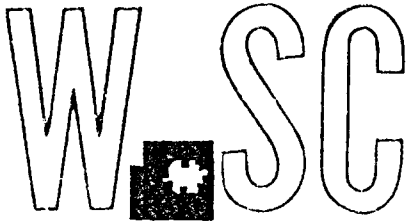


WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

February 17, 1998

Reginald V. Boothe
John Graham
7570 W. 21st
Building 1026, Suite C
Wichita, KS 67205

RE: CU-463 - Conditional use to allow outdoor recreation and entertainment on property zoned "SF-20" Single-Family Residential and generally located on the north side of 45th Street North, 1/4 mile west of Ridge Road (7610 W. 45th St. N.).

Dear Mr Boothe and Mr. Graham:

At its regular meeting on January 29, 1998, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC was to APPROVE the request, subject to conditions stated in the letter dated Reginald V. Boothe.

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,

Keith Gooch
Senior Planner

KG/sh

cc: Mark Savoy, Savoy, Ruggles and Bohm, 924 N. Main, Wichita, KS 67203
Mary J. Hindman, 1231 Rita, Wichita, KS 67213
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection



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FARM FIELD

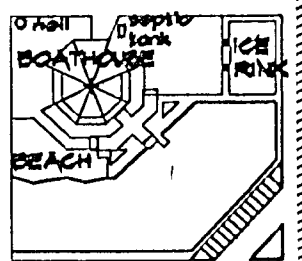
BOOTHE LAKE

FARM FIELD

116 parking spaces

60 parking spaces

CONCRETE DRIVE

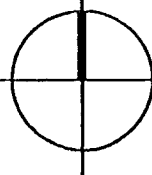


45TH STREET

SITE PLAN

0 100' 200' 300' 400' 500'

NORTH



STAFF REPORT

MAPC January 15, 1998

CASE NUMBER: CU-463

APPLICANT/AGENT: Reginald V. Boothe (Property Owners/applicants); John Graham (agent)

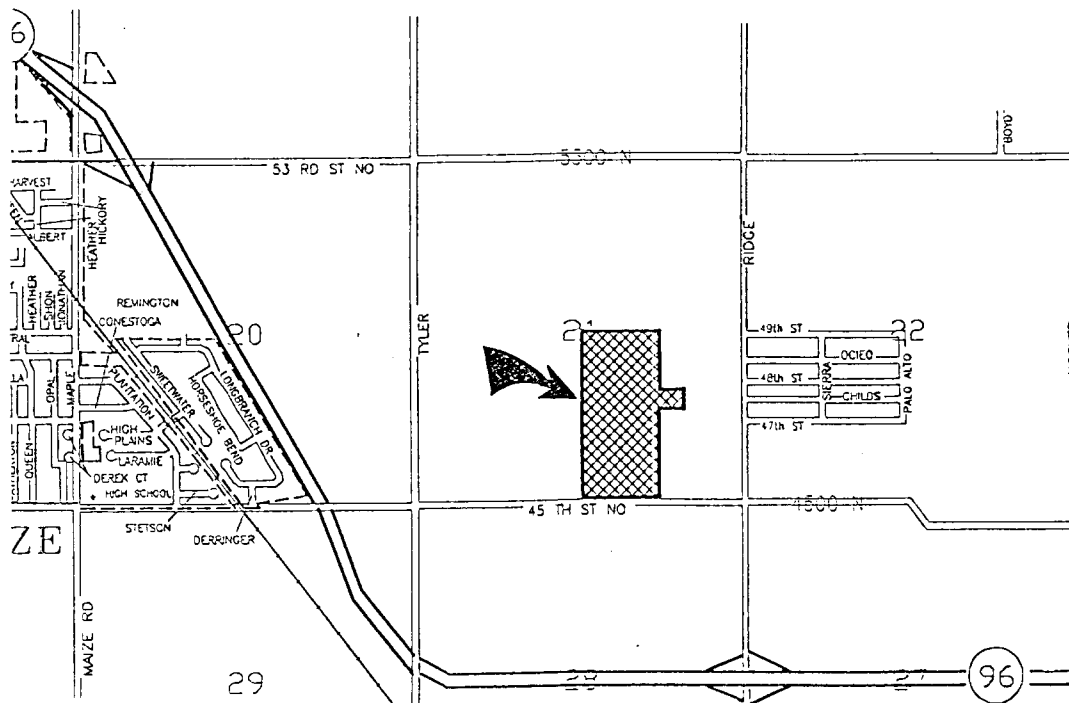
REQUEST: Conditional Use to allow for a public outdoor recreation and entertainment complex

CURRENT ZONING: "SF-20" Single-Family Residential

SITE SIZE: 83 acres

LOCATION: North of 45th St. North and 1/4 mile west of Ridge Road

PROPOSED USE: An outdoor recreation and entertainment complex for the public



BACKGROUND: The applicant is requesting a conditional use permit for a public recreational and entertainment complex on 83 acres located north of 45th St. North and 1/4 mile west of Ridge Road.

Currently, the applicant is able to host employee only functions at this site, however, with the approval of the conditional use, the applicant could open this area to the public. The uses proposed by the applicant include boating, swimming, fishing, volleyball, basketball, picnicking, horseshoes, playground equipment, ice skating, parking, meeting rooms, and dining rooms. These uses are very similar to the uses permitted by the conditional use approved in 1982.

