Wichita-Sedgwick County Metropolitan Area Planning Department

March 21, 2023

Red Carpet, LLC
4925 West Central
Wichita, KS 67212

Melanie and Mitchell Collins
224 S Ceymarie Cir
Wichita, KS 67209

Patrick Hughs
1635 N Waterfront Parkway, Ste. 200
Wichita, KS 67206

RE: CON2022-00057: Conditional Use request in the City to permit an Event Center with live music/entertainment and alcohol (defined as Night Club in the City) on property zoned LC Limited Commercial; located approximately 0.40 miles east of North Hoover Ave. and on the south side of West Central Ave. (4925 W. Central Ave.).

Dear Applicant;

At its regular meeting on **February 9, 2023** the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of the request subject to the following conditions:

1. Nightclub in the City's expanded uses shall apply only to those ancillary uses associated with an Event Center.
2. Nightclub in the City shall adhere to Supplementary Use Regulations in Section III-D.6.w of the Unified Zoning Code.
3. The hours of operation for entertainment on the site are restricted to 10:00 p.m. Sunday through Thursday and 12:00 a.m. Friday and Saturday.
4. There shall be no amplified music outdoors, including speakers on any patio whether enclosed or unenclosed.
5. The site shall be developed in general conformance with the approved site plan and in compliance with all city ordinances, including but not limited to: zoning, sign code, building, fire, health codes or licensing requirements.
6. The parking lot shall be kept free of all trash and debris.
7. No loitering, congregating or excessive noise shall be permitted in the parking lot.
8. 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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

No protests were received against this case. Therefore, the MAPC decision is final.

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,

Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to: MABCD
Maggie Ballard, Councilmember District VI
Ana Lopez, CSR District VI

Wichita-Sedgwick County Metropolitan Area Planning Department

February 10, 2023

Red Carpet, LLC
4925 West Central
Wichita, KS 67212

Melanie and Mitchell Collins
224 S Ceymarie Cir
Wichita, KS 67209

Patrick Hughs
1635 N Waterfront Parkway, Ste. 200
Wichita, KS 67206

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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 **February 23, 2023** 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 **February 23, 2023 at 5:00 p.m.**

If there are no protests, the MAPC's approval is final. If there are protests, this application will be presented to the Wichita City Council on **Tuesday, March 14, 2023** beginning at 9:00 a.m.

This is a reminder that the zoning notification signs should now be removed from the property.
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Sincerely,

Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to: MABCD
Maggie Ballard, Councilmember District VI
Ana Lopez, CSR District VI

CONDITIONAL USE RESOLUTION NO. CON2022-00057

WHEREAS, Red Carpet, LLC, 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 to permit live music and entertainment as accessory to an Event Center defined as Nightclub in the City on property zoned LC Limited Commercial District located on the south side of West Central Avenue, approximately 0.40 miles east of North Hoover Avenue (4925 West Central Avenue), legally described as:

> East 55.25 feet of Lot 3 and the West 9.35 feet of Lot 4, Block B, Kell Hawkins 2nd Addition, 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 February 9, 2023, 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 to permit live music and entertainment as accessory to an Event Center defined as Nightclub in the City on property zoned LC Limited Commercial District located on the south side of West Central Avenue, approximately 0.40 miles east of North Hoover Avenue (4925 West Central Avenue), legally described as:

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Approved subject to the following conditions:

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Adopted this 23rd Day of February 2023.

METROPOLITAN AREA PLANNING COMMISSION

Ann M. Fox, Chair

ATTEST:

Scott A. Wadle, Secretary

McClatchy

Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee
The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald
el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi
Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	370865	Print Legal Ad-IPL01055960 - IPL0105596	OCA 150004	$167.79	2	100 L

Attention: MANDY HEBERT

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

LEGAL PUBLICATION
OCA 150004
Published in The Wichita Eagle on January 19, 2023
(One Time Only)
MAPC/BZA February 9, 2023
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, February 9, 2023, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

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CON2022-00057: Conditional Use request in the City to an Event Center with live music/ entertainment and alcohol (defined as Night Club in the City) on property zoned LC Limited Commercial; located approximately 0.40 miles east of North Hoover Ave and on the south side of West Central Avenue (4925 W Central Ave).

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VAC2022-00036: Vacation request in the City to vacate access control and building setback; generally located on the southwest corner of West York Street and South Norman Street (9801 West York Street).

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Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

Options to participate (see below):
1) Participate virtually
2) Attend in-person at the Ronald Reagan Building
3) Submit comments ahead of time

Participate Virtually
Topic: Wichita-Sedgwick County Metropolitan Planning Commission
Time: 1:30 PM
Join Zoom Meeting
https://us06web.zoom.us/j/4089866967?pwd=a0k3bW0ySlBNbFJQTDFyV0xPVDBXUT09
Meeting ID: 408 986 6967
Passcode: 094136
One tap mobile
+16699006833,,4089866967#,,,,*094136# US (San Jose)
+17193594580,,4089866967#,,,,*094136# US
Meeting ID: 408 986 6967
Passcode: 094136
Find your local number: https://us06web.zoom.us/u/kc65codfb1

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Submit Comments Ahead of Time
You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email Planning@wichita.gov
Mailing Address Wichita-Sedgwick County Metropolitan Area Planning Department
Attn: Scott Wadle
271 W. 3rd Street – Suite 201
Wichita, KS 67202
Phone 316.268.4421
Fax 316.858.7764

WITNESS MY HAND on January 19, 2023
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0105596
Jan 19 2023

In The STATE OF KANSAS
In and for the County of Sedgwick

1 insertion(s) published on:
01/19/23

STATE OF KANSAS)
SS
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 01/19/2023 to 01/19/2023.

H. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 01/19/2023

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

KU basketball bench struggles in key moments vs. K-State

BY SHREYAS LADDHA
sladdha@kcstar.com

MANHATTAN

Kansas basketball coach Bill Self had no choice.

Star KU freshman Gradey Dick had committed his fifth and final foul with 1:31 left in overtime on Tuesday at Bramlage Coliseum.

