



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

October 23, 2002

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

Re: BZA2002-00045: Zoning Adjustment to allow parking in the front and street side setbacks on property zoned "MF-29" Multi-Family Residential.

Legal Description: Lot 1, Block A, Hamilton Middle School Addition, Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of Broadway and Zimmerly (1407 S. Broadway).

Dear Mr. Hoover:

We have reviewed your request for a Zoning Adjustment to allow parking in the front and street side setbacks on the aforementioned property. We understand that you plan to construct 64 parking spaces on-site to meet 75% of the off-street parking requirement for the expansion of Hamilton Middle School. We further understand that the remaining 25% of the off-street parking requirement will be met off-site through a parking lease agreement. Since the on-site parking area includes parking within the front and street side setbacks no closer than 8 feet from the property lines, you have requested a Zoning Adjustment. We understand that you propose parking within the front and street side setbacks in order to preserve as much land as possible for use as a playground.

Sec. V-I.2.1. of the Unified Zoning Code allows an adjustment to permit parking in residential districts to be located within required front and street side setbacks, but in no case closer to the property line than 8 feet, when the conditions required by Sec. V-I.6. of the Code are met. We find that allowance of parking within the front and street side setbacks no closer than 8 feet from the property lines meets the four conditions required by Section V-1.6 of the Unified Zoning Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: Providing additional off-street parking may improve the safety and convenience of vehicular and pedestrian circulation in the area by reducing the number of vehicles parking along the street. Sufficient open space between the parking area and the property line will remain to prevent vehicles from encroaching upon the sidewalk.
- 2) Impact on existing uses in surrounding areas: There should not be a negative impact on the existing uses in the surrounding areas as a result of parking within the setback as no residential front yards

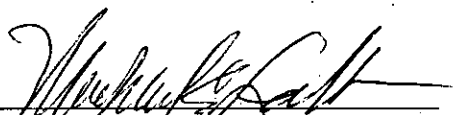
are located adjacent to the parking areas, and the parking areas will be appropriately screened and buffered from adjacent residential uses.

- 3) Compatibility with existing or permitted uses on abutting sites: Schools and associated accessory uses such as parking are permitted in residential zoning districts, and the allowance of parking within the setback should not compromise existing or permitted uses on abutting sites due to the minor nature of the encroachment of the parking area into the setbacks and the provision of landscaping for the parking lot.
- 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.

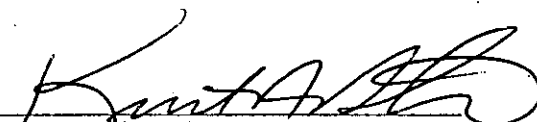
Our signatures below indicate that a Zoning Adjustment to allow parking in the front and street side setbacks, but no closer than 8 feet from the property lines, is hereby granted subject to the following conditions:

- 1) The parking area shall be developed in accordance with the approved site plan.
- 2) All parking areas shall be paved and marked.
- 3) Per Sec. IV-A.10.d. of the Unified Zoning Code, an attested copy of the off-site parking agreement shall be submitted to the Register of Deeds for recordation and proof of recordation of the agreement shall be submitted to the Office of Central Inspection.
- 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 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.



