



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

Expo Properties
ATTN: AL Wakil
PO BOX 12207
Wichita, KS 67277

July 24, 2024

Jeremy Trotter
1544 S. Ida St.
Wichita, KS 67211

RE: CON2024-00039 –A Conditional Use request to allow Entertainment Establishment in the City, generally located east of South Ida Ave and within 200 feet north of East Harry Street (1544 South Ida Street).

Dear Applicant;

At its regular meeting on **July 23, 2024**, the Wichita City Council considered the above captioned request. The action of the City Council was **APPROVAL** of the request with the following conditions:

1. This Conditional Use shall apply only to the property located at 6135 East 13th Street North.
2. There shall be no outdoor entertainment on the premises.
3. No amplified music nor speakers shall be allowed on the patio.
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 of the UZC.
5. 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 of other remedies set forth in the UZC, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

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

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

Copies to: Mike Hoheisel, Council Member District III
Rebecca Johnson, CSR, District III
MABCD



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

Expo Properties
ATTN: AL Wakil
PO BOX 12207
Wichita, KS 67277

June 28, 2024

Jeremy Trotter
1544 S. Ida St.
Wichita, KS 67211

RE: CON2024-00039 –A Conditional Use request to allow Entertainment Establishment in the City, generally located east of South Ida Ave and within 200 feet north of East Harry Street (1544 South Ida Street).

Dear Applicant,

At its regular meeting on **June 27, 2024**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the Conditional Use request for the Entertainment Establishment.

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 July 11, 2024. 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 **July 11, 2024, at 5:00 p.m.**

This application will be presented to the Wichita City Council on **Thursday, August 6, 2024**, beginning at 6:00 p.m.

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 316-268-4421.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

CC: Mike Hoheisel, Council Member District III
Rebecca Johnson, CSR, District III
MABCD

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

RESOLUTION NO. 24-261

WHEREAS, Al Wakil of Expo Properties, 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 Entertainment Establishment within 300 feet of a residentially zoned district on property zoned LI Limited Industrial District, legally described as:

Lots 94 and 96, and Reserve F, on Ida Avenue, all in McCormick’s Addition to the City of 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 June 27, 2024, consider said application; and

WHEREAS, the Wichita City Council 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 to permit Entertainment Establishment within 300 feet of a residentially zoned district on property zoned LI Limited Industrial District, generally located east of South Ida Ave and within 200 feet north of East Harry Street (1544 South Ida Street), legally described as:

Lots 94 and 96, and Reserve F, on Ida Avenue, all in McCormick’s Addition to the City of Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

- 1) The Conditional Use shall only apply to the location addressed as 1544 South Ida Street.
- 2) There shall be no outdoor entertainment, speakers, or outdoor service of food or drink.
- 3) Entertainment Establishment shall comply with the Supplementary Use Regulations found in Section III-D.6.w of the Unified Zoning Code.
- 4) The site shall be developed in general compliance with the approved site plan.
- 5) A Conditional Use amendment shall be required for any changes to these conditions.
- 6) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
- 7) 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 Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.

Adopted on 23rd day of July, 2024.

[Signature]
for Lily Wu, Mayor, City of Wichita

ATTEST:

[Signature]
Jamie Buster, City Clerk

(SEAL)



Approved as to form: *[Signature]*
Jennifer Magaña, City Attorney and Director of Law



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
 Ledger-Enquirer

Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
 Rock Hill | The Herald
 The Sacramento Bee
 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	576639	Print Legal Ad-IPL01854410 - IPL0185441	RES#24-261	\$89.22	2	53 L

Attention: LaTosha Alvarez
 CITY OF WICHITA/CLERKS OFFICE
 455 N MAIN ST FL 13
 WICHITA, KS 67202

JMBuster@wichita.gov

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON
 July 26, 2024
**BE IT ORDAINED BY THE GOVERNING BODY
 OF THE CITY OF WICHITA, KANSAS,
 RESOLUTION NO. 24-261**

WHEREAS, Al Wakil of Expo Properties, 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 Entertainment Establishment within 300 feet of a residentially zoned district on property zoned LI Limited Industrial District, legally described as:

Lots 94 and 96, and Reserve F, on Ida Avenue, all in McCormick's Addition to the City of 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 June 27, 2024, consider said application; and

WHEREAS, the Wichita City Council 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 to permit Entertainment Establishment within 300 feet of a residentially zoned district on property zoned LI Limited Industrial District, generally located east of South Ida Ave and within 200 feet north of East Harry Street (1544 South Ida Street), legally described as: Lots 94 and 96, and Reserve F, on Ida Avenue, all in McCormick's Addition to the City of Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

The Conditional Use shall only apply to the location addressed as 1544 South Ida Street.