Dick sauntered over to the bench and joined fellow starters KJ Adams and Kevin McCullar, who had also fouled out.

As K-State forward Keyontae Johnson sank both free throws to tie the score at 80-all, Kansas' lineup at game point looked bizarre:

The lineup featured point guards Dajuan Harris and Bobby Pettiford, combo guard Joseph Yesufu, forward Jalen Wilson and center Zach Clemence.

The trio of Pettiford, Yesufu and Clemence has averaged 15.7, 12.4 and 5.7 minutes per game, respectively, this year.

Self hasn't trusted his bench all season long. Often, KU plays only seven or eight players in its rotation. When bench players play, it's usually for dire situations ... or in garbage time. Kansas ranks 343rd in the country in bench minutes percentage (22.7%), per KenPom.

On Tuesday, it finally caught up with the Jayhawks.

The trio struggled in the clutch moments in Kansas' 83-82 overtime loss to K-State at Bramlage Coliseum.

They combined for only seven points while shooting 3-for-7 from the floor.

On the game's final play, KU had the ball down one (83-82) with 11 seconds left. Coming off a timeout, Pettiford in-bounded the ball to Harris. Harris then drove, but the Wildcats collapsed onto him and the KU guard lost the ball. Harris dove on the floor to try to regain possession, but Ismael Massoud came away with the ball as the clock expired.



RICH SUGG rsugg@kcstar.com

KU coach Bill Self pleads with his team during the first half of Tuesday night's Big 12 Conference game at Bramlage Coliseum. KSU beat KU 83-82 in overtime.

"We talked about what exactly to do," Self said of the final play. "Bobby's never thrown it in side-out (meaning in a sideline-out-of-bounds setting). When we called timeout with (11 seconds) left in overtime, we didn't get the ball to the guy we wanted to.

"Then at the end we tried to run some fake stuff just to throw the ball to J-Will on the block, and I thought he was open. Bobby makes the safe play and throws it to 'Juan. But he's never been in that situation before. I really don't know what you can say at game point like that to three guys that hadn't been out there before. I mean, they've just got to play. We practice stuff, but they haven't been out there in those situations before."

The lack of experience wasn't the only issue, though. KU's most viable scoring option behind Wilson — and possibly the next two — sat on the bench.

Everyone in the arena knew the primary option would be Wilson for the final shot, and the Wildcats wisely put extra attention on him. The minute Harris received the ball and began to drive, it was a win for K-State.

The other options didn't inspire much confidence. Earlier in regulation, with 1:21 left in a tie game, Clemence received a pass in the post and went up for the bucket. K-State guard Markquis Nowell stole the ball and converted the other way.

Perhaps one plausible option would've been Yesufu. As Harris drove, Yesufu was open in the corner. Still, putting the ball in a player's hands who averages 3.8 points per game is a tall order.

Despite a tough loss, Wilson didn't make any excuses.

"It's very difficult seeing guys getting fouled out like that," Wilson said. "No matter who's out there, we've got to find a way to come out with a win and have success."



JEREMY DAVIS, ICONIC VISUALS Courtesy

Senior guard Marcus Zeigler helped the Wichita Heights boys basketball team defeat Kapaun Mt. Carmel for the first time since 2019 in Tuesday's 51-36 win.

FROM PAGE 1B

CITY LEAGUE

ing two defenders.

"When you have guys who have been part of state championship success, they're pretty mature and they understand there are many ways to win a game."

Sure enough, right out of halftime Zeigler passed ahead to Williams on a fastbreak for a layup and foul. A minute later, Zeigler again found Williams in transition for a bucket. A four-point halftime advantage was stretched to 31-18 before Kapaun had to call for timeout to regroup.

Williams, a promising recruit in the class of 2024, scored all 16 of his team-high points in the second half, while adding 14 rebounds, five assists and a block in a complete performance. Zeigler added eight points, six rebounds, three assists and a steal.

Up against a talented center in Kapaun 6-foot-6 senior Will Anciaux, Heights managed to limit his impact by the stout defense played inside by senior Jordan Okon.

The Crusaders managed to close to within 37-31 in the first two minutes of the fourth quarter, but Zeigler followed with two free throws and Williams found Qyree Holt in the corner for a three to extend the lead back to double-digits, 42-32, within the next minute. Kapaun never threatened again.

Auer was particularly pleased with his team's rebounding effort, as his assistants tracked that the Falcons grabbed 85% of available defensive rebounds against Kapaun with a team effort put forth by Williams, Zeigler, Okon, Holt, Amalachi Wilkins (five blocks), Jordan Alford and Chase Robinson.

"Those were two of the best defensive teams in the state of Kansas and baskets were hard to come by," Auer said. "We knew it was going to be a low-scoring game and we made some plays on defense that allowed us to finally get some transition buckets in the second half. It was a great team effort and a heck of a City League battle.

Taylor Eldridge: 316-268-6270, @tayloreldridge

The Wichita Eagle
XTRA SPORTS
The latest sports news with recaps, commentary and analysis beyond the game
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316.268.6000

Legals

LEGAL PUBLICATION

(_____) Published in The Wichita Eagle Thursday January 19, & Thursday January 26, 2023

FORMAL BID – 233014

Sealed bids will be received in the office of the City Purchasing Manager, 12th Floor, City Hall, 455 North Main, Wichita, Kansas, prior to TEN O'CLOCK A. M., FRIDAY, FEBRUARY 3, 2023. "Request for Formal Bid" forms MUST be used to submit your bid unless you are submitting your bid on our website at (https://selfservice.wichita.gov) using your secure login/password.

HOUSING & COMMUNITY SERVICES DEPARTMENT/PUBLIC HOUSING DIVISION

Interior & Exterior Modifications of Twelve (12) Single Family Homes
AS PER PLANS AND SPECIFICATIONS
F.O.B. – Wichita, Kansas

Bids will be opened after ten o'clock a. m., in the in the Board Room, 1st Floor, City Hall, 455 North Main, Wichita, Kansas.

