

DR 75-28 - Possible amendment to
Zoning Ordinance - Re: Off-street
parking for the physically handi-
capped.

M.A.P.C.
M.A.P.C. Discussed 3 weeks 10-29-75
B.C.C./B. Held in abeyance 11-13-75
BCC CO. C. Refused Law 1-13-76
Appr - 1st Reading 1-20-76

ACTION

COMMITTEE _____ DATE _____

M.A.P.C.	<u>Deferred 2 weeks</u>	<u>10-9-75</u>
M.A.P.C.	<u>Hold in abeyance</u>	<u>10-28-75</u>
B.C.C./B. CO. C.	<u>Deferred 1 week</u>	<u>1-13-76</u>
BCC	APPR - 1 st Reading	1-20-76

DR 75-28 - Possible amendment to
Zoning Ordinance - Re: Off-street
parking for the physically handi-
capped.

WICHITA-SEDGWICK COUNTY

DATE 1/9/76

METROPOLITAN AREA PLANNING DEPARTMENT

TO Robert A. Lakin, Director of Planning
FROM Bruce A. Curfman, Junior Planner, Advance Plans
SUBJECT ARCHITECTURAL BARRIERS TO THE HANDICAPPED

Yesterday during our meeting of the Committee for the Transportation Needs of the Handicapped, we discussed some preliminary results of our survey of social service agencies in Sedgwick County. Of the 105 agencies and nursing and care homes receiving the survey, 41 have responded in writing to date (several verbally). One of the items discussed was the number of wheelchair bound clients served by these agencies.

I am bringing this information to your attention because of the upcoming item on Tuesday's City Commission agenda regarding Architectural Barriers to the Handicapped. At our meeting both Bill Standrich (Urban Renewal/Kansas Paralysis Chapter) and Peggy Petke (Kansas Easter Seals Society) stated that they felt this information, however preliminary, was significant enough to be made known. These figures, or some figures of their own, may therefore be quoted at Tuesday's meeting.

Of the 41 agencies responding, 26 indicated that they serve some wheelchair bound persons. The total number of wheelchair bound individuals indicated by the 15 agencies supplying specific figures was 535. Eleven agencies indicated that they did serve some handicapped individuals, but did not provide a specific figure. The Sedgwick County Heart Association estimated that in Sedgwick County 300 heart or stroke victims alone were in wheelchairs.

Although there is obviously some duplication and referral between agencies (as noted in our survey results) this is probably counterbalanced by the agencies which have not supplied specific figures. Therefore, based on our preliminary information from a 40% return, we could estimate over 500 wheelchair individuals affiliated with these 41 agencies. We might also assume, once the remaining survey forms are accounted for, that an additional 200 or 300 wheelchair bound persons would bring the total served by agencies in Sedgwick County to 700 or 800+ wheelchair bound persons.

Of course, the best data won't be available until this summer when the results from the handicapped question on the Annual Enumeration is tabulated. This should give us a better figure for total wheelchair bound persons in Sedgwick County, not just those served by or affiliated with some group or agency. At that time we will also have data on the number of persons using walkers and other walking aids.

Bruce A. Curfman
Bruce Curfman
Junior Planner
Advance Plans

*71 vehicles
registered w/ wheelchair tax.*

BC:rh

cc: Willard L. Stockwell
Glen Lytle

ORDINANCE NO. _____

AN ORDINANCE RELATING TO THE REQUIREMENTS FOR OFF-STREET PARKING; AMENDING SECTION 28.04.141 OF THE CODE OF THE CITY OF WICHITA, KANSAS; TO REQUIRE DESIGNATED PARKING SPACES FOR THE PHYSICALLY HANDICAPPED.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

Section 28.04.141 of the Code of the City of Wichita, Kansas, is hereby amended by adding the following:

- "4. On all off-street parking areas of 50 or more spaces, in any zoning district, serving uses or buildings that are required by the City of Wichita building code to be accessible to the physically handicapped by ramps, there shall be provided not less than one designated space for the physically handicapped. Whenever the number of spaces exceeds 150, there shall be designated for the physically handicapped not less than one space plus one additional space for each 300 off-street parking spaces or major fraction thereof. Each designated space shall be located in close proximity to the use or uses it serves. Each designated space shall be appropriately marked with paving marking materials and shall conform to the design standards of the Traffic Engineering Division of the City of Wichita."

This ordinance shall be included in the Code of the City of Wichita, Kansas, and shall take effect upon its passage and publication once in the official city paper.

ADOPTED at Wichita, Kansas, this ____ day of _____, 1976.

Connie A. Peters, Mayor

ATTEST:

Donald C. Gisick, City Clerk

APPROVED AS TO FORM:

John Dekker, Director of Law

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Disabled get parking

(Photo on Page 12B)

An ordinance that requires designated parking spaces for the handicapped - in all kinds of parking lots - was adopted this morning by the Wichita City Commission.

Commissioners also established an ad hoc committee to study the city's building code regulations relating to requirements for facilities for handicapped in buildings.

In a discussion between members of the city-county planning commission, who attended the meeting, and representatives of organizations for the handicapped, it was obvious the debate involved different issues.

Planning commissioners wanted changes in the building code.

Those supporting the handicapped parking were discussing using the zoning ordinance to provide the parking.

Despite explanations by the city manager, the director of planning and central inspection officials, the planning commissioners failed to recognize the distinction.

Dave Bayouth, chairman of the planning commission, said he was not opposed to the parking requirements but thought there should be changes in the building code.

He recommended the parking requirements be delayed until the building code could be amended.

Leland Johnson, a central inspection division official, said amendments to the building code are scheduled to be presented to the commission next month.

He said the changes in the building code would have no effect on the zoning requirements in the zoning ordinance.

Off-street parking requirements are in the city's zoning laws. The provision to designate spaces for handicapped persons also would be included in the zoning ordinances.

The amendment adopted today would require one space for the handicapped in parking lots with more than 50 spaces.

Two spaces would be required in

lots with more than 150 spaces and then one additional designated space for each 300 additional spaces.

The planning commission wanted the building code changed and were using the parking issue as a lever.

The requirements for restroom facilities are too strict, some of the planning commissioners claimed.

Central inspection officials agreed and said they had proposed changes in that requirement.

Some of the planning commissioners also suggested the required ramps into buildings made construction projects too expensive.

In discussing the ramps, the confusion began.

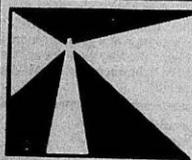
The building code requires ramps from the sidewalk to the building.

The zoning ordinance commissioners adopted requires ramps from the parking lot to the sidewalk.

Vice-Mayor John Stevens opposed the ramps into buildings and voiced opposition to "ramps" when discussing the ramps from the parking lot to the sidewalk.

Stevens offered the motion to establish an ad hoc committee and Commissioner Jack Shanahan amended the motion to include the zoning ordinance.

The motion was adopted with Commissioner Tony Casado opposed.



Wichita Beacon

Weather

Clear and warmer tonight and
Wednesday. Low 20s. High 40s.

Weather map on 2A

Tuesday

January 20, 1976

Wichita, Kansas 67201

Volume 104 No. 13

22 pages 2 parts 15¢

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Connie A. Peters, Mayor

ATTEST:

Donald C. Gisick, City Clerk

APPROVED AS TO FORM:

John Dekker, Director of Law

Model Building Code Amended

By Denny R. Wood

Revised 1-9-76
from
B.H. Stanbroch.

I arrived at the Hyatt Regency Hotel in Nashville, Tennessee on November 1st, to attend the Southern Standard Building Code Congress that would last for five days. This meeting was where the package on accessibility was to be voted up or down. As I began to get on an elevator I met a man in a wheelchair. I asked him if he was here for the accessibility package. He said no, but that he was a local attorney and that he was attending another function. I explained my purpose and asked him if he could come help lobby with me. He stated that the package on accessibility was long over due and further added he couldn't even get in to the Nashville courthouse. I never saw him again. I did give him a copy of ACHIEVEMENT.

I then started looking for other people in wheelchairs who came to support the accessibility package. I couldn't find any, not a single disabled individual from any of the 21 states affected by the proposed legislation. Not one single member or representative of the National Paraplegia Foundation, the Paralyzed Veterans Association, the Disabled Veterans of America or any other national organization. The National Easter Seal Society and the National Rehabilitation Association failed to materialize. I guess the Barrier Free Design Conference being held in Louisville, Kentucky for several days beginning on November 7th was too important to stop at the next state a few days earlier.

To make a long story short one other man in a wheelchair did come. He was a building official in a wheelchair named Frank Bozack. But he had come for the hearings on all the items and amendments on the busy agenda. Yet when the going got tough on the floor, Frank had something to say and it helped. And the going got tough as opposition speakers stood and spoke in opposition of the package. But ready were others, they stood and spoke for disabled persons who were themselves absent. As the discussion began to close, I was frightened as I saw the whole package was in danger of being voted down. And I made a closing statement, unrehearsed, as it was an effort to refute much of the opposition arguments against the package.

The vote was then taken by voice. And the package passed amended only once by myself. I guess I should have felt good. I didn't. There were too many nay votes. A month has passed and I can still hear those.

Special thanks goes to the leadership of the Southern Standard Building Code Congress. The Executive Director, W.G. Vasvary and his staff were exceptionally cooperative and under Mr. Vasvary's leadership present a posture of helpfulness for the disabled/handicapped of the states using the Southern Standard Building Code. Mr. Vasvary has moved quickly to eliminate many of the problems encountered in N. Carolina when an accessibility package was passed on a state level. He is preparing a handbook similar to the one N. Carolina has been using.

Special thanks for advocacy also goes to Paul Murray and the fine Florida Easter Seal Society for Crippled Children and Adults, who again saw that expenses were met over and above the travel expense that was paid for by the Florida Board of Building Codes and Standards. This funding is an example of "helping the disabled/handicapped help themselves", which should be the goal of all national organizations of professionals engaged in the business of working with the disabled/handicapped.

I fully believe that all model codes can be amended in 1976. And I have a plan for doing that too. The Florida Board of Building Codes & Standards, which I serve on, is developing a package on accessibility. It will be ready in January. In the August issue of ACHIEVEMENT I stated that I was willing to amend these codes if funded. Funded in travel and only expenses. But I also expect some help from disabled/handicapped individuals who know something about building codes effectively. Never again do I want to find myself alone at a model code hearing.

*The Southern Standard Building Code was amended in the same hearings to be called Standard Building Code. The Standard Building Code is spreading to all areas of the nation and really isn't "Southern" anymore.

THE AMENDMENT:

PROPOSED: FLORIDA COUNCIL OF HANDICAPPED ORGANIZATIONS, INC.

SECTION 502—ACCESSIBILITY FOR THE PHYSICALLY DISABLED AND/OR HANDICAPPED

502.1—APPLICATION

The requirements of this section shall apply to all levels and areas of buildings and structures used by the general public, and to all entrances, passageways, and exits for any reason and in all occupancies.

502.2—STANDARDS

(a) The Standard Building Code and Facilities Accessible to and Usable by the Physically Handicapped, ANSI A117.1, is hereby adopted and the mandatory requirements thereof, including the word "shall" as well as those set forth in this Section, shall be provided.

(b) The term "Accessible" as used in this Section, shall be construed to elaborate upon and include, in addition, the following:

(1) Paths shall be provided for the physically disabled and/or handicapped and shall be clear, unobstructed, and free of any abrupt changes in elevation.

(2) Paths, where provided along such paths, shall slope not more than one inch vertically in thirty inches, or four degrees and 3/4 inches.

(3) Curbs located in such paths shall be not less than 44 inches between walls.

(4) Walk-through swinging doors shall be not less than 22 inches in width where single.

(5) All other walk-through openings shall provide not less than 28 inches in clear width.

(6) "Recessed" provisions included in the Standard shall not be construed to be mandatory.

502.3—MEASUREMENTS

(1) Buildings of all occupancy classifications except Group H (Hazardous) and Group I (Institutional) shall comply with the provisions of this section.

(2) Accessibility to such buildings shall be provided from rights-of-way and parking areas by means of curb-cuts and/or ramps to at least one entrance generally used by the public and from such entrance to elevators where provided.

(3) Accessibility shall be provided in such buildings through at least one of the required means of access to each floor and at ground level.

(4) (a) Except as provided for single-tenant occupancies, at least one restroom for males and one for females on each floor shall be accessible, be marked by readily visible signs or symbols generally recognized by persons in wheelchairs and each shall be provided with at least one accessible toilet stall.

(b) Access to such restrooms shall be marked by similar signs or symbols in all cases where the accessible restrooms are not immediately visible from all public areas on each floor.

(5) Abrupt changes in level of doorways to such restrooms shall be ramped.

(6) SPECIFIC: (1) Restroom vestibules providing access or a series of doors shall have unobstructed width or not less than four feet and unobstructed length of not less than five feet.

(2) Restrooms made accessible shall provide an unobstructed passage 44 inches wide for wheelchairs to approach accessible toilet facilities and a space not less than five by five feet for 180 degree turns.

(3) Group R Occupancy facilities such as gyms, patios, saunas, rooms, recreational buildings, laundry rooms and similar areas provided for the use of all residents of such occupancies and their guests shall comply with the provisions of this Section.

(4) Elevator car controls used by the public shall have figures and letters at least one-half inch high raised letters with square edges as well as adjacent Braille symbols for identification by the blind.

(5) Every floor level shall have figures at least one and one-half inches high raised at least 3/32 inches with square edges located five feet above the floor on the right hand of elevator entrances as well as adjacent Braille symbols for identification by the blind.

502.4—EXCEPTIONS

(a) General: In building maintenance and storage areas, where only employees have access to enter and the work within such areas cannot reasonably be performed by the handicapped, the provisions of this Section need not apply unless such areas provide the only path of egress between areas normally used by the handicapped.

(b) Groups B and C Occupancies: Buildings with 5,000 square feet or less per floor, having accessibility to all levels, shall not be required to comply with the provisions of this Section at floors above such levels, except where necessary to provide an elevator is provided.

(c) Group R Occupancies: (1) Two-story and three-story buildings with less than 40 units, having accessibility to all levels, shall not be required to comply with the provisions of this Section at floors above such levels except where an elevator is provided.

(2) Within living units, hallways having no walk-through openings in the sidewalls may be less than 42 inches wide but shall be not less than 36 inches wide.

(3) Within living units, toilet rooms providing 28 inch passage need not comply with the Standard referenced in Paragraph 502.3 (a) except as set forth in Sub-paragraph 502.3 (a) and 502.3 (1) (1).

(4) Toilet rooms not having depth of seven (7) feet open space or a burning space of four (4) feet by five (5) feet shall have doors that swing outward if swinging doors are used.

502.5—OTHER SPECIFIC REQUIREMENTS

(a) Where mirrors are provided, at least one shall be installed so that the bottom of the mirror is within 48 inches of the floor.

(b) Where towel and disposal fixtures are provided, at least one shall be within 40 inches of the floor.

(c) Water Fountains: Where water fountains are provided, at least one shall have a spout within 22 inches of the floor and shall have up-front, hand operated controls. When fountains are located in an alcove, the alcove shall be not less than 22 inches in width.

(d) Iron posts not used for structural support or similar barricades of common or emergency entrances and exits of existing, under construction or under contract for construction establishments shall be removed or a physically handicapped person from using such entrances and exits shall be removed.

502.6—PARKING LOTS AND BUILDING APPROACHES

A parking lot servicing each entrance described in Section 502.3 shall have a number of level parking spaces as set forth in the following table identified by blue grade signs as reserved parking spaces shall be not less than twelve (12) feet wide.

