



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

September 25, 2007

St. James Episcopal Church  
Attn: Twila Warren  
3750 E. Douglas  
Wichita, KS 67208

**RE: CON2007-27** - City Conditional use to allow Day Care at St. James Episcopal Church (3750 E. Douglas) on property zoned "TF-3" Two-family Residential, generally located at the northeast corner of Douglas and Yale Streets

Dear Ladies and Gentlemen:

At its regular meeting on August 2, 2007, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC was to APPROVE the request subject to the conditions stated in the enclosed resolution.

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

Sincerely,

Derrick K. Slocum  
Associate Planner  
Current Plans Division

Copies to: Sue Schlapp, WCC II, Mail Stop #1-13  
LaShonda Porter, NA WCC II, Mail Stop #1-135  
Vicky Huang, Engineering, Mail Stop #1-71  
Kurt Schroeder, Office of Central Inspection, Mail Stop #1-72  
Randy Sparkman, Office of Central Inspection, Mail Stop #1-72  
Paul Hays, Office of Central Inspection, Mail Stop #1-72

DKS/mc  
Enclosure

**CONDITIONAL USE RESOLUTION NO. CON2007-00027**

**WHEREAS**, St. James Episcopal Church; pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use for an Day Care, General on 0.86 acres zoned “TF-3” Two-family Residential and “B” Multi-family Residential described as:

Lot 5 of the Conner Addition; and North ½ of Lot 1 of the Cassitt and Magill’s Addition; and South ½ of Lot 1 and all of Lots 2, 3, 4, 5 and 6 of the Cossitt and Magill’s Addition; and West 66 Feet of the South 157 Feet of the East 131.54 Feet of Lot 2, Block 3 of the College Hill Addition; and East 65.54 Feet of the South 157 Feet of Lot 2, Block 3 of the College Hill Addition; and South 70 Feet of the North 140 Feet of the East 131.75 Feet of Lot 2, Block 3 of the College Hill Addition; and North 70 Feet of the East 151.75 Feet of Lot 2, Block 3 of the College Hill Addition in Wichita, Sedgwick County, Kansas. Generally located about 1,700 feet east of the intersection of Douglas and Hillside on the north side of Douglas (3750 E. Douglas.)

**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 August 2, 2007, 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 an Day Care, General on 0.86 acres zoned “TF-3” Two-family Residential and “B” Multi-family Residential described as:

Lot 5 of the Conner Addition; and North ½ of Lot 1 of the Cassitt and Magill’s Addition; and South ½ of Lot 1 and all of Lots 2, 3, 4, 5 and 6 of the Cossitt and Magill’s Addition; and West 66 Feet of the South 157 Feet of the East 131.54 Feet of Lot 2, Block 3 of the College Hill Addition; and East 65.54 Feet of the South 157 Feet of Lot 2, Block 3 of the College Hill Addition; and South 70 Feet of the North 140 Feet of the East 131.75 Feet of Lot 2, Block 3 of the College Hill Addition; and North 70 Feet of the East 151.75 Feet of Lot 2, Block 3 of the College Hill Addition in Wichita, Sedgwick County, Kansas. Generally located about 1,700 feet east of the intersection of Douglas and Hillside on the north side of Douglas (3750 E. Douglas.)

Approved subject to the following conditions:

1. The Day Care Center shall comply with all applicable regulations.
2. The site shall be developed and operated in conformance with the approved site plan. A day care, general, for up to 128 children is permitted.
3. Outdoor play shall be limited to the hours of 7:30 AM to 6:30 PM if located within 100 feet of a lot containing a dwelling unit.

