

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

City of Wichita  
City Council Meeting  
January 13, 1998

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

**TO:** Mayor and City Council Members

**SUBJECT:** Z-3263 - JOAN SUTHERLAND L.P., C/O PAUL SUTHERLAND (PROPERTY OWNER/APPLICANT) REQUESTS ZONE CHANGE FROM "B" MULTI-FAMILY RESIDENTIAL TO "NR" NEIGHBORHOOD RETAIL, LOCATED ON THE SOUTHWEST CORNER OF 31ST STREET SOUTH AND HANDLEY.

(DISTRICT #4)

**INITIATED BY:** Metropolitan Area Planning Department



**AGENDA ACTION:** Planning

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**MAPC Recommendation:** Approve (11-0).

**CPO Recommendation:** Approve (9-0).

**Staff Recommendation:** Approve.

**Background:** The applicant requests a zone change from "B" Multi-Family Residential to "NR" Neighborhood Retail on a 0.23 acre portion of a platted lot located at the southwest corner of 31st Street South and Handley.

The applicant intends to rezone in order to expand the existing Sherwin-Williams paint store into the subject property. The application area has been used for the store's parking. The site plan submitted with the application (copy attached) shows the addition of approximately 1,770 square feet of floor space extending east of the existing 4,400 square foot store. The plan shows the southern access opening onto Handley (currently there is two) as being closed.

The zoning and land uses are predominately commercial to the west, multi-family residential (three four-plex units) to the east, and single-family residential to the south. The Southwest Baptist Church is located across 31st Street to the north on property zoned "SF-6".

After limited discussion during the December 18, 1997 MAPC meeting, the commission voted (11-0) to approve the request, as recommended by staff. There have been no protest petitions filed for this case.

**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 reconsideration.

(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 CITY OF WICHITA CODE SEC. 28.04.010.

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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

**Case No. Z-3263**

Zone change request from "B" Multi-Family Residential District to "NR" Neighborhood Retail District, described as:

The east 60 feet of Lot 1, Sutherland 6th Addition, Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of 31st Street South and Handley (901 W. 31st Street South).

**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, \_\_\_\_\_