



Wichita-Sedgwick County Metropolitan Area Planning Department

December 7, 2000

Bradford Homeowners Association
%Michelle Wilcox
8918 W. 21st PMB 282
Wichita, KS 67205

FILE COPY

RE: CON2000-00038- Conditional Use to Permit a Neighborhood Swimming Pool on property zoned "SF-6" Single Family Residential. Generally located at Keith and Ryan Streets.

Dear Michelle:

At its regular meeting on October 19, 2000, 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. Variances will be required to reduce the parking requirements (from 11 to 5 slots) and permit parking within a required front yard setback.
2. The property will be developed in general conformance with the site plan submitted to and approved by the Board of Zoning Appeals. (Approved, vote 6-0, on December 5, 2000.)
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, landscape ordinance, health codes and operational standards.
4. Violation of the foregoing conditions shall be cause for declaring this Conditional use null and void.

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

CONDITIONAL USE RESOLUTION NO. CON-2000-00038

WHEREAS, Bradford Homeowners Association, (Applicant); c/o Michelle Wilcox, (Agent), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requested a Conditional Use to allow a Neighborhood Swimming Pool on .275 acres zoned "SF-6" Single-Family Residential described as:

Reserve "B", Bradford North 2nd Addition, an Addition to Wichita, Sedgwick County, Kansas. Generally located at Keith and Ryan Streets.

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 October 19, 2000, 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 conditional use to allow a Neighborhood Swimming Pool on .275 acres zoned "SF-6" Single-Family Residential described as:


Reserve "B", Bradford North 2nd Addition, an Addition to Wichita, Sedgwick County, Kansas. Generally located at Keith and Ryan Streets.

subject to the following conditions:


1. Variances will be required to reduce the parking requirements (from 11 to 5 slots) and permit parking within a required front yard setback.
2. The property will be developed in general conformance with the site plan submitted to and approved by the Board of Zoning Appeals.
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, landscape ordinance, health codes and operational standards.
4. Violation of the foregoing conditions shall be cause for declaring this Conditional use null and void.

Adopted this 2nd day of November, 2000. This resolution shall become effective on the fifteenth day after the date last noted above unless the matter is forwarded to the Governing Body for final action under the provisions of Section V-D.6. When any one or more of the exceptions listed in Section V-D.6 exist, this resolution with its conditions of approval shall be considered a recommendation of the MAPC to the Governing Body which shall then have final authority to approve, approve with conditions or modifications, or deny the Conditional Use application.

METROPOLITAN AREA PLANNING COMMISSION

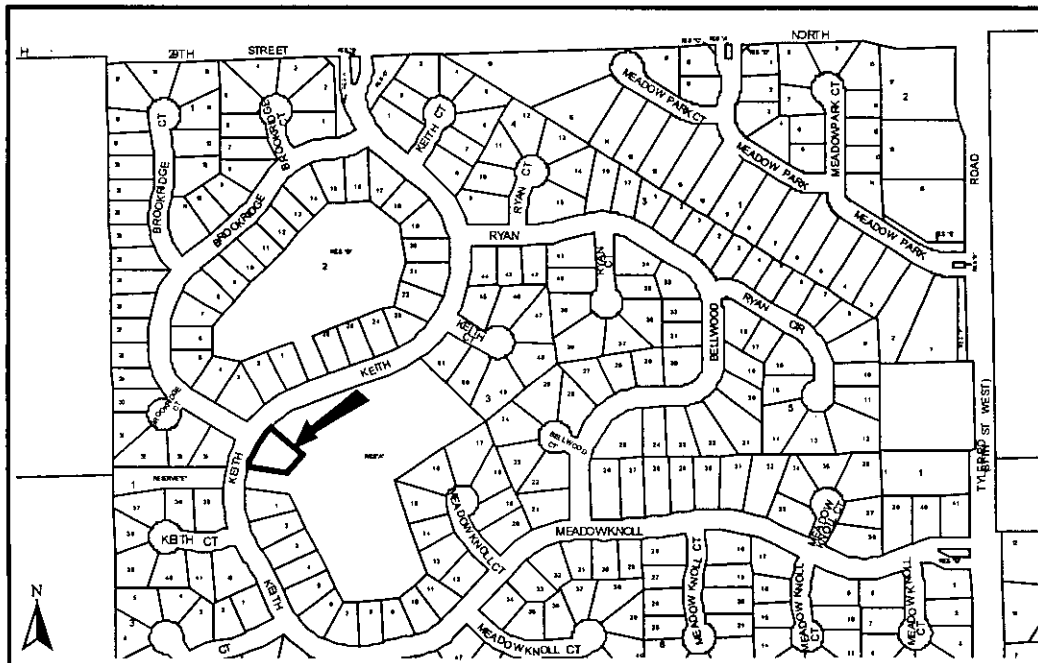

Chris Carraher, Chair MAPC

ATTEST:


