

Lot 1, Block 1, and Lot 1, Block 2, Farm Credit Banks of Wichita Addition to Wichita, Kansas. Generally located at the southwest and northwest corners of Waco and Second Streets.

be approved, subject to the following conditions:

1. The reduction in the number of required parking spaces to 557 spaces shall apply only as long as the office building does not exceed its current leasable square footage (shown on the applicants' site plan as 228,626 square feet of rentable area).
2. Should the employees in this building increase over 700, then the applicant shall submit a Parking Management Plan to the Secretary of the Board of Zoning Appeals for approval.

The Parking Management Plan shall show how alternative transportation mode(s) will be implemented, the permanency of such mode(s), the extent of the program, number of vehicles the mode(s) will replace, and other pertinent information. Transportation alternatives that may be included in the Parking Management Plan are:

- Participation in the Star Rider program which subsidizes part of the transit fare.
- Subsidize shuttle service from the Lawrence-Dumont parking lot.
- Encourage employees to carpool and provide preferential parking for those who do carpool.
- Impose higher parking fees to employees who do not carpool.

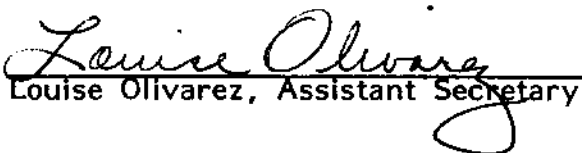
In addition, the applicant shall be required to designate a parking manager to oversee the Parking Management Plan.

3. Any violation of the above conditions shall make this resolution null and void.

ADOPTED AT WICHITA, KANSAS, this 26th day of April, 1988.


Danny E. Jenkins, President

ATTEST:


Louise Olivarez, Assistant Secretary

RESOLUTION NO. BZA 14-88

WHEREAS, FCB Limited Partnership and Farm Credit Banks of Wichita, 245 N. Waco, Wichita, KS 67202, pursuant to Section 2.12.590.B, Code of the City of Wichita, request a variance to decrease the required number of off-street parking spaces from 1,040 to 557 on property zoned the "E" Light Industrial District and legally described as follows:

Lot 1, Block 1, and Lot 1, Block 2, Farm Credit Banks of Wichita Addition to Wichita, Kansas. Generally located at the southwest and northwest corners of Waco and Second Streets.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of April 26, 1988, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for a variance under the provisions of Section 2.12.590.B, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has found that the variance arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district and is not created by an action or actions of the property owner or the applicant inasmuch as the property is located in close proximity to the Central Business District in which no parking is required to be provided for offices uses, but in which are located numerous parking lots and garages with spaces for lease. Also, the property is readily accessible to The Bus and the tenants in the building do not have the demand for customer parking that is normally associated with many office uses; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents inasmuch as there is nearby parking available for lease, as evidenced by the leases which several tenants already have; and

WHEREAS, the Board of Zoning Appeals has found that the strict application of the provisions of Title 28 (Zoning Ordinance) of which variance is requested will constitute unnecessary hardship upon the property owners represented in the application inasmuch as the requirement to provide off-street parking in excess of that needed would impose an unnecessary expense for the construction and maintenance of the facility; and

WHEREAS, the Board of Zoning Appeals has found that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare, due to the fact that the employees not served by parking on the site will utilize off-street parking in the area, as is presently the case for many office buildings situated in the nearby Central Business District; and

WHEREAS, the Board of Zoning Appeals has found that the granting of the variance desired will not be opposed to the general spirit and intent of Title 28 (Zoning Ordinance) inasmuch as the intent of the ordinance is to provide adequate off-street parking for all types of uses and the number of parking lots and garages in the general area does provide adequate off-street parking; and

WHEREAS, each of the five conditions required by Section 2.12.590.B, Code of the City of Wichita, to be present before a variance can be granted has been found to exist.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this request for a variance to decrease the number of required off-street parking spaces from 1,040 spaces to 557 spaces on property zoned the "E" Light Industrial District and legally described as follows:

THE CITY OF WICHITA



BOARD OF ZONING APPEALS
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4421

April 27, 1988

Capital Asset Management, Inc.
ATTN: Ann Giroux
245 N. Waco
Wichita, KS 67202

Re: BZA 14-88 - Variance to decrease the number of off-street parking spaces from 1,040 to 557

Dear Ms. Giroux:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on April 26, 1988. This Resolution reflects the official action of the Board to approve your request and sets out the conditions of approval. It is forwarded to you for your information and files.