A PRE-BID CONFERENCE Due to the ongoing pandemic conditions this meeting will only be held through written questions, clarifications, or modifications submitted to Jason Brogden at jbrogden@wichita.gov no later than 3:00 PM. on Friday, January 27, 2023 The purpose of the meeting will be to answer questions from vendors regarding the specifications and bid procedure.

BID SECURITY in the amount of five per cent (5%) of the bid MUST be submitted with each bid. Bid Security shall be by a Bid Bond written by a Bonding Company approved by the United States Treasury Department and licensed to do business in the State of Kansas. Electronic Bids online (http://ep.wichita.gov) must have the Bid Bond submitted to the City Purchasing Manager prior to bid opening. Bid Bond envelope must be marked "BID BOND ENCLOSED", reference the formal bid number and the due date.

PERFORMANCE BOND FORMS, included in the bid package are to be used, in the amount of one hundred per cent (100%) of the contract must be furnished by the successful vendor.

LABOR & MATERIAL PAYMENT BOND FORMS, included in the bid package are to be used, running to the State of Kansas in a sum of not less than the total of the contract, must be furnished by the successful vendor.

The material and/or work to be purchased and/or performed under this contract on a project assisted under a program providing direct Federal Financial Assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3, of the Housing and Urban Development Act of 1968, as amended 12 U.S.C. 1701U.

This project is governed by Davis-Bacon and Related Acts All contractors and subcontractors shall comply with all aspects of General Wage Decision number KS2022002 (02/25/2022) for residential construction

Dated at Wichita, Kansas, this 11th day of January 2023.

Melinda A. Walker
Purchasing Manager

ATTENTION
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ON
FRIDAY, JANUARY 27, 2023
THE PURPOSE OF THE MEETING WILL BE TO REVIEW REQUIREMENTS AND SPECIFICATIONS CONTAINED IN THIS BID PACKAGE AND TO CORRECT ANY ERRORS OR TO MAKE ANY NECESSARY CHANGES

IPL0105870
Jan 19,26 2023

LEGAL PUBLICATION

OCA 150004
Published in The Wichita Eagle on January 19, 2023
One Time Only
MAPC/BZA February 9, 2023
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Meeting ID: 408 986 6967
Passcode: 094136
One tap mobile
+16899006833,,4089866967#,,,,*094136# US (San Jose)
+17193594580,,4089866967#,,,,*094136# US
Meeting ID: 408 986 6967
Passcode: 094136
Find your local number: https://us06web.zoom.us/u/kc65codfb1

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Attn: Scott Wadle
271 W. 3rd Street – Suite 201
Wichita, KS 67202
Phone 316.268.4421
Fax 316.858.7764

WITNESS MY HAND on January 19, 2023
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0105596
Jan 19 2023

LEGAL PUBLICATION

Abandoned Property

of Rashaunda Butts&Larry Stewart at 401 W Sarah LN Apt D02 will be disposed of on 2/18/2023
IPL0105930
Jan 19 2023

LEGAL PUBLICATION

Abandoned Property

The abandon property of Bridgett Woods, 1517 S. Main St., Wichita, KS 67213, will be stored for 30 Days and disposed of on February 18, 2023 Please contact Green Apple Management at 316-841-5324 to claim
IPL0106043
Jan 19 2023

WANT TO TURN YOUR UNUSED ITEMS INTO CASH?
Let Classifieds Help
The Wichita Eagle

LEGAL PUBLICATION

DIVORCE

In the Matter of the Marriage of Jaunita Walker, Petitioner and Keith Walker, Defendant Case No. 22DM6346 PETITION FOR DIVORCE in Sedgwick County Court. An answer must be filed by defendant on or before 01/30/2023 if no answer, this petition will be taken as true and the Petitioner will be granted a Journal Entry of Judgment and Decree of Divorce
IPL0104377
Jan 6,8-13,15-20,22-27,29-30 2023

LEGAL PUBLICATION

NOTICE OF NEW BRANCH LOCATION

Legacy Bank, 3711 N Ridge Rd, Wichita, Kansas has filed an application with the State Bank Commissioner and the FDIC for permission to establish a branch, known as the East Harry Branch located at 7711 E Harry St, Wichita, Kansas. The State Bank Commissioner considers a number of factors in deciding whether to approve the application. Any person wishing to comment on this application may file his or her comments, in writing, with the State Bank Commissioner, at 700 SW Jackson Street, Suite 300, Topeka, Kansas 66603 and the Regional Director of the Federal Deposit Insurance Corporation, 1100 Walnut St, Suite 2100, Kansas City, Missouri, 64106. The application's non-confidential portions are on file at the same address and are available for public inspection during regular business hours. Photocopies will be made available upon request. Comments will be considered if received on or before February 6, 2023. Public comments may be subject to disclosure pursuant to the Kansas Open Records Act, K.S.A 45-201 et seq. For information about submitting a request for records, please refer to: http://www.osbckansas.org/consumers/open-records-requests/
IPL0105989
Jan 19,26 2023

LEGAL PUBLICATION

FORECLOSURE

IN THE DISTRICT COURT OF SEDGWICK COUNTY, KANSAS LAKEVIEW LOAN SERVICING, LLC PLAINTIFF Case No. 2022-CV-002220-CM Div No. K.S.A. 60 Mortgage Foreclosure TERRI SPECKHARDT, et. al.; DEFENDANTS NOTICE OF SUIT The State of Kansas to: THE HEIRS AND DEVISEES OF TERRI L SPECKHARDT and the unknown heirs, executors, administrators, devisees, trustees, creditors, and assigns of such of the defendants as may be deceased, the unknown spouses of the defendants; the unknown officers, successors, trustees, creditors and assigns of such defendants as are existing, dissolved or dormant corporations; the unknown guardians and trustees of such of the defendants as are minors or are in anywise under legal disability; and all other persons who are or may be concerned: You are hereby notified that a petition has been filed in the District Court of Sedgwick County, Kansas, by Lakeview Loan Servicing, Llc for judgment in the sum of $102,214.95, plus interest, costs and other relief, judgment that plaintiff's lien is a first lien on the said real property and sale of said property to satisfy the indebtedness, said property described as follows, to wit: LOT 47, BLOCK ONE, WHISPERING BROOK ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS Commonly known as 6303 East Brookview Court, Wichita, Kansas 67220 and you are hereby required to plead to said petition in said Court at Wichita, Kansas on or before the 16th of February, 2023. Should you fail therein judgment and decree will be entered in due course upon said petition THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE LOGS LEGAL GROUP LLP Attorneys for Plaintiff 6811 Shawnee Mission Parkway - Suite 309 Overland Park, KS 66202 (913) 831-3000 Fax No (913) 831-3320 Our File No: 22-013473
IPL0103934
Jan 5,12,19 2023

