



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

August 18, 2011

Ronn and Jill Houtz  
300 N. Meridian Ave.  
Wichita, KS 67203

**RE: ZON2011-15 and CON2011-19** - City zone change from SF-5 Single-family Residential ("SF-5") to GO General Office ("GO") and City Conditional Use for a Personal Improvement Service; generally located north of 2nd Street on the east side of Meridian Avenue. (318 N. Meridian)

Dear Ladies and Gentlemen:

At its regular meeting on August 9, 2011, the Wichita City Council considered the above captioned request. The action of the Council was to APPROVE the request.

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

Sincerely

A handwritten signature in black ink, appearing to read 'Derrick K. Slocum'.

Derrick K. Slocum  
Associate Planner  
Current Plans Division

DKS:mc

Copies to: Lori Sodman, 8022 W. Hwy 50, Newton, KS 67114  
West Elms, Ruth Riesen, 526 N. Richmond St., Wichita, KS 67203  
Sunflower, Judy Morris, 526 Leonine, Wichita, KS 67213  
Delano, Wayne Wells, 432 S. Osage, Wichita, KS 67213  
Riverside Citizens Assoc., Melissa Alley, 1205 N. Woodrow Ave., Wichita, KS 67203  
WCC VI, Janet Miller, Mail Stop 1-13  
N.A. VI, Terri Dozal, Mail Stop 1-135  
Julianne Kallman, Engineering, Mail Stop 1-71

RESOLUTION No. 11-194

A RESOLUTION AUTHORIZING A CONDITIONAL USE TO PERMIT A PERSONAL IMPROVEMENT SERVICE, ON APPROXIMATELY 0.15 ACRES ZONED GO GENERAL OFFICE ("GO"), GENERALLY LOCATED NORTH OF 2ND STREET ON THE EAST SIDE OF MERIDIAN AVENUE (318 N. MERIDIAN), WICHITA, SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D, AS ADOPTED BY ORDINANCE NO. 48-451, AS AMENDED.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

**SECTION 1.** That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-D of the Wichita-Sedgwick County Unified Zoning Code, a Conditional Use to permit a Personal Improvement Service, on approximately 0.15 acres zoned GO General Office, subject to the conditions listed below:

**Case No. CON2011-00019**

A Conditional Use to permit a Personal Improvement Service on approximately 0.15 acres zoned GO General Office.

Lots 12 and 13, Whitney's Addition to Wichita, Sedgwick County, Kansas, generally located north of 2<sup>nd</sup> Street on the east side of Meridian Avenue (318 N. Meridian).

**SUBJECT TO THE FOLLOWING CONDITIONS:**

1. The site shall conform to the approved site plan.
2. The site shall conform to the Landscape Ordinance.
3. The site shall be developed in conformance with all codes, policies, and regulations, including but not limited to zoning, building, health, and access management codes, policies, and regulations.
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 the Conditional Use null and void.

**SECTION 2.** That upon the taking effect of this Resolution, the notation of such Conditional Use permit 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 3.** That this Resolution shall take effect and be in force from and after its adoption by the Governing Body.

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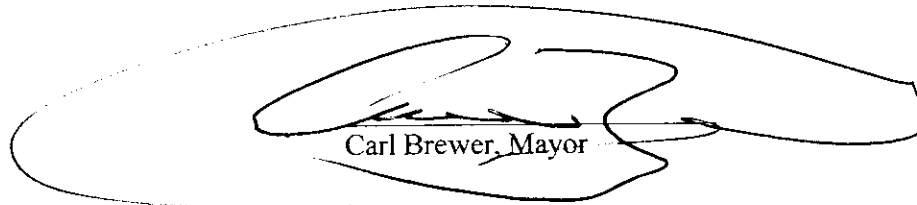
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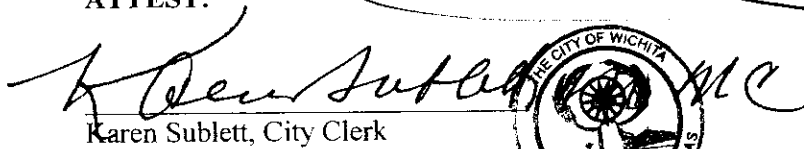
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**SECTION 3.** That this Resolution shall take effect and be in force from and after its adoption by the Governing Body.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, this date  
August 16., 2011.