## STAFF REPORT

MAPC August 2, 2007

**CASE NUMBER:** CON2007-00027

**APPLICANT/AGENT:** St. James Episcopal Church / Twila Warren

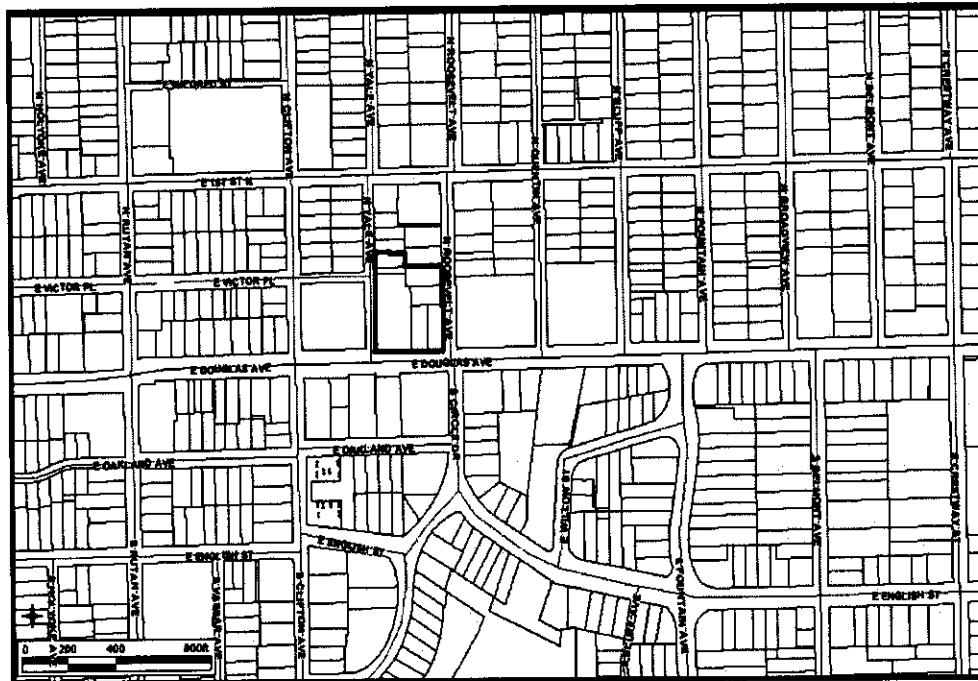
**REQUEST:** Conditional Use to allow a Day Care, General

**CURRENT ZONING:** B Multi-family Residential  
TF-3 Two-family Residential

**SITE SIZE:** 0.86 acres

**LOCATION:** Generally located about 1,700 feet east of the intersection of Douglas and Hillside on the north side of Douglas (3750 E. Douglas.)

**PROPOSED USES:** Provide a daycare, general, for an after-school program for a maximum of 128 kids on church grounds



**BACKGROUND:** The applicant, St. James Episcopal Church, is requesting consideration and recommendation for a Conditional Use to allow a Day Care, General, for an after-school program with a possible maximum enrollment of 128 kids on church grounds, located on property zoned B Multi-family Residential and TF-3 Two-family residential. The property (0.86 acres) is located about 1,700 feet east of the intersection of Douglas and Hillside on the north side of Douglas. East Douglas Avenue fronts the south side of the property, North Yale Avenue fronts the west side, North Roosevelt Avenue fronts the east side and E. 1<sup>st</sup> Street fronts the north side. Residential and commercial zoning on all four sides surrounds the property. The Unified Zoning Code requires a Conditional Use when a Day Care, General, is located in TF-3 zoning.

The applicant proposes to provide day care for around thirteen children in the existing church during the week. This site does provide for an outside play area for the after-school program. The applicant has provided Staff with a Site Plan that conforms to the development standards of the City. The site contains approximately 20,000 square feet that houses the church's sanctuary, offices, classrooms and other associated church facilities. Access to the site is provided off North Yale Avenue and off of North Roosevelt Avenue.

**CASE HISTORY:** The property was platted as part of the College Hill Addition, Cossitt and Magill's Addition, and Conners Addition between 1914 and 1915. This church is within the 500-foot historic environs of the CM Jackman House, located at 158 Roosevelt. This application is for a daycare, general, within an existing structure, and there will not be any alterations to the exterior of the existing building and no significant change in the current use.

**ADJACENT ZONING AND LAND USE:**

NORTH:	"SF-5" Single Family Residential	Residential Housing
EAST:	"SF-5" Single Family Residential	Institutional
	"TF-3" Two Family Residential	Institutional
SOUTH:	"GO" General Office	Office Use
	"PUD" Planned Unit Development	Restaurant
WEST:	"LC" Limited Commercial	Retail

**PUBLIC SERVICES:** North Yale Avenue and North Roosevelt Avenue are paved two-lane local roads. East Douglas Avenue is a 4-lane minor arterial with 12,990 average trips per day at the intersection with Hillside Avenue, (just west of the subject site) according to the 2006 Traffic Count Map. Municipal water and sewer services are available at this site.