Announcements

Announcements

Disposal of Personal Property
Goshen Property Management hereby gives notice that the property/ abandoned at 1432 N. Vassar Wichita, Kansas 67208 by Mark Richetti will be disposed of on 01/20/2023.

Disposal of Personal Property
Goshen Property Management hereby gives notice that the property/abandoned at 2008 S. Topeka Wichita, Kansas 67211 by Angela Holmes will be disposed of on 01/20/2023.

Auctions

Estate Sales

At Your Service Estate Sales
6321 Peach Tree off Woodlawn
Thurs 9-5 Fri 9-5 Sat 8-2. Sun 10-1
Exceptional sale

Animals

Dogs

MINI DACHSHUND/DOTSON PUPPIES. REGISERED FROM A LOVING HOME $600-800 TEXT 620-892-1172

Mini Bernedoodle, Mini Poodle & Cockapoo pups! 816-383-0489 Midwestdoodleranch.com $900+

Mini F1b Goldendoodles
Born 12/6 $1200-$1600 Brown, Tri and Sable Contact @ 9132377360

Service Directory

Cleaning & Janitorial

Housecleaning
Thorough cleaning and disinfecting All supplies included. 20 yrs exp. Call or Text, Jessie 316-347-3079

NEED SOMETHING?
Let Classifieds Help
The Wichita Eagle

McClatchy

Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee
The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald
el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi
Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA KS 67202

MEMO INVOICE	
Order No.:	370865
Memo Date:	01/19/2023
Bill-To Account:	16399
Sales Rep:	Hayley Martin

Dates	Order No.	Description	Product	Size	Billed Units	Times Run	Net Amount
01/19/2023 - 01/19/2023	370865	Print Legal Ad-IPL01055960 IPL0105596 PO: OCA 150004	WIC-Wichita Eagle Legal | Legals & Public Notices CLS	2 x 100 L	200 L	1	$167.79

Please Return This Portion With Your Payment (Thank You)

McClatchy Company LLC
PO Box 510150
Livonia MI 48151

*** MEMO INVOICE ***

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA KS 67202

MEMO INVOICE	
Order No.:	370865
Account No.:	16399
Account Name:	CITY OF WICHITA/PLANNING DEPT
Order Amount:	$167.79

Email questions to ssccreditandcollections@mcclatchy.com

McClatchy Company LLC
PO Box 510150
Livonia MI 48151

Conditional Use—Site Plan
Zoning/License Change
within 200' of residential



Red Carpet LLC
4925 W CENTRAL
WICHITA, KS. 67212
Melanie Collins, CEO
(316) 650-5926

E 55.25 FT LOT 3 & W 9.35 FT LOT 4
BLOCK B KELL HAWKINS 2ND. ADD.

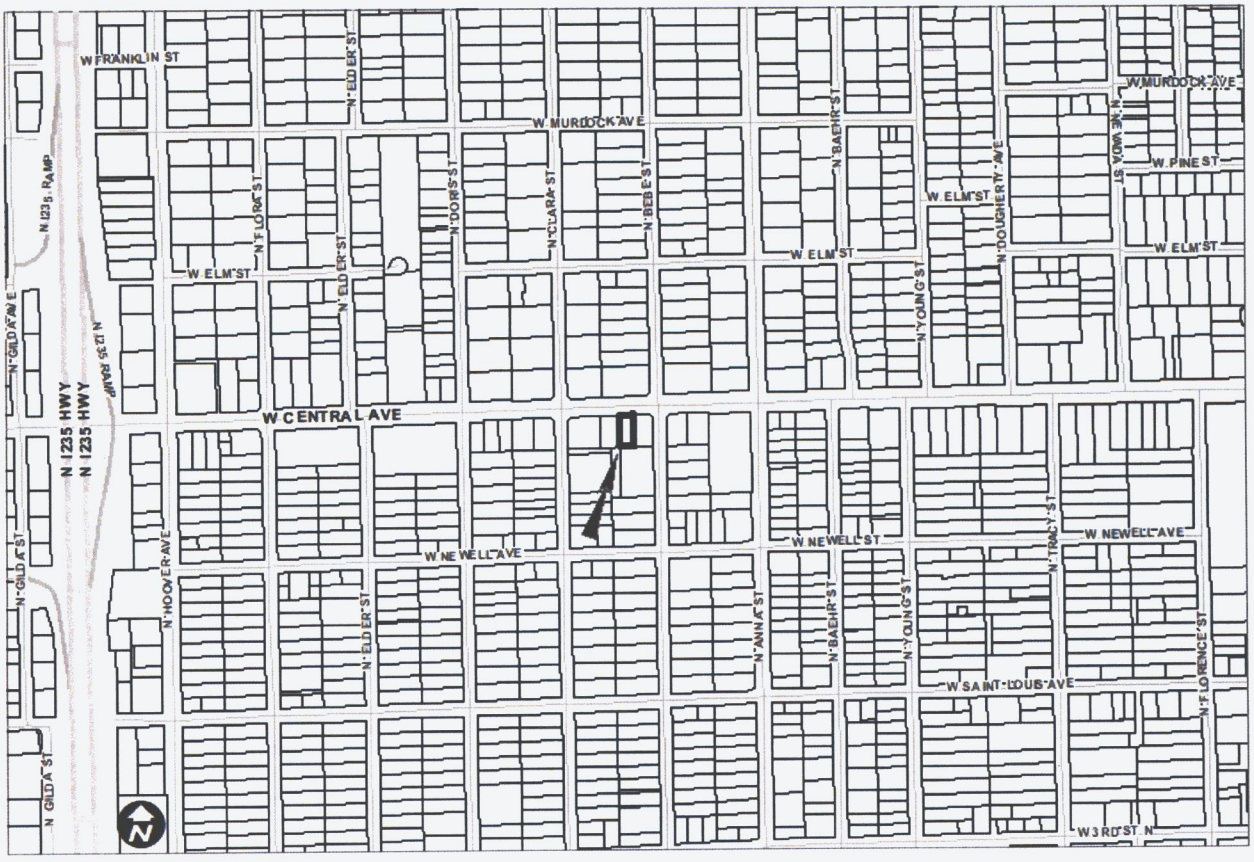
Existing conditions:
Licensed for Assembly
Zoned LC
Current Structure is concrete block with brick overlay on walls
Spray foam and Sound deadening Insulation in/on ceilings.

