

METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

May 10, 1996

Breezy Point Home Owners Association
455 N. Maize Road
Wichita, KS 67277

RE: CU-393 - Conditional Use Permit to allow a Neighborhood Swimming Pool.

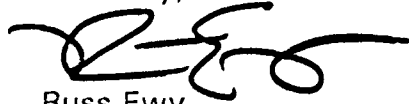
At its regular meeting on April 25, 1996, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC was to APPROVE the request, subject to the following conditions:

1. Development of the application area shall proceed in accordance with the approved site plan which includes a paved parking area for 6 cars (1 space reserved for people with disabilities), a five-foot-tall wrought iron picket fence with lockable gate around the pool area, a 10 ft. by 12 ft. poolhouse with restroom facilities, and an area for playground equipment. These improvements shall be completed within one year, or the Conditional Use Permit shall be considered null and void.
2. Within 60 days following approval of the Conditional Use Permit and prior to the publication of the ordinance, the applicant shall submit to the Planning Department for review and approval eight copies of the landscape plan for this property. The plan shall provide for landscaping in accordance with the Landscape Ordinance.
3. Development and use of this site for a neighborhood association swimming pool shall be in accordance with all applicable codes, including building and construction codes, health codes, and operational standards as specified in Section 28.04.182 [1] of the City Code.
4. Parking within the front yard setback must be approved in accordance with the zoning adjustment provisions of the zoning code.

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This action was not accompanied by valid appeals or protest petitions, therefore, the action of the Planning Commission is FINAL. If you have any questions concerning this case, please contact our office at 268-4421.

Sincerely,

A handwritten signature in black ink, appearing to read 'Russ Ewy', with a stylized flourish extending to the right.

Russ Ewy
Associate Planner

cc: Randy Johnson; 455 N. Maize Road; Wichita, KS 67277
Jeffrey Manion; 12107 W. Meribeu Ct.; Wichita, KS 67235
Office of Central Inspection

CU.393

RES."D"

4.25.96 MAPC

LOT 9

LOT 7

20'
UTIL.
EMT.

EXISTING SIDEWALK

10'
EMT.

5' IRON PICKET FENCE
AROUND POOL W/ LOCKABLE GATE

10'x12'
pool house

16'x22'
pool

Gate

20'x10'
Trellis

Basketball
Goal

8' Bldg - 52'

EXISTING SIDEWALK

MERIBEAU.



1"=20'-0"

POOL PLAN

BREEZY POINTE 2ND ADDITION
LOT 8, BLOCK 2

CLIENT: BREEZY POINT HOA, 455 N. MAZE RD.
WICHITA, KS. 67277 (316) 722-2417

STAFF REPORT

April 25, 1996

CASE NUMBER: CU-393

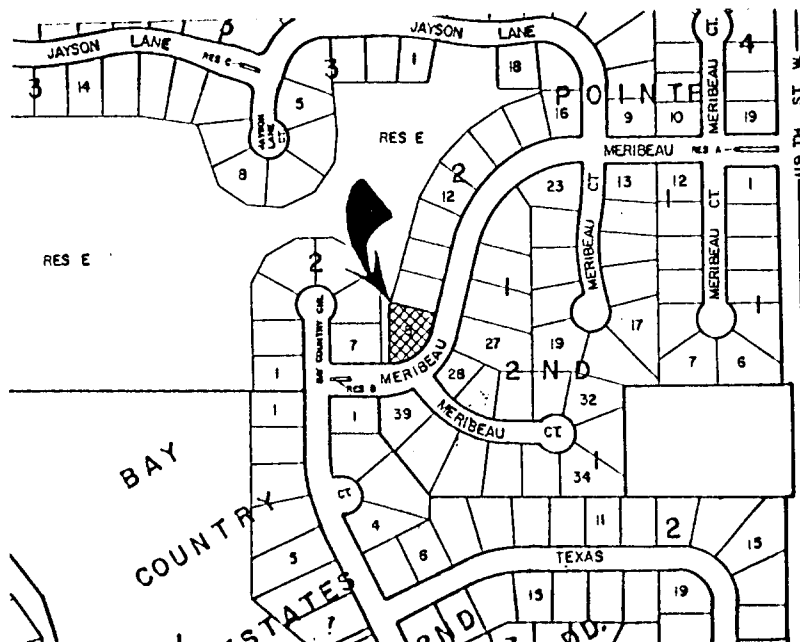
APPLICANT/AGENT: Breezy Point Home Owners Association (property owners), Jay Russell/Randy Johnson (agents)

REQUEST: Conditional Use Permit to allow a Neighborhood Swimming Pool.