Marvin S. Krout, Secretary

STAFF REPORT
MAPC – October 19, 2000

- CASE NUMBER:** CON2000-00038
- APPLICANT/AGENT:** Bradford Homeowners Association (applicant);
c/o Michelle Wilcox (agent)
- REQUEST:** Conditional Use to Permit a
Neighborhood Swimming Pool
- CURRENT ZONING:** "SF-6" Single-Family Residential
- SITE SIZE:** . 275 acres
- LOCATION:** Keith and Ryan Streets
- PROPOSED USES:** Neighborhood Swimming Pool



BACKGROUND: The applicant is requesting a Conditional Use to permit a neighborhood swimming pool on a platted (.275 acre) tract of land – “Reserve B” of the Bradford North 2nd Addition. The application area is a trapezoid shaped parcel and is generally located south of 29th Street North, west of Tyler Road and near the intersection of Keith and Ryan Streets. The area extends eastward from Keith and overlooks a detention pond. This property is zoned “SF-6” Single-Family Residential and is currently undeveloped. Neighborhood swimming pools can be a “use-by-right” if the site is identified at the time of platting and a site plan is submitted for review and approval. After the plat is recorded, a Conditional Use is required.

The Unified Zoning Code (UZC) requires “one parking slot per 100 square feet of pool area, plus one slot per 100 square feet of clubhouse area” for a “swimming pool, private/neighborhood.” The parking area is shown to the northwest of the swimming pool. Two of the parking stalls and playground equipment, as shown in the plan, are both within the required 25’ front setback from Keith Street. It is estimated that the pool will be 35’ by 20’ (700 square feet) and located in the southeast corner of the property. The bathhouse building is shown to be 15’ by 24’ (360 square feet) and will be located north of the pool. Based upon the projected square footage of the pool and bathhouse [1,060 square feet], the UZC requires 11 parking slots.

According to the submitted plan, there are only five (5) parking slots provided, including one handicapped slot. Consequently, there is a deficit of six parking slots. Although there is an apparent shortage of parking spaces, many of the patrons will likely walk, via existing sidewalks on both sides of Keith Street, to their neighborhood pool. Keith Street is designed to accommodate on street parking on both sides if needed. Variances will be required to reduce the parking requirements (from 11 to 5 slots) and to permit parking within a required front yard setback.

Playground equipment is permitted within the front yard setback (per the Zoning Administrator). There is also a 10’ by 10’ shelter, a playground and a kid’s pool shown east of the pool. Use of the facilities will be limited to residents of the Bradford 2nd Addition. There will be access to the site from the east side of Keith Street.

The adjoining properties are zoned “SF-6”, Single-Family Residential. The lots, to the north, south and west are all single-family dwellings. The area to the east is a large detention lake shown as “Reserve A.” This area has been designated on the recorded plat to be “open space.”

The hours of operation for and maintenance of the pool will be determined by the homeowners' association by restrictive covenant. The lighting for the pool will be shielded from the adjacent single family dwellings. There will be a six-foot wrought iron fence surrounding the pool. Paying members of the homeowners association will be given "reader cards" that will allow access to the pool. The association will hire a contractor to provide ongoing maintenance to the pool, bathhouse and grounds.

CASE HISTORY: The current site is platted as "Reserve B" as part of the Bradford North 2nd Addition, that was approved on July 16, 1996.

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-6" Single-Family Residential	Single-Family Residences
EAST:	"SF-6" Single-Family Residential	Detention Lake (Reserve "A")
SOUTH:	"SF-6" Single-Family Residential	Single-Family Residences
WEST:	"SF-6" Single-Family Residential	Single-Family Residences

PUBLIC SERVICES: Keith Street is a two-lane residential street. Traffic volumes are not rated. Water/sewer and other municipal services will be provided to the site.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this property as "low density residential." This residential category provides for the lowest density of urban residential land use and consists of traditional, single-family detached homes, zero lot line units and cluster subdivisions, as well as schools, churches and similar uses found in such areas. One of the objectives of the Plan is to "develop and maintain a system of parkland, open space and recreational facilities which provide a diverse set of recreational opportunities for existing and future residents."

RECOMMENDATION: Based on the information available prior to the public hearing, MAPD staff recommends the application be APPROVED, subject to the following conditions:

1. Variances will be required to reduce the parking requirements (from 11 to 5 slots) and permit parking within a required front yard setback.
2. The property will be developed in general conformance with the site plan submitted to and approved by the Board of Zoning Appeals.
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, landscape ordinance, health codes and operational standards.