AGENDA ITEM NO. 4.2

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT
MAPC: February 9, 2023
DAB VI: February 13, 2023

CASE NUMBER:	CON2022-00057 (City)
APPLICANT/AGENT:	Red Carpet, LLC; Melanie and Mitchell Collins (Applicants)/ Patrick Hughes (Agent)
REQUEST:	Nightclub in the City
CURRENT ZONING:	LC Limited Commercial District
SITE SIZE:	0.22 acres
LOCATION:	Generally located on the south side of West Central Avenue, one-half mile west of North West Street (4925 West Central Avenue).
PROPOSED USE:	To permit an Event Center which may provide entertainment and alcohol.
RECOMMENDATION:	Approve with Conditions



BACKGROUND: The applicant is requesting a Conditional Use to permit an Event Center, which may provide entertainment and alcohol for patrons (defined as "Nightclub in the City") on property zoned LC Limited Commercial District. The property is generally located on the south side of West Central Avenue, one-half mile west of North West Street (4925 West Central Avenue). The property is developed as the west half of a larger retail strip center. The eastern half of the building is under different ownership and developed as a laundromat. The Event Center is currently operating and was given a notice of violation. If approved, the requested Conditional Use will bring the use into in compliance.

The Event Center provides space to be rented out on an occasional basis. The Unified Zoning Code definition of "Nightclub in the City," is applied because of the possible provision of entertainment and alcohol at these events. The need for the Conditional Use at this location is due the proximity of SF-5 Single-Family Residential zoning and a church/place of worship adjacent on the north side of West Central Avenue. Supplementary Use Regulations in Section III-D.6.w of the Unified Zoning Code require a Conditional Use for "Nightclub in the City" when it is within 300 feet of residential zoning district.

Property to the north is zoned SF-5 Single-Family Residential District and is developed with a church/place of worship. Property to the east is zoned LC Limited Commercial District and developed with a laundromat. Property to the south is zoned LC and developed with apartments. Property to the west is zoned LC and developed with commercial retail.

The property does not have an outdoor patio, so all events will be conducted inside the building. The attached site plan indicates a six-foot privacy fence on the rear of the property separating the building from the apartments to the south. However, a site visit determined that the fence between the two properties is a chain-link fence. Staff is recommending the fence been upgraded to an eight-foot solid screening fence as a condition of approval. This is due to the proximity of the residential dwellings to the south and a solid screening fence may help mitigate any noise pollution coming through the building wall. Though the property to the south is zoned LC Limited Commercial District, it is developed with apartments. The distance between the rear wall of the subject building and the nearest apartment budling is approximately 35 feet. Section IV-B of the UZC does not require screening along this property line because the property to the south is zoned commercially. Given the nature of the request and the immediate context, staff is recommending standards above and beyond the requirements of the UZC.

The attached site plan does not indicate the number of parking spaces on the site. A site visit determined there are 17 parking spaces. Section IV-A of the UZC states the parking requirement for this use is one space per two occupants. The capacity of the building is unknown, but based on the parking requirement, the capacity for events is limited to 34. The parking area of the subject property does have barriers to separate it from the parking area of the property to the east. The two properties are under separate ownership and the parking of the laundromat cannot be used to meet the off-street parking requirement without a shared parking agreement.

CASE HISTORY: In 1941, the subject property was platted as part of the Kell Hawkins 2nd Addition.

ADJACENT ZONING AND LAND USE:

North:	SF-5	Church
South:	LC	Multi-Family Residential
West:	LC	Retail
East:	LC	Laundromat

PUBLIC SERVICES: West Central Avenue is a paved, four-lane arterial street with sidewalks on both sides. Wichita Transit serves this site with a bus stops located within a quarter mile east and west of the site. All municipal services are in place and can accommodate the required services to the site.

CONFORMANCE TO PLANS/POLICIES: The proposed application is in conformance to the *Community Investments Plan.* The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be appropriate for "Commercial" land use. This category is described as "areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality." Rather than designating specific intensities and types for the different "Commercial" areas, the Plan suggests that existing development and neighborhood context should serve as a guide for what is appropriate for each unique location.

West Central Avenue is developed primarily with strip commercial developments fronting West Central Avenue with residential uses behind. In the immediate vicinity, the commercial development along West Central is comprised of retail, personal care services, financial institutions, and a tire repair shop. This portion of West Central Avenue has fewer commercial uses fronting either side of West Central Avenue and has more lower-intensity uses (such as residential and a church) than other portions of the street east and west of the subject site.

