CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

December 10, 2010

City of Wichita
Attn: John Philbrick
455 N Main
Wichita, KS 67202

FILE COPY

FD Development Midwest, LLC
156 N. Emporia
Wichita, KS 67202

Re: **BZA2010-00054: City Administrative Adjustment to reduce the number of parking spaces by up to 25 percent on property zoned LC Limited Commercial.**

Legal Description: Lot 3 and the North 5 feet of Lot 1, Topeka Avenue, Wells' Addition to Wichita, Sedgwick County, Kansas, and
Even Lots 4 through 14 inclusive; the North 5 feet of Lot 2 and the South 10 feet of Lot 16, Lawrence now Broadway Avenue, Wells' Addition to Wichita, Sedgwick County, Kansas except the West 20 feet of said Lots and except a parcel described as beginning at the Southwest Corner of said Lot 2; thence East along the South line of said Lot 2, 20 feet; thence North parallel with the West line of said Lot 2, 20 feet for a point of beginning; thence East, parallel to the South line of said Lot 2, 20 feet; thence 28.28 feet more or less to a point on a line parallel to the West line of said Lot 4 and 20 feet East of said West line, said point being approximately 10 feet South of the North line of said Lot 4; thence South, parallel to the West line of said Lots 4 and 2, 20 feet more or less to the point of beginning. Generally located on the northeast corner of Broadway Avenue and 13th Street North.

Dear Sir or Madam:

We have reviewed your request for an Administrative Adjustment to reduce parking requirements for the aforementioned property. You have stated that a new retail building is being constructed on property zoned LC Limited Commercial ("LC"). The site plan, utilized to its fullest, can provide up to 25 parking spaces of the parking requirements, as shown on the attached site plan.

The Unified Zoning Code allows an Administrative Adjustment to reduce parking requirements by up to 10 percent for any new project (or up to 25 percent for redevelopment of existing sites) when documented that it meets the adjustment criteria. We find that reducing the required parking as requested and up to 10 percent on the aforementioned property meets the four conditions required by Section V-I.6 of the Unified Zoning Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: The parking reduction will allow the maximum utilization of the site, without encroaching onto the right-of-way and providing required traffic circulation and drive aisle widths, and will preserve the private alley on for internal circulation. Therefore, it should not impact the safety and convenience of vehicular and pedestrian circulation.

2) Impact on existing uses in surrounding areas: Sufficient parking should be provided on site to meet the parking needs of the business. The core area is one where a larger proportion of customers use walk to nearby businesses and this reduces the overall need for parking slightly.

3) Compatibility with existing or permitted uses on abutting sites: The reduction in parking requirements is within allowable adjustments. The proposed use is permitted by right by the LC zoning and keeps the 20-foot buffer alley to the east of the building. The property to the east is zoned LC and could be used for a few parallel parking stalls, should the need exist for more parking to avoid encroaching into the private parking area of the adjacent institutional use.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way, therefore, there should not be a 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 an Administrative Adjustment to allow a reduction in the parking requirements by up to 25 percent 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) The parking area shall be paved and marked in accordance with the site plan. The final site plan shall provide for adequate separation between the sidewalk and the parking stalls on 13th Street by bumper blocks and means of visual design features to keep vehicles from encroaching into the sidewalk.