There shall be no outdoor entertainment, speakers, or outdoor service of food or drink.

Entertainment Establishment shall comply with the Supplementary Use Regulations found in Section III-D.6.w of the Unified Zoning Code.

The site shall be developed in general compliance with the approved site plan. A Conditional Use amendment shall be required for any changes to these conditions.

The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.

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 Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.

Adopted on 23rd day of July, 2024.

Lily Wu, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk

(SEAL) Approved as to form:

Jennifer Magana, City Attorney and Director of Law

IPL0185441

Jul 26 2024

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

1 insertion(s) published on:

07/26/24

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, of lawful age, being first duly sworn, depose 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 07/26/2024 to 07/26/2024.

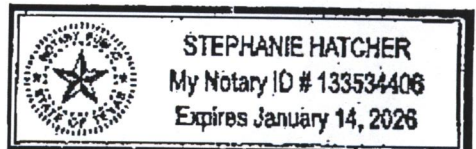
Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 08/05/2024

Stephanie Hatcher

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



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



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
 Ledger-Enquirer

Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
 Rock Hill | The Herald
 The Sacramento Bee
 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	559448	Print Legal Ad-IPL01763790 - IPL0176379	OCA 150004	\$131.22	2	78 L

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

MHEBERT@wichita.gov

OCA 150004
Published in The Wichita Eagle on June 6, 2024
(One Time Only)
MAPC/BZA June 27, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, June 27, 2024, no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

CON2024-00035: Conditional Use Amendment in the City to CON2012-00044 to amend Condition #5 to allow outdoor patio speakers and to increase the allowable restaurant square footage; generally located within one-block north of East Douglas Avenue and one-block east of North Oliver Avenue (115 N. Glendale).

CON2024-00039: Conditional Use request for to re-establish an Entertainment Establishment in the City (night club use of less than 300 capacity) that lost non-conforming status on property zoned LI Limited Industrial, located north of East Harry Street and West of Southeast Boulevard (1544 South Ida Avenue).

PUD2024-00011: Zone Change request in the City from SF-5 Single-Family Residential to PUD to establish the Esparza Addition PUD for a mix of single-family and duplex residential uses and office/warehouse uses; located on the west side of North Amidon Avenue and one-half mile north of West 29th Street North (3258 N. Charles).

ZON2024-00028: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential for a duplex on a newly created parcel from lot split; generally located within two blocks south of West Central Avenue and within two blocks west of North West Street (516 N. Tracy).

ZON2024-00029: Zone Change request in the City from GO General Office to NR Neighborhood Retail with an amendment to Protective Overlay #270 to permit a market, cafe and, and personal care services; generally located on the south side of East 34th Street North and one-quarter mile east of North Woodlawn.

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 Wichita-Sedgwick 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:

- Attend In-Person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5:00 PM, 3 days prior to the meeting.
- Submit Comments Ahead of Time regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department) - 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. Planning Departments staff make efforts to share all comments but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery. Written Comments should be submitted by 5:00 PM the day before the meeting. Video and Audio Comments (mp3, etc.) formats be submitted at least 3 days prior to the MAPC meeting. The comments should indicate which item they pertain to and be less than three (3) minutes in duration.

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

3) If you need accommodations pursuant to the ADA, please contact Planning Staff within one week prior to the scheduled meeting.

Option to View Remotely (Not Participate)

The meeting will be streamed live and recorded. Virtual comment is not available.

