



Wichita-Sedgwick County Metropolitan Area Planning Department

July 15, 2022

Debbie Haddock
250 North Old Manor Rd
Wichita, KS 67208

RE: CON2022-00013: City Conditional Use for an Accessory Apartment on property zoned SF-5 Single-Family Residential located 500 feet south of East 2nd Street North, 1700 feet east of North Oliver Avenue (250 North Old Manor Rd.).

Dear Applicant;

At its regular meeting on **June 16, 2022**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request with the following conditions:

- (1) The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 250 North Old Manor Rd.) and the ownership shall not be divided or sold as a condominium.
- (2) Development of the site shall be in conformance with the approved site plan.
- (3) The appearance of the accessory structure shall be compatible with the main dwelling unit and with the character of the neighborhood.
- (4) The water and sewer provided to the Accessory Apartment shall not be provided as separate services from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services.
- (5) The applicant shall obtain all applicable permits including, but not limited to: building, health, and zoning. This will include turning in plans for review and approval by the MABCD for the Accessory Apartment.
- (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.

No protests were filed against this case. Therefore, the MAPC decision is final.

Sincerely,

Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to: Brandon Johnson, City Council District I
Tasha Hayes, CSR District I
MABCD

CONDITIONAL USE RESOLUTION NO. CON2022-00013

WHEREAS, Debbie Haddock, 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 an Accessory Apartment on property zoned SF-5 Single-Family Residential located at 250 North Old Manor Road, legally described as:

Lot 37, Block 4, Crown Heights Second Addition to 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 June 16, 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 an Accessory Apartment on property zoned SF-5 Single-Family Residential located at 250 North Old Manor Road, legally described as:

Lot 37, Block 4, Crown Heights Second Addition to Wichita, Sedgwick County, Kansas.

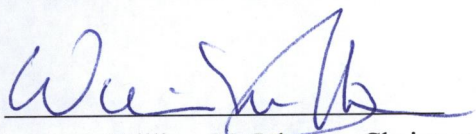
Approved subject to the following conditions:

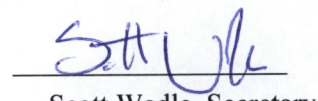
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- (2) Development of the site shall be in conformance with the approved site plan.
- (3) The appearance of the accessory structure shall be compatible with the main dwelling unit and with the character of the neighborhood.
- (4) The water and sewer provided to the Accessory Apartment shall not be provided as separate services from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services.
- (5) The applicant shall obtain all applicable permits including, but not limited to: building, health, and zoning. This will include turning in plans for review and approval by the MABCD for the Accessory Apartment.
- (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.

Adopted this 7th Day of July 2022.

METROPOLITAN AREA PLANNING COMMISSION

ATTEST:


William M. Johnson, Chairman


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	266020	WIC-5-26-2022	OCA 150004	\$117.60	1	14.00 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: 05/26/2022
 Ending Issue of: 05/26/2022

STATE OF KANSAS)

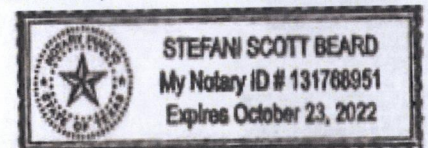
SS

County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeseth 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 05/26/2022 to 05/26/2022.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
 DATED: 05/26/2022

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 18084
PUBLISHED IN THE WICHITA EAGLE
ON MAY 26, 2022 (627033)
(One Time Only)

**MAPC/BZA June 16, 2022
OFFICIAL HEARING NOTICE**

NOTICE IS HEREBY GIVEN that on **Thursday, June 16, 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.

CON2022-0001: Conditional Use request in the City for an Accessory Apartment located approximately one-quarter mile north of East Central Avenue and approximately one-quarter mile West of North 159th Street East (649 N. Brookhaven Dr.).

CON2022-0001: Conditional Use request in the City for an Accessory Apartment on property zoned SF-5 Single-Family Residential located 500 feet South of East 2nd Street North and 1,700 feet East of North Oliver Avenue (250 North Old Manor Road).

CON2022-0001: Conditional Use request in the City to allow an Accessory Apartment; generally located one-quarter mile West of North Broadway Avenue and one-quarter mile North of West 29th Street North (3135 N. Wellington Place).

