Wichita-Sedgwick County Metropolitan Area Planning Department

January 20, 2023

MLC/CCH Limited Partnership
7701 E. Kellogg #490
Wichita, KS 67207

RE: **CON2022-00052:** Conditional Use Request in the city to allow Group Residence, Limited on property zoned SF-5 Single-Family Residential; generally located on the southwest corner of South Morningside Drive and South Woodlawn Blvd (441 S. Morningside Drive).

Dear Applicant;

At its regular meeting on **January 19, 2023**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request with the following conditions:

1) The Conditional Use approval is limited to a maximum of 12 persons needing assistance with daily activities and two (2) staff members.
2) The addition to the structure shall retain compatible residential character to the existing home. The applicant shall provide building elevations to the Planning Department for review and approval prior to the issuance of building permits.
3) The owner or the manager of the facility shall comply with all regulations and licensing required by the Kansas Department of Aging and Disability Services.
4) No signs shall be allowed except those permitted under the City Sign Code Section 24.04.190.
5) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
6) If the Zoning Administrator finds that there is a violation of any of the conditions of the conditional use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the conditional use is null and void.

Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on **February 2, 2023.** In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially located within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk by **February 2, 2023 at 5:00 p.m.**

If there are no protests, the MAPC's approval is final. If there are protests, this application will be presented to the Wichita City Council on **Tuesday, February 21, 2023** beginning at 9:00 a.m.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to: MABCD
Brandon Johnson, Council Member District I
Tasha Hayes, CSR District I
William and Karen Townsley, 300 S. Morningside Drive, Wichita, KS 67218
John Crouch, 6312 E. English, Wichita, KS 67218
Diane Behring, 421 S. Morningside Drive, Wichita, KS 67218
Clay Walter, 406 S. Morningside Drive, Wichita, KS 67218
Nancy Pattisson, 422 S. Morningside Drive. Wichita, KS 67218
Dan Dokken, 426 S. Courtleigh Drive, Wichita, KS 67218
Robert and Nancy Love, 131 S. Morningside Drive, Wichita, KS 67218
Gregory Burt, 232 S. Morningside Drive, Wichita, KS 67218
Deborah Rix, 207 S. Courtleigh Drive, Wichita, KS 67218
Edward and Laverne Sisk, 101 S. Morningside Drive, Wichita, KS 67218
Ernest and Darlene Ruelas, 338 S. Morningside Drive, Wichita, KS 67218
Roy and Carolyn Arnold, 5 E. Peachtree Ln, Eastborough, KS 67207

Wichita-Sedgwick County Metropolitan Area Planning Department

February 21, 2023

MLC/CCH Limited Partnership
7701 E. Kellogg #490
Wichita, KS 67207

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Dear Applicant;

At its regular meeting on **February 21, 2023**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the request with the following conditions:

1) The Conditional Use approval is limited to a maximum of 10 persons needing assistance with daily activities and two (2) staff members.
2) The addition to the structure shall retain compatible residential character to the existing home. The applicant shall provide building elevations to the Planning Department for review and approval prior to the issuance of building permits.
3) The owner or the manager of the facility shall comply with all regulations and licensing required by the Kansas Department of Aging and Disability Services.
4) No signs shall be allowed except those permitted under the City Sign Code Section 24.04.190.
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Ernest and Darlene Ruelas, 338 S. Morningside Drive, Wichita, KS 67218
Roy and Carolyn Arnold, 5 E. Peachtree Ln, Eastborough, KS 67207

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON Feb. 24, 2023

RESOLUTION NO. 23-086

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

WHEREAS, MLC/CCH Limited Partnership, Owner, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use to permit Group Residence, Limited, on property Zoned SF-5 Single-Family Residential located on the west side of South Woodlawn Boulevard and within one-quarter mile north of East Kellogg Drive, legally described as:

Lot 4, Block R, Fifth Addition to The Village, Wichita, Sedgwick County, Kansas.

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 January 19, 2023, consider said application; and

WHEREAS, the Wichita City Council 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 Wichita City Council that this application be approved to allow a Conditional Use to permit Group Residence, Limited, on property Zoned SF-5 Single-Family Residential located on the west side of South Woodlawn Boulevard and within one-quarter mile north of East Kellogg Drive, legally described as:

Lot 4, Block R, Fifth Addition to The Village, Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

1) The Conditional Use approval is limited to a maximum of 10 persons needing assistance with daily activities and two (2) staff members.
2) The addition to the structure shall retain compatible residential character to the existing home. The applicant shall provide building elevations to the Planning Department for review and approval prior to the issuance of building permits.
3) The owner or the manager of the facility shall comply with all regulations and licensing required by the Kansas Department of Aging and Disability Services.
4) No signs shall be allowed except those permitted under the City Sign Code Section 24.04.190.
5) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
6) If the Zoning Administrator finds that there is a violation of any of the conditions of the conditional use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the conditional use is null and void.

[*Remainder of this page left intentionally blank*]

This Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.