If you have questions concerning this matter, please call our office.

Sincerely,


Louise Olivarez
Assistant Secretary

LO/jcm
Enclosure

cc: FCB Limited Partnership & Farm Credit Banks of Wichita, 245 N. Waco,
Wichita, KS 67202
Monty Robson, Superintendent of Central Inspection
Joe Donnelly, Zoning Administrator
Dale Rea, Deputy City Clerk

FILE COPY

ADJACENT PROPERTY: It is the opinion of staff that the granting of the variance requested will not adversely affect the rights of adjacent property owners inasmuch as there is nearby parking available for lease, as evidenced by the leases which several tenants already have.

HARDSHIP: It is the opinion of staff that the strict application of the provisions of the zoning ordinance may constitute an unnecessary hardship upon the applicant inasmuch as the requirement to provide off-street parking in excess of that needed would impose an unnecessary expense for the construction and maintenance of the facility.

PUBLIC INTEREST: It is the opinion of staff that the requested variance would not adversely affect the public interest inasmuch as employees not served by parking on the site will utilize off-street parking in the area, as is presently the case for many office buildings situated in the nearby Central Business District.

SPIRIT AND INTENT: It is the opinion of staff that the granting of the variance requested would not be opposed to the general spirit and intent of the zoning ordinance inasmuch as the intent of the ordinance is to provide adequate off-street parking for all types of uses and the number of parking lots and garages in the general area does provide adequate off-street parking.

RECOMMENDATION: Should the Board determine that all five conditions necessary to the granting of a variance can be found to exist, then it is the recommendation of the Secretary that the variance be granted, subject to the following conditions:

1. The reduction in the number of required parking spaces to 557 spaces shall apply only as long as the office building does not exceed its current leasable square footage (shown on the applicants' site plan as 228,626 square feet of rentable area).
2. The applicants shall institute a program at this office building which encourages car pooling and the use of mass transportation facilities. This program could include such things as keeping a file of those employees desiring to car pool and providing preferential parking for those who do car pool, as well as providing subsidized use of The Bus and the shuttle service to the Lawrence-Dumont parking lot.

April 26, 1988

SECRETARY'S REPORT

CASE NUMBER: BZA 14-88

OWNER/APPLICANT/AGENT: FCB Limited Partnership and Farm Credit Banks
of Wichita (applicants)
Capital Asset Management (Thomas E. Duncan) (agent)

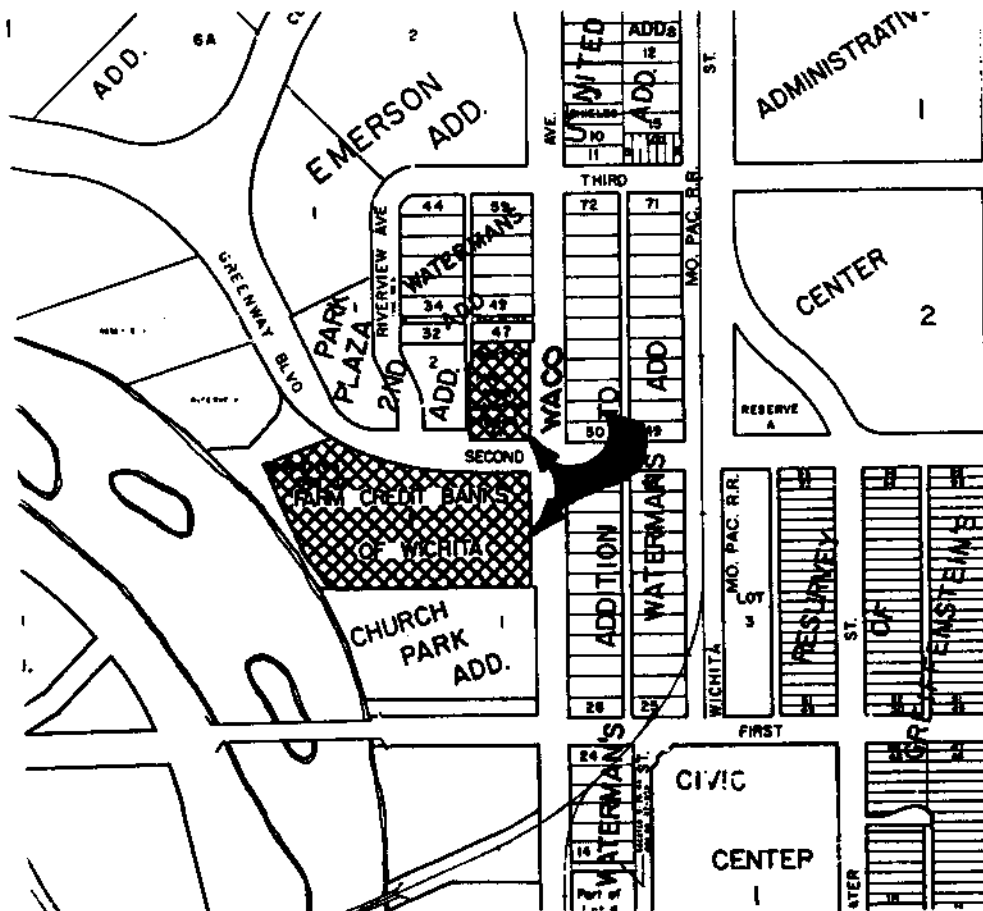
REQUEST: Variance to decrease the number of required
off-street parking spaces from 1,040 spaces to 557
spaces.