PUD2022-0001: Zone change request in the City from LI Limited Industrial to PUD Planned Unit Development for mixed-use development on property located within one block North of West Douglas Avenue and one-half mile West of North Seneca Street (130 - 200 N Millwood Avenue).

VAC2022-0001: Vacation request in the City to vacate a platted 8-foot easement on SF-5 Single-Family Residential zoned property; generally located one-quarter mile North of East Pawnee Avenue and two blocks East of South Hillside Avenue (3437 E Kinkaid Ct.).

ZON2022-0002: Zone Change request in the City from IP Industrial Park to TF-3 Two-Family Residential and amendment to Protective Overlay #247 to remove land from the Protective Overlay on property located one-half mile South of West 31st Street South and within one-quarter mile East of South 119th Street West.

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-Meeting. 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 Waddle 271 W. 3rd 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 (671) 317-3112

Access Code: 651-544-141

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.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/visitcityhall. 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 May 26, 2022

Scott Waddle, Secretary

Wichita-Sedgwick County Metropolitan Area Planning Commission

LEGAL PUBLICATION

OCA 1886
PUBLISHED IN THE WICHITA EAGLE
ON MAY 15, 2012
City of Wichita

NOTICE TO THE PUBLIC
 The City of Wichita is seeking public input on the proposed Comprehensive Zoning Ordinance (CZO) amendments. The amendments will be held in public hearings on May 15, 2012, at 7:00 p.m. at the City of Wichita, 1001 S. Main Street, Wichita, Kansas 67202. The City of Wichita is seeking public input on the proposed CZO amendments. The amendments will be held in public hearings on May 15, 2012, at 7:00 p.m. at the City of Wichita, 1001 S. Main Street, Wichita, Kansas 67202. The City of Wichita is seeking public input on the proposed CZO amendments. The amendments will be held in public hearings on May 15, 2012, at 7:00 p.m. at the City of Wichita, 1001 S. Main Street, Wichita, Kansas 67202.

COMMISSIONER'S CONDITION
 The City of Wichita is seeking public input on the proposed CZO amendments. The amendments will be held in public hearings on May 15, 2012, at 7:00 p.m. at the City of Wichita, 1001 S. Main Street, Wichita, Kansas 67202. The City of Wichita is seeking public input on the proposed CZO amendments. The amendments will be held in public hearings on May 15, 2012, at 7:00 p.m. at the City of Wichita, 1001 S. Main Street, Wichita, Kansas 67202.

PURPOSE
 The City of Wichita is seeking public input on the proposed CZO amendments. The amendments will be held in public hearings on May 15, 2012, at 7:00 p.m. at the City of Wichita, 1001 S. Main Street, Wichita, Kansas 67202. The City of Wichita is seeking public input on the proposed CZO amendments. The amendments will be held in public hearings on May 15, 2012, at 7:00 p.m. at the City of Wichita, 1001 S. Main Street, Wichita, Kansas 67202.

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PLANNING BOARD
 The City of Wichita is seeking public input on the proposed CZO amendments. The amendments will be held in public hearings on May 15, 2012, at 7:00 p.m. at the City of Wichita, 1001 S. Main Street, Wichita, Kansas 67202. The City of Wichita is seeking public input on the proposed CZO amendments. The amendments will be held in public hearings on May 15, 2012, at 7:00 p.m. at the City of Wichita, 1001 S. Main Street, Wichita, Kansas 67202.

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Event	Planning Board Meeting
Meeting Address	Wichita-Sherwood County Metropolitan Area Planning District Board 1001 S. Main Street Wichita, KS 67202
Phone	316.261.4321
Fax	316.261.4321

Public Input
 Please visit our website for more information on the proposed CZO amendments. The amendments will be held in public hearings on May 15, 2012, at 7:00 p.m. at the City of Wichita, 1001 S. Main Street, Wichita, Kansas 67202.

