WICHITA — SEDGWICK COUNTY

W-SC

METROPOLITAN AREA PLANNING DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

March 17, 1997

Phil Miller
Trees For Life
1103 Jefferson
Wichita, Ks 67203

RE: CU-423 - Conditional use to allow a general group residence and community assembly on 3.6 acres bounded by St. Louis, Mt. Carmel, Clayton, and Newell (3006 St. Louis)

Dear Mr. Miller:

At its regular meeting on February 13, 1997, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC was to APPROVE the request, subject to conditions stated in the letter dated February 21, 1997.

This action was not accompanied by valid appeals or protest petitions, therefore, the action of the Planning Commission is FINAL. If you have any questions concerning this case, please contact our office at 268-4421.

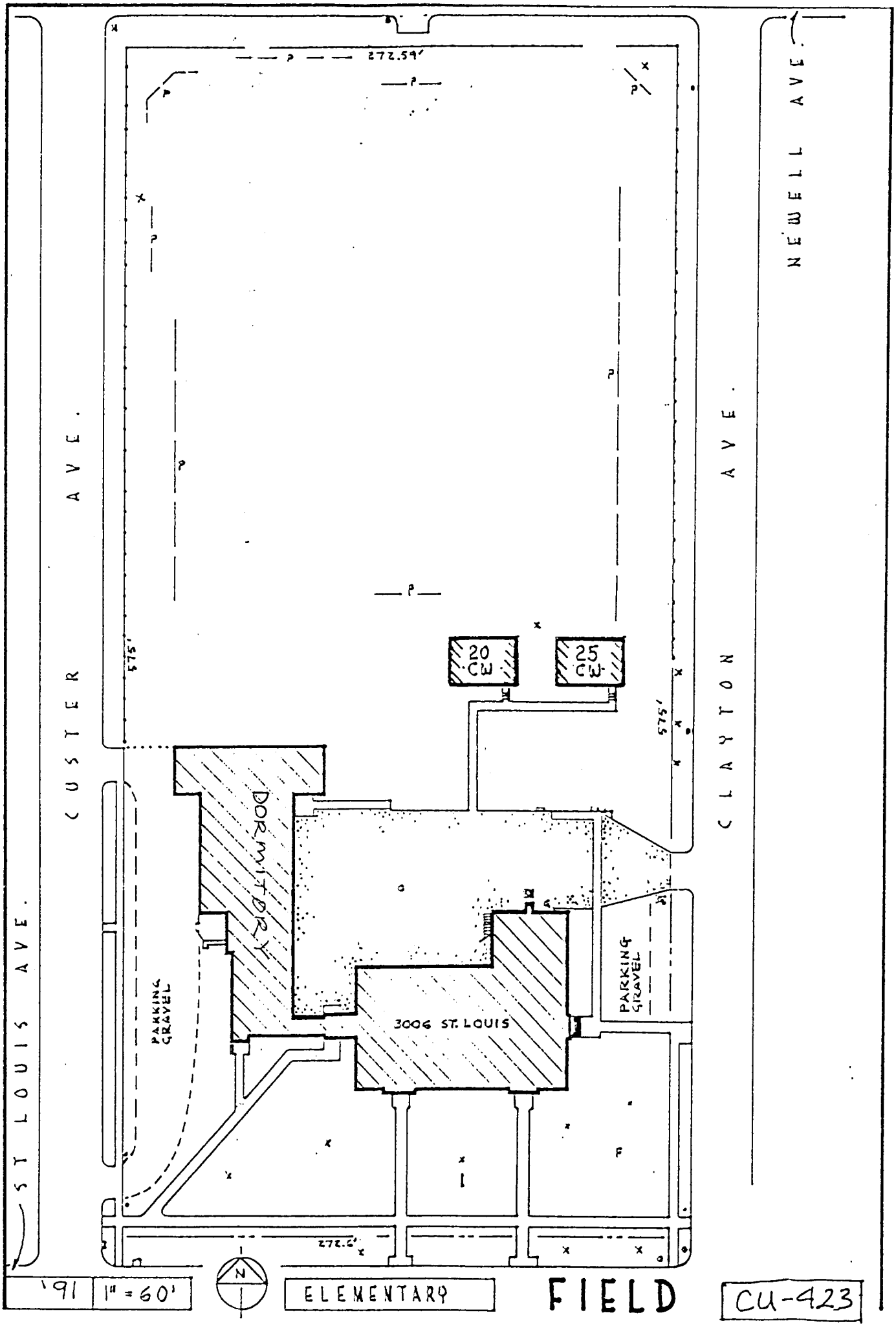
Sincerely,

Russ Ewy
Associate Planner

RE/sh

cc: M. Claradine Johnson, USD 259, 201 N. Water, Wichita, Ks 67201
