



Wichita-Sedgwick County Metropolitan Area Planning Department

March 21, 2011

Unified School District #259
Attn: Shane Schumacher
3850 N. Hydraulic
Wichita, KS 67219

Re: BZA2011-00012: City Administrative Adjustment to allow parking within eight feet of the right-of-way line on property zoned TF-3 Two-Family Residential ("TF-3") and SF-5 Single-Family Residential ("SF-5").

Legal Description: Lots 2 thru 14 even on Martinson Street, Lawrence's 3rd Addition, and Lots 38, 40 and 42 on Martinson Street, Lawrence's 4th Addition, Wichita, Sedgwick County, Kansas; generally located on the east side of Martinson Street, south of Texas Avenue and north of Burton Street.

Dear Mr. Schumacher:

We have reviewed your request for a Zoning Adjustment to permit parking within the front and street side setbacks for a parking lot for Franklin Elementary School on the aforementioned properties. From reviewing the application, we understand that you desire to construct parking spaces up to within eight feet of the west property line on Martinson Street North, the south property line on Burton Street and the north property line on Texas Avenue.

Section V-I.2.1 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.2.1 and the four criteria required by Section V-I.6 as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The setback encroachment should have a beneficial impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is affected by the parking, but the lots will allow the separation of parent pick-up/drop off, staff parking and the bus lane into three different areas in order to make the traffic pattern as safe as possible at this site.
- 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 setbacks. Required plantings to screen the parking lot will enhance the appearance of the parking lot and the area.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed parking configuration is compatible with existing and permitted uses on adjacent sites. Parking within the setback should not

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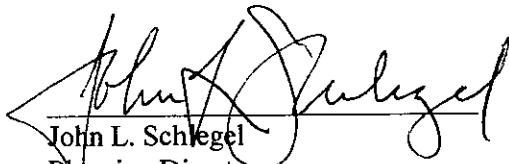
reduce compatibility with adjacent sites so long as adequate landscaping is provided and the eight-foot setback is maintained.

- 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.

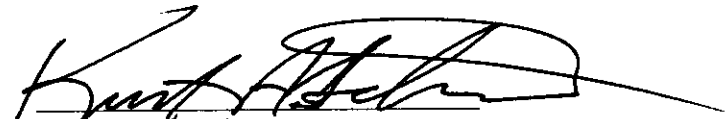
Our signatures below indicate that a Zoning Adjustment to permit parking within the front and street side setbacks, but no closer than eight feet from the property line, for the aforementioned property is hereby granted, subject to the following conditions:

- 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

cc: Kurt Schroeder, OCI
Paul Hays, OCI
JR Cox, Office of Central Inspection
Paul Gray, District IV, mailstop 1-13

