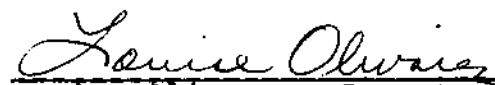


7. Within one year following approval of this use exception by the Board, the applicant shall develop the parking lot substantially in compliance with the approved site and landscape plans, or this use exception shall become null and void. An extension of time for development may be granted by the Board if requested by the applicant prior to expiration of the original time limit.

ADOPTED AT WICHITA, KANSAS, this 31st day of March, 1992.


Larry Overstreet, President Pro Tem

ATTEST:


Louise Olivarez, Secretary

WHEREAS, Surgicare, Inc., pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit an off-street parking lot on property zoned the "A" Two-Family Dwelling District and legally described as follows:

The east half of Lots 37, 39, 41, 43, 45 and 47 in Resurvey of Bucks 2nd Addition to Wichita, Kansas. Generally located on the northwest corner of Lorraine and Murdock (803, 807 and 811 N. Lorraine).

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of March 31, 1992, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.C, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit an off-street parking lot on property zoned the "A" Two-Family Dwelling District, subject to the conditions outlined in Section 28.04.145, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this application be approved to permit an off-street parking lot on property zoned the "A" Two-Family Dwelling District and legally described as follows:

The east half of Lots 37, 39, 41, 43, 45 and 47 in Resurvey of Bucks 2nd Addition to Wichita, Kansas. Generally located on the northwest corner of Lorraine and Murdock (803, 807 and 811 N. Lorraine).

subject to the following conditions:

1. This parking lot shall be used for passenger vehicles only, and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, materials or supplies.
2. Only such signs as are necessary for the proper operation of the parking lot shall be permitted. Such signs shall be limited to directional signs, parking restriction signs (e.g. "unauthorized vehicles will be towed"), and no more than one unlighted sign identifying the facility for which this parking lot is provided.
3. The parking lot and access drives shall be surfaced with concrete, asphaltic concrete, or asphalt and shall be maintained in good condition and free of all weeds, dust, trash and other debris.
4. If lighting facilities are provided, they shall be so arranged as to deflect or direct light away from any adjacent dwelling district.
5. A 6-foot-tall solid wood or masonry screening fence or wall shall be erected and maintained along the north and west property lines adjacent to the paved parking area as shown on the approved site plan. A minimum three-foot-tall (maximum four-foot-tall) screening fence or wall or screening berms and/or plantings shall be installed and maintained along the south and east sides of the parking lot, except at the entrance drives. The finished side of all fences shall face outward.
6. Within 90 days following approval by the Board and prior to release of the resolution authorizing this use exception, the applicant shall submit to the Secretary for review and approval a landscape plan for the Murdock and Lorraine yards, including any screening which is to be provided by berms and/or plantings. The plan shall identify proposed plant materials by scientific and common names, size at planting, and quantity. The method of providing water shall be specified. A groundcover (which may be grass) shall be provided in all yard areas not planted with trees or shrubs.

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421

June 18, 1992

Carolyn Exley
Surgicare, Inc.
810 Lorraine
Wichita, KS 67214

Re: BZA 44-92 - Exception to permit a parking lot at northwest
corner of Lorraine and Murdock.

Dear Ms. Exley:

Enclosed please find one copy of the approved landscape plan for Surgicare's proposed parking lot at the northwest corner of Lorraine and Murdock. The parking lot layout and required fencing are also shown on this plan. You have until March 31, 1993, to actually develop this site in accordance with the approved plan, including all conditions specified in the BZA resolution which you were sent a copy of on April 1, 1992.

If you have any questions about these development requirements, please call.

Sincerely,

Louise Olivarez
BZA Secretary

LO:jcm
Enclosure

cc: Paul Hays, OCI
J.R. Cox, OCI
Ray Sledge, OCI

BZA 4-92 Secretary's Report

Page 4

7. Within one year following approval of this use exception by the Board, the applicant shall develop the parking lot substantially in compliance with the approved site and landscape plans, or this use exception shall become null and void. An extension of time for development may be granted by the Board if requested by the applicant prior to expiration of the original time limit.

