

DR 89-15 Amendment to City Zoning  
Ordinance RE: Swimming Clubs and  
Neighborhood Swimming Pools

# ACTION

DATE

S/D COMMITTEE

M.A.P.C.

*Approved*

7/20/89

W.C.C./B.-GO.-C.

*Approved*

8/15/89

ORDINANCE NO. 40-739

AN ORDINANCE AMENDING SECTIONS 28.04.182 OF THE ZONING CODE OF THE CITY OF WICHITA, KANSAS, TO ALLOW THE ESTABLISHMENT OF SWIMMING CLUBS AND NEIGHBORHOOD ASSOCIATION SWIMMING POOLS BY USE EXCEPTION THROUGH THE BOARD OF ZONING APPEALS AND ESTABLISHING THE STANDARDS AND CONDITIONS FOR SUCH ESTABLISHMENT.

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

SECTION 28.04.182 of the code of the City of Wichita shall be amended to read as follows:

28.04.182 Same - Swimming clubs and neighborhood association swimming pools; small animal clinics; mobile homes.

1. Swimming clubs, neighborhood association swimming pools - Private, nonprofit:

The board of zoning appeals may permit, by use exception, the location of a swimming club or a neighborhood association swimming pool in any residential zoning district where not permitted as a use by right, provided the following conditions can be complied with, unless a variance is granted by the board of zoning appeals, and provided that said board shall first find that the location of such use is reasonable and is in harmony with the surrounding area and the objectives of the comprehensive plan and will preserve property values, personal and property rights, as well as promote the general welfare of the community.

An application for an exception shall be accompanied by a detailed site plan, to scale, identifying the location of all proposed uses, including the pool, clubhouse, covered picnic shelters, outside activity areas, mechanical equipment, parking, screening, landscaping, points of ingress and egress and any other appropriate dimensions or information which would be helpful in review of the application.

1.1 Only facilities for games, picnics and outdoor uses such as swimming pool, shuffle board, croquet and/or tennis courts, shall be permitted. indoor facilities shall include only meeting rooms, physical training rooms, and locker rooms. These facilities and buildings shall, at minimum, observe the building setbacks required by the residential district in which they are placed.

1.2 Solid fencing and/or screening from abutting property of all outdoor activity and parking areas may be required.

1.3 Mechanical equipment which is proposed to be located above ground should be labeled on the site plan along with information on proposed screening.

- 1.4 Any commercial dispensing of beverages, food and tobacco shall be from coin-operated machines.
- 1.5 All lights shall be shielded to reflect or direct light away from adjoining property.
- 1.6 No loudspeakers or amplification system shall be used so as to be heard outside of the building.
- 1.7 The required parking shall be computed as follows:  
Swimming club pool - 1 space per 70 sq. ft. of pool area  
Neighborhood association pool - 1 space per 100 sq. ft. of pool area  
Clubhouse - In addition to the above, 1 space per 100 sq. ft. of gross floor area  
Where all lots in the homeowners association which owns and maintains a neighborhood pool for the exclusive use of the association members and their guests are abutting the reserve containing the pool and are designed in such a way as to allow direct access to the pool site, the parking requirements may be waived.
- 1.8 Parking areas shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surface and shall be maintained in good condition free of all weeds, dust, trash and other debris.
- 1.9 The board of zoning appeals may include additional conditions as deemed necessary to provide for orderly development.
- 1.10 As an alternative method of authorizing neighborhood association swimming pools in any of the residential zoning districts which are to be owned and maintained by a homeowners' association for the exclusive use of the association members and their guests, such pools may be identified as a permitted use in the platting of "reserves" or as a permitted use on a residential community unit plan, provided that a detailed site plan shall be submitted to the Director of Planning for approval at the time the final plat is submitted for scheduling before the Subdivision Committee. Should the plan not be approved, an application for an exception through the Board of Zoning Appeals may be filed as authorized above.
2. Small animal clinic in "BB" office district.  
The board of zoning appeals may, by special permit after a public hearing and subject to conditions, allow small animal clinics in the "BB" office district.
- 2.1 Prior to granting of such permit, the board shall find from plans and specifications submitted that no noise or odors shall be discernible at any exterior building line.
- 2.2 Treatment shall be limited to dogs, cats and other small animals; all animals shall be harbored indoors.
3. Mobile homes.  
The board of zoning appeals may permit as an exception the placement of a mobile home or manufactured home on any property in any district on a temporary basis subject to the following conditions and requirements:

3.1 The board of zoning appeals shall determine a reasonable time limit to be attached to each individual case.

3.2 The applicant shall show due hardship exists and that this hardship cannot reasonably be alleviated without the granting of this permit.

3.3 The location of such home shall conform to all height and setback requirements of the district in which located and as set forth below, and the off-street parking requirements of this chapter.

(a) Whenever a mobile home or manufactured home is to be located on a property with another dwelling, it shall not occupy any part of the required front yard or side yard of the existing dwelling, but may occupy up to one-half of the required rear yard.

(b) Whenever a mobile home or manufactured home is to be located on a property without another structure, the location shall be in compliance with the setbacks required for a dwelling in the zoning district wherein located.

(c) A mobile home or manufactured home shall not be located closer than ten feet to any other structure, nor shall it be located closer to the front or side property lines than required by the zoning district.

3.4 The board of zoning appeals may include additional conditions as they deem necessary to include, but not limited to, extraordinary setbacks, landscaping, installation of utilities and the placement of the home on a temporary foundation as set forth in Sections 26.04.215, 26.04.216 and 26.04.217 of the code.

The original SECTION 28.04.182 of the code of the City of Wichita, Kansas, is hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and be effective upon its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas this 22ND day of AUGUST, 1989.

ATTEST:

*John Moir*

John Moir, City Clerk/  
Director of Finance



Approved as to form:

*Thomas R. Powell by JRF*  
Thomas R. Powell, City Attorney

*Gregory M. Ferris*  
GREGORY M. FERRIS VICE MAYOR

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
August 15, 1989

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: DR 89-15 - Amendment to City Zoning Code Concerning Swimming Clubs and Neighborhood Association Swimming Pools.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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MAPC Recommendation: Approve the amendments.

Staff Recommendation: Approve the amendments.

Background: Attached is a delineated copy of an ordinance with proposed amendments to the City Zoning Code. These amendments would authorize the Board of Zoning Appeals to approve the establishment of swimming pools for swimming clubs and neighborhood associations by an exception in residential zoning districts where these uses are not now permitted. At present, these uses are required to go through a more lengthy special permit process with a public hearing before the Planning Commission and City Council. The proposed amendments remove the rigid consent requirements from property owners within 100 feet and provide greater flexibility on screening and setback requirements. The required off-street parking proposed is 1 space per 100 square feet of pool area for neighborhood associations and 1 space per 70 square feet for swimming clubs. An additional space is required for each 100 square feet of clubhouse floor area. In addition, subdivisions designed for direct access to pools from adjoining lots may escape parking requirements entirely.

As alternatives, neighborhood pools may be established by platting a reserve for swimming pool purposes or listed as a permitted use on a residential community unit plan, provided a detailed site plan is submitted for approval by the Director of Planning.

These proposed amendments were considered and approved by the Planning Commission during their July 20, 1989, meeting. A committee of the Wichita Area Builders Association assisted in their development and supports their adoption.

- Recommendations/Actions:
1. Concur with the recommendation of the MAPC and place an ordinance on first reading; or
  2. Return the proposed amendments to MAPC, stating reasons.

Attachment: Delineated Ordinance

Deletions marked thru  
Additions underlined

ORDINANCE NO. \_\_\_\_\_

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

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28.04.182 Same - Swimming clubs, and neighborhood association swimming pools; small animal clinics; mobile homes.

