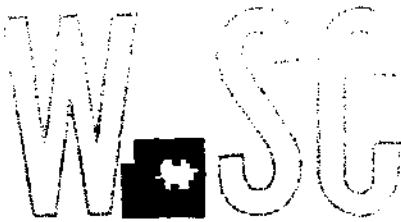


WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421

December 30, 1993

Duane Frech
Beaver Express Service, Inc.
P.O. Drawer 147
Woodward, OK 73802-1147

Re: BZA 24-93 - Exception to permit an off-street parking lot on property zoned the "A" Two-Family Dwelling District and located on the NW corner of Richmond and McCormick.

Dear Mr. Frech:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on September 28, 1993. This resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files now that the landscape plan has been submitted and approved (condition #10). At its meeting on December 28, 1993, the Board approved the revised site plan necessitated by the recent rezoning of the west portion of this site (condition #1).

Sincerely yours,


Louise Olivarez, Secretary
Board of Zoning Appeals

Enclosure

LO/prf

cc: Mark Savoy, 841 S. Hillside, 67211
Randy Sparkman, OCI
Paul Hays, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk


9. A six-to-eight-foot solid wood fence shall be constructed on or near the north property line to screen the parking lot from the adjacent residential property. A four-foot solid wood fence shall be constructed at the setback line on Richmond (25') and a three-foot solid wood fence shall be constructed at the setback line on McCormick (6'). The finished side of all fences shall face outward.
10. A total of at least 5 shade or 10 ornamental trees shall be planted outside the fences adjacent to the streets. A landscape/screening plan designating the type, size, and location of proposed plants and the type and height of fences shall be submitted to the Secretary for review and approval within 60 days following approval of this use exception and prior to release of the resolution. Criteria for size and type of plants shall be as specified in the City's landscape ordinance. One main purpose of the landscaping along Richmond is to protect properties on the east side of Richmond from truck headlight glare. The plants, when mature, shall be more than four feet in height. The method of providing water to the plants shall also be indicated. The areas between fence and curbs, except for mulched tree or shrub beds, shall be planted and maintained in grass or other acceptable ground cover.
11. Development of this expanded parking lot shall proceed in accordance with the approved site and landscape/screening plans and shall be completed within one year.
12. The resolution authorizing this use exception may be declared null and void upon a finding by the Board that the applicant has failed to comply with any of the foregoing conditions.
13. Release of this resolution will make null and void Resolution No. BZA 13-74.

ADOPTED AT WICHITA, KANSAS, this 28th day of September, 1993.



Keith A. Alter, President

ATTEST:



Louise Olivarez, Secretary

BZA RESOLUTION NO. 24-93

WHEREAS, Beaver Express Service, Inc., pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit expansion of an off-street parking lot on property zoned the "A" Two-Family Dwelling District and legally described as follows:

Lots 435, 437, 439, 441, 443 and 445, except the south 20 feet for street, on Richmond Ave., Martinson's 5th Addition, Wichita, Kansas. Generally located on the NW corner of Richmond and McCormick.

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 September 28, 1993, consider said application; and

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

WHEREAS, the Board of Zoning Appeals has authority to permit expansion of an off-street parking lot on property zoned the "A" Two-Family Dwelling District, subject to the conditions outlined in Section 28.04.145, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this application be approved to permit expansion of an off-street parking lot on property zoned the "A" Two-Family Dwelling District and legally described as follows:

Lots 435, 437, 439, 441, 443 and 445, except the south 20 feet for street, on Richmond Ave., Martinson's 5th Addition, Wichita, Kansas. Generally located on the NW corner of Richmond and McCormick.

subject to the following conditions:

1. The parking area shall be used for passenger vehicles only and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, materials or supplies. It shall not be used for the parking or storage of trucks used in the applicant's business. Should rezoning to a district which permits truck parking be approved for part of this property, a revised site plan shall be submitted to the Board for review and approval.
2. Only such signs as are necessary for the proper operation of the parking lot shall be permitted.
3. In no case shall a fee be charged for parking facilities provided hereunder.
4. The off-street parking lot shall be paved with concrete, asphaltic concrete, or asphalt and shall be maintained in good condition and free of all weeds, dust, trash and other debris.
5. The parking area shall have adequate guards to prevent the extension or the overhanging of vehicles beyond property lines or parking spaces; and the parking area shall have adequate markings for channelization and movement of vehicles.
6. If lighting facilities are provided, they shall be arranged so as to direct or deflect light away from adjacent residential properties. Light poles shall be no taller than 15 feet and shall have full cut-off light fixtures to direct the light downward.
7. The applicant shall guarantee the paving of the alley adjacent to this application site and south to McCormick. Unless petitioned for, the alley shall be paved as part of the development of this expanded parking lot.
8. During development of this expanded parking lot, the two existing driveways onto Richmond Street from the site shall be removed and the curb replaced.

11. Development of this expanded parking lot shall proceed in accordance with the approved site and landscape/screening plans and shall be completed within one year.
12. The resolution authorizing this use exception may be declared null and void upon a finding by the Board that the applicant has failed to comply with any of the foregoing conditions.