Additionally, the *Community Investments Plan* provides locational guidelines to serve as a framework for future land use decisions. These are provided generally and for specific geographic areas. The subject site is located within the Established Central Area (ECA), described by the *Plan* as "the downtown core and the mature neighborhoods surrounding it." Locational guidelines for the ECA further emphasize that development should occur where its scale is "appropriate for its context." An event center that may provide entertainment and alcohol could create detrimental impacts such as noise to the residential development to the south. There is no outdoor space for events at this location, so events will be contained inside the building. The proposed conditions of approval for hours of operation and a screening fence are designed to mitigate possible negative impacts. Locational Guidelines in the ECA also promote using higher density residential as a buffer between higher intensity commercial uses and lower intensity residential uses. The multi-family development south of the subject site buffer the commercial uses along West Central Avenue from the lower density residential farther south on the block.

The Wichita: Places for People Plan: The requested Conditional Use is in partial conformance with the *Wichita: Places for People Plan. The Wichita: Places for People Plan* provides recommendations for urban infill development in the Established Central Area (ECA). In general, the ECA is envisioned as "a place for people - a place that provides for the movement of people - on foot, on bike, and through transit - in balance with automobiles." Ensuring development follows a nodal pattern "which creates a critical mass of activity at the center and transitions in scale and intensity" is key to realizing this vision.

- Nodal Development: The requested Conditional Use is not in conformance with the nodal development pattern. The subject site is between two identified nodes. The Plan identifies the intersections of West Central Avenue and North West Street and West Central Avenue and North Ridge Road as a Community Core nodes. Nodes are identified to accommodate the highest intensity of uses, and the intensity of use should decrease the farther the property is away from the node. The subject site is approximately one-half mile from the intersection of West Central/North West Street and one mile from the intersection of West Central/North Ridge Road. The development pattern along West Central Avenue indicates a decrease in the intensity of commercial activity at the subject site as discussed above. The intensity of the proposed use could create possible negative impacts to surrounding residential development and would be more appropriate nearer to either identified Community Core nodes where commercial activity is more prevalent.
- Current Condition: The requested Conditional Use is in partial conformance with the area designation of the Plan as it is identified as an Area of Opportunity. Areas of Opportunity are defined as, "those areas that generally exhibit economic challenges, a disconnected development pattern, and a lack of walkable places and facilities. These areas are in need of strategic reinvestment, both public and private, to assist in redefining and reinvigorating the area, physically, and socially." The proposed

Event Center is an example of private investment in this Area of Opportunity. Though the proposed use contributes to economic development in the area, more appropriate uses that could help redefine and reinvigorate the area would be neighborhood serving uses that promote walkable development. Such uses could include neighborhood serving retail, personal services, or restaurants to which local residents could walk. An Event Center is regionally oriented that and is generally auto-oriented.

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

1. Nightclub in the City's expanded uses shall apply only to those ancillary uses associated with an Event Center.
2. Nightclub in the City shall adhere to Supplementary Use Regulations in Section III-D.6.w of the Unified Zoning Code.
3. The hours of operation for entertainment on the site are restricted to 8:00 p.m. Sunday through Thursday and 11:00 a.m. Friday and Saturday.
4. There shall be no amplified music outdoors, including speakers on any patio whether enclosed or unenclosed.
5. The applicant shall install an eight (8)-foot screening fence along the rear property line prior the issuance of any licenses or permits.
6. The site shall be developed in general conformance with the approved site plan and in compliance with all city ordinances, including but not limited to: zoning, sign code, building, fire, health codes or licensing requirements.
7. The parking lot shall be kept free of all trash and debris.
8. No loitering, congregating or excessive noise shall be permitted in the parking lot.
9. 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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood
Property to the north is zoned SF-5 Single-Family Residential District and is developed with a church/place of worship. Property to the east is zoned LC Limited Commercial District and developed with a laundromat. Property to the south is zoned LC and developed with apartments. Property to the west is zoned LC and developed with commercial retail.

2. The suitability of the subject property for the uses to which it has been restricted: The property is suitable for the uses to which it has been restricted. The property is zoned LC Limited Commercial District. In this case, the Conditional Use is only required because of the proposed use being located within 300 feet of a residential zoning District and church/place of worship. Mitigating factors, such as limited hours of operation and restricting outdoor music make it suitable for live music and entertainment.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The removal of restrictions may have detrimental effects on the multi-family housing immediately south of the property with noise pollution. This distance between buildings is approximately 35 feet. The Supplementary Use Regulations found in the Wichita-Sedgwick County Unified Zoning Code, Sec. III-D.6.w. and the staff recommended conditions are designed to mitigate the possible negative impacts on surrounding properties.

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 this application is not anticipated to have a significant detrimental impact to public health, safety, or welfare due to the proposed mitigating factors identified in the conditions of approval. Denial of the request could represent a loss in the use and enjoyment of the applicant's property.

5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed application is in partial conformance with the *Community Investments Plan* and the *Wichita Places for People Plan*, as discussed in the report.

6. Impact of the proposed development on community facilities: The proposed use may produce in increase in traffic in the area during events. But given the size and scale of the proposed use, it is not anticipated to have detrimental affects on community facilities.

Attachments:

1. Supplementary Use Regulations
2. Site Plan
3. Aerial Map
4. Zoning Map
5. Land Use Map
6. Site Photos

Attachment 1, Section III-D.6.w of the Unified Zoning Code, Supplementary Use Regulations