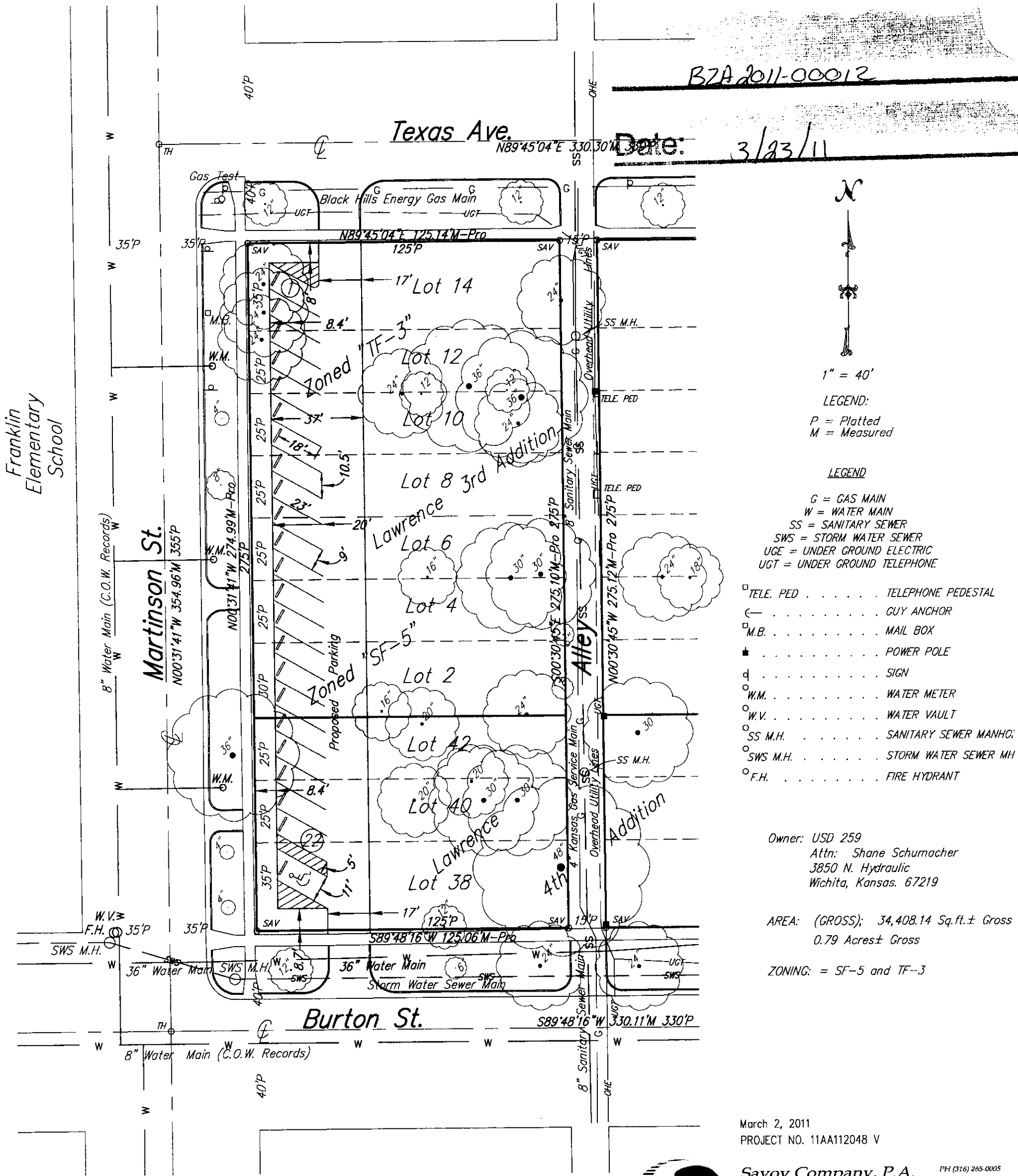
EXHIBIT

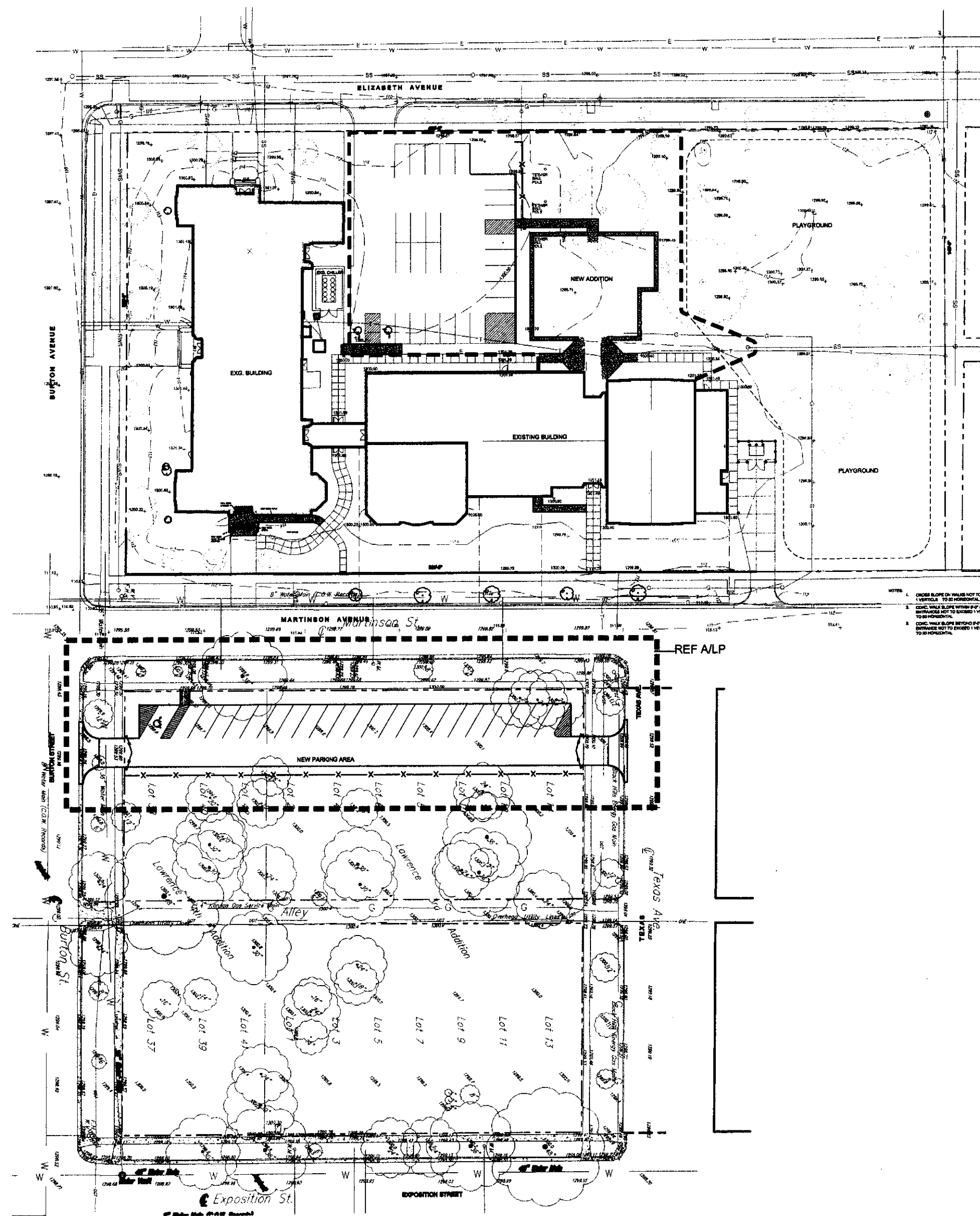
Administrative Adjustment to Reduce Front Yard Setback and Side Street Setbacks to 8 feet

22 Parking Spaces and 1 Handicap Space

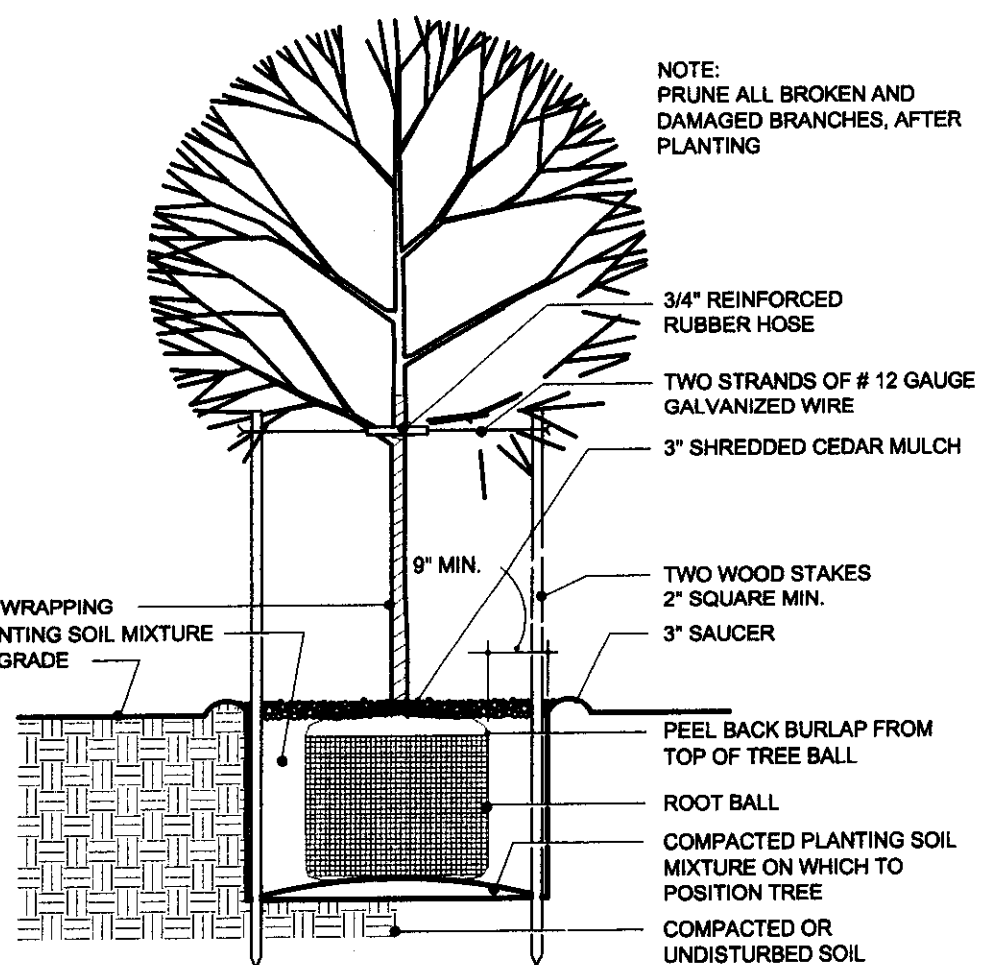
LEGAL DESCRIPTION:
Lots 2 thru 14 even on Martinson Street, Lawrence's 3rd Addition, Wichita,
Sedgwick County, Kansas and Lots 38, 40 and 42 on Martinson Street,
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APPROVED