City of Wichita
 1001 S. Main Street
 Wichita, Kansas 67202
 Phone: 316.261.4321
 Fax: 316.261.4321

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WICHITA EAGLE

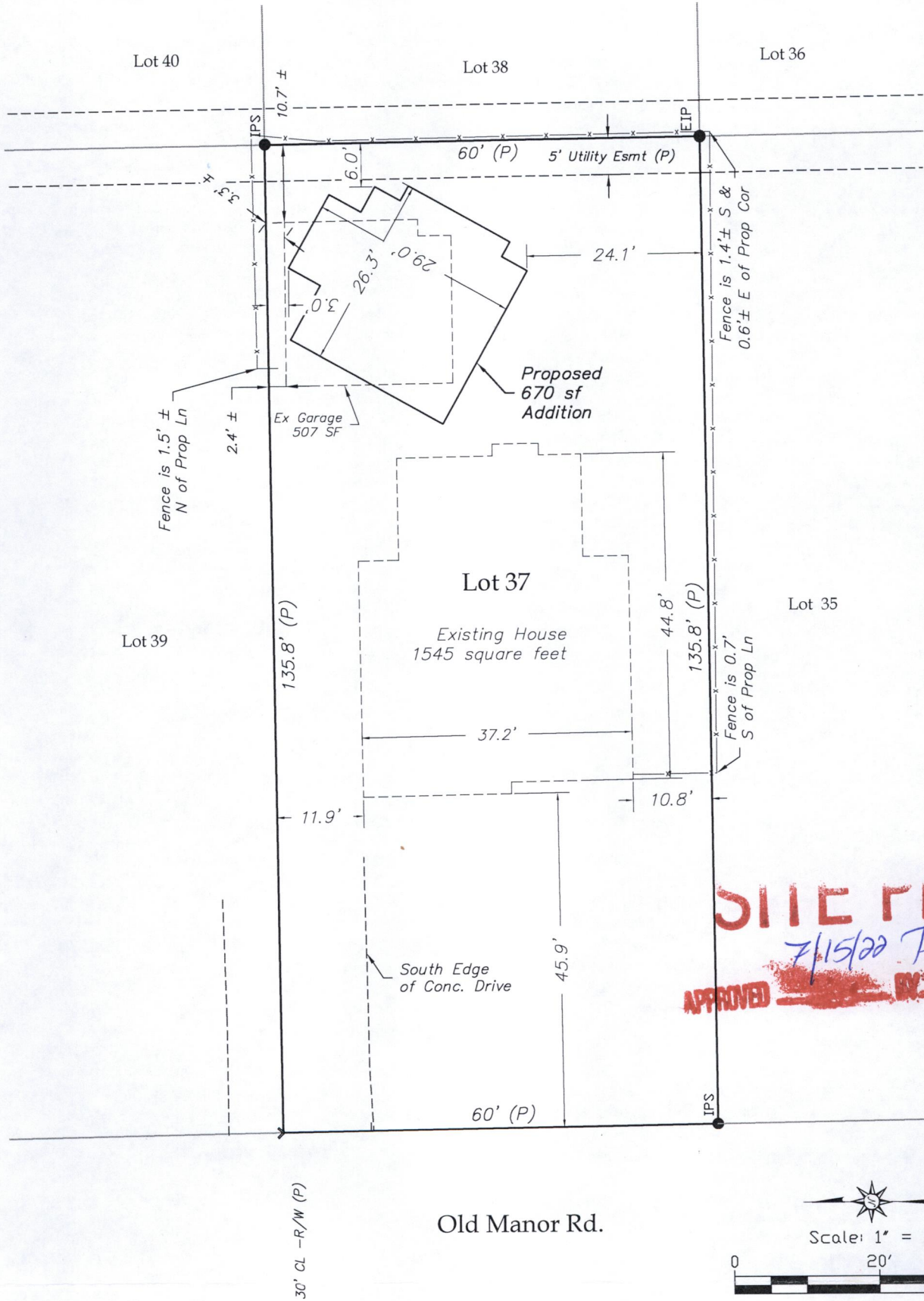
City of Wichita	1001 S. Main Street	Wichita, Kansas 67202	Phone: 316.261.4321	Fax: 316.261.4321
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City of Wichita
 1001 S. Main Street
 Wichita, Kansas 67202
 Phone: 316.261.4321
 Fax: 316.261.4321

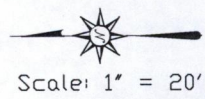
City of Wichita
 1001 S. Main Street
 Wichita, Kansas 67202
 Phone: 316.261.4321
 Fax: 316.261.4321

Site Plan for Proposed Addition

LOT 37, BLOCK 4, CROWN HEIGHTS SECOND ADDITION
TO WICHITA, SEDGWICK COUNTY, KANSAS



SITE PLAN
7/15/22
APPROVED



Scale: 1" = 20'

