



Wichita-Sedgwick County Metropolitan Area Planning Department

February 4, 2022

Sandy Bland
PO Box 780324
Wichita, KS 67278

RE: CON2021-00062: City Conditional Use for Group Residence, Limited on property zoned TF-3 Two Family Residential located 900 feet west of North Hillside Avenue, 450 feet South of East 21st Street North (2909 East Shadybrook).

Dear Applicant;

At its regular meeting on **January 20, 2022**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request subject to the enclosed conditions.

There were no protests filed against this application. Therefore, the decision of the Planning Commission is final.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Philip Zevenbergen'.

Philip Zevenbergen, AICP
Senior Planner

Copies to: MABCD
Brandon Johnson, City Council District I
Tasha Hayes, CSR District I
Zachary Bland, 503 E Wild Plum Cir, Derby, KS 67037

Planning Commission Recommended Conditions of Approval

- 1) The Conditional Use approval is limited to a maximum of five (5) persons needing assistance with daily activities and two (2) staff members.
- 2) The owner or the manager of the facility shall comply with all regulations and licensing required by the Kansas Department of Children and Families
- 3) No signs shall be allowed except those permitted under the City Sign Code Section 24.04.190.
- 4) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
- 5) 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.

CONDITIONAL USE RESOLUTION NO. CON2021-00062

WHEREAS, Sandy Bland, 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 allow Group Residence, Limited on property zoned TF-3 Two-Family Residential located at 2909 East Shadybrook, legally described as:

Lot 31, Block 14, Shady Brook Addition to the City of Wichita, Sedgwick County, Kansas; ALSO part of Lot 30, Block 14, Shady Brook Addition, described as: Beginning at the original Northeast corner of said Lot 30, thence Westerly along the North line of said Lot 30, for a distance of 5 feet; thence Southeasterly for a distance of 113.7 feet to the original Southeast corner of said Lot 30; thence Northwesterly along the original lot line between Lots 30 and 31 to the point of beginning; ALSO part of Lot 32, Block 14, Shady Brook Addition, described as: Beginning at the Northwest corner of Lot 32, thence Southeasterly along the original lot line between Lots 31 and 32, a distance of 108 feet to the original Southwest corner of Lot 32; thence Northeasterly on line with the original lot line between Lots 29 and 31 extended, a distance of 10 feet; thence Northwesterly for a distance of 107.9 feet to the point of beginning.

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 20, 2022, 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 to allow Group Residence, Limited on property zoned TF-3 Two-Family Residential located at 2909 East Shadybrook, legally described as:

Lot 31, Block 14, Shady Brook Addition to the City of Wichita, Sedgwick County, Kansas; ALSO part of Lot 30, Block 14, Shady Brook Addition, described as: Beginning at the original Northeast corner of said Lot 30, thence Westerly along the North line of said Lot 30, for a distance of 5 feet; thence Southeasterly for a distance of 113.7 feet to the original Southeast corner of said Lot 30; thence Northwesterly along the original lot line between Lots 30 and 31 to the point of beginning; ALSO part of Lot 32, Block 14, Shady Brook Addition, described as: Beginning at the Northwest corner of Lot 32, thence Southeasterly along the original lot line between Lots 31 and 32, a distance of 108 feet to the original Southwest corner of Lot 32; thence Northeasterly on line with the original lot line between Lots 29 and 31 extended, a distance of 10 feet; thence Northwesterly for a distance of 107.9 feet to the point of beginning.

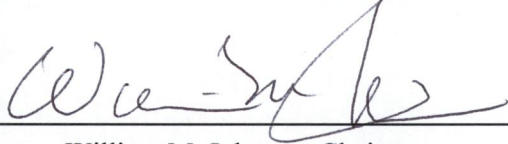
Approved subject to the following conditions:

- 1) The Conditional Use approval is limited to a maximum of five (5) persons needing assistance with daily activities and two (2) staff members.
- 2) The owner or the manager of the facility shall comply with all regulations and licensing required by the Kansas Department of Children and Families
- 3) No signs shall be allowed except those permitted under the City Sign Code Section 24.04.190.
- 4) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
- 5) 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.

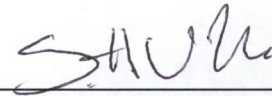
Adopted this 3rd Day of February 2022.

METROPOLITAN AREA PLANNING COMMISSION

ATTEST:

A handwritten signature in dark ink, appearing to read 'W. M. Johnson', written over a horizontal line.

