clifton Avenue should not increase any possible negative impacts that could be associated with the location of a parking lot near residential uses. The Ancillary Parking Lot was approved in the TF-3 District by Conditional Use CON2024-00210. The Conditional Use restricted access to the parking lot to only South Clifton Avenue with no drive access from East Oakland Avenue. The parking lot is required to provide screening per Section IV-B of the UZC and is required to provide landscaping per the Wichita Landscape Ordinance. As a condition of approval of this Administrative Adjustment, the required landscaped street yards along East Oakland Avenue and South Clifton Avenue shall provide 1.5 times the standard rate of trees and/or shrubs where at least 50 percent of the trees provided must be evergreen, in addition to the standard provision of parking lot screening. In light of these mitigating factors, reducing the setbacks by 20 percent should not have significant negative impacts on surrounding properties.

3) Compatibility with existing or permitted uses on abutting sites: Property to the north is owned by the applicant; zoned LC Limited Commercial District; and developed with a commercial center with two restaurants and retail space. In 2019, this property was approved for a 22 percent parking reduction from 82 spaces to 64 spaces (BZA2019-00045). Property to the south is zoned SF-5 Single-Family Residential and is developed with a single-family dwelling and accessory structure. Property to the east is zoned GO General Office and is developed as a Place of Worship with Accessory Parking. In 1977, this property was approved for a parking reduction from 27 to 23 spaces. Property to the west is zoned TF-3 Two-Family Residential and is developed with a duplex. Approval of CON2024-00210 to permit Ancillary Parking in the TF-3 District determined the use was compatible with surrounding properties. A reduction of the setbacks by 20 percent to address encroachment issues should not have significant negative impacts on surrounding properties, nor is it a substantial deviation from the original site plan submitted with CON2024-00210. To increase compatibility of uses, a condition of approval with this Administrative Adjustment requires the landscaped street yards to provide 1.5 times the standard rate of trees and/or shrubs where at least 50 percent of the trees provided must be evergreen, in addition to the standard provision of parking lot screening.

4) Effect on public health, safety, or welfare: It is not anticipated that the public's safety, health and welfare would suffer significant negative impact.

Our signatures below indicate that the Zoning Adjustments to reduce the east front setback and the south street side setback by 20 percent each are hereby GRANTED, subject to the following conditions:

1) The applicant shall submit a revised site/landscape plan illustrating the required screening and landscaping for the parking lot.
    a. Standard parking lot screening shall be provided along East Oakland Avenue and South Clifton Avenue.
    b. The landscaped street yards for each street frontage shall have 1.5 times the standard rates of trees and/or shrubs.
        i. There shall be 4 shade trees along East Oakland Avenue.
        ii. There shall be 3 shade trees along South Clifton Avenue.
        iii. Per the Wichita Landscape Code, 1 shade tree can be substituted for 2 ornamental trees and/or 10 shrubs, provided that only 1/3rd of the tree requirement can be substituted for shrubs.
        iv. If shrubs are substituted for trees, said shrubs must be in addition to those used for parking lot screening.
        v. Existing trees within the street right-of-way can be counted toward the landscaping requirements.

vi. At least 50 percent of all required trees shall be evergreen.

2) The site shall be developed in general conformance with the approved site plan.

3) The applicant shall obtain a building permit within one year of the Administrative Adjustment approval. The site shall conform to all codes including but not limited to zoning, landscaping, building, health, and fire.

4) All conditions of CON2024-00210 for Ancillary Parking shall be adhered to.

5) The setback reduction shall apply only to the 20-foot east front setback and the 12-foot south street side setback as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.

6) 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.