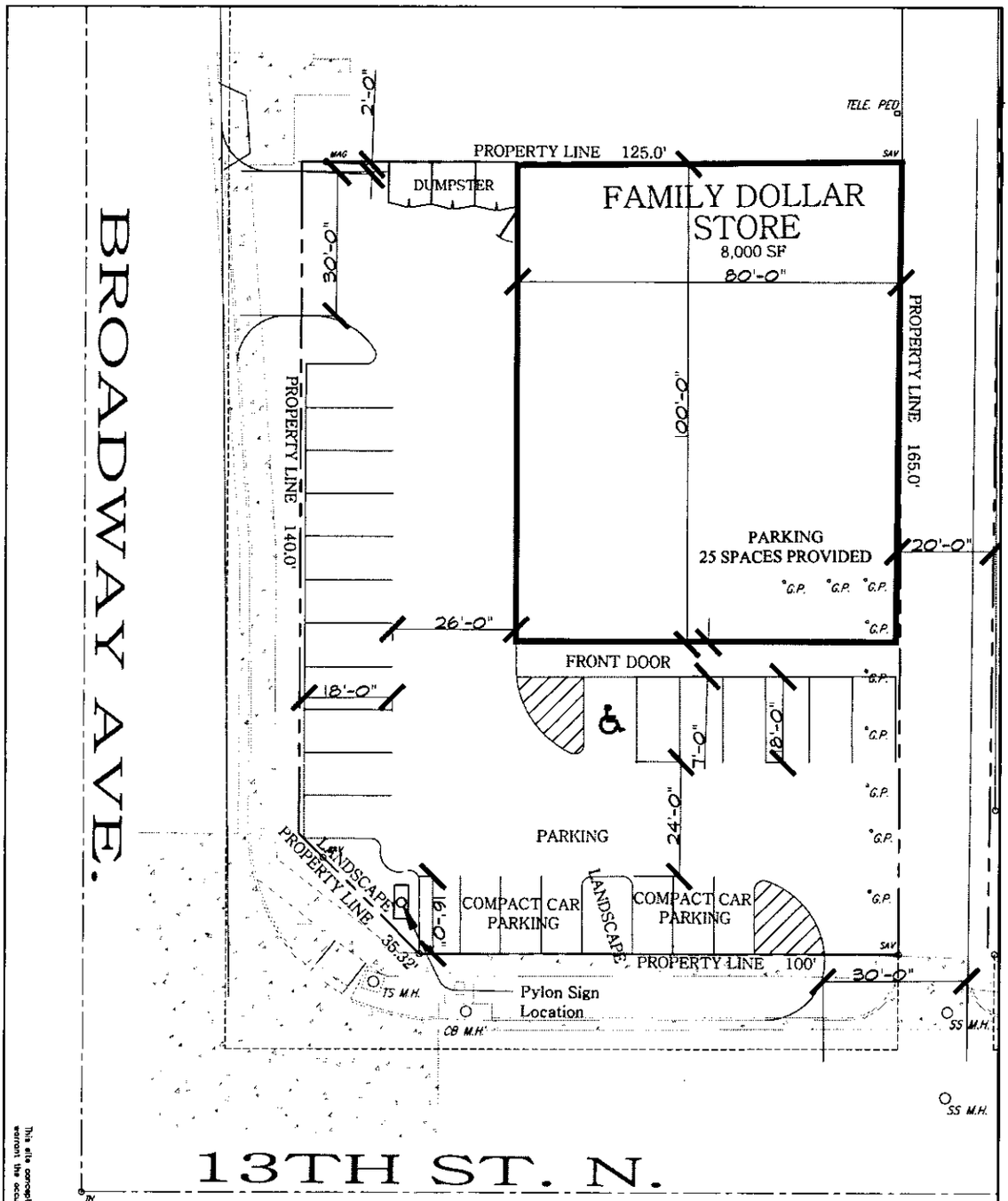
3) Any violation of these conditions shall render the Administrative Adjustment null and void. Use of the adjacent parking area by customers of this site shall be remedied by provision of alternate off-site or shared parking instead.

The zoning adjustment sign may now be removed from the property.

John L. Schlegel
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

cc: Poe and Associates, Inc., Attn: Tim Austin, 5940 East Central Avenue, Suite 200, Wichita, KS 67208
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
J.R. Cox, Office of Central Inspection



BZA 2010-00054

SITE PLAN

APPROVED 12-10-10 BY

PARCEL SIZE=20,313.7± (0.47 Ac.±)

SCALE 1" = 10'

This site concept does not constitute a survey. Poe & Associates does not warrant the accuracy of the information shown hereon.

CONCEPT

Engineer: T. AUSTIN
Designer: S. SCHMIDT
Poe Job No.: 1829-02200
Date: NOVEMBER 13, 2010

POE & ASSOCIATES, INC.
CONSULTING ENGINEERS

FAMILY DOLLAR
13TH & BROADWAY
CONCEPT 14
CITY OF WICHITA, KANSAS
JAMES L. ARMOUR, P.E. - CITY ENGINEER