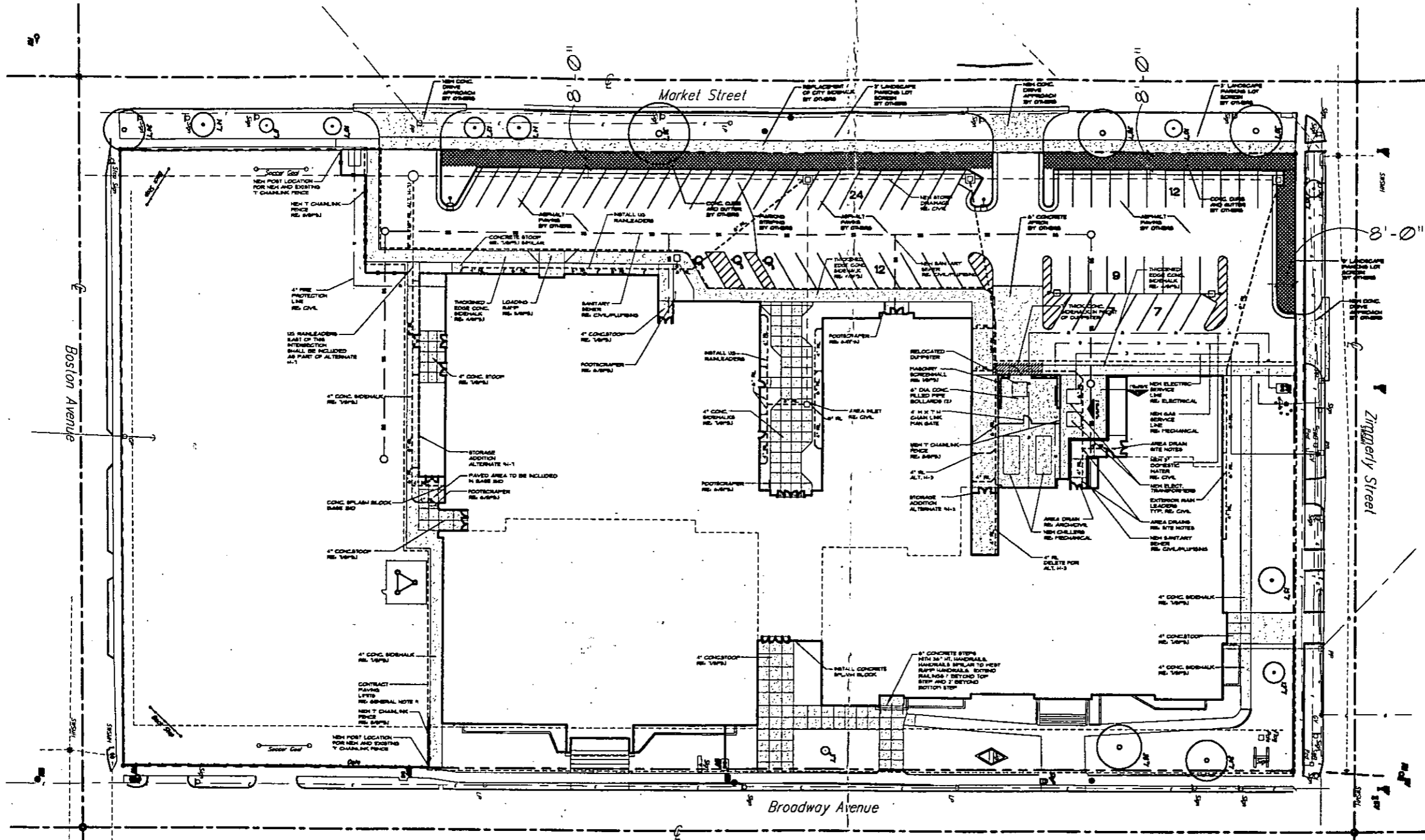
Michael E. Lindebak
Planning Director



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



(A) SITE PLAN

GENERAL NOTES AND CODE INFORMATION

1. CONTRACT PAVING LEGEND INDICATES LIST OF PAVING BY GENERAL CONTRACTOR AND/OR SUBCONTRACTOR. ANY PAVING LOCATED OUTSIDE OF THE CONTRACT PAVING LEGEND AND ASSOCIATED CONSTRUCTION DOCUMENTS SHALL BE THE RESPONSIBILITY OF UAD, INC. AND/OR THEIR CONSULTANT/AGENT.
2. STAFF PROVIDED PLUS 10 VISITOR STALLS - NO PARKING STALLS REQUIRED BY STALLS PROVIDED. A VARIANCE IS REQUIRED FOR PARKING REDUCTION. UAD, INC. OR THEIR AGENT/CONSULTANT WILL BE REQUIRED TO SUBMIT AN APPLICATION TO THE PLANNING DIRECTOR. CONTACT SCOTT KENNEDY WITH THE CITY OF WICHITA FOR ADDITIONAL REQUIREMENTS. APPROXIMATE FILLS PER 100 (VADDPY 102)
3. ALL CONCRETE SLABS AND STAIRS AT DOORWAYS SHALL BE THICKENED TO 6" AND FINISHED INTO ROOMS AT 3" O.C.
4. FOR ALL UNDERGROUND RAIN LEADERS REFERENCE W/143 FOR DOWNSPOUT BOOT DETAIL.
5. EXTERIOR AREA DRAINS ARE TO BE 2" DIA. 2" DIA. 4" OUTLET GALVANIZED WITH VANDAL PROOF TOP.
6. THE FOLLOWING LOCATIONS SHALL HAVE THE INDICATED REINFORCING:
 - A. THICKENED EDGE CONCRETE SLABS - 8#3-14'S X 14'S HPF
 - B. 4" CONCRETE SLABS - 8#3-14'S X 14'S HPF
 - C. 1" CONCRETE - 8#3-14'S X 14'S HPF

DLR Group
Architecture Engineering Design
MCCLEGGAGE VAN SICKLE & PERRY



HAMILTON MIDDLE SCHOOL
1407 SOUTH BROADWAY
WICHITA, KS 67211

PROJECT NO. 18004
DATE: JUNE 11, 2009
REVISED: JULY 29, 2009

B7A2007-0004S

SITE PLAN

APPROVED 10-23-07 BY

PLAN