SECRETARY'S REPORT

CASE NUMBER: BZA 24-93

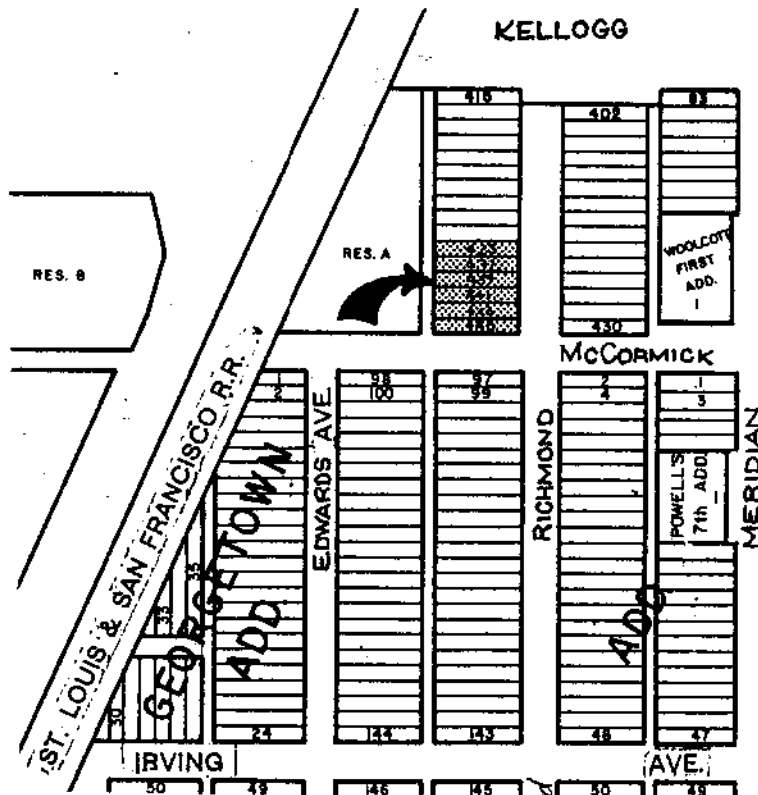
OWNER/APPLICANT: Beaver Express Service/Duane Frech, V.P.
AGENT: Mark A. Savoy

REQUEST: Exception to permit expansion of an off-street parking lot.

CURRENT ZONING: "A" Two-Family Dwelling District

SITE SIZE: 130' x 140'

LOCATION: NW corner of Richmond and McCormick



JURISDICTION: The Board has jurisdiction to consider this request under the provisions outlined in Section 2.12.590.C, Code of the City of Wichita. The Board may grant the exception, provided the conditions set out in Section 28.04.145 can be complied with.

BACKGROUND: In 1974, a parking lot use exception was granted for the south two lots of the current application area. The lot was to provide parking for employees of Winters Truck Line located in Reserve A west of the alley. At that time street dedications were required as conditions of BZA approval, but due to the limited size of the application area, the required right-of-way (20 feet) was obtained as a contingent dedication, based on the City's need for the right-of-way. The current application, submitted by a different trucking company now located west of the alley, excludes the south 20-foot contingent street dedication area. The remaining 130 feet provides ample area for parking 45 passenger vehicles as well as screening and landscaping as required by city codes. Two old driveway approaches which provided access to houses formerly on the lots will need to be closed during development of the property for parking purposes. All access to the parking lot will be from the alley. As the alley is now unpaved, it will need to be paved as part of the development of this parking lot. The applicant may petition for the paving or provide some other guarantee acceptable to the City Engineer.

A six-to-eight-foot solid wood fence or masonry wall shall be constructed on or near the north property line to screen the parking lot from the adjacent residential property. A three-to-four-foot solid wood fence or masonry wall shall be constructed at the setback line on Richmond (25') and McCormick (6'). The finished side of all fences shall face outward.

A total of at least 5 shade or 10 ornamented trees shall be planted outside the fences adjacent to the streets. A landscape/screening plan designating the type, size, and location of proposed trees and the type and height of fences or walls shall be submitted to the Secretary for review and approval within 60 days following approval of this use exception and prior to release of the resolution. Criteria for size and type of trees shall be as specified in the City's landscape ordinance. The method of providing water to the trees shall also be indicated. The areas between fence and curbs, except for mulched tree beds, shall be planted and maintained in grass or other acceptable ground cover.

ADJACENT ZONING AND LAND USE:

NORTH	"A"	One-Family Dwelling
SOUTH	"A"	One-Family Dwelling (mobile home)
EAST	"A"	Undeveloped & One-Family Dwelling
WEST	"E"	Truck terminal

RECOMMENDATION: Should the Board determine that expansion of an off-street parking lot is appropriate at this location, it is recommended that the exception be approved, subject to the following conditions:

1. The parking area shall be used for passenger vehicles only and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, materials or supplies. It shall not be used for the parking or storage of trucks used in the applicant's business.
2. Only such signs as are necessary for the proper operation of the parking lot shall be permitted.
3. In no case shall a fee be charged for parking facilities provided hereunder.
4. The off-street parking lot shall be paved with concrete, asphaltic concrete, or asphalt and shall be maintained in good condition and free of all weeds, dust, trash and other debris.
5. The parking area shall have adequate guards to prevent the extension or the overhanging of vehicles beyond property lines or parking spaces; and the parking area shall have adequate markings for channelization and movement of vehicles.
6. If lighting facilities are provided, they shall be arranged so as to direct or deflect light away from adjacent residential properties. Light poles shall be no taller than 15 feet and shall have full cut-off light fixtures to direct the light downward.
7. The applicant shall guarantee the paving of the alley adjacent to this application site and south to McCormick. Unless petitioned for, the alley shall be paved as part of the development of this expanded parking lot.
8. During development of this expanded parking lot, the two existing driveways onto Richmond Street from the site shall be removed and the curb replaced.
9. A six-to-eight-foot solid wood fence or masonry wall shall be constructed on or near the north property line to screen the parking lot from the adjacent residential property. A three-to-four-foot solid wood fence or masonry wall shall be constructed at the setback line on Richmond (25') and McCormick (6'). The finished side of all fences shall face outward.
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