

WHEREAS, Vince and Jamie Burnett, (Applicant) pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use for an Event Center in the County, and a waiver of Supplementary Use Regulation III-D.6.nn #7 which requires a 100-foot setback for the building from residential zoning, on property zoned Rural Residential at 3800 South 127th Street East, and legally described as:

Lot 7, Block B, Twin Mill Estates Addition, 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 October 12, 2023, and at the meeting of January 25, 2024, consider said application; and

WHEREAS, the Board of County Commissioners 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 Board of County Commissioners that:

SECTION I. After having received a recommendation of the Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under the authority granted by Section V-D of the Unified Zoning Code, the Board of County Commissioners approves this application to allow a Conditional Use for an Event Center in the County and waiver of Supplementary Use Regulation III-D.6.nn #7 for existing buildings, on property zoned Rural Residential at 3800 South 127th Street East, and legally described as:

Lot 7, Block B, Twin Mill Estates Addition, Sedgwick County, Kansas

Approval of the application is subject to the following conditions:

1. The applicant shall improve the surface of the drive from South 127th Street East by paving with asphalt or concrete or treating the drive with dust mitigating treatments as needed.
2. The applicant shall provide adequate landscaping along the north property line of the drive to the subject property and along the west property line of the subject property as a buffer from possible dust and noise.
3. All lighting shall be downcast, shall not encroach into neighboring properties, and be limited to 15 feet in height when within 200 feet of residential zoning districts, as per the UZC.
4. No event shall begin before 7:30 a.m. on any day.
5. Applicant shall maintain the landscaped berm on the south property line, on applicant's property, as needed.
6. The applicant shall submit a site plan illustrating the assembly spaces, vehicle circulation, solid screening, ingress and egress, parking areas for all uses on the site, dumpsters, landscaping, signs, lighting, and showing all easements and setbacks for review and approval by the Planning Department, prior to the issuance of an occupancy permit.
7. All permits and approvals shall be obtained with copies placed on file with the Metropolitan

Area Building and Construction Department.

8. Compliance with all provisions of the UZC found in Article III.D.6.nn concerning the Event Center; except as otherwise provided.
9. The size of the events shall be limited to the occupancy of the assembly space, with all events ending by 6:00 p.m. Sunday through Thursday and 12:00 a.m. Friday and Saturday.
10. Amplified music shall be restricted to the indoor event facility and will not be permitted outdoors.
11. Guests shall not be permitted to loiter on the property following events. All guests must vacate the property within 30 minutes after the event ends and hosts must vacate the property within an hour after the event ends.
12. The service of any alcoholic beverage or cereal malt beverage is permitted only with applicable licenses.
13. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use or any other standards set forth in the Unified Zoning Code, 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.

SECTION II. That upon the taking effect of this Resolution, the notation of such zoning change shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall be effective upon publication in the official county newspaper.

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Commissioners present and voting were:

PETER F. MEITZNER
SARAH LOPEZ
DAVID T. DENNIS
RYAN K. BATY
JAMES M. HOWELL

aye
aye
aye
aye
aye

Dated this 6 day of March, 2024.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:



[Signature]
KELLY B. ARNOLD, County Clerk

[Signature]

RYAN BATY, Chairman
Commissioner, Fourth District

[Signature]

SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District

APPROVED AS TO FORM:

[Signature]
KIRK W. SPONSEL
Deputy County Counselor

[Signature]

PETER F. MEITZNER
Commissioner, First District

[Signature]

DAVID T. DENNIS
Commissioner, Third District

[Signature]
JAMES M. HOWELL
Commissioner, Fifth District