



Wichita-Sedgwick County Metropolitan Area Planning Department

June 1, 2010

Hunter Health Clinic, Inc.
Attn: Susette Schwartz, CEO
2218 East Central
Wichita, KS 67214



LawKingdon Architecture
Attn: Donald Keenan, Associate AIA
345 Riverview, Suite 200
Wichita, KS 67203

Re: BZA2010-00022: Zoning Adjustment to permit parking within the 20-foot front setback, but no closer than eight feet from the property line, for an institutional use on property zoned B Multi-Family ("B").

Lot 1, Ronald Johnson Addition to Wichita, Sedgwick County, Kansas. Generally located on the southwest corner of Market Street and 9th Street North.

Dear Applicants,

We have reviewed your request for a Zoning Adjustment to permit parking within the 20-foot setback for a parking lot on the aforementioned property. From reviewing the application, we understand that you desire to construct parking spaces within approximately 15 feet of the east property line.

Section V-1.2.1. of the Unified Zoning Code allows an administrative adjustment for institutional use parking within the front setback, but no closer than 8 feet from the property line when the provisions of that section and the Zoning Adjustment Criteria of Section V-1.6. are met. We find that the parking as proposed meets the provisions of Section V-1.2.1. and the four criteria required by Section V-1.6. as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The setback encroachment should have no impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is affected. The proposed setback encroachment aligns the handicapped parking space with the bricked entrance area of the proposed building, making it readily accessible for visitors to the site.
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of parking within the front setback; the front yard will maintain a minimum of 15 feet for landscaping except for drive aisles.

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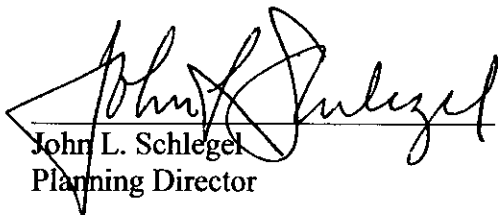
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- 3) Compatibility with existing or permitted uses on abutting sites: The proposed parking configuration is compatible with existing and permitted uses on abutting sites; parking within the front setback should not reduce compatibility with abutting and adjacent sites.
- 4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way. Therefore, there should be no negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that a Zoning Adjustment to permit parking within the front setback, but no closer than 8 feet from the property line, for the aforementioned property is hereby granted, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan.
- 2) Parking on the site shall be paved and developed in conformance with all other City standards.
- 3) The site shall maintain conformance with the Landscape Ordinance.
- 4) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Zoning Adjustment is null and void.

The "Development Application" sign should now be removed from the property.


John L. Schlegel
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, OCI
Paul Hays, OCI
JR Cox, Office of Central Inspection
Janet Miller, District VI, mailstop 1-13

