



**Wichita-Sedgwick County Metropolitan Area Planning Department**

July 8, 2010

USD#259  
Attn: Joe Hoover  
3850 N Hydraulic  
Wichita, KS 67219

**Re: BZA2010-00028: Zoning Adjustment to permit parking within the front setback, but no closer than eight feet from the property line, on property zoned TF-3 Two-Family Residential ("TF-3") for an institutional use parking lot.**

**Lots 5, 7, 9, 11, 13 and 15, Tenth Street Addition, Wichita, Sedgwick County, Kansas. Generally located west of Spruce Street and south of 11<sup>th</sup> Street North.**

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to permit parking within the front setback of a teachers' parking lot for Spaght Elementary School on the aforementioned property. From reviewing the application, we understand that you desire to construct parking spaces up to eight feet from the east property line. The current request is for Phase 1, consisting of approximately 50 parking spaces.

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 eight 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.
- 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 property is across the street from the elementary school generating the need for the parking spaces. Required plantings to screen the parking lot will enhance the appearance of the parking lot.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed parking configuration is compatible with existing and permitted uses on the sites directly to the east being redeveloped with a new school. By shifting the parking lot across the street from the school, the small school site has more space for its playground. The parking lot

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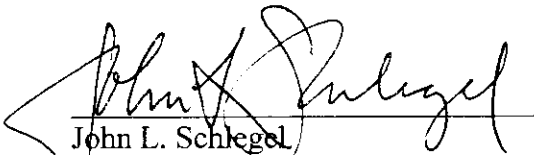
will provide a screening fence and tree buffer to the residential homes to the west and be separated by an unpaved alley. The property to the north and south potentially could be used for more parking. If not developed in this manner, buffering and screening also would be required along the north of Lot 5 and the south of Lot 15. 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.

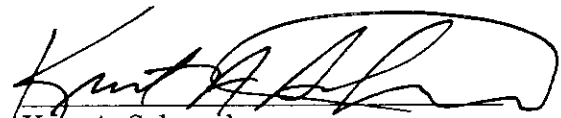
Our signatures below indicate that a Zoning Adjustment to permit parking within the front setback, but no closer than eight feet from the property line, for the aforementioned property is hereby granted, subject to the following conditions:

- 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 Code.
- 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.



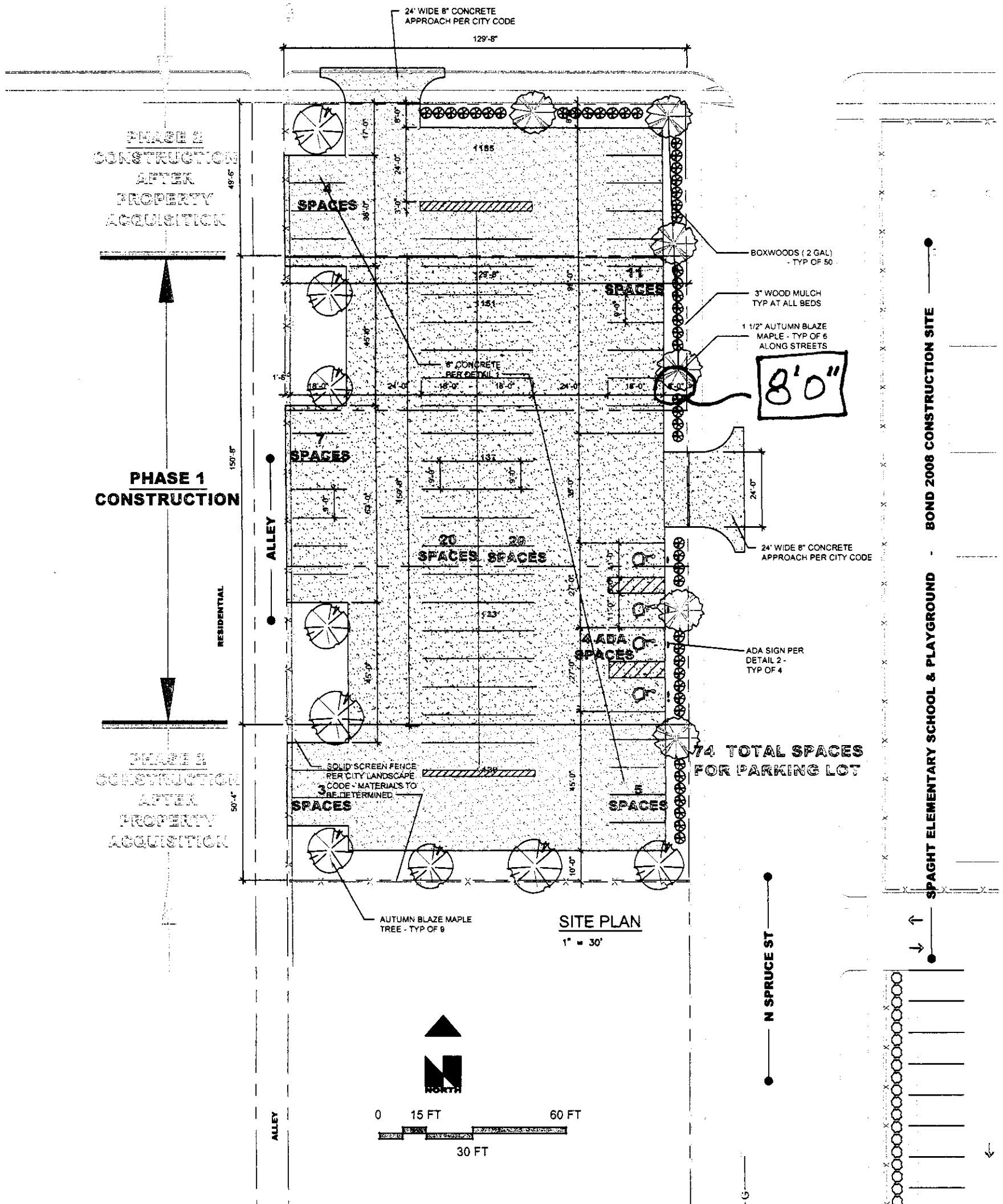
John L. Schlegel  
Planning Director



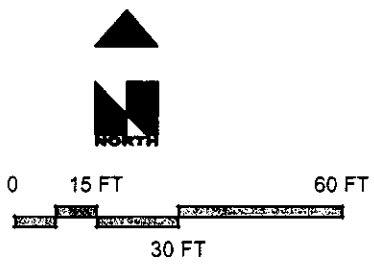
Kurt A. Schroeder  
Superintendent of Central Inspection

Enclosure

cc: Kurt Schroeder, OCI  
Paul Hays, OCI  
Matthew Lee, OCI  
Leonard Fox, OCI  
Lavonta Williams, District I, mailstop 1-13



SITE PLAN  
1" = 30'



PHASE 2  
CONSTRUCTION  
AFTER  
PROPERTY  
ACQUISITION

PHASE 1  
CONSTRUCTION

PHASE 2  
CONSTRUCTION  
AFTER  
PROPERTY  
ACQUISITION

RESIDENTIAL

ALLEY

ALLEY

N SPRUCE ST

BOND 2008 CONSTRUCTION SITE  
SPAGHT ELEMENTARY SCHOOL & PLAYGROUND

74 TOTAL SPACES  
FOR PARKING LOT



# SPAGHT ELEMENTARY SCHOOL

2316 E 10 TH STREET NORTH, WICHITA, KANSAS 67214

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USD 259  
TEACHERS' PARKING LOT  
@ 1133, 1137, & 1151 N SPRUCE  
to serve  
SPAGHT ELEMENTARY SCHOOL