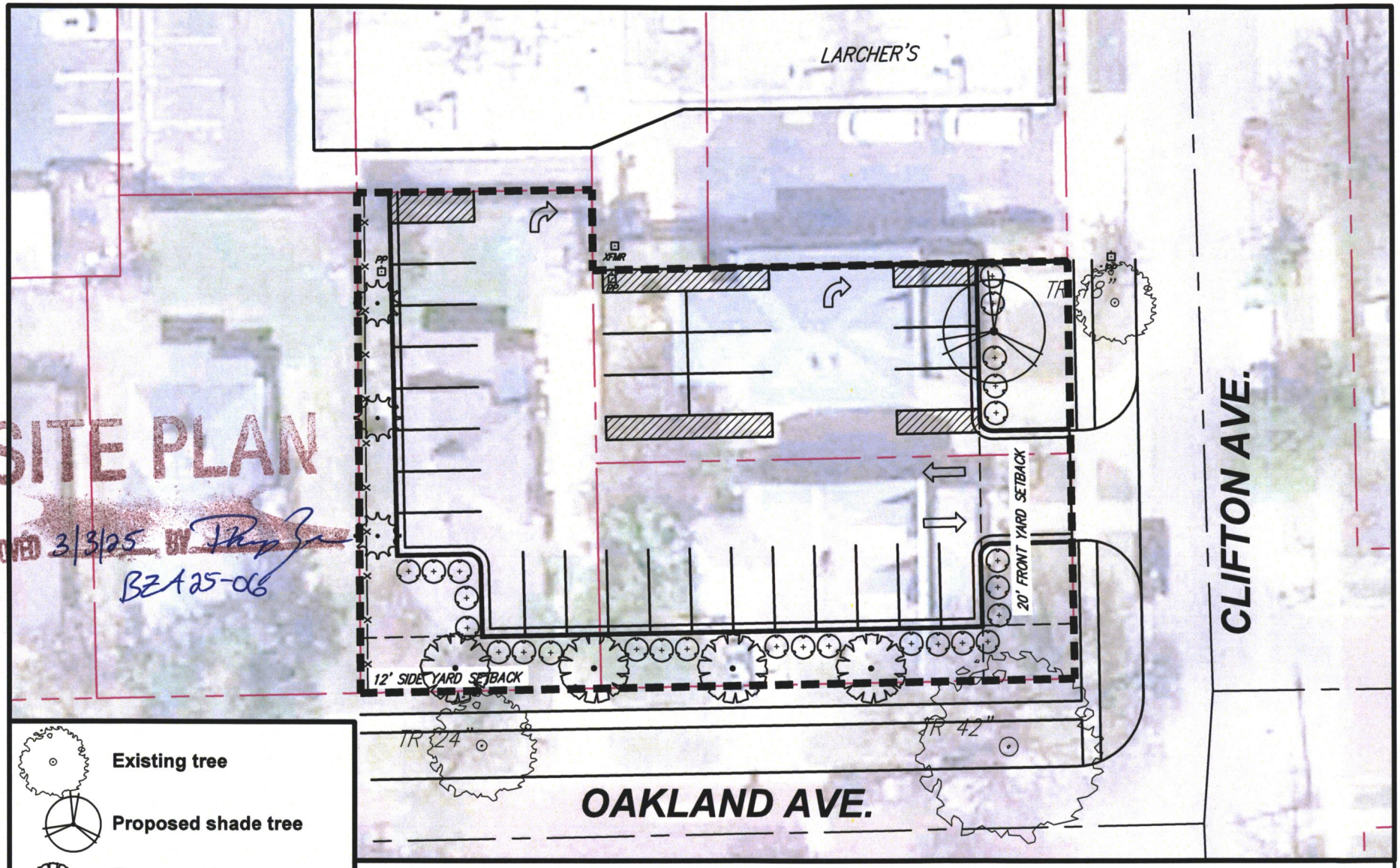
The "Development Application" sign should now be removed from the property.

Scott Wadle, Director
Metropolitan Area Planning Department

J.R. COX JR.

Chris Labrum, Director
Metropolitan Area Building and Construction Department

cc: MABCD
Brandon Johnson, City Council District I;
Cameron Jackson, CSR District I



SITE PLAN

APPROVED 3/3/25 BY

BZA25-06

Existing tree

Proposed shade tree

Evergreen tree
(equivalent to shade tree)

Buffer planting

Shrub
(Parking lot screening)

HAPPINESS PLAZA
CONCEPT PLAN
29 stalls

FEB 2025

1" = 30'

BAUGHMAN COMPANY
315 Ellis St. Wichita, KS 67211 316-262-7271
BaughmanCo.com

F:\sketch\Happiness Plaza\Happiness Plaza concept.dwg

This exhibit is for illustrative purposes only.