



Wichita-Sedgwick County Metropolitan Area Planning Department

April 16, 2017

Satish Atluri
P.O. Box 882
Coppell, TX 75019

Suresh and Prasanthi Arumili
27202 Wooded Canyon Drive
Katy, TX 77494

RE: CON201⁸9-00009 - County request to grant a Conditional Use Permit to establish a Recreational Vehicle Park in the Englewood Manufactured Home Park zoned SF-20 Single-Family Residential at 3201 East MacArthur Road

Dear Applicant:

At its regular meeting on **March 8, 2018**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request in accordance with the attached resolution.

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

Sincerely,

David L. Yearout, AICP
Principal Planner

Copies to: MABCD
James Howell, BCCC District V, County Mail Stop #320
Justin Waggoner, County Law, Mail Stop #349

CONDITIONAL USE RESOLUTION NO. CON2018-00009

WHEREAS, Satish Atluri, Suresh Arumilli and Prasanthi Arumilli, (applicants), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use for a Recreational Vehicle Park use on property zoned SF-20, Single-Family Residential District, at 3201 East MacArthur Road, Wichita, Kansas, and legally described as:

That part of Government Lot 1 in the NW ¼ lying west of a line 375 feet west of the west right-of-way line and south of the south line of Government Lot 1, excluding the south 760 feet, in section 14, T28S, R1E; and the north 475 feet of the south 60 feet of that part of Government Lot 1 in the NW ¼ lying west of a line 375 feet west of the west right-of-way line and south of the south line of Government Lot 1 in section 14, T28S, R1E; and that part of Government Lot 1 lying north of Englewood Park Addition; and, Lot 1, Block A of the Englewood Park Addition; and all of Reserve A of the Englewood Park Addition, 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 March 8, 2018, 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 Recreational Vehicle Park use on property zoned SF-20, Single-Family Residential District, at 5205 South Clifton Avenue, Wichita, Kansas, legally described as:

That part of Government Lot 1 in the NW ¼ lying west of a line 375 feet west of the west right-of-way line and south of the south line of Government Lot 1, excluding the south 760 feet, in section 14, T28S, R1E; and the north 475 feet of the south 60 feet of that part of Government Lot 1 in the NW ¼ lying west of a line 375 feet west of the west right-of-way line and south of the south line of Government Lot 1 in section 14, T28S, R1E; and that part of Government Lot 1 lying north of Englewood Park Addition; and, Lot 1, Block A of the Englewood Park Addition; and all of Reserve A of the Englewood Park Addition, Sedgwick County, Kansas.

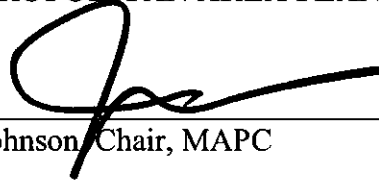
Subject to the following conditions:

1. The Englewood Manufactured Home Park become registered with Sedgwick County officials as a “nonconforming Manufactured Home Park.”
2. No tents or houseboats shall be permitted with the Recreational Vehicle Park.
3. All placement of recreational vehicles within the Manufactured Home Park permitted by this Conditional Use be permitted and placed in conformance with all applicable building codes and ancillary codes applicable thereto.

4. Dedication of contingent additional right-of-way for Englewood Street to provide a minimum of 35 feet of half-street right-of-way, said contingent dedication to be by separate instrument within 90 days of approval of the Conditional Use.
5. If the Zoning Administrator finds there is a violation of any provision or condition of the Conditional Use, or any other provision of the Unified Zoning Code (UZC), the Zoning Administrator shall enforce all remedies of Section VIII of the UZC, and with the concurrence of the Planning Director, declare the Conditional Use null and void.

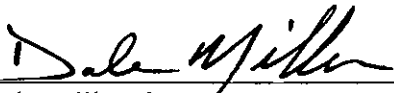
Adopted this 8th Day of March, 2018

METROPOLITAN AREA PLANNING COMMISSION



Joe Johnson, Chair, MAPC

ATTEST:



Dale Miller, Secretary

BACKGROUND: The applicant is requesting a Conditional Use to permit the use of numerous vacant spaces in the existing nonconforming Englewood Manufactured Home Park for placement/rental of recreational vehicles. The application area for this request is zoned LC Limited Commercial (LC) and SF-20 Single-Family Residential (SF-20). The LC portion is approximately the northern 180 feet of the property.

According to the old records in the office, all except the southern 2.7 acres has been a mobile home park for many years. The old aerial photos show the mobile home park in existence in 1968, but the 1950 aerial shows this as an open field with only a home. In 1977, the southern 2.7 acres received a Conditional Use for an expansion to the “existing mobile home park”. That rezoning was approved, subject to platting, which was completed and the plat being recording in June of 1979. The plat for the Englewood Mobile Home Park Addition dedicated right-of-way for Englewood Street, but only for the platted area. Sedgwick County Public Works is requesting dedication of additional right-of-way along Englewood Street to match the right-of-way dedicated in the Machinist Union Subdivision to the east. That process can be by a contingent dedication completed by separate documents, working through the appropriate Sedgwick County officials.

