CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

March 25, 2010

D. Craig Nelson
3030 All Hallows Street
Wichita, KS 67217

Baughman Company, PA
Attn: Russ Ewy
315 Ellis
Wichita, KS 67211

Re: BZA2010-00011: Zoning Adjustment to permit parking within the front setback, but no closer than eight feet from the property line, in B Multi-Family Residential ("B") zoning, for an institutional use parking lot.

Lots 31, 33 & 35, Block on Mathewson Ave., Mathewson 4th Addition, Wichita, Sedgwick County, Kansas. Generally located north of 2nd Street North and east of Mathewson Street.

Dear Applicants:

We have reviewed your request for a Zoning Adjustment to permit parking within the front setback for a parking lot expansion on the aforementioned property. From reviewing the application, we understand that you desire to construct parking spaces up to eight feet of the west property line for the proposed day care use.

Section V-I.2.I of the Unified Zoning Code allows an administrative adjustment for institutional use parking within the front setback, but no closer than eight feet from the property line when the provisions of that section and the Zoning Adjustment Criteria of Section V-I.6 are met. We find that the parking as proposed meets the provisions of Section V-I.2.I 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: The setback encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is affected.

2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of parking within the front setback; the property is across a local street from property zoned for commercial use, GC General Commercial ("GC") where parking is allowed up to the property line unless required for landscaping.

3) Compatibility with existing or permitted uses on abutting sites: The proposed parking configuration is compatible with existing and permitted uses on the sites directly to the west in commercial use, and is diagonally across from the residential use to the northwest and separated by a screening fence and buffer from the residential abutting property to the north; parking within the front setback should not reduce compatibility with abutting and adjacent sites.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. Therefore, there should 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 permit parking within the front setback, but no closer than 8 feet from the property line, for the aforementioned property is hereby granted, subject to the following conditions:

1) The site shall be developed in general conformance with the approved site plan.

2) Parking on the site shall be paved and developed in conformance with all other City standards.

3) The site shall maintain conformance with the Landscape Code.

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.

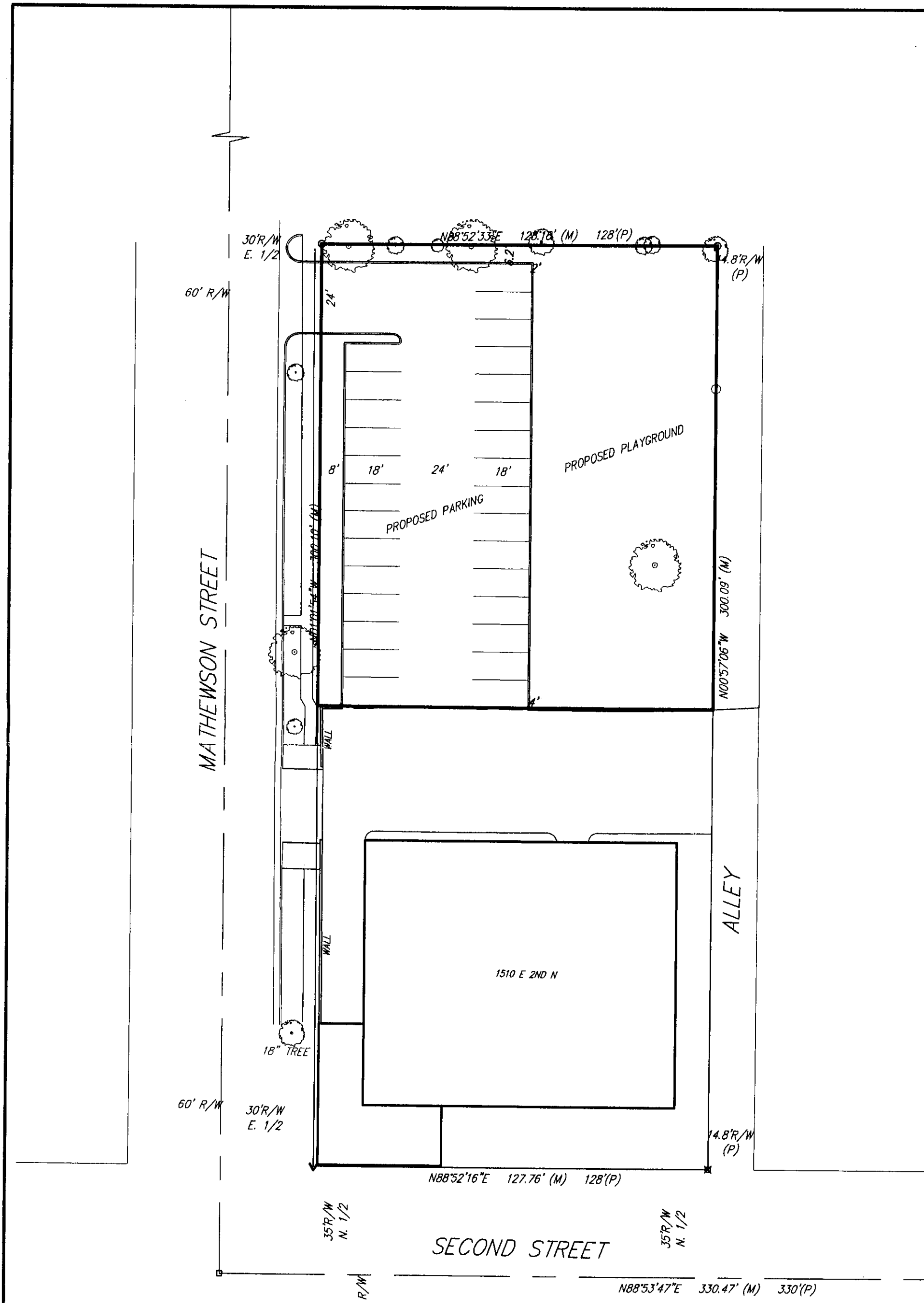
The "Development Application" sign should now be removed from the property.

John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, OCI
Paul Hays, OCI
Rick Stubbs, OCI
Leonard Fox, OCI
Lavonta Williams, District I, mailstop 1-13



SCALE: 1" = 30'

EXHIBIT
CHILD START PARKING ADJUSTMENT

Baughman