Adopted this 21ST day of Feb, 2023

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk

(SEAL)

Approved as to form:
Jennifer Magaña, City Attorney and Director of Law

McCLATCHY

Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee
The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald
el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi
Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	386404	Print Legal Ad-IPL01108810 - IPL0110881		$92.19	2	55 L

Attention: Jamie Buster

CITY OF WICHITA/CLERKS OFFICE
455 N MAIN ST FL 13
WICHITA, KS 67202

In The STATE OF KANSAS
In and for the County of Sedgwick

1 insertion(s) published on:
02/24/23

LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON February 24, 2023
RESOLUTION NO. 23-086
BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

WHEREAS, MLC/CCH Limited Partnership, Owner, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use to permit Group Residence, Limited, on property Zoned SF-5 Single-Family Residential located on the west side of South Woodlawn Boulevard and within one-quarter mile north of East Kellogg Drive, legally described as:

Lot 4, Block R, Fifth Addition to The Village, Wichita, Sedgwick County, Kansas.

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 January 19, 2023, consider said application; and

WHEREAS, the Wichita City Council 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 Wichita City Council that this application be approved to allow a Conditional Use to permit Group Residence, Limited, on property Zoned SF-5 Single-Family Residential located on the west side of South Woodlawn Boulevard and within one-quarter mile north of East Kellogg Drive, legally described as:

Lot 4, Block R, Fifth Addition to The Village, Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

1) The Conditional Use approval is limited to a maximum of 10 persons needing assistance with daily activities and two (2) staff members.

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This Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.

Adopted this 21st day of February, 2023
Brandon J. Whipple, Mayor, City of Wichita
ATTEST:
Jamie Buster, City Clerk
(SEAL) Approved as to form:
Jennifer Magana, City Attorney and Director of Law
IPL0110881
Feb 24 2023

STATE OF KANSAS)
SS
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 02/24/2023 to 02/24/2023.

M. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 02/24/2023

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

McCLATCHY

Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee
The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald
el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi
Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	363558	Print Legal Ad-IPL01031600 - IPL0103160		$234.04	3	93 L

Attention: MANDY HEBERT

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

LEGAL PUBLICATION

OCA 150004
Published in The Wichita Eagle on December 29, 2022
(One Time Only)
MAPC/BZA January 19, 2023
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, January 19, 2023, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

BZA2022-00057: Variance request in the City to reduce parking minimum from 10 to 2 spaces; generally located on the southwest corner of South Morningside Drive and South Woodlawn Blvd (441 South Morningside).

CON2022-00048: Conditional Use request in the City to allow a 155-foot monopole telecommunications facility with a 4-foot lightning rod; generally located on the north side of West Pawnee Avenue and south of Southwest Boulevard (3800 West Pawnee Avenue).

CON2022-00052: Conditional Use request in the City to allow Group Residence, Limited on property zoned SF-5 Single-Family Residential District; generally located on the southwest corner of South Morningside Drive and South Woodlawn Blvd (441 South Morningside).

CON2022-00053: Conditional Use in the City to permit entertainment as an accessory use to a restaurant (defined as "Nightclub in the City"); generally located on the south side of West 13th Street North, within one-block east of North West Street (3827 West 13th Street North).

CON2022-00054: Conditional Use request in the City to permit Wrecking/Salvage as use on property (with ZON2022-00074) to rezone from LC to LI Limited Industrial); located on the east side of South Seneca, within one-quarter mile south of West 55th Street South (5640 South Seneca).

CUP2022-00059: CUP Amendment in the City to DP-229 to allow for outdoor equipment and vehicle sales; generally located on the southeast corner of East Central Avenue and North Greenwich Road (310 North Greenwich Road).

PUD2022-00025: Zone Change request in the City from TF-3 Two-Family Residential to PUD Planned Unit Development to unify commonly owned parcels and create common amenity space on property; generally located between North Waco and North Back Bay Blvd and on the south side of West 9th Street North.

PUD2022-00027: Planned Unit Development request in the City to split lots to provide separate lots for each structure; generally located within one-half mile east of South Meridian Avenue and one-quarter mile south of West Harry Street (1801 South Glenn Street).

ZON2022-00070: Zone Change request in the City from TF-3 Two-Family Residential District to NR Neighborhood Retail District for retail; generally located on the northeast corner of East 21st Street North and North Minneapolis Avenue (2202 North Minneapolis Avenue).

ZON2022-00071: Zone Change request in the City from SF-5 (Single Family) to OW (Office Warehouse); located on the northwest corner of North Arkansas Avenue and West 38th Street North (3825 N. Arkansas Avenue).

ZON2022-00072: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential on property; generally located one-quarter mile north of East Pawnee Avenue and 200 feet west of South Broadway Avenue (2152 South Market Street).

