



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

January 26, 2024

Thomas Triana
2717 N. Lake Ridge Street
Wichita, KS 67205

Phil Meyer
Baughman Company, P.A.
315 Ellis Street
Wichita, KS 67211

RE: BZA2023-00059: City Administrative Adjustments to reduce parking from 24 spaces to 22 spaces and to permit parking in the front setback for a proposed townhouse development on property zoned MF-29 Multi-Family Residential District; generally located within one-block north of West 29th Street North, on the west side of North Fairview Avenue (3000 Block of North Fairview).

Legal Description: Lots 7, 8, 9, 10, and 11, Block 24, Jones Park Addition to North Wichita, Wichita, Sedgwick County, Kansas.

Dear Applicant:

We have reviewed your request for Administrative Adjustments to reduce the parking requirement from 24 spaces to 22 spaces (8.5 percent) and to permit parking in the front yard setback on a property zoned MF-29 Multi-Family Residential District in relation to a proposed townhouse development. From reviewing your application, we understand that 22 of the required off-street parking spaces will be provided toward the rear of the property. It is proposed that one-half of two accessible spaces be permitted in the front, 25-foot zoning setback with all of said parking spaces being at least 18 feet from the front property line.

Although not illustrated on the site plan, it is understood that Section 28.06.30 of the Wichita Municipal Code requires a landscape street yard with parking lot screening along North Fairview Avenue for any new parking lots along local streets when across the street from residential zoning. The required landscaping is designed to minimize the visual impact of the parking spaces in residential areas. Additionally, Section IV-B.3 of the Unified Zoning Code requires solid screening along the north property line when abutting SF-5 Single-Family Residential zoning, which will block headlight trespass onto the abutting single-family residential lot. The screening fence shall be installed per the requirements of the Unified Zoning Code, tapering down to 3 feet in height within 20 feet of the property line.

Section V-I.2(l) allows an adjustment to permit parking in residential districts to be located within a required front or street side yard, but in no case closer to a front or street side property line than eight feet. Sec. V-I.2. (i) of the Unified Zoning Code allows reduction of the parking requirement for redevelopment projects by up to 25 percent when the conditions required by Sec. V-I.6 of the Code are met. We find that the requests meet all four conditions required by Section V-I.6 of the Unified Zoning Code as set out below:

- 1) Impact on safety and convenience of pedestrian and vehicular circulation: The location of the new parking area will have no impact on the safety and convenience of vehicular and pedestrian circulation.
- 2) Impact on existing uses in surrounding areas: Permitting one-half of two accessible spaces in the front setback and reducing the parking from 24 spaces to 22 spaces are likely not to have significant detrimental impacts on surrounding uses considering the requirements for solid screening along the north property line and a landscaped street yard with parking lot screening along North Fairview Avenue. Additionally, property within one-block south of the subject site is zoned GC General Commercial District with unscreened parking along North Fairview Avenue across the street from residential uses (established prior to the adoption of the Landscape Code).
- 3) Compatibility with existing or permitted uses on abutting sites: Properties to the north and east are zoned SF-5 Single-Family Residential District and developed with single-family dwellings. Property to the south is zoned MF-29 Multi-Family Residential District and development with a quad-plex and associated parking. Property to the west is zoned GC General Commercial District and CON2008-00049 to permit Tavern/Drinking Establishment and Night Club in the City associated with a restaurant.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public right-of-way, which likely will not have a negative effect on public health and safety. The required screening and landscaping are designed to mitigate possible negative impacts on the public welfare.

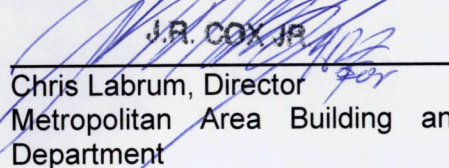
Our signatures below indicate that an Administrative Adjustment to permit expanded parking in the front yard setback at least 18 feet from the property line and reduce the parking requirement from 24 spaces to 22 spaces are hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) The applicant shall submit a landscape plan to the Planning Department for review and approval prior to the issuance of building permits. Required landscaping shall be installed prior to the issuance of occupancy permits.
- 3) The applicant shall obtain a building permit and complete construction 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.



 Scott Wadle, Director
 Metropolitan Area Planning Department



 Chris Labrum, Director
 Metropolitan Area Building and Construction
 Department

cc: MABCD
 Maggie Ballard, Council Member District VI
 Ana Lopez, CSR District VI