It appears from old aerials the southern portion was occupied by housing that, most likely, was constructed for the war effort in the 1940’s. This area was razed after the 1968 aerial and became the land that was rezoned in 1977 for the expansion of the MHP.

The Englewood MHP was one of three parks within the unincorporated portion of Sedgwick County that were advised in the summer of 2017 that placement of recreational vehicles would no longer be permitted until proper zoning approval was obtain. The MAPC will recall Conditional Use Permits have been approved last fall for the Regency MHP on West Kellogg and the Pinaire MHP on South Clifton.

Staff is not repeating the same language from the staff report concerning the Regency MHP and the Pinaire MHP, but the terms and definitions still apply. In short, “recreational vehicles” are not permitted in a “manufactured home park” by right.

Under the terms of the Unified Zoning Code, it is possible to obtain a conditional use permit to allow the creation of a “recreational vehicle campground” on property zoned LC Limited Commercial and SF-20 Single-Family Residential.

If granted, the conditional use permit would theoretically create a “recreational vehicle campground” within the existing “manufactured home park”; thereby allowing the use of a space within the manufactured home park by a recreational vehicle. If granted, the owners will simply make vacant spaces available for rent/lease to persons wishing to place a recreational vehicle in that space, rather than a manufactured home.

This activity has been occurring for some time within the Englewood Manufactured Home Park, so there will be no effective change in the use of that portion of the manufactured home park being used by recreational vehicles. This action is simply to make this activity technically legal under the terms of the Unified Zoning Code.

The situation and condition is virtually the same with Englewood Manufactured Home Park as it was with the Regency Manufactured Home Park and Pinaire Manufactured Home Park. The conditions and reasons for approving the conditional use permit for Englewood MHP are the same and should be placed in effect for this case.

CHARACTER OF AREA: The character of the surrounding area to the north is industrially zoned and commercially used.

To the south is the Sunview Heights Subdivision, a residential development occupied by single family homes, except a portion of the lot immediately east of the Arkansas River, which has a number of mobile homes.

To the east across Englewood Street is a vacant tract of land platted as the Machinists Union Addition and zoned GC General Commercial (GC).

The land immediately west of the Englewood Manufactured Home Park is the Arkansas River. West of the river is land owned by Boeing.

CASE HISTORY: As noted above, this property was mostly developed as a mobile home park prior to 1968. The park was expanded with a Conditional Use Permit in 1977 and a plat was recorded for the southern portion of the park in 1979.

ADJACENT ZONING AND LAND USE:

NORTH:	LI	commercial
SOUTH:	SF-5	residential
EAST:	GC	vacant
WEST:	GI	industrial

PUBLIC SERVICES: The property is connected to public sewers and water from the City of Wichita. Access to the property is from Englewood Street.

CONFORMANCE TO PLANS/POLICIES: The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is appropriate for “residential” uses. The overall spirit and intent of the Comprehensive Plan as it applies to this property supports the continued use of a Manufactured Home Park. The allowing of Recreational Vehicles within the Park through the Conditional Use achieves an objective of allowing existing businesses to remain viable.

RECOMMENDATION: Based upon the information available at the time the staff report, staff recommends the request be **APPROVED**, subject to the following conditions:

1. The Englewood Manufactured Home Park become registered with Sedgwick County officials as a “nonconforming Manufactured Home Park.”
2. No tents or houseboats shall be permitted with the Recreational Vehicle Park.
3. All placement of recreational vehicles within the Manufactured Home Park permitted by this Conditional Use be permitted and placed in conformance with all applicable building codes and ancillary codes applicable thereto.
4. Dedication of contingent additional right-of-way for Englewood Street to provide a minimum of 35 feet of half-street right-of-way, said contingent dedication to be by separate instrument within 90 days of approval of the Conditional Use.

5. If the Zoning Administrator finds there is a violation of any provision or condition of the Conditional Use, or any other provision of the Unified Zoning Code (UZC), the Zoning Administrator shall enforce all remedies of Section VIII of the UZC, and with the concurrence of the Planning Director, declare the Conditional Use null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The zoning, uses and character of the neighborhood are established and are comfortable being adjacent to the Manufactured Home Park. The modification of allowing placement of Recreational Vehicles in vacant spaces with the Manufactured Home Park is already existing to an extent and this change will have negligible impacts to the neighborhood uses.
2. The suitability of the subject property for the uses to which it has been restricted: The application area is zoned LC and SF-20, which permits single-family residential uses and many other uses, by right; however the use of this property is entirely as a Manufactured Home Park. The complete destruction of the Manufactured Home Park for redevelopment as a single-family or commercial development is extremely unlikely.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The requested modification to allow Recreational Vehicles in vacant spaces should have minimal detrimental impact on nearby property.
4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of the request would permit the existing business to remain economically viable. Denial would represent a loss of economic opportunity to the applicant and/or landowner and open this area to changes that may be deemed of lesser value.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is appropriate for "residential". Staff believes this project is in conformance with the adopted Plan.
6. Impact of the proposed development on community facilities: The modification of uses will have no impact on community facilities.

Staff Report Attachments:

1. Zoning Exhibit
2. Aerial Photos