To view the live stream or recording, follow the link: <https://www.wichita.gov/planning>

Planning

WITNESS MY HAND on June 6, 2024

Scott Wadle, Secretary

Wichita-Sedgwick County

Metropolitan Area Planning Commission

IPL0176379

Jun 6 2024

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

1 insertion(s) published on:

06/06/24

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, of lawful age, being first duly sworn, depose 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 uninterrupted 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 06/06/2024 to 06/06/2024.

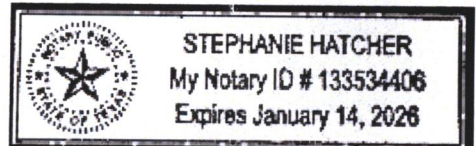
Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 06/06/2024

Stephanie Hatcher

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



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

Lizzy's Lounge, LLC

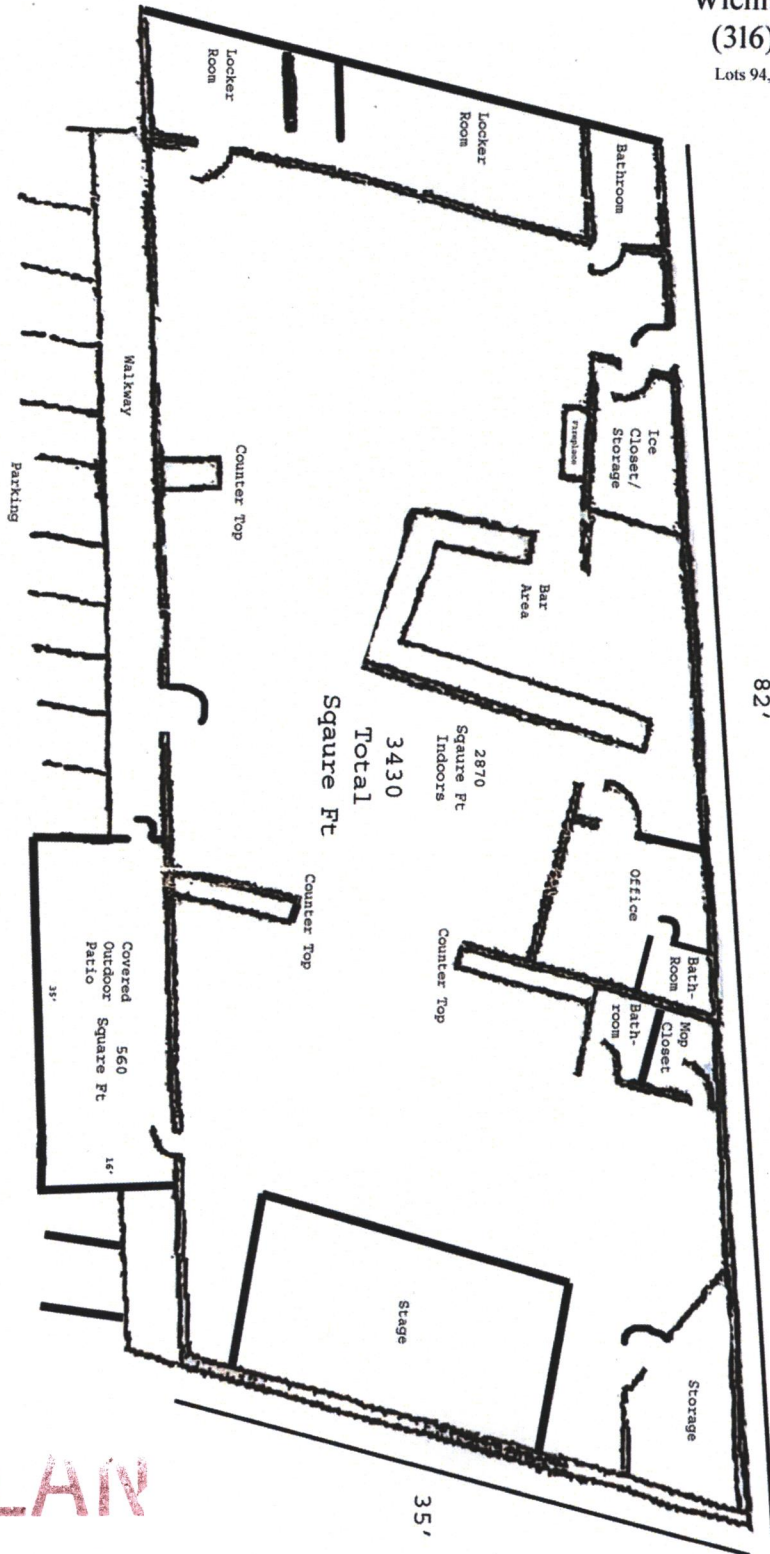
Jeremy S. Trotter

1544 S Ida St

Wichita, KS 67211

(316) 749-6972

Lots 94, 96, and Reserve F



SITE PLAN

APPROVED JBE BY 9/4/24

STAFF REPORT
MAPC: June 27, 2024
DAB III: July 3, 2024

CASE NUMBER: CON2024-00039

APPLICANT/AGENT: Al Wakil – Expo Properties/Jeremy Trotter (Applicants)

REQUEST: Entertainment Establishment in the City

CURRENT ZONING: LI Limited Industrial District

SITE SIZE: 0.4 acres

LOCATION: Generally located east of South Ida Ave and within 200 feet north of East Harry Street (1544 South Ida Street).

PROPOSED USE: Entertainment Establishment in the City.

RECOMMENDATION: Approve with Conditions.



BACKGROUND: The applicant is requesting a Conditional Use for an Entertainment Establishment on property zoned LI Limited Industrial District (LI) and generally located east of South Ida Ave and within 200 feet north of East Harry Street (1544 South Ida Street). The subject site is 0.4 acres in size and was historically used as a Night Club.

The applicant is requesting the Conditional Use in order to use the subject site as a cabaret style venue where entertainment is provided including dancing. The applicant has stated that through a filing error, the establishment lost its legal, non-conforming status. Supplementary Use Regulations in Section III-D.6.w of the Unified Zoning Code (UZC) require a Conditional Use for "Entertainment Establishment" when it is within 300 feet of residentially zoned property. The requirement for the Conditional Use at this location is due to the requested land use in proximity to MF-29 Multi-Family Residential District (MF-29) approximately 50 feet to the east. This property with MF-29 zoning is a part of the railroad right-of-way. The nearest residential use is 190 feet to the northeast, across Southeast Boulevard.