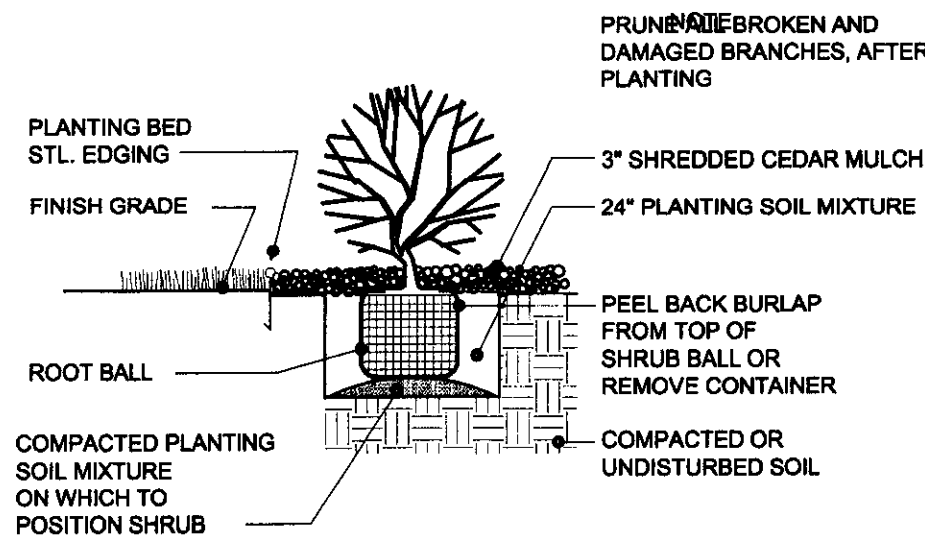


B OVERALL SITE PLAN



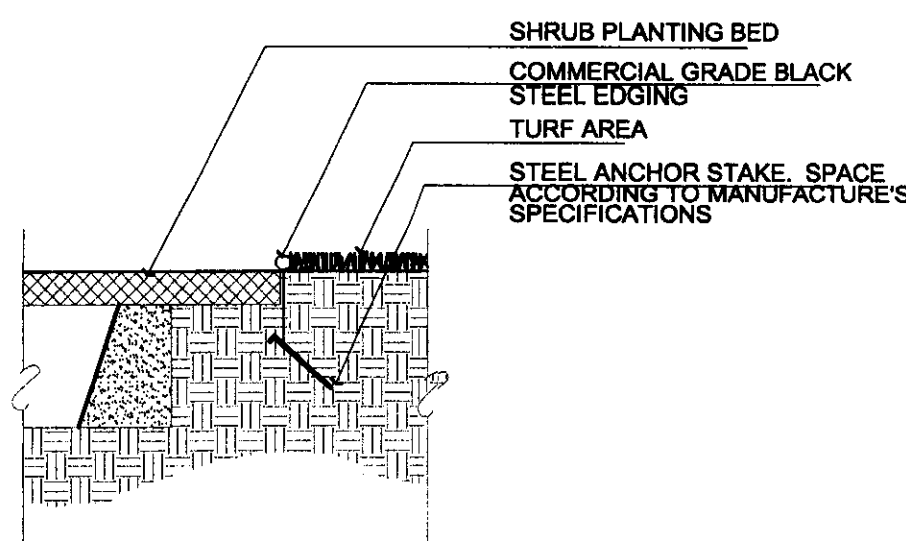
1 DECIDUOUS TREE DETAIL

NOT TO SCALE



2 SHRUB PLANTING DETAIL AT EDGING/BED AREAS

NOT TO SCALE



3 EDGING DETAIL

NOT TO SCALE

LANDSCAPE ORD. CALC'S

WEST PROPERTY LINE
LANDSCAPE YARD REQUIRED:
LANDSCAPE YARD SHOWN:
STREET YARD TREES REQUIRED:
STREET YARD TREES PROVIDED:
PARKING STALLS:

8 SF. X 275' = 2250 S.F.
1,150 S.F.
5 TREES
3 EXG TREE (w/in property)
7 EXG TREE (w/in row)
23/20=2 TREES REQUIRED
2 SHADE TREES SHOWN

A LANDSCAPE PLAN

ALL LANDSCAPING SHALL BE COMPLETED BY THE OWNER. ALL SEEDING/OVERSEEDING SHALL BE COMPLETED BY THE GENERAL CONTRACTOR.

