

Case No. BZA 18-79 WSU Coopera-
tive School requests exception
to establish a child care center
on property zoned "R-5" Genl.
Res. and generally located on
the north side of 21st St. in

Posteo
5-22-79

DATE *5-22-79*

✓ MAPD - 400
✓ E.I. - 200

6-15-79
S.H.

ACTION

approved

COMMITTEE

M.A.P.C.

B.C.C./B. CO. C.

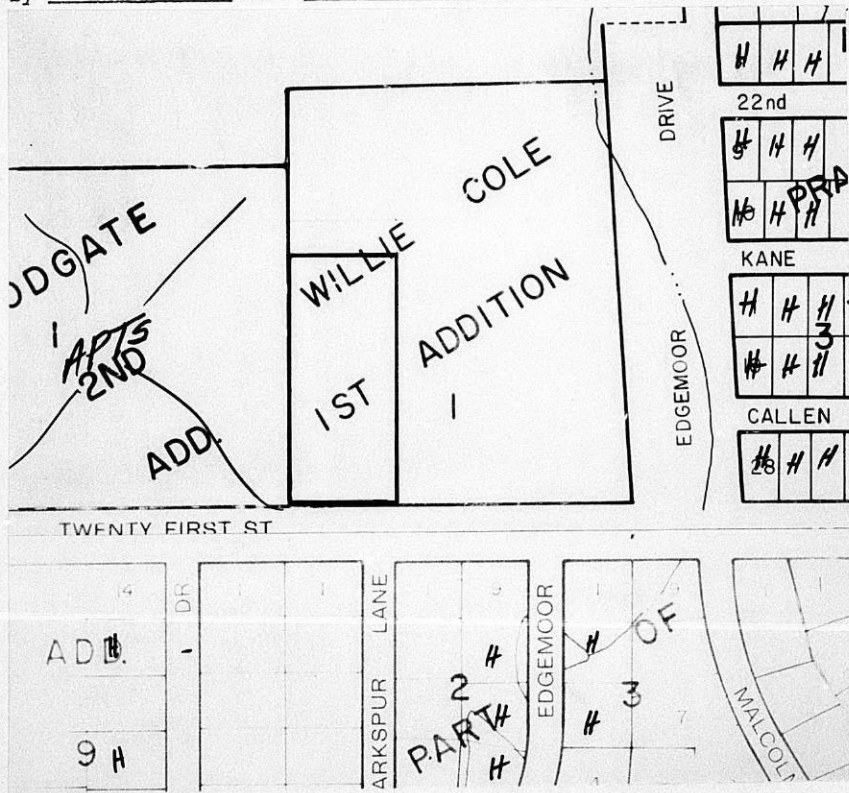
BZA
18-79

No. 5850
 S. 1
 P. 27
 Page 1E

BZA- 1B-79
 SCZ- _____
 CU- _____
 Filed _____

DATA:
 Acres: 2.06 (200 ft. by 450 ft.)
 Adjoining Zoning: E _____ S _____ W _____ N _____
 Land Use: East UNDEVELOPED South UNDEVELOPED
 West APARTMENTS North UNDEVELOPED
 Sketch Plan Land Use is for: _____
 Present Land Use if for: UNDEVELOPED
 Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



May 25, 1979

C. M. Chesnut
902 N. Old Manor
Wichita, Kansas 67208

Re: Case No. BZA 18-79
Request for Exception

Dear Ms. Chesnut:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on May 22, 1979, in connection with your request for for an exception to permit the operation of a child care center on property zoned the "R-5" General Residence District and generally located on the north side of 21st Street in an area west of Edgemoor.

This Resolution reflects the official action of the Board to approve this request, and sets out the conditions of approval. It is forwarded to you for your information and files.

