CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

November 4, 2008

Prairie Polo, Inc.
8100 E. 22nd, Bldg 200
Wichita, Ks 67226

RE: **CON2008-00031** - Amend County Conditional Use CU-486 to expand outdoor recreation, adding stables and playing field arena, generally located at the northeast corner of 95th Street South and Broadway Avenue.

Dear Ladies and Gentlemen:

At its regular meeting on **August 21, 2008**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request subject to the conditions stated in the enclosed resolution.

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

Sincerely,

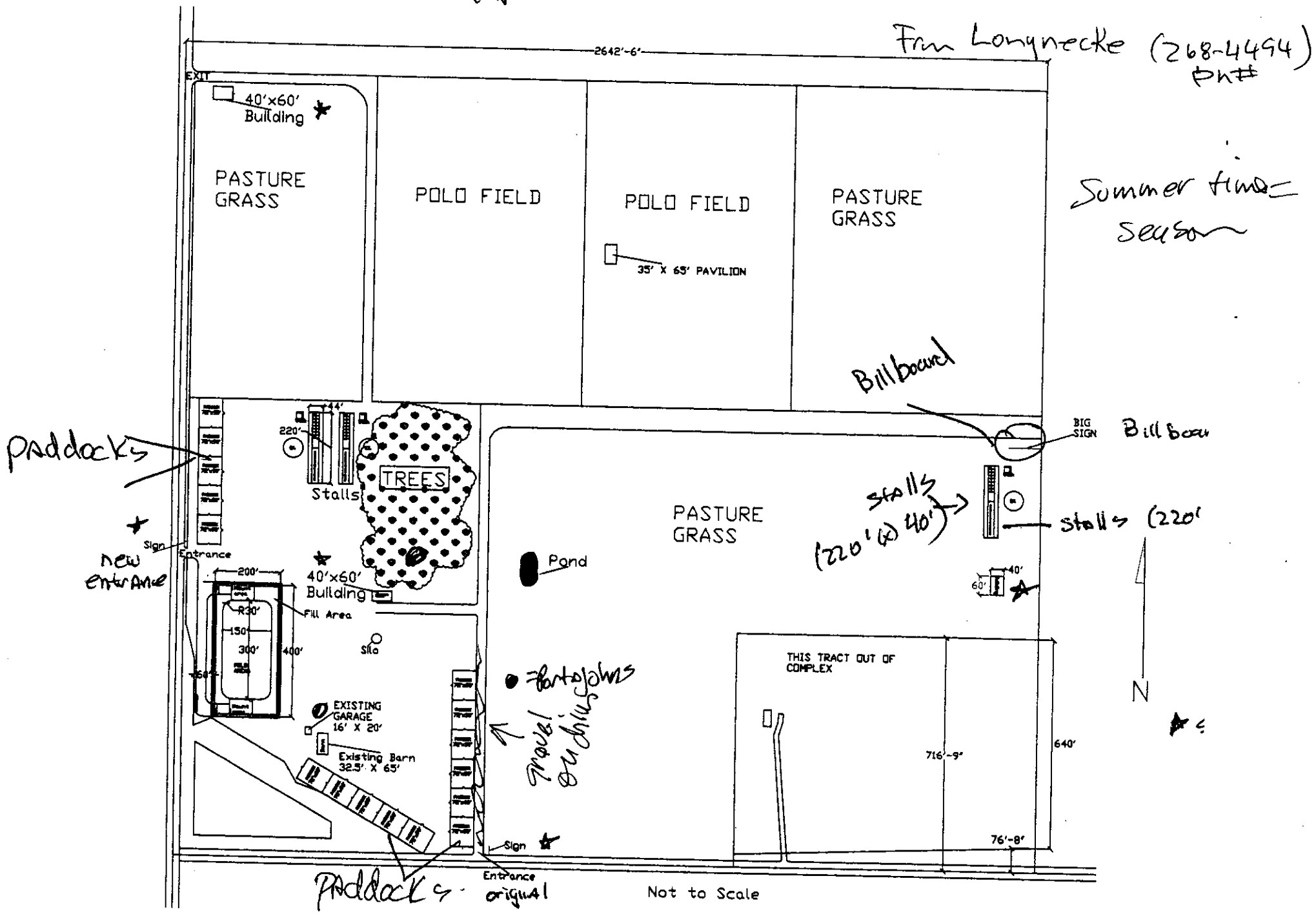
Bill Longnecker
Senior Planner
Current Plans Division

