

BZA RESOLUTION NO. 38-88

WHEREAS, Sand Castle Professional Child Care, Inc., pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to establish a child care center on property zoned the "R-5" General Residence District and legally described as follows:

Lot 2, Block 1, Killarney Plaza Second Addition,
an Addition to Wichita, Sedgwick County, Kansas.
Generally located on the south side of 36th
Street North in an area west of Rock Road.

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 August 23, 1988, 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 the establishment of a child care center on property zoned the "R-5" General Residence District, subject to the conditions outlined in Section 28.04.185, Code of the City of Wichita.

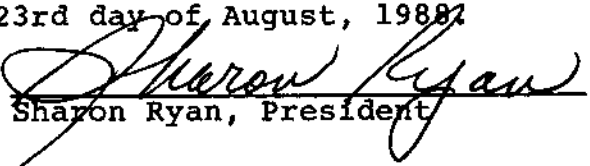
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this application be approved to establish a child care center on property zoned the "R-5" General Residence District and legally described as follows:

Lot 2, Block 1, Killarney Plaza Second Addition,
an Addition to Wichita, Sedgwick County, Kansas.
Generally located on the south side of 36th
Street North in an area west of Rock Road.

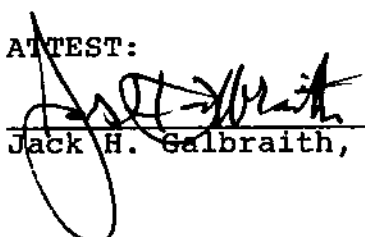
subject to the following conditions:

1. The center shall comply with the licensing requirements of the Kansas State Department of Health, including all building and fire safety regulations of the state and the City.
2. Outdoor play shall be limited to the hours between 7:30 a.m. and 6:30 p.m. when any part of the fenced play area is within 100 feet of any occupied residence.
3. Parking shall be provided at the ratio of one space for every teacher and employee in the largest working shift, plus one space for each vehicle used in the operation of the center. When the capacity of the center exceeds twelve, one off-street loading space shall be provided for each ten children or major fraction thereof.

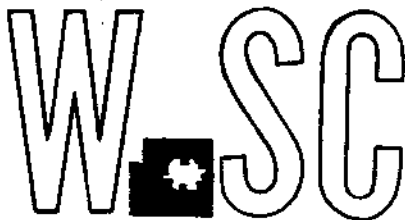
ADOPTED AT WICHITA, KANSAS, this 23rd day of August, 1988


Sharon Ryan, President

ATTEST:


Jack H. Galbraith, Secretary

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

August 24, 1988

Jan H. Fry
Sand Castle Professional Child Care, Inc.
5226 W. Central
Wichita, KS 67212

Re: BZA 38-88 - Exception to permit child care center (south
side of 36th St. N. in an area west of Rock Road)

Dear Ms. Fry:

Enclosed is a signed copy of the above-referenced BZA resolution
adopted by the Board of Zoning Appeals on August 23, 1988. 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.

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.

If you have questions concerning this matter, please call our
office.

Sincerely,


Louise Olivarez
Assistant Secretary
Board of Zoning Appeals

LO/jcm
Enclosure

cc: Bill G. Yung Design, 4912 E. 29th St. N., Wichita, KS, 67220
Northrock Realty Partners, 575 Fourth Financial Center,
Wichita, KS, 67202
Monty Robson, Superintendent of Central Inspection
Joe Donnelly, Zoning Administrator, CID
Dale Rea, Deputy City Clerk

FILE COPY

BACKGROUND: The applicants are requesting an exception to permit a child care center in the "R-5" district on a 3-acre lot recently platted in the Killarney Plaza Second Addition located on the south side of 36th Street North in an area west of Rock Road. The center will provide care for up to 250 children, from infant through 12 years old, and may eventually operate 24 hours a day, although a 12-hour-a-day operation is anticipated at first. These services will be offered in conjunction with area corporate employee benefits for child care needs. A new 18,000 sq. ft. building is proposed with parking for 45 cars.

ADJACENT ZONING AND LAND USE:

NORTH	"R-6"	Apartment complex
SOUTH	"R-5"	Undeveloped
EAST	"BB"	Undeveloped
WEST	"AA"	Undeveloped

RECOMMENDATION: It is recommended that this exception for a child care center in the "R-5" district be approved because of the center's compatibility with adjacent zoning and land uses and the community need which will be met by this use. This recommendation is subject to the following conditions:

1. The center shall comply with the licensing requirements of the Kansas State Department of Health, including all building and fire safety regulations of the state and the City.
2. Outdoor play shall be limited to the hours between 7:30 a.m. and 6:30 p.m. when any part of the fenced play area is within 100 feet of any occupied residence.
3. Parking shall be provided at the ratio of one space for every teacher and employee in the largest working shift, plus one space for each vehicle used in the operation of the center. When the capacity of the center exceeds twelve, one off-street loading space shall be provided for each ten children or major fraction thereof.