Total Parking in Lot	Required Number of Accessible Spaces
up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	8
301 to 400	10
401 to 500	12
501 to 1000	2%

2% of Total 20 plus 1 for each 100 over 1000

Parking spaces for the physically handicapped shall be located as close as possible to elevators, ramps, sidewalks, and entrances. Parking spaces should be located so that physically handicapped persons are not compelled to walk or walk behind parked cars to reach entrances, ramps, sidewalks and elevators.

502.7—SEATING ACCOMMODATIONS

Places of assembly with fixed seating arrangements shall provide viewing positions for persons in wheelchairs in accordance with the following schedule:

Quantity of Assembly Spaces	Number of Viewing Positions
up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	8
301 to 400	10
401 to 500	12
501 to 1000	2%

2% of Total 20 plus 1 for each 100 over 1000

Viewing positions for persons in wheelchairs shall be provided in a reasonable and convenient section or sections of the facility by one of the following methods:

(a) By providing portable seats which can be easily removed;

(b) By providing clear space devoid of any portable or fixed seating arrangements.

These positions shall be located as far as not to interfere with persons from any row of seats, shall be provided by means of ramps and/or elevators, and shall be in line with aisle requirements.

There shall be no steps in the aisles or in the access route used by the physically handicapped to reach the particular viewing position, but the aisles may be inclined according to the provisions of Section 1119 (1).

502.8—TELEPHONES

Where public telephones are provided, at least one shall be installed so that the handset, dial and coin receiver are within 48 inches of the floor. Unobstructed access within 12 inches of the telephone shall be provided. Such units shall be not less than 30 inches in width.

WICHITA-SEDGWICK COUNTY

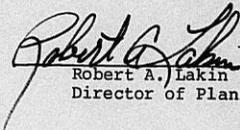
DATE

January 8, 1976

METROPOLITAN AREA PLANNING DEPARTMENT

TO Wichita-Sedgwick County Metropolitan Area
Planning Commission
FROM Robert A. Lakin, Director of Planning
SUBJECT DR 75-28 - Possible Amendment to the Zoning Ordinance
Re: Off-street parking for the physically handicapped

For your information, this possible amendment to the zoning ordinance and the MAPC recommendations will appear on the City Commission agenda on Tuesday, January 13, 1976. This has been scheduled to be discussed at 1:30 p.m.


Robert A. Lakin
Director of Planning

RAL:GEL:rme

Handed to Commission
1-8-76
by RAL
GEL

January 8, 1976

Wichita-Sedgwick County Metropolitan Area
Planning Commission
Robert A. Lakin, Director of Planning

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RAL:GEL:rme

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

January 5, 1976

TO Ralph Wulz, City Manager
FROM Robert A. Lakin, Director of Planning
SUBJECT DR 75-28 - Possible Amendment to Zoning Ordinance
Re: Off-street parking for the physically handicapped.

BACKGROUND

At the direction of the City Manager, the staff prepared an amendment to the zoning ordinance requiring that appropriate sized off street parking spaces be provided and designated for use by the physically handicapped. This amendment was advertised and a public hearing was held before the Planning Commission on October 9, 1975. At the request of the Chairman, and with the consent of the representatives of the Kansas Paralysis Chapter, the hearing was continued to the meeting of November 13, 1975.

Attached hereto are copies of the information that was furnished to the Planning Commissioners prior to the public hearings. Also included are copies of excerpts from the Planning Commission minutes on the above-mentioned dates.

SUMMARY

It was recommended by the Planning Department that Proposal "B" be forwarded to the City Commission with a recommendation for adoption. This would require spaces being designated for the physically handicapped only on parking lots of 50 or more spaces when the building, the parking area serves, is required to be accessible to the physically handicapped by the building code. The requirement would be increased to two designated spaces on parking areas of over 150 spaces, and then one additionally designated space for each 300 additional parking spaces.

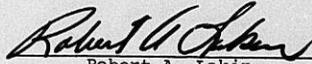
A motion of the Metropolitan Area Planning Commission to recommend the adoption of Proposal "B" resulted in a tie vote (3 to 3), with one abstention. A motion to hold in abeyance any action on the amendment to the zoning ordinance carried by a vote of 4 in favor, 2 opposed and one abstained.

The Planning Commission, by a vote of 4 to 3 has recommended that the City Commission appoint an ad hoc committee to study the requirements of the building code as it relates to the physically handicapped. A representative of the MAPC will attend the City Commission meeting so that their recommendation can be fully explained as to the problems that they see.

Ralph Wulz, City Manager
January 5, 1976
Page 2

RECOMMENDATION

Take whatever action the Commission deems to be in the best interest of the public.



Robert A. Lakin
Director of Planning

RAL:GEL:rme
Attachment

cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Superintendent of Central Inspection
Paul Graves, City Traffic Engineer
David Bayouth, Chairman, MAPC
Metropolitan Area Planning Commission
Representatives - Kansas Paralysis Chapter

January 5, 1976

Ralph Wulz, City Manager

Robert A. Lakin, Director of Planning

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SUMMARY

It was recommended by the Planning Commission that the amendment be forwarded to the City Commission for adoption. This would require that when the building, the parking area be physically handicapped only on accessible to the physically handicapped. The requirement would be increased to parking areas of over 150 spaces designated space for each 300 spaces.

A motion of the Metropolitan Area Commission for the adoption of Proposal "B" received one abstention. A motion to hear the amendment to the zoning ordinance received two opposed and one abstained.

The Planning Commission, by a vote of 4-1, recommended that the City Commission appoint a representative of the physically handicapped to the Commission meeting so that the representative could explain as to the problems that

COPIES MAILED TO:
ALL MAPC MEMBERS

FELDNER

BRUGEMANN

GRAVES

DELBERT CLARK

BILL STANDRICH

MS PEGGY FATTKS

1-6-76

January 5, 1976

Ralph Wulz, City Manager

Robert A. Lakin, Director of Planning

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Ralph Wulz, City Manager
January 5, 1976
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RECOMMENDATION

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Robert A. Lakin
Director of Planning

RAL:GEL:rme
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cc: Ray Bruggeman, Director of Public Works
Robert Feldner, Superintendent of Central Inspection
Paul Graves, City Traffic Engineer
David Bayouth, Chairman, MAPC
Metropolitan Area Planning Commission
Representatives - Kansas Paralysis Chapter

EXCERPT FROM PLANNING COMMISSION MINUTES OF NOVEMBER 13, 1975

32. DR 75-28 - Continuation of public hearing for consideration of an amendment to the City zoning ordinance Re: Off street parking for the physically handicapped.

LYTLE reviewed the following staff report which had been submitted to the Commissioners prior to the meeting:

Attached hereto is a copy of the memo dated September 23, 1975, setting forth the background on this subject as has been previously furnished to you. Also attached are two revised proposals marked "A" and "B" and dated October 13, 1975, that have been prepared as a result of the MAPC public hearing on October 9, 1975.

The action of the MAPC on October 9 was to continue the public hearing for two weeks. At the request of the Chairman, and with the concurrence of the two representatives of the Kansas Paralysis Chapter that were in attendance at the public hearing, this item has been continued to the meeting of November 13, 1975.

The possible amendment that was discussed on October 9, 1975, would apply to all parking areas of 50 or more spaces on the same basis as is now required for any provision of the zoning ordinance. It would be applicable to: 1) all new buildings; 2) a change of use in an existing building; and 3) to any existing building that is expanded or structurally altered to increase capacity.

It was the apparent consensus of the Planning Commission at the October 9 hearing that this requirement should be applicable only to new structures. An amendment marked Proposal "A" is written to apply only to new structures.

In discussing the requirements of the building code with Mr. Feldner, and Mr. Riddel of the Central Inspection Division, they indicated that ramps (or other means such as elevators), would be required for the physically handicapped on all buildings as indicated on the attached Table 33-A of the 1973 Uniform Building Code in accordance with the following:

1. On all new buildings.
2. Whenever the occupancy is changed on an existing building.
3. To all existing buildings where additions are attached and become part of the existing building, and
4. To any addition to an existing building that is not a part of the existing building.

The MAPC has no direct authority in regard to the requirements of the building codes. However, should the MAPC feel a change is

needed, their comments should be made to the Board of City Commissioners for their consideration and possible referral to the appropriate board.

Proposal "B" has been prepared to be concordant with the existing ordinances and would require the designation of spaces for the physically handicapped on all off-street parking areas of 50 or more spaces whenever the uses or buildings are required by the City of Wichita Building Code to be accessible to the physically handicapped by ramps.

RECOMMENDATION: It is recommended that Proposal "B" be forwarded to the City Commission with a recommendation for adoption.

LYTLE pointed out that of the two proposals submitted (A and B), Proposal (A) would apply only to new structures where off-street parking was 50 or more spaces, whereas Proposal (B) is written to coordinate with the requirements of the building code, which does set out the various types of buildings which requires accessibility (ramps or elevators) for the handicapped. If occupancy of a building changed to an occupancy not in the same category, then accessibility would be required as a part of the building code. Also, accessibility would have to be provided to all existing building where additions are made. In the case of an addition separated by a firewall, ramps would be required only to the new portion of the building, as presently being required by the building code.

In light of the building code requirements, LYTLE said Proposal B was prepared as related to off-street parking where 50 or more spaces are provided for serving uses or buildings (that are required under the building code to be accessible to the physically handicapped by ramps) to designate not less than one parking space for the physically handicapped. Thus, Proposal B is coordinated with the building code and as the building code changes, then the requirements under Proposal B would also change.

SAVINA asked if the handicapped law was in effect now and when being told that it was, he asked if it was appealable, and whether or not the commission could obtain information as to whether it is under appeal. LYTLE said any such appeal would be considered by the Board of Examiners and Appeals (Building Code), and that an appeal could be made in any particular instance as to whether compliance should be required in all respects because of certain restrictive problems or absolute prohibitive costs involved, but LYTLE did not know of any such appeal having been made. GALBRAITH said that the Planning staff would usually not be aware of an appeal on the Building Code but that it could be checked. SAVINA felt that such information might be important to know before the Commission acted on the subject matter.

LYTLE pointed out that if any such requirement was appealed and requirements changed, then requirements of Proposal B, (if adopted) would not apply in any occupancy not required by the

building code. He emphasized that the subject being considered is primarily related to designation of spaces in a parking lot and a ramp up a 6" curb to lead into a building, and the rest is already covered by the building code.

For further clarification, PORTER commented that Proposal B fits the building code and that spaces are required where ramps are already required, whereas in Proposal A, some buildings that require ramps and have them, would not have to necessarily provide marked spaces on the parking lot. LYTLE agreed that Proposal A says specifically only for new buildings and the only ramps involved would be from the parking lot onto a sidewalk leading into the building.

CHAIRMAN BAYOUTH asked what this Commission could do to have the requirements of the building code reviewed by an ad hoc committee. LYTLE said the Commission could make a recommendation to the City Commission that the building code be studied, as the Planning Commission does not agree with the existing building code requirements. He pointed out, however, that the Planning Commission has no authority or jurisdiction on building codes.

MOTION: That the Planning Commission recommend to the City Commission that an ad hoc committee be appointed to study the building code, especially as related to the requirements for the physically handicapped. Savina moved, Hennessy seconded and it carried by a vote of 4 in favor (Savina, Hennessy, Bayouth and Collier) and 3 opposed (Porter, Kamen and Goebel). Taylor and Gragg were absent.

BAYOUTH thought that the code should be refined so everybody could "live with it" because the demands are too great. He did not think it was realized by all, the costs business would be experiencing and the hardships created for businesses.

PORTER pointed out that the only cost being discussed is whitewash markings on the parking lot. BAYOUTH felt that in view of the recommendation to the City Commission for an ad hoc committee, that there was no use to spend any more time on this subject.

PORTER was anxious to accept Proposal B, pointing out again that if the building code changes, then parking requirements for the handicapped would change, and all it does is match spaces to the building code and it would function automatically, and if Proposal B is accepted the matter would not have to be considered again. LYTLE advised the Commission that a recommendation on the proposed amendment has still not been made, and that this is a public hearing to consider the proposed amendment.

BAYOUTH thought the building code should be reviewed prior to action on the proposed parking amendment and before a public hearing. SAVINA thought the subject at hand should be deferred until the study is made.

PORTER did not see the point when the building code already exists and all that is proposed under Proposal B is to designate spaces so that the ramps and facilities already required for the physically handicapped can be utilized. She felt that the accessibility now required by the building code and not following through with the designated parking spaces for the handicapped would be costing the taxpayers money.

BAYOUTH said that he was concerned only about private property. PORTER asked why he was agreeing to ramps on the public places but didn't want it on private property. She continued that under the existing building code ramps are required to a structure and by not accepting Proposal B, the Commission is refusing to require designated spaces for the handicapped near the already required and built ramps, and she considered this a waste when businesses have already provided ramps or elevators.

SAVINA commented that marking the space is a simple matter, but it is what goes with it that is costly. PORTER argued that nothing goes with it under Proposal B. SAVINA thought there was more to the handicapped law and that there are some appeals now on file of the building code requirements.

PORTER suggested then that his protest has been registered, but in the meantime why not go ahead and approve Proposal B, which is merely marking spaces, and no great sum of money is involved if the building code is changed because Proposal B requirements will be changed to match the code automatically. LYTTLE reminded the Commission that Proposal B requires designation of spaces whenever a change is made in a facility that the building code would require access for the physically handicapped.

CHAIRMAN BAYOUTH suggested that if the building code is to be rewritten, why can't the parking matter being discussed be in the same ordinance, and asked why this should be approved and passed on to the City Commission. PORTER said there would be no need to ever go through it again because this is linked to the building code.

CHAIRMAN BAYOUTH noted that Mr. Clark (President of the Kansas Paralysis Society and who had spoke at the hearing on October 9, 1975), said that he (Bayouth) is taking this matter lightly, but BAYOUTH maintained that if he took it lightly, it would not be under discussion now, and continued that the only objection he has is that it is economically not feasible for the handicapped to ask the Commission to require every businessman in the City to provide what they want when there is just a small handful of handicapped people. He considered that such a requirement would be wasteful of money and fuel.

ED DRUMM, member of the Kansas Paralysis Society, asked why the Commission was still "stuck" on the building code. SAVINA said he considered the building code a part of the problem.

BAYOUTH commented that the handicapped wanted the Commission to consider their problem and it does, but the Commission members are to represent the taxpayers of the City, and require this for each unit of an apartment complex is a waste of time and money.

PORTER said maybe there should be a public hearing on the building code and get a better measure of public interest, but in the meantime Proposal B could be approved as it relates only to marking space on a parking lot and if the building code is changed, then requirements under Proposal B would be changed.

BAYOUTH, however, said there is no point in passing this, however, he pointed out that the Commission has not as yet taken action on the matter which was advertised for a public hearing as it is not a part of the above motion.

SAVINA said the whole parking scheme and building layout might have to be changed and he would rather wait and see what happens to the recommendation for an ad hoc committee, and Chairman Bayouth agreed.

LAKIN said he would hope that the City Commission would not direct a study of the building code to the Planning Department as the staff has no particular expertise in the field. There is a Board of Examiners and Appeals which makes recommendations on the building code and it would likely be referred to that body and how they would conduct a public hearing would be up to that group to decide. If it is referred to the Planning Department or Commission it would be the first time either would become involved in construction codes.

PEGGY FETTKE, representing Kansas Easter Seals Society, asked that the Commission discuss the proposal and make a motion one way or the other to get it to the City Commission.

MOTION: That the proposed amendment be held in abeyance. Savnia moved and Hennessy seconded.

GOEBEL asked why this matter was even before the Commission when it has never had anything to do with parking lots. He asked how it fit into zoning in that the Commission, for instance, does not tell people they have to put in paved parking lots.

LAKIN explained that while the Commission deals principally with zoning under Title 28 (zoning ordinance), the ordinance also deals with height, setbacks and land coverage, which requirements must be complied with when a building permit is obtained and construction occurs.