Kurt Schroeder, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Paul Hayes, Office of Central Inspection

Made with Recycled Paper


CUSTER AVE.
ST LOUIS AVE.
NEWELL AVE.
CLAYTON AVE.
272.59'
575'
20 CY
25 CY
DORMITORY
PARKING GRAVEL
PARKING GRAVEL
3006 ST. LOUIS
N
'91
1" = 60'
ELEMENTARY
FIELD
CU-423

WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 7

STAFF REPORT

CPO(4) January 23, 1997
MAPC February 13, 1997

CASE NUMBER: CU-423

APPLICANT/AGENT: USD 259 c/o M. Caradine Johnson (property owner); Trees For Life, c/o Balbir Mathur (lessee)

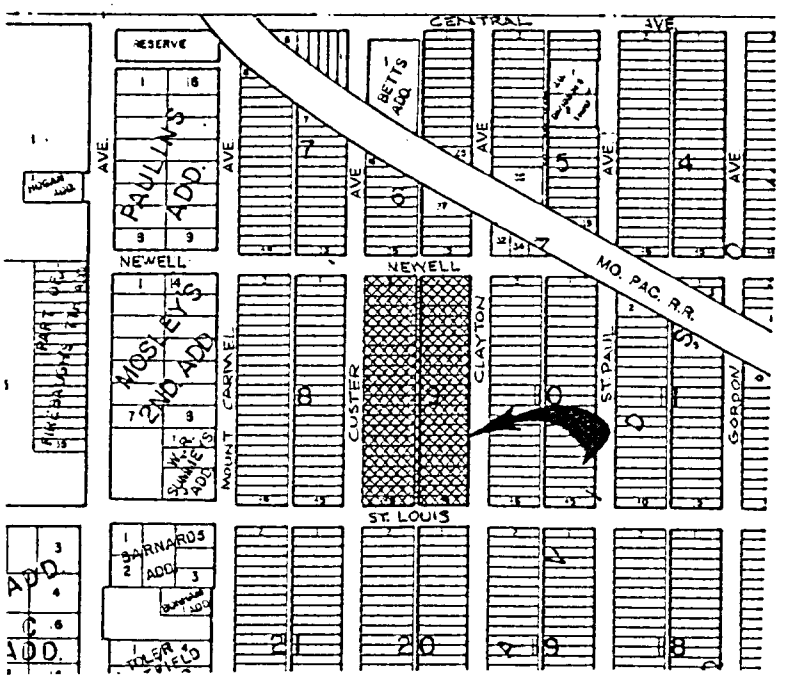
REQUEST: Conditional Use to allow office and group residence

CURRENT ZONING: "TF-3" Two-Family Residential

SITE SIZE: 3.66 acres

LOCATION: Bounded by St. Louis, Mt. Carmel, Clayton, and Newell Streets (3006 St. Louis)

PROPOSED USE: Office, classrooms, and living quarters for Trees For Life volunteers.