WL:mc

Copies to: Charles Dirck, 9141 York Lane, Haysville, KS 67060
Doug O'Conner, 8100 E. 22nd, Bldg 200, Wichita, KS 67226
BoCC III, Tim R. Norton, Mail Stop County, Room 320
County Manager, Bill Buchanan, County Room 343
Bob Parnacott, County Law, Mail Stop Room 359
Glen Wiltse County Code Enforcement, 1144 S Seneca, Wichita, KS 67213
Jim Weber County Public Works, 1144 S Seneca, Wichita, KS 67213
Salem Township, Joanie Storck, 401 W 89Th St South, Haysville, KS 67060

★ 40'(x) 60' Bldg = Looking for Approval of one or ~~both~~ → both to be used for equipment storage

Allen Glen & Kelly
383-7502



CONDITIONAL USE RESOLUTION NO. CON2008-00031

WHEREAS, Prairie Polo Inc., (applicant/owner); pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request an Amendment to CU-486, a Conditional Use which allowed "Outdoor Recreation and Entertainment," for polo fields, with conditions for an approximately 23-acre RR Rural Residential ("RR") zoned site. This Amendment will amend specific conditions of CU-486, as noted, and expand the site to approximately 124.80-acres zoned RR Rural Residential ("RR") described as:

The West Half of the Northeast Quarter of the Southwest Quarter of Section 16, Township 29 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, except the North 330 feet thereof.
AND
The East Half of the Northeast Quarter of the Southwest Quarter of Section 16, Township 29 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, except the North 330 feet thereof.
AND
The South Half of the Southwest Quarter of Section 16, Township 29 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; except that portion taken for Protection Drainage District of Sedgwick County, Kansas, in District Court Case No. 73915; and except that portion taken by the Kansas Turnpike Authority, in District Court Case No. A-54472; and except a tract beginning 20 feet North and 30 feet East of the Southwest corner of the Southwest Quarter of Section 16, Township 29 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence East parallel with the Section line, 420 feet; thence North 50 feet; thence in a Northwesterly direction to a point 290 feet due North of the point of beginning; thence South 290 feet to the place of beginning.
AND
The Northwest Quarter of the Southwest Quarter of Section 16, Township 29 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, except the North 330 feet thereof. Generally located on the northeast corner of 95th Street South and Broadway Avenue, 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 August 21, 2008, consider said application; and that the City of Haysville Planning Commission did consider said application at their August 14, 2008 meeting

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 Conditional Use for "Outdoor Recreation and Entertainment," for polo fields on approximately 124.80-acres zoned "RR" Rural Residential described as:

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Approved subject to the following conditions:

1. The size of the site for the amended Conditional Use will be 124.80-acres. The development of the site will be per the approved site plan.

2. Amend condition (A) of CU-486, by revising the site plan to allow three 40-foot (x) 60-foot storage and maintenance buildings, 16 paddocks for horses, three barns/stables for horses and an additional polo field. The maintenance and storage buildings will not be used for community assembly, parties, group activities or as residences. All structures must obtain all permits and inspections, including issues associated with location within FEMA flood areas. There must be 100 feet of separation between the property lines of adjacent or abutting properties and proposed additional playing field and the proposed paddocks and stalls.

3. Provide a new drainage plan to be reviewed and approved by the County Engineer.

4. As approved by K-DOT and the County Engineer, allow one full time drive/access onto Broadway/US 81, which would amend conditions (B) and (C) of CU-486.

5. Amend condition (E) of CU-486 to allow pole lights for matches that may extend into the evening, for packing up and cleaning up after matches, with the lights to be no taller than 35-foot tall (including the base) to be on no later than 10 PM and to allow portable concessions for nonprofit groups or special events

6. Amend condition (F) of CU-486 to allow portable bleachers.

7. Allow portable toilets, as approved and inspected on a schedule approved by County Code Enforcement. Provide ADA compliant portable toilets, as approved by the County Code Enforcement.

8. Allow a 4-foot (x) 8-foot sign, located at the 95th Street entrance. If the proposed Broadway entrance is approved, allow a 4-foot (x) 8-foot sign its entrance. All to be reviewed and approved by County Code Enforcement.

9. Outdoor speakers and sound amplification systems and operation of them (no later than 10 PM) must be approved by the Sedgwick County Code Enforcement. Intent being that the sound from the amplification system is not a nuisance to the adjacent and abutting single-family residences.

10. All drives and access thorough the site will be surfaced as directed by County Fire.

11. Allow the teaching of polo on the site and the boarding of polo horses for teaching, either renting the applicants' polo horses or boarding the students' horses. Only polo horses can be boarded o the site.

12. Allow overnight camping on the site, but limit it to stockmen and/or owners staying with polo horses left on the site after polo matches and having no more than 21 units (any combination of RVs, tents and trailers with living accommodations) allowed on the site, at any one time. This camping will be allowed for no more than 10 consecutive days. The camping area will be located in the area shown on the site plan that has a grouping of trees. No open fires allowed, but fires in containers approved by County Fire are permitted. No parties in the camping area.

