CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

January 5, 2018

Pinaire Mobile Home Park, LLC
Attn: Trent Hardison
5205 South Clifton, Lot 301
Wichita, KS 67216

RE: CON2017-00040 - County request to grant a Conditional Use Permit to establish a Recreational Vehicle Park in the Pinaire Manufactured Home Park zoned SF-20 Single-Family Residential at 5205 South Clifton

Dear Applicant:

At its regular meeting on **December 21, 2017**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request as amended.

We have now passed the protest period and no protests were filed. As such, the decision of the MAPC is considered final. A copy of the MAPC Resolution is attached.

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

Sincerely,

David L. Yearout, AICP
Principal Planner

Copies to: MABCD
Pinaire Mobile Home Park, LLC; 5944 Jones, Lot 16, Wichita, KS 67217
James Howell, BCCC District V, County Mail Stop #320
Justin Waggoner, County Law, Mail Stop #349

CONDITIONAL USE RESOLUTION NO. CON2017-00040

WHEREAS, Pinaire Mobile Home Park, LLC, (applicant), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use for a Recreational Vehicle Park use on property zoned SF-20, Single-Family Residential District, at 5205 South Clifton Avenue, Wichita, Kansas, and legally described as:

Lot 1, Pinaire Mobile Home Park Addition, 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 December 21, 2017, 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 permit a Recreational Vehicle Park use on property zoned SF-20, Single-Family Residential District, at 5205 South Clifton Avenue, Wichita, Kansas, legally described as:

Lot 1, Pinaire Mobile Home Park Addition, Sedgwick County, Kansas.

Subject to the following conditions:

1. The Conditional Use shall be operated as depicted in Conditional Use Site Plan submitted by the applicant.

2. No tents or houseboats shall be permitted within the Recreational Vehicle Park.

3. 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 21 Day of December, 2017

METROPOLITAN AREA PLANNING COMMISSION

Joe Johnson, Chair MAPC

ATTEST:

Dale Miller

Dale Miller, Secretary

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING

AGENDA ITEM NO. 4

STAFF REPORT

MAPC - December 21, 2017

CASE NUMBER: CON2017-00040

APPLICANT/AGENT: Richard Trent Hardison and Patty Hardison (owners)

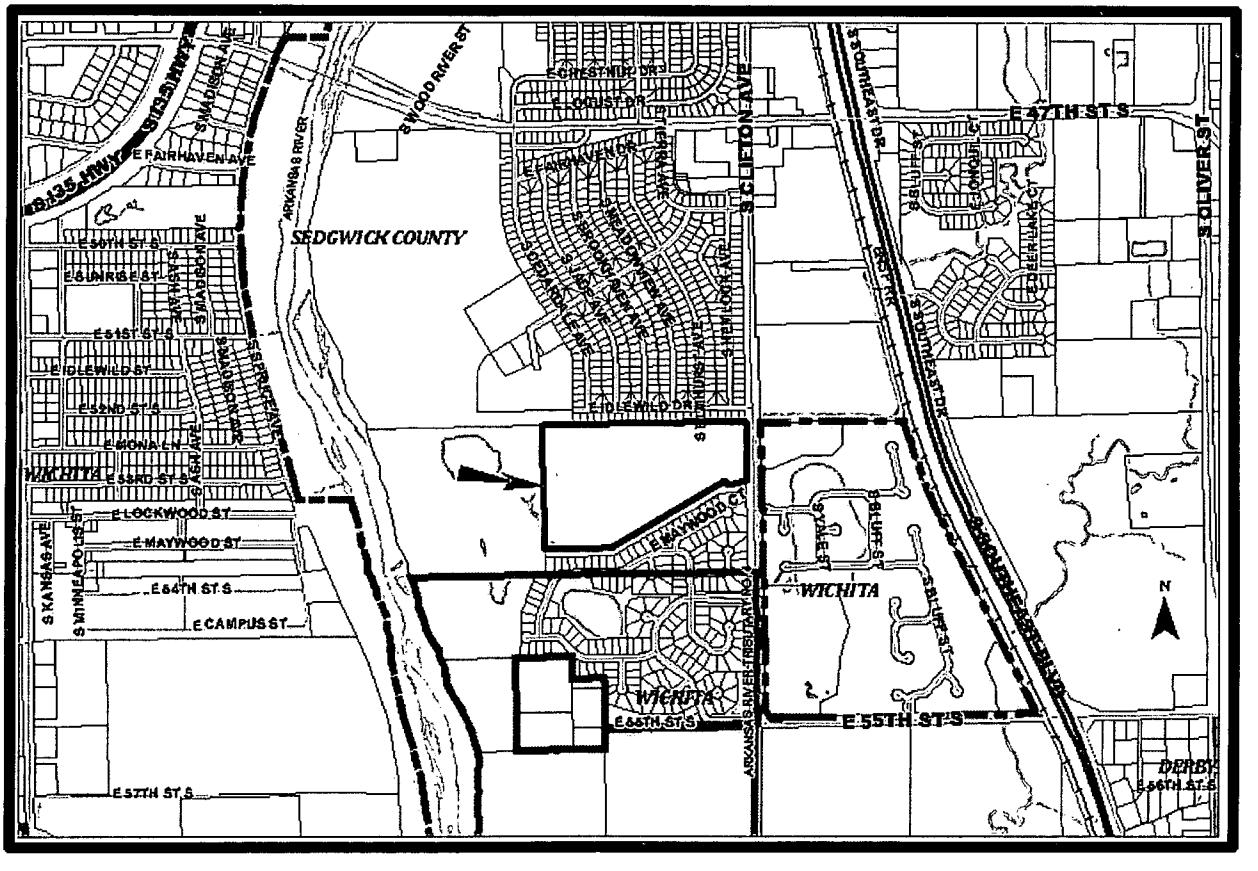
REQUEST: Conditional Use to create a Recreational Vehicle Park in an existing Manufactured Home Park