Legend

- Property Line
- - - - - Adjacent Lot Line
- - - - - Easement Line
- - - - - Building Set-back Line
- - - - - Centerline Road
- x - x - Existing Fence

Rev.#	By:	Date:	Description
-			
-			
-			
Date:	5/2/22	Job #:	21-10-191
Drawn by:	BLP	Scale:	1" = 20'
Approved by:	BLP	Sheet:	1 of 1

MERESTONE SURVEYING LLC



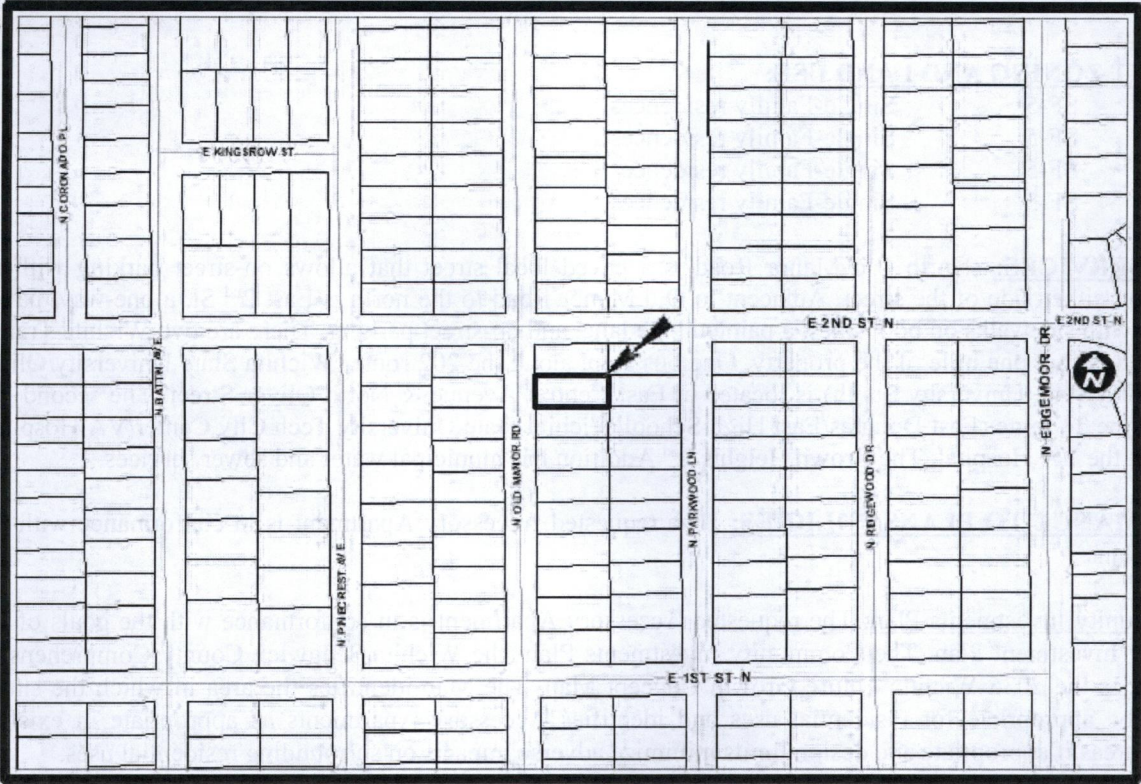
1641 N. ANDOVER RD.
ANDOVER, KS 67002
P: 316.425.7770
F: 316.425.7773
WWW.MERESTONEKS.COM

Debora Haddock
Site Plan
250 N Old Manor Rd.
Wichita, KS 67208



STAFF REPORT
MAPC: June 16, 2022
DAB I: June 6, 2022

- CASE NUMBER:** CON2022-00013 (City)
- APPLICANT/OWNER:** Debbie Haddock
- REQUEST:** Conditional Use request for an Accessory Apartment
- CURRENT ZONING:** SF-5 Single-Family Residential
- SITE SIZE:** 0.185 acres
- LOCATION:** Generally located within 100 feet south of East 2nd St North and within one half mile east of North Oliver Avenue (250 North Old Manor Rd).
- PROPOSED USE:** Accessory Apartment
- RECOMMENDATION:** Approve with conditions



BACKGROUND: The applicant is requesting a Conditional Use to build an Accessory Apartment in the SF-5 Single-Family Residential zoning district. The property is located at 250 North Old Manor Rd which is generally located within 100 feet south of East 2nd St North and within one half mile east of North Oliver Avenue. The site is currently developed with a 1,545 square-foot, one-story, single-family home and a detached garage. The applicant proposes to rebuild the detached garage with a 25-foot high, 670 square foot structure which will also house the proposed Accessory Apartment. The proposed Accessory Apartment would be built inside of the setback requirements for an Accessory Apartment on SF-5 Single Family Residential zoning.