March 31, 1992

SECRETARY'S REPORT

CASE NUMBER: BZA 4-92

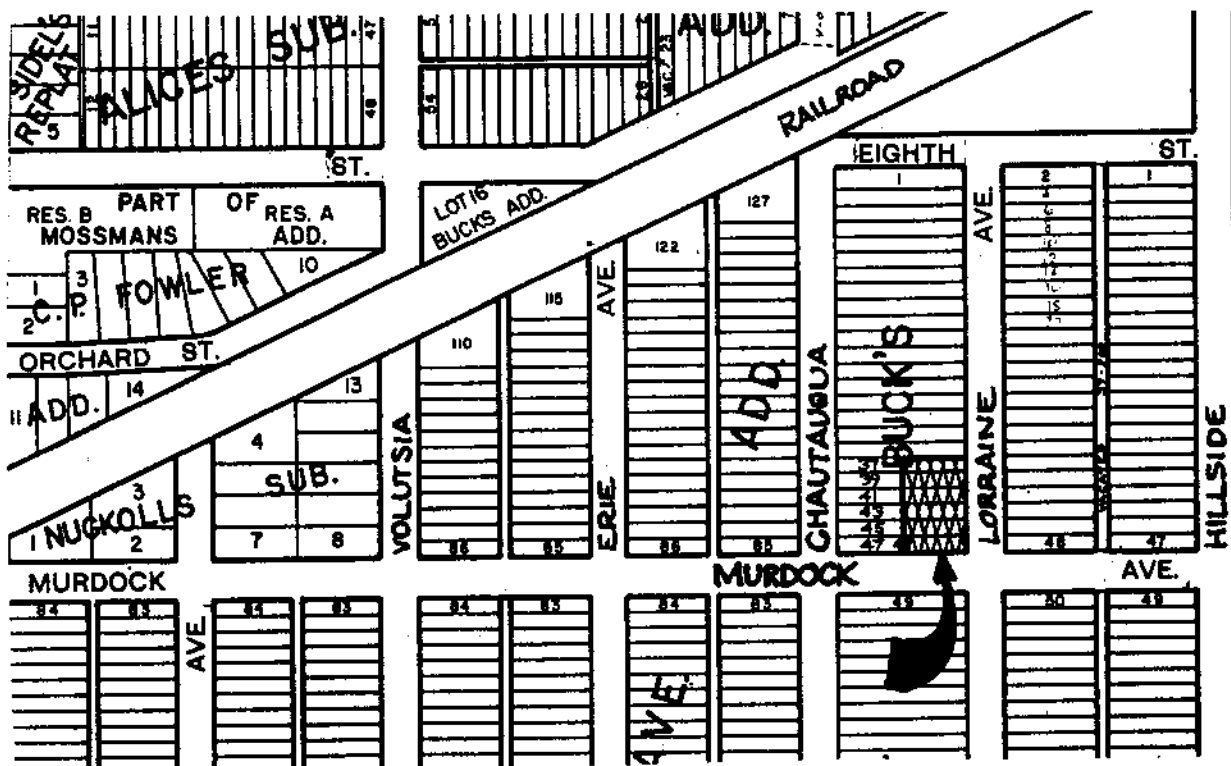
OWNER/APPLICANT/AGENT: Surgicare, Inc. (applicant)
Baughman Co. (agent)
Dwayne Rumsey (agent)

REQUEST: Exception to permit an off-street parking lot.

CURRENT ZONING: "A" Two-Family Dwelling District

SITE SIZE: 104 ft. x 150 ft.

LOCATION: Northwest corner of Lorraine and Murdock
(803, 807 and 811 N. Lorraine)



JURISDICTION: The Board has jurisdiction to consider this request under the provisions outlined in Section 2.12.590.C, Code of the City of Wichita. The Board may grant the exception, provided the conditions set out in Section 28.04.145 can be complied with.