CURRENT ZONING: SF-20 Single-Family Residential

SITE SIZE: 35 acres

LOCATION: West side of Clifton Avenue south of South 47th Street South. 5205 South Clifton Avenue)

PROPOSED USE: Recreational Vehicle Park



BACKGROUND: The applicant is requesting a Conditional Use to permit the use of numerous vacant spaces in the existing nonconforming Pinaire Manufactured Home Park for placement/rental of recreational vehicles." The application area for this request is zoned SF-20 Single-Family Residential (SF-20).

According to the old records in the office, this property was first zoned for a mobile home park in the "R-1" zoning district in 1967 by Marion and Mary Pinaire. There were several conditions placed on the approval, primarily dealing with platting and certain "flood protection" improvements along the Arkansas River.

The applicants acquired the land in about 1981 and proceeded to develop the Manufactured Home Park, subject to the conditions of the original zoning approval in 1967. Those improvements were completed and home began to arrive in about 1983 or 1984. None of the Manufactured Home Park is within a floodplain. A copy of the 1983 aerial photo show no improvements on this site.

The park was established and was relatively full and operating well until it was hit by a tornado in 2012. At the time of the tornado, there were approximately 132 units within the park, with approximately 100 of those units damaged beyond further use. Fortunately, there were no deaths from that storm.

However, the park has never recovered the occupancy level since the storm. Some of the vacant spaces began to be rented to owners of recreational vehicles and, as previously reported in the recent conditional use case for Regency Park west of Wichita, County code officials were allowing this to occur, subject to electrical permits to assure appropriate connections.

Staff is not repeating the same language from the staff report concerning the Regency Manufactured Home Park case in November, but the terms and definitions still apply. In short, "recreational vehicles" are not permitted in a "manufactured home park" by right.

Under the terms of the Unified Zoning Code, it is possible to obtain a conditional use permit to allow the creation of a "recreational vehicle campground" on property zoned SF-20 Single-Family Residential (SF-20).

If granted, the conditional use permit would theoretically create a "recreational vehicle campground" within the existing "manufactured home park"; thereby allowing the use of a space within the manufactured home park by a recreational vehicle. If granted, the owners will simply make vacant spaces available for rent/lease of persons wishing to place a recreational vehicle in that space, rather than a manufactured home.

This activity has been occurring for some time within the Pinaire Manufactured Home Park, so there will be no effective change in the use of that portion of the manufactured home park being used by recreational vehicles. This action is simply to make this activity technically legal under the terms of the Unified Zoning Code.