William M. Johnson, Chairman

A handwritten signature in dark ink, appearing to read 'S. Wadle', written over a horizontal line.

Scott Wadle, Secretary



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	191675	WIC-12-30-21	OCA 150004	\$109.20	1	13.00 in

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

Copy of ad content
is on the next page

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

No. of Insertions: 1
Beginning Issue of: 12/30/2021
Ending Issue of: 12/30/2021

STATE OF KANSAS)

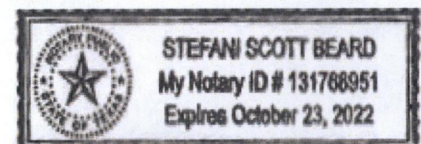
SS

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 12/30/2021 to 12/30/2021.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 12/30/2021

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



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

LEGAL PUBLICATION

OCA 159004

PUBLISHED IN THE WICHITA EAGLE
ON DECEMBER 30, 2021 (445212)

(One Time Only)

MAPC/BZA January 20, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, January 20, 2022, no earlier than 1:30 p.m.**, the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). **If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.**

BZA2021-00072: City Variance for a parking reduction on property zoned TF-3 Two Family Residential located 900 feet west of North Hillside Avenue, 450 feet South of East 21st Street North (2909 East Shadybrook).

CON2021-00042: City Conditional Use for Group Residence, Limited on property zoned TF-3 Two Family Residential located 900 feet west of North Hillside Avenue, 450 feet South of East 21st Street North (2909 East Shadybrook).

CON2021-00045: City Conditional Use for Entertainment Establishment (defined as "Night Club in the City") on property zoned LC Limited Commercial, located one-half mile west of North Oliver Avenue, on the North side of East 13th Street North (3906 East 13th Street North).

CON2021-00066: Conditional Use request in the City for Vehicle and Equipment Sales on property zoned LC Limited Commercial, located on the north side of West Maple Street and within a quarter mile west of South West Street (NE corner of W Maple and S Tracy St.).

CUP2021-00070: City CUP amendment to Country Club Park DP-186 to Parcels 2 and 3, adjust parcel boundaries, merge general provision text, and modify signage requirements (1313 Webb Rd) associated with zone change GO to LC (ZON2021-00062).

VAC2021-00054: Request in the City to vacate a portion of a platted street side yard setback on SF-5 Single-Family Residential zoned property generally located north of West 31st Street South, west of South Seneca Street, on the southwest corner of West 29th Street South & South Millwood Avenue.

ZON2021-00081: City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential on property located one-block south of West Douglas Avenue and one-half mile east of South Seneca Street (127 S Millwood).

ZON2021-00062: City zone change to Country Club Park DP-186 to Parcels 2 and 3, GO General Office to LC Limited Commercial associated with CUP amendment (CUP2021-00070); generally located at the southwest corner of E. 12th Street N and N. Webb Rd.

ZON2021-00063: Zone Change request in the City from LI Limited Industrial to SF-5 Single-Family Residential for future development on property located on the east side of North Greenwich Road and within one-half mile north of East 29th Street North.

ZON2021-00064: Zone Change request in the City from TF-3 Two Family Residential to MF-18 Multi-Family Residential to permit 2 additional dwelling units (total of 8) on property located within one-block north of East 13th Street North and two-blocks east of North Hillside Avenue (1402, 1404, & 1406 N Fairmount).

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 Wichita-Sedgwick 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.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meetings. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).

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 Wade 271 W. 3 rd Street - Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316.858.7764

Participate Remotely

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/651544141>

You can also dial in using your phone.

United States: +1 (571) 317-3112

Access Code: 651-544-141

Join from a video-conferencing room or system.

Dial in or by: 67.217.95.2 or nroolink.goto.com

Meeting ID: 651 544 141

Or dial directly: 651544141@67.217.95.2 or 67.217.95.2#651544141

New to GoToMeeting? Get the app now and be ready when your first meeting starts.
<https://global.gotomeeting.com/install/651544141>

Attend In-Person

You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/visitchityhall. 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 (316-268-4464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on December 30, 2021