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

Sincerely,

Glen E. Lytle
Assistant Secretary

LD:bhc
Enclosure

cc: Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Housing and Zoning Administrator
Don Gisick, City Clerk
Leola Lindahl, Health Department
WSU Cooperative Preschool, 3667 Clough Place 67208

RESOLUTION NO. BZA 18-79

WHEREAS, WSU Cooperative Preschool, 3607 Clough Place, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the operation of a child care center on property zoned the "R-5" General Residence District and legally described as follows:

The west 200 feet of the south 450 feet of Lot 1, Willie Cole 1st Addition to Wichita, Sedgwick County, Kansas. Generally located on the north side of 21st Street in an area west of Edgemoor (5620 E. 21st Street).

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 May 22, 1979 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 operation of a child care center on property zoned the "R-5" General Residence District subject to conditions outlined in Section 28.04.185.2 of the 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 for the operation of a child care center on property zoned the "R-5" General Residence District and legally described as follows:

The west 200 feet of the south 450 feet of Lot 1, Willie Cole 1st Addition to Wichita, Sedgwick County, Kansas. Generally located on the north side of 21st Street in an area

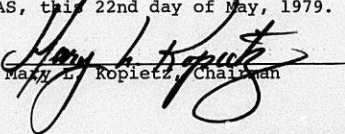
be approved subject to the following conditions:

1. The center shall comply with all licensing requirements of the Kansas State Department of Health, including all building and fire safety regulations of the State of Kansas and the City of Wichita.
2. The Department of Community Health shall determine the maximum number of children to be permitted in the center.
3. 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.
4. One off-street parking space shall be provided on the premises for each teacher and employee plus one off-street parking space for each vehicle used in the operation of the child care center.
5. When the capacity of the child care center exceeds twelve, one off-street loading space shall be provided for each ten children or major fraction thereof.

ADOPTED AT WICHITA, KANSAS, this 22nd day of May, 1979.

ATTEST:


Jack H. Galbraith, Secretary


Mary E. Ropietz, Chairman

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE May 21, 1979

TO Glen Lytle, Board of Zoning Appeals

FROM Gail Williams, CPO Administrative Aide

SUBJECT BZA 18-79: WSU Cooperative Preschool

CPO Council "I" discussed the captioned case at its May 15 meeting, and voted 8-0 to recommend approval of the requested zoning exception.

Council members felt that the proposed preschool operation would be an appropriate and acceptable use of the Pine Valley Christian Church facilities, with very little impact on noise and traffic volumes in the area.

Gail Williams

Gail Williams
CPO Administrative Aide

GW:al

Noted:

Evelyn Pittman

Evelyn Pittman
Assistant CPO Coordinator



SECRETARY'S REPORT
CASE NO. BZA 18-79

APPLICANT: WSU Cooperative Preschool, 3607 Clough Place,
Wichita, Kansas

AGENT: C. M. Chesnut, 902 N. Old Manor, Wichita, Kansas

REQUEST: Exception pursuant to Section 2.12.590.C, Code
of the City of Wichita to permit the operation
of a child care center.

GENERAL
LOCATION: On the north side of 21st Street in an area
west of Edgemoor.

ZONING: Subject property is zoned the "R-5" General
Residence District as is the property to the
north. Property to the west is zoned the
"R-6" General Residence District; property to
the south is zoned "AA" Single Family Dwelling
District. Property to the east is "R-5" General
Residence District.

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 28.04.185.2 can be complied with.

COMMENTS BY THE SECRETARY:

The WSU Cooperative Preschool is requesting an exception to permit the operation of a child care center in the church facilities of the Pine Valley Christian Church. They are seeking to establish the center for toddler-aged children. The center would serve 15 children and employ 3 teachers.

The children would be primarily children of the faculty, staff and students of Wichita State University. The operation of the center would be 7:30 a.m. to 5:30 p.m., weekdays only.

The site plan indicates ample parking and off-street loading to accommodate the proposed use. The Department of Community Health, Department of Housing and Economic Development, and the Fire Prevention Division have inspected the premises and set forth the conditions which must be met in order to bring the facility into compliance with state and local codes and licensing requirements.

