



Wichita-Sedgwick County Metropolitan Area Planning Department

November 15, 2002

Luis Alonzo Nunez
2227 N. Arkansas
Wichita, KS 67204

FILE COPY

Re: BZA2002-00067: Zoning Adjustment to reduce the parking requirement for two restaurants from 67 spaces to 61 spaces.

Legal Description: Lots 2-12, Arkansas Avenue, Crawford Addition, Sedgwick County, Kansas, together with Lots 18-24, Arkansas Avenue, McIntyre's Addition, Wichita, Sedgwick County, Kansas.. Generally located north of 21st Street North and west of Arkansas (2227 N. Arkansas).

Dear Mr. Nunez:

We have reviewed your request for a Zoning Adjustment to reduce the parking requirement for two restaurants on the aforementioned property. From reviewing your application we understand that you propose to expand the floor area of one of the restaurants. The proposed expansion would result in a total occupancy between the two restaurants of 188, with 1,100 square feet of storage space and 630 square feet of general use/office space on site. The resulting parking requirement is 67 spaces; however, only 61 parking spaces can be provided on site. Therefore, you have requested a Zoning Adjustment to reduce the parking requirement for the two restaurants from 67 spaces to 61 spaces.

Sec. V-I.2.i. of the Code allows up to a 25% reduction of parking requirements for remodeling/expansion projects when the conditions required by Sec. V-I.6. of the Code are met. We find that reducing the parking requirement for the two restaurants from 67 spaces to 61 spaces meet the four conditions required by Section V-I.6 of the Code as set out below:

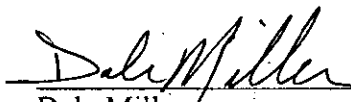
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The extent of the parking requirement reduction is approximately one-third of the allowable limit; therefore, sufficient on-site parking should be provided such that on-street parking for the restaurants should not be necessary. Since all parking for the restaurants should be off-street, there should not be negative impacts on the safety and convenience of vehicular and pedestrian circulation in the area.
- 2) Impact on existing uses in surrounding areas: There should not be a negative impact on the existing uses in the surrounding areas as a result of reducing the parking requirement. Parking for the restaurants should not encroach or encumber any uses adjacent to this property and will be appropriately screened by landscaping from residential uses across the street.

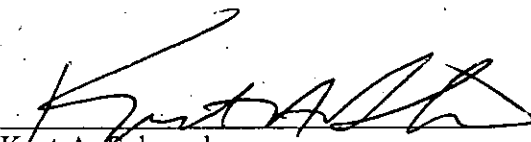
- 3) Compatibility with existing or permitted uses on abutting sites: Restaurants accessory uses such as parking are permitted in commercial zoning districts, and reducing the parking requirement should not compromise existing or permitted uses on abutting commercial sites due to the minor nature of the reduction of the parking requirement.
- 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 a Zoning Adjustment to reduce the parking requirement for two restaurants from 67 spaces to 61 spaces is hereby granted subject to the following conditions:

- 1) The site shall be developed in accordance with the approved site plan.
- 2) The parking area shall be paved and marked in accordance with the site plan.
- 3) The Zoning Adjustment is for a parking requirement reduction only for restaurants with a maximum occupancy of 188. If restaurant occupancy is increased or if the requirements of the Unified Zoning Code require parking to be provided for other uses on the subject property, then additional parking spaces over and above 61 shall be provided.
- 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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

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


Dale Miller
Acting Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Max Christensen, 8811 E. 47th St. S., Derby, KS 67037
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