1. Swimming clubs, neighborhood association swimming pools - Private, nonprofit by special permit:

The board of city commissioners zoning appeals may by special permit, by use exception, authorize the location of a swimming club or a neighborhood association swimming pool such use in the "AA," "A" and "RB" any residential zoning districts where not permitted as a use by right, providing provided the following conditions have been met can be complied with, unless a variance is granted by the board of zoning appeals, and further provided that said board shall first find such location and preliminary plans shall first be approved in writing by the planning commission, who shall first find that the location of such use is reasonable and is in harmony with the surrounding area and the objectives of the comprehensive plan and will preserve property values, personal and property rights, as well as promote the general welfare of the community.

An application for an exception shall be accompanied by a detailed site plan, to scale, identifying the location of all proposed uses, including the pool, clubhouse, covered picnic shelters, outside activity areas, mechanical equipment, parking, screening, landscaping, points of ingress and egress and any other appropriate dimensions or information which would be helpful in review of the application.

1.1 Only facilities for games, picnics and outdoor uses such as swimming pool, shuffle board, croquet and/or tennis courts, shall be permitted. Indoor facilities shall include only meeting rooms, physical training rooms, and locker rooms. These games facilities and buildings shall, not be located within fifty feet of the side property lines, twenty feet of the rear property line, and as required elsewhere in the zoning ordinance for front

~~property lines. No permit under this paragraph shall be granted unless and until the petitioner files the consent, duly acknowledged, of one hundred percent of the owners within one hundred feet of the property on which such use is to be located at minimum, observe the building setbacks required by the residential district in which they are placed.~~

1.2 Solid fencing and/or screening from abutting property of all outdoor activity and parking areas shall be at least six feet in height. ~~If parking areas are outside the six foot fence, then a wall at least three and one half feet in height shall be constructed around parking area to protect adjoining property from headlights may be required.~~

1.3 ~~Any pumps and filters which are located aboveground shall be at least fifty feet from abutting property. Mechanical equipment which is proposed to be located above ground should be labeled on the site plan along with information on proposed screening.~~

1.4 ~~Only the Any commercial dispensing of beverages, candy food and tobacco shall be permitted, and these shall be from coin-operated machines.~~

1.5 All lights shall be shielded to reflect or direct light away from adjoining property.

1.6 No loudspeakers or amplification system shall be used so as to be heard outside of the building.

1.7 The required parking space shall be computed on the basis of one space, two hundred fifty square feet, for each seventy square feet of pool area, as follows:

Swimming club pool - 1 space per 70 sq. ft. of pool area

Neighborhood association pool - 1 space per 100 sq. ft. of pool area

Clubhouse - In addition to the above, 1 space per 100 sq. ft. of gross floor area

Where all lots in the homeowners association which owns and maintains a neighborhood pool for the exclusive use of the association members and their guests are abutting the reserve containing the pool and are designed in such a way as to allow direct access to the pool site, the parking requirements may be waived.

1.8 Parking areas shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surface and shall be maintained in good condition free of all weeds, dust, trash and other debris.

1.9 The board of zoning appeals may include additional conditions as deemed necessary to provide for orderly development.

1.10 As an alternative method of authorizing neighborhood association swimming pools in any of the residential zoning districts which are to be owned and maintained by a homeowners' association for the exclusive use of the association members and their guests, such pools may be identified as a

permitted use in the platting of "reserves" or as a permitted use on a residential community unit plan, provided that a detailed site plan shall be submitted to the Director of Planning for approval at the time the final plat is submitted for scheduling before the Subdivision Committee. Should the plan not be approved, an application for an exception through the Board of Zoning Appeals may be filed as authorized above.

2. Small animal clinic in "BB" office district.

The board of zoning appeals may, by special permit after a public hearing and subject to conditions, allow small animal clinics in the "BB" office district.

2.1 Prior to granting of such permit, the board shall find from plans and specifications submitted that no noise or odors shall be discernible at any exterior building line.

2.2 Treatment shall be limited to dogs, cats and other small animals; all animals shall be harbored indoors.

3. Mobile homes.

The board of zoning appeals may permit as an exception the placement of a mobile home or manufactured home on any property in any district on a temporary basis subject to the following conditions and requirements:

3.1 The board of zoning appeals shall determine a reasonable time limit to be attached to each individual case.

3.2 The applicant shall show due hardship exists and that this hardship cannot reasonably be alleviated without the granting of this permit.

