



Wichita-Sedgwick County Metropolitan Area Planning Department

Frontgate Developers, LLC
Attn: Trent Bannister
2229 S. West Street
Valley Center, KS 67213

August 30, 2013

Baughman Company, P.A.
Attn: Russ Ewy
315 Ellis
Wichita, KS 67211

RE: BZA2013-00031: Administrative Adjustments to permit up to 75 percent of the required parking to be located off-site for a neighborhood swimming pool/clubhouse on .53 acre zoned GO General Office (GO), subject to Protective Overlay #51 (PO-51) located 450 feet west of Jackson Heights Street, south of East Central Avenue.

Legal Description: Reserve B, Frontgate Addition to Wichita, Sedgwick County, Kansas.

Dear Applicants:

The Wichita-Sedgwick County Unified Zoning Code (UZC) (Article V, Section V-I.1) grants the Planning Director, with the concurrence of the Director of the Metropolitan Area Building and Construction Department, the authority to approve applications for Zoning Adjustments.

According to the information supplied by the applicant's agent, Baughman Company, P.A., the developer, Frontgate Development LLC, intends to locate a swimming pool/clubhouse on Reserve B, Frontgate Addition located approximately 450 feet west of Jackson Heights Street, south of East Central Avenue. The proposed swimming pool/clubhouse requires 22 parking spaces, including one space for persons with disabilities. The applicant proposes to install eight off-street spaces on Reserve B where the swimming pool/clubhouse is to be located (see the attached drawing labeled "site plan"), and to locate the 15 other required spaces in Reserves C and E, Frontgate Addition (as indicated on the attached highlighted Frontgate Addition drawing). The applicant is requesting an Administrative Adjustment to permit less than 50 percent of the required off-street parking spaces to be located off-site.

The UZC (Article IV, Section IV-A.4.Neighborhood Swimming Pool and 8.a) requires one off-street parking space per 110 square feet of pool area, plus one space per 100 square feet of clubhouse area excluding restrooms and dressing rooms. UZC Article IV, Section IV-A.10.a-e permits off-site parking provided that 50 percent of the required off-street parking spaces intended to serve the principal use are located on-site and the following development standards are met: a. the applicant demonstrates that it is

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not feasible to locate all of the required parking on the same lot as the Principal Use; b. No required off-site parking space is located more than 600 feet from the primary entrance of the use served and the required spaces are not separated from use they serve by an arterial street, expressway or freeway unless a grade separated pedestrian walkway is provided; c. the property where the off-street parking is to be located has the same or more intense zoning than the zoning required for the use the spaces serve; and d. In the event that off-site parking is not under the same ownership as the principal use served, a written agreement shall be required.

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The Frontgate Addition is a 38 lot residential subdivision that currently has only two points of connection to the larger city street network. In many ways the internal street layout functions like a large cul-de-sac, which minimizes the potential for high volumes of through traffic. The developer anticipated the need for off-site parking spaces when the property was platted with the inclusion of the reserves proposed to accommodate the off-site parking spaces. The plat also includes complete access control to East Central Avenue. The Traffic Engineer has reviewed the proposed parking scheme and has no objections.
- 2) Impact on existing uses in surrounding areas. Because of the subdivision's smaller size and internal circulation pattern described above and the fact that the site has complete access control to East Central Avenue, the proposed adjustment will have virtually no impact on existing uses in surrounding areas.
- 3) Compatibility with existing or permitted uses on abutting sites: The plat included provision for Reserve B to contain a neighborhood swimming pool and clubhouse so the location of the pool and clubhouse should not be a surprise to abutting property owners.
- 4) Effect on public health, safety or welfare: There will 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 the requested Zoning Adjustment is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan, and all permits necessary to construct the improvements shall be acquired.
- 2) If the Zoning Administrator finds that there is a violation of any of the conditions of the Zoning Adjustment, the Zoning Administrator, in add 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.

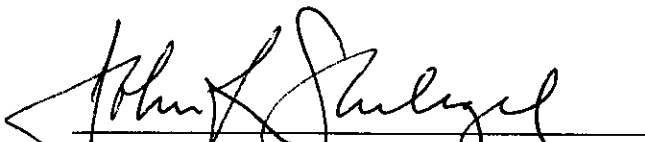
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Our signatures below indicate that the requested Zoning Adjustment is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the approved site plan, and all permits necessary for construction shall be obtained, and construction shall be completed within one year of issuance of building permits or prior to occupancy whichever is earliest.
- 2) 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.

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John L. Schlegel, Planning Director


Tom Stolz, Director of Metropolitan Area
Building and Construction Department

cc: JR Cox, jrcox@wichita.gov

