

# DISTRICT II ADVISORY BOARD AGENDA

August 8, 2016  
6:30 p.m.

Fire Station #20  
2255 S. Greenwich  
Wichita, KS 67207

## ORDER OF BUSINESS

### Call to Order

Approval of Minutes for July 11, 2016

Approval of Agenda for August 8, 2016

### Public Agenda

*The public agenda allows members of the public to present issues not on the agenda to the Board. Each presentation is limited to five minutes unless extended by the Board.*

#### 1. Scheduled items

#### 2. Off Agenda items

Any individual present that did not request to speak on the public agenda prior to the meeting may speak at this time.

Recommended Action: Receive and file.

### Staff Reports

#### 3. Community Police Report

Community Police Officers for beat areas in District II will report on specific concerns.

Recommended Action: Receive and file

#### 4. Fire Department Report

Fire Department Staff for fire stations in District II will report on specific concerns.

Recommended Action: Receive and file

#### 5. Park and Recreation Department

Park and Recreation Staff for parks in District II areas will report on specific concerns.

Recommended Action: Receive and file

#### 6. Wichita Public Library Report

Helen Rigdon, Senior Librarian, will report on events at the Comotara and Rockwell branches.

Recommended Action: Receive and file

#### 7. Public Works Engineering Report

Public Works Engineering will give an update on District II projects.

Recommended Action: Receive and file.

### New Business

8. **ZON2016-00030: Bill Longnecker, Senior Planner, MAPD**, will present the request for a City zone change from GC General Commercial to LI Limited Industrial for vehicle sales without paved parking/display, generally located east of Webb Road and south Kellogg (9707 E. Orme).

**Recommended Action:** Based upon information available prior to the public hearings, planning staff recommends that the proposed LI zoning be **APPROVED**.

9. **CON2016-00033: Bill Longnecker, Senior Planner, MAPD**, will present the request for City Conditional Use to permit a Tavern and Drinking Establishment and an Entertainment Establishment within 300 feet of residential zoning on property zoned LC Limited Commercial and generally located north of Harry and east of Webb (1520 S. Webb - Wichita Pizza Co.).

**Recommended Action:** If approved, the request would establish a new nightclub on the site that has no history of being a nightclub. If approved the request would permit a new night club abutting two properties that have also applied for Conditional Uses for nightclubs. If approved the northeast corner of Harry Street and Webb Road could potentially have the only nightclubs (three of them) located within a mile of any direction from that intersection. The subject site is adjacent to TF-3 zoned duplexes on its east side that were built prior (late 1970s to early 1980s) to the subject site's (built 1999). GO zoned condos about the north side of the site. The establishment of a new nightclub adjacent to an earlier established duplex neighborhood and the condos would allow unlimited alcohol sales, and could introduce noise from music and dancing, traffic, and trash. The late hours and activity of the nightclub could have a detrimental impact on the residents living in the adjacent duplexes and the abutting condos and there may be an increase in police activity. The proposed nightclub does not fit the development pattern of the area. Based upon the information available prior to the public hearings, planning staff recommends that the request for a Conditional Use for a nightclub be **Denied**.

10. **CON2016-00034: Bill Longnecker, Senior Planner, MAPD**, will present the request for City Conditional Use to permit a Tavern and Drinking Establishment and an Entertainment Establishment within 300 feet of residential zoning on property zoned LC Limited Commercial and generally located north of Harry and east of Webb (1530 S. Webb - Auntie Mae's).

**Recommended Action:** If approved, the request would establish a new nightclub on the site that has no history of being a nightclub. If approved the request would permit a new night club abutting two properties that have also applied for Conditional Uses for nightclubs. If approved the northeast corner of Harry Street and Webb Road could potentially have the only nightclubs (three of them) located within a mile of any direction from that intersection. The subject site is adjacent to TF-3 zoned duplexes on its east side that were built prior (late 1970s to early 1980s) to the subject site's (built 1999) GO zoned condos about the north side of the site. The approval of a new nightclub would allow unlimited alcohol sales, and could introduce noise from music and dancing, traffic, and trash. The late hours and activity of the nightclub could have a detrimental impact on the residents living in the earlier established adjacent duplex neighborhood and the abutting condos. Approval may lead to an increase in police activity. The proposed nightclub does not fit the development pattern of the area. Based upon the information available prior to the public hearings, planning staff recommends that the request for a Conditional Use for a nightclub be **Denied**.