The Wichita-Sedgwick County Unified Zoning Code (“UZC”) defines an “Accessory Apartment” (Art. II. Sec. II-B.1.b) as a dwelling unit that may be wholly within, or may be detached from a principal single-family dwelling unit. Accessory apartments are also subject to supplementary use regulation Art. III.Sec.III-D.6.a:

- (1) A maximum of one Accessory Apartment may be allowed on the same lot as a single-family dwelling unit that may be within the main building, within an accessory building or constructed as an accessory apartment.
- (2) The appearance of an Accessory Apartment shall be compatible with the main dwelling unit and with the character of the neighborhood.
- (3) The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family dwelling unit, and the ownership shall not be divided or sold as a condominium.
- (4) The water and sewer service provided to the Accessory Apartment shall not be provided as separate service from the main dwelling. Electric, gas, telephone, and cable television utility service may be provided as separate utility services.

Properties on the north, south, east, and west are all zoned SF-5 Single-Family Residential homes. Surrounding property beyond the immediate neighboring lots are SF-5 Single Family Residential homes.

CASE HISTORY: In 1938, the site was platted as part of the Crown Heights 2nd Addition. On April 19, 2022, BZA2022-00018 was filed approving an adjustment to increase the maximum allowable height of an accessory structure from 21 feet to 25 feet (approximately 19 percent) on the aforementioned property (250 North Old Manor Rd.).

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-Family residences
SOUTH:	SF-5	Single-Family residences
WEST:	SF-5	Single-Family residences
EAST:	SF-5	Single-Family residences

PUBLIC SERVICES: North Old Manor Road is a paved local street that allows on-street parking with no sidewalks on either side of the street. Adjacent to Old Manor Road to the north is East 2nd St, a one-way, paved local street with sidewalks on both sides, a painted bike lane, and on-street parking. There are two Wichita Transit stops located within one mile of the property. One bus stop, along the 202 route (Wichita State University/Oliver Street/Wichita State University South) is located at East Central Avenue & North Oliver Street. The second bus stop, along the 24 route (East Douglas/East High School/Wichita State University Tech City Center/VA Hospital) is located at the VA Hospital. The Crown Heights 2nd Addition has municipal water and sewer services.

CONFORMANCE TO PLANS/POLICIES: The requested Accessory Apartment is in conformance with the following plans.

The Community Investments Plan: The requested Accessory Apartment is in conformance with the goals of the Community Investment Plan. The Community Investments Plan (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be appropriate for residential uses and identifies Accessory Apartments as appropriate in existing residential areas if appropriate site design limits minimize adverse impacts on surrounding residential uses.

Wichita: Places for People Plan: The requested zoning 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 Accessory Apartment proposal aligns with the design principles of Places for People by “supporting development of a variety of lot sizes and housing types.” The Land Use Compatibility principle encourages Accessory Apartments/dwelling units as appropriate in existing neighborhoods.
- **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 issues. 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 addition of an Accessory Apartment provides a feature that fits the established context.

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

- (1) The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 250 North Old Manor Rd.) and the ownership shall not be divided or sold as a condominium.
- (2) Development of the site shall be in conformance with the approved site plan.
- (3) The appearance of the accessory structure shall be compatible with the main dwelling unit and with the character of the neighborhood.
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- (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.

