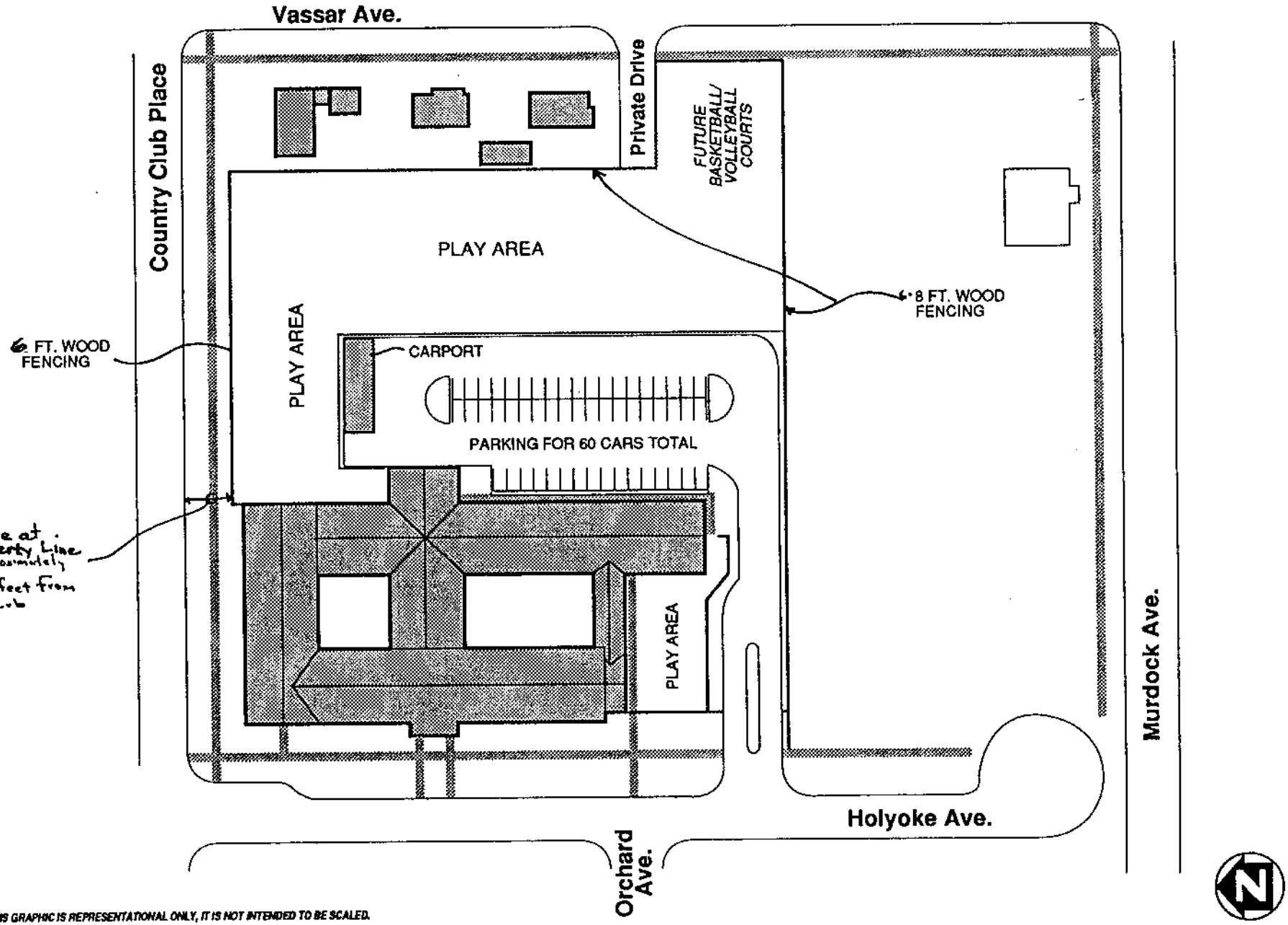
EXHIBIT C

Wichita Children's Home

FUTURE SITE PLAN

(AS OF FEBRUARY 3, 1993)



THIS GRAPHIC IS REPRESENTATIONAL ONLY, IT IS NOT INTENDED TO BE SCALED.

