



Wichita-Sedgwick County Metropolitan Area Planning Department

December 29, 2003

Maurice El Haj
Bavarian Motors, Inc.
1630 E. 2nd St. N.
Wichita, KS 67214

Re: **BZA2003-00070: Zoning Adjustments to reduce the parking requirement from 19 to 14 spaces and to waive the landscaped street yard requirement along ~~Pennsylvania~~ E. 2nd.** *AB 1/16/04 DM 1/16/04*

Legal Description: Lots 25 and 27 and the north 15 feet of vacated R.O.W. for 2nd Street along the south line of Lot 25, Mathewson's 4th Addition, Wichita, Sedgwick County, Kansas. Located at the northeast corner of 2nd St. N. and Pennsylvania (1630 E. 2nd St. N.).

Dear Mr. El Haj:

We have reviewed your request for the Zoning Adjustments enumerated above. You state in your application that you plan to construct an addition to your vehicle repair business and that the requested Zoning Adjustments are needed due to limited size of the property. We understand that meeting the parking requirement is not possible without reducing the size of the building addition. We further understand that complying with the landscaped street yard requirements would entail the removal of existing concrete and even then a landscaped street yard of the required size could not be provided while also meeting the required widths of drive aisles to provide access to parking areas and the building.

Sec. V-I.2. of the Unified Zoning Code and Section 10.32.090 of the Landscape Ordinance allow the requested Zoning Adjustments when the conditions required by Sec. V-I.6. of the Unified Zoning Code are met. We find that the requested Zoning Adjustments meet 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 safety and convenience and vehicular and pedestrian circulation in the area should not be detrimentally impacted since parking barriers will be required to prevent the encroachment of vehicles onto the sidewalk and drive aisles will be required to remain open to permit on-site vehicular circulation.
- 2) Impact on existing uses in surrounding areas: The proposed reduction of the parking requirement and waiver of the landscaped street yard requirement should not detrimentally impact surrounding properties, which primarily are developed with existing businesses that do not conform to current parking and landscaping standards.

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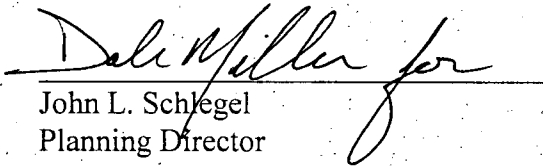
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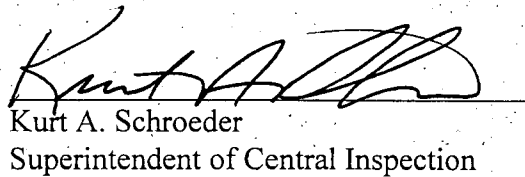
- 3) Compatibility with existing or permitted uses on abutting sites: Vehicle repair businesses and associated accessory uses such as parking areas are permitted in commercial zoning districts, and the allowance of the requested adjustments should not compromise existing or permitted uses on abutting sites due to the minor nature of the adjustments.
- 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 Zoning Adjustments to reduce the parking requirement from 19 to 14 spaces and to waive the landscaped street yard requirement along Pennsylvania, are hereby granted subject to the following conditions:

- 1) The subject property shall be developed in general conformance with the approved site plan, including the installation and maintenance of the landscaping and screening fence shown.
- 2) The parking area and circulation aisles shall be paved and marked as shown on the approved site plan, and the parking, storage, or display of vehicles shall not be permitted within the designated drive aisles.
- 3) Parking barriers shall be installed along all perimeter boundaries abutting streets, except at driveway entrances or where landscaping is installed, to ensure that vehicles do not encroach onto the sidewalk.
- 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 zoning adjustment sign may now be removed from the property.


John L. Schlegel
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

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

LEGAL DESCRIPTION

LOTS 27, 25 & THE NORTH 15'
 VACATED R.O.W. OF SECOND
 STREET ALONG THE SOUTH
 LINE OF LOT 25, MATHEWSON'S
 4TH ADDITION TO THE CITY OF
 WICHITA, SOEGWICK COUNTY, KS.