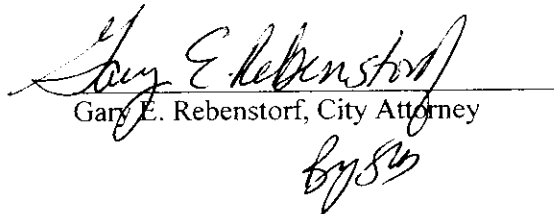
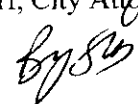
  
Carl Brewer, Mayor

ATTEST:

  
Karen Sublett, City Clerk



Approved as to form:

  
Gary E. Rebenstorf, City Attorney  
by 

## STAFF REPORT

DAB VI: June 6, 2011

MAPC: June 9, 2011

Tentative City Council Date: July 12, 2011

**CASE NUMBER:** ZON2011-00015 and CON2011-00019

**APPLICANT/AGENT:** Ronn and Jill Houtz (Owner/Applicant)

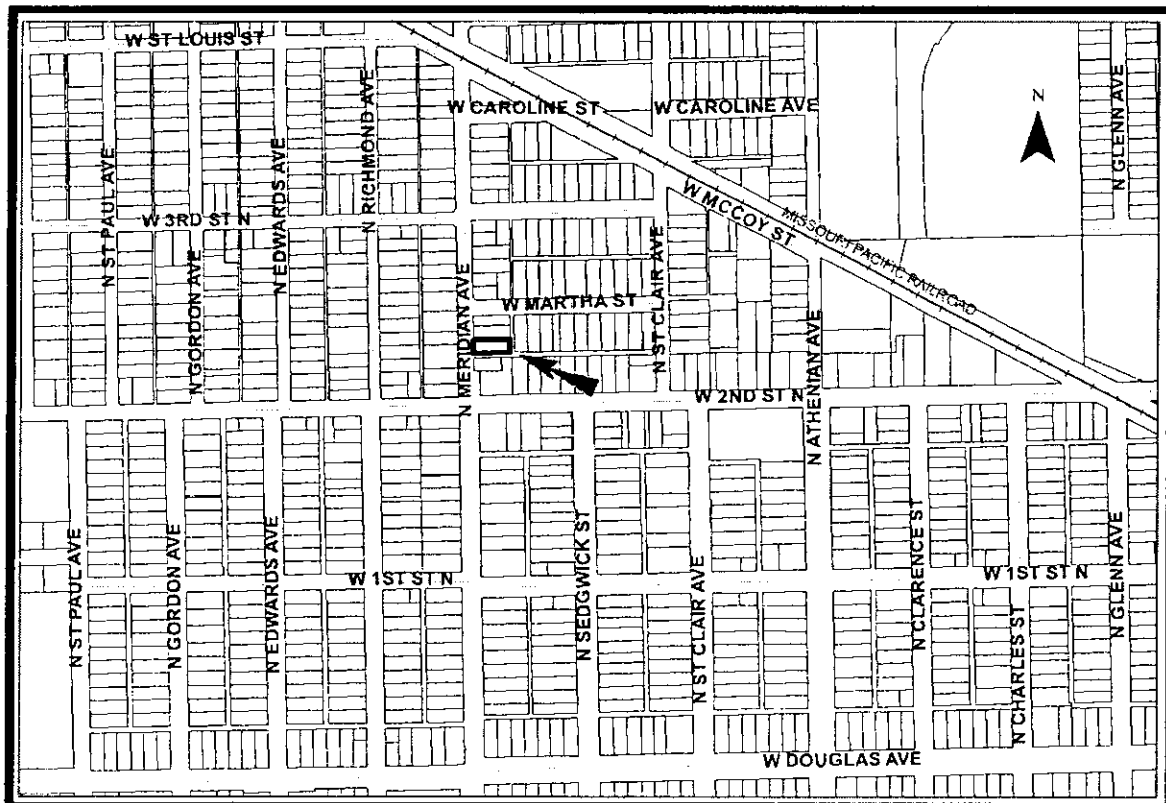
**REQUEST:** GO General Office (“GO”) and Conditional Use

