



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

July 8, 2010

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

**Re: BZA2010-00029: Zoning Adjustment to permit parking within the front setback, but no closer than eight feet from the property line, on property zoned SF-5-Family Residential ("SF-5") for an institutional use parking lot.**

**Lot 1, Carl Barbee Addition, Wichita, Sedgwick County, Kansas. Generally located on the southwest corner of Mascot Avenue and 33<sup>rd</sup> Street North.**

**N1/2 N1/ NE1/4 NE1/4 SW1/4 EXC E 30 FT FOR ST. SEC 32-26-1E**

**and**

**N58 FT S1/2 N1/2 NE1/4 NE1/4 SW1/4 EXC W 364 FT THEREOF & EXC 30 FT FOR ST. SEC 32-26-1E**

**and**

**S1/2 N1/2 NE1/4 NE1/4 SW1/4 EXC W 364 FT 7 ESC N 58 FT 7 EXC E 30 FT FOR ST. SEC 32-26-1E. Generally located on the southwest corner of Arkansas Avenue and 33<sup>rd</sup> Street North.**

Dear Applicant:

We have reviewed your request for a Zoning Adjustment to permit parking within the front and street side setbacks of two parking lots for the new North Elementary School on the aforementioned properties. From reviewing the application, we understand that you desire to construct parking spaces up to within eight feet of the north property line on 33<sup>rd</sup> Street North and the east property line on Arkansas Avenue.

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:

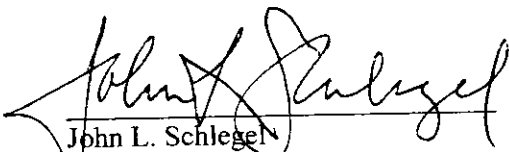
- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The setback encroachment should have a beneficial impact on the safety and convenience of vehicular and pedestrian circulation in the vicinity as no public right-of-way is affected by the parking, but the lots will allow the separation of parent pick-up/drop off, staff parking and the bus lane into three different areas in order to make the traffic pattern as safe as possible at this site.

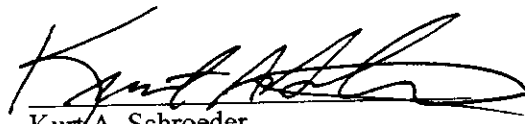
- 2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result of parking within the setbacks. Arkansas Avenue and 33<sup>rd</sup> Street North are arterial and collector streets, respectively, where institutional uses typically are found within residentially zoned areas. Required plantings to screen the parking lot will enhance the appearance of the parking lot and the area.
- 3) Compatibility with existing or permitted uses on abutting sites: The proposed parking configuration is compatible with existing and permitted uses on adjacent sites. Parking within the setback should not reduce compatibility with adjacent sites so long as adequate landscaping is provided and the eight-foot setback is maintained.
- 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. The proposed parking lots benefit neighborhood children by preserving the existing playground while adding safer loading and unloading patterns.

Our signatures below indicate that a Zoning Adjustment to permit parking within the front and street side setbacks, 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.

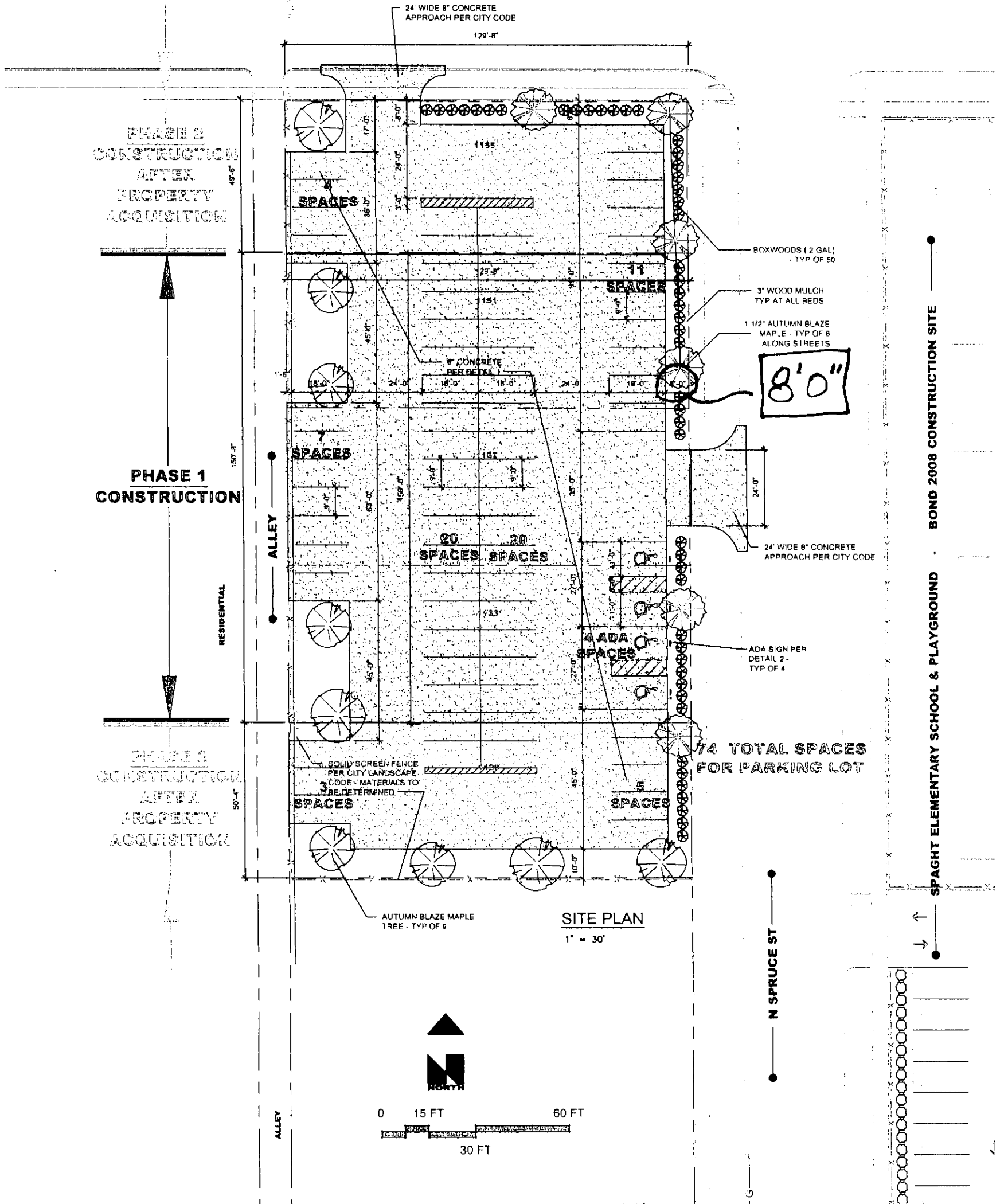
The "Development Application" sign should now be removed from the property.

  
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



74 TOTAL SPACES FOR PARKING LOT

SITE PLAN  
1" = 30'

BOND 2008 CONSTRUCTION SITE  
SPAGHT ELEMENTARY SCHOOL & PLAYGROUND

N SPRUCE ST



# SPAGHT ELEMENTARY SCHOOL

2316 E 10 TH STREET NORTH, WICHITA, KANSAS 67214

USD 259 • www.USD259.com • Design & Construction  
School Service Center • 3850 N. Hydraulic • Wichita, KS 67219

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