ZON2022-00074: Zone Change request in the City from LC Limited Commercial to LI Limited Industrial (with CON2022-00054) to permit Wrecking and Salvage use for a tow-yard on property; located on the east side of South Seneca Street, within one-quarter mile south of East 55th Street South (5640 S Seneca).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

Options to participate (see below):
1) Participate virtually
2) Attend in-person at the Ronald Reagan Building
3) Submit comments ahead of time

Participate Virtually
Topic: Wichita-Sedgwick County Metropolitan Planning Commission
Time: 1:30 PM
Join Zoom Meeting
https://us06web.zoom.us/j/4089866967?pwd=a0k3bW0ySlBNbFJQTDFyV0xPVDBXUT09
Meeting ID: 408 986 6967
Passcode: 094136
One tap mobile
+16699006833,,4089866967#,,,,*094136# US (San Jose)
+17193594580,,4089866967#,,,,*094136# US
Meeting ID: 408 986 6967
Passcode: 094136
Find your local number: https://us06web.zoom.us/u/kc65codfb1

Attend In-Person
You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202.The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

Submit Comments Ahead of Time
You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email Planning@wichita.gov
Mailing Address Wichita-Sedgwick County Metropolitan Area Planning Department
Attn: Scott Wadle
271 W. 3rd Street – Suite 201
Wichita, KS 67202
Phone 316.268.4421
Fax 316.858.7764

WITNESS MY HAND on December 29, 2022
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0103160
Dec 29 2022

In The STATE OF KANSAS
In and for the County of Sedgwick

1 insertion(s) published on:
12/29/22

STATE OF KANSAS)
SS
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 12/29/2022 to 12/29/2022.

H. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 12/29/2022

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

AGENDA ITEM NO. 4.4

WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT

MAPC: January 19, 2023
DAB I: February 6, 2023

CASE NUMBER: CON2022-00052 (City)

APPLICANT: MLC/CCH Limited Partnership

REQUEST: Conditional Use for Group Residence, Limited

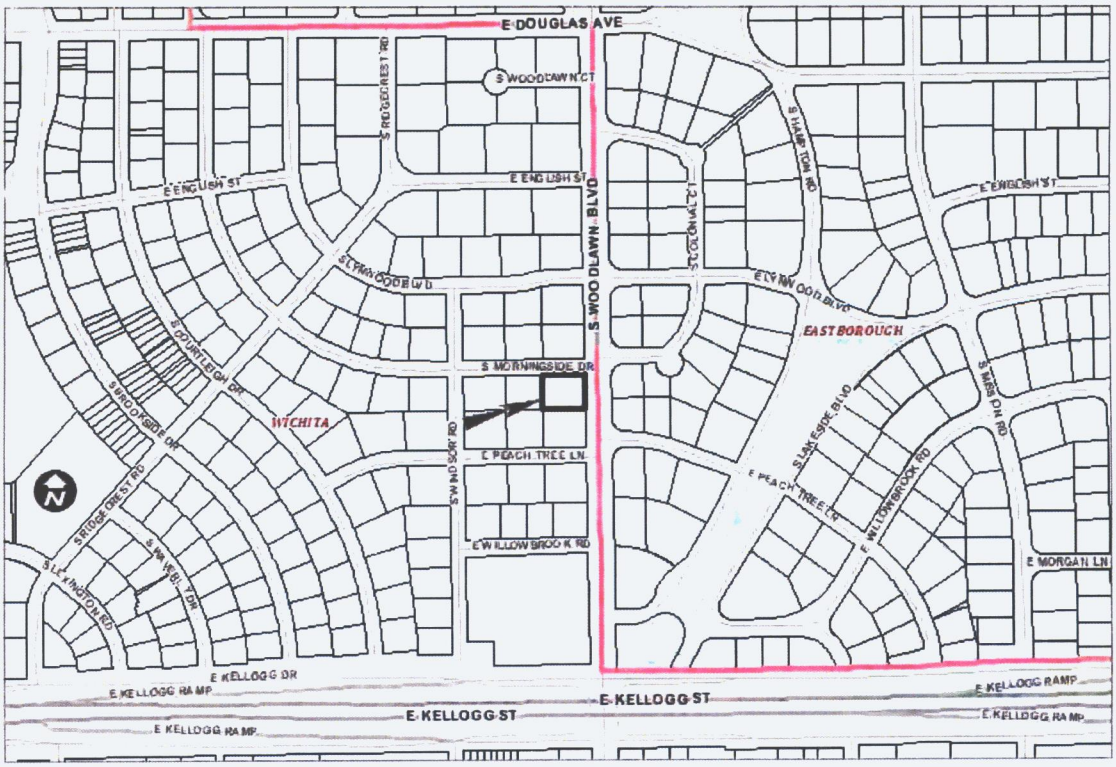
CURRENT ZONING: SF-5 Single Family Residential District

SITE SIZE: 0.47 acres

LOCATION: On the west side of South Woodlawn Boulevard, within one-quarter mile north of East Kellogg (441 South Morningside Drive).

PROPOSED USE: Group Residence, Limited

RECOMMENDATION: Approval with Conditions.