BZA 2011-00012
LANDSCAPE PLAN
APPROVED 03-22-11 BY DS
N APP COPY 1 of 2

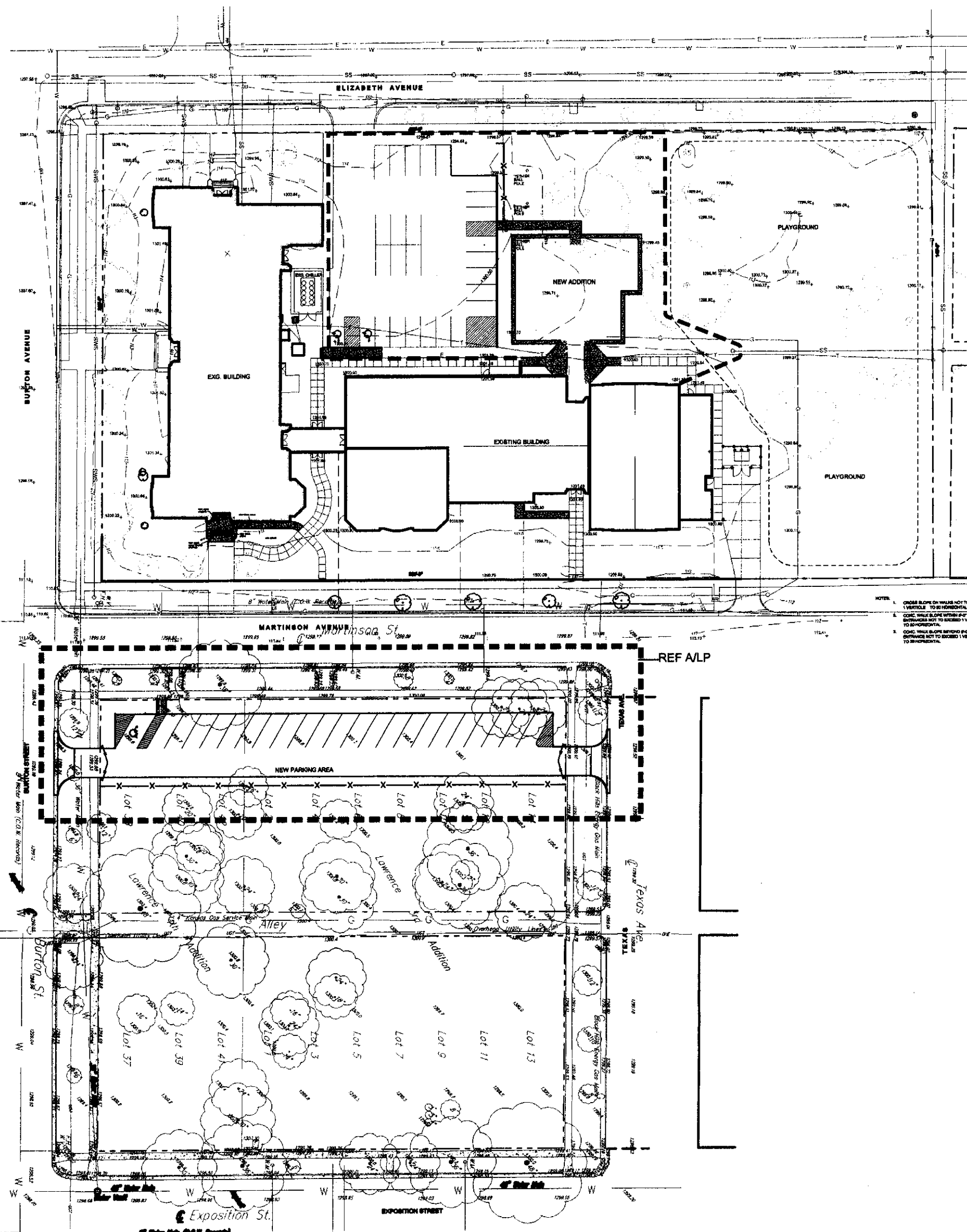
PLANT LIST

KEY	QTY	COMMON NAME	BOTANICAL NAME	SIZE	CONDITION
TREES					
SHL	2	'Skyline' Honeylocust	Gleditsia Triacanthos Var. Inermis Cv.	2" To 2 1/2" Cal.	Balled-in-burlap