The UZC requires screening for all uses other than single-family residential and duplex when within, abutting, or across a street or alley from a residentially zoned property, unless separated by a major barrier. The subject site is surrounded by the LI zoning district; therefore, it is not required to adhere to UZC screening standards or provide a landscape buffer. No landscaped street yard will be required because the development is on a collector street with industrial zoning on both sides of the street.

An existing parking lot reserved for the building is located on the subject site, which will not require any modifications.

The character of the area is mostly commercial. Properties to the north, east, south, and west are all zoned LI. The property to the north and east is the BNSF Railroad. The property to the south is developed with a vehicle repair and sales establishment. The property to the west is developed with a commercial building in a dilapidated condition.

CASE HISTORY: On August 20, 1886, the subject site was platted as Reserve F of McCormick's Addition. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	LI	BNSF RR
SOUTH:	LI	Vehicle Sales/Repair
EAST:	LI	BNSF RR
WEST:	LI	Vacant

PUBLIC SERVICES: The site has access to South Ida Ave, a paved, two-lane local street, with sidewalks on both sides, and East Harry Street, a four-lane arterial street with sidewalks on both sides. Wichita Transit does provide service to the subject site with stops on the northwest and southeast corners of the East Harry Street and South Washington Street intersection, which is approximately 400 feet to the west. Municipal services such as water and sewer already serve the subject 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 "New Employment". This category is described as follows: "*Encompasses areas that likely will be developed or redeveloped by 2035 with uses that constitute centers*

or concentrations of employment primarily in manufacturing, warehousing, distribution, construction, research, technology, business services, or corporate offices. Major shopping centers and office parks likely will be developed within this area as well, based upon market-driven factors. In certain areas, especially those in proximity to existing residential uses, higher density housing and conventional retail centers likely will be developed. In areas where the uses are already established, pockets of industrial uses associated with extraction, processing, or refinement of natural resources or recycling of waste materials likely will be developed.” The proposed Entertainment Establishment is an appropriate use for the subject site.