BACKGROUND: The applicant is requesting a Conditional Use for Group Residence, Limited on property zoned SF-5 Single Family Residential District generally located on the west side of South Woodlawn Boulevard and within one-quarter mile north of East Kellogg Drive (441 South Morningside Drive). The applicant currently operates a Home Plus Group Home on the property, which is allowed by-right per the Unified Zoning Code and protected by State Statue. A Home Plus Group Home allows up to eight (8) residents and two (2) staff at the location. The request for a Conditional Use for Group Residence, Limited would allow the facility to house up to 15 persons including staff. The applicant stated they intend to house up to 12 residents and two staff members.

The Kansas Department for Aging and Disability Services (KDADS) generally defines Home Plus as "any residence or facility caring for not more than 12 individuals not related within the third degree of relationship to the operator or owner by blood or marriage who need personal care or supervised nursing care to help with limitations in activities of daily living" (see attached full definition).

The Unified Zoning Code defines Group Residence as "a residential facility providing cooking, sleeping, and sanitary accommodations for a group of people, not defined as a family, on weekly or longer basis." It defines Group Residence, Limited as "a Group Residence that is occupied by six (6) to 15 persons, including staff members who reside in the facility." Group Residence Limited is permitted within the SF-5 zoning district by Conditional Use approval.

The applicant states that the purpose of a Home Plus facility is to provide a small retirement care home located in a residential area so that residents can live in a traditional home environment near their families. The facility is an existing single-family house located in a single-family neighborhood. The house was built in 1955 with three bedrooms and 2,555 square feet of finished living space. The two-car garage is a side-load garage on the east side of the structure, facing the masonry screening fence along South Woodlawn Boulevard. The facility is licensed by KDADS to have up to 12 residents and has met all necessary requirements of the Kansas State Fire Marshal and National Fire Protection Association (NFPA) Life Safety Code 101 for such a facility. As shown on the attached site plan, the applicant intends to build an 1,800 square-foot addition to the rear of the house to accommodate additional residents, bringing the total number of bedrooms to 10. The addition meets all setback requirements and would be a permitted addition to this single-family dwelling even if it was not operating a Home Plus facility.

The off-street parking requirement for Group Residence, Limited is one per bedroom. The facility proposes to have 10 bedrooms. The applicants indicate that all residents do no drive or own vehicles as they are care-dependent. Therefore, the only vehicles parked on site will be for staff (maximum of three at any given time) in addition to visiting family members. The facility's driveway can only satisfy a portion of the parking requirement. Therefore, the applicant has filed a Variance application (BZA2022-0057) to reduce the parking requirement to two spaces. This case is being heard concurrently.

Properties to the north, west, and south are zoned SF-5 Single-Family Residential District and are developed with single-family dwellings. Property immediately abutting to the east is the South Woodlawn Boulevard right-of-way. East of South Woodlawn Boulevard are single-family residential properties in the City of Eastborough.

CASE HISTORY: In 1951, the site was platted as part of the Village 5th Addition.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single Family Residence
SOUTH:	SF-5	Single Family Residence
EAST:	Eastborough	Single Family Residence
WEST:	SF-5	Single Family Residence

PUBLIC SERVICES: Access to the property is from South Morningside Drive, a paved local street with on-street parking, but no sidewalks. South Woodlawn Boulevard is a paved, four-lane arterial street with a sidewalk on the west side. Municipal water and sewer services currently serve the site. Wichita Transit provides regular bus service within

one-half mile to the west along South Edgemoor Drive.

CONFORMANCE TO PLANS/POLICIES: The Conditional Use request is in conformance with the following plans:

Community Investments Plan: The Conditional Use request is in conformance with the *Community Investments Plan.* The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as "Residential" on the Future Growth Map Concept Map, which reflects the full diversity of residential development densities and types typically found in an urban municipality. The Plan discusses that the range of housing densities and types include anywhere from single-family detached homes to multifamily units, condominiums, and special residential accommodations for the elderly (assisted living, congregate care, and nursing homes).

Wichita: Places for People Plan: The requested Conditional Use is in conformance with the goals of the Wichita: Places for People Plan. The Wichita: Places for People Plan provides recommendations for urban infill development in the Established Central Area (ECA). The subject site is located within the ECA. In general, the ECA is envisioned as "a place for people - a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles."

- Strategies: The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The requested Group Residence, Limited aligns with Strategy 5: *Provide a diversity of housing options to attract new residents and allow existing residents to remain in the ECA.* The site is currently used as a Home Plus Group Home. The proposed Group Residence, Limited would permit additional residents to be served by the facility at this location.

- Current Condition: The subject property is located within an area identified as an "area of stability." The Places for People Plan defines Areas of Stability as those "areas of the ECA that exhibit less stress, or fewer economic, connectivity and walkability challenges. Areas of Stability should require fewer interventions and potentially less investment to maintain a viable development environment and community. Improvements should be geared toward continuing the area's momentum and strengthening the established context" The site is currently used as a Home Plus Group Home and the structure retains the character of the surrounding residential neighborhood.

