Planning Agenda Item #_____

City of Wichita
City Council Meeting
November 5, 1996

Agenda Report #_____

**TO:** Mayor and City Council Members

**SUBJECT:** Z-3210 RUTH E. COULTIS REVOCABLE TRUST (APPLICANT) RUTH COULTIS (AGENT) REQUESTS ZONE CHANGE TO 'NO' NEIGHBORHOOD OFFICE FROM 'B' MULTI-FAMILY RESIDENTIAL, LOCATED WEST OF OLIVER, NORTH OF ENGLISH (161 SOUTH OLIVER).
**(DISTRICT #2)**

**INITIATED BY:** Metropolitan Area Planning Department MGrant

**AGENDA ACTION:** Planning

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**MAPC Recommendation:** Approve (10-0).

**Staff Recommendation:** Approve.

**CPO Recommendation:** Approve (6-0).

**Background:** The applicant requests a zone change from "B" Multi-Family to "NO" Neighborhood Office in order to continue operation of an interior decoration business. The business is being relocated due to improvements to the Oliver and Kellogg intersection. The proposed site is developed with a vacant dentist office that will be renovated for the applicant's use. The code permits "medical services" in the "B" district, but not other types of offices. The purpose of the "NO"... district is to accommodate very-low intensity office development...that [is] generally appropriate near residential neighborhoods." Individual commercial uses are limited to a maximum of 8,000 square feet in the "NO" district. The site is screened to the south and west by an existing wood fence.

Uses near the application area include duplexes north and south, single-family to the west and southeast. Accessory parking for Southwest Bell is located to the northeast. Located further north of the north duplex is a parking lot and Lincoln Heights shopping center. Oliver is a 4-lane arterial, but is scheduled in the latest edition of the CIP to become a 5-lane arterial in 2003.

During the Planning Commission's discussion of this matter, the applicant explained that his interior design business has been in the College Hill neighborhood for the past 33 years, and that he is being forced to relocate to this office building due to the improvements being made to Kellogg. After discussion, the MAPC voted (10-0) to approve the request as recommended by staff.

**Recommendation:**

1. Concur with the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change on first reading; or

2. Return the application to the MAPC for consideration.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on the first hearing.)

(_____) Published in The Daily Reporter on _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY ORDINANCE NO. 43-014.

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

**SECTION 1.** That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Ordinance No. 43-014, the zoning classification or districts of the lands legally described hereby are changed as follows:

**Case No. Z-3210**

Zone change request from 'B' Multi-Family Residential District to 'NO' Neighborhood Office District, described as:

Lots 4, 5, and 6, Block 4, Lincoln Heights, an Addition to Wichita, Sedgwick County, Kansas.

Generally located on the west side of Oliver, north of English Street (161 South Oliver).

**SECTION 2.** That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

**SECTION 3.** That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.