13. Horses used for the polo matches or for teaching polo shall be maintained per County Code in regards to handling, penning, veterinarian care, feed, and water, waste collection, storage and disposal. Waste shall be collected often enough to minimize odor and fly infestation. Waste may be spread in areas approved by County Code Enforcement. Grain shall be stored in enclosed containers to minimize fly and rodent infestation.

14. If operations have not begun within one year of approval, or if the Zoning Administrator finds that there is a violation of any of the conditions of this Conditional Use, the Zoning Administrator may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

Adopted this 21st day of October, 2008.

METROPOLITAN AREA PLANNING COMMISSION

Darrell Dowining, Chair MAPC

ATTEST:

John L. Schlegel, Secretary

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 6

STAFF REPORT

Haysville PC July 9, 1998
MAPC July 16, 1998

CASE NUMBER: CU-486

APPLICANT/AGENT: Prairie Polo, Inc., %Atlantic Services, 1445 S. Rock Road, Suite # 125, Wichita, KS (applicant); Michael Carney, 8100 E. 22nd Street North, Building 1900, Wichita, KS (agent)

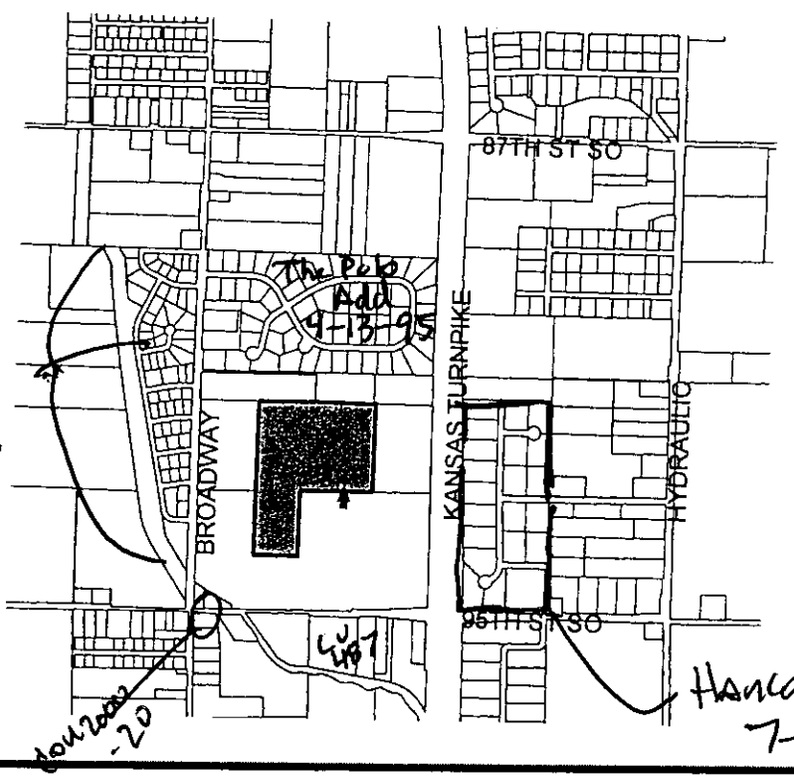
REQUEST: Conditional use to allow a outdoor recreational facility (polo grounds).

CURRENT ZONING: "RR" Rural Residential

SITE SIZE: 23 acres +/-

LOCATION: Northeast corner of 95th Street South and Broadway (9532 S. Broadway).

PROPOSED USE: Construct a pavilion at the polo grounds.



BACKGROUND: The applicant has been operating a polo facility at this location since 1991, but there have never been structural improvements made on-site other than the planting of the grass and the installation of irrigation equipment. Now the applicant proposes to construct a pavilion building between the two polo fields for the use of those attending the polo matches. No other improvements are planned for the property into the future. There are no boarding facilities on site for the horses; all the local players keep their horses at other locations. The application for the building permit for the pavilion identified the need to obtain the Conditional Use since this is a true outdoor recreation facility and not just the use of an individuals pasture for riding purposes.

While polo matches are not generally large spectator sports, there will be a number of people in attendance when special matches occur, as well as the vehicles to transport the horses and equipment to the site. According to the agent, normal "tournaments" are held on weekends from the end of May through the end of July, with occasional "tournaments" held as late as September or early October. These "tournaments" generally will consist of 4 teams of 4 players each and will entail two matches on a Friday and the final match on Sunday. The matches are held during the day only; there are no nighttime matches. The attendance at these "tournaments" will consist of fewer than 50 people and generally less than 15 spectator cars, plus the vehicles and trailers to transport the horses to the site.