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 Conditional Use approval is limited to a maximum of 12 persons needing assistance with daily activities and two (2) staff members.
2) The addition to the structure shall retain compatible residential character to the existing home. The applicant shall provide building elevations to the Planning Department for review and approval prior to the issuance of building permits.
3) The owner or the manager of the facility shall comply with all regulations and licensing required by the Kansas Department of Aging and Disability Services.
4) No signs shall be allowed except those permitted under the City Sign Code Section 24.04.190.
5) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
6) If the Zoning Administrator finds that there is a violation of any of the conditions of the conditional use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the conditional use is null and void.

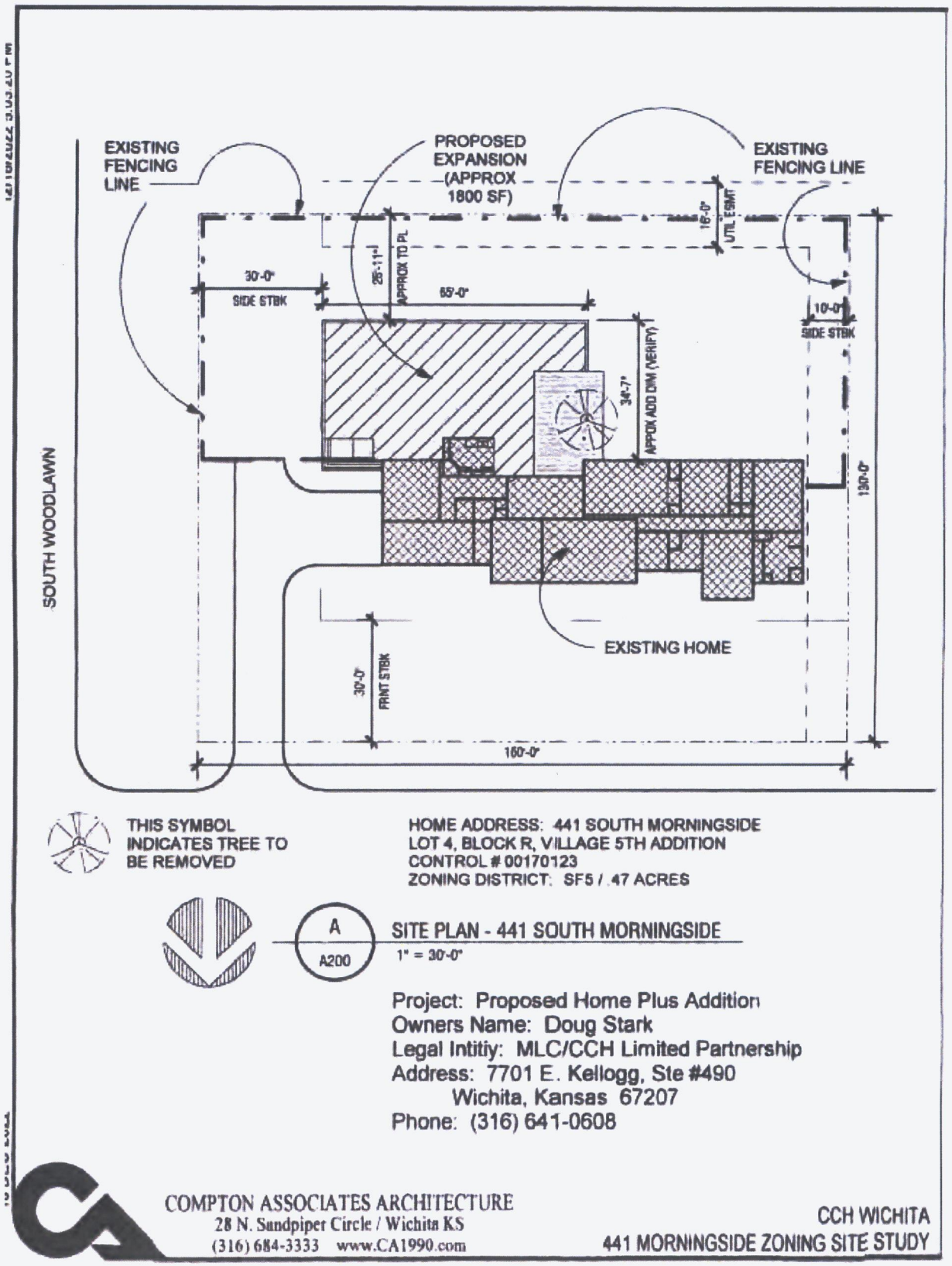
The staff's recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** Properties to the north, west, and south are zoned SF-5 Single-Family Residential District and are developed with single-family dwellings. Property immediately abutting to the east is the South Woodlawn Boulevard right-of-way. East of South Woodlawn Boulevard are single-family residential properties in the City of Eastborough.

