



Wichita-Sedgwick County Metropolitan Area Planning Department

August 16, 2006

Schupbach Investments, LLC
3415 W Bayview
Wichita, KS 67204

Richard Maldonado
1468 N Perry Ave
Wichita, KS 67204

Maurice Breidenthal
7829 E Rockhill
Wichita, KS 67206

Re: BZA2006-58: Zoning Adjustment to reduce the parking requirement by 25% and reduce the compatibility setback requirement to 5 feet in "B" Multi-family zoning, generally located south of 16th Street N and between Piatt and Ash (1660 N. Piatt).

Legal Description: Lots 47 - 57, Ash Street, Logan Addition, and Lots 48 – 58, Guy now Piatt Ave., Logan Addition, Wichita, Sedgwick County, Kansas.

Dear Applicants,

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 additional apartment buildings and a community building (in addition to an existing apartment building) on the site. Your site plan indicates 39 parking spaces, a 20% reduction of the 49 spaces required by the Unified Zoning Code (UZO). Your site plan also indicates a 5-foot setback from the south property line for the proposed community building; the UZO 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 5 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 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 10 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 100 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.

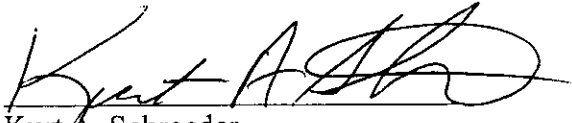
Our signatures below indicate that an administrative adjustment to reduce the compatibility setback to 5 feet and reduce parking by ten spaces, from 49 to 39, is hereby granted for the aforementioned property subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The parking area shall be paved and marked.
- 3) 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

PROP.
LINE

PIATT STREET

ALLEY

ASH STREET

PROP.
LINE

VILLAGE SQUARE APARTMENTS
PROPOSED SITE PLAN
1" = 20'-0"

Date: 8-21-06

NORTH

