



March 27, 2017

Wichita-Sedgwick County Metropolitan Area Planning Department

John Tape
3815 E. 17th St. N.
Wichita, KS. 67208

Tony Jacobs
Stadium Architects
151 N. Rock Island-Suite 1B
Wichita, KS 67202

RE: ZON2017-00001/CON2017-00006-City request for zone change from B to LC and Conditional Use

Dear Applicant:

At its regular meeting on **March 23, 2017**, the Wichita- Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request.

Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on April 6, 2017. 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 located within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk by **April 6, 2017 at 5:00 p.m.**

This application will be presented to the Wichita City Council on **Tuesday, April 25, 2017, beginning at 9:00 a.m.** The City Council meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

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,

David M. Clements, AICP
Principal Planner

Copies to: Lavonta Williams , Council Member District I
Kameelah Alexander, CSR I
MABCD

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

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CONDITIONAL USE RESOLUTION NO. 17-377
CON2017-00006

WHEREAS, Maisch Family LP and Halliday Properties LLC (owners); 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 an Outdoor Patio with Food and Beverage service on 0.46 acre zoned LC Limited Commercial ("LC") described as:

Lot 4, Parker's Addition to 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 March 23, 2017, 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.

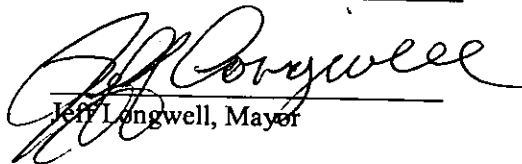
NOW, THEREFORE, BE IT RESOLVED by the Wichita City Council that this application be approved to allow a Conditional Use for an entertainment establishment in the City in LC Limited Commercial ("LC") zoning deistrict described as:

Lot 1, Lutheran Student Center Addition, to Wichita, Sedgwick County, Kansas

Approved subject to the following conditions:

- (1) The Conditional Use for Live entertainment shall not permit outdoor concerts or entertainment on the outdoor patio.
- (2) 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.

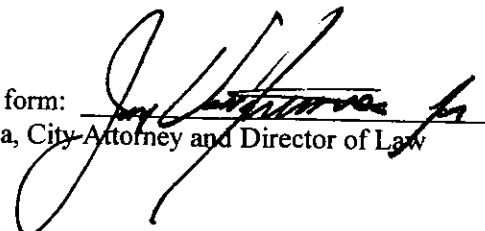
Adopted this 17th Day of October 2017


Jeff Longwell, Mayor

ATTEST:


Karen Sublett, City Clerk



Approved as to form: 
Jennifer Magaña, City Attorney and Director of Law

Background: The applicant is requesting a Conditional Use for an Entertainment Establishment in LC Limited Commercial (LC) zoning district for a 0.835-acre site located on the south side of East 17th Street North and east of North Hillside Road. The property address is 3815 East 17th Street North. The multi-purpose room at the Lutheran Student Center will have a coffee shop with a renovated kitchen, new restroom facilities and an outdoor patio. The new coffee shop operation would include food and beverage preparation and service. No alcohol will be served at the premises. The project site plan also includes a new parking lot with 23-parking spaces adjacent to the existing parking lot of the student center.

The existing Lutheran Student Center is zoned LC and is used for campus ministry services at Wichita State University for the Lutheran Church. The rezoning to LC is necessary to allow the conversion of the facility to the permitted use of a coffee shop/restaurant and the parking lot construction.

The Conditional Use application was filed in order to allow an entertainment establishment within 300 feet of a single-family zoning district. The coffee shop may provide occasional live entertainment.

Analysis: On March 23, 2017, the Metropolitan Area Planning Commission (MAPC) recommended approval of the request (9-0), subject to the conditions stated in the attached ordinance. No members of the public spoke in opposition of the request at the public hearing. The minutes of the MAPC hearing are attached.

The District Advisory Board (DAB) I reviewed the application at their meeting of April 3, 2017, and recommended approval by a 9-0 vote.