CURRENT ZONING: 'SF-6' Single Family Residential

SITE SIZE: 0.285 acres

LOCATION: North side of MeribEAU, east of Bay Country Circle



BACKGROUND: The applicant requests a Conditional Use Permit to allow a Neighborhood Swimming Pool in a general location north of Meribeu and east of Bay Country Circle. The property is zoned 'SF-6' Single Family Residential, as is the surrounding property.

The site plan shows the pool located in the center of the lot with a playground area in the back corner of the lot. Parking is shown in the southern front corner of the lot with room for 8 cars (2 spaces reserved for people with disabilities) and a basketball goal. The pool is 16 ft. by 32 ft., enclosed by a 5 ft. iron picket fence with a lockable gate. Attached to the pool area is a 10 ft. by 12 ft. poolhouse.

There is a 20 ft. utility easement with an existing sidewalk running along the west boundary from Meribeu to a lake behind the property. Sidewalks are shown connecting the various features of the proposed swimming pool/park area to the existing sidewalks to the east, south, and west.

A portion of the parking area is shown within the 25 ft. street setback line. The zoning code requires off-street parking in residential districts to be beyond the front yard setback; but the association can reduce the setback to as little as 8 ft. by applying separately for an administrative adjustment. There is an additional 10 ft. easement along a portion of the rear and side lot lines.

CASE HISTORY: None

ADJACENT ZONING AND LAND USE:

NORTH: 'SF-6' Single Family Residential
SOUTH: 'SF-6' Single Family Residential
EAST: 'SF-6' Single Family Residential
WEST: 'SF-6' Single Family Residential

PUBLIC SERVICES: Municipal water service is available to the site.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area as Low Density Residential.

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

1. Development of the application area shall proceed in accordance with the approved site plan which includes a paved parking area for 8 cars (2 spaces reserved for people with disabilities), a five-foot-tall wrought iron picket fence

with lockable gate around the pool area, a 10 ft. by 12 ft. poolhouse with restroom facilities, and an area for playground equipment. These improvements shall be completed within one year, or the Conditional Use Permit shall be considered null and void.

2. Within 60 days following approval of the Conditional Use Permit and prior to the publication of the ordinance, the applicant shall submit to the Planning Department for review and approval eight copies of the landscape plan for this property. The plan shall provide for landscaping in accordance with the Landscape Ordinance.
3. Development and use of this site for a neighborhood association swimming pool shall be in accordance with all applicable codes, including building and construction codes, health codes, and operational standards as specified in Section 28.04.182 [1] of the City Code.
4. Parking within the front yard setback must be approved in accordance with the zoning adjustment provisions of the zoning code.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The subject property is situated in the middle of a developing residential area in west Wichita. The lot is within walking distance from the surrounding single family homes, and the off-street parking requirement minimizes the number of parked cars on the local street.
2. Extent to which removal of the restrictions will detrimentally affect nearby property: Locating a neighborhood swimming pool along a local street within a residential development would generate more traffic, and probably noise, at that site than a single family home, as well as increasing pedestrian traffic. However, this use is limited by definition to subdivision residents and their guests, and the development of the property in accordance with the requirements of the Conditional Use would minimize these problems. The property immediately adjacent to the site is currently undeveloped, further minimizing any negative impact to neighboring homeowners.
3. Conformance of the requested change to the adopted or recognized Comprehensive Plan: Although the swimming pool is for use by the neighborhood, it would be in conformance to the Comprehensive Plan's goal of creating a neighborhood park within each square mile in new growth areas.

4. Impact of the proposed development on community facilities: The proposed swimming pool would increase trips to the site, but the impact should be minimal. The pool's hours will be regulated by the neighborhood association, and access to the facility will be controlled, thereby minimizing the need for additional police patrols.