Locational Guidelines: The request is in conformance with the Land Use Compatibility Locational Guidelines of the Comprehensive Plan. Under the heading “Development Pattern,” Guideline 1.c recommends that “major commercial and employment centers should be located at intersections of arterial streets and along highways and commercial corridors.” The location of the proposed Entertainment Establishment is appropriate due to its location along East Harry Street within a contiguous commercial frontage.

Wichita: Places for People Plan: The requested zone change is in conformance with the goals of the *Wichita: Places for People Plan*. The *Wichita: Places for People Plan* provides recommendations for urban infill development in the Established Central Area (ECA). The subject site is located within the 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.”

- **Strategies:** The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The request aligns with Strategy 6: *Encourage infill and redevelopment that is contextual to the environment in which it is occurring*. The majority of the area west of Southeast Boulevard is zoned industrial and developed with commercial and industrial uses. The site was formerly used as a Night Club in the past. The continued use of the site as an Entertainment Establishment fits the context of the area and is buffered from the residential uses by Southeast Boulevard.

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:

The following conditions shall apply:

- 1) The Conditional Use shall only apply to the location addressed as 1544 South Ida Street.
- 2) There shall be no outdoor entertainment, speakers, or outdoor service of food or drink.
- 3) Entertainment Establishment shall comply with the Supplementary Use Regulations found in Section III-D.6.w of the Unified Zoning Code.
- 4) The site shall be developed in general compliance with the approved site plan.
- 5) A Conditional Use amendment shall be required for any changes to these conditions.
- 6) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
- 7) 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: The character of the area is mostly commercial. Properties to the north, east, south, and west are all zoned LI. The property to the north and east is the BNSF Railroad. The property to the south is developed with a vehicle repair and sales establishment. The property to the west is developed with a commercial building in a dilapidated condition.
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 LI Limited Industrial District and is suitable for a vast array of public, civic, commercial, and industrial uses.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The removal of restrictions could possibly detrimentally affect nearby properties. While a residential zone is within 50 feet of the subject property, the nearest residential use is approximately 190 feet to the northwest from the subject site. The subject site has been used as a Night Club/Entertainment Establishment for some time prior to this request.
4. Length of time subject property has remained vacant as zoned: The property is not vacant. It has been operating as a Night Club /Entertainment Establishment for some time.
5. 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. Denial of the request could represent a loss in the use and enjoyment of the applicant's property.
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed application is in conformance to the *Community Investments Plan*, as discussed in the report.
7. Impact of the proposed development on community facilities: The proposed use should have not negative impacts on community facilities.
8. Opposition or support of neighborhood residents: At the time of the writing of this report, there has been no opposition from neighborhood residents.

Attachments:

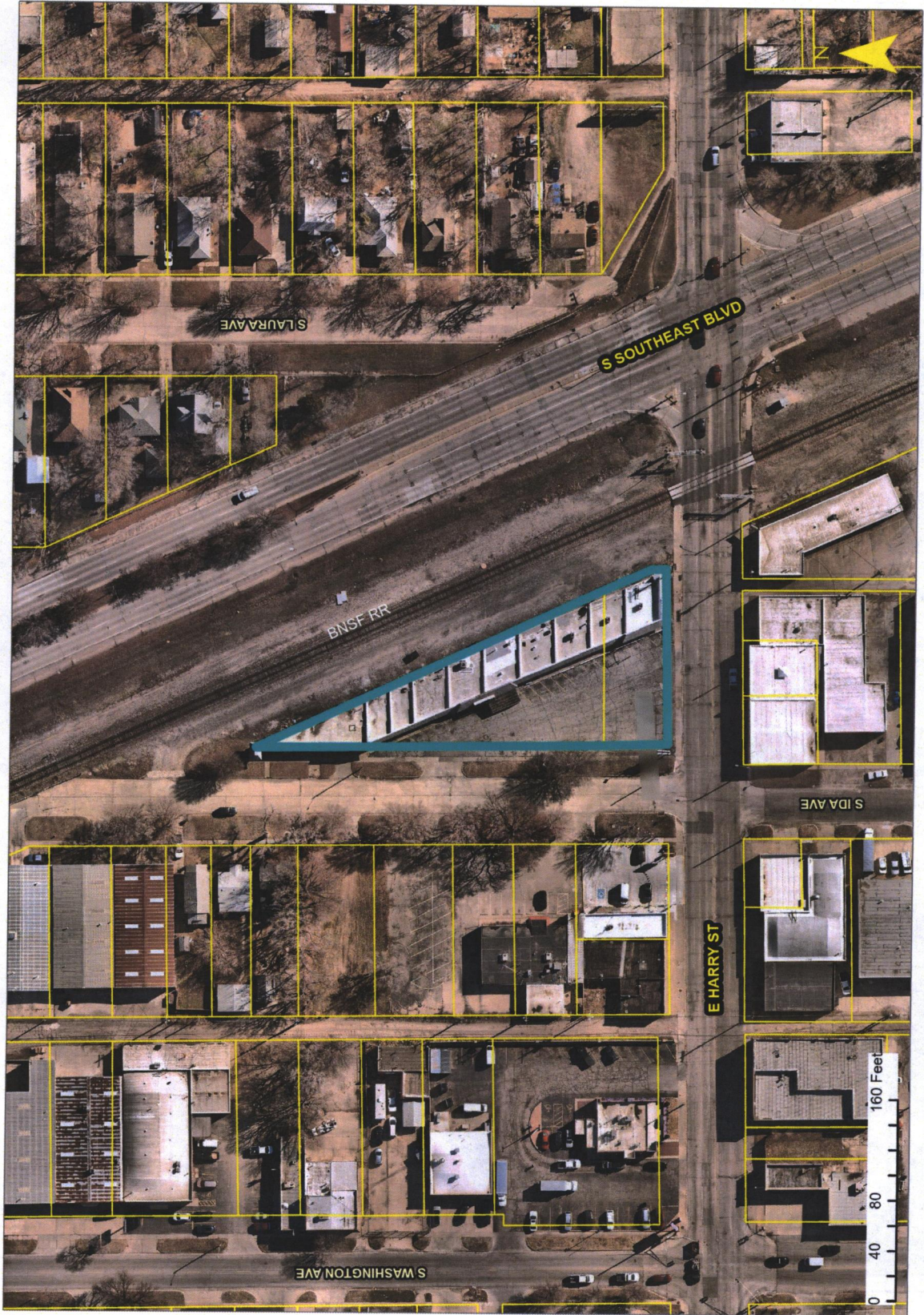
1. Supplementary Use Regulations of the Unified Zoning Code Section III-D.6.w
2. Site Plan
3. Aerial Map
4. Zoning Map
5. Land Use Map
6. Site Photos

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

Although listed as permitted Uses in some Districts, Taverns, Drinking Establishments, clubs, Nightclubs in the City, Teen Club in the City, Event Center and Entertainment Establishments 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. 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 in the City, 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 in the City, 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 or Entertainment Establishments 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, Nightclub in the City, Event Center or Entertainment Establishments in the City, 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.



CON2024-00039

Metropolitan Area Planning Commission



**2035 Wichita
Future Growth
Concept Map**

- Legend**
- Established Central Area
 - Residential and Employment Mix
 - New Employment
 - New Residential
 - Wichita City Limits
 - Other Cities
 - Northwest Bypass Right-of-Way
- Statistical Development Areas**
- Other Urban Growth Areas 2014
 - Other Urban Growth Areas 2014
 - Other Urban Growth Areas 2014
 - Rural Growth Areas 2014
- LAND USE**
- Residential
 - Commercial
 - Industrial
 - Major Air Transportation & Military
 - Parks and Open Space
 - Agricultural or Vacant
 - Major Institutional
 - Neighborhood & Area Plans



Map prepared by the Metropolitan Area Planning Commission, 1000 North Lincoln Street, Wichita, Kansas 67202. Map date: 10/2014. Map scale: 1 inch = 1 mile. Map projection: NAD 83 UTM Zone 16N. Map datum: NAD 83. Map contour interval: 10 feet. Map source: GIS data provided by the Metropolitan Area Planning Commission and other participating agencies.



Looking east towards site



Looking west into site



Looking east away from site



Looking south away from site



Looking north away from site



Looking west away from site