WICHITA — SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1686
(316) 268-4421

March 24, 1993

Sarah Robinson, Executive Director
The Wichita Children's Home
810 N. Holyoke
Wichita, KS 67208

Re: BZA 5-93 - Exception to permit limited uses associated with a group boarding home for children, located 200 ft. east of Holyoke, between Country Club Place and Orchard Avenue.

Dear Ms. Robinson:

Enclosed is a signed copy of the above-referenced BZA resolution adopted by the Board of Zoning Appeals on March 23, 1993. This resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files. Also enclosed is a copy of the Future Site Plan as approved by the Board of Zoning Appeals.

Please submit the required landscape plan (see condition #6 of the resolution) at your earliest convenience, but no later than June 21, 1993. I have enclosed a vacation application form for your use in vacating Orchard Avenue in accordance with condition #8 of the resolution.

This is a reminder that the zoning adjustment signs should now be removed from the property. If you have any questions concerning this matter, please contact our office.

Sincerely,

Louise Olivarez

Louise Olivarez, Secretary
Board of Zoning Appeals

LO:jcm
Enclosures

cc: Gary Schmitt, Kansas State Bank & Trust, Box 2, 67201
Paul Hays, OCI
J.R. Cox, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk

6. Within 90 days following approval of this use exception by the Board, the applicant shall submit a detailed landscape plan to the Secretary for review and approval. The plan shall designate existing and proposed trees, shrubs and groundcovers along Country Club Place from Holyoke to the east line of this application area. Proposed fences or walls shall also be shown. The purpose of the landscaping shall be to provide a residential character. If a solid wood screening fence is to be installed along the north side of the property, then another purpose of the landscaping shall be to soften the stark effect of this much fence so close to the sidewalk. Names, quantities and sizes of all plant materials shall be shown, as well as an indication of how water will be provided to the plant materials.

7. The playground area shall not be lighted for use after dark. Any decorative or security lighting on site shall be of low intensity and directed downward so as not to shine onto adjacent properties.

8. The applicant shall file an application to vacate the balance of Orchard Avenue between Holyoke and Vassar. This will require the concurrence of the owner of the property at the northwest corner of Orchard and Vassar. If this concurrence cannot be obtained, then the full right-of-way for Orchard adjacent to that corner property must be retained and a revised site plan submitted to the BZA Secretary for the files.

9. All site improvements listed above, including the vacation of Orchard Avenue and removal of the temporary offices at 3335 E. Country Club Place, shall be completed within two years after approval of this use exception.

10. The resolution authorizing this use exception may be declared null and void upon a finding by the Board that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, this 23rd day of March, 1993.

Mitchell Faron, President

ATTEST:

Louise Olivarez, Secretary

BZA RESOLUTION NO. 5-93

WHEREAS, The Wichita Children's Home, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit limited uses associated with a group boarding home for children on property zoned the "A" Two-Family Dwelling District and legally described as follows:

Odd Lots 1-9 and the west 9 feet of Lot 11 and even Lots 2-10 and the west 9 feet of Lot 12, Sunrise Park Addition, Wichita, Sedgwick County, Kansas, and the north half of Orchard Avenue (to be vacated) adjacent to said even lots. Generally located 200 ft. east of Holyoke, between Country Club Pl. & Orchard Ave.

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 23, 1993, 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 a group boarding home for children on property zoned the "A" Two-Family Dwelling District, subject to the conditions outlined in Section 28.04.185(1), 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 limited uses associated with a group boarding home for children on property zoned the "A" Two-Family Dwelling District and legally described as follows:

Odd Lots 1-9 and the west 9 feet of Lot 11 and even Lots 2-10 and the west 9 feet of Lot 12, Sunrise Park Addition, Wichita, Sedgwick County, Kansas, and the north half of Orchard Avenue (to be vacated) adjacent to said even lots. Generally located 200 ft. east of Holyoke, between Country Club Pl. & Orchard Ave.

subject to the following conditions:

1. Uses within this application area shall be limited to a parking lot and play areas as shown on the "Future Site Plan," plus temporary use (not exceeding two years) of the house at 3335 E. Country Club Place for offices associated with The Wichita Children's Home.

2. All parking areas and access drives shall be paved with concrete, asphalt or asphaltic concrete.

3. The three existing driveways to Country Club Place which will not be used for this proposed site development shall be removed and the curbs replaced. Access to the proposed parking lot shall be from Holyoke as shown on the "Future Site Plan" (Exhibit C).