BACKGROUND: The applicant requests a Conditional Use to allow "community assembly" and group residence (limited) uses on a 3.66 acre USD 259 school site zoned "TF-3" Two-Family Residential. Trees For Life will be using the Eugene Field school, that is bounded by St. Louis, Mt. Carmel, Clayton, and Newell Streets (3006 St. Louis), for the location of their office, classrooms, as well as providing living quarters for 9 full-time volunteers.

Trees For Life is an organization that supports efforts in developing countries to educate people in the cultivation of fruit trees. They provided information through newsletters, instructional videos, and animation which will be produced at this location. Trees For Life currently operates out of the Church of the Brethren in Riverside, but has outgrown their facilities. The organization has a staff of 15 people, with 9 full-time volunteers. Trees For Life have no plans to alter the exterior or grounds of the existing school (they have indicated that they may want a small garden in the spring), but plan to convert 5 classrooms for a dormitory and will upgrade the restrooms.

The surrounding properties are all zoned "TF-3" and developed with single-family uses, with a few duplexes to the north of the school site.

The Unified Zoning Code defines "group residence, limited" as one that "providing cooking, sleeping and sanitary accommodations for a group of people, not defined as a family, on a weekly or longer basis. Typical uses include fraternity or sorority houses, dormitories, residence halls, boarding or lodging houses, children's homes, and emergency shelters for the homeless and for victims of crime, abuse or neglect" and is "occupied by six to fifteen persons, including staff members who reside in the facility." This category in no way allows "group homes", "halfway houses", nor "correctional placement facilities." However, proposed zoning amendments as recommended by the Metropolitan Area Planning Commission would eliminate the "halfway house" category and include those in the definition of group residence.

The Unified Zoning Code defines "community assembly" as an establishment providing "meeting, recreational, educational, or social facilities for a private membership or non-profit association, primarily for use by members and guests. Typical uses include fraternal organizations, philanthropic, and eleemosynary institutions."

CASE HISTORY: None

ADJACENT ZONING AND LAND USE:

NORTH:	"TF-3"	Duplex and Single-Family Residential
SOUTH:	"TF-3"	Single-Family Residential
EAST:	"TF-3"	Single-Family Residential
WEST:	"TF-3"	Single-Family Residential

PUBLIC SERVICES: Municipal water and sewer service is available to this site. The property has access to Custer and Clayton, both local streets.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for low density residential uses. This residential category provides for the lowest density of urban residential land use and consists of traditional, single-family detached homes, zero lot line units and cluster subdivisions, as well as schools, churches, and similar uses found in such areas.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the following conditions:

A. The use of this property shall be limited to those activities associated with non-profit organizations providing education and technical assistance to developing countries, and excludes the following uses: fraternity or sorority houses, boarding or lodging houses, children's homes, drug/alcohol counseling or treatment facilities, and emergency shelters for the homeless and for victims of crime, abuse or neglect.

B. The use of this site is limited to the existing buildings as depicted on the attached site plan.

C. Any violation of the conditions approved as part of this request shall render the Conditional Use null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding properties are all zoned "TF-3" and developed with single-family uses, with a few duplexes north of the school site. The use and character of the site as proposed should be lesser in impact than the historic use as an elementary school.

2. The suitability of the subject property for the uses to which it has been restricted: The subject property is still suitable for a school. Other, more intensive, uses would not be permitted without rezoning.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The use of this site as described should not have a detrimental impact on the neighborhood, because of its limited number of workers and residents.

4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: The requested Conditional Use should be a positive reuse of the school for nearby property owners, due to the fact that there will be several full-time volunteers living on site 24 hours a day.

5. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for low density residential uses. This residential category provides for the lowest density of urban residential land use and consists of traditional, single-family detached homes, zero lot line units and cluster subdivisions, as well as schools, churches, and similar uses found in such areas. While this use is unique, it is similar to church and school uses.

6. Impact of the proposed development on community facilities: The applicant's request should not have a negative impact on community facilities because of the limited populations proposed.