**CURRENT ZONING:** SF-5 Single-family Residential (“SF-5”)

**SITE SIZE:** Total Area 0.15 acres

**LOCATION:** Generally located north of 2nd Street on the east side of Meridian Avenue. (318 N. Meridian)

**PROPOSED USE:** Personal Improvement Service



**BACKGROUND:** The applicant requests a zone change from SF-5 Single-family Residential (“SF-5”) to GO General Office (“GO”) with a Conditional Use for a Personal Improvement Service on .15 acres. The site is located north of 2nd Street on the east side of Meridian Avenue, and was originally developed with a single-family residence. The applicant runs a pottery studio and teaches pottery on the property located south of the alley. The applicant intends to develop the property with a structure that could be used for additional pottery storage, possible future classrooms, vehicle garage and an accessory apartment.

There are SF-5 zoned single-family residences to the north, south and east of the subject site. Also, south of the site is LC Limited Commercial (“LC”) zoned property developed with a retail business. Property west of the subject site, across Meridian, is zoned TF-3 Two-family Residential (“TF-3”), and is developed with a duplex.

**CASE HISTORY:** The subject property was platted as Lots 12 - 13 of the Whitney’s Addition in March 14, 1887.

**ADJACENT ZONING AND LAND USE:**

|        |             |                                          |
|--------|-------------|------------------------------------------|
| NORTH: | SF-5        | Single-family Residence                  |
| SOUTH: | LC and SF-5 | Retail Store and Single-family Residence |
| EAST:  | SF-5        | Single-family Residence                  |
| WEST:  | TF-3        | Single-family Residence and Duplex       |

**PUBLIC SERVICES:** The subject property has frontage along North Meridian Avenue, a three-lane paved minor arterial with a 60-foot street right-of-way (ROW) at this location. Meridian, at the site, has a center-turn lane. Current traffic volumes on this portion of Meridian are 21,500 vehicles per day. The 2030 Transportation Plan shows this portion of Meridian remaining a three lane paved minor arterial. The site has municipal water and sewer.

**CONFORMANCE TO PLANS/POLICIES:** The 2030 Wichita Functional Land Use Guide of the Comprehensive Plan identifies the site as appropriate for “Urban Residential” use. The subject site is also located in the Delano Neighborhood. The Delano Neighborhood Plan also recommends the site as appropriate for single-family residential use. The Office Locational Guidelines of the Comprehensive Plan recommend that office sites be located adjacent to arterial streets. The guidelines also indicate that low-density offices can serve as a transitional land use between residential uses and higher intensity uses.

The Unified Zoning Code (UZO) requires screening between single-family residential development and the proposed development on this site, and would require setbacks from all property lines. The Landscape Ordinance would require a landscape plan for the proposed development.

**RECOMMENDATION:** This request does not conform to the Comprehensive Plan Land Use Guide nor the Delano Neighborhood Plan; however, it does meet the Plan Office Locational Guidelines, and would serve as a zoning transition between commercial zoning to the south and residential to the north. It should also be noted that homes located along arterials tend to transition to other non-residential uses as the traffic on the arterial increases and the lot’s desirability for single-family use decreases. General or Neighborhood Office zoning has been a preferred transition zoning. The standards of the UZO and Landscape ordinance should mitigate any negative affects on the residences north and east of this site.

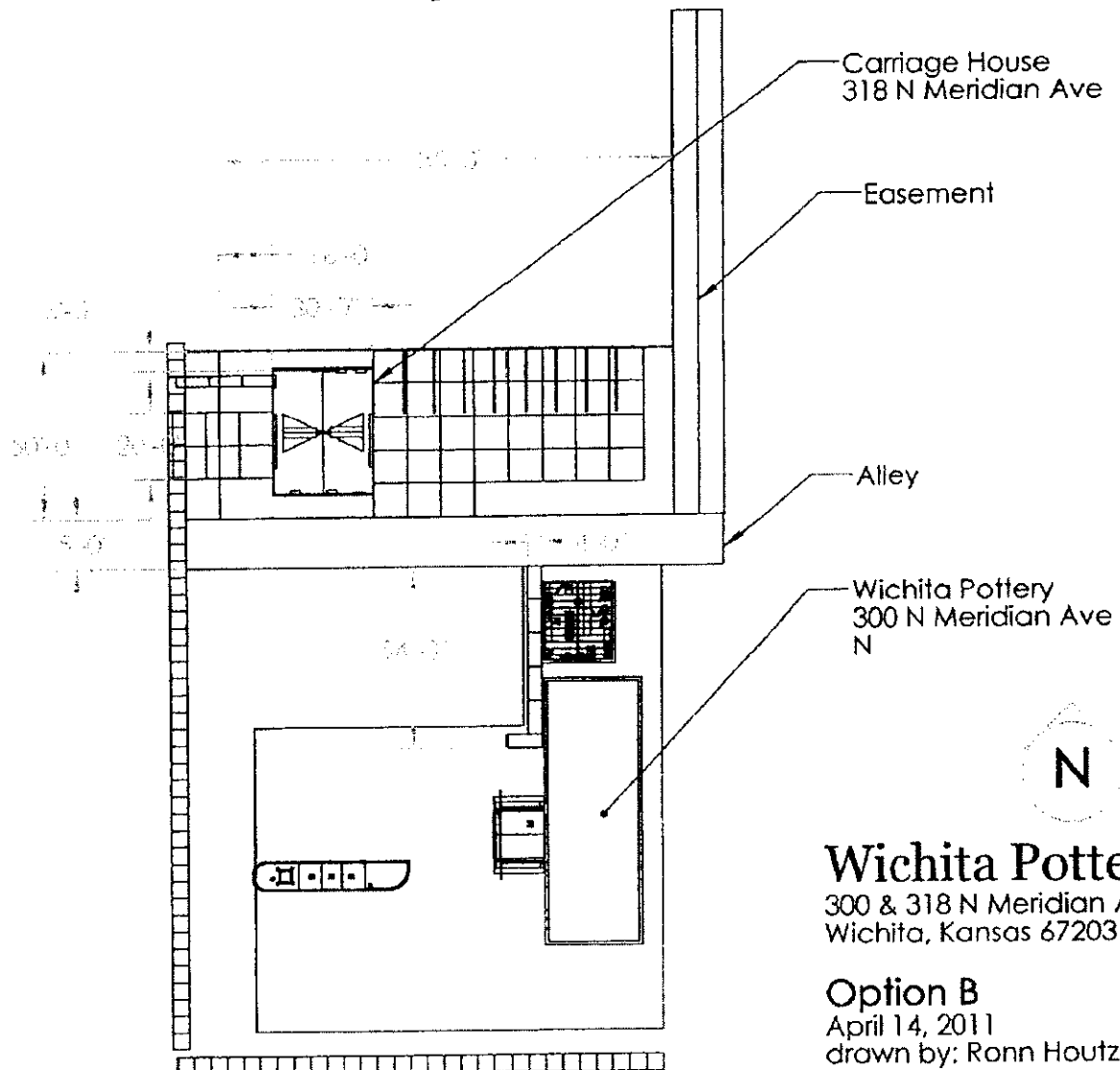
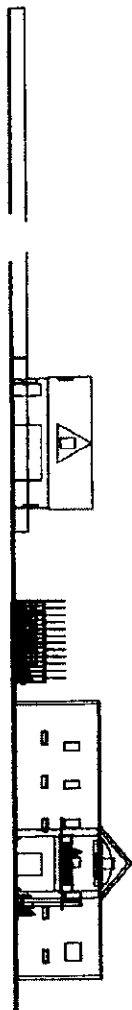
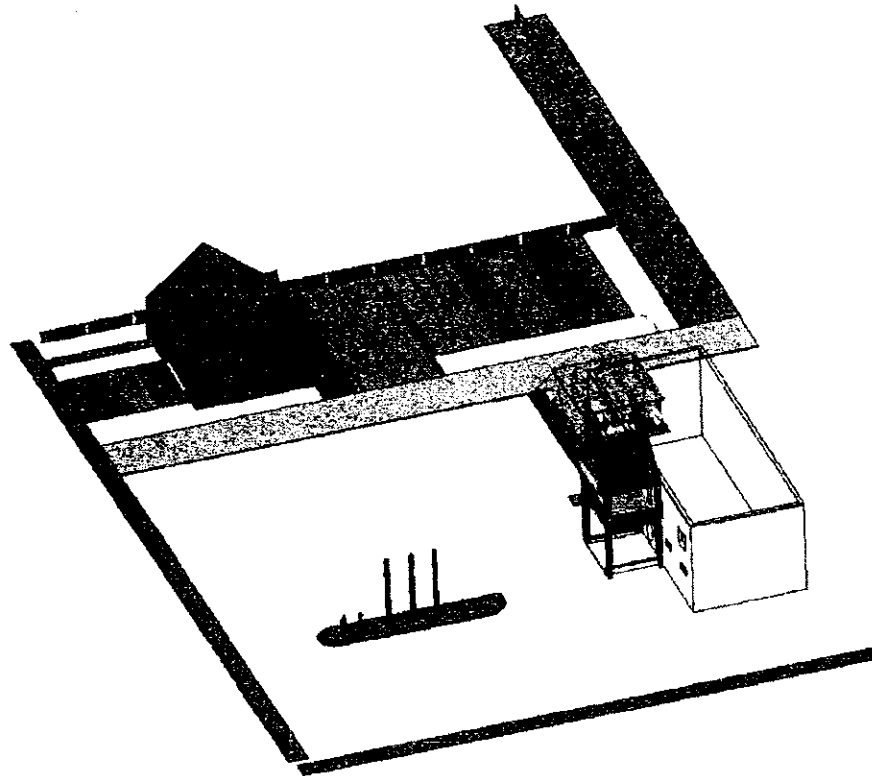
Based upon the information available prior to the public hearings, planning staff recommends that the request for a change in zoning to GO General Office (“GO”) and a Conditional Use for a Personal Improvement Service be APPROVED, subject to the following Conditional Use conditions:

1. The site shall conform to the approved site plan.
2. The site shall conform to the Landscape Ordinance.
3. Buildings on the site shall conform to the Delano Overlay design guidelines.
4. The site shall be developed in conformance with all codes, policies, and regulations, including but not limited to zoning, building, health, and access management codes, policies, and regulations.
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 the Conditional Use null and void.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** There are SF-5 zoned single-family residences to the north, south and east of the subject site. Also, south of the site is LC Limited Commercial ("LC") zoned property developed with a retail business. Property west of the subject site, across Meridian, is zoned TF-3 Two-family Residential ("TF-3") and is developed with a duplex.
2. **The suitability of the subject property for the uses to which it has been restricted:** The subject property is zoned SF-5 and could continue to be used for single-family residences. The site may not be desirable for residences due to arterial street frontage and LC zoned property to the south of the site.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Permitted land uses under the requested GO zoning will be more intense than those permitted under the current residential zoning. However, the standards of the Unified Zoning Code and the Landscape Ordinance should limit noise, lighting, and other activity from adversely impacting the nearby single-family residential areas. If the site is developed in conformance with current drainage and traffic access policies, the proposed development should have little to no affect on nearby property.
4. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The 2030 Wichita Functional Land Use Guide of the Comprehensive Plan identifies the site as appropriate for "Urban Residential" use. The Office Locational Guidelines of the Comprehensive Plan recommend that office sites be located adjacent to arterial streets. The guidelines also indicate that low-density offices can serve as a transitional land use between residential uses and higher intensity uses.
5. **Impact of the proposed development on community facilities:** Provided that drainage and traffic access policies are met, community facilities should not be impacted by the proposed development.





**Wichita Pottery**  
300 & 318 N Meridian Ave  
Wichita, Kansas 67203

**Option B**  
April 14, 2011  
drawn by: Ronn Houtz