3.3 The location of such home shall conform to all height and setback requirements of the district in which located and as set forth below, and the off-street parking requirements of this chapter.

(a) Whenever a mobile home or manufactured home is to be located on a property with another dwelling, it shall not occupy any part of the required front yard or side yard of the existing dwelling, but may occupy up to one-half of the required rear yard.

(b) Whenever a mobile home or manufactured home is to be located on a property without another structure, the location shall be in compliance with the setbacks required for a dwelling in the zoning district wherein located.

(c) A mobile home or manufactured home shall not be located closer than ten feet to any other structure, nor shall it be located closer to the front or side property lines than required by the zoning district.

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The original SECTION 28.04.182 of the code of the City of Wichita, Kansas, is hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas, and be effective upon its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas this \_\_\_\_\_ day of \_\_\_\_\_, 1989.

ATTEST:

\_\_\_\_\_  
Bob Knight, Mayor

\_\_\_\_\_  
John Moir, City Clerk/  
Director of Finance

(SEAL)

Approved as to form:

\_\_\_\_\_  
Thomas R. Powell, City Attorney

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: August 1, 1989

TO: Tom Powell, Director of Law  
FROM: Robert L. Young, Principal Planner *RLY*  
SUBJECT: Ordinance Amending Zoning Code -  
Approval as to form.

Attached are three copies of an Ordinance drafted to amend Section 28.04.182 of the City Zoning Code in regards to neighborhood association swimming pools. Would you please review the format of the ordinance and if it is acceptable, please sign and forward to the City Clerks office for processing. The ordinance is scheduled for consideration by the City Council during their August 15, 1989 meeting. If you have any questions or concerns regarding this matter, please contact me.

RLY:ksk

FILE COPY

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This ordinance shall be included in the Code of the City of Wichita, Kansas, and be effective upon its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas this \_\_\_\_\_ day of \_\_\_\_\_, 1989.

ATTEST:

\_\_\_\_\_  
Bob Knight, Mayor

\_\_\_\_\_  
John Moir, City Clerk/  
Director of Finance

(SEAL)

Approved as to form:

\_\_\_\_\_  
Thomas R. Powell, City Attorney

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: June 29, 1989

TO: Metropolitan Area Planning Commission

FROM: Marvin S. Krout, Director of Planning *MS Krout*

SUBJECT: Proposed Amendments to Zoning Ordinance Regarding  
Swimming Clubs and Neighborhood Association Swimming  
Pools

Attached is the revised delineated copy of the proposed amendments to the zoning ordinance for the above subject. A committee of the Wichita Area Builders Association assisted us in our review and has advised us that it is in support of this amendment. Please note that this amendment would authorize the Board of Zoning Appeals to approve by an exception these uses in any residential zoning district where these uses are now not permitted rather than having to go through the special permit process, as now required through the Planning Commission and City Council. We have deleted the rigid consent requirement from property owners within 100 feet, as well as provided for greater flexibility in screening and setbacks. We have proposed a parking requirement for the neighborhood association swimming pools of 1 space per 100 square feet of pool area and requirements for parking for a clubhouse. In addition to the above, we are proposing that for certain subdivisions designed for direct access to the pool area by members and their guests from abutting lots, parking requirements can be waived.

As an alternative method of authorizing neighborhood pools, we are proposing that this use may be established by platting a reserve or indicating the intended use on a community unit plan. Please note that 1.10 sets out how this can be accomplished by the submission of a detailed site plan to the Director of Planning for approval at the time the final plat is submitted for approval. Should for any reason the Director not approve the request, an application may be processed for an exception through the Board of Zoning Appeals.

These amendments have been advertised for consideration at your meeting of July 20, 1989. We wanted all of those listed below to also have an opportunity to review these proposals well in advance of that scheduled meeting.