The situation and condition is virtually the same with Pinaire Manufactured Home Park as it was with the Regency Manufactured Home Park. The conditions and reasons for approving the conditional use permit for Regency are applicable for Pinaire and should be placed in effect for this case.

CHARACTER OF AREA: The character of the surrounding area to the north is residential in the Oaklawn Neighborhood. The residential neighborhood dates back to World War II when it was developed for residential use in proximity to the Boeing facility to the east. It has subsequently become an established residential neighborhood with many of the homes owner-occupied.

To the south is the Meadowlake Beach Subdivision, a residential development partially completed within the City of Wichita. There are a number of vacant lots and some portions of the proposed plat that have not had infrastructure extended.

To the east across Clifton Avenue is the Clifton Heights Addition, which has not been developed and is owned by the City of Wichita following a donation from a developer. The entire property was rezoned along with other lands to the east of K-15 in 2005 as part of the rezoning associated with the implementation of the recommendation of the Joint Land Use Study surrounding McConnell Air Force Base. The land is now zoned IP-A Industrial Park – Airport (IP-A). The property is being leased for agricultural uses and there will not be any development on the property initiated by the City.

Northeast of the Pinaire Manufactured Home Park is land owned by the Derby Unified School District that is zoned LI Light Industrial (LI). The north end of that property is developed with the Oaklawn Elementary School and other school uses.

The land immediately west of the Pinaire Manufactured Home Park is owned by the applicants, is zoned SF-20 Single Family Residential (SF-20), is within a designated flood plain, and is adjacent to the Arkansas River.

CASE HISTORY: As noted above, this property was initially zoned for a Mobile Home Park in 1967 and began development as such in approximately 1981. The plat for the Pinaire Mobile Home Park was approved and recorded in April of 1969.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	residential
SOUTH:	SF-5	residential
EAST:	IP-A	vacant/open/agricultural
WEST:	SF-20	vacant/open/agricultural

PUBLIC SERVICES: The property is connected to public sewers and also obtained water from the City of Wichita. Access to the property is from Clifton Avenue approximately one-fourth mile south of 47th Street South.

CONFORMANCE TO PLANS/POLICIES: The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is appropriate for "residential" uses. The overall spirt and intent of the Comprehensive Plan as it applies to this property supports the continued use of a Manufactured Home Park, given its location immediately south of Oaklawn. The allowing of Recreational Vehicles within the Park through the Conditional Use achieves an objective of allowing existing businesses to remain viable.

RECOMMENDATION: Based upon the information available at the time the staff report, staff recommends the request be **APPROVED**, subject to the following conditions:

1. The Pinaire Manufactured Home Park become registered with Sedgwick County officials as a "nonconforming Manufactured Home Park."
2. No tents or houseboats shall be permitted with the Recreational Vehicle Park.

3. All placement of recreational vehicles within the Manufactured Home Park permitted by this Conditional Use be permitted and placed in conformance with all applicable building codes and ancillary codes applicable thereto.

4. If the Zoning Administrator finds there is a violation of any provision or condition of the Conditional Use, or any other provision of the Unified Zoning Code (UZC), the Zoning Administrator shall enforce all remedies of Section VIII of the UZC, and with the concurrence of the Planning Director, 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 zoning, uses and character of the neighborhood, as noted above, are established and are comfortable being adjacent to the Manufactured Home Park. The modification of allowing placement of Recreational Vehicles in vacant spaces with the Manufactured Home Park is already existing to an extent and this change will have negligible impacts to the neighborhood uses.

2. The suitability of the subject property for the uses to which it has been restricted: The application area is zoned SF-20 which primarily permits single-family residential uses and a few public and civic uses, such as a church, school or public park, by right; however the use of this property is entirely as a Manufactured Home Park. The complete destruction of the Manufactured Home Park for redevelopment as a single-family development is extremely unlikely.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The requested modification to allow Recreational Vehicles in vacant spaces should have minimal detrimental impact on nearby property.