RECOMMENDATION:

It is the recommendation of the Secretary that the exception to permit the operation of a child care center be approved subject to the following conditions:

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BZA AGENDA
5-22-79
Page 2

1. The center shall comply with all licensing requirements of the Kansas State Department of Health, including all building and fire safety regulations of the State of Kansas and the City of Wichita.
2. The Department of Community Health shall determine the maximum number of children to be permitted in the center.
3. 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.
4. One off-street parking space shall be provided on the premises for each teacher and employee plus one off-street parking space for each vehicle used in the operation of the child care center.
5. When the capacity of the child care center exceeds twelve, one off-street loading space shall be provided for each ten children or major fraction thereof.

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

CASE NO. BZA 18-79

NOTICE TO ADJOINING PROPERTY OWNERS:

May 7, 1979

An application has been filed by WSU Cooperative Preschool, 3607 Clough Place, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the establishment of a child care center, on property zoned the "R-5" General Residence District and legally described as follows:

The west 200 feet of the south 450 feet of Lot 1, Willie Cole 1st Addition to Wichita, Sedgwick County, Kansas. Generally located on the north side of 21st Street in an area west of Edgemoor (5620 E. 21st Street).

This application has been assigned case No. BZA 18-79, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, May 22, 1979, at 1:30 p.m., in the Board Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at which time you may appear if you so desire, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

Jack H. Galbraith
Secretary

BZA CASE NO. 18-79

2 NOTICES SENT TO APPLICANT/AGENT

10 NOTICES SENT TO MAPC

1 NOTICES SENT TO CPO

10 NOTICES SENT TO ADJOINING PROPERTY OWNERS

23 TOTAL NOTICES SENT 5-7-79

BOARD OF ZONING APPEALS

CASE NO. 18-79

CITY OF WICHITA, KANSAS

FILED _____

APPLICATION FOR EXCEPTION

I. Name of Applicant WSU Cooperative Preschool

Mailing Address 3607 Clough Place 08 Phone 689-3154

Name of Authorized Agent C. M. Chesnut

Mailing Address 902 N. Old Manor 08 Phone 686-8801

Relationship of applicant to property is that of Lessee
(Owner, Tenant, Lessee, Other).

II. Application is made for an exception as provided in Section 2.12.590.C, Code of the City of Wichita, Kansas, to permit the establishment of Day Care Center

_____ on property zoned
"R-5", located 5620 E. 21st (Pine Valley Christian Church)

_____ and legally described as: _____

West 200 ft. of South 450' of Lot 1

Willie Cole 1st addition to Wichita, Sedgwick County, Kansas

_____, in the City of Wichita.

III. The applicant herein, or his authorized agent, acknowledges:

- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
- b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 24-606); and that the appropriate fee is herewith tendered;
- c. That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions.
- d. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.

Applicant WSU Coop Preschool

Authorized Agent C. M. Chesnut

OFFICE USE ONLY: Received in the office of the Secretary, Board of Zoning Appeals, 4:30 (a.m. - p.m.), 4/30, 1977, together with appropriate fee of \$50.00

Signed Larry Dobson

Map
5850
N side of 21st St
a rea west of
1st an T9-403 Edgemoor

ownership list will be coming in late

Wichita State University wishes to operate a Child Care Center for toddler aged children. The center would serve 15 children and employ 3 teachers to supervise them. The children would be primarily children of faculty, staff, and students at Wichita State University. Proposed hours of operation for the center is 7:30 a.m. to 5:30 p.m. weekdays.

Child care for this age child is a desperate need in the city.