**CONFORMANCE TO PLANS/POLICIES:** The 2030 Wichita Functional Land Use Guide of the 1999 Update to the Wichita-Sedgwick County Comprehensive Plan identifies this property as "major institutional." The major institutional land use category includes institutional facilities including government facilities, military bases, libraries, schools, cemeteries, churches, hospital and medical treatment facilities. The current zoning of the site is TF-3 Two-family Residential and B Multi-family Residential, a

higher residential density. Day Care, General is a conditional use for the TF-3 zone, per the regulations detailed in the WSC Unified Zoning Code.

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

1. The Day Care Center shall comply with all applicable regulations.
2. The site shall be developed and operated in conformance with the approved site plan. A day care, general, for a maximum of 128 children is permitted.
3. Outdoor play shall be limited to the hours of 7:30 AM to 6:30 PM if located within 100 feet of a lot containing a dwelling unit.
4. Shared parking may be provided for a provision for parking spaces as outlined in Section IV-A.4 when the day care is located within an existing church or place of worship, however, the day care shall provide convenient off-street loading facilities as required in Section IV-A.14.
4. All outdoor lighting shall employ cut-off luminaries to minimize light trespass and glare, and shall be mounted at a height not to exceed ½ the distance from the neighboring lot, unless evidence is provided to the satisfaction of the Planning Director that the light source will be aimed or shielded such that the light source is not visible from the neighboring lot.
5. Any violation of the conditions of approval shall declare the Conditional Use null and void.

This recommendation is based on the following findings:

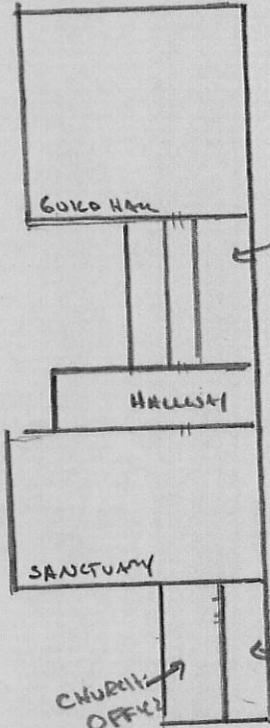
1. The zoning, uses and character of the neighborhood. The area around the site is zoned residential and commercial, developed with residential, commercial and institutional uses. The church is a large structure and is home to a large congregation.
2. The suitability of the subject property for the uses to which it has been restricted. The site is zoned TF-3, Two-family residential, and is developed with a church. The property could continue to operate as currently zoned, however, the approval of a day care for a maximum of 128 children is not an unreasonable request for a property developed with a church with adequate parking.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed conditional use is for a daycare / after school program, in an existing church. This type of use is common in churches within the city and county. The affect of a possible 128-child day care on nearby property will be minimal give the church's current size.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The 2030 Wichita Functional Land Use Guide of the 1999 Update to the Wichita-Sedgwick County Comprehensive Plan identifies this property as "major institutional." The major institutional land use category includes institutional facilities including government facilities, military bases, libraries, schools, cemeteries, churches, hospital and medical treatment facilities. The current zoning of the site is TF-3 Two-family Residential and B Multi-family Residential, a higher residential density. Day Care, General is a conditional use for the TF-3 zone, per the regulations detailed in the WSC Unified Zoning Code.
  
5. Impact of the proposed development on community facilities: The church and related uses currently exist, so the impact will not be beyond the capacity of the existing community facilities.

E. 1<sup>st</sup> ST, N.

N. YALE AVE.

W. ROOSEVELT ST.



1<sup>st</sup> + 2<sup>nd</sup> Floor CLASSROOMS + OFFICES

PARKING

SANCTUARY

CHURCH OFFICE

Rector's OFFICE

YARD

E DOUGLAS AVE.

S. ROOSEVELT ST.

VICTOR PL.

N. YALE AVE



ST. JAMES EPISCOPAL CHURCH  
 3750 E. DOUGLAS  
 WICHITA KS, 67208