He pointed out that another part of the zoning ordinance relates to parking requirements for different type of uses. The zoning ordinance defines how large a parking space shall be; and that parking lots be hardsurfaced. It was his opinion that it is particularly appropriate for the Commission to be considering parking for the handicapped, and he pointed out also that spaces are reserved for truck, loading, etc., so the Commission does deal with this type of requirement as a part of the zoning ordinance. He stated that if it is to be in a City code, the zoning ordinance is the proper place, that it is not dealing with the building itself, outside doors or ramps, which is a part of the building code. He thought what is being considered is completely in line with what this Commission has required in the community for over 20 years, i.e., if anybody builds a new building, they must provide off-street parking and when an existing building is expanded, off-street parking must be provided for the expansion as well as the original building.

GOEBEL commented that this Commission isn't really supposed to pay any attention to the building size, and has nothing to do with the building code other than making parking lots a little bigger. He could see nothing wrong with doing this. This Commission never enters into how many parking stalls they have because that depends on the size and type of building.

LAKIN pointed out that the Commission sets the minimum standard for parking spaces in the zoning ordinance which is 200 square feet for each parking space.

GOEBEL suggested that stalls are of various sizes - some 9 feet, some 8 1/2 and some 10. LAKIN said a minimum is established by the Traffic Engineering Division, and Central Inspection must approve all parking areas to be in compliance prior to the issuance of a building permit.

PORTER thought Mr. Bayouth had a private "axe to grind", and BAYOUTH said people come to him questioning the fairness when they are required to have so many ramps.

PORTER said she felt like what is happening at this meeting is because Chairman Bayouth has a lot of anger about the whole building code and wants to hang it up.

LYTLE said apartments were mentioned in the earlier discussion, and he pointed out that the only time the building code requires ramps to any apartment project are when they are more than 3 stories in height, and the City of Wichita has very few of that height.

SUBSTITUTE MOTION: That the Planning Commission recommend to the City Commission that Proposal B which reads as follows, be recommended to the City Commission as an amendment to the zoning ordinance.

That Section 28.04.141 be amended by adding paragraph 4, to read as follows:

4. On all off-street parking areas of 50 or more spaces, in any zoning district, serving uses or buildings that are required by the City of Wichita building code to be accessible to the physically handicapped by ramps, there shall be provided not less than one designated space for the physically handicapped. Whenever the number of spaces exceeds 150, there shall be designated for the physically handicapped not less than one space plus one additional space for each 300 off-street parking spaces or major fraction thereof. Each designated space shall be located in close proximity to the use or uses it serves. Each designated space shall be appropriately marked with paving marking materials and shall conform to the design standards of the Traffic Engineering Division of the City of Wichita.

PORTER moved and KAMEN seconded.

COLLIER commented that if successful in getting the building code changed, then this will be automatic and they will go hand in hand.

VOTE ON SUBSTITUTE MOTION: Motion resulted in a moot vote, 3 in favor (Porter, Collier and Kamen) and 3 opposed (Hennessy, Bayouth, and Savina), Goebel abstained. Taylor and Gragg were absent.

GOEBEL said he abstained because he did not understand the building code. BAYOUTH said the only thing "we are asking is that they perfect it to where it is not ridiculous".

PORTER asked what happens to this amendment if the original motion to hold in abeyance is approved.

BAYOUTH said all that is wanted are a few changes in the building code after which this amendment can be reconsidered.

SAVINA thought to make a blanked authorization to put ramps everywhere for the handicapped was out of line, but that there should be a certain percentage. SAVINA understood that certain requirements of the building code with respect to the handicapped are under appeal, and he had received a letter stating that enforcement has been deferred for a certain period of time.

LAKIN asked the Commission to designate one or more of the members to attend the City Commission meeting when it is referred to that body, so that there could be adequate explanation of the position and to be sure the recommendation was conveyed in a light that the Commission desires it to be conveyed.

VOTE ON MOTION TO HOLD IN ABEYANCE. Carried by a vote of 4 in favor (Savina, Bayouth, Hennessy and Collier) and 2 opposed (Porter and Kamen). Goebel abstained. Taylor and Gragg were absent.

ED DRUMM said it was nice to see the ramp requirement in the building code, and the City has done a lot for the handicapped, and it seemed only sensible that there be parking close to the entranceways and ramps to sidewalks so they can be used. He asked why the Commission should become involved with the building code when all they are asking for is designated parking spaces.

BAYOUTH said it was because it is felt that the building code is a part of the problem.

DRUMM said the building code is already set and the proposed amendment merely provides for the number of parking spaces to be designated for the handicapped depending on the size of a parking lot. If the building is designed for use by the handicapped, it seemed only reasonable that the parking lot be designed in such a manner as to make it possible for the handicapped to use the facilities provided for them in the building.

GOEBEL said he agreed 100% on commercial buildings, but had not voted because of the apparent requirements as related to apartment buildings. GOEBEL understood that bathroom facilities for each apartment would have to be designed for the handicapped.

LYTLE pointed out that in the staff report, the Commissioners had been provided a copy of the table from the Uniform Building Code which indicated those uses that are required to be accessible by the physically handicapped, either by ramp or elevator, and Proposal B relates only to what is required to be accessible to the physically handicapped as required by the building code. One type of structure listed is apartments more than 3 stories in height or a hotel, and it does not refer to the requirements of the building code pertaining to toilet facilities for the handicapped which apparently is the appeal on file.

GOEBEL said he had understood from the discussion that all bathrooms have to be accessible and he asked if that was wrong. LYTLE said that Proposal B refers only to accessibility to the structure and says nothing about bathrooms.

CHAIRMAN BAYOUTH stated that the decision has been made.

BILL STANDRICH stated that he is a member of the Kansas Paralysis Society and works for the Urban Renewal Agency. He pointed out that Century II has ramps all the way around, but only this year have ramps been provided to get up the curb to the ramps into the building. So without the designation of parking space and curb ramps, the ramps related to the building cannot be used by the handicapped. He felt that Proposal B is stated so that there is no way of misinterpretation.

Excerpt from MAPC Meeting
of Oct. 9, 1975

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22. DR 75-28 - Public Hearing for consideration of an amendment to the City zoning ordinance Re: Off-street parking for the physically handicapped.

LYTLE reviewed the following staff report which had been submitted to the Planning Commissioners prior to the meeting:

Attached hereto is a copy of a proposed amendment to the zoning ordinance that has been advertised for public hearing at your meeting of October 9, 1975. This amendment will require that all parking areas exceeding 50 or more spaces provide and designate at least one space for the physically handicapped.

BACKGROUND

The Board of City Commissioners has expressed their desire to eliminate the barriers in the community to the physically handicapped. One step taken by the City Commission in the last two years was the modification of the curbs in the downtown area by providing ramps at intersections and at the alley crossings. The building code has provisions that require ramps to serve the physically handicapped in the majority of buildings.

The City Manager has requested that the zoning ordinance be amended to require that off-street parking spaces be provided and designated for the physically handicapped. In research for material or information on the proper number of spaces that would be provided, we find that definite standards have not been developed. The Traffic Engineering Division has, however, developed an appropriately sized parking space and a method of designation that has been used to identify such spaces near Century II, the library and at the Towne East Shopping Center.

We have attempted to analyze the use of the spaces provided at these locations to determine if the number adequately serves the purpose. We find that these designated spaces are not always utilized by the physically handicapped, and the number of spaces at Towne East Shopping Center appears at this point to be slightly excessive.

SUMMARY

Based upon the request and the information available on this subject, the staff has developed a possible amendment to the zoning ordinance requiring that off-street parking be provided and designated for use by the physically handicapped. The number of spaces required by the possible amendment will be comparable to the number now provided near Century II, based upon the total number of off-street parking spaces in that lot. This, of course, does not take into consideration the number of spaces used elsewhere during a large attendance at Century II. The number of spaces required by this possible amendment for a shopping center the size of Towne East would be 17 designated spaces. This would be slightly more than one-half of the number of spaces presently provided at the Towne East Center.

Copies of this proposed amendment have been furnished to the Wichita Association of Homebuilders, the Wichita Board of Realtors, and Kansas Paralysis Chapter, and a number of architects, engineers and developers for their information and comment.

RECOMMENDATION

It is recommended that the proposed amendment to the zoning ordinance, along with any change deemed appropriate, be forwarded to the City Commission with a recommendation for adoption.

LYTLE said no response has been received from the Homebuilders or the Board of Realtors, but Vern Lambertz, a developer, has indicated that he thought it was a good idea, but had no recommendation other than that there should not be an excessive number of spaces provided. A letter was received from Dean B. Settle, Chairman of the Architectural Barrier Committee of Greater Wichita, wherein it was recommended that one space be provided for the first 50 spaces and thereafter an additional space for each 300 spaces. This, LYTLE stated, was different than the recommendation provided the Commissioners.

LYTLE said he has talked with several handicapped individuals who do get around alone and it was their feeling that in most cases in small parking lots they were able to find space, and they were not in favor of an excessive demand for such spaces. LYTLE said he had drafted a change from the original proposal which would call for no spaces on a lot of 50 spaces or less, one for lots from 51 to 150; plus one designated space for each 300 additional parking spaces. LYTLE said information he now has with respect to Towne East is that they have designated 48 spaces for the handicapped, and under the proposal as now submitted, they would be required to have only 18. He pointed out that if the amendment is adopted, it would relate only to new construction, either a complete new building or expansion of an existing building. LYTLE said it has been difficult to determine a proper number, but that they had started with a 50-space lot as a beginning, in that it would take care of all public facilities and most shopping centers or facilities of major consequence, but that it would not affect the small individual development.

SAVINA asked how such a requirement would be enforced and LYTLE responded that the zoning ordinance makes no provision for enforcement of the use of the designated spaces.

BAYOUTH asked if there was any record of how many physically handicapped there are in the City. LYTLE answered that it was his understanding that there are approximately 45 members of the Kansas Paralysis Society and that approximately 1/3 can actually get around alone; others are generally accompanied by another individual.

BAYOUTH maintained that economically it is not feasible to make this amendment to the zoning ordinance; that it would be very costly and that it was his personal opinion that there are not enough wheelchair people to justify the change. He brought up also the cost involved in providing a ramp in buildings.

LYTLE pointed out that access is required in the building code for entrance to the building and that what is being proposed now relates only to parking spaces.

BAYOUTH spoke again in opposition and questioned the passage of a regulation that cannot be enforced, further that ramps make it difficult for older people to get around, especially in bad weather, and he has heard pros and cons on the subject, and he stated again that it was his personal feeling that such a regulation would not be economically feasible.

In further discussion, it was brought out that it would be applicable in any case where additional parking facilities are required, and that it would relate to apartment development also.

PORTER felt that handicapped people have the same need for services as other people and since ramps are required as a part of the building code, parking space for the handicapped should be allocated close to the ramps.

BAYOUTH noted that there are not that many able to get around by themselves and that there are other types of handicapped people, and questioned just where a line could be drawn.

DELBERT CLARK, Vice President of the Kansas Paralysis Society, said that organization has proposed one space in the first 50 spaces and additional spaces for every 200 more spaces. He felt that if it can be enforced and definitely reserved for the handicapped, there would be adequate parking in most instances. He noted, however, that sometimes the spaces are not available when a handicapped person needs the space.

ED DRUMM, also a member of the Kansas Paralysis Society, said they are a part of the community and should have the right to the downtown area and shopping centers, and that possibly one reason one does not see too many people in wheelchairs is because of the limited facilities provided; however, he did speak favorably on the elimination of curbs which has been accomplished in the downtown area in recent years.

BAYOUTH maintained that his opinions are based strictly on the economics of such a requirement and nothing else, but he just did not think it was feasible to pass an ordinance that cannot be enforced.

SAVINA asked about the slope of the ramps involved, and LYTLE explained that this proposal does not involve ramps to the building at all - that space for the handicapped would be painted on the concrete parking area. Ramps would be a part of the building construction as called for in the building code.

PORTER referred to the favorable rating Wichita had received nationally so far as being a livable city, and the fact that the Chamber of Commerce considers that rating very important, and the attitude of the City toward the handicapped is part of the effort to make it livable for everybody.

BAYOUTH felt they were talking about two different things as he was speaking as to private enterprise and not as the City. PORTER

maintained that this very factor is one of the points considered in the national rating. She felt that since the ramp requirement is already in existence, it would seem desirable to provide parking for those individuals who need to make use of the ramps.

Referring to the economics of the proposal, CLARK pointed out that some stores do not provide checkout lanes wide enough to accommodate a wheelchair, and when he mentioned it to one of the managers, he was told that one of the lanes would be widened; however, it has not been and as a result he and his family and friends do not trade at that specific store. He did not think that the handicapped were asking for too much - only that spaces be provided to accommodate a car and the removal of a wheelchair from the car, which does take a little wider space than just for a car.

MOTION: That the proposed amendment be approved for new buildings and that this would not apply to existing buildings due to the difficulty of the necessity of ramps to get into some of the buildings. Savina moved.

KAMEN pointed out that only the marking of parking space is to be voted on and that it has nothing to do with the building code or the construction of ramps.

SAVINA said he would like to indicate in the motion that it doesn't affect existing buildings or remodeled ones unless there is some definite information on it.

LAKIN said it would affect existing buildings if they were remodeled in terms of adding more floor space and thus require more parking space, but all this proposal relates to is parking lots and it has no relation to the building code. SAVINA noted that if an existing building is remodeled, construction of ramps would be necessary to get into the building.

LYTLE explained further that anytime there is remodeling or changes made in a building, it must be made to comply with the regulations and as related to the matter being considered, all that would be involved is the designation in the parking area of the required spaces for the handicapped, and the building code would relate to any requirements related to the building structure, including ramps.

AMENDED MOTION: Savina said he would like to amend the above motion that it not apply to existing buildings but only on new buildings. Bayouth seconded the amended motion and it carried by a vote of 5 in favor (Savina, Bayouth, Hennessy, Gragg and Collier), and 2 opposed (Kamen and Porter). Goebel and Taylor were absent.

SAVINA said the proposal has not been made clear to him and that more research should be done so far as its relation to existing

buildings. COLLIER referred to the possibility of an apartment complex being required to provide such spaces when possibly no handicapped person would ever live in one of the apartments.

Staff members again stressed the fact that the proposal does not relate to ramps or building construction, but only the need to specify parking stalls for the handicapped in the parking area.

LAKIN pointed out that the proposed amendment as submitted by the staff is not in the proper language to fit the motion passed and that, while he is not trying to overturn the motion, it is likely that it would be returned by the City Commission for rewording. He suggested the Commission defer a recommendation for two weeks to allow time for the staff to develop possible rewording of such an amendment, in that the motion as made is in contradiction to the wording suggested.

Concern was expressed by several of the Commissioners for the effect of such an amendment on existing buildings. SAVINA said he really would like to see the handicapped accommodated so far as parking, but disliked placing a burden on others.

CLARK pointed out that the way he read the proposal is that it would provide parking space in the parking lot close to the ramps or curb cuts.

WITHDRAWAL OF ABOVE MOTION: Savina said he would reconsider the matter and withdraw the above motion. As the second on the motion, Bayouth withdrew his second also.

MOTION: That a decision with respect to the proposed amendment be deferred two weeks. Kamen moved, Savina seconded and it carried unanimously. Goebel and Taylor were absent.

January 6, 1976

Robert B. Feldner, Superintendent of Central
Inspection
Glen E. Lytle, Special Assistant for Zoning

DR 75-28 - Possible amendment to the Zoning Ordinance.
Re: Off-street parking for the Physically Handicapped.

Attached hereto is a copy of the information that will be
discussed by the City Commission at their meeting of
January 13, 1976.