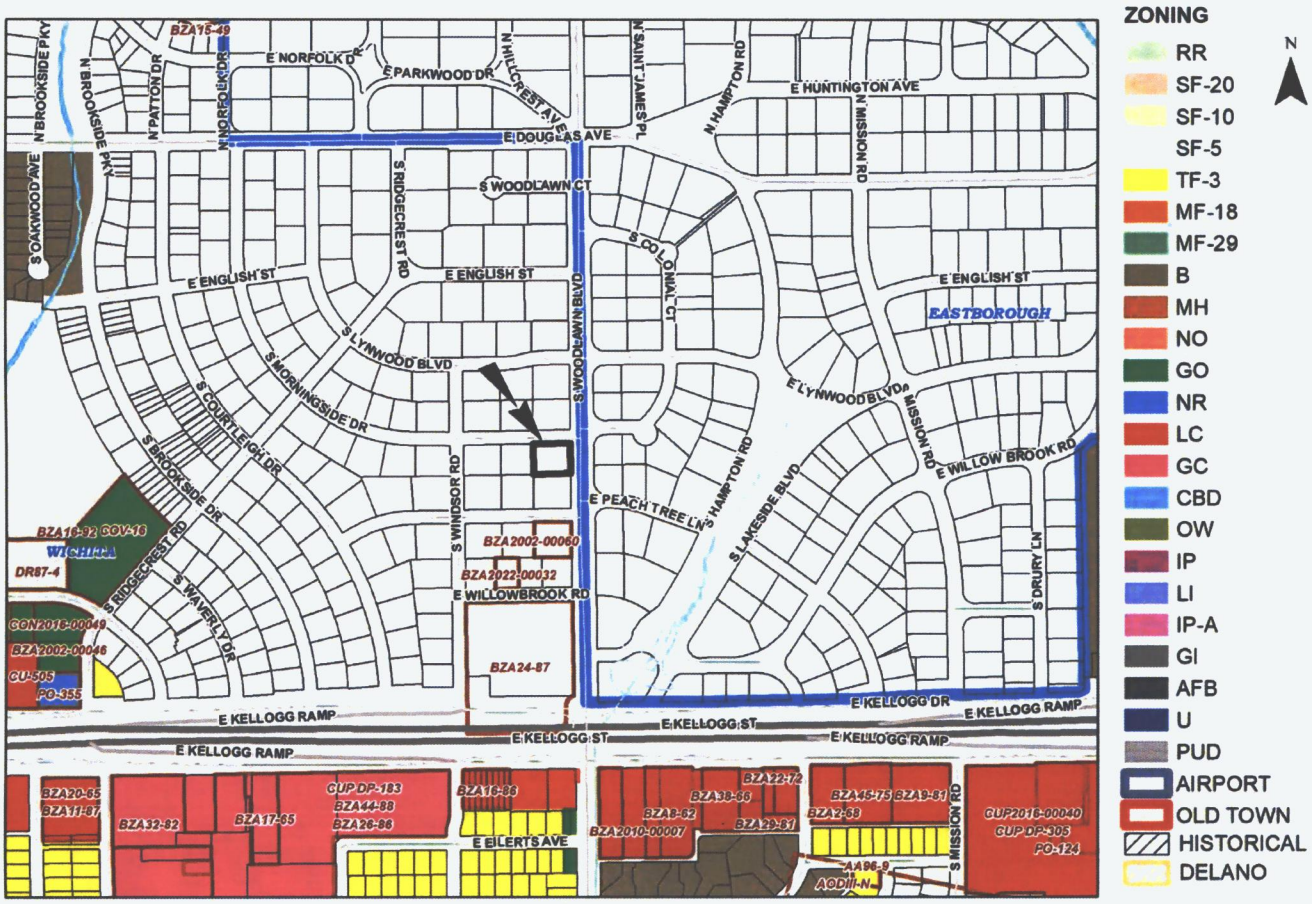
Home Plus as Defined by the Kansas Department for Aging and Disability Services
www.kdads.ks.gov

"Home Plus" means any residence or facility caring for not more than 12 individuals not related within the third degree of relationship to the operator or owner by blood or marriage unless the resident in need of care is approved for placement by the secretary for children and families, and who, due to functional impairment, needs personal care and may need supervised nursing care to compensate for activities of daily living limitations. The level of care provided to residents shall be determined by preparation of the staff and rules and regulations developed by the Kansas department for aging and disability services. An adult care home may convert a portion of one wing of the facility to a not less than five-bed and not more than 12-bed home plus facility provided that the home plus facility remains separate from the adult care home and each facility must remain contiguous. Any home plus that provides care for more than eight individuals after the effective date of this act shall adjust staffing personnel and resources as necessary to meet residents' needs in order to maintain the current level of nursing care standards. Personnel of any home plus who provide services for residents with dementia shall be required to take annual dementia care training.