Amendments re Swim Clubs/ Pools  
Page 2

If anyone has any questions or comments, please call.

MSK:JHG:jcm  
Attachment

cc: Lynda Tousley, Wichita Board of Realtors, 540 S. Broadway,  
Wichita, KS 67202  
Wesley E. Galyon, Wichita Area Builders Association, 730 N.  
Main, Suite 1, Wichita, KS 67203  
Building Owners & Managers Association, c/o Joyce Smith,  
J.F.S. Management, 250 N. Rock Road, Suite 395, Wichita,  
KS 67206  
Chamber of Commerce, 350 W. Douglas, Wichita, KS 67202  
Jay Russell, P. O. Box 9007, Wichita, KS 67277  
John Gist, 924 N. Main, Wichita, KS 67203  
M. S. Mitchell, 1215 Forest, Wichita, KS 67203  
Stan Scott, CPO

6/29/89

28.04.182 Same - Swimming clubs, and neighborhood association swimming pools; small animal clinics;; mobile homes.

1. Swimming clubs, neighborhood association swimming pools - Private, nonprofit ~~by special permit:~~

The board of ~~city commissioners~~ zoning appeals may ~~by special permit,~~ by use exception, authorize the location of a swimming club or a neighborhood association swimming pool ~~such use in the "AA," "A" and "RB"~~ any residential zoning districts ~~where not permitted as a use by right,~~ providing provided the following conditions ~~have been met~~ can be complied with, unless a variance is granted by the board of zoning appeals, and ~~further~~ provided that said board shall first find such location and preliminary plans shall first be approved in writing by the planning commission, who shall first find that the location of such use is reasonable and is in harmony with the surrounding area and the objectives of the comprehensive plan and will preserve property values, personal and property rights, as well as promote the general welfare of the community.

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WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: June 14, 1989

TO: Metropolitan Area Planning Commission  
FROM: Marvin S. Krout, Director of Planning *M. Krout*  
SUBJECT: Proposed Amendments to Zoning Ordinance Regarding  
Swimming Clubs and Neighborhood Swimming Pools

Attached is the delineated copy of our draft for amending the section of the zoning ordinance for the above subject. A committee of the Wichita Area Builders Association assisted us in our review and has advised us that it is in support of this amendment as drafted. Please note that 1.10 would authorize the establishment of a neighborhood pool in a "reserve" at the time of platting with the submission of a detailed site plan to the Director of Planning for approval. Should the plan not be approved for any reason or if a neighborhood later decides it wants a pool, the exception process through the BZA is what we are suggesting, rather than a special permit through the MAPC and the Council.

As to parking requirements, we have examined other cities' codes and still believe that for clubs, 1 space per 70 square feet of pool surface area is appropriate. We know that most all existing clubs during the summer often have parking on streets or on other nearby parking lots. For parking for neighborhood association pools, we have run several numbers for these smaller pools and believe that 1 space per 100 square feet of surface area would provide satisfactory parking, assuming that most people will walk to the pool.

We have scheduled this item for discussion at your next noon luncheon work session on June 22, 1989.

MSK:JHG:jcm  
Attachment

cc: Wesley Galon, Wichita Area Builders Association, 730 N.  
Main, Suite 1, 67203  
Jay Russell, P. O. Box 9007, 67277  
John Gist, 924 N. Main, 67203  
M.S. Mitchell, 1215 Forest, 67203

FILE COPY

4/26/89

28.04.182 Same - Swimming clubs, small animal clinics, mobile homes.

1. Swimming clubs, neighborhood swimming pools - Private, nonprofit by special permit:

The board of city commissioners zoning appeals may by special permit, by use exception, authorize the location of such use in the "AA," "A," and "RB," "R-5" and "R-6" residential zoning districts, providing provided the following conditions have been met and further provided that they shall first find such location and preliminary plans shall first be approved in writing by the planning commission, who shall first find that the location of such use is reasonable and is in harmony with the surrounding area and the objectives of the comprehensive plan and will preserve property values, personal and property rights, as well as promote the general welfare of the community.