Mr. Lakin has asked that you or your representative be present
to answer any questions on the requirements of the building
code related to the physically handicapped, and also what pro-
posed amendments to the building code are under consideration,
as this seems to be more of an issue with some the planning
commissioners than does this amendment.

Glen E. Lytle
Special Assistant for Zoning

GEL:rme
Attachment

Bill Stockwell, Chief Planner, Advance Plans

Jean Rabbitt, Planning Analyst, Advance Plans

Wichita-Sedgwick County Survey of the Handicapped

As part of the work program element entitled Transit Service for the Elderly and Handicapped, we have prepared a Survey of the Handicapped for distribution during the 1976 Sedgwick County Intergovernmental Enumeration. This survey will provide current data necessary to determine the transportation needs and problems of the handicapped. As one survey form is to be completed for each handicapped person in Sedgwick County, the MAPD will be able to define the size and location of the handicapped population and have a good grasp on their mobility needs.

The survey forms, which will be distributed by the enumerators, will be printed on a heavy weight paper and will be returned to the MAPD as Business Reply Mail. Postage will be paid by the MAPD on all survey forms returned.

One problem in conducting the survey is in estimating the number of forms to be printed. Several estimates, which vary greatly, have been made of the handicapped population of Wichita and Sedgwick County. The Sedgwick County Health Department has estimated 8,000 handicapped persons in the County; the 1970 U. S. Census shows 16,059 handicapped and disabled Wichitans in the age group 14-65; and the National Health Survey conducted in 1970 shows that nationally 6.6% of the total population is handicapped, which would indicate 22,368 handicapped in Sedgwick County.

Another unknown factor is the rate of survey return. According to Randy Gschwind a rate of return as high as 80% might be anticipated for this survey due to an expected unusually high level of interest among those surveyed. Other staff members have anticipated lower rates of return.

The costs of the survey for this fiscal year would be funded through the Urban Mass Transportation Administration grant which allocates \$24,000 for this work item (UMF/OPD 92.01). In order to estimate survey costs, I have assumed 20,000 forms printed and distributed and 80% or 16,000 forms returned. The estimated costs which would be incurred and the recommended sources of funding are itemized below:

Printing	\$ 300
Postage	2880
Coding	1335
Keypunching	1745
Data Processing	500

Total	\$6760

Source of funds

92.01 printing and publishing
92.01 and 92.02 other
92.01 professional staff and support
F.Y. '77
F.Y. '77

New address:
City Hall, 10th Floor
455 North Main
Wichita, Kansas 67202

December 8, 1975

Mr. Jim Dulaney, President
Kansas Paralysis Chapter
106 Walnut
Mulvane, Kansas 67110

Re: DR 75-28

Dear Mr. Dulaney:

Please be advised that the amendment to the Zoning Ordinance, related to designating off-street parking spaces for the physically handicapped, will be referred to the Board of City Commissioners for their consideration at the meeting of January 13, 1975.

Sometime prior to this meeting, we will furnish you a copy of the material that will be forwarded to the City Commission. If you have any questions on the material when you receive it, please give me a call at 268-4421.

Sincerely,

Glen E. Lytle
Special Assistant for Zoning

GEL:rme

Letters also sent to: Mr. Delbert Clark, 2247 Ida, 67211
Mr. Bill Standrich, 1409 Prarie Lane,
Derby, Ks., 67037
Ms. Peggy Fettke, Kansas Easter Seal Soc.
443 N. St. Francis, 67202

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

November 4, 1975

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT DR 75-28 - Possible Amendment to Zoning
Ordinance Re: Off-street Parking for the
Physically Handicapped

Attached hereto is a copy of the memo dated September 23, 1975, setting forth the background on this subject as has been previously furnished to you. Also attached are two revised proposals marked "A" and "B" and dated October 13, 1975, that have been prepared as a result of the MAPC public hearing on October 9, 1975.

The action of the MAPC on October 9 was to continue the public hearing for two weeks. At the request of the Chairman, and with the concurrence of the two representatives of the Kansas Paralysis Chapter that were in attendance at the public hearing, this item has been continued to the meeting of November 13, 1975.

The possible amendment that was discussed on October 9, 1975, would apply to all parking areas of 50 or more spaces on the same basis as is now required for any provision of the zoning ordinance. It would be applicable to: 1) all new buildings; 2) a change of use in an existing building; and 3) to any existing building that is expanded or structurally altered to increase capacity.

It was the apparent consensus of the Planning Commission at the October 9 hearing that this requirement should be applicable only to new structures. An amendment marked Proposal "A" is written to apply only to new structures.

In discussing the requirements of the building code with Mr. Feldner, and Mr. Riddel of the Central Inspection Division, they indicated that ramps (or other means such as elevators), would be required for the physically handicapped on all buildings as indicated on the attached Table 33-A of the 1973 Uniform Building Code in accordance with the following:

1. On all new buildings.
2. Whenever the occupancy is changed on an existing building.
3. To all existing buildings where additions are attached and become part of the existing building, and
4. To any addition to an existing building that is not a part of the existing building.

The MAPC has no direct authority in regard to the requirements of the building codes. However, should the MAPC feel a change is needed, their comments should be made to the Board of City Commissioners for their consideration and possible referral to the appropriate board.

Page 2 - Metropolitan Area Planning Commission
November 4, 1975

Proposal "B" has been prepared to be concordant with the existing ordinances and would require the designation of spaces for the physically handicapped on all off-street parking areas of 50 or more spaces whenever the uses or buildings are required by the City of Wichita Building Code to be accessible to the physically handicapped by ramps.

RECOMMENDATION: It is recommended that Proposal "B" be forwarded to the City Commission with a recommendation for adoption.



Robert A. Lakin
Director of Planning

RAL:GEL:ber
Attachments

cc: Ralph Wulz, City Manager
Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection
Paul Graves, City Traffic Engineer



Oct. 24, 1975
Box 544
Wellsville, Kans.

Metropolitan Area Planning Commission
Mr. Bayouth

Dear Sir,

I am writing in regard to the article in the Wichita paper dated Oct. 10, 1975. Handicaped parking. This articla stated that you couldn't enforce an ordinance for special parking for handicapped. You were quoted as saying you had sympathy for the handicapped, that you, yourself had parked in thoes special places marked for the handicapped. You said you believed business places didn't want to serve the handicap population.

I lived in Wichita from birth until I started teaching school in Wellsville, Kansas. I got my first job here but at that time there were many barriers in Wichita and none at the school in Wellsville. I moved here . My folks still live here in Wichita and I often come back to visit. I have made it a habit to go shopping each time I am here. I shopped at Henry's , Penny's, and Dillards when I was here in August. "TowneEast is my kind of shopping center". I was made to feel welcome in their stores. I wonder what business you were refering to that doesn't want me in their store because I am in a wheelchair. I don't have to trade there. I could, and have found many shops in Wichita that are happyto see me comming because when I go into a store, I don't waste time browsing. I go to buy and the clerks know that and are very courteous.

Personally , I don't need sympathy but I do need ramps and a little extra space on the drivers side of my car so I have room to get my wheelchair out of my car, open it up and get in and roll away. Thoes spaces at Towne East are just right, so please, Mr. Bayouth, don't park in a space marked for cars belonging to the handicaped. I have never been guilty of parking in a space marked for cars belonging to city officials or any where that the space was reserved for some special person. An ordinance for handicaped parking could be enforced int same as you enforce special parking for city cars, truck parking, police carsor no parking. I am sure that you have at some time or other been in the same situation as we who are in wheelchairswhen parking in a regular marked space , return to your car to find some one had pulled in so close to the drivers side of your car that you could not get your door opento get in your car. Your feeling was why couldn't that person have left me room. Thats why parking lots are marked, so you can have room to get in and out of your car..

I am a self supporting tax paying citizen and I hope I have been able to say something to change your attitude towards me, a handicaped person, and others in wheelchairs.

Yours truly,

Dolores J. Justus

Dolores J. Justus

C.C. Wichita Eagle & Beacon

Phone: 913 883 2774

after 5

2247 Ida
Wichita, Kansas
October 14, 1975

Robert A. Lakin
Director of Planning
104 South Main
Wichita, Kansas

RE: DR 75-28 - Possible amendment to zoning ordinance
off street parking for the physically handicapped

Dear Mr. Lakin:

At the October 9, 1975 meeting of the Metropolitan Area
Planning Commission, it was proposed to amend Section 28.04.141
by adding paragraph 4 to require that parking spaces be
provided for the physically handicapped.

Ed Drum and I attended this meeting representing the
Kansas Paralysis Chapter, Inc. We felt the chairman,
David Bayouth, did not take the proposal seriously. He
openly admitted to parking in handicapped parking. When
it was suggested misuse of parking should be policed, he
made the remark that he guessed he would have to get an old
wheelchair to carry so that he could continue to park in
handicapped parking. We did not appreciate this comment
and considered it a 'Slap in the face'.

He persisted that handicapped parking was not economically
feasible and he felt it totally unnecessary. We feel that
the chairman is totally wrong in this aspect. For all that
Wichita has accomplished in ramps, curb cuts, etc., it does
not seem unreasonable to ask for accessible parking so these
facilities may be used. It should be noted that approximately
10% of the population is in someway physically handicapped.

I wish to express our sincere thanks to those on the
commission who listened and understood the need for parking.
We hope that when this proposal appears on the agenda once
again it will be passed allowing 1 handicapped space in lots
containing a minimum of 50 spaces and 1 additional space
for each 200 spaces or major fraction thereof. These spaces
should be located close to such curb cuts or ramps provided
or the type spaces provided at Century II.



This parking should be clearly marked by the international access symbol. This symbol should be displayed on a post in front of the parking and identified as reserved for the handicapped. A copy of this access symbol is enclosed.

Your cooperation in this very important area will be greatly appreciated.

Sincerely,



Delbert K. Clark
Vice-President
Kansas Paralysis Chapter, Inc.

Dkc/clc
Enclosure

cc: Connie Peters
Jack Shannahan
John Stevens
James Donnell
Tony Casado
Ralph Wulz
Ray Bruggeman
Robert Feldner
Paul Graves
Dean Settle

TABLE NO. 33-A—AVAILABLE SQUARE FEET PER OCCUPANT AND EGRESS FACILITIES

Use ¹	Minimum of Two Exit Other Than Elevator Are Required Where Number of Occupants Is Over	Square Feet Per Occupant	Egress by Means of a Ramp or an Elevator Must Be Provided for the Physically Handicapped as Indicated
Aircraft Hangars (No repair)	10	500	Yes
Auction Rooms	30	7	Yes
Assembly Areas, Concentrated Use (without fixed seats)	50	7	Yes ^{2, 4}
Auditoriums			
Bowling Alleys (Assembly areas)			
Churches and Chapels			
Dance Floors			
Lodge Rooms			
Reviewing Stands			
Stadiums			
Assembly Areas, Less-concentrated Use	50	15	Yes ³
Conference Rooms			
Dining Rooms			
Drinking Establishments			
Exhibit Rooms			
Gymnasiums			
Lounges			
Skating Rinks			
Stages			
Children's Homes and Homes for the Aged	5	80	Yes ⁵
Classrooms	50	20	Yes
Dormitories	10	50	Yes ⁵
Dwellings	10	300	No
Garage, Parking	30	200	Yes ⁶
Hospitals and Sanitariums-Nursing Homes	5	80	Yes

(Continued)

TABLE NO. 33-A—AVAILABLE SQUARE FEET PER OCCUPANT AND EGRESS FACILITIES (Continued)

Use	Minimum of Two Exit Other Than Elevator Are Required Where Number of Occupants Is Over	Square Feet Per Occupant	Egress by Means of a Ramp or an Elevator Must Be Provided for the Physically Handicapped as Indicated
Hotels and Apartments	10	200	Yes in Hotels and in Apartments of more than 3 stories
Kitchen—Commercial	30	200	No
Library Reading Room	50	50	Yes ⁷
Locker Rooms	30	50	Yes
Mechanical Equipment Room	30	300	No
Nurseries for Children (Day-care)	5	50	Yes
Offices	30	100	Yes ⁸
School Shops and Vocational Rooms	50	50	Yes
Stores—Retail			
Sales Rooms			
Basement	7	20	Yes
Ground Floor	50	30	Yes
Upper Floors	10	50	Yes
Warehouses	30	300	Yes ⁸
All Others	50	100	

¹Refer to Sections 3316 and 3319 for other specific requirements.

²Elevators shall not be construed as providing a required exit.

³Access to secondary areas via balconies or mezzanines may be by stairs only.

⁴Reviewing stands, grandstands and bleachers need not comply.

⁵Access to floors other than that closest to grade may be by stairs only.

⁶Access to floors other than that closest to grade and to garages used in connection with apartment houses may be by stairs only.

⁷See Section 3302 for basement exit requirements.

WICHITA-SEDGWICK COUNTY

DATE

Page 2 - Metropolitan Area Planning Commission
September 23, 1975

METROPOLITAN AREA PLANNING DEPARTMENT

September 23, 1975

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT II 75-29 - Possible Amendment to Zoning Ordinance -
Re: Off-street Parking for the Physically Handicapped

Attached hereto is a copy of a proposed amendment to the zoning ordinance that has been advertised for public hearing at your meeting of October 9, 1975. This amendment will require that all parking areas exceeding 50 or more spaces provide and designate at least one space for the physically handicapped.

BACKGROUND

The Board of City Commissioners has expressed their desire to eliminate the barriers in the community to the physically handicapped. One step taken by the City Commission in the last two years was the modification of the curbs in the downtown area by providing ramps at intersections and at the alley crossings. The building code has provisions that require ramps to serve the physically handicapped in the majority of buildings.

The City Manager has requested that the zoning ordinance be amended to require that off-street parking spaces be provided and designated for the physically handicapped. In research for material or information on the proper number of spaces that should be provided, we find that definite standards have not been developed. The Traffic Engineering Division has, however, developed an appropriately sized parking space and a method of designation that has been used to identify such spaces near Century II, the library and at the Towne East Shopping Center.

We have attempted to analyze the use of the spaces provided at these locations to determine if the number adequately serves the purpose. We find that these designated spaces are not always utilized by the physically handicapped, and the number of spaces at Towne East Shopping Center appears at this point to be slightly excessive.

SUMMARY

Based upon the request and the information available on this subject, the staff has developed a possible amendment to the zoning ordinance requiring that off-street parking be provided and designated for use by the physically handicapped. The number of spaces required by the possible amendment will be comparable to the number now provided near

Century II, based upon the total number of off-street parking spaces in that lot. This, of course, does not take into consideration the number of spaces used elsewhere during a large attendance at Century II. The number of spaces required by this possible amendment for a shopping center the size of Towne East would be 17 designated spaces. This would be slightly more than one-half of the number of spaces presently provided at the Towne East Center.

Copies of this proposed amendment have been furnished to the Wichita Association of Homebuilders, the Wichita Board of Realtors, and Kansas Paralysis Chapter, and a number of architects, engineers and developers for their information and comment.

RECOMMENDATION

It is recommended that the proposed amendment to the zoning ordinance, along with any change deemed appropriate, be forwarded to the City Commission with a recommendation for adoption.

Robert A. Lakin
Robert A. Lakin
Director of Planning

RAL:SEL:ber

Attachment

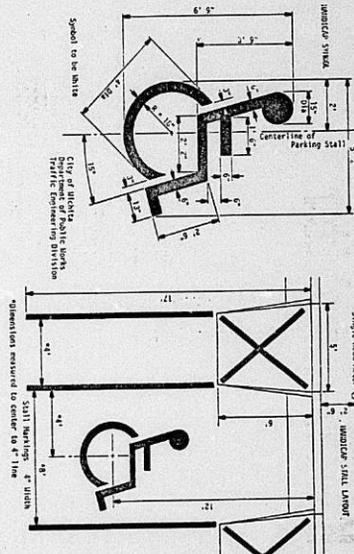
cc: Ralph Wulz, City Manager
Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection
Paul Graves, City Traffic Engineer

Proposed Amendment to the
Zoning Ordinance of the
City of Wichita

It is proposed to amend Section 28.04.141, by adding paragraph 4, to require that parking spaces be provided for the physically handicapped.

