



Wichita-Sedgwick County Metropolitan Area Planning Department

May 26, 2015

Union Station, LLC
c/o Gary Oborny
8111 E. 32nd St. North Ste. 101
Wichita, KS, 67226

REFERENCE: CON2015-00017 – City Conditional Use request to allow an outdoor night club in the city on property generally located west of Washington Avenue, on the south side of Douglas Avenue.

Dear Applicant:

At its regular meeting on May 21, 2014, the Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the above captioned request. The action of the MAPC was to APPROVE the request, subject to the following conditions:

- (1) The site will developed with an approved revised site plan, showing, but not limited to, barriers to prevent persons from leaving the premises with open bottles and to make sure everyone stays on the premises. The outdoor venue shall be subject to Art.III, Sec.III-D.6.w of the UZC. The site plan must be submitted for review within 60-days of approval by the appropriate governing body.
- (2) The applicant shall obtain all required state, local and other applicable permits and inspections.
- (3) If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

NOTICE: The public hearing on planning items is conducted by the MAPC under provisions of State Law. Adopted policy is that the City Council will not take additional testimony on zoning related applications and other issues for which the MAPC has held a public hearing. However, interested parties may file a written statement with the City Clerk by 5:00 p.m. on the Wednesday preceding this meeting, providing new facts on the issue or alleging an unfair

REFERENCE: CON2015-00077 – City Conditional Use request to allow an outdoor night club in the city on property generally located west of Washington Avenue, on the south side of Douglas Avenue.
May 26, 2015

Page 2

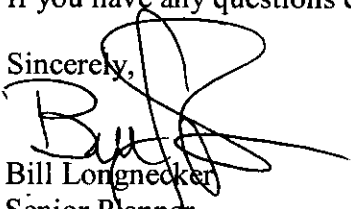
hearing. The Council will determine from such statements whether to return the issue to the MAPC for reconsideration or to reverse their recommendation.

Property owners may also file written protest petitions on zoning related items heard by the MAPC. In order to be considered a “valid” petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk within 14 days of the conclusion of the MAPC hearing, by June 4, 2015, at 5 PM. Such petitions may cause the application to be disapproved, if the land area encompassed by the protesting owners exceeds 20% of the land area within 200 feet of the perimeter of the application area, unless the Council overrides such a protest and approves the application by a vote of six (6) of its members.

If there are no valid protests or appeals of the recommendation of the MAPC the recommendation of the MAPC is final. If appeals or protest petitions are filed, your application will be forwarded to the July 7, 2015, City Council meeting as a non-consent item for final action. This meeting will be at 9 AM, 1st Floor City Hall, 455 N Main Street.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,



Bill Longnecker
Senior Planner

BL: mc

Copies to: Lavonta Williams, WCC I, Mail Stop 1-13
Janet Johnson, CL I, Mail Stop 1-135
City of Wichita , Property Management c/o John Phibrick, Mail Stop 1-135

CONDITIONAL USE RESOLUTION NO. CON2015-00017

WHEREAS, Union Station, LLC, c/o Gary Oborny (owner); 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 “night club in the city”, specifically an outdoor entertainment venue/night club located within CBD Central Business District (“CBD”) zoned property, described as:

That part of Lot 1, Union Station Addition, Wichita, Sedgwick County, Kansas, described as commencing at the northeast corner of Lot 3 in said addition; thence S89°56'00"W along the north line of said addition, 421.86 feet to the place of beginning; thence N89°56'00"E along said north line, 143.87 feet; thence S00°05'00"E, 65.89 feet; thence S62°08'27"W, 15.54 feet; thence S00°05'00"E, 235.39 feet; thence S90°00'00"W, 25.90 feet; thence N00°05'00"W, 32.23 feet; thence N89°55'00"E, 11.00 feet; thence N00°05'00"W, 28.00 feet; thence S89°55'00"W, 11.00 feet; thence N00°05'00"W, 169.79 feet; thence S89°56'00"W, 104.22 feet; thence N00°05'00"W, 78.47 feet to the place of beginning, containing 16,817 square feet, more or less.; generally located west of Washington Avenue, on the south side of Douglas Avenue, Wichita, 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 May 21, 2015, 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 allow a Conditional Use for a “night club in the city”, specifically an outdoor entertainment venue/night club located within CBD Central Business District (“CBD”) zoned property, described as:

That part of Lot 1, Union Station Addition, Wichita, Sedgwick County, Kansas, described as commencing at the northeast corner of Lot 3 in said addition; thence S89°56'00"W along the north line of said addition, 421.86 feet to the place of beginning; thence N89°56'00"E along said north line, 143.87 feet; thence S00°05'00"E, 65.89 feet; thence S62°08'27"W, 15.54 feet; thence S00°05'00"E, 235.39 feet; thence S90°00'00"W, 25.90 feet; thence N00°05'00"W, 32.23 feet; thence N89°55'00"E, 11.00 feet; thence N00°05'00"W, 28.00 feet; thence S89°55'00"W, 11.00 feet; thence N00°05'00"W, 169.79 feet; thence S89°56'00"W, 104.22 feet; thence N00°05'00"W, 78.47 feet to the place of beginning, containing 16,817 square feet, more or less.; generally located west of Washington Avenue, on the south side of Douglas Avenue, Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

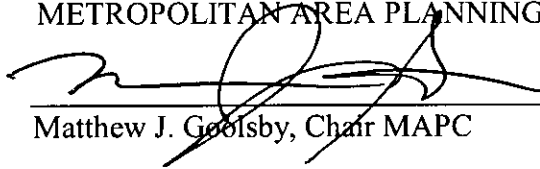
- (1) The outdoor entertainment venue/night club site will developed with an approved revised site plan, showing, but not limited to, barriers to prevent persons from leaving the premises with open bottles and to make sure everyone stays on the premises. The outdoor venue shall be subject to Art.III, Sec.III-D.6.w of the UZC. The site plan must be submitted for review within 60-days of

approval by the appropriate governing body.