An application for an exception shall be accompanied by a detailed site plan, to scale, identifying the location of all proposed uses, including the pool, clubhouse, covered picnic shelters, outside activity areas, mechanical equipment, parking, screening, landscaping, points of ingress and egress and any other appropriate dimensions or information which would be helpful in review of the application.

1.1 Only facilities for games, picnics and outdoor uses such as swimming pool, shuffle board, croquet or tennis courts, shall be permitted. Indoor facilities shall include only meeting rooms and locker rooms. These games facilities and buildings shall, not be located within fifty feet of the side property lines, twenty feet of the rear property line, and as required elsewhere in the zoning ordinance for front property lines. No permit under this paragraph shall be granted unless and until the petitioner files the consent, duly acknowledged, of one hundred percent of the owners within one hundred feet of the property on which such use is to be located at minimum, observe the setbacks required by the district.

1.2 Solid fencing and screening from abutting property of all outdoor activity and parking areas shall be at least six feet in height. If parking areas are outside the six foot fence, then a wall at least three and one half feet in height shall be constructed around parking area to protect adjoining property from headlights may be required.

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1.4 Only the dispensing of beverages, candy food and tobacco shall be permitted, and these shall be from coin-operated machines.

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1.6 No loudspeakers or amplification system shall be used so as to be heard outside of the building.

1.7 The required parking space shall be computed ~~on the basis of one space, two hundred fifty square feet, for each seventy square feet of pool area, as follows:~~

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1.8 Parking areas shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surface and shall be maintained in good condition free of all weeds, dust, trash and other debris.

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The Wichita Area  
**BUILDERS**  
Association

Chairman of the Board, M. S. Mitchell  
First Vice Chairman, Tamara Gross  
Second Vice Chairman, John Gist  
Third Vice Chairman, Jeff Kutilek

730 North Main, Suite 1 • Wichita, Kansas 67203  
316-265-4226

Secretary/Treasurer, Elroy Smith  
Past Chairman of the Board, Elton Parsons  
President/CEO, Wes Galyon

TO: Jay Russell  
John Gist  
M.S. Mitchell

DATE: March 29, 1989

FROM: Wesley E. Galyon, President/CEO

SUBJECT: MEETING TO DISCUSS NEEDED REVISIONS IN SUBDIVISION  
REGULATIONS, ETC., RELATING TO REQUIREMENTS IMPOSED DURING  
DEVELOPMENT OF POOLS AND CLUB HOUSES

Please be advised that a meeting has been scheduled in the WABA office with Mr. Jack Galbraith to discuss the above referenced changes. The meeting will be held at 3 p.m. on Wednesday, April 5, 1989.

I look forward to seeing you there.

Enclosure

cc: Jack Galbraith  
Metropolitan Area Planning Department

**RECEIVED**

MAR 30 1989

METROPOLITAN PLANNING  
ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

**BOARD OF DIRECTORS:**  
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Pat Moody

**SPIKE CLUB:**  
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\*Deceased

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688  
(316) 266-4551

January 10, 1989

Wesley E. Galyon, President/CEO  
Wichita Area Builders Association  
730 N. Main, Suite 1  
Wichita, KS 67203

Dear Wes:

As to where a clubhouse or pool is permitted in the zoning ordinance, I've highlighted the section of the text that permits these uses by a special permit subject to certain conditions. The conditions staff has advised that some developers are having problems with are: having consent from 100% of the owners within 100 feet; 50-foot side and 20-foot rear yards; outside activities being screened with a 6-foot solid fence; and parking based on 70 square feet of pool area. Where developers have not been able to meet these conditions, they have been able to accommodate the clubhouse activities by designating a parcel on a residential C.U.P. and establishing their own standards with which we have generally agreed.

The third way a clubhouse can be established is in a multiple family district, either R-5, R-6 or B, where the use is considered an accessory use to the apartment project.

