



Wichita-Sedgwick County Metropolitan Area Planning Department

August 2, 2007

Vintage Construction LLC
Attn: Mark Cox
400 S. Broadway
Wichita, KS 67202

Re: BZA2007-33: Zoning Administrative Adjustment to reduce the required parking by 2 spaces and to reduce the compatibility setback requirement to 15 feet on property zoned MF-29 Multi-family Residential, generally located 400 feet south and west of the 10th Street, Meridian Avenue and McClean Avenue intersection.

Legal Description: Lot 1 and 2 of the Gordon Norris Addition of Wichita, Sedgwick County, Kansas.

Dear Mr. Cox,

We have reviewed your Zoning Adjustment request to reduce the parking requirement and reduce the compatibility setback on the above-referenced property. From reviewing your application we understand that you propose to construct two apartment buildings on the site. Your site plan indicates 23 parking spaces, an 8% reduction of the 25 spaces required by the Unified Zoning Code (UZC). Your site plan also indicates a 15-foot setback from the west property line for the proposed Building "B"; the UZC requires a 25-foot compatibility setback between multi-family development and TF-3 zoning.

Sec. V-I.2.i of the Unified Zoning Code allows an adjustment to reduce the parking requirement by up to 25% when the conditions required by Sec. V-I.6 of the Code are met. We find that the reduction of the parking requirement as proposed meets the four conditions required by Sec. V-I.6 of the Code as set out in items 1 through 4 below:

Likewise, Sec. V-I.2.d of the Unified Zoning Code allows an adjustment to reduce the compatibility setback requirement when the conditions required by Sec. V-I.6 of the Code are met. We find that the reduction of the compatibility setback to 15 feet as proposed meets the four conditions required by Sec. V-I.6 of the Code as set out in items 1 through 4 below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The proposed reduction in parking requirement should not have a detrimental impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity of the application area. Sufficient parking should be available

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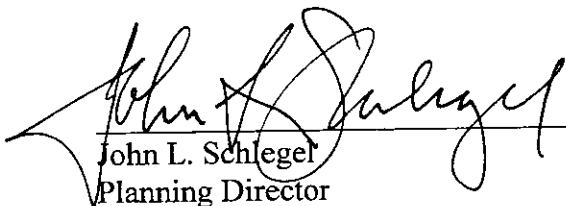
for the anticipated need, and the parking does not interfere with public right-of-way. The proposed compatibility setback reduction will not affect public right of way, and will therefore not impact vehicular and pedestrian circulation.

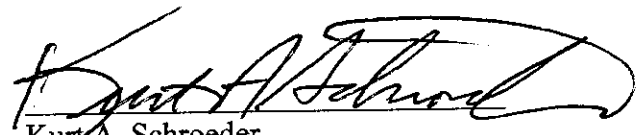
- 2) Impact on existing uses in surrounding areas: The proposed reduction in parking should not impact existing uses in surrounding areas, as all parking for this project should be adequately provided on the site. The proposed compatibility setback reduction should have no impact on existing uses in surrounding areas.
- 3) Compatibility with existing or permitted uses on abutting sites: A reduction of 2 parking spaces should not compromise existing or permitted uses on abutting sites, as all parking for this project should be adequately provided on the site. The compatibility setback reduction is compatible with abutting sites, as existing buildings on abutting sites are over 50 feet from the joint property line.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public right of way or utility easements; therefore there should be no impact on the public's safety, health or welfare.

Our signatures below indicate that an administrative adjustment to reduce the compatibility setback to 15 feet and reduce parking by two spaces, from 25 to 23, is hereby granted for the aforementioned property subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The parking area shall be paved and marked.
- 3) 1.5 times the minimum landscape buffer requirement along the west and south property lines.
- 4) Any violation of these conditions shall render the Administrative Adjustment null and void.

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


John L. Schlegel
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, OCI
Paul Hays, OCI

