



EXHIBIT

**Eby Construction Parking
600 Block of North Main**



SCALE: 1" = 60'



Baughman
ENGINEERING | SURVEYING | PLANNING
LANDSCAPE ARCHITECTURE

available.

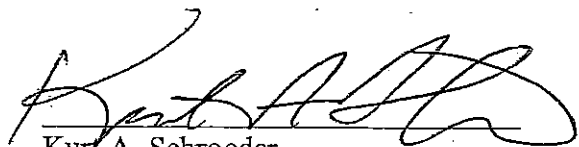
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on uses in surrounding areas as a result of the reduction of the parking requirement, as sufficient parking should be provided on-site with no resulting off-site parking need being generated by the proposed use that would utilize parking provided for adjacent uses. The total number of available parking in the immediate area is not being reduced, just the allocation of parking for specific buildings.
- 3) Compatibility with existing or permitted uses on abutting sites: Reduction of the parking requirement should not compromise existing or permitted uses on abutting 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 Buildings #600 and #604 from 66 spaces to 59 spaces for the aforementioned property is hereby granted, subject to the following conditions:

- 1) The parking area shall be paved and marked in general conformance with the approved site plan.
- 2) 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: Russ Ewy, Baughman Company, P.A., 315 Ellis, Wichita, KS 67211
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Herb Shaner, Office of Central Inspection



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

***REVISED LETTER**

November 22, 2005

James R. Grier
Martin K. Eby Const. Co., Inc.
ECCO Development Corp.
610 N. Main
Wichita, KS 67201

Re: BZA2005-72: Zoning Adjustment to reduce the parking requirement by 10% from 66 to 59 spaces for Buildings #600 and #604, and distribute the remaining 195 parking spaces to Building #610.

Legal Description: Even numbered lots 34 through 60 on Main Street, the N ½ of Lot 35, and all odd numbered lots 37 through 47 and odd numbered lots 57 through 63 on Market Street, and all even numbered lots 36 through 40 and all even numbered lots 48 through 56 on Market Street, all in Munger's Original Town Addition. East and west of Market, between Pine Street and Elm Street.

Dear Mr. Grier,

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 reallocate 254 parking spaces between three buildings, reducing one building's pro-rata share by 10%. Your application indicates that the pro-rata share for Buildings #600 and #604 is 66 spaces; you have requested a Zoning Adjustment to reduce that parking requirement from 66 spaces to 59 spaces.

Sec. V-I.2.i. of the Unified Zoning Code allows an adjustment to reduce the parking requirement by up to 10 percent 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: Flexibility is provided within the Code to allow for minor reductions of the parking requirement to encourage redevelopment of existing sites. The extent of the parking requirement reduction is within allowable limits; therefore, sufficient on-site parking should be provided such that on-street parking for the proposed use should not exceed the amount of on-street parking