PARKING

SHOP AREA:	4328 SF	/	333	+3	16
STOR & TLTS:	591 SF	/	1000		1
OFFICE & WAITING:	481 SF	/	250		2
TOTAL:	5400 SF				19 REQUIRED
	TOTAL PARKING				14 PROVIDED

LANDSCAPE

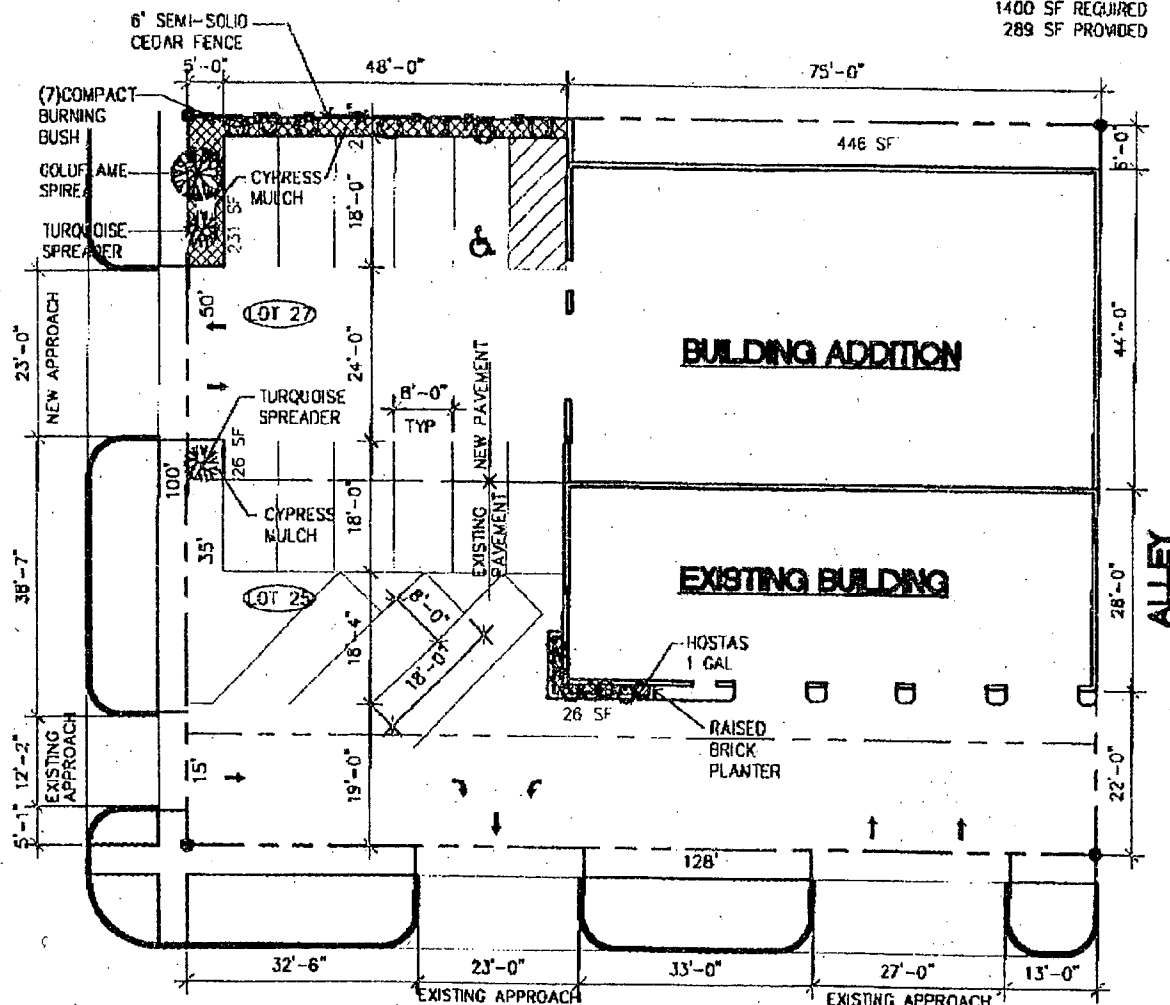
STREET YARD:	100 LF
STOR & TLTS:	128 LF
	-53 LF
	175 LF
	x 8
	1400 SF REQUIRED
	289 SF PROVIDED

PENNSYLVANIA AVE

SITE PLAN

B2A2003-00070

APPROVED 12-29-03 BY *SK*



A

SITE PLAN
 NO SCALE

E SECOND STREET