Picture associated with public comment letter


EXISTING FENCING LINE
PROPOSED EXPANSION (APPROX 1800 SF)
EXISTING FENCING LINE
16'-0" UTIL ESMT
25'-11" APPROX TO PL
30'-0" SIDE STBK
65'-0"
10'-0" SIDE STBK
34'-7" APPROX ADD DIM (VERIFY)
190'-0"
SOUTH WOODLAWN
EXISTING HOME
30'-0" FRNT STBK
160'-0"
THIS SYMBOL INDICATES TREE TO BE REMOVED
HOME ADDRESS: 441 SOUTH MORNINGSIDE
LOT 4, BLOCK R, VILLAGE 5TH ADDITION
CONTROL # 00170123
ZONING DISTRICT: SF5 / .47 ACRES
A
A200
SITE PLAN - 441 SOUTH MORNINGSIDE
1" = 30'-0"
Project: Proposed Home Plus Addition
Owners Name: Doug Stark
Legal Intitiy: MLC/CCH Limited Partnership
Address: 7701 E. Kellogg, Ste #490
Wichita, Kansas 67207
Phone: (316) 641-0608
COMPTON ASSOCIATES ARCHITECTURE
28 N. Sandpiper Circle / Wichita KS
(316) 684-3333 www.CA1990.com
CCH WICHITA
441 MORNINGSIDE ZONING SITE STUDY

S WINDSOR RD
WICHITA
S MORNINGSIDE DR
E PEACH TREE LN
S WOODLAWN BLVD
S COLONIAL CT
EASTBOROUGH
E PEACH TREE LN
N


ZONING
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
B
MH
NO
GO
NR
LC
GC
CBD
OW
IP
LI
IP-A
GI
AFB
U
PUD
AIRPORT
OLD TOWN
HISTORICAL
DELANO
N
BZA15-49
E NORFOLK DR
E PARKWOOD DR
N HILLCREST AVE
N SAINT JAMES PL
N HAMPTON RD
E HUNTINGTON AVE
N MISSION RD
N BROOKSIDE PKY
N PATTON DR
N NORFOLK DR
E DOUGLAS AVE
S WOODLAWN CT
S RIDGECREST RD
S OAKWOOD AVE
E ENGLISH ST
S COLONIAL CT
EASTBOROUGH
S LYNWOOD BLVD
S WOODLAWN BLVD
S MORNINGSIDE DR
S COURTLEIGH DR
S BROOKSIDE DR
E LYNWOOD BLVD
MISSION RD
E WILLOW BROOK RD
S WINDSOR RD
E PEACH TREE LN
S HAMPTON RD
S LAKESIDE BLVD
BZA16-32 COV-16
WICHITA
DR87-4
S RIDGECREST RD
S WAVERLY DR
BZA2002-00060
BZA2022-00032
E WILLOWBROOK RD
S DRURY LN
CON2016-00049
BZA2002-00046
CU-505
PO-355
BZA24-87
E KELLOGG DR
E KELLOGG RAMP
E KELLOGG ST
BZA20-65
BZA11-87
BZA32-82
BZA17-65
GUP DP-183
BZA44-88
BZA26-86
BZA16-86
E EILERTS AVE
BZA22-72
BZA38-66
BZA8-62
BZA29-81
BZA2010-00007
BZA45-75
BZA9-81
BZA2-68
AA96-9
AODIII-N
S MISSION RD
GUP2016-00040
GUP DP-305
PO-124

2035 Wichita Future Growth Concept Map

Legend

- Established Central Area
- Residential and Employment Mix
- New Employment
- New Residential
- Wichita City Limits
- Other Cities
- ==== Northwest Bypass Right-of-Way

Statistical Development Areas

- Other Urban Growth Areas 2014
- Other Urban Growth Areas 2014
- Rural Growth Areas 2014

LAND USE

- Residential
- Commercial
- Industrial
- Major Air Transportation & Military
- Parks and Open Space
- Agricultural or Vacant
- Major Institutional
- Nghbd_Plan_Areas

