

Published in The Wichita Eagle on

March 6, 2015

ORDINANCE NO.

49-944

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. ZON2011-00024

Zone change request from B Multi-Family Residential and GO General Office to GC General Commercial on property described as:

QuikTrip 18th Addition, Wichita, Sedgwick County, Kansas.

Generally located North of Central, on the East Side of Broadway.

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 this 3 day of March, 2015.

ATTEST:


Karen Sublett, City Clerk




Carl Brewer, Mayor

APPROVED AS TO FORM:


Sharon L. Dickgrafe, Interim City Attorney
& Director of Law

Background: The applicants are requesting GC General Commercial zoning on the GO General Office and B Multi-Family Residential zoned subject site, which is located south of Murdock Avenue on the west side of Topeka Avenue. If approved the vacant subject site will become part of a new and larger QuickTrip (QT) convenience store with multiple gas pumps. The new QT convenience store will replace the current GC zoned QT convenience store (with multiple gas pumps), which is located west of the subject site, across a paved alley. A convenience store is permitted by right in the GC zoning district.

A recently cleared and now vacant GC zoned property abuts the north side of the site. A small LC Limited Commercial zoned one-story commercial building (built 1927) and undeveloped LC and B zoned lands are located further north of the subject site, across Murdock Avenue. Northeