

Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
December 21, 1999

Agenda Report # \_\_\_\_\_

**TO:** Mayor and City Council Members

**SUBJECT:** Z-3342 – ZONE CHANGE FROM “B” MULTI-FAMILY RESIDENTIAL TO “NO” NEIGHBORHOOD RETAIL ON 0.15 ACRES LOCATED NORTH OF DOUGLAS AND WEST OF GLAENDALE (131 N. GLENDALE). (District #2)

**INITIATED BY:** Metropolitan Area Planning Department



**AGENDA ACTION:** Planning

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**MAPC Recommendation:** Approve “N-O” Neighborhood Office (6-5).

**Staff Recommendation:** Deny “NR” Neighborhood Retail, but support “NO” Neighborhood Office.

**CPO Recommendation:** Approve “NO” Neighborhood Office (6-0).

**Background:** The applicant requests a zone change from the “B” Multi-Family District to the “NR” Neighborhood Retail District for the 0.15-acre platted Lot 14, Block 8 of the East Boulevard Addition east of Oliver Avenue and north of Douglas on Glendale Avenue. In the recent past, the single-family residential structure on this lot has been used as a Dental Office, but is currently vacant. The applicant wishes to open a neighborhood dress shop at this location.

The subject property is bordered by single-family homes on the south and east (across Glendale) on property zoned “B” Multi-Family and “SF-6” Single Family, respectively. There is a financial planning office to the north on property zoned “GO” General Office; this property was re-zoned to “GO” in 1993. To the rear, and west, of the subject property is property also zoned “GO” along Oliver Avenue with an assortment of office uses (Insurance, Rental Agency). The intersection of Oliver and Douglas is developed commercially with restaurants, retail shops, and offices, but this commercial development is essentially restricted to the intersection and along Oliver.

Planning Staff recommended that the request be denied for “NR” Neighborhood Retail, but would support “NO” Neighborhood Office. This would allow other office uses, other

than Medical Offices, to occupy this location. Staff felt that this location was not suitable for the introduction of retail development, as the neighborhood was still viable as both a single- and multi-family residential area.

At their meeting held November 22, 1999, CPO-2 considered this request. At this time the agent, Al Burton, stated that the applicant would accept the staff's recommendation for "NO" Neighborhood Office. The Council Members voted 6-0 to recommend approval, subject to MAPD staff recommendation.

On November 29, 1999 the Metropolitan Area Planning Commission heard this case. The applicant's agent, Al Burton, presented the applicant's request, again reiterating that "NO" Neighborhood Office would be enough of a zoning change to allow a CPA to rent the space as an office. He also stated that the structure had been converted to an office and is no longer usable as a residence. After some discussion by the Commissioners, they voted 6-5 to approve the request. Those who voted against the motion seemed to be concerned with the introduction of even "NO" Neighborhood Office into this residential neighborhood.

**Recommended Action:**

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 reconsideration

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

( \_\_\_\_\_ ) Published in The Wichita Eagle 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 SECTION 28.04.010, AS AMENDED.

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 Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

**Case No. Z-3342**

Request for zone change from "B" Multi-Family Residential to "NO" Neighborhood Office  
Described as:

Lot 14, Block 8, East Boulevard Addition to Wichita, Sedgwick County, Kansas.  
Generally located north of Douglas and west of Glendale (131 N. Glendale).

**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.

**ADOPTED AT WICHITA, KANSAS,** \_\_\_\_\_

**ATTEST:**

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Pat Burnett, City Clerk

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Bob Knight, Mayor

(SEAL)

Approved as to form:

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Gary E. Rebenstorf, City Attorney