



Wichita-Sedgwick County Metropolitan Area Planning Department

February 18, 2017

MH Development LLC
2008 S. Hydraulic
Wichita, KS 67211

Kaw Valley Engineering, Inc.
Attn: Scott Servis
200 N. Emporia, Suite 100
Wichita, KS 67202

Re: BZA2017-08: City Administrative Adjustment to reduce the interior side yard setback of the Compatibility Standards for "LC" – Limited Commercial zoning adjacent to "SF-5" – Single-Family Residential zoning.

Legal Description: LOT 3, BLOCK 1, Westgate Village 2nd Addition, Wichita, Sedgwick County, Kansas. The property is generally located at the northwest corner of W. 13th Street North and North Maize Road (1448 N. Westgate.)

Dear Applicant,

We reviewed your request for an Administrative Adjustment to reduce the Compatibility Standards for the interior side yard setback from 25-feet to 20-feet. We understand that you have requested the setback be reduced to meet building separation required by the International Fire Code in order to develop a multi-family housing project at this location.

Section V-1.2.d of the Unified Zoning Code allows an Administrative Adjustment to reduce or waive the required compatibility setback. We find that reducing the interior side yard compatibility setback to 20-feet as proposed, meets 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 reduction of the compatibility setback should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as right-of-way and driveways are not affected.
- 2) Impact on existing uses in surrounding areas: There will be no impact on the existing uses in surrounding areas as a result of the compatibility setback reduction; landscape buffering will be required per the City of Wichita Landscape Ordinance.
- 3) Compatibility with existing or permitted uses on abutting sites: The compatibility setback

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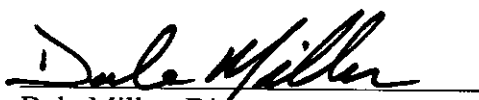
reduction with the landscape buffering separating the property on the north, will be compatible with existing and permitted uses on abutting SF-5 zoned site.

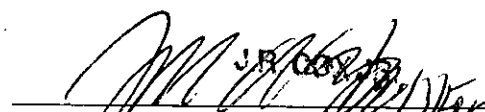
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. There should be no impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that an Administrative Adjustment to reduce the interior side yard compatibility setback from 25-feet to 20-feet is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan and the City of Wichita Landscape Ordinance.
- 2) The adjustment shall apply only to the interior side yard compatibility setback as illustrated on the approved site plan. All other structures or additions on the subject property shall conform to the locations and setbacks permitted by the Unified Zoning Code unless a separate Zoning Adjustment or Variance is granted.
- 3) The applicant shall complete landscaping and parking improvements within one year of the Administrative Adjustment approval. The site shall conform to all codes including but not limited to building, health and fire.
- 4) 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.

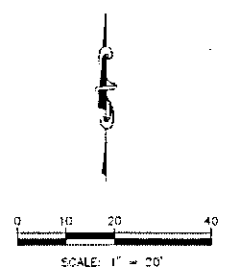
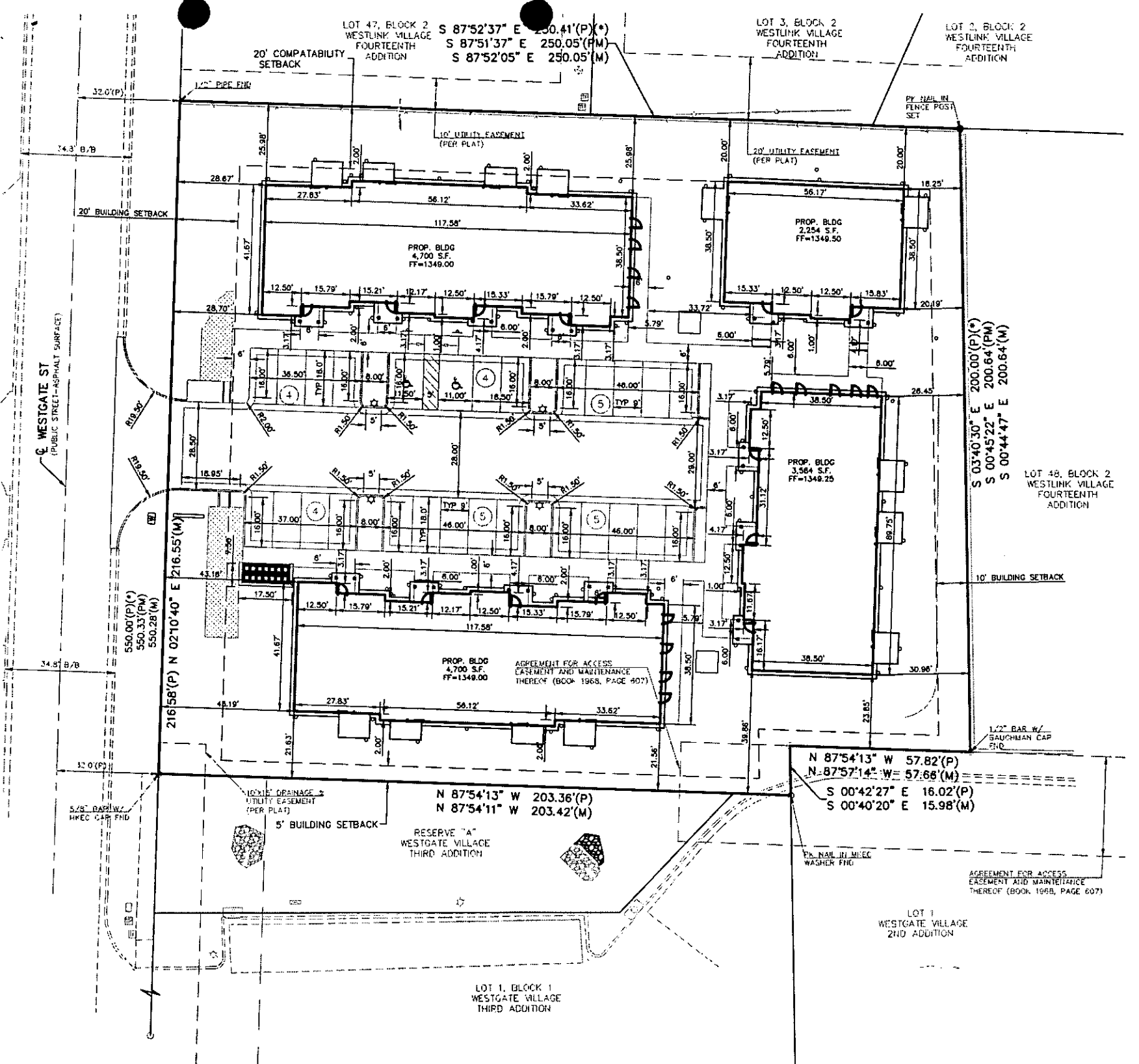
The "Development Application" sign should now be removed from the property.