11. **CON2016-00035: Bill Longnecker, Senior Planner, MAPD**, will present the request for City Conditional Use to permit a Tavern and Drinking Establishment and an Entertainment Establishment within 300 feet of residential zoning on property zoned LC Limited Commercial and generally located north of Harry and east of Webb (1548 S. Webb - The Port of Wichita).

**Recommended Action:** Approval of the Conditional Use would confer compliance with the current UZC on an existing nightclub that, based on its history of not having a Use Exception or a Conditional Use, may have been established prior to the 1996 adoption of the UZC. As such approval would not introduce a new use into the area. It is unknown how the site's past history as a drinking establishment or nightclub will affect the neighbors' opinion of the current application. Based upon the information available prior to the public hearings, planning staff recommends that the request for a Conditional Use for a nightclub be **APPROVED**, with the following conditions:

- (1) The site shall be developed with an approved revised site plan, showing, but not limited to, the required parking spaces and solid screening gate around dumpsters. Outdoor seating is permitted. No outdoor speakers or entertainment is permitted. The site plan must be submitted for review within 60-days of approval by the appropriate governing body or the Conditional Use will be declared null and void.
- (2) No off-site parking allowed on the abutting northeast LC zoned property that has the vacant one-story commercial building, site of CON2016-00034. Post signs declaring “No Bar Parking” on the west side of this site. These signs must be installed within 30-days of approval by the appropriate governing body or the Conditional Use will be declared null and void. The location of these signs must be shown on the revised site plan. For the purpose of this Conditional Use request, provide a legal description of that portion of Lot 2, Block 1, Park Meadow Estates Addition that matches the site plan for CON2016-00034.
- (3) The applicant shall provide written agreements for off-site or shared parking, an administrative adjustment, a variance or a combination to resolve the need for at least 40 additional parking spaces. The applicant needs to provide the number of outside seating, which will increase the number of needed parking spaces above 40. Parking shall be resolved as prescribed within 90-days of approval by the appropriate governing body or the Conditional use will be declared null and void.
- (4) The applicant shall obtain all required state, local and other applicable permits and inspections.
- (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 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.

**12. CON2016-00039: Bill Longnecker, Senior Planner, MAPD,** will present the request for City conditional use for a Nightclub in the City within 300 feet of residential zoning in LI Limited Industrial zoning, generally located west of Rock Road and south of Harry (7707 E. Harry).

**Recommended Action:** Based upon the information available prior to the public hearings, planning staff recommends that the request for a Conditional Use for a nightclub be **Approved**, with the following conditions:

- (1) The site shall be developed with an approved revised site plan, showing, but not limited to, the required parking spaces and solid screening gate around dumpsters. No outdoor seating, speakers or entertainment is permitted. The site plan must be submitted for review within 60-days of approval by the appropriate governing body or the Conditional Use will be declared null and void.
- (2) The applicant shall provide written agreements for off-site or shared parking, an administrative adjustment, a variance or a combination to resolve the needed parking. Parking shall be based on the Fire Department’s post occupancy. Parking shall be resolved as prescribed within 90-days of approval by the appropriate governing body or the Conditional use will be declared null and void.
- (3) The applicant shall obtain all required state, local and other applicable permits and inspections.
- (4) 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.

### **Board Agenda**

#### **10. Updates, Issues, and Reports**

Report on activities, events, or concerns in the neighborhoods and/or District II.

- **Council Member Meitzner**
- **DAB Members**

**Recommended Action:** Provide comments/ take appropriate action

### **General Comments/ Announcements:**

**Next Meeting:** The next meeting for District Advisory Board II will be at **6:30 p.m. on Monday, September 12, 2016, at Fire Station #20, 2255 S. Greenwich, Wichita, KS 67207.**

**Adjournment**

