CITY OF WICHITA

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

February 27, 2017

Charles and Amanda Nance
1430 N. Meridian Avenue
Wichita KS 67203

**RE:** **CON2016-00065** – City Conditional Use request to allow a Daycare, General on property zoned TF-3 Two-family Residential; generally located at the southeast corner of Grove Street and US HWY 254, north of East Orme Street on the east side of South Poplar Street (547 South Poplar Street).

Dear Applicant:

At its regular meeting on **February 9, 2017**, the Metropolitan Area Planning Commission considered the above captioned request. The action of the Commission was to **approve** the request, subject to the conditions on the attached resolution.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Kathy L. Morgan, Senior Planner
Current Plans Division

KLM/mc
Attachment – Resolution

Cc: MABCD
Lavonta Williams, WCC I
Kameelah Alexander, CSR I

**CONDITIONAL USE RESOLUTION NO. CON2016-00065**

**WHEREAS**, Charles Dalton Nance, Jr., (Owner) and Amanda Nance (Applicant) pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use for a Daycare, General on 0.15 acre zoned TF-3 Two-Family Residential described as:

LOTS 15-17 POPLAR AVE DIXON'S ADDITION (547 South Poplar Street)

**WHEREAS**, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

**WHEREAS**, the MAPC did, at the meeting of February 9, 2017, consider said application; and

**WHEREAS**, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Metropolitan Area Planning Commission that this application be approved to allow a Conditional Use for Limited Used Auto Sales on LC Limited Commercial zoned property described as:

LOTS 15-17 POPLAR AVE DIXON'S ADDITION (547 South Poplar Street)

Adopted this 9th Day of February, 2017

METROPOLITAN AREA PLANNING COMMISSION

David Foster, Chair MAPC

ATTEST:

Dale Miller, Secretary

AGENDA ITEM NO. 6

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

# STAFF REPORT

MAPC: February 9, 2017
DAB I: February 6, 2017

**CASE NUMBER:** CON2016-00065

**OWNER/APPLICANT:** Charles Nance (owner)

**AGENT:** Amanda Nance

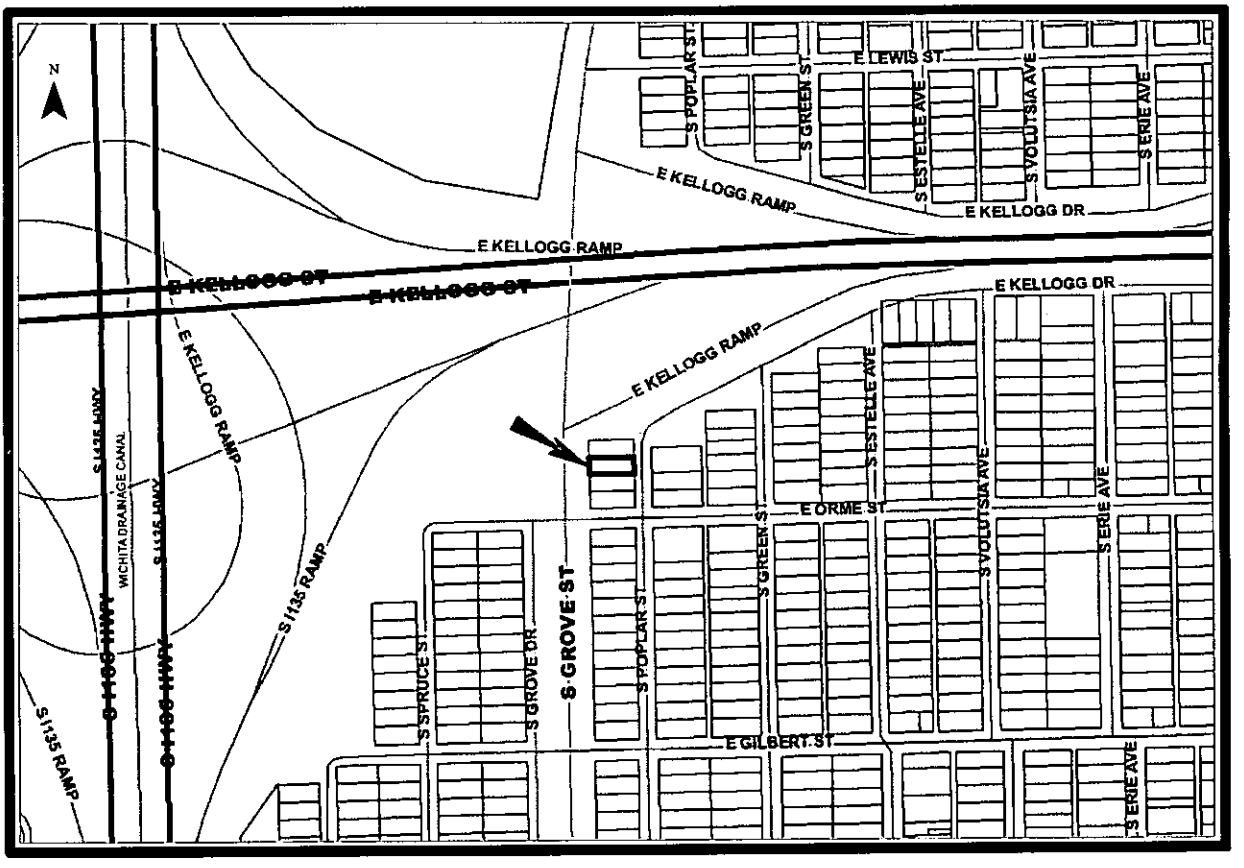
**REQUEST:** Conditional Use for Daycare, General