4. A screening fence or wall six to eight feet in height shall be installed along the entire easterly property line prior to construction/installation of parking and/or play areas as shown on the "Future Site Plan." If the fence has visible structural supports, they shall be placed on the applicant's side of the fence.

5. Any fence or wall installed along the north side of this property shall be no taller than six feet.

Country Club Place from Holyoke to the east line of this application area. Proposed fences or walls shall also be shown. The purpose of the landscaping shall be to provide a residential character. If a solid wood screening fence is to be installed along the north side of the property, then another purpose of the landscaping shall be to soften the stark effect of this much fence so close to the sidewalk. (The "Future Site Landscape Plan" -- see Exhibit D -- is insufficient in detail.) Names, quantities and sizes of all plant materials shall be shown, as well as an indication of how water will be provided to the plant materials.

7. The playground area shall not be lighted for use after dark. Any decorative or security lighting on site shall be of low intensity and directed downward so as not to shine onto adjacent properties.

8. The applicant shall file an application to vacate the balance of Orchard Avenue between Holyoke and Vassar. This will require the concurrence of the owner of the property at the northwest corner of Orchard and Vassar. If this cannot be obtained, then the full right-of-way for Orchard adjacent to that property must be retained and a revised site plan submitted to the BZA Secretary for the files.

9. All site improvements listed above, including the vacation of Orchard Avenue and removal of the temporary offices at 3335 E. Country Club Place, shall be completed within two years after approval of this use exception.

10. The resolution authorizing this use exception may be declared null and void upon a finding by the Board that the applicant has failed to comply with any of the foregoing conditions.

BOARD OF ZONING APPEALS
WICHITA, KANSAS

AGENDA ITEM NO. 4

March 23, 1993

SECRETARY'S REPORT

CASE NUMBER: BZA 5-93

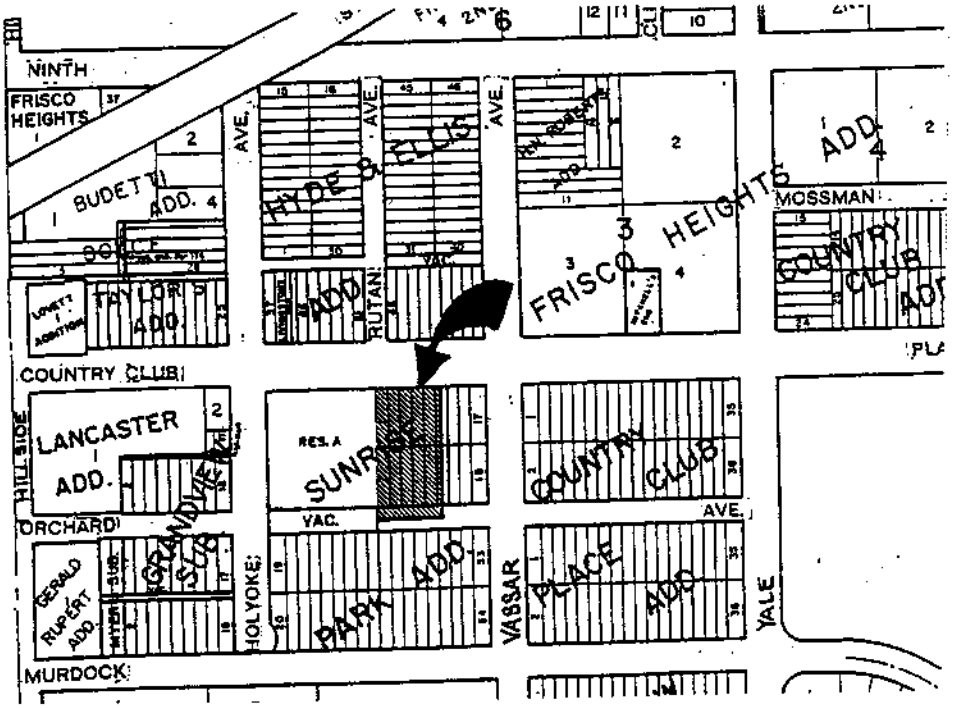
OWNER-APPLICANT/AGENT: The Wichita Children's Home/Gary Schmitt

REQUEST: Exception to permit limited uses associated with a group boarding home for children

CURRENT ZONING: "A" Two-Family Dwelling District

SITE SIZE: 0.83-acre

LOCATION: Two hundred feet east of Holyoke between Country Club Place and Orchard Avenue



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 28.04.185(1) can be complied with.