In addition, a "charity" event is held annually which will draw a larger number of people to the matches. This event is usually associated with a "charity" ball at another location. The goal of the association in this event is to have approximately 150 couples attend the ball, but there is usually not that many attend the polo matches. Attempts are being made to have a "celebrity" attend the charity event, which might increase the attendance at the match.

The applicant does not charge admission to any of the tournaments, including the charity event; nor are concessions offered. Portable facilities are provided for restrooms and this is proposed to continue. There is a possibility that the pavilion may have restroom facilities installed in the future, which will require the construction of an on-site wastewater facility in accordance with the requirements of the Sedgwick County Sanitation Code. The applicant is aware of this requirement and, because of the requirements to provide potable water and the distance to pipe the waste away from the polo fields, this construction may never occur. If it does, the restroom facilities will be within the pavilion and not an addition to the building.

There are very low density developments in the surrounding area. The Kansas Turnpike borders the property to the east. There are rural residential properties to the north, west and south, with the highest concentration of homes to the west. These are generally older homes that have been along Broadway a number of years. A farmhouse exists on the southwest corner of the property at the corner of 95th and

Broadway. This has been used by the caretaker of the property in the past. The closest home is directly to the south across 95th Street. The access drive to the polo fields is directly opposite the drive entrance to this homesite, but the polo fields are approximately 1/4-mile north of 95th Street.

The addition of permanent structures to the polo fields enhances the long term commitment to this location for this use and the Conditional Use is necessary for conformance with the Unified Zoning Code.

CASE HISTORY: None

ADJACENT ZONING AND LAND USE:

NORTH:	"RR"	Rural Residences
SOUTH:	"RR"	Rural Residences and Farm Homes
EAST:	"RR"	Kansas Turnpike
WEST:	"RR"	Rural Residences

PUBLIC SERVICES: The property has frontage on both Broadway and 95th Street South; however the primary access to the polo fields is from 95th Street. Broadway is old 81 Highway and 95th Street South is a paved, 2-lane arterial road. Both are in good condition. Both are also shown in the 2020 Transportation Plan to be 2-lane arterial roads.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this site as "agricultural". The Comprehensive Plan anticipates this area being predominately agricultural in character, with the intent to allow development of a character consistent with the retention of the land for agricultural purposes if possible. The use of a portion of the property as a polo field is not inconsistent with the plan objectives in that the recreational facility is an agrarian-based operation that relies on the maintenance of the grounds in the same manner as pasture land. In fact, the applicants have installed an irrigation pump in order to maintain the grasses in good condition during the growing season. Except for days when polo matches are taking place, the property has all appearances of a well-maintained pasture.

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

A. The development of the site shall conform to the submitted site plan in terms of location of facilities and the polo fields. Any alterations to the location of the facilities shall require an amendment to the site plan as specified within the Unified Zoning Code.

B. During scheduled matches, the access point to the polo grounds shall be from 95th Street South only and the access to the grounds from Broadway shall be used for emergency access only. The Broadway access may be used at other times when no scheduled matches are occurring.

C. The drive entrance from 95th Street and all internal trafficways shall be constructed to properly drain surface water from the site. No standing water shall be permitted. Water, or other dust retardant, shall be used as needed to effectively control blowing dust.

D. The applicant shall submit and receive approval of a drainage plan from the County Public Works Department, including any needed easements for drainage.

E. No lights for nighttime play or concession facilities shall be permitted on the site.

F. No formal spectator seating shall be erected on site. Spectator viewing is to be from vehicles or from chairs or seating provided temporarily for the match that day only. At no time shall more than 150 people be in attendance at any event on site except for one time per season. For such event, documentation shall be submitted to the Sedgwick County Zoning Administrator showing that provisions have been made to address traffic control, sanitation needs, security, and other similar concerns.

G. Any violation of the conditions of approval shall render the conditional use permit null and void.

The staff's recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood**: The existing uses in the area are a mixture of agricultural and rural residential uses. This use will be consistent with the uses and character of the neighborhood.

2. **The suitability of the subject property for the uses to which it has been restricted**: The property is proposed to be used agriculturally, except for the use of the property for the polo facility.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property**: There should be no affect on nearby properties by permitting this use. The conditions placed on the Conditional Use will mitigate what little affect might occur.

4. **Conformance of the requested change to adopted or recognized Plans/Policies**: The proposed use is generally consistent with the Comprehensive Plan in that the polo fields have an agricultural character except when actual matches are occurring. The area is intended to be agricultural in character.

5. **General welfare of the community**: The use of this property as a polo field does no harm to the general welfare of the community.