**CURRENT ZONING:** TF-3

**SITE SIZE:** 0.15 acre

**LOCATION:** East of Grove, north of Orme on S. Poplar (547 S. Poplar)

**PROPOSED USE:** Daycare



**BACKGROUND:** The applicant is requesting a "conditional use" to allow a daycare for 10 or fewer children with a maximum of three (3) staff persons not operated as a home occupation. The site is located east of Grove and north of East Orme on the west side of South Poplar (547 S. Poplar Street). The subject site is developed with a one-story frame residence built in 1930 and is currently vacant. The property had been previously used as rental housing.

The applicant's site plan shows the existing house and garage. One parking space will be provided inside the garage and three spaces on the existing drive.

Property surrounding the site is TF-3 Two-Family Residential developed with single-family residences. This neighborhood was developed prior to 1930. Single-family residential zoning was not introduced as a zoning district type until 1937.

**Day Care, General** means a Day Care center that provides care, protection and supervision for more than ten individuals at any one time, including those under the supervision or custody of the day care provider and those under the supervision or custody of employees, or a Day Care center for ten or fewer individuals at any one time that is not operated as a Home Occupation.

**CASE HISTORY:** The site was platted as lots 15 and 17, Dixon's Addition in 1918.

**ADJACENT ZONING AND LAND USE:**

| | | |
|---|---|---|
| NORTH: | TF-3 | Single-family residential |
| SOUTH: | TF-3 | Single-family residential |
| EAST: | TF-3 | Single-family residential |
| WEST: | TF-3 | Single-family Residential |

**PUBLIC SERVICES:** The subject property has direct access to South Poplar Avenue, a local collector street. Grove Street can, a four-lane paved arterial, may be accessed from Orme Street, south of the subject site. Municipal water and sewer services and all other utilities are currently provided to the subject property.

**CONFORMANCE TO PLANS/POLICIES:** The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the downtown core and mature neighborhoods surrounding it in a roughly three-mile radius. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The Future Growth Concept Map identifies the area "Residential." This proposed project is in conformance with the Community Investment Plan.

**RECOMMENDATION:** Based on the information available prior to the public hearing, MAPD staff recommends the application be APPROVED.

The staff's recommendation is based on the following findings:

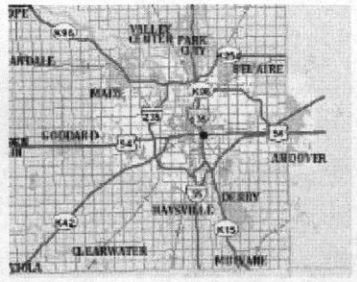
1. **The zoning, uses and character of the neighborhood:** Property surrounding the site is TF-3 Two-Family Residential developed with single-family residences. This neighborhood was developed prior to 1930. Single-family residential zoning was not introduced as a zoning district type until 1937.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is zoned TF-3. The Unified Zoning Code (UZC) allows a conditional use for Daycare, General within residential zoning districts.

