



Wichita-Sedgwick County Metropolitan Area Planning Department

July 8, 2010

USD#259
Attn: Joe Hoover
3850 N Hydraulic
Wichita, KS 67219

Re: BZA2010-00029: Zoning Adjustment to permit parking within the front setback, but no closer than eight feet from the property line, on property zoned SF-5-Family Residential ("SF-5") for an institutional use parking lot.

Lot 1, Carl Barbee Addition, Wichita, Sedgwick County, Kansas. Generally located on the southwest corner of Mascot Avenue and 33rd Street North.

N1/2 N1/ NE1/4 NE1/4 SW1/4 EXC E 30 FT FOR ST. SEC 32-26-1E

and

N58 FT S1/2 N1/2 NE1/4 NE1/4 SW1/4 EXC W 364 FT THEREOF & EXC 30 FT FOR ST. SEC 32-26-1E

and

S1/2 N1/2 NE1/4 NE1/4 SW1/4 EXC W 364 FT 7 ESC N 58 FT 7 EXC E 30 FT FOR ST. SEC 32-26-1E. Generally located on the southwest corner of Arkansas Avenue and 33rd Street North.

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to permit parking within the front and street side setbacks of two parking lots for the new North 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 north property line on 33rd Street North and the east property line on Arkansas Avenue.

Section V-1.2.1 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-1.6 are met. We find that the parking as proposed meets the provisions of Section V-1.2.1 and the four criteria required by Section V-1.6 as set out below:

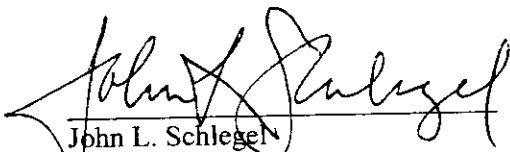
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The setback encroachment should have a beneficial impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is affected by the parking, but the lots will allow the 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. Arkansas Avenue and 33rd Street North are arterial and collector streets, respectively, where institutional uses typically are found within residentially zoned areas. 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 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. The proposed parking lots benefit neighborhood children by preserving the existing playground while adding safer loading and unloading patterns.

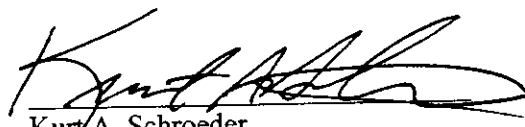
Our signatures below indicate that a Zoning Adjustment to permit parking within the front and street side setbacks, but no closer than eight feet from the property line, for the aforementioned property is hereby granted, subject to the following conditions:

- 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

Enclosure

cc: Kurt Schroeder, OCI
Paul Hays, OCI
Matthew Lee, OCI
Leonard Fox, OCI
Lavonta Williams, District I, mailstop 1-13

PHASE 2
CONSTRUCTION
AFTER
PROPERTY
ACQUISITION

PHASE 1
CONSTRUCTION

PHASE 2
CONSTRUCTION
AFTER
PROPERTY
ACQUISITION

RESIDENTIAL

ALLEY

ALLEY

SPACES

SPACES

SPACES

24' WIDE 8" CONCRETE
APPROACH PER CITY CODE

129'-8"

1155

1151

1137

1133

1129

AUTUMN BLAZE MAPLE
TREE - TYP OF 9

SITE PLAN

1" = 30'

0 15 FT 30 FT 60 FT



BOXWOODS (2 GAL)
TYP OF 50

3" WOOD MULCH
TYP AT ALL BEDS

1 1/2" AUTUMN BLAZE
MAPLE - TYP OF 6
ALONG STREETS

8'0"

24' WIDE 8" CONCRETE
APPROACH PER CITY CODE

ADA SIGN PER
DETAIL 2 -
TYP OF 4

74 TOTAL SPACES
FOR PARKING LOT

N SPRUCE ST

BOND 2008 CONSTRUCTION SITE

SPAGHT ELEMENTARY SCHOOL & PLAYGROUND



SPAGHT ELEMENTARY SCHOOL

2316 E 10 TH STREET NORTH, WICHITA, KANSAS 67214

USD 259 • www.USD259.com • Design & Construction
School Service Center • 3850 N. Hydraulic • Wichita, KS 67219

USD 259

TEACHERS' PARKING LOT

@ 1133, 1137, & 1151 N SPRUCE

to serve

SPAGHT ELEMENTARY SCHOOL