This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the neighborhood:** Properties on the north, south, east, and west are all zoned SF-5 Single-Family Residential. Property Accessory Apartments are permitted within SF-5 Zoning by conditional use and must meet applicable setbacks. This property already has an existing accessory structure that the applicant is planning to replace with this proposed development. Several surrounding properties also have accessory structures.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The subject site is currently zoned SF-5 which allows for the development of single-family residences. The property will continue to be used for one single-family residence; the size of the property easily accommodates an Accessory Apartment and the additional required parking spaces, as exemplified through the current

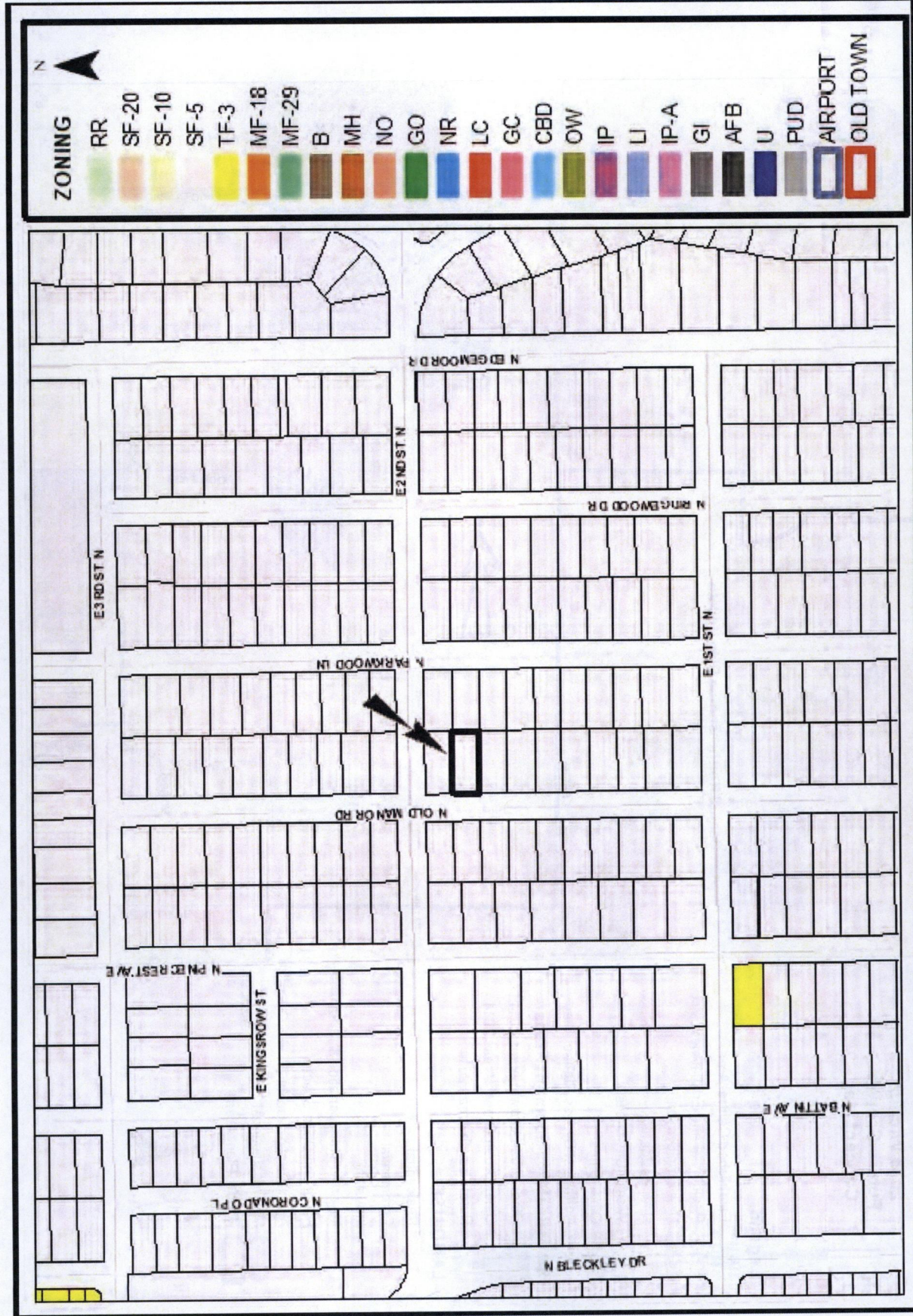
existence of an accessory structure.

- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Approval of the request should not detrimentally impact nearby properties. The conditions of approval should minimize any unanticipated detrimental impacts.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The proposed Conditional Use is in conformance with the *Community Investments Plan* and the *Wichita: Places for People Plan* as discussed in this staff report.
- (5) **Impact of the proposed development on community facilities:** Community facilities should not be significantly impacted by the accessory apartment located in an additional accessory structure. The property is served by municipal water and sewer.