- (2) The applicant shall obtain all required state, local and other applicable permits and inspections.
- (3) If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Adopted this 21st day of May 2015.

METROPOLITAN AREA PLANNING COMMISSION


Matthew J. Goolsby, Chair MAPC

ATTEST:

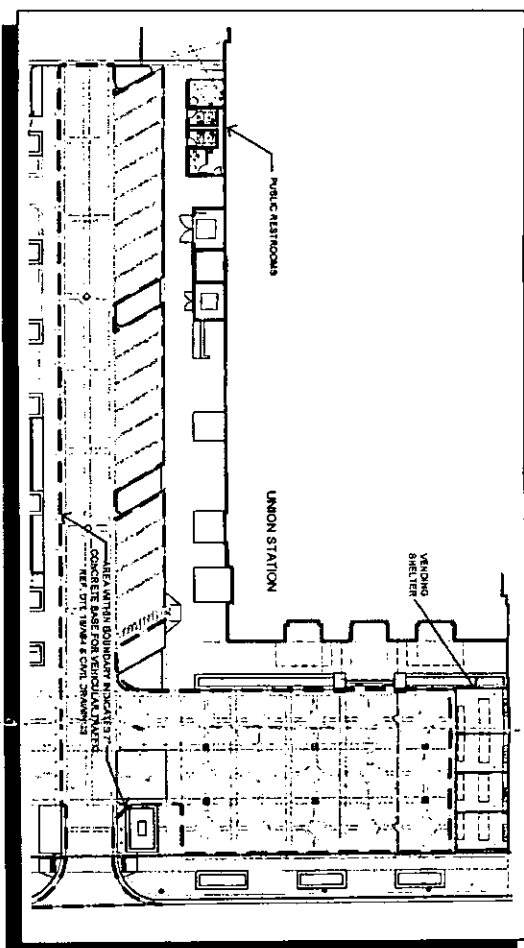

John L. Schlegel, Secretary

THIS LAW

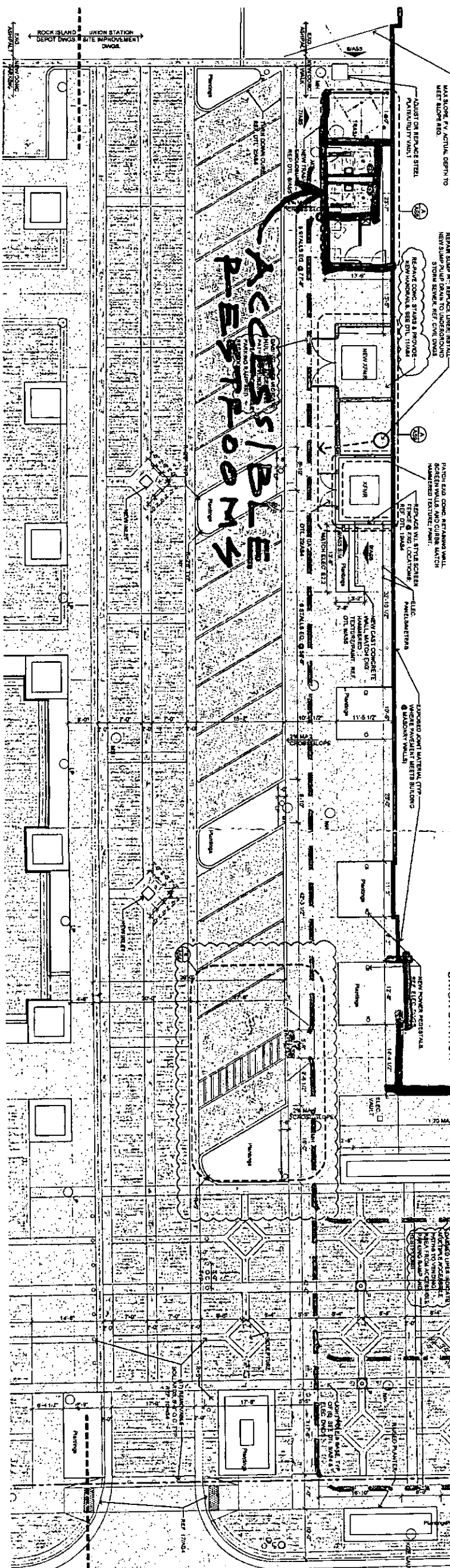
- ## LEGEND

-  NEW CONCRETE DRIVE
-  NEW CONCRETE PAVING
-  NEW ASPHALT PAVING
-  BRICK PAVING

KEY PLAN
1-2-30
1/2" = 1'-0"



SITE PLAN
1310
A



WICHITA UNION STATION SITE IMPROVEMENTS

701 E. DOUGLAS - WICHITA, KS - 67202

SPANGENBERG PHILLIPS TICE
ARCHITECTURE
121 N Mead Ste 201 Wichita KS 67202
T 316.267.4002 F 316.267.1509
www.sptarchitecture.com

AS2

PAVING PLANS

REVISED
20 SEP 10
REVISED
20 OCT 15
BID SET
19 NOV 14