SHRUBS/GROUNDCOVERS					
FS	42	Fröebel Spirea	Spirea x bumalda	2 Gal.	Container
MJJ	46	Mint Julep Juniper	Juniperus Chinensis Sp.	2 Gal.	Container

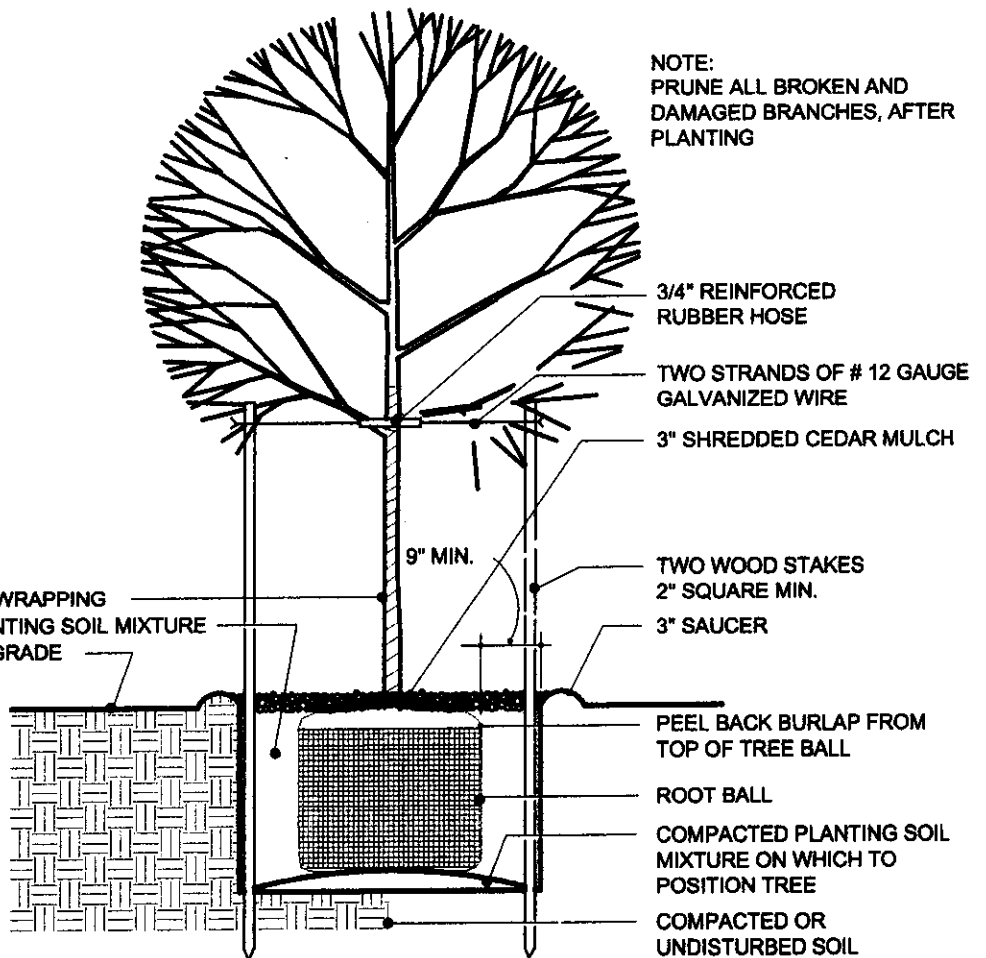
***IF THERE ARE ANY DISCREPANCIES IN PLANT QUANTITIES, THE PLANTING PLAN WILL DICTATE.

