



Wichita-Sedgwick County Metropolitan Area Planning Department

March 3, 2023

Titan Realty, Inc.
906 N. Main, Ste. 2
Wichita, KS 67203

K.E. Miller Engineering, P.A.
Attn: Kirk Miller
117 E. Lewis
Wichita, KS 67202

Re: BZA2023-00010: Administrative Adjustment in the City to reduce the compatibility setbacks from 25 feet to 15 feet on the west side and from 25 feet to zero feet on the north side of property for warehousing on property zoned GC General Commercial with Protective Overlay #376; generally located within one-quarter mile south of West Central Avenue and on the west side of I-235 (5800 W. 3rd Street North).

Legal Description: Lot 2, Block 1, Cayetana Addition, Wichita, Sedgwick County, Kansas.

Dear Applicant,

We have reviewed your request for a Zoning Adjustment to reduce the compatibility setbacks from 25 feet to 15 feet on the west property line and from 25 feet to zero feet on the north property line to allow for the construction of commercial warehousing buildings. The property is zoned GC General Commercial District with Protective Overlay #376, which restricts the zoning to those uses permitted in SF-5 Single-Family Residential District except for Warehousing as permitted in the GC zoning district.

It is our understanding that the properties abutting to the west are undeveloped and the property to the north is under the same ownership as the subject parcel described above. The proposed 15-foot setback on the west property line meets the minimum standard for compatibility setbacks as outlined in Section IV-C.4 of the Unified Zoning Code (UZC). Compatibility height requirements outlined in Section IV-C.5 of the UZC restrict the height of the proposed buildings to 35 feet, which is the maximum height permitted in the abutting SF-5 zoning district.

Section V-I.2.d of the UZC allows reducing or waiving the required compatibility setbacks. This adjustment is permissible when the provisions of the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the reduction of the compatibility setbacks to allow for the redevelopment of the subject lot as proposed meets the provisions of Section V-I.2.d 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: Reduction of the compatibility setback from 25 feet to 15 feet on the west property line and from 25 feet to zero feet on the north property line will 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. The properties to the west are

zoned SF-5 Single-Family Residential District, but historical aerial photographs indicate they have never been developed. The proposed 15-foot setback on the west property line meets the minimum compatibility setback requirement as outlined in Section IV-C.4 of the Unified Zoning Code. Compatibility height requirements outlined in Section IV-C.5 of the UZC restrict the height of the proposed buildings to 35 feet, which is the maximum height permitted in the abutting SF-5 zoning district. Property to the north is zoned SF-5 Single-Family Residential District and is under the same ownership as the subject parcel.

- 3) Compatibility with existing or permitted uses on abutting sites: Property to the north is zoned SF-5 Single-Family Residential District and developed with a single-family dwelling and accessory structures. This property is under the same ownership as the subject parcel. Property to the to the south is zoned SF-5 and is developed with a Sedgwick County Public Works Maintenance Facility. Properties to the west are zoned SF-5 and are undeveloped. Property to the east is the I-235 right-of-way.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or rights-of-way. There will be no negative impact on the public health, safety or welfare, nor will properties or improvements in the vicinity be materially injured.

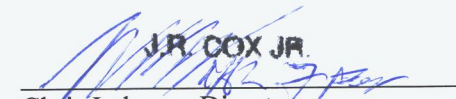
Our signatures below indicate that a Zoning Adjustment to reduce the compatibility setbacks from 25 feet to 15 feet on the west property line and from 25 feet to zero feet on the north property line is hereby **GRANTED** for the aforementioned property, subject to the following conditions:

1. The proposed structures shall comply with all standard zoning setbacks in the GC General Commercial zoning district as set forth in the Unified Zoning Code in addition to the provisions of Protective Overlay #376.
2. The proposed structures shall comply with the compatibility height standards set forth in Section IV-C.5 of the Unified Zoning Code.
3. 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

