

(Published in the Topeka Metro News September 12, 2016)

ORDINANCE NO. 20023

AN ORDINANCE introduced by City Manager Jim Colson amending the “District Map” referred to and made a part of the Zoning Ordinances by TMC 18.50.050 of the Code of the City of Topeka, by providing for certain changes in zoning on property located at 1175 SW Clay Street in the city of Topeka, Kansas from “R-2” Single Family Dwelling District TO “PUD” Planned Unit Development District (“R-2” Single Family Dwelling use group plus a “Correctional Placement Residence” only as indicated in the statement of operations, as stated herein). (PUD16/4) (Council District No. 1)

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Code of the City of Topeka, be, and the same is hereby amended, by reclassifying the following described property:

The south half of Lot 419 and all of Lots 421, Block 10, on Clay Street, Kings Addition to the City of Topeka, Shawnee County, Kansas from “R-2” Single Family Dwelling District TO “PUD” Planned Unit Development District (“R-2” use group plus a Correctional Placement Residence only as indicated in the statement of operations), subject to:

1. The requirement for a master PUD plan is waived pursuant to TMC 18.190.050(a).
2. Use and development of the site according to the “Statement of Operations” submitted by the operator with their application keeping as a single family residence, as stated herein. Any change to this “Statement of Operations” shall require re-approval by the Planning Director and may require major amendment approval by the Planning Commission as provided in TMC 18.190.070 if the use or character is altered or new conditional use is requested.

“STATEMENT OF OPERATIONS
1175 CLAY STREET

The following Statement of Operations is being provided in support of the Rezoning Applications and PUD Plan by Operator (see case file PUD16/4), regarding the above described property. The proposed use of both of the property is to provide a highly structured, programmatic group living

home for men or women who are transitioning out of homelessness, incarceration or other difficult or destructive life situations and see them successfully integrated back into society and their communities. The house at the above described location will be used as and considered the residence of the men or women it serves and functions as single-family dwelling.

The house will be operated similar in nature to a traditional group home with the exception that it will be a structured environment with the focus on training the residents in all aspects of pursuing life skills, education, job training, and therapy and is monitored by a governing organization overseeing operations of the residence. All residents will be expected to obtain employment and participate in all programs as detailed in the governing organization's operations plan.

The maximum number of residents for the Clay Street property will be 7 residents and 2 staff residents.

The Operator will provide all transportation needs for the residents including transportation to and from work, meetings with parole officers, appointments, programs, job trainings, church, rehabilitation meetings, and any other meetings consistent with the organization's operating plan. The Clay Street property will require some minor renovations in order to be placed in operation.

The Clay Street property has a full basement that is unfinished and it contains the heating system and hot water heater. It will be utilized for storage purposes only as allowed by City Code. The main floor of this property will be used for the kitchen, dining, and community living area. Also located on the main floor will be the office and living quarters for the house director and house manager. There are two bedrooms and one bathroom on the main floor. The second floor of this property will be used for sleeping quarters for the residents. There are currently three bedrooms and two bathrooms on the second floor. No interior walls will be added to create additional rooms on either floor. The third floor is a finished attic, however there are no plans for its use until a secondary egress is provided, which is not in the current plans. We are currently awaiting further instructions on the installation of any fire detection devices and/or sprinklers as may be required by City Code.

The property has adequate off-street parking in the rear of each property for the staff residents (a minimum of two parking spaces) and there should be no impact on parking in the neighborhood or the neighborhood traffic patterns.

The Operator works closely with both the Kansas Department of Corrections and the Kansas Parole Department. The Operator does not supervise its residents on behalf of either of the two aforementioned agencies, other than the supervision which is part of the voluntary rules and policies of each house to which the residents agree to abide in order to reside in the house. The goal of this program is to be an asset in the neighborhoods where their homes are located; to improve each neighborhood in appearance, community growth, and safety; and to successfully launch its residents back into their respective communities equipped with the societal, life skills to be successful in all they do.

3. Use of the site is limited to "Correctional Placement Residence, Limited" as indicated in the Statement of Operations and the base "R-2" Single Family Dwelling District use group. The base zoning of "R-2" Single-Family Dwelling District shall apply unless otherwise stated herein.

4. "No signage advertising the nature of the use shall be permitted".

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- 84 5. "A minimum of two (2) driveway parking spaces shall be provided off the alley for staff."
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- 86 6. "No major physical interior or exterior building modifications shall be made to the existing
- 87 residential structure affecting the ability to use the residence as single-family dwelling (i.e.
- 88 addition of interior walls, bedrooms, bathrooms). A maximum of five bedrooms are allowed.
- 89 Planning staff shall approve all future permits submitted to Development Services prior to
- 90 approval."
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- 92 7. "Compliance with all applicable City codes for buildings, construction and life safety as
- 93 required by Development Services and the Fire Marshal. A conditional Certificate of
- 94 Occupancy shall be obtained from Development Services prior to occupancy and use."
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- 96 8. "The PUD is subject to annual inspections by the Zoning Inspector for compliance with these
- 97 conditions of approval."
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99 Section 2. This Ordinance Number shall be fixed upon the "District Map".

100 Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

101 Section 4. This Ordinance shall take effect and be in force from and after its passage,

102 approval and publication in the official city newspaper.

103 PASSED AND APPROVED by the Governing Body of the City of Topeka, September 6,

104 2016.

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108 Larry E. Wolgast, Mayor

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111 Brenda Younger, City Clerk