SITE PLAN

Fairview Townhomes

Lots 7-11, Block 24, Jones Park Addition to North Wichita, Kansas

SITE PLAN

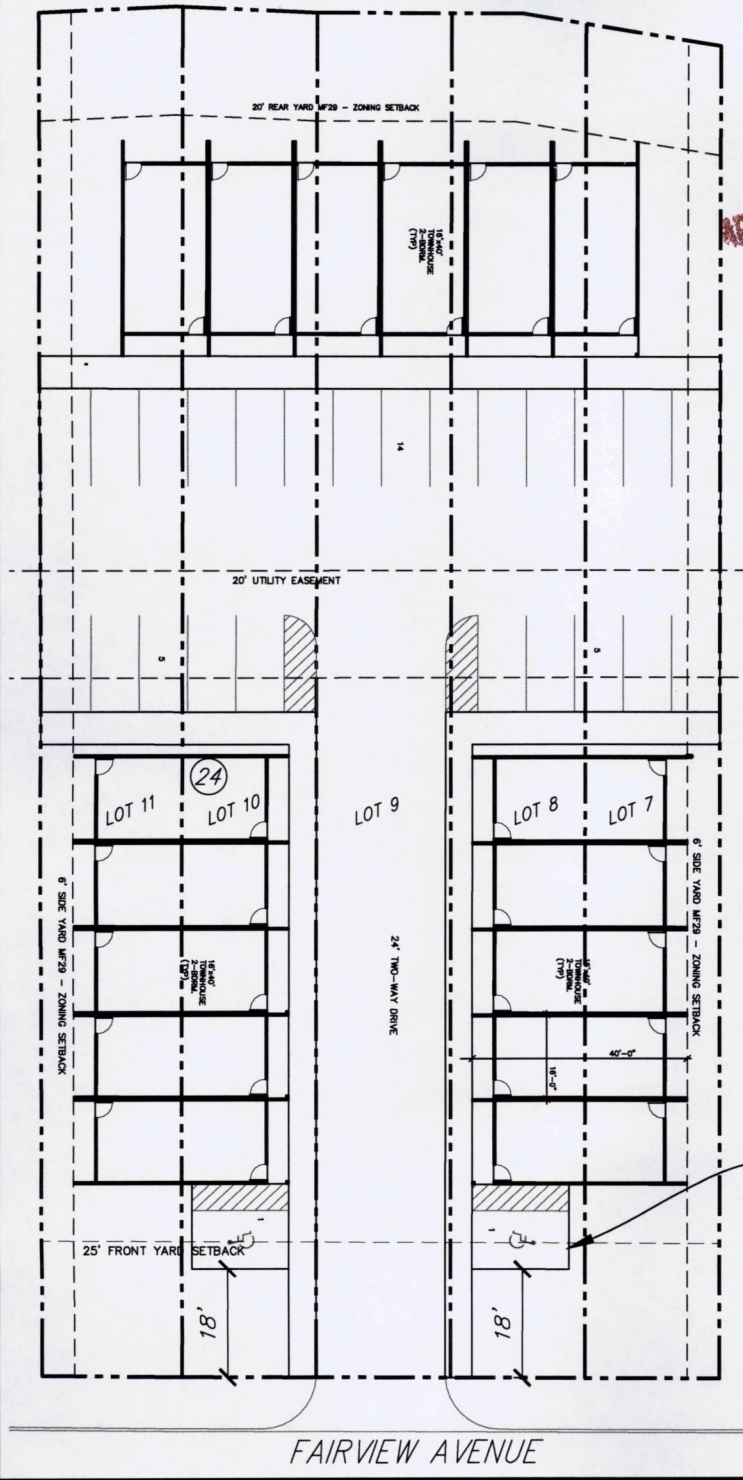
BEA-23-59

APPROVED 1-26-24 BY *[Signature]*

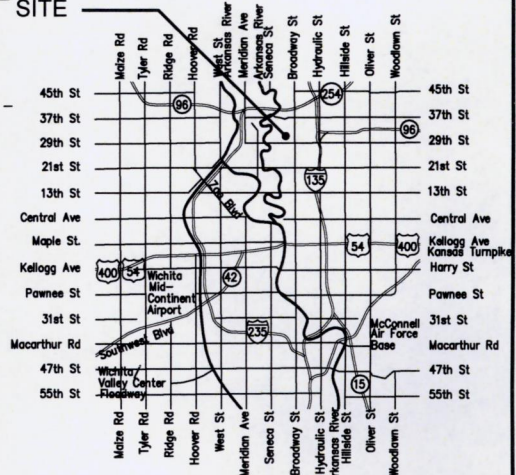
16 - 2 Bedroom Units

| | |
|------------------|----|
| Parking Required | 28 |
| Parking Shown | 26 |

E:\Planning\Adjustments\Jones Park Parcel 7-11 ZON Adjustment (Fairview Townhomes)\Info from arch\202317 SP1 - prelim for eny - JC CHANGE per Planning Dept.dwg

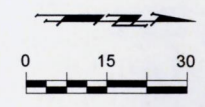


SITE



VICINITY MAP

Allow Parking in Front Setback (no closer than 18' to property line per Sec. V-1.2.1).



JANUARY 10, 2024

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

NOTE: LOCATIONS OF EASEMENT AND STRUCTURES NOT FIELD VERIFIED. THIS SITE PLAN IS BASED ON INFORMATION COMPILED FROM SEDGWICK COUNTY G.I.S. DATA.