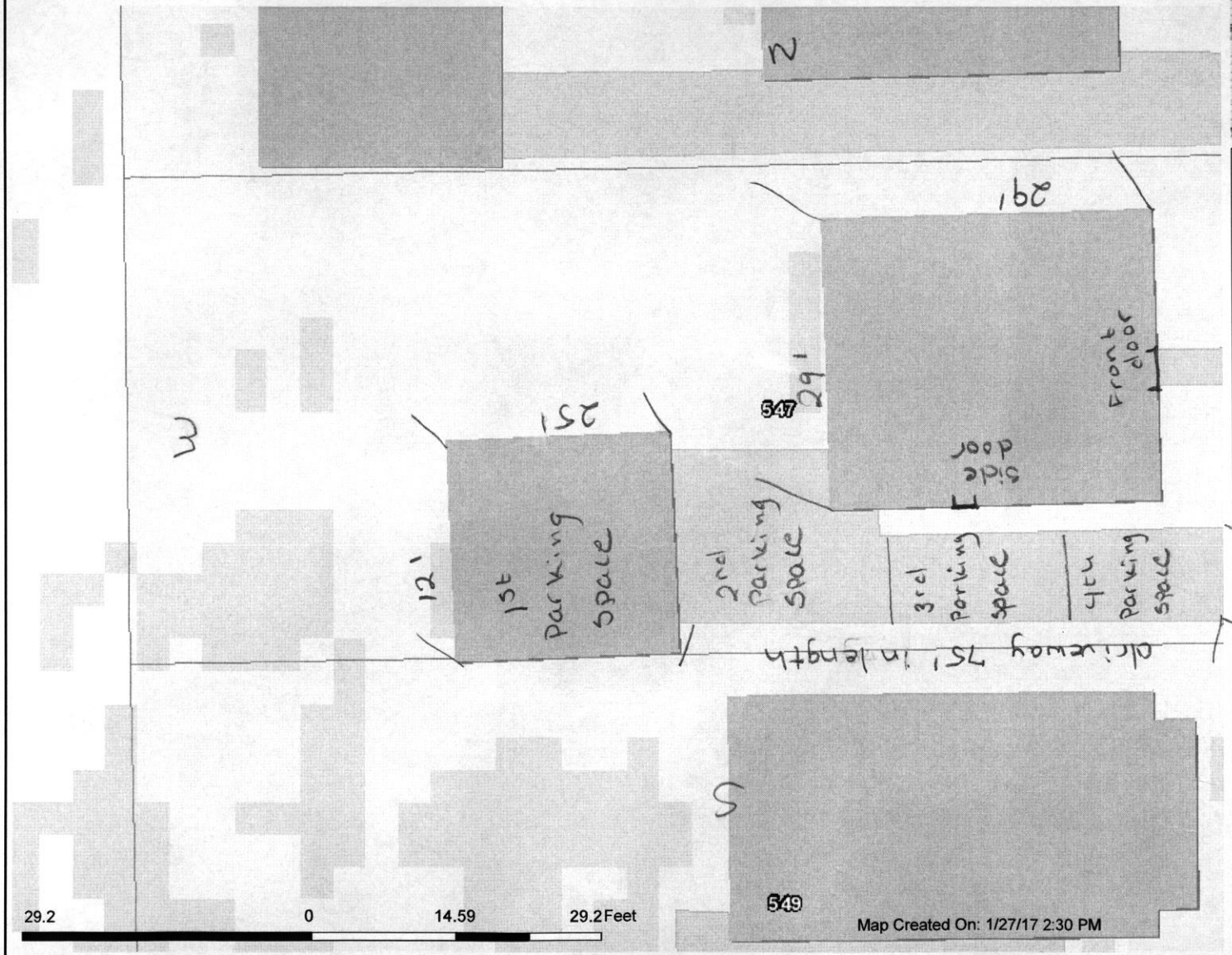
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** A daycare at this location will not negatively impact residential use in the area.

4. **Conformance of the requested change to adopted or recognized Plans/Policies:** The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the downtown core and mature neighborhoods surrounding it in a roughly three-mile radius. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The Future Growth Concept Map identifies the area "Residential."

5. **Impact on Community Facilities:** All public facilities are available and existing road facilities are adequate.

# City of Wichita Map Print




**Legend**

This information is not an official record, and cannot be used as such. The user should rely only upon official records available from the custodian of records in the appropriate City and/or County department. Some data provided here and used for the preparation of these maps has been obtained from public records not created or maintained by the City of Wichita.

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