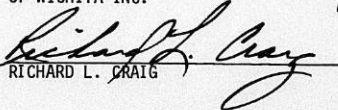
OWNERSHIP LIST

WITHIN 200 FEET OF: THE WEST 200 FEET OF
THE SOUTH 450 FEET OF
LOT 1, WILLIE COLE
FIRST ADDITION

<u>LOT DESCRIPTION</u>	<u>ADDITION</u>	<u>OWNER</u>
SUBJ PROPERTY	WILLIE COLE FIRST ADDN.	✓ PINE VALLEY CHRISTIAN CHURCH 5111 E 21st 08
ALL OF LOT 1, EXCEPT THE WEST 200 FEET OF THE SOUTH 450 FEET	WILLIE COLE FIRST ADDN.	✓ PRAIRIE VILLA COMPANY, A KANSAS LIMITED PARTNER- SHIP CONSISTING OF: STEPHEN L. SCHUETZ, No. 5, VALLEYVIEW GODDARD, KANSAS and SANTO M. CATANESE, Res: 4519 S. HYDRAULIC WICHITA, KANSAS OFFICE: 247 N. MARKET WICHITA, KANSAS
LOT 1, BLOCK 1	WOODGATE SECOND ADDN	✓ WINDSOR AT WOODGATE, A KANSAS LIMITED PARTNER- SHIP WITH OFFICES AT: 202 NORTH ROCK ROAD WICHITA, KANSAS 08 and 5400 EAST 21st STREET WICHITA, KANSAS

Columbian National Title Insurance Company of Wichita, Inc. hereby certifies the foregoing to be a true and correct list of property owners of all lots within a 200 foot radius and including subject property, as shown by the last deeds of record in the Office of the Register of Deeds of Sedgwick County, Kansas, on this, the FIRST day of MAY, 1979 at 7:00 A.M.

COLUMBIAN NATIONAL TITLE INSURANCE
OF WICHITA INC.


RICHARD L. CRAIG

OWNERSHIP LIST

FIRST ADDITION TO CRESTVIEW HEIGHTS

<u>LOT DESCRIPTION</u>	<u>ADDITION</u>	<u>OWNER</u>
Lots 1 & 2, Block 10	First Addition to Crestview Heights	Warren A. Thomas & Sons 1333 N. Broadway Wichita, Ks 67214
Lot 13, Block 9	"	Stacy R. Smith & Sheila L. Smith--2121 N. Ridgewood Wichita, Ks 67208
Lot 14, Block 9	"	James R. Keehn & Frances L. Keehn--1831 Charleston Wichita, Ks. 67219
Lot 1, Block 1	Second Addition to Crestview Heights	<i>D</i> Warren A. Thomas & Sons 1333 N. Broadway Wichita, Ks 67214
Lot 2, Block 1	"	<i>D</i> Warren A. Thomas & Sons 1333 N. Broadway Wichita, Ks 67214
Lot 1, Block 2	"	Samuel Paschal & Linda Paschal 2531 N. Dellrose Wichita, Ks 67220
Lot 2, Block 2	"	<i>D</i> Warren A. Thomas & Sons 1333 N. Broadway Wichita, Ks 67214
Lot 8, Block 2	"	Larry G. Knacksted & Sheryl A. Knacksted--2125 N. Edgemoor Wichita, Ks 67220
Lot 9, Block 2	"	James E. Barfield & Ophelia T. Barfield--1808 N. Chautauqua Wichita, Ks 67214
Lot 1, Block 3	"	<i>D</i> Samuel Paschal & Linda Paschal 2531 N. Dellrose Wichita, Ks 67220
Lot 2, Block 3	"	John M. Roberts & Marcella S. Roberts--off:732 N. Topeka Res: 104 N. Armour Wichita, Ks <i>06</i>

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COLUMBIAN NATIONAL TITLE INSURANCE OF WICHITA, INC.

By: *Richard L. Craig*
Richard L. Craig

MICROFILMED
 FROM THE BEST
 AVAILABLE COPY

FORM 29-1 PAYMENT NOTICE
 City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION	AMOUNT
BZA Excavation	\$500
Wichita fee amount	
NAME: WSCC Cooperative Pool	
ADDRESS: 2607 Church Ave	
FUND: 10	DUE DATE: 4/30/77
COMMENTS:	
DATE: 4/3/77	BY: [Signature]

*

This BZA. Case
Has a Large Drawing
On 35mm Microfilm

Roll # 2