BACKGROUND: The applicant in this request is The Wichita Children's Home, which is located at 810 N. Holyoke, just west of the application site. This Home is a licensed emergency crisis center for children who are placed here temporarily, until they can be placed in foster homes (usually five to seven days). The Children's Home is currently in the process of making a 14,898-square-foot addition to the existing 24,661-square-foot structure which will allow an increase in capacity from 49 to 63 children. This expansion is contained on property that is zoned "B" Multiple-Family.

The Children's Home currently owns almost 90% of the block bounded by Holyoke, Country Club Place, Vassar and Murdock. The three single-family houses on the west side of Vassar south of Country Club Place are in other ownerships. The Children's Home was first established in the 800 block on Holyoke in 1910. In the 1960s, prior to construction of their present facilities at 810 N. Holyoke, the west half of Orchard Avenue was vacated and the Children's Home property (approximately 75% of the block) was rezoned from "A" to "B". In recent years, additional building sites in the northeast quadrant of the block have been acquired; two houses have been removed, one remains (3335 E. Country Club Place).

This January, the Children's Home filed for a change of zoning from "A" to "B" on these recently-acquired properties. At the MAPC public hearing, much opposition was expressed by neighbors in the area. The rezoning request was deferred and later withdrawn and this use exception was filed instead. Conditions of site development can be established as part of an approved use exception, whereas rezoning is more flexible and provides fewer assurances as to just what will be developed on a site. The area in this use exception application is proposed to be used for parking, playgrounds, and temporary offices for the Children's Home. The structure housing the temporary offices (3335 E. Country Club Place) is to be removed once the construction which is currently underway is completed.

Exhibit B, "Current Site Plan," shows the boundaries of the existing construction site, a temporary parking lot for construction workers' vehicles south of Orchard, and the existing playground which is on the south portion of this block. The structure just north of Murdock is not labeled, but is currently used for staff housing. It was originally built in 1917 as a hospital for the Children's Home.

Comparing Exhibit B with Exhibit C, "Future Site Plan," one notes that much of the land south of Orchard is outside the boundaries of the Children's Home facility on the future site plan. A Children's Home board member mentioned at the MAPC hearing that the south 189 feet may be sold to Wesley. Most of the play area would be moved to the north end of the block. A future basketball/volleyball courts area is shown just west of Vassar and south of Orchard. The parking lot, now accessed from Country Club Place and Vassar (via Orchard), would be expanded and access would be changed to Holyoke only.

Development of the site as proposed would require the vacation of the balance of Orchard Avenue. The house at the northwest corner of Vassar and Orchard has a driveway coming off of Orchard. If vacated, the north half of the right-of-way (25 feet) would revert to owners to the north, the south half (25 feet) to owners to the south.

ADJACENT ZONING AND LAND USE:

NORTH	"A"	One-family dwellings
SOUTH	"B"	Playground & temporary parking lot (part of Children's Home)
EAST	"A"	One-family dwellings
WEST	"B"	Wichita Children's Home

RECOMMENDATION: Should the Board determine that limited uses associated with a group boarding home for children (namely parking, playgrounds, and temporary offices) are appropriate at this location, it is recommended that the exception be approved, subject to the following conditions:

1. Uses within this application area shall be limited to a parking lot and play areas as shown on the "Future Site Plan," plus temporary use (not exceeding two years) of the house at 3335 E. Country Club Place for offices associated with The Wichita Children's Home.

2. All parking areas and access drives shall be paved with concrete, asphalt or asphaltic concrete.

3. The three existing driveways to Country Club Place which will not be used for this proposed site development shall be removed and the curbs replaced. Access to the proposed parking lot shall be from Holyoke as shown on the "Future Site Plan" (Exhibit C).

4. A screening fence or wall six to eight feet in height shall be installed along the entire easterly property line prior to construction/installation of parking and/or play areas as shown on the "Future Site Plan." If the fence has visible structural supports, they shall be placed on the applicant's side of the fence.

5. Any fence or wall installed along the north side of this property shall maintain a setback no less than the setback of the new residence hall. It shall be no taller than six feet.

6. Within 90 days following approval of this use exception by the Board and prior to release of the resolution authorizing this use exception, the applicant shall submit a detailed landscape plan to the Secretary for review and approval. The plan shall designate existing and proposed trees, shrubs and groundcovers along