Dale Miller, Director
Metropolitan Area Planning Department


Kyle J. McLaren, Interim Director
Metropolitan Area Building and Construction
Department

cc:

MABCD
Bryan Frye, CM District V
Lara Rainwater, Community Service Representative District V



SITE PLAN

APPROVED 2/15/2017 BY *[Signature]*

CAUTION - NOTICE TO CONTRACTOR
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
THE CONTRACTOR SHALL EXPOSE EXISTING UTILITIES AT LOCATIONS OF POSSIBLE CONFLICTS PRIOR TO ANY CONSTRUCTION.

WARRANTY / DISCLAIMER
THE DESIGNS REPRESENTED IN THESE PLANS ARE IN ACCORDANCE WITH ESTABLISHED PRACTICES OF CIVIL ENGINEERING FOR THE DESIGN FUNCTIONS AND USES INTENDED BY THE OWNER AT THIS TIME. HOWEVER, NEITHER KAW VALLEY ENGINEERING, INC. NOR ITS PERSONNEL CAN OR DO WARRANTY THESE DESIGNS OR PLANS AS CONSTRUCTED, EXCEPT IN THE SPECIFIC CASES WHERE KAW VALLEY ENGINEERING PERSONNEL INSPECT AND CONTROL THE PHYSICAL CONSTRUCTION ON A CONTINUOUS BASIS AT THE SITE.

SAFETY NOTICE TO CONTRACTOR
IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR WILL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK. THIS REQUIREMENT WILL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.

- NOTE:**
1. CONTRACTOR SHALL REFER TO ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF ENTRANCE, SLOPED PAVING, EXIT PORCHES, RAMPS, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
 2. THESE PLANS HAVE NOT BEEN VERIFIED WITH FINAL ARCHITECTURAL CONTRACT DRAWINGS. CONTRACTOR SHALL VERIFY AND NOTIFY THE ENGINEER OF ANY DISCREPANCIES. CONTRACTOR IS FULLY RESPONSIBLE FOR REVIEW AND COORDINATION OF ALL DRAWINGS AND CONTRACTOR DOCUMENTS.
 3. ALL DIMENSIONS ARE TO BACK OF CURB UNLESS NOTED OTHERWISE.
 4. ALL DIMENSIONS ARE PERPENDICULAR TO PROPERTY LINE.

KAW VALLEY ENGINEERING		PROJ. NO.	G16D_0339
200 N. EMPORIA, SUITE 100 WICHITA, KANSAS 67202 PH: (316) 440-4304 FAX: (316) 440-4303 www.kve.com www.kve.com		DESIGNER	SRS
KAW VALLEY ENGINEERING, INC. IS AUTHORIZED TO OFFER ENGINEERING SERVICES BY KANSAS STATE CERTIFICATE OF AUTHORIZATION # E-113, EXPIRES 12/31/18		DATE	1/20/17
SCOTT R. SERVIS ENGINEER KS # 17874		REV	A
KAW VALLEY ENGINEERING		DESCRIPTION	CON REVIEW/PERMIT SET
WESTGATE QUADPLEXES WICHITA, KANSAS		CHK	COB
DIMENSION PLAN		DSN	JSE
C-4			A