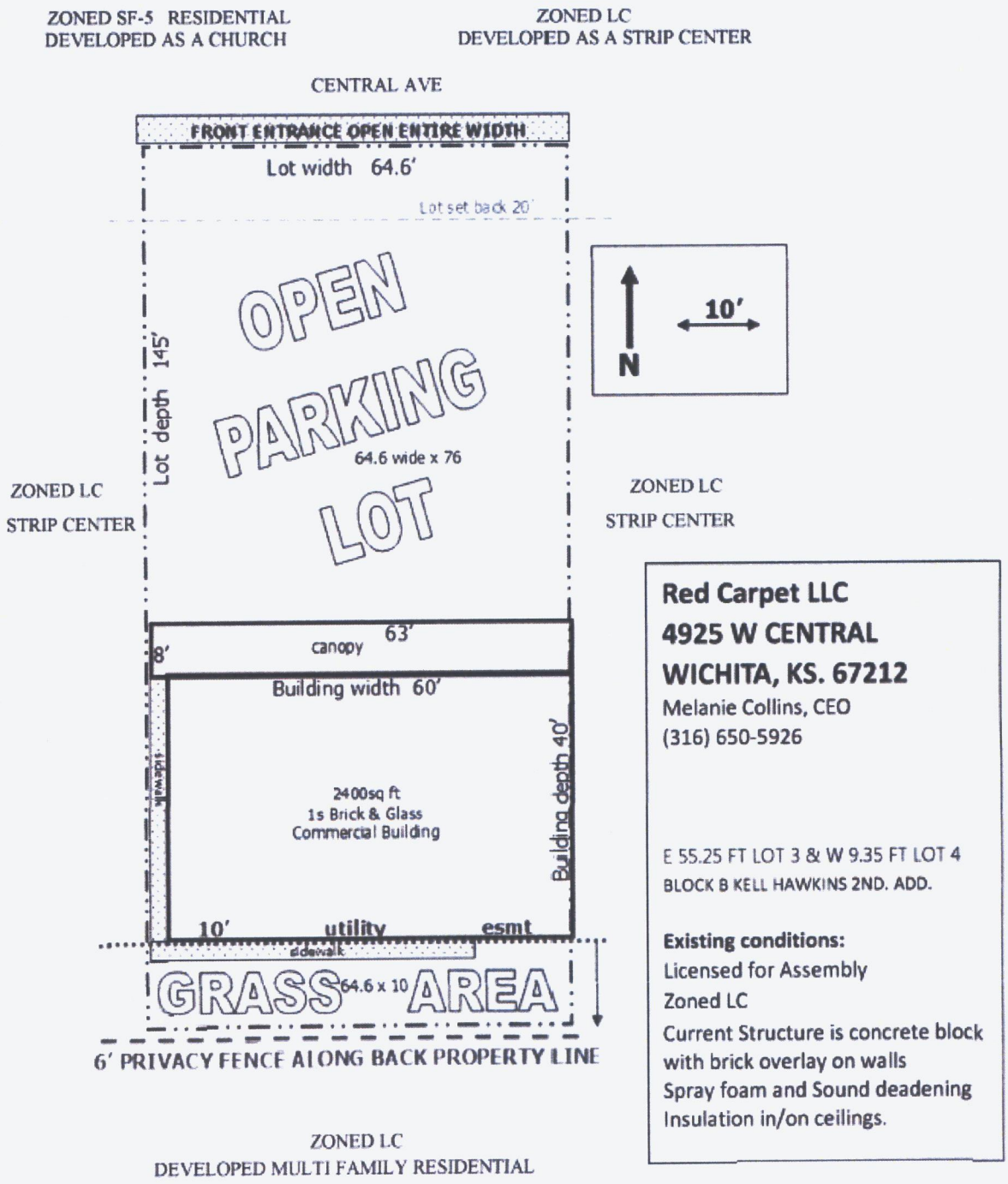
w. Taverns and Drinking Establishments, clubs, Nightclubs in the City and Entertainment Establishments in the City. Although listed as permitted Uses in some Districts, Taverns, Drinking Establishments, clubs, Nightclubs in the City and Entertainment Establishments in the City, when considered Nightclubs in the City, shall be considered Conditional Uses and subject to Sec. V-D (Conditional Use review procedures) when located within 300 feet of a Church or Place of Worship, public Park, public or parochial School or residential zoning District. Event Centers in the City, Teen Clubs in the City and Entertainment Establishments, when not considered as Nightclubs in the City, shall be considered Conditional Uses and subject to Sec. V-D (Conditional Use review procedures) when located within 200 feet of a Church or Place of Worship, public Park, public or parochial School or residential zoning District. These distances shall be measured from the nearest Lot Line of the Church or Place of Worship, public Park, School or residential zoning District to the nearest Lot Line of the premises on which the Tavern, Drinking Establishment, club, Nightclub, Entertainment Establishment, Event Center or Teen Club is located or of any Parking Area designated to be used by the patrons of such businesses, whichever is closest. For purposes of this measurement, the required Parking Spaces for such a business located within a multi-tenant Structure or shopping center are those located nearest the public entrance to the business. "Establishment" of any Tavern, Drinking Establishment, club, Nightclub business, Entertainment Establishment, Event Center or Teen Club shall be deemed to include the opening of such a business as a new business, the relocation of such businesses or the conversion of an existing business location to any such business use, or any expansion of such a business beyond the existing square footage of the premises. Nightclubs in the City that qualify as Sexually Oriented Businesses in the City shall be permitted Uses in those districts that allow Sexually Oriented Businesses in the City, if the location of the operation is no less than 500 feet from a Church or Place of Worship, School, public Park, licensed Day Care center, the boundary of any residential District, the boundary of the OT-O District, or any other Sexually Oriented Business.

Outdoor service of food and drink as an accessory part of the operation of a Tavern or Drinking Establishment, club or Nightclub shall always be subject to the following requirements and, if located within 200 feet of a Church or Place of Worship, public Park, School or residential zoning District, shall be considered a Conditional Use and subject to Sec. V-D of these regulations.

1. No additional Parking Spaces or restroom facilities need be provided for the initial sixteen occupants to be served in the outdoor area, but Parking and restroom facilities shall be provided to full Code requirements for the portions of the permitted occupant load exceeding sixteen persons.
2. No noise generated in conjunction with the outdoor use shall exceed a sound level of five decibels as measured on the 'A' scale of a sound pressure level meter over the normal background noise that is discernible at any property line of a Lot within 1,000 feet that has a residential zoning classification. Normal background noise shall be established by taking the average of ten sound level readings in any ten-minute period.
3. The outdoor area shall be screened from ground level view from any residential-zoned property within 150 feet of the outdoor area, by Screening in accordance with the requirements of Sec. IV-B.
4. If lighting facilities are provided, the intensity of light and arrangements of reflectors shall be such as not to interfere with residential Uses. The lighting shall be in compliance with the lighting requirements of Sec. IV-B 4.
5. The outdoor Use shall be designed and maintained in compliance with all other licenses, regulations and requirements of the fire, health, and building codes, including requirements for emergency access to or from any barriers that limit ingress or egress.