4. On all off-street parking areas of 50 or more spaces, in any zoning district, at least one space shall be designated for the physically handicapped. Whenever the number of spaces exceeds ~~50~~ ¹⁵⁰, there shall be designated ~~one~~ ^{plus one} additional space ~~not less than one space for each 300 spaces or major fraction thereof.~~ Each designated space shall be located in close proximity to the use or uses it serves and shall be accessible by ramp. Each designated space shall be appropriately marked with paving marking materials and shall conform to the design standards of the Traffic Engineering Division of the City of Wichita.

Total No. of O.S. Pky Spaces	Orig. Prop. Sp. designated	As Amended above Sp. designated
0-50	0	0
51-150	1	1
151-450	1	2
451-750	2	3
751-1050	3	4
etc.		



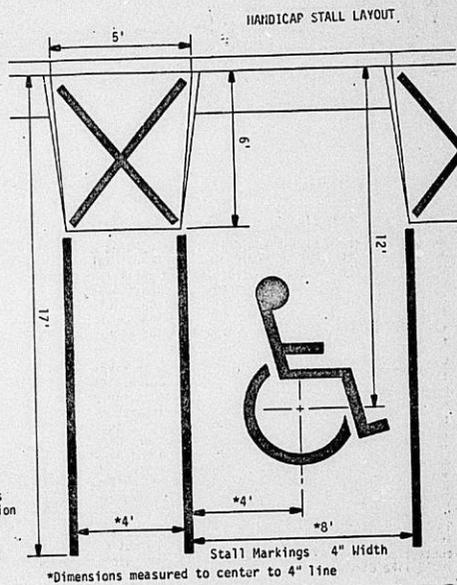
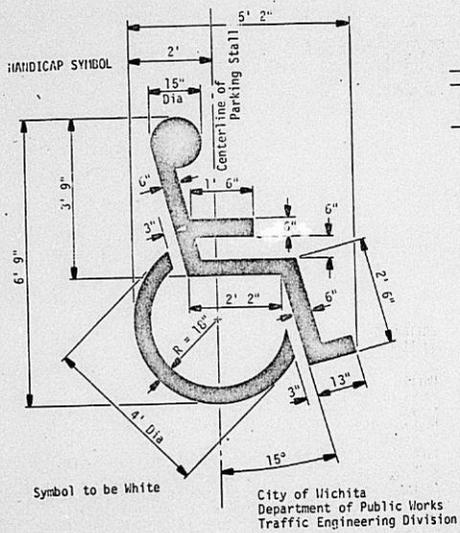
10-13-75

PROPOSAL 'A'

Proposed Amendment to the
Zoning Ordinance of the
City of Wichita

It is proposed to amend Section 28.04.141, by adding paragraph 4, to require that parking spaces be provided for the physically handicapped.

4. There shall be provided, for any new building where the required off-street parking is 50 or more spaces, not less than one designated space for the physically handicapped. Whenever the number of spaces exceeds 150, there shall be designated for the physically handicapped not less than one space plus one additional space for each 300 off-street parking spaces or major fraction thereof. Each designated space shall be located in close proximity to the use or uses it serves and shall be accessible by ramp from the parking space to a sidewalk leading to the building. Each designated space shall be appropriately marked with paving marking materials and shall conform to the design standards of the Traffic Engineering Division of the City of Wichita.



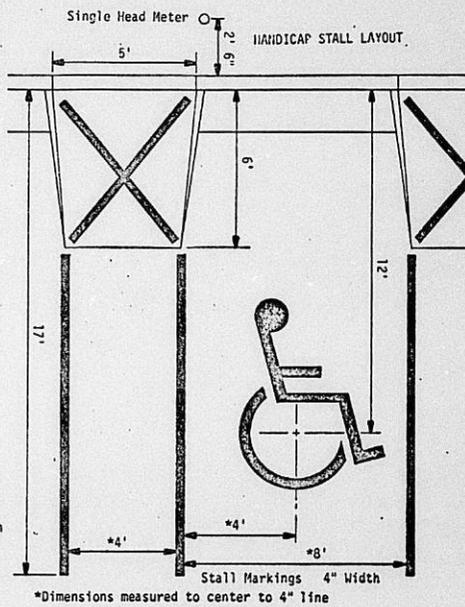
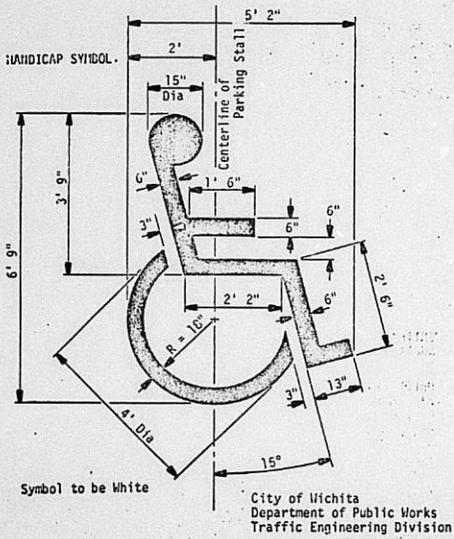
10-13-75

PROPOSAL 'B'

Proposed Amendment to the
Zoning Ordinance of the
City of Wichita

It is proposed to amend Section 28.04.141, by adding paragraph 4, to require that parking spaces be provided for the physically handicapped.

4. On all off-street parking areas of 50 or more spaces, in any zoning district, serving uses or buildings that are required by the City of Wichita building code to be accessible to the physically handicapped by ramps, there shall be provided not less than one designated space for the physically handicapped. Whenever the number of spaces exceeds 150, there shall be designated for the physically handicapped not less than one space plus one additional space for each 300 off-street parking spaces or major fraction thereof. Each designated space shall be located in close proximity to the use or uses it serves. Each designated space shall be appropriately marked with paving marking materials and shall conform to the design standards of the Traffic Engineering Division of the City of Wichita.



November 4, 1975

Wichita-Sedgwick County Metropolitan
Area Planning Commission

Robert A. Lakin, Director of Planning

DR 75-28 - Possible Amendment to Zoning
Ordinance Re: Off-street Parking for the
Physically Handicapped

Attached hereto is a copy of the memo dated September 23, 1975, setting forth the background on this subject as has been previously furnished to you. Also attached are two revised proposals marked "A" and "B" and dated October 13, 1975, that have been prepared as a result of the MAPC public hearing on October 9, 1975.

The action of the MAPC on October 9 was to continue the public hearing for two weeks. At the request of the Chairman, and with the concurrence of the two representatives of the Kansas Paralysis Chapter that were in attendance at the public hearing, this item has been continued to the meeting of November 13, 1975.

The possible amendment that was discussed on October 9, 1975, would apply to all parking areas of 50 or more spaces on the same basis as is now required for any provision of the zoning ordinance. It would be applicable to: 1) all new buildings; 2) a change of use in an existing building; and 3) to any existing building that is expanded or structurally altered to increase capacity.

It was the apparent consensus of the Planning Commission at the October 9 hearing that this requirement should be applicable only to new structures. An amendment marked Proposal "A" is written to apply only to new structures.

In discussing the requirements of the building code with Mr. Feldner, and Mr. Riddel of the Central Inspection Division, they indicated that ramps (or other means such as elevators), would be required for the physically handicapped on all buildings as indicated on the attached Table 33-A of the 1973 Uniform Building Code in accordance with the following:

1. On all new buildings.
2. Whenever the occupancy is changed on an existing building.
3. To all existing buildings where additions are attached and become part of the existing building, and
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The MAPC has no direct authority in regard to the requirements of the building codes. However, should the MAPC feel a change is needed, their comments should be made to the Board of City Commissioners for their consideration and possible referral to the appropriate board.

Page 2 - Metropolitan Area Planning Commission
November 4, 1975

Proposal "B" has been prepared to be concordant with the existing ordinances and would require the designation of spaces for the physically handicapped on all off-street parking areas of 50 or more spaces whenever the uses or buildings are required by the City of Wichita Building Code to be accessible to the physically handicapped by ramps.

RECOMMENDATION: It is recommended that Proposal "B" be forwarded to the City Commission with a recommendation for adoption.

Robert A. Lakin
Director of Planning

RAL:GEL:ber
Attachments

cc: Ralph Wulz, City Manager
Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection
Paul Graves, City Traffic Engineer

cc: Bill Standrich
1409 Prairie Lane
Derby, Ks 67037

Jim Dulaney, Pres.
Kans. Paralysis Chapt
106 Walnut
Mulvane, Ks. 67110

Delbert Clark, V. Pres
Kans. Paralysis Chapt.
2247 Ida
Wichita, Ks

TABLE NO. 33-A—AVAILABLE SQUARE FEET PER OCCUPANT AND EGRESS FACILITIES

Use ¹	Minimum of Two Exits Other Than Elevators Are Required Where Number of Occupants Is Over	Square Feet Per Occupant	Egress by Means of a Ramp or an Elevator Must Be Provided for the Physically Handicapped as Indicated
Aircraft Hangars (No repair)	10	500	Yes
Auction Rooms	30	7	Yes
Assembly Areas, Concentrated Use (without fixed seats)	50	7	Yes ^{2, 4}
Auditoriums			
Bowling Alleys (Assembly areas)			
Churches and Chapels			
Dance Floors			
Lodge Rooms			
Reviewing Stands			
Stadiums			
Assembly Areas, Less-concentrated Use	50	15	Yes ³
Conference Rooms			
Dining Rooms			
Drinking Establishments			
Exhibit Rooms			
Gymnasiums			
Lounges			
Skating Rinks			
Stages			
Children's Homes and Homes for the Aged	5	80	Yes ⁴
Classrooms	50	20	Yes
Dormitories	10	50	Yes ⁵
Dwellings	10	300	No
Garage, Parking	30	200	Yes ⁴
Hospitals and Sanitariums—Nursing Homes	5	80	Yes

(Continued)

TABLE NO. 33-A—AVAILABLE SQUARE FEET PER OCCUPANT AND EGRESS FACILITIES (Continued)

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Kitchen—Commercial	30	200	No
Library Reading Room	50	50	Yes ³
Locker Rooms	30	50	Yes
Mechanical Equipment Room	30	300	No
Nurseries for Children (Day-care)	5	50	Yes
Offices	30	100	Yes ³
School Shops and Vocational Rooms	50	50	Yes
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Sales Rooms	7	20	Yes
Basement	50	50	Yes
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¹Refer to Sections 3318 and 3319 for other specific requirements.

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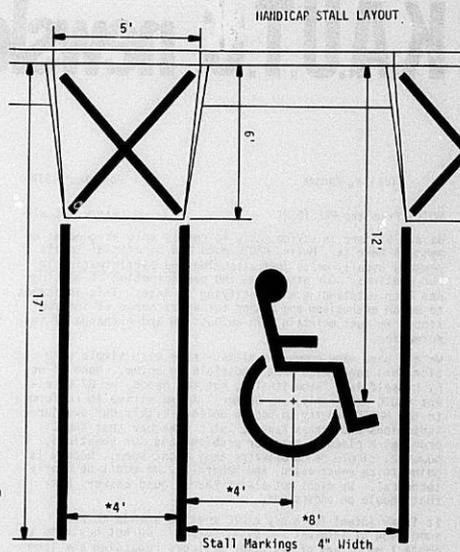
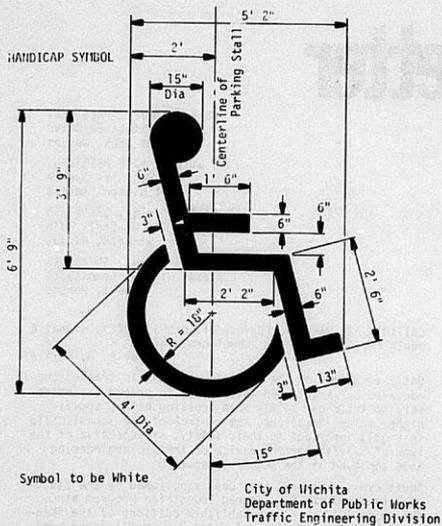
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*Dimensions measured to center to 4" line

10-13-75

PROPOSAL 'B'

Proposed Amendment to the
Zoning Ordinance of the
City of Wichita

It is proposed to amend Section 28.04.141, by adding paragraph 4, to require that parking spaces be provided for the physically handicapped.

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10-13-75

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Oct. 24, 1975
Box 544
Wellsville, Kans.

Metropolitan Area Planning Commission
Mr. Bayouth

Dear Sir,

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I lived in Wichita from birth until I started teaching school in Wellsville, Kansas. I got my first job here but at that time there were many barriers in Wichita and none at the school in Wellsville. I moved here. My folks still live here in Wichita and I often come back to visit. I have made it a habit to go shopping each time I am here. I shopped at Henry's, Penny's, and Dillard's when I was here in August. "Towne East is my kind of shopping center". I was made to feel welcome in their stores. I wonder what business you were referring to that doesn't want me in their store because I am in a wheelchair. I don't have to trade there. I could, and have found many shops in Wichita that are happy to see me coming because when I go into a store, I don't waste time browsing. I go to buy and the clerks know that and are very courteous.

Personally, I don't need sympathy but I do need ramps and a little extra space on the drivers side of my car so I have room to get my wheelchair out of my car, open it up and get in and roll away. Those spaces at Towne East are just right, so please, Mr. Bayouth, don't park in a space marked for cars belonging to the handicapped. I have never been guilty of parking in a space marked for cars belonging to city officials or any where that the space was reserved for some special person. An ordinance for handicapped parking could be enforced int same as you enforce special parking for city cars, truck parking, police cars or no parking. I am sure that you have at some time or other been in the same situation as we who are in wheelchairs when parking in a regular marked space, return to your car to find some one had pulled in so close to the drivers side of your car that you could not get your door open to get in your car. Your feeling was why couldn't that person have left me room. That's why parking lots are marked, so you can have room to get in and out of your car..

I am a self supporting tax paying citizen and hope I have been able to say something to change your attitude towards me, a handicapped person, and others in wheelchairs.

Yours truly,

Dolores J. Justus

Dolores J. Justus

C.C. Wichita Eagle & Beacon
Phone: 913 883 2774
after 5

2247 Ida
Wichita, Kansas
October 14, 1975

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Director of Planning
104 South Main
Wichita, Kansas

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He persisted that handicapped parking was not economically feasible and he felt it totally unnecessary. We feel that the chairman is totally wrong in this aspect. For all that Wichita has accomplished in ramps, curb cuts, etc., it does not seem unreasonable to ask for accessible parking so these facilities may be used. It should be noted that approximately 10% of the population is in someway physically handicapped.

I wish to express our sincere thanks to those on the commission who listened and understood the need for parking. We hope that when this proposal appears on the agenda once again it will be passed allowing 1 handicapped space in lots containing a minimum of 50 spaces and 1 additional space for each 200 spaces or major fraction thereof. These spaces should be located close to such curb cuts or ramps provided or the type spaces provided at Century II.



This parking should be clearly marked by the international access symbol. This symbol should be displayed on a post in front of the parking and identified as reserved for the handicapped. A copy of this access symbol is enclosed.

Your cooperation in this very important area will be greatly appreciated.

Sincerely,



Delbert K. Clark
Vice-President
Kansas Paralysis Chapter, Inc.