From our brief review of the text permitting swimming clubs by special permit, I believe the 100% consent requirement should be removed, setbacks should probably be reduced, and the fencing made less rigid and simply based on review and approval of the site plan. This would at least give a developer more flexibility in designing the outside activity and parking areas and offer opportunities to have a combination of fencing and landscape material. Parking standards should at least be able to be reduced through a variance by the Board of Zoning Appeals.

Let me know if this information is adequate, and if the Developers' Committee is interested in the suggested revisions to the special permit requirements. Also, we are checking on a couple of details for the proposed amendments on residential districts that your Committee has already reviewed. I expect that we will discuss these amendments informally with the MAPC on February 2, with a public hearing on February 16.

Sincerely,

Marvin S. Krout  
Director of Planning

MSK:JHG:jcm  
Enclosures

28.04.182 Same – Swimming clubs, small animal clinics, mobile homes.

1. Swimming clubs – Private, nonprofit by special permit:

The board of city commissioners may by special permit authorize the location of such use in the "AA," "A" and "RB" districts, providing the following conditions have been met and further provided that such location and preliminary plans shall first be approved in writing by the planning commission, who shall first find that such use is reasonable and is in harmony with the surrounding area and the objectives of the comprehensive plan and will preserve property values, personal and property rights, as well as promote the general welfare of the community.

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$$\begin{array}{r}
 72 \times 38 = 2736 \\
 35 \times 20 = 700
 \end{array}
 \begin{array}{l}
 300 = 11 \text{ cars.} \\
 3400 \div 70 = 48 \text{ cars.} \\
 150 = 22 \text{ cars.}
 \end{array}$$

$$\begin{array}{r}
 60 \times 40 = 2400 \\
 80 \times 40 = 3200
 \end{array}
 \begin{array}{l}
 300 = 8 \text{ cars.} \\
 2400 \div 70 = 34 \text{ cars.} \\
 150 = 16 \text{ cars.} \\
 3200 \div 70 = 45 \text{ cars.} \\
 300 = 10 \text{ cars.} \\
 150 = 21 \text{ cars.}
 \end{array}$$

38 spaces Indian Hills

Sweet Brini

33 spaces

$$\begin{array}{r}
 18 \times 36 = 648 \\
 \div 70 = 9 \text{ spaces} \\
 \div 150 = 4 \\
 \div 200 = 3 \text{ spaces} \\
 \div 100 = 6 \\
 \div 125 = 5
 \end{array}$$

$$\begin{array}{r}
 16 \times 32 = 512 \\
 \div 70 = 7 \text{ spaces} \\
 \div 150 = 3 \text{ " } \\
 \div 200 = 2 \\
 \div 100 = 5 \\
 \div 125 = 4
 \end{array}$$

4/26/89

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1.10 As an alternative method of authorizing neighborhood pools, which are to be owned and maintained by a homeowners' association for the exclusive use of the association members and their guests, such pools may be identified as a permitted use in the platting of "reserves", provided that a detailed site plan shall be submitted to the Director of Planning for approval at the time the final plat is submitted for scheduling before the Subdivision Committee. Should the plan not be approved, an application for an exception through the Board of Zoning Appeals may be filed as authorized above.

4/24/89  
4/26/89

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\* covered picnic shelter,

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any (additional) req. mit for outdoor game-courts (tennis, etc.) and picnic facilities  
no ?

add ?  
for the exclusive use of the association members and their guests

4/24/87

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1.5 All lights shall be shielded to reflect or direct light away from adjoining property.

1.6 No loudspeakers or amplification system shall be used so as to be heard outside of the building.

1.7 The required parking space shall be computed ~~on the basis of one space, two hundred fifty square feet, for each seventy square feet of pool area, as follows:~~

Swimming club pool - 1 space per 150 sq. ft. of pool area

Neighborhood association pool - 1 space per 300 sq. ft. of pool area

Clubhouse - 1 space per 100 sq. ft. of gross floor area

1.8 Parking areas shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surface and shall be maintained in good condition free of all weeds, dust, trash and other debris.