LANDSCAPE SPECIFICATIONS

- Landscape contractor shall provide all labor, materials and service necessary to furnish and install plantings as specified herein and as shown on these plans.
- No material substitutions shall be made without Owner/Architect's approval. Alternate materials of similar size and character may be considered if specified plant materials cannot be obtained. Owner/Architect reserves the right to adjust plant list as deemed necessary.
- Total quantities of materials shown on drawings shall take precedence over quantities shown on the plant schedule. Landscape contractor shall be responsible for verifying all quantities on the planting plans.
- When clay soil is encountered in the establishment of the lawn or the installation of the plant material, it shall be improved in accordance with standard trade practice (ie. addition of lime gypsum, etc.).
- Re-establish turf in all the areas disturbed by grading or utility trenching in the R.O.W..
- After planting is completed, repair injuries to all plants as required. Limit amount of pruning to a minimum necessary to remove dead or injured twigs and branches. Prune in such a manner as not to change natural habit or shape of plant. Make cuts flush, leaving no stubs. Cut of one inch (1") or more to be planted with tree paint. Central leaders shall not be removed.
- Use triangular spacing in all ground cover and annual beds unless stated otherwise on plans.
- Plant ground cover within one foot (1') of trunk of trees or shrubs planted within area. Planting arrangement shall be triangular, with proper on-center spacing between plants.
- Heavy duty steel edging shall be used to separate all turf areas from planting beds. Place edging flush with grade (see planting details).
- Use shredded cypress mulch in all planting beds. Landscape contractor shall supply Owner/Architect with a sample of mulch for approval prior to starting construction.
- Place mulch in beds and tree saucers per planting details.
- Planting beds receiving mulch are to be free of weeds and grass. Treat beds with a pre-emergent herbicide prior to planting and mulch placement. Apply in accordance with standard trade practice. Do not apply herbicide in annual/perennial beds.
- Seasonal annual/perennial beds are to be planted with local materials that will offer the longest lasting, boldest color display beginning at the time of installation.
- Landscape contractor to remove tree stakes, tree wrap, and remove all dead wood on trees and shrubs one year after provisional acceptance.
- Report any discrepancies in the planting plan to the architect prior to starting construction.
- Prior to any excavation for landscaping purposed, the location of underground utilities shall be determined by calling the local utility companies. Landscape contractor shall be responsible for any damage done to existing utilities.
- The landscape contractor is to be responsible for all permits required and is to see that all work is performed in accordance with state and local codes.
- Topsoil hauled onto the site shall be fertile, friable, natural loam topsoil, of unifor quality characteristic representing local soils which produce heavy groth of crops, grass or other vegetation. It shall be free of subsoil, clay lumps, brush, weeds, roots, stones, trash, or other matter toxic to plant growth.
- All grass areas called out on the plans are to be seeded with Rye seed at 8 lbs per 1000 sf and Bermuda at 2 lbs per 1000 sf. Starter fertilizer with high phosphorous (12-24-10) shall also be applied.
- Irrigation - Water for establishment and maintenance of plant materials on this project will be provided by hose bibs on site. School staff will be responsible for watering and maintenance of plant materials after guarantee period.