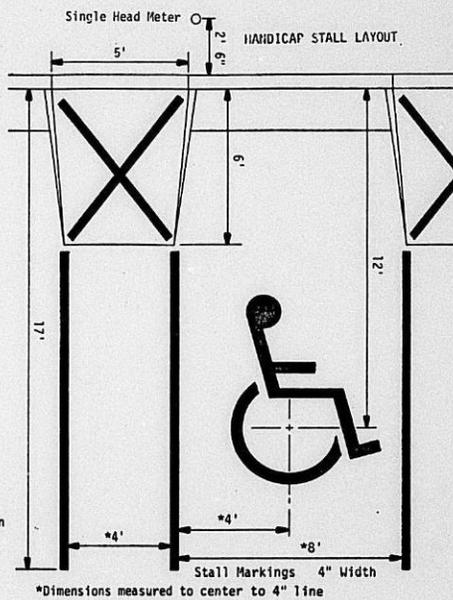
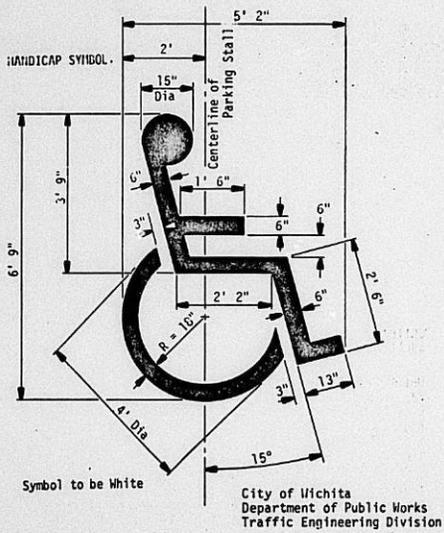
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Enclosure

cc: Connie Peters
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City of Wichita

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4. On all off-street parking areas of 50 or more spaces, in any zoning district, at least one space shall be designated for the physically handicapped. Whenever the number of spaces exceeds 450, there shall be designated not less than one space for each 300 spaces or major fraction thereof. Each designated space shall be located in close proximity to the use or uses it serves and shall be accessible by ramp. Each designated space shall be appropriately marked with paving marking materials and shall conform to the design standards of the Traffic Engineering Division of the City of Wichita.



Proposed Amendment to the
Zoning Ordinance of the
City of Wichita

It is proposed to amend Section 28.04.141, by adding paragraph 4, to require that parking spaces be provided for the physically handicapped.

4. On all off-street parking areas of 50 or more spaces, in any zoning district, at least one space shall be designated for the physically handicapped. Whenever the number of spaces exceeds ¹⁵⁰ 450, there shall be designated ~~for the physically handicapped~~ ^{plus one additional space} not less than one space for each 300 spaces or major fraction thereof. Each designated space shall be located in close proximity to the use or uses it serves and shall be accessible by ramp. Each designated space shall be appropriately marked with paving marking materials and shall conform to the design standards of the Traffic Engineering Division of the City of Wichita.

Total No. of O.S. Pkg Spaces	Orig. Prop Sp. designated	As Amended above Sp. designated
0-50	0	0
51-150	1	1
151-450	1	2
451-750	2	3
751-1050	3	4
etc.		

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

November 4, 1975

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT DR 75-28 - Possible Amendment to Zoning
Ordinance Re: Off-street Parking for the
Physically Handicapped

Attached hereto is a copy of the memo dated September 23, 1975, setting forth the background on this subject as has been previously furnished to you. Also attached are two revised proposals marked "A" and "B" and dated October 13, 1975, that have been prepared as a result of the MAPC public hearing on October 9, 1975.

The action of the MAPC on October 9 was to continue the public hearing for two weeks. At the request of the Chairman, and with the concurrence of the two representatives of the Kansas Paralysis Chapter that were in attendance at the public hearing, this item has been continued to the meeting of November 13, 1975.

The possible amendment that was discussed on October 9, 1975, would apply to all parking areas of 50 or more spaces on the same basis as is now required for any provision of the zoning ordinance. It would be applicable to: 1) all new buildings; 2) a change of use in an existing building; and 3) to any existing building that is expanded or structurally altered to increase capacity.

It was the apparent consensus of the Planning Commission at the October 9 hearing that this requirement should be applicable only to new structures. An amendment marked Proposal "A" is written to apply only to new structures.

In discussing the requirements of the building code with Mr. Feldner, and Mr. Riddel of the Central Inspection Division, they indicated that ramps (or other means such as elevators), would be required for the physically handicapped on all buildings as indicated on the attached Table 33-A of the 1973 Uniform Building Code in accordance with the following:

1. On all new buildings.
2. Whenever the occupancy is changed on an existing building.
3. To all existing buildings where additions are attached and become part of the existing building, and
4. To any addition to an existing building that is not a part of the existing building.

The MAPC has no direct authority in regard to the requirements of the building codes. However, should the MAPC feel a change is needed, their comments should be made to the Board of City Commissioners for their consideration and possible referral to the appropriate board.

Page 2 - Metropolitan Area Planning Commission
November 4, 1975

Proposal "B" has been prepared to be concordant with the existing ordinances and would require the designation of spaces for the physically handicapped on all off-street parking areas of 50 or more spaces whenever the uses or buildings are required by the City of Wichita Building Code to be accessible to the physically handicapped by ramps.

RECOMMENDATION: It is recommended that Proposal "B" be forwarded to the City Commission with a recommendation for adoption.



Robert A. Lakin
Director of Planning

RAL:GEL:ber
Attachments

cc: Ralph Wulz, City Manager
Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection
Paul Graves, City Traffic Engineer



Oct. 24, 1975
Box 544
Wellsville, Kans.

Metropolitan Area Planning Commission
Mr. Bayouth

Dear Sir,

I am writing in regard to the article in the Wichita paper dated Oct. 10, 1975. Handicaped parking. This article stated that you couldn't enforce an ordinance for special parking for handicapped. You were quoted as saying you had sympathy for the handicapped, that you, yourself had parked in thoes special places marked for the handicapped. You said you believed business places didn't want to serve the handicap population.

I lived in Wichita from birth until I started teaching school in Wellsville, Kansas. I got my first job here but at that time there were many barriers in Wichita and none at the school in Wellsville. I moved here. My folks still live here in Wichita and I often come back to visit. I have made it a habit to go shopping each time I am here. I shopped at Henry's, Penny's, and Dillard's when I was here in August. "TowneEast is my kind of shopping center". I was made to feel welcome in their stores. I wonder what business you were referring to that doesn't want me in their store because I am in a wheelchair. I don't have to trade there. I could, and have found many shops in Wichita that are happy to see me coming because when I go into a store, I don't waste time browsing. I go to buy and the clerks know that and are very courteous.

Personally, I don't need sympathy but I do need ramps and a little extra space on the drivers side of my car so I have room to get my wheelchair out of my car, open it up and get in and roll away. Thoes spaces at Towne East are just right, so please, Mr. Bayouth, don't park in a space marked for cars belonging to the handicapped. I have never been guilty of parking in a space marked for cars belonging to city officials or any where that the space was reserved for some special person. An ordinance for handicapped parking could be enforced int same as you enforce special parking for city cars, truck parking, police carsor no parking. I am sure that you have at some time or other been in the same situation as we who are in wheelchairs when parking in a regular marked space, return to your car to find some one had pulled in so close to the drivers side of your car that you could not get your door open to get in your car. Your feeling was why couldn't that person have left me room. Thats why parking lots are marked, so you can have room to get in and out of your car..

I am a self supporting tax paying citizen and I hope I have been able to say something to change your attitude towards me, a handicapped person, and others in wheelchairs.

Yours truly,

Dolores Justus

Dolores J. Justus

C.C. Wichita Eagle & Beacon

Phone: 913 883 2774

after 5

2247 Ida
Wichita, Kansas
October 14, 1975

Robert A. Lakin
Director of Planning
104 South Main
Wichita, Kansas

RE: DR 75-28 - Possible amendment to zoning ordinance
off street parking for the physically handicapped

Dear Mr. Lakin:

At the October 9, 1975 meeting of the Metropolitan Area Planning Commission, it was proposed to amend Section 28.04.141 by adding paragraph 4 to require that parking spaces be provided for the physically handicapped.

Ed Drum and I attended this meeting representing the Kansas Paralysis Chapter, Inc. We felt the chairman, David Bayouth, did not take the proposal seriously. He openly admitted to parking in handicapped parking. When it was suggested misuse of parking should be policed, he made the remark that he guessed he would have to get an old wheelchair to carry so that he could continue to park in handicapped parking. We did not appreciate this comment and considered it a 'Slap in the face'.

He persisted that handicapped parking was not economically feasible and he felt it totally unnecessary. We feel that the chairman is totally wrong in this aspect. For all that Wichita has accomplished in ramps, curb cuts, etc., it does not seem unreasonable to ask for accessible parking so these facilities may be used. It should be noted that approximately 10% of the population is in some way physically handicapped.

I wish to express our sincere thanks to those on the commission who listened and understood the need for parking. We hope that when this proposal appears on the agenda once again it will be passed allowing 1 handicapped space in lots containing a minimum of 50 spaces and 1 additional space for each 200 spaces or major fraction thereof. These spaces should be located close to such curb cuts or ramps provided or the type spaces provided at Century II.



This parking should be clearly marked by the international access symbol. This symbol should be displayed on a post in front of the parking and identified as reserved for the handicapped. A copy of this access symbol is enclosed.

Your cooperation in this very important area will be greatly appreciated.

Sincerely,

Delbert K. Clark

Delbert K. Clark
Vice-President
Kansas Paralysis Chapter, Inc.

Dkc/clc
Enclosure

- cc: Connie Peters
- Jack Shannahan
- John Stevens
- James Donnell
- Tony Casado
- Ralph Wulz
- Ray Bruggeman
- Robert Feldner
- Paul Graves
- Dean Settle

TABLE NO. 33-A—AVAILABLE SQUARE FEET PER OCCUPANT AND EGRESS FACILITIES

Use ^a	Minimum of Two Exits Other Than Elevators Are Required Where Number of Occupants Is Over	Square Feet Per Occupant	Egress by Means of a Ramp or an Elevator Must Be Provided for the Physically Handicapped as Indicated
Aircraft Hangars (No repair)	10	500	Yes
Auction Rooms	30	7	Yes
Assembly Areas, Concentrated Use (without fixed seats)	50	7	Yes ^b
Auditoriums			
Bowling Alleys (Assembly areas)			
Churches and Chapels			
Dance Floors			
Lodge Rooms			
Reviewing Stands			
Stadiums			
Assembly Areas, Less-concentrated Use	50	15	Yes ^b
Conference Rooms			
Dining Rooms			
Drinking Establishments			
Exhibit Rooms			
Gymnasiums			
Lounges			
Skating Rinks			
Stages			
Children's Homes and Homes for the Aged	5	80	Yes ^b
Classrooms	50	20	Yes
Dormitories	10	50	Yes ^b
Dwellings	10	300	No
Garage, Parking	30	200	Yes ^b
Hospitals and Sanitariums-Nursing Homes	5	80	Yes

(Continued)

TABLE NO. 33-A—AVAILABLE SQUARE FEET PER OCCUPANT AND EGRESS FACILITIES (Continued)

Use	Minimum of Two Exits Other Than Elevators Are Required Where Number of Occupants Is Over	Square Feet Per Occupant	Egress by Means of a Ramp or an Elevator Must Be Provided for the Physically Handicapped as Indicated
Hotels and Apartments	10	200	Yes in Hotels and in Apartments of more than 3 stories
Kitchen—Commercial	30	200	No
Library Reading Room	50	50	Yes ^b
Locker Rooms	30	50	Yes
Mechanical Equipment Room	30	300	No
Nurseries for Children (Day-care)	5	50	Yes
Offices	30	100	Yes ^b
School Shops and Vocational Rooms	50	50	Yes
Stores—Retail			
Sales Rooms			
Basement	7	20	Yes
Ground Floor	50	30	Yes
Upper Floors	10	50	Yes
Warehouses	30	300	Yes ^b
All Others	50	100	

¹Refer to Sections 3310 and 3319 for other specific requirements.

²Elevators shall not be considered as providing a required exit.

³Access to secondary areas on balconies or mezzanines may be by stairs only.

⁴Reviewing stands, grandstands and bleachers need not comply.

⁵Access to floors other than that closest to grade may be by stairs only.

⁶Access to floors other than that closest to grade and to garages used in connection with apartment houses may be by stairs only.

⁷See Section 3302 for basement exit requirements.

WICHITA-SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT

DATE

September 23, 1975

Page 2 - Metropolitan Area Planning Commission
September 23, 1975

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT LR 75-26 - Possible Amendment to Zoning Ordinance -
Re: Off-street Parking for the Physically Handicapped

Attached hereto is a copy of a proposed amendment to the zoning ordinance that has been advertised for public hearing at your meeting of October 9, 1975. This amendment will require that all parking areas exceeding 50 or more spaces provide and designate at least one space for the physically handicapped.

BACKGROUND

The Board of City Commissioners has expressed their desire to eliminate the barriers in the community to the physically handicapped. One step taken by the City Commission in the last two years was the modification of the curbs in the downtown area by providing ramps at intersections and at the alley crossings. The building code has provisions that require ramps to serve the physically handicapped in the majority of buildings.

The City Manager has requested that the zoning ordinance be amended to require that off-street parking spaces be provided and designated for the physically handicapped. In research for material or information on the proper number of spaces that should be provided, we find that definite standards have not been developed. The Traffic Engineering Division has, however, developed an appropriately sized parking space and a method of designation that has been used to identify such spaces near Century II, the library and at the Towne East Shopping Center.

We have attempted to analyze the use of the spaces provided at these locations to determine if the number adequately serves the purpose. We find that these designated spaces are not always utilized by the physically handicapped, and the number of spaces at Towne East Shopping Center appears at this point to be slightly excessive.

SUMMARY

Based upon the request and the information available on this subject, the staff has developed a possible amendment to the zoning ordinance requiring that off-street parking be provided and designated for use by the physically handicapped. The number of spaces required by the possible amendment will be comparable to the number now provided near

Century II, based upon the total number of off-street parking spaces in that lot. This, of course, does not take into consideration the number of spaces used elsewhere during a large attendance at Century II. The number of spaces required by this possible amendment for a shopping center the size of Towne East would be 17 designated spaces. This would be slightly more than one-half of the number of spaces presently provided at the Towne East Center.

Copies of this proposed amendment have been furnished to the Wichita Association of Homebuilders, the Wichita Board of Realtors, and Kansas Paralysis Chapter, and a number of architects, engineers and developers for their information and comment.

RECOMMENDATION

It is recommended that the proposed amendment to the zoning ordinance along with any changes deemed appropriate, be forwarded to the City Commission with a recommendation for adoption.

Robert A. Lakin
Robert A. Lakin
Director of Planning

RAL:GEL:bor

Attachment

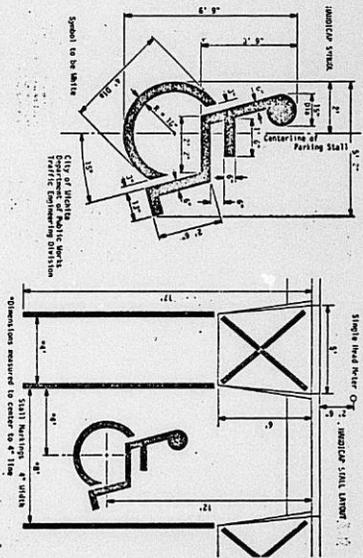
cc: Ralph Wulz, City Manager
Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection
Paul Graves, City Traffic Engineer

Proposed Amendment to the
Zoning Ordinance of the
City of Wichita

It is proposed to amend Section 28.04.141, by adding paragraph 4, to require that parking spaces be provided for the physically handicapped.