The area has been an outdoor recreational and entertainment complex for employees of the Ritchie Corporation until Reg Boothe bought it in November of last year. This site has sand extraction equipment on the west side of the property. The applicant states that the sand equipment on the west portion of this property will be cleaned and removed. The northern and southernmost portions of the piece of property are used as farm land. Boothe Lake covers most of the central portion of this piece of property. The existing boathouse is located on a three acre tract east of the 80 acres. The three acres include an ice rink, beach, driveway and walkway, which is entirely surrounded by an 8 to 10 foot concrete fence except on the western portion of the three acres. This property is currently served by two driveways which connect to 45th St. North. One is on the easternmost edge of the 80 acres and the other is on the westernmost edge of this tract.

Surrounding property to the north is zoned "RR" Rural Residential and is developed with single family residences. To the east and south the property is zoned "SF-20" Single Family Residential and is developed with single family residences. West of this tract the area is also zoned "SF-20" but is currently undeveloped agriculture land. The nearest home from the boathouse to the south is 3700 feet, 500 feet from the north and 400 feet to the east.

CASE HISTORY: A conditional use was approved for this site to allow for sand extraction in February 1976(CU-182). A second conditional use, which voided CU-182, was approved in 1982(CU-256). This conditional use permitted the area to be used as an outdoor recreational and entertainment complex for the employees of Keeler Concrete. This CU allowed activities such as boating, swimming, fishing, archery, tennis, volleyball, basketball, picnicking, horseshoes, playground equipment, parking, meeting rooms and dining rooms.

ADJACENT ZONING AND LAND USE:

NORTH:	"RR"	Single family Residences
SOUTH:	"SF-20"	Single family Residences
EAST:	"SF-20"	Single family Residences
WEST:	"SF-20"	Single family Residences

PUBLIC SERVICES: This site has access to 45th St. North, an unimproved section line road with no traffic counts available. There is not an exact match between this land use and those land uses found in the Trip Generation Manual. For this conditional use, a county park was used from the Manual to develop trip rates. On a weekday the most trips this site could possibly generate is 489 trips. However, a county park is usually open all day every day to the general public, while the applicant indicates this recreational facility is only open when reserved and only, at most, a few times a week. Obviously, the 489 trips per weekday is greatly overestimated.

Municipal sewer service is not available to serve this site. This site is served with a septic tank and water well. Therefore, the applicant will need to contact the Wichita-Sedgwick County Health Department to determine the ability for these facilities to meet the increased use of this site. A letter shall be provided from the Wichita-Sedgwick County Health Department stating the approval of these on-site facilities.

CONFORMANCE TO PLANS/POLICIES: The Land Use map of the Comprehensive Plan identifies this area as appropriate for suburban development. The suburban area is designated as an area appropriate for large lot residential development (1 to 20 acres).

An objective of the Comprehensive Plan is, "to develop a parkland and open space system which provides a diverse set of recreational opportunities to existing and future residents." Therefore, this site conforms to the Comprehensive Plan by increasing the recreational opportunities for the residents of Sedgwick County.

RECOMMENDATION:

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

- A. Development of the site, including all indoor and outdoor facilities on the applicant's entire ownership, shall be in conformance with the site plan submitted with the application.
- B. The site shall be limited to the following uses: boating, swimming, fishing, volleyball, basketball, picnicking, horseshoes, ice skating, playground equipment, parking, meeting rooms, and dining rooms.

- C. Any lighting provided for this entertainment complex shall be directed away from any adjacent properties.
- D. The use of motor driven recreational vehicles such as go-karts, dune buggies, motorcycles etc., shall be prohibited.
- E. The use of firearms, air rifles, or archery equipment shall be prohibited.
- F. The applicant is required to receive approval from the Health Department for on-site sewer and water facilities due to the increased usage of this facility. A letter from the Health Department shall be provided to the Planning Department approving the on-site facilities.
- G. A sufficient number of parking places as designated by the County Zoning Administer shall be provided on-site. These spaces shall be paved or otherwise surfaced with an all weather surface which will be treated to prevent dust.
- H. One sign along 45th Street North shall be permitted denoting the proposed use of the area and may be externally lit. This sign will not be higher than 6 feet nor larger than 20 square feet. Back to back signs are permitted. Another permanent sign may be placed along the eastern driveway north of the fence. This sign shall not be larger than 20 square feet.
- I. The sand extraction equipment on this property shall be removed by June 1, 1998.
- J. Gates providing access to this site should remain locked after operating hours.
- K. Approval of this Conditional Use shall void CU-256.
- L. Any violation of these conditions shall render the conditional use permit null and void.

This recommendation is based on the following findings:

- 1. The zoning, uses and character of the neighborhood: The general area is characterized by agricultural and suburban residential development common to the "SF-20" Single Family Residential District zoning. The Sedgwick County Unified Zoning Code allows for outdoor and indoor recreational facilities with a conditional use permit in areas zoned "SF-20" Single Family Residential.
- 2. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed use should not impact nearby properties. The recreational facility will not increase traffic significantly. Additionally, most

homes are over 400 feet away from the boathouse, which is surrounded by a 8 to 10 foot concrete wall. Due to these factors, the neighborhood should not be affected by the approval of this conditional use.

3. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant; The residents of Sedgwick County will have a new recreational opportunity with the expansion of the use of this site. If the applicant was not allowed to expand this operation, the applicant could experience hardship due to the inability to use the property to its fullest economic potential.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan; An objective of the Comprehensive Plan is to "expand the recreational opportunities for the residents of Sedgwick County." This request by the applicant will add to the recreational opportunities for the residents of the County and, therefore, conforms to the Comprehensive Plan.
5. Impact of the proposed development on community facilities; The recreational facility currently uses on-site facilities and will not impact water or sewer facilities in the area. The street which provides access to this site is currently an unimproved road and no traffic counts are available. However, the number of vehicles traveling to this site is minimal and very seasonal. Only during peak times, which would be a few times per month, would any neighbors notice a significant increase in the amount of traffic.