Attachments:

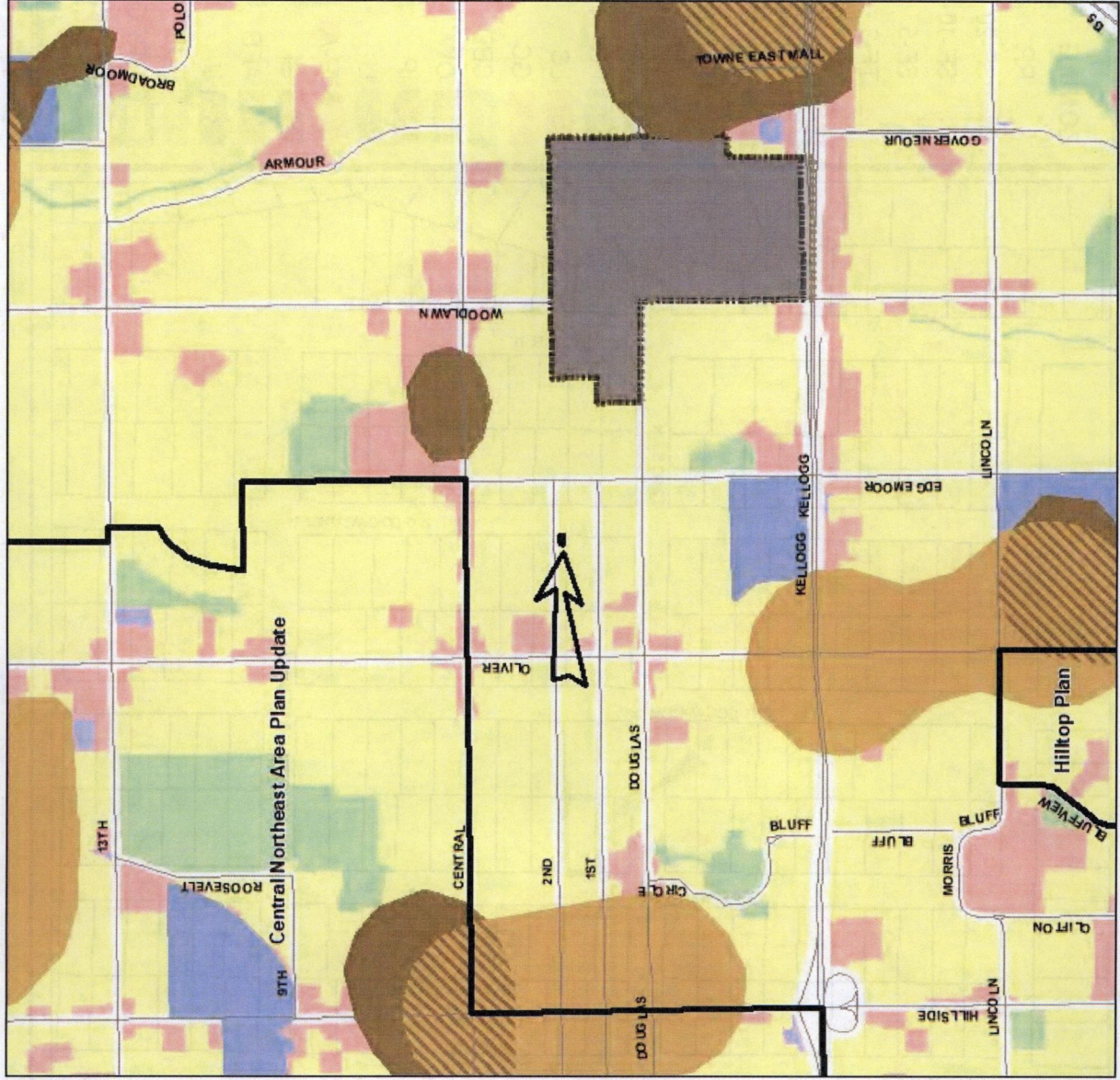
1. Site Plan
2. Aerial Map
3. Zoning Map
4. Community Investments Plan Land Use Map
5. Site Photos





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





250 North Old Manor Rd



250 North Old Manor Rd



Looking south from 250 North Old Manor Rd



Looking west from 250 North Old Manor Rd (across the street)



Looking north from 250 North Old Manor Rd



House located next door with an accessory structure