4. On all off-street parking areas of 50 or more spaces, in any zoning district, at least one space shall be designated for the physically handicapped. Whenever the number of spaces exceeds ~~50~~¹⁵⁰, there shall be designated for the physically handicapped ~~one~~^{plus one additional space} not less than one space for each 300 spaces or major fraction thereof. Each designated space shall be located in close proximity to the use or uses it serves and shall be accessible by ramp. Each designated space shall be appropriately marked with paving marking materials and shall conform to the design standards of the Traffic Engineering Division of the City of Wichita.

Total No. of O.S. Pkg. Spaces	Orig. Prop. Sp. Designated	As Amended above Sp. Designated
0-50	0	0
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451-750	2	3
751-1050	3	4
etc.		

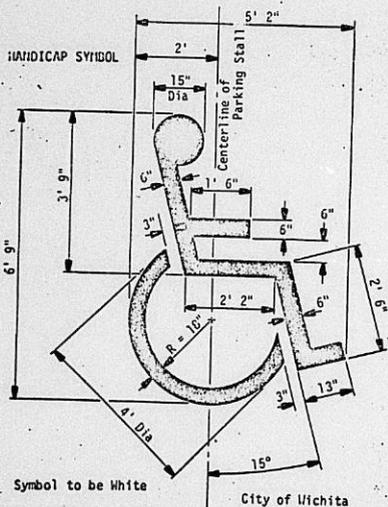


PROPOSAL 'A'

Proposed Amendment to the
Zoning Ordinance of the
City of Wichita

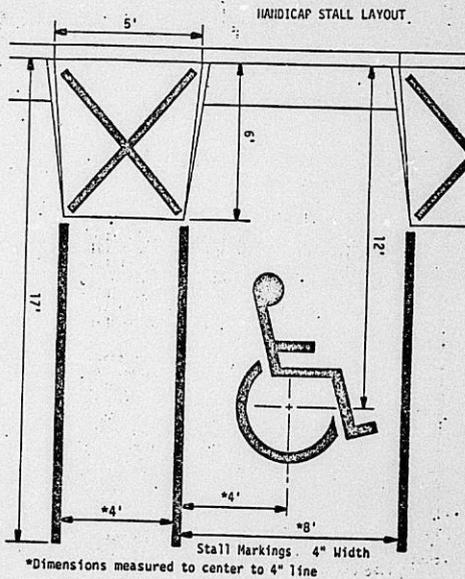
It is proposed to amend Section 28.04.141, by adding paragraph 4, to require that parking spaces be provided for the physically handicapped.

4. There shall be provided, for any new building where the required off-street parking is 50 or more spaces, not less than one designated space for the physically handicapped. Whenever the number of spaces exceeds 150, there shall be designated for the physically handicapped not less than one space plus one additional space for each 300 off-street parking spaces or major fraction thereof. Each designated space shall be located in close proximity to the use or uses it serves and shall be accessible by ramp from the parking space to a sidewalk leading to the building. Each designated space shall be appropriately marked with paving marking materials and shall conform to the design standards of the Traffic Engineering Division of the City of Wichita.



Symbol to be White

City of Wichita
 Department of Public Works
 Traffic Engineering Division



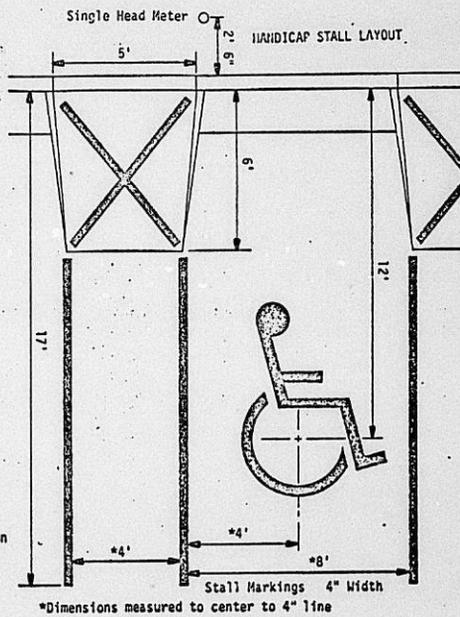
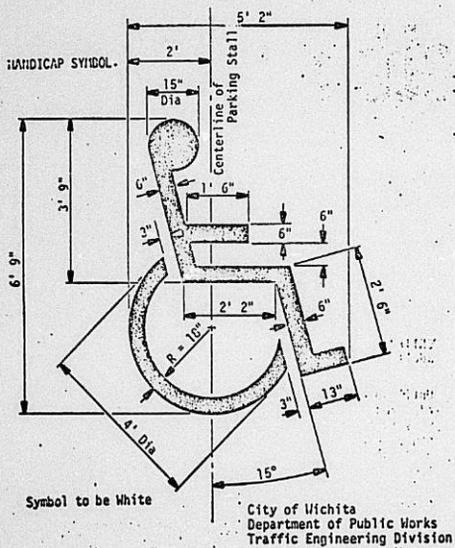
10-13-75

PROPOSAL 'B'

Proposed Amendment to the Zoning Ordinance of the City of Wichita

It is proposed to amend Section 28.04.141, by adding paragraph 4, to require that parking spaces be provided for the physically handicapped.

4. On all off-street parking areas of 50 or more spaces, in any zoning district, serving uses or buildings that are required by the City of Wichita building code to be accessible to the physically handicapped by ramps, there shall be provided not less than one designated space for the physically handicapped. Whenever the number of spaces exceeds 150, there shall be designated for the physically handicapped not less than one space plus one additional space for each 300 off-street parking spaces or major fraction thereof. Each designated space shall be located in close proximity to the use or uses it serves. Each designated space shall be appropriately marked with paving marking materials and shall conform to the design standards of the Traffic Engineering Division of the City of Wichita.



October 31, 1975

Ms. Dolores J. Justus
Box 544
Wellsville, Kansas 66092

Dear Ms. Justus:

This is to acknowledge receipt of your letter directed to Mr. Bayouth, Chairman of the Planning Commission. I will see that this letter is furnished to Mr. Bayouth and other members of the Planning Commission, for their consideration at their public hearing on the off-street parking spaces for handicapped, to be held on November 13, 1975.

Sincerely,

Robert A. Lakin
Secretary

RAL:ber

Lytle File

October 23, 1975

Mr. Delbert Clark
2247 Ida Street
Wichita, Kansas 67211

Dear Mr. Clark:

This is to acknowledge your letter concerning the amendment to the zoning ordinance on off-street parking for the physically handicapped. The letter will be provided to members of the Planning Commission prior to the next time they consider this proposed amendment.

Sincerely,

Robert A. Lakin
Director of Planning

RAL:ber

October 15, 1975

Mr. Ed Drumm
2215 Mesita
Wichita, Kansas 67211

Re: DR 75-28

Dear Mr. Drumm:

I wish to thank you for your attendance and participation in the Planning Commission meeting of October 9 when they discussed parking for the physically handicapped.

As you are aware, the public hearing was continued for two weeks pending clarification on the requirement for ramps. At the request of the Chairman of the planning commission, and with the concurrence of the representatives of the Kansas Paralysis chapter, this hearing will be continued to the Planning Commission meeting of November 13, 1975.

We will be mailing you the information that will be sent to the planning commission prior to that meeting.

Sincerely,

Glen E. Lytle
Special Assistant for Zoning

GEL:rme

cc: Bill Standrich
1409 Prairie Lane
Derby, Kansas 67037

Jim Dulaney, President
Kansas Paralysis Chapter
106 Walnut
Mulvane, Kansas 67110

October 15, 1975

Mr. Delbert Clark
2247 Ida
Wichita, Kansas 67211

Re: DR 75-28

Dear Mr. Clark:

I wish to thank you for your attendance and participation in the Planning Commission meeting of October 9 when they discussed parking for the physically handicapped.

As you are aware, the public hearing was continued for two weeks pending clarification on the requirement for ramps. At the request of the Chairman of the planning commission, and with the concurrence of the representatives of the Kansas Paralysis chapter, this hearing will be continued to the Planning Commission meeting of November 13, 1975.

We will be mailing you the information that will be sent to the planning commission prior to that meeting.

Sincerely,

Glen E. Lytle
Special Assistant for Zoning

GEL:rme

AT MAPC Hrg. 10-9-75

DELBERT CLARK

2247 1DA

W.K.

ED DRUMM

2215 Mesita 69211

Handicap parking 'doubted'

Metropolitan Area Planning Commission Chairman David Bayouth said Thursday he doesn't believe an ordinance requiring parking spaces for handicapped persons is enforceable because he parks in such spaces.

Bayouth was one of five commissioners who opposed a section of a proposed amendment to off-street parking ordinances when the amendment was considered by the planning commission Thursday.

The commissioners said parking spaces for handicapped persons should be provided at new businesses, but not at businesses that are remodeling.

They deferred final action on the ordinance so that proposed wording can be drafted.

"How are you going to enforce this ordinance?" asked Bayouth. "I personally have parked in those parking spaces."

"If I could walk," replied Delbert

Clark, vice president of the Kansas Paralysis Chapter. "I would be willing to park at the end of the lot."

Bayouth said he had sympathy for handicapped persons but said he believed the requirements were not feasible for businessmen.

Clark said the handicapped, their friends and their relatives often do not shop at businesses that do not appear to care about the needs of handicapped persons, and said that should be an economic consideration.

The amendment to the zoning ordinance was requested by City Manager Ralph Wulz, in compliance with the city commission's policy of eliminating barriers to the physically handicapped.

The city's zoning ordinances require parking spaces based on the size of businesses, and the amendment for spaces for the handicapped was designed to be included in the overall space requirements.

The proposed ordinance states that at least one space would be designated for the handicapped out of every 50 off-street parking spaces.

In parking lots with more than 450 spaces, one space for the handicapped would be provided for each 300 spaces.

For example, the ordinance would require Towne East Square to have 18 parking spaces for handicapped persons. The shopping center already has

48. Alternate proposals also were discussed. An alternate ordinance proposed one space for the handicapped for each 300 spaces over 150 spaces. Representatives of the Architectural Barrier Committee of Greater Wichita recommended one space for the first 50 spaces and an additional space for each 300 spaces, and the Kansas Paralysis Chapter recommended one space for each additional 200 spaces. Under the amendment proposed

Thursday, the designated spaces would be close to ramps. A city building code requires wheelchair ramps from sidewalks to buildings.

Members of the paralysis chapter urged that ramps be provided from the parking lot to the sidewalk, saying persons in wheelchairs can't get from the sidewalk into the building if they can't get from the parking lot to the

sidewalk.

But a majority of the commission opposed required ramps from the parking lot to the sidewalk.

The off-street parking requirements do not apply to the downtown area, although the city-owned lots around Century II and the library meet zoning requirements and have designated ramps for handicapped persons.



Kansas Elks Training Center For The Handicapped

619 South Main Road • Wichita, Kansas 67209 • (316) 722-1551

October 7, 1975

Glen E. Lytle
Special Assistant to Zoning
Metropolitan Planning Division
104 S. Main - 4th Floor
Wichita, Kansas 67202

Dear Mr. Lytle:

On behalf of the Architectural Barrier Committee of Greater Wichita, we have two matters which we'd like to bring to your attention.

With regard to the proposed amendment regarding off-street parking areas, after checking several different sources with regard to standards in other cities, we would agree that one space should be set aside and designated for physically handicapped for the first 50 parking spaces; thereafter, one additional space for each 300. This differs slightly from the proposed amendment which was recently submitted to Bill Standrich of our Committee for review purposes.

The City of Wichita's handicapped symbol -- we would like to have modified slightly -- so that the stick figure is sitting up in the chair rather than lying back. We are enclosing a sample of the International Symbol of Accessibility.

We hope that the stall markings will be so corrected.

Yours sincerely,

Dean B. Settle, Chairman
Architectural Barrier Committee of Greater Wichita

DBS:sh

Enclosure

cc: Ralph Wulz, City Manager
Bob Lakin, Director of Planning
Ray Bruggeman, Director of Public Works

Kansas Elks Training Center
for the Handicapped, Inc. -
The major project of the
Kansas Elks Association
A Non-Profit Organization

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Executive Director
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Wichita, Kansas 67209
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610 Lanewood Drive
McPherson, Kansas 67460
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Vice-President
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Pratt, Kansas 67124
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Box 133
Litchell, Kansas 67301
- ROBERT MAULIFFE
718 Allen
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- WALTER SHANNON
227 N. Birch
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- JODY HIBBERT (Mrs. Nell)
Box 1296
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- LOUISE EVANS (Mrs. Ralph)
321 W. Main
Chanute, Kansas 66709



Accredited by Commission
on Accreditation of
Rehabilitation Facilities

LAMBERTZ COMPANY

Established 1955

AREA CODE 316 PHONE: 265-8537
812 NORTH WACO / WICHITA, KANSAS 67203



October 3, 1975

Mr. Robert A. Lakin
Metropolitan Area Planning Dept.
104 South Main Street
Wichita, Kansas 67202

Dear Bob:

I read your September 24, 1975 letter and, of course, I will try to be there. However, since I plan to be out of town the 6th through the 10th, I might not be able to make it.

I feel there certainly should be ramps at the various shopping centers. Years ago we placed the same at Westway Shopping Center and Prairie Village Shopping Center.

We have not previously specified any particular spots for parking for the handicapped, but I think it has merit. I doubt that it is necessary to provide as many stalls as is indicated, however, I have nothing to base my thoughts on except the number of handicapped people I have seen in the various centers. The ratio of handicapped drivers to the total number of drivers would probably assist in the analysis.

Cordially yours,

LAMBERTZ COMPANY


Vern Lambertz:skh



COMMERCIALS ■ SHOPPING CENTERS ■ PROPERTY MANAGEMENT ■ INDUSTRIALS ■ APPRAISALS ■ COUNSELING ■ INSURANCE

individual membership in -
Kansas State Chamber of Commerce
Kansas Association of Realtors

National Association of Real Estate Board
International Council of Shopping Centers

Wichita Chamber of Commerce
Wichita Board of Realtors

Proposed Amendment to the
Zoning Ordinance of the
City of Wichita

It is proposed to amend Section 28.04.141, by adding paragraph 4, to require that parking spaces be provided for the physically handicapped.

4. On all off-street parking areas of 50 or more spaces, in any zoning district, at least one space shall be designated for the physically handicapped. Whenever the number of spaces exceeds ¹⁵⁰450, there shall be designated ~~for the physically handicapped~~ ^{plus one additional space} not less than one space for each 300 spaces or major fraction thereof. Each designated space shall be located in close proximity to the use or uses it serves and shall be accessible by ramp. Each designated space shall be appropriately marked with paving marking materials and shall conform to the design standards of the Traffic Engineering Division of the City of Wichita.

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etc.		

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

PHONE 262-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

September 24, 1975

To All Interested Persons:

Recent interest by the Board of City Commissioners to remove barriers in the community has disclosed a need to provide adequate and accessible parking spaces for the physically handicapped.

Attached hereto is the material that has been furnished to the Planning Commission related to a public hearing to consider such a change to the City of Wichita's zoning ordinance. This hearing will be held at the next regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission. This meeting will be held in Room 401, City Building Annex, 104 South Main, with the meeting scheduled to begin at 1:30 p.m. This item will be placed on the agenda after the Subdivision and zoning items, and will therefore, be heard later in the afternoon.

Any comments by individuals, groups or organizations are welcomed and will be heard at this time.

Robert A. Lakin
Director of Planning

RAL:GEL:rme
Attachment

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

PHONE 262-0811 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

September 24, 1975

To All Interested Persons:

Recent interest by the Board of City Commissioners to remove barriers in the community has disclosed a need to provide adequate and accessible parking spaces for the physically handicapped.

Attached hereto is the material that has been furnished to the Planning Commission related to a public hearing to consider such a change to the City of Wichita's zoning ordinance. This hearing will be held at the next regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission. This meeting will be held in Room 401, City Building Annex, 104 South Main, with the meeting scheduled to begin at 1:30 p.m. This item will be placed on the agenda after the Subdivision and zoning items, and will therefore, be heard later in the afternoon.