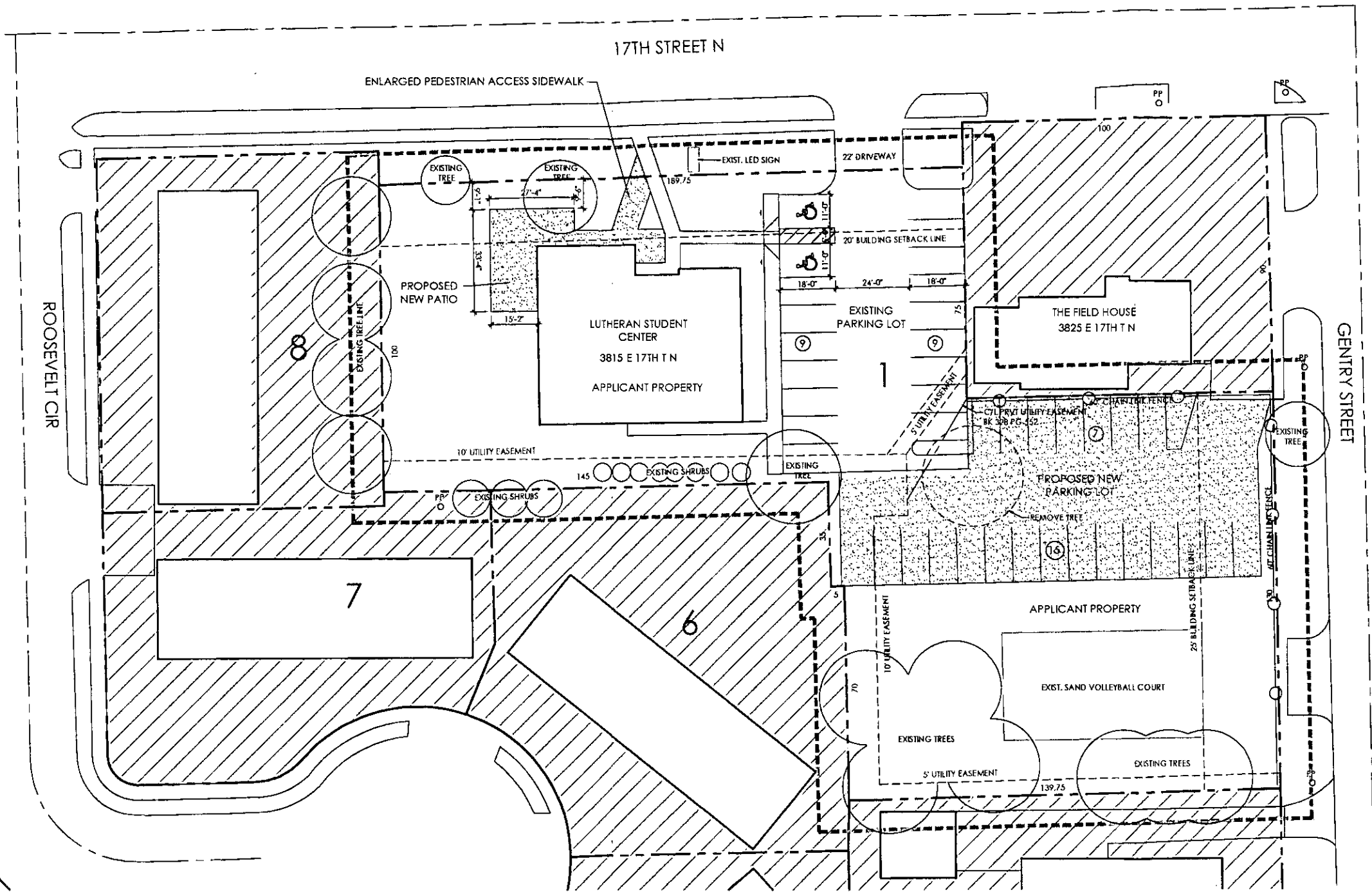
No protest petitions were submitted concerning the rezoning. The request can be approved with a simple majority vote.

Financial Considerations: Approval of this request will not create any financial obligations for the City.

Legal Considerations: The Law Department has reviewed and approved the ordinance as to form.

Recommendation/Actions: It is recommended that the City Council adopt the findings of the MAPC and approve the requested Conditional Use and authorize the necessary signatures (requires 4 of 7 votes).

Attachments: MAPC minutes
DAB I Report
Resolution
Site Plan



SITE PLAN

APPROVED

10/4/2017 *K. Morgan*

site plan 101

1" = 20'-0"

0 20'

Planning Dept Submittal
02.01.17

Lutheran Student Center
Coffee Shop

3815 E 17th St N, Wichita, KS 67208-2039

STUDIUM
architecture

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