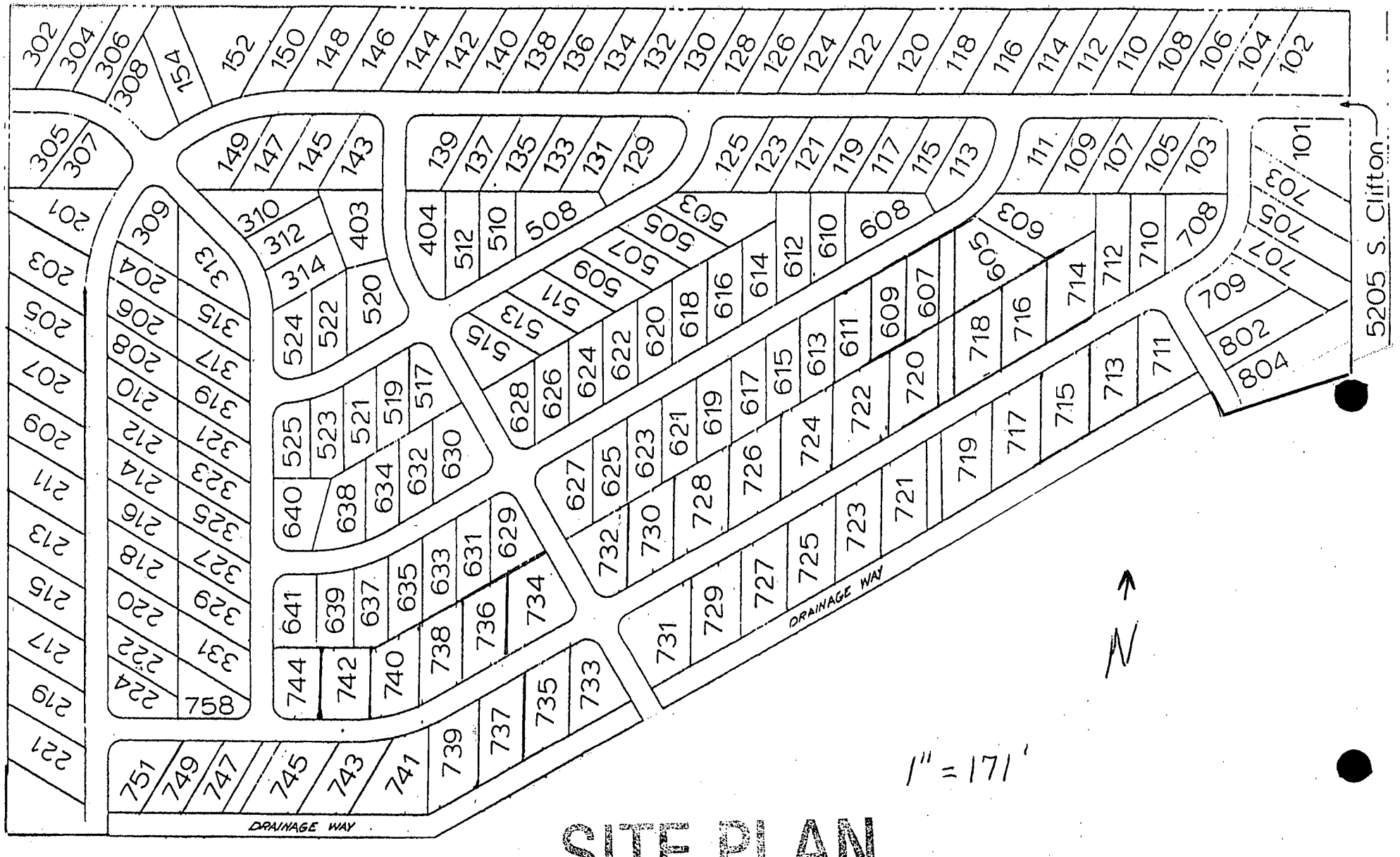
4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of the request would permit the existing business to remain economically viable. Denial would represent a loss of economic opportunity to the applicant and/or landowner and open this area to changes that may be deemed of lesser value.

5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is appropriate for "residential". Staff believes this project is in conformance with the adopted Plan.

6. Impact of the proposed development on community facilities: The modification of uses will have no impact on community facilities.

Staff Report Attachments:

1. Zoning Exhibit
2. Aerial Photos



SITE PLAN

APPROVED MAPC BY 12/21/12

CON 2017-00040