1.9 The board of zoning appeals may include additional conditions as deemed necessary to provide for orderly development. The board may also consider variances of any of the above conditions.

1.10 As an alternative method of authorizing neighborhood pools, which are to be owned and maintained by a homeowners association, such pools may be identified as a permitted use in the platting of "reserves", provided that a detailed site plan shall be submitted to the Director of Planning for approval prior to the forwarding of the plat to the City Council. Should the plan not be approved, an application for an exception through the Board of Zoning Appeals may be filed as authorized above.

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL - TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1888  
(316) 268-4551

January 10, 1989

Wesley E. Galyon, President/CEO  
Wichita Area Builders Association  
730 N. Main, Suite 1  
Wichita, KS 67203

Dear Wes:

As to where a clubhouse or pool is permitted in the zoning ordinance, I've highlighted the section of the text that permits these uses by a special permit subject to certain conditions. The conditions staff has advised that some developers are having problems with are: having consent from 100% of the owners within 100 feet; 50-foot side and 20-foot rear yards; outside activities being screened with a 6-foot solid fence; and parking based on 70 square feet of pool area. Where developers have not been able to meet these conditions, they have been able to accommodate the clubhouse activities by designating a parcel on a residential C.U.P. and establishing their own standards with which we have generally agreed.

The third way a clubhouse can be established is in a multiple family district, either R-5, R-6 or B, where the use is considered an accessory use to the apartment project.

From our brief review of the text permitting swimming clubs by special permit, I believe the 100% consent requirement should be removed, setbacks should probably be reduced, and the fencing made less rigid and simply based on review and approval of the site plan. This would at least give a developer more flexibility in designing the outside activity and parking areas and offer opportunities to have a combination of fencing and landscape material. Parking standards should at least be able to be reduced through a variance by the Board of Zoning Appeals.

Let me know if this information is adequate, and if the Developers' Committee is interested in the suggested revisions to the special permit requirements. Also, we are checking on a couple of details for the proposed amendments on residential districts that your Committee has already reviewed. I expect that we will discuss these amendments informally with the MAPC on February 2, with a public hearing on February 16.

Sincerely,

Marvin S. Krout  
Director of Planning

MSK:JHG:jcm  
Enclosures

Existing  
text

28.04.182 Same - Swimming clubs, small animal clinics, mobile homes.

1. Swimming clubs - Private, nonprofit by special permit:

The board of city commissioners may by special permit authorize the location of such use in the "AA," "A" and "RB" districts, providing the following conditions have been met and further provided that such location and preliminary plans shall first be approved in writing by the planning commission, who shall first find that such use is reasonable and is in harmony with the surrounding area and the objectives of the comprehensive plan and will preserve property values, personal and property rights, as well as promote the general welfare of the community.

1.1 Only facilities for games and outdoor uses such as swimming pool, shuffle board, croquet or tennis courts, shall be permitted. Indoor facilities shall include only meeting rooms and locker rooms. These games and buildings shall not be located within fifty feet of the side property lines, twenty feet of the rear property line, and as required elsewhere in the zoning ordinance for front property lines. No permit under this paragraph shall be granted unless and until the petitioner files the consent, duly acknowledged, of one hundred percent of the owners within one hundred feet of the property on which such use is to be located.

1.2 Solid fencing and screening from abutting property of all outdoor activity area shall be at least six feet in height. If parking areas are outside the six-foot fence, then a wall at least three and one-half feet in height shall be constructed around parking area to protect adjoining property from headlights.

1.3 Any pumps and filters which are located aboveground shall be at least fifty feet from abutting property.

1.4 Only the dispensing of beverages, candy and tobacco shall be permitted, and these shall be from coin-operated machines.

1.5 All lights shall be shielded to reflect or direct light away from adjoining property.

1.6 No loudspeakers or amplification system shall be used so as to be heard outside of the building.

1.7 The required parking space shall be computed on the basis of one space, two hundred fifty square feet, for each seventy square feet of pool area.

1.8 Parking areas shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surface and shall be maintained in good condition free of all weeds, dust, trash and other debris.