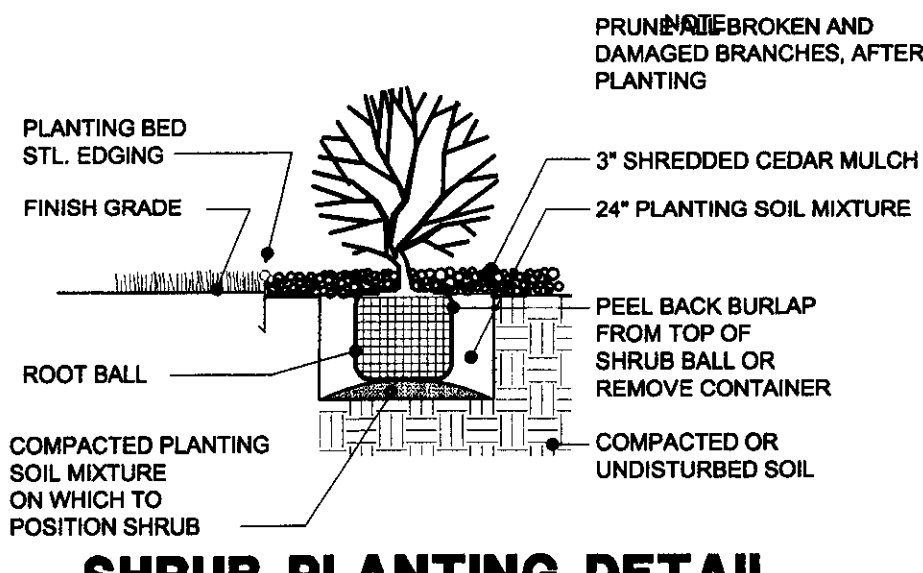


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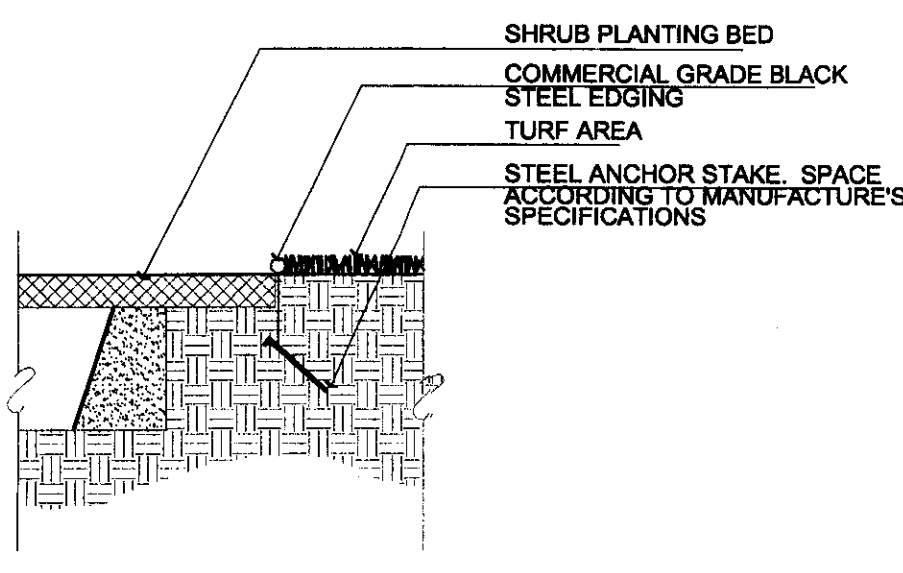
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