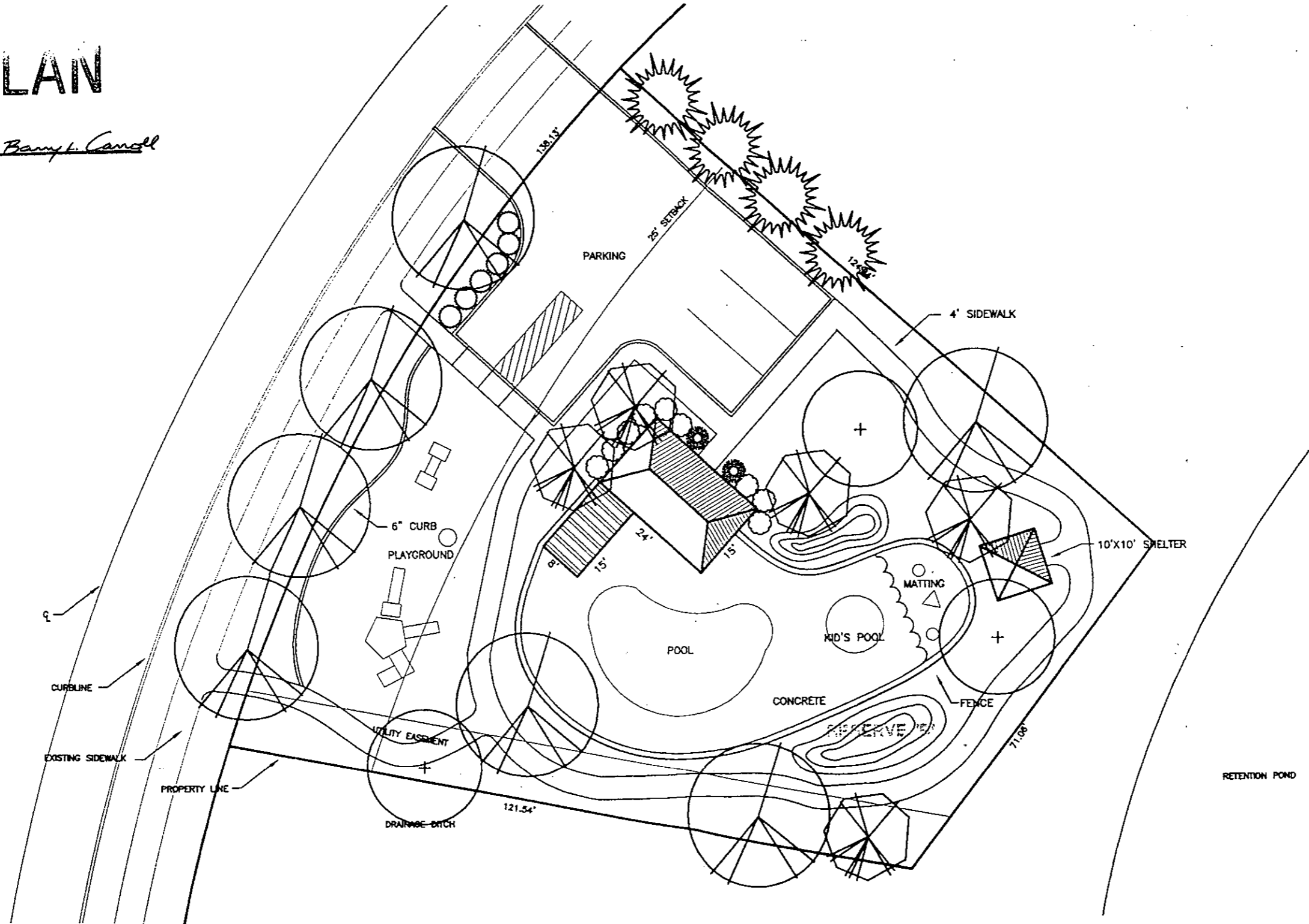
4. Violation of the foregoing conditions shall be cause for declaring this Conditional Use null and void.

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. Surrounding properties are all zoned "SF-6." Access to the site is from a residential street. The lot is within walking distance from the surrounding single-family homes, and the off-street parking requirements minimize the number of parked cars on the local street. Small private areas like this are becoming more commonplace in new subdivisions.
2. Extent to which removal of the restrictions will detrimentally affect nearby property. Locating a neighborhood swimming pool along a local street with residential development will introduce more noise for the nearby residential properties. However, this use is limited by definition to subdivision residents and their guests, and the development of the property in accordance with requirements of the Conditional Use will minimize these problems.
3. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The Land Use Guide of the Comprehensive Plan identifies this property as "low density residential." This residential category provides for the lowest density of urban residential land use and consists of traditional, single-family detached homes, zero lot line units and cluster subdivisions, as well as schools, churches and similar uses found in such areas. One of the objectives of the Plan is to "develop and maintain a system of parkland, open space and recreational facilities which provide a diverse set of recreational opportunities for existing and future residents."
4. Impact of the proposed development on community facilities: The proposed swimming pool will increase trips to the site, but the impact should be minimal. The neighborhood association will regulate the pool's hours, and access to the facility will be limited to neighborhood residents and their guests, thereby minimizing the need for additional police patrols. With approval of this project, the projected impact on community facilities will be minimal.

SITE PLAN

APPROVED 12/7/00 BY *Barry L. Carroll*



PREPARED FOR:
BRADFORD HOA

MASTER PARK PLAN



SCALE 1"=20'-0"



LAW/KINGDON, INC.
ARCHITECTS • ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS
345 RiverView Phone 316-268-0230
Wichita, KS. 67201-1094 Fax 316-268-0205
email: cmcmullen@law-kingdon.com