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SECRETARY'S REPORT

BZA 38-88

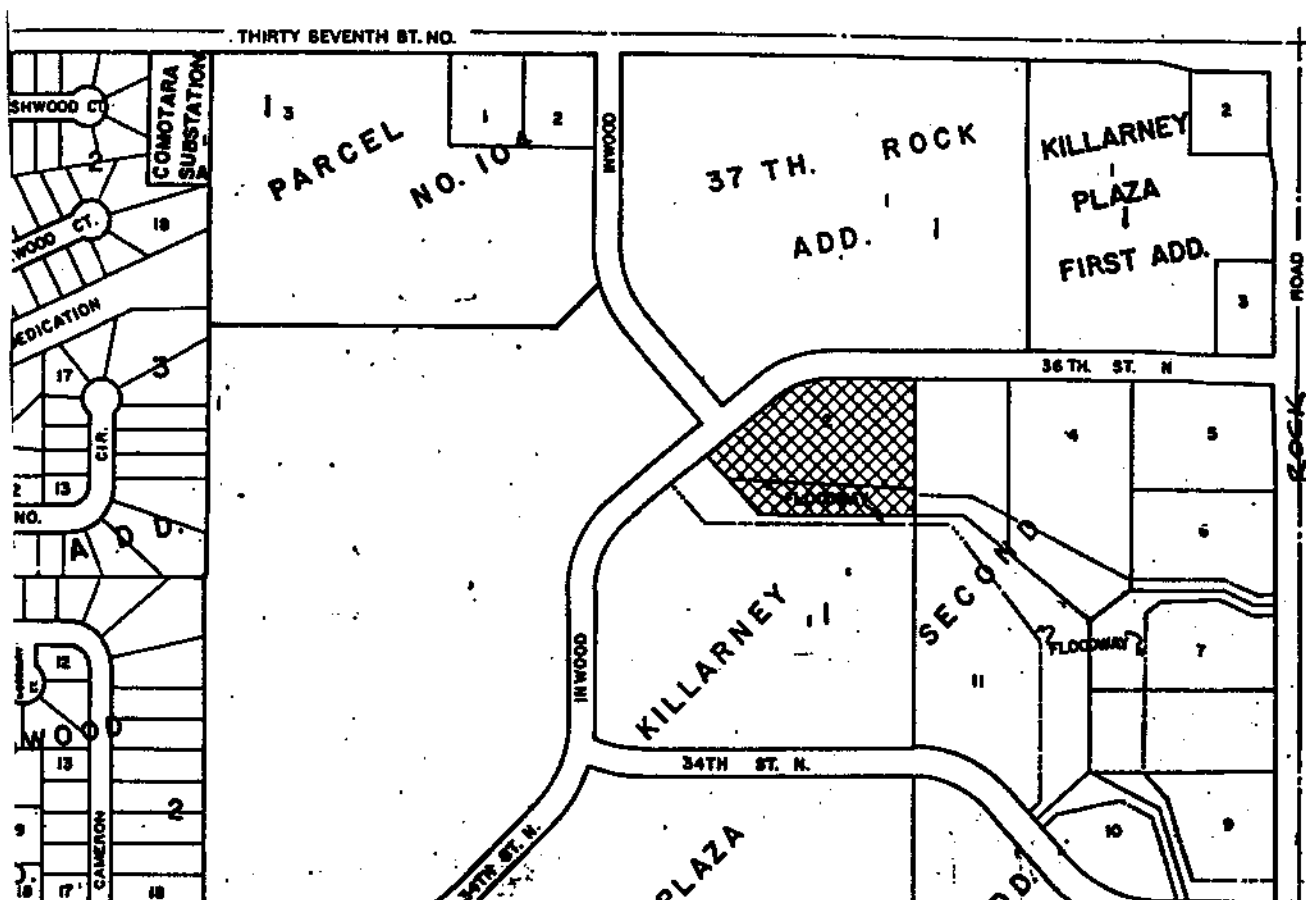
Sand Castle Professional Child Care, Inc.
(owner/applicant)
Lucille Schauf & Jan Fry (agents)

Exception to permit the establishment of a child care center.

"R-5" General Residence District

3 acres

South side of 36th Street North in an area west of Rock Road.



JURISDICTION: The Board has jurisdiction to consider this request under the provisions outlined under 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 can be complied with.