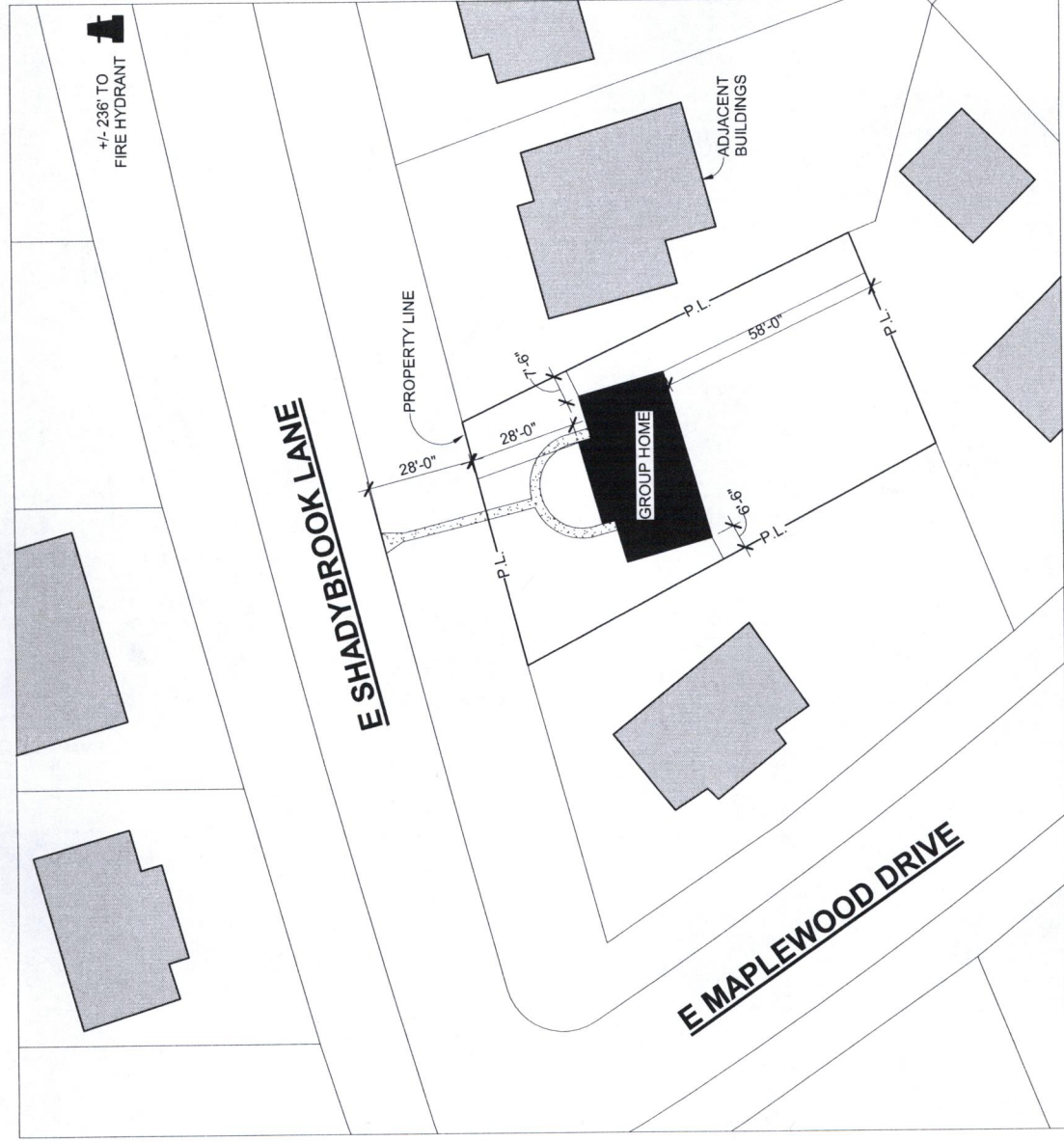
Scott Wade, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission

CODE INFORMATION

- PROJECT CONSTRUCTION PURPOSE:
NEW LICENSURE OF A NEW HOME (CHANGE IN USE)
- REASON FOR SUBMITTAL:
THE OWNER OF TRUE GROWTH CENTER AT 2609 E SHADYBROOK LN IN WICHITA, KANSAS IS APPLYING FOR LICENSURE.
- CODES USED:
2006 NFPA 101 LIFE SAFETY CODE
2018 IBC
2014 NFPA 70 (FIRE ALARM)
2013 NFPA 72 (FIRE ALARM)
- CONTACT INFO:
ARCHITECT:
DAVID STAUB
TRUE GROWTH CENTER, LLC
2627 N BEACON HILL CT
WICHITA, KS 67220
PH (316) 262-4700
PH (316) 300-7487
OWNER:
TERA ANDREWS
TRUE GROWTH CENTER, LLC
503 E WILD PLUMB CIR
DERBY, KS 67037
PH (316) 300-7487
- ARCHITECTS SEAL: PROVIDED ON DRAWING
- RESPONDING FIRE SERVICE: WICHITA FIRE DEPARTMENT
- NAME OF LOCAL BUILDING INSPECTION DEPT.
METRO AREA BUILDING AND CONSTRUCTION DEPARTMENT (MABCD)
- OCCUPANCY GROUP / TYPE:
R-4 GROUP HOME # OF RESIDENTS: 5 RESIDENTS
- CONSTRUCTION TYPE: V-B
- ALTERNATIVE DESIGN OR METHODS OF CONSTRUCTION: NOT APPLICABLE
- PER LIFE SAFETY CODE 302.3.6.2, ALL SEPARATION WALLS AROUND SLEEPING ROOMS RESIST FIRE FOR NOT LESS THAN 1/2 HOUR, AND ARE CONSTRUCTED WITH AT LEAST ONE LAYER OF 1/2" OR THICKER GYPSUM BOARD EACH SIDE OF A MINIMUM 2X4 WOOD STUD FRAME.
- WATER SUPPLY FOR FIRE SUPPRESSION: NOT REQUIRED NOT PROVIDED
- RESIDENT BEDROOM DOORS ARE MINIMUM 1 3/4" THICK SOLID-BONDED WOOD CORE CONSTRUCTION DOORS. DOORS ARE SELF-CLOSING (DOORS IN SPRINKLED BUILDINGS NOT REQUIRED TO BE SELF-CLOSING).
- RESIDENT BEDROOMS WILL BE PROVIDED WITH A MINIMUM OF (1) WINDOW MEETING EXIT REQUIREMENTS PER ROOM. CLEAR OPENING DIMENSIONS ARE NOTED ON THE CODE PLAN.
- STRUCTURAL CODE REQUIREMENTS:
A. TOTAL FLOOR AREA PER OCCUPANCY:
ALLOWABLE AREA: 7,000 SF PER LEVEL
ACTUAL AREA: 1,077 GSF
B. HEIGHT AND AREA LIMITATIONS (TABLE 503):
ALLOWED: 40 FEET, 2 STORY
ACTUAL: 16 FEET, 1 STORY
C. STRUCTURAL FIRE RATING (TABLE 601, TYPE V-B):
BUILDING ELEMENT REQ'D. ACTUAL:
STRUCTURAL FRAME 0 HR 0 HR
FLOOR JOIST 0 HR 0 HR
BEARING WALL (INTERIOR) 0 HR 0 HR
NON-BEARING WALLS AND PARTITIONS (EXTR.) 0 HR 0 HR
NON-BEARING WALLS AND PARTITIONS (INTR.) 0 HR 0 HR
FLOOR CONSTRUCTION 0 HR 0 HR
ROOF CONSTRUCTION 0 HR 0 HR
*TABLE 602 ALL > 30' DISTANCE
- ACTIVE FIRE SAFETY FEATURES:
A. AUTOMATIC FIRE SUPPRESSION SYSTEM: NOT PROVIDED*
B. STANDPIPE: NOT PROVIDED*
C. FIRE ALARM SYSTEM: REQUIRED
D. HARD WIRED SMOKE DETECTORS: PROVIDED
E. EMERGENCY LIGHTING AND POWER: NOT PROVIDED
F. SMOKE EXHAUST SYSTEM: NOT PROVIDED
*FACILITIES WITH 5 OR LESS RESIDENTS ARE NOT REQUIRED TO BE SPRINKLED.
- SEE THE SITE PLAN PROVIDED FOR THE FOLLOWING ITEMS PER IFC APPENDIX B, C, AND D:
• FIRE DEPARTMENT ACCESS MEASUREMENTS
• FIRE DEPARTMENT CONNECTIONS (IF APPLICABLE)
• HYDRANT LOCATION AND DISTANCE
• PROPERTY LINES

SITE PLAN

APPROVED *elphie* BY *Mark Smith*



1 CODE SITE PLAN

1" = 30'-0"

0' 15' 30' 60'

NORTH



Kansas Code Plans LLC
2609 E Shadybrook Lane
Wichita, KS 67220
T 316.393.8576
KansasCodePlans.com

TRUE GROWTH CENTER LLC

2609 E SHADYBROOK LANE
WICHITA, KS 67214

PRINTS ISSUED
01/16/2021 - 02/16/2021 REVIEW

REV#	NO	DATE	DESC

KCP No. 2101
Drawn: STAFF
Checked: STAFF
SITE PLAN & CODE INFO

CFP.1