CURRENT ZONING: "E" Light Industrial

SITE SIZE: 4.4 acres

LOCATION: Northwest and southwest corners of Second and Waco

PROPOSED USE: Office building



JURISDICTION: The Board has jurisdiction to consider the variance request under the provisions outlined in Section 2.12.590.B, Code of the City of Wichita. The Board may grant the request when all five conditions, as required by the State Statutes, are found to exist.

BACKGROUND: The applicants are requesting a variance of the parking requirement from 1,040 spaces to 557 spaces on platted property zoned "E" Light Industrial and located at the northwest and southwest corners of Second and Waco. A 260,000+ square-foot office building and six-level parking garage occupy the site, with 450 parking spaces being provided in the garage and 107 spaces being provided on the ground level in front of the office building. In 1982, prior to construction of this office building, the BZA granted a reduction of the parking requirement from 1,040 spaces to 350 spaces, but that variance was to be valid only so long as the building was used solely by Farm Credit Banks. Now that the building is being leased to other offices, spaces are being required at the parking code ratio of 1 per 250 square feet of floor area.

Justifications for granting the variance in 1982 included proximity to mass transportation; proximity to the Central Business District, which does not have any parking requirement for office uses; the nature of the proposed use, which would not generate a demand for customer parking, only employee parking; the potential for construction of a parking garage to provide additional parking, if needed; the availability of off-site parking facilities in the general area; and the projected number of employees in the building to the year 1995. Most of these justifications also apply to the current situation.

The applicants have stated that the Farm Credit Banks system currently employs only 290 people at this facility, and four other tenants provide 358 employees, for a total of 648 employees in this fully-leased building. This is below the figure of 696 employees which Farm Credit Banks had earlier predicted for the year 1995. None of the current lessees operate a business which would attract a large number of customers to the site (B.C. Christopher, Boeing, Financial Guardian and Safelite).

Farm Credit still occupies 62% of the building. Thirty-eight percent, or 105,804 square feet, is leased by the other tenants. If you assume that the previously approved parking reduction for Farm Credit Banks should now apply in a proportionate share to their percentage of occupancy (62% of 350 spaces), their parking requirement would now be 217 spaces. If you calculate the other 38% (105,804 square feet) at the required parking ratio of 1 space per 250 square feet, you arrive at a required number of spaces for the other tenants of 424. This total of $217 + 414 = 641$, which is not much over the 557 spaces now available on site.

The applicant has stated that a total of 151 parking spaces are presently leased by tenants at other locations, due to several factors, including lower costs and ground-level parking being favored by many over multi-level garage parking.

ADJACENT ZONING AND LAND USE:

NORTH	"E" & "C"	Offices, parking lot, multi-family
SOUTH	"C"	Church
EAST	"E"	Offices, parking lot, post office
WEST	"C"	Parking lot, river

UNIQUENESS: It is the opinion of staff that this property is unique inasmuch as it is located in close proximity to the Central Business District in which no parking is required to be provided for office uses, but in which are located numerous parking lots and garages with spaces for lease. Also, the property is readily accessible to The Bus and the tenants in the building do not have the demand for customer parking that is normally associated with many office uses.