N

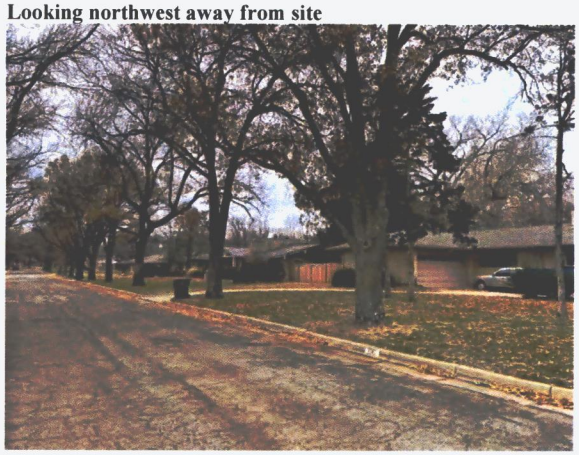
Looking southwest at site

Looking east away from site

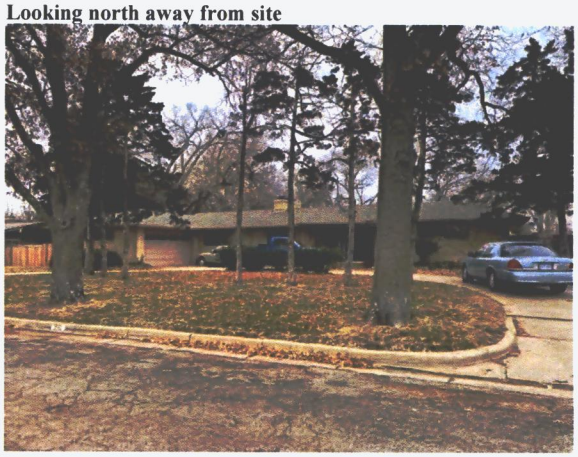
Looking southwest at driveway

Looking southwest away from site

Looking northwest away from site



Looking north away from site



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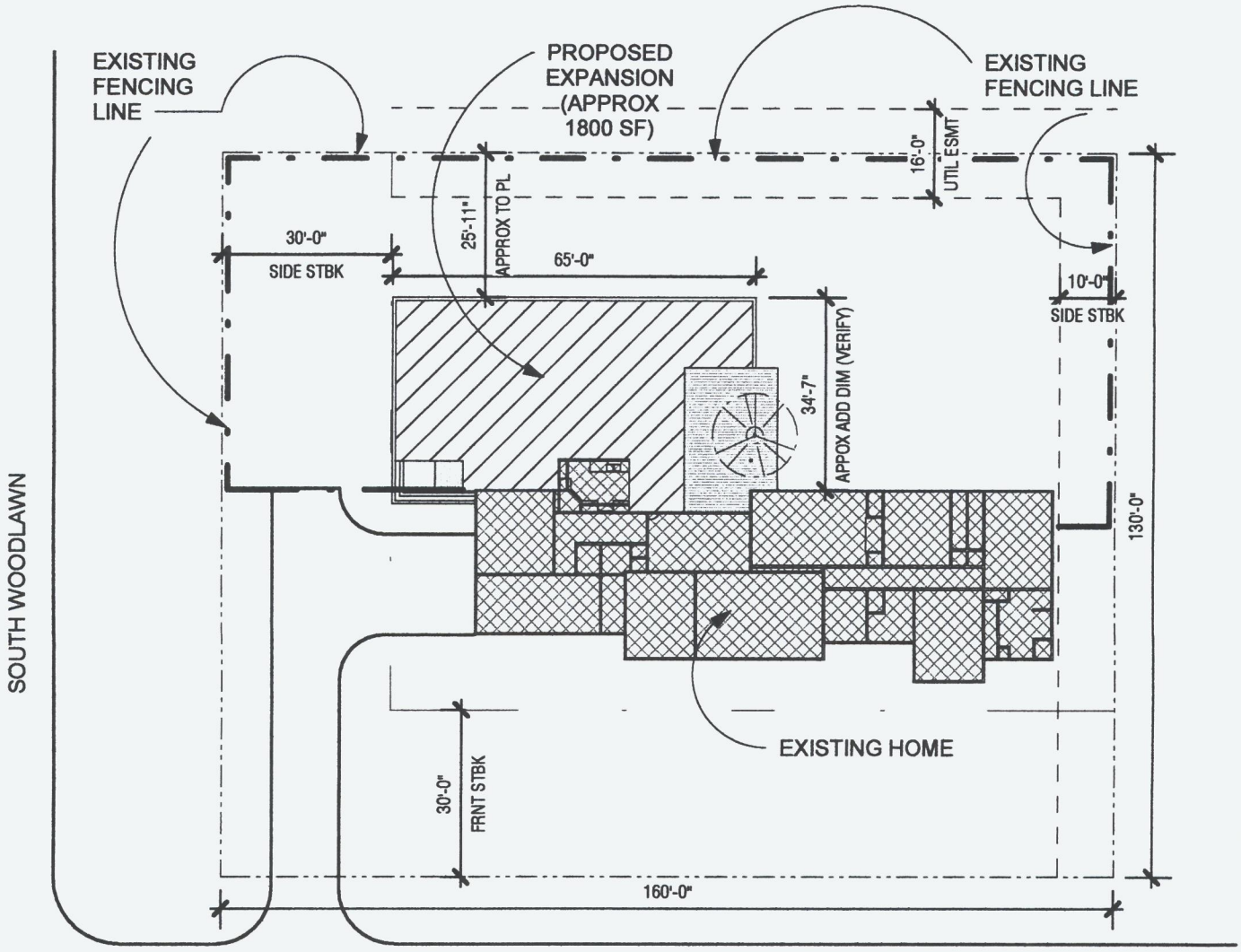

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1" = 30'-0"

SITE PLAN

APPROVED 2/28/23 BY
CON22-52

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18 DEC 2022

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