Attachment 2. Site Plan

Conditional Use—Site Plan
Zoning/License Change
within 200' of residential



Red Carpet LLC
4925 W CENTRAL
WICHITA, KS. 67212
Melanie Collins, CEO
(316) 650-5926

E 55.25 FT LOT 3 & W 9.35 FT LOT 4
BLOCK B KELL HAWKINS 2ND. ADD.

Existing conditions:
Licensed for Assembly
Zoned LC
Current Structure is concrete block with brick overlay on walls
Spray foam and Sound deadening Insulation in/on ceilings.

Attachment 3. Aerial Map



Attachment 4. Zoning Map



Attachment 5. Land Use Map



Attachment 6. Site Photos

Looking southwest at site



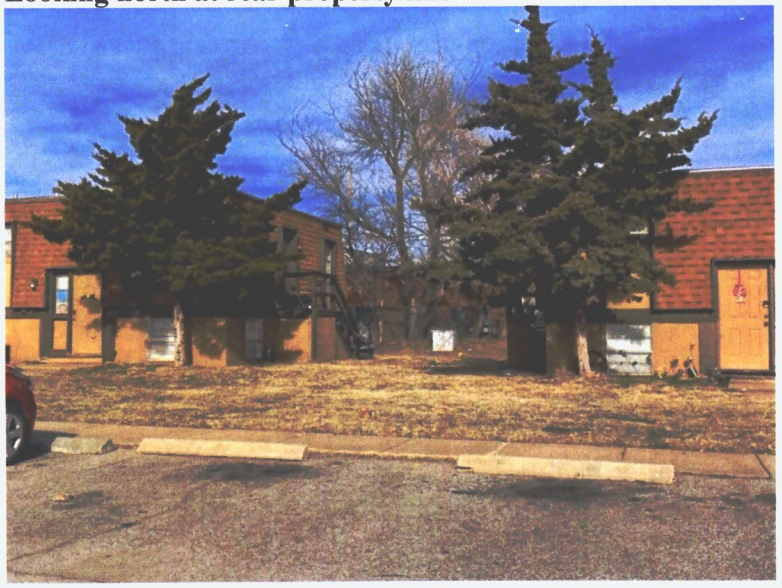
Looking west along the rear property line



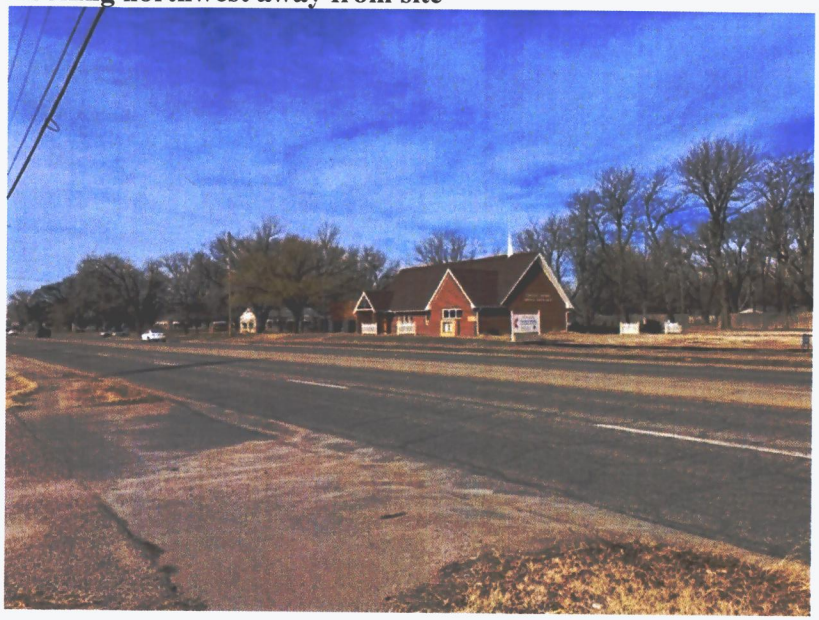
Looking southwest at and away from site



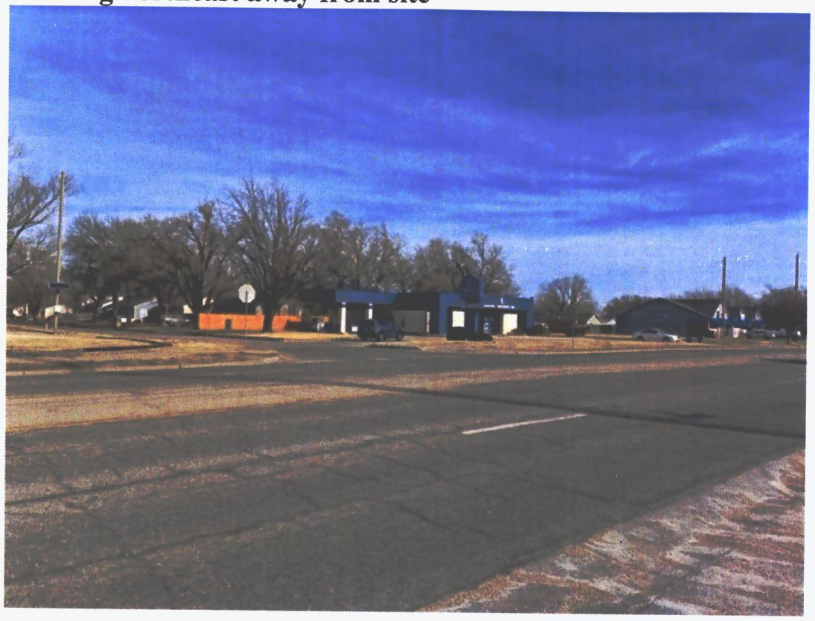
Looking north at rear property line



Looking northwest away from site



Looking northeast away from site



Looking east away from site