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Robert A. Lakin
Director of Planning

RAL:GEL:rme
Attachment

82207 (Published in The Daily Record
September 17, 1975)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on Thursday, October 9, 1975, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 301 City Building Annex, 104 South Main Street, Wichita, Kansas, at 1:30 p.m. will consider the following change in Title 28, the Code of the City of Wichita, Kansas.

Amend Section 28.04.141 of the Zoning Ordinance to require that off-street parking spaces be provided and designated for use by the physically handicapped.

Copies of the proposed amendment are available upon request from the Wichita-Sedgwick County Metropolitan Area Planning Department.

The proposed amendment will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes, and any protest against any of the provisions of the proposed changes of the zoning ordinance will be considered by the Commission as by law provided.

WITNESS my hand and seal this 15th day of September, 1975.

ROBERT A. LAKIN, Secretary,
Wichita-Sedgwick County
Metropolitan Area Planning
Commission.

(SEAL)

Shirley - note
Eddie - note
Bernice - file

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

September 23, 1975

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Robert A. Lakin, Director of Planning

SUBJECT DR 75-28 - Possible Amendment to Zoning Ordinance -
Re: Off-street Parking for the Physically Handicapped

Attached hereto is a copy of a proposed amendment to the zoning ordinance that has been advertised for public hearing at your meeting of October 9, 1975. This amendment will require that all parking areas exceeding 50 or more spaces provide and designate at least one space for the physically handicapped.

BACKGROUND

The Board of City Commissioners has expressed their desire to eliminate the barriers in the community to the physically handicapped. One step taken by the City Commission in the last two years was the modification of the curbs in the downtown area by providing ramps at intersections and at the alley crossings. The building code has provisions that require ramps to serve the physically handicapped in the majority of buildings.

The City Manager has requested that the zoning ordinance be amended to require that off-street parking spaces be provided and designated for the physically handicapped. In research for material or information on the proper number of spaces that should be provided, we find that definite standards have not been developed. The Traffic Engineering Division has, however, developed an appropriately sized parking space and a method of designation that has been used to identify such spaces near Century II, the library and at the Towne East Shopping Center.

We have attempted to analyze the use of the spaces provided at these locations to determine if the number adequately serves the purpose. We find that these designated spaces are not always utilized by the physically handicapped, and the number of spaces at Towne East Shopping Center appears at this point to be slightly excessive.

SUMMARY

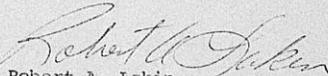
Based upon the request and the information available on this subject, the staff has developed a possible amendment to the zoning ordinance requiring that off-street parking be provided and designated for use by the physically handicapped. The number of spaces required by the possible amendment will be comparable to the number now provided near

Century II, based upon the total number of off-street parking spaces in that lot. This, of course, does not take into consideration the number of spaces used elsewhere during a large attendance at Century II. The number of spaces required by this possible amendment for a shopping center the size of Towne East would be 17 designated spaces. This would be slightly more than one-half of the number of spaces presently provided at the Towne East Center.

Copies of this proposed amendment have been furnished to the Wichita Association of Homebuilders, the Wichita Board of Realtors, and Kansas Paralysis Chapter, and a number of architects, engineers and developers for their information and comment.

RECOMMENDATION

It is recommended that the proposed amendment to the zoning ordinance, along with any change deemed appropriate, be forwarded to the City Commission with a recommendation for adoption.


Robert A. Lakin
Director of Planning

RAL:GEL:ber

Attachment

cc: Ralph Wulz, City Manager
Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection
Paul Graves, City Traffic Engineer

Sept 24 memo

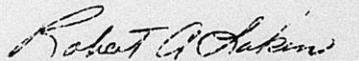
September 24, 1975

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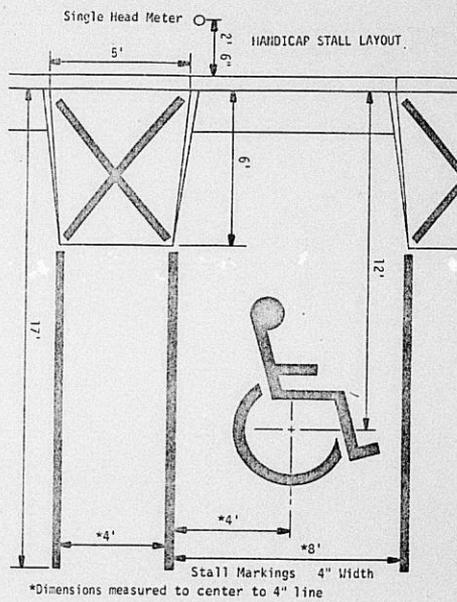
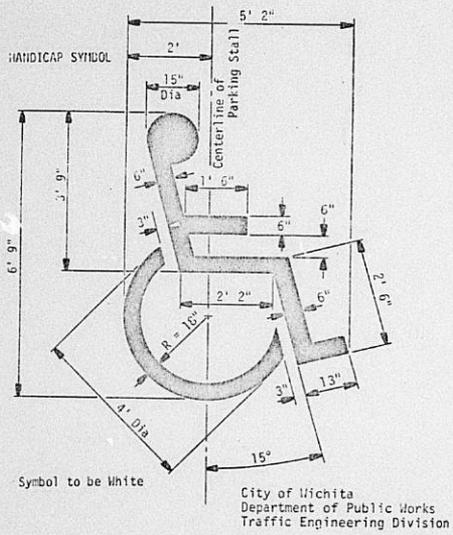
Robert T. Lakin
Director of Planning

RAL:GEL:rne
Attachment

Proposed Amendment to the
Zoning Ordinance of the
City of Wichita

It is proposed to amend Section 28.04.141, by adding paragraph 4, to require that parking spaces be provided for the physically handicapped.

4. On all off-street parking areas of 50 or more spaces, in any zoning district, at least one space shall be designated for the physically handicapped. Whenever the number of spaces exceeds 450, there shall be designated not less than one space for each 300 spaces or major fraction thereof. Each designated space shall be located in close proximity to the use or uses it serves and shall be accessible by ramp. Each designated space shall be appropriately marked with paving marking materials and shall conform to the design standards of the Traffic Engineering Division of the City of Wichita.



NOTIFICATION LIST

Wichita Chamber of Commerce 350 West Douglas Wichita, Kansas 67202	Professional Engineering Consultants 1440 East English Wichita, Kansas 67214
Wichita Association of Home Builders 730 North Main Wichita, Kansas 67203	Colby Sandlian 435 North Broadway Wichita, Kansas 67202
Wichita Board of Realtors 626 North Broadway Wichita, Kansas 67214	John Arnold Sutton Place Building Wichita, Kansas 67202
Kansas Paralysis Chapter Jim Dulaney, President 106 Walnut Mulvane, Kansas 67110	Glenn Benedick 230 Laura Wichita, Kansas 67211
J. Craig Mann 151 North Broadway Wichita, Kansas 67202	Monty Robson 7701 East Kellogg Wichita, Kansas 67207
Baughman Company 330 Laura Wichita, Kansas 67211	Sid Platt & Associates 300 West Douglas Wichita, Kansas 67202
John Callahan 262 North Waco Wichita, Kansas 67202	B. J. Kingdon ^w Law -Kingdon 313 South Market Wichita, Kansas 67202
Campbell & Castle Engineers P. O. Box 1835 Wichita, Kansas 67201	SS&A Architects 200 South Hillside Wichita, Kansas 67211
R. S. Delamater 512 Century Plaza Building Wichita, Kansas 67202	Thomas, Harris, Ash and Mason 262 North Waco Wichita, Kansas 67202
Kenneth O. Taylor 1542 South St. Francis Wichita, Kansas 67211	Dean Bussart 5050 East Central Wichita, Kansas 67208
Reiss & Goodness Engineers 2160 East Douglas Wichita, Kansas 67214	Doug Castleberry & Associates 786 North Ridge Road Wichita, Kansas 67212
Oblinger & Smith Corp. 625 1st National Bank Building Wichita, Kansas 67202	Les Kappelman 144 North Waco Wichita, Kansas 67203

6 arch.
7 arch.
5 minutes.

Page 2

Vern Lambertz
812 North Waco
Wichita, Kansas 67203

Charles Sutherland
763 North West Street
Wichita, Kansas 67203

Jim
Jim Smith
200 West Douglas
Wichita, Kansas 67202

Carl Chuzy
6572 East Central
Wichita, Kansas 67212

Transamerican Investment, Inc.
7701 East Kellogg
Wichita, Kansas, 67207

Comotara
2500 Claiborn Circle
Wichita, Kansas 67226

Bill Standrickⁿ
Urban Renewal Agency

September 23, 1975

Wichita-Sedgwick County Metropolitan
Area Planning Commission

Robert A. Lakin, Director of Planning

IR 75-28 - Possible Amendment to Zoning Ordinance -
Re: Off-street Parking for the Physically Handicapped

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The City Manager has requested that the zoning ordinance be amended to require that off-street parking spaces be provided and designated for the physically handicapped. In research for material or information on the proper number of spaces that should be provided, we find that definite standards have not been developed. The Traffic Engineering Division has, however, developed an appropriately sized parking space and a method of designation that has been used to identify such spaces near Century II, the library and at the Towne East Shopping Center.

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SUMMARY

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Page 2 - Metropolitan Area Planning Commission
September 23, 1975

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Copies of this proposed amendment have been furnished to the Wichita Association of Homebuilders, the Wichita Board of Realtors, and Kansas Paralysis Chapter, and a number of architects, engineers and developers for their information and comment.

RECOMMENDATION

It is recommended that the proposed amendment to the zoning ordinance, along with any change deemed appropriate, be forwarded to the City Commission with a recommendation for adoption.

Robert A. Lakin
Director of Planning

RAL:GEL:ber

Attachment

cc: Ralph Wulz, City Manager
Ray Bruggeman, Director of Public Works
Robert Feldner, Supt. of Central Inspection
Paul Graves, City Traffic Engineer

() Published in The Daily Record on September 17, 1975

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

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WITNESS my hand and seal this 15th day of September 1975.

Robert A. Lakin, Secretary
Wichita-Sedgwick County Metro-
politan Area Planning Commission

(SEAL)

STAFF
MTG.

Clement Schmidt - @ Urban Renewal.
Ems Foundation - nothing.

Mr. Hoover of Law Co. - 170 of spaces.

Town East	300	$\sqrt[17]{5124}$ spaces	17 regl -
		5106	
		740	

5,124 spaces - Formula 17 regl -

$\begin{array}{r} 160 \\ 32 \overline{) 5124} \\ \underline{32} \\ 190 \\ \underline{152} \\ 384 \end{array}$

~~17 spaces~~

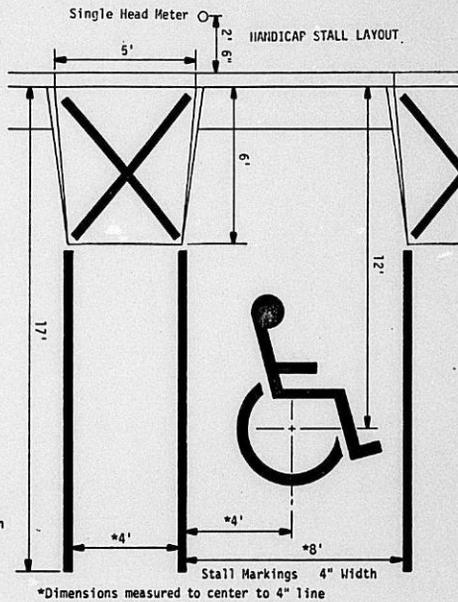
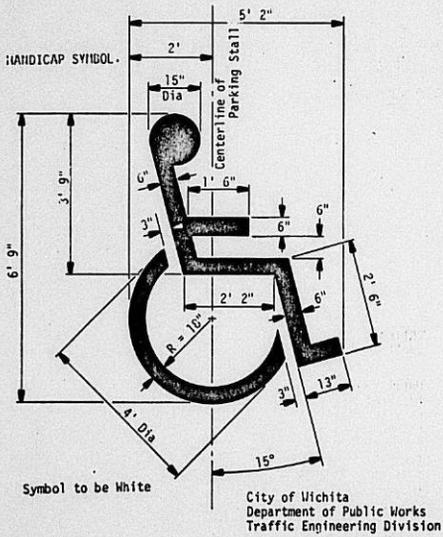
45

Kono Paralysis Soc.
members.
10 of 45
divide themselves

Proposed Amendment to the
Zoning Ordinance of the
City of Wichita

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from: NR date: Rec'd. 8-22-75

admin. adv. plans com. dev. social graphics

- lakin
- braukam
- rubika
- subanks
- wilson, v
- smith
- bosson
- rauda
- hahn
- stockwell
- colman
- butson
- may
- bradley
- butler
- hend
- carman
- hobbitt
- ringwald
- gschwind
- heinicks
- king
- looney
- lindbak
-
- shon
- wilson, p
- leaw
- heinicks, i.a.
- giffarth
- tylo
- young, bob
- shirley
- sawby
- deason
- meak
- richter
- may, d.
- johnson
- mitchell
- gibson
- affman
- frank
- kahl
- fitzner
- gates
-
- pierce
- garland
- polo
- commor
- yark
- crook
- livesay

- all staff
- comment
- note & return
- handle
- information
- files
- signature
- library

remarks: Based on Feldman memo the Bldg code of fees not to have any requirements. In so proceed to amend Table 28 along line of 10-105 my first memo.

from: NR date:

admin. adv. plans com. dev. social graphics

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remarks: may be a good idea for large projects (over 50 spaces) low priority 10

THE CITY OF WICHITA
OFFICE OF CITY MANAGER

DATE May 22, 1975

TO Robert A. Lakin, Director of Planning

FROM Ralph Wulz, City Manager

SUBJECT Barriers to the Handicapped

Following discussion of the captioned subject at the City Commission meeting of February 4, 1975, the Superintendent of Central Inspection was requested to review existing building code requirements insuring that it does include all necessary provisions for removing barriers to the handicapped.

In reporting on his review, Mr. Feldner has advised in the attached memo that consideration should be given to amending Section 28.04.141 of the City Code to provide for designated parking spaces with ramped areas if needed. This section of the code refers to off-street parking areas.

Please provide your comments on this recommendation.


Ralph Wulz
City Manager

RW/ksh
Attachment

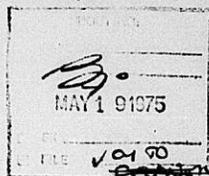
cc: R. W. Bruggeman, Director of Public Works
Robert Feldner, Superintendent of Central Inspection



THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE May 16, 1975



TO Ralph Wulz, City Manager

FROM Robert B. Feldner, Superintendent of Central Inspection

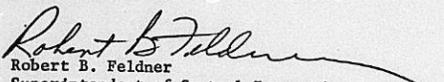
SUBJECT Barriers to the Handicapped

The present building code contains adequate provisions for the handicapped in all new and substantial remodeling projects (over 50% of valuation).

One item not covered is designated parking space with ramped access (if needed) to the building. This should be included as an amendment to Section 28.04.141 of the zoning ordinance, which would have to go through MAPC.

There are no requirements for existing buildings. If required in all existing buildings, it would be in many situations a very expensive burden for the owner. Items like drinking fountains and telephones would be relatively easy, but ramp access to buildings such as the U. S. Post Office would not be simple, or the installation of an elevator in a 2-story building. Toilet room facilities would be difficult to install with the limited space in most existing restrooms.

I recommend at this time that the parking space requirement be added to the zoning ordinance.


Robert B. Feldner
Superintendent of Central Inspection

REF:mml

cc: R. W. Bruggeman,
Director of Public Works