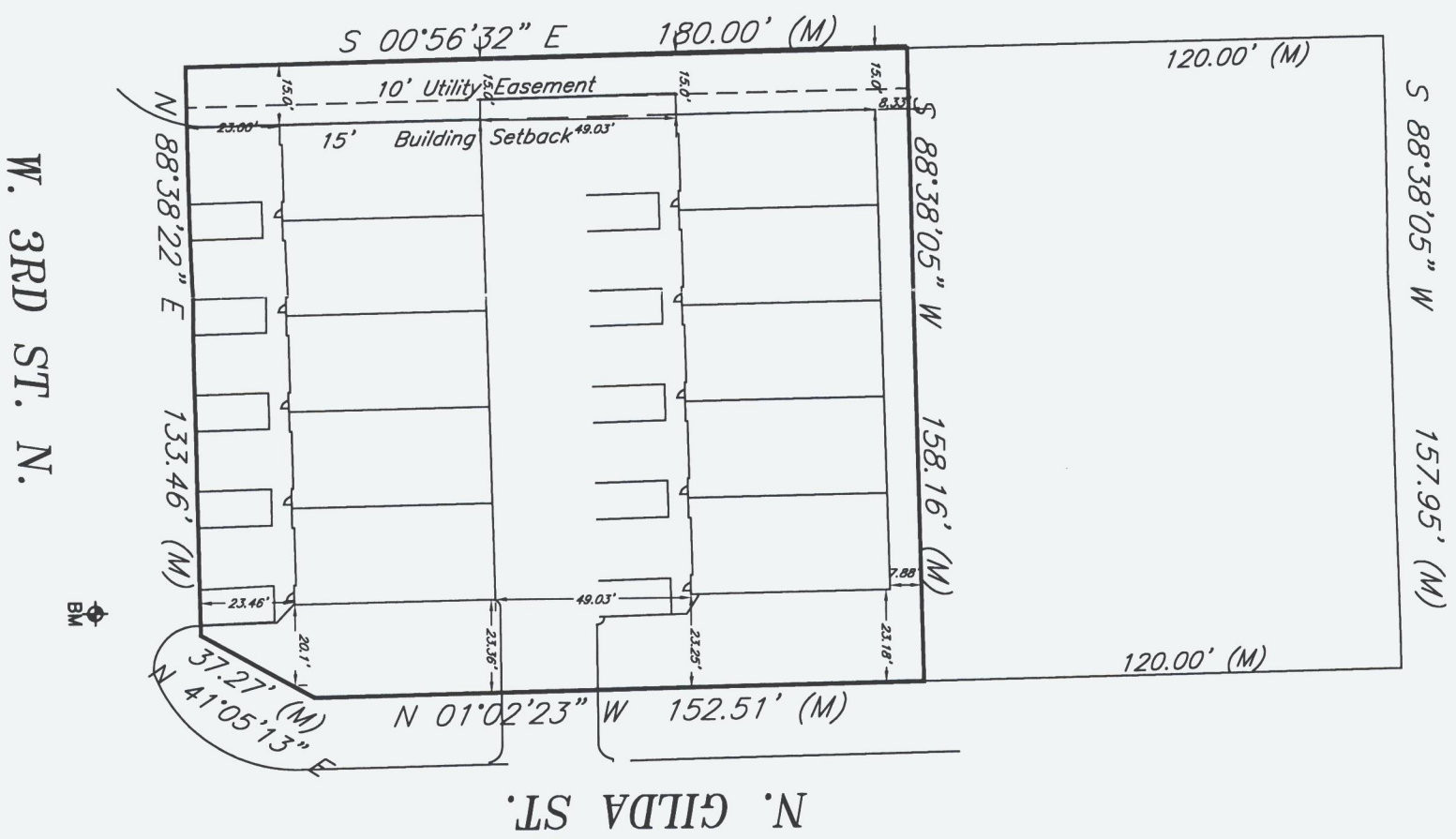


J.R. COX JR.
Chris Labrum, Director
Metropolitan Area Building and Construction
Department

cc: MABCD
Bryan Frye, CM District V
Cory Buchta, Community Service Representative, District V

SITE PLAN

APPROVED 3/3/23 BY *[Signature]*
 BZA 2023-10



W. 3RD ST. N.

N. GILDA ST.



Cayanan Add.
 Site Plan
 Wichita, Kansas

PROJECT NUMBER

KEMILLER
 ENGINEERING P.A.
 117 E. Linn, Wichita, KS 67202

NO. NO.	FILE	DATE	SHEET
DESIGN	21092	1/2023	4.0
DATE	1/2023		
REVISION			