



FILE COPY

**Wichita-Sedgwick County Metropolitan Area Planning Department**

July 25, 2003

Joe Hoover  
USD 259  
3850 N. Hydraulic  
Wichita, KS 67219

**Re: BZA2003-00036: Zoning Adjustment to reduce the parking requirement from 53 spaces to 49 spaces.**

**Legal Description: RESERVE FROM LINCOLN ST S TO ALLEY & FROM TOPEKA TO EMPORIA AVE. & N1/2 VAC ALLEY ADJ ON S ZIMMERLY'S 2ND. ADD. EXEMPT 6076-0; LOTS 18-20-22 & S1/2 VAC ALLEY ADJ LOT 18 ON N & W1/2 VAC ALLEY ADJ SAID LOTS ON E TOPEKA; LOTS 24-26 & W1/2 VAC ALLEY ADJ ON E TOPEKA AVE. ZIMMERLY'S 2ND. ADD. EXEMPT 6076-0; LOTS 28-30 & W1/2 VAC ALLEY ADJ ON E TOPEKA AVE. ZIMMERLY'S 2ND. ADD. EXEMPT 1015-1; LOTS 32-34 EXC S 20 FT LOT 34 DED FOR ALLEY & W1/2 VAC ALLEY ADJ LOT 32 & N 5 FT LOT 34 ON E TOPEKA AVE. ZIMMERLY'S 2ND. ADD. EXEMPT 2816-81-TX; LOT 17-19-21 & S1/2 VAC ALLEY ADJ LOT 17 ON N & E1/2 ON N & E1/2 VAC ALLEY ADJ SAID LOTS ON W EMPORIA AVE. ZIMMERLY'S 2ND. ADD. EXEMPT 6076-0; LOTS 23-25 & E1/2 VAC ALLEY ADJ ON W EMPORIA AVE. ZIMMERLY'S 2ND. ADD. EXEMPT 2816-81-TX; LOTS 27-29 & E1/2 VAC ALLEY ADJ ON W EMPORIA AVE. ZIMMERLY'S 2ND. ADD. EXEMPT 2816-81-T; LOTS 31-33 & E1/2 VAC ALLEY ADJ LOT 31 & N 5 FT LOT 33 ON W EMPORIA AVE. ZIMMERLY'S 2ND. ADD. Located on the south<sup>west</sup> corner of Lincoln and Topeka (1210 S. Topeka).<sup>east</sup>**

Dear Mr. Hoover:

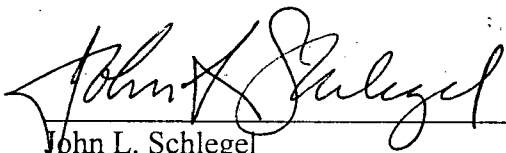
We have reviewed your request for a Zoning Adjustment to reduce the parking requirement on the above-referenced property. From reviewing your application, we understand that you propose to an addition to Lincoln Elementary School on the property, and the addition is of sufficient value to trigger the requirement to fully comply with the parking requirements on the subject property. We further understand that subject property is very small for an elementary school site and that providing all required parking spaces would entail eliminating playground space, which is very limited on the site. Therefore, you have requested a Zoning Adjustment to reduce the parking requirement from 53 spaces to 49 spaces.

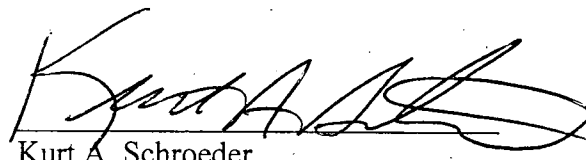
Sec. V-I.2.i. of the Unified Zoning Code allows an adjustment to reduce the parking requirement by up to 25 percent for redevelopment projects when the conditions required by Sec. V-I.6. of the Code are met. We find that the reduction of the parking requirement as proposed meets the four conditions required by Sec. 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 well below the allowable limit, and all but four of the required parking spaces are provided on-site. Sufficient space is available on the streets for overflow parking near the school building. Sidewalks and cross walks are provided for pedestrian circulation in the vicinity of the school. For these reasons, the requested adjustment should not detrimentally impact the safety and convenience of vehicular and pedestrian circulation.
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on uses in surrounding areas as a result of the reduction of the parking requirement, as sufficient parking spaces are provided on-site or on the streets; therefore, the parking need being generated by the school should not utilize parking provided for adjacent businesses and institutions.
- 3) Compatibility with existing or permitted uses on abutting sites: Schools and accessory uses such as parking are permitted in residential zoning districts, and reducing the parking requirement to the limited extent requested should not compromise existing or permitted uses on abutting sites due to the reduction of the parking requirement being only 7.5%, well below the 25% permitted.
- 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 from 53 spaces to 49 spaces for the aforementioned property is hereby granted. If the Zoning Administrator finds that there is a violation 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.

  
John L. Schlegel  
Planning Director

  
Kurt A. Schroeder  
Superintendent of Central Inspection

cc: 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