BACKGROUND: Surgicare, Inc., an outpatient surgical clinic located at 810 N. Lorraine (NE corner Lorraine & Murdock) has a purchase contract for the properties at 803, 807 and 811 N. Lorraine (NW corner Lorraine & Murdock) which constitute the application area. If this use exception request is approved, Surgicare proposes to remove the three houses and construct a 33-stall parking lot for employees and patients of Surgicare, Inc. Their current parking lot is located just north of their clinic but, a portion of that parking lot will be deleted when the clinic expands in the near future. No handicapped parking stalls are shown on the site plan for this new parking lot, but they will be provided, as required by various codes, in the parking lot north of the building.

A 41-stall parking lot has existed in the "A" zoning district at the southwest corner of Lorraine and 8th Street on the north end of this block since 1972 (BZA 21-72). The entire east side of Lorraine between Murdock and 8th is developed with parking lots, except for the Surgicare clinic. These parking lots serve various medical facilities which front on Hillside. Most of these lots are in the "BB" office district where parking is permitted right up to the front property line. Had these parking lots been developed after last September when the landscape and screening ordinance was adopted, screening of the parking would have been required to protect the residential properties across the street on the west side of Lorraine. Depending on the extent of expansion proposed for the Surgicare facility, screening of their development on the east side of Lorraine may yet be required.

If this use exception is approved and the parking lot is developed, five single-family houses will remain on the west side of Lorraine in this 800 block. A 25-foot front yard setback from Lorraine and a 6-foot side yard setback from Murdock on the application area will be required by the use exception regulations to remain unpaved and unused for parking purposes, except for access drives. The landscape ordinance requires a minimum 828-square-foot landscaped street yard on Murdock with at least two shade trees or four ornamental trees, and screening of the parking to a minimum height of three feet above the parking surface by the use of walls, fences, berms and/or plantings. Although the landscape ordinance does not require screening or landscaping in the Lorraine front yard because of the "BB" zoning to the east, the Board may require any landscaping or screening determined appropriate. In order to preserve some semblance of a residential character in this neighborhood, it is recommended that the Board require minimum 3-foot screening, plus at least four ornamental trees within the front yard on Lorraine.

Although no light fixtures are identified on the site plan, the applicant's agent has stated that the parking lot will probably be lighted during the early evening hours and perhaps early morning hours, also. The applicant or agent should be prepared to discuss the proposed lighting with the Board.

ADJACENT ZONING AND LAND USE:

NORTH	"AA"	One-family dwelling
SOUTH	"A"	One-family dwelling
EAST	"BB"	Surgicare medical facility
WEST	"A"	One-family and two-family dwellings

RECOMMENDATION: Should the Board determine that an off-street parking lot is appropriate at this location, it is recommended that the exception be approved, subject to the following conditions:

1. This parking lot shall be used for passenger vehicles only, and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, materials or supplies.
2. Only such signs as are necessary for the proper operation of the parking lot shall be permitted. Such signs shall be limited to directional signs, parking restriction signs (e.g. "unauthorized vehicles will be towed"), and no more than one unlighted sign identifying the facility for which this parking lot is provided.
3. The parking lot and access drives shall be surfaced with concrete, asphaltic concrete, or asphalt and shall be maintained in good condition and free of all weeds, dust, trash and other debris.
4. If lighting facilities are provided, they shall be so arranged as to deflect or direct light away from any adjacent dwelling district.
5. A solid wood or masonry screening fence or wall shall be erected and maintained along the north and west property lines adjacent to the paved parking area as shown on the approved site plan. A minimum three-foot-tall (maximum four-foot-tall) screening fence or wall or screening berms and/or plantings shall be installed and maintained along the south and east sides of the parking lot, except at the entrance drives.
6. Within 90 days following approval by the Board and prior to release of the resolution authorizing this use exception, the applicant shall submit to the Secretary for review and approval a landscape plan for the Murdock and Lorraine yards, including any screening which is to be provided by berms and/or plantings. The plan shall identify proposed plant materials by scientific and common names, size at planting, and quantity. The method of providing water shall be specified. A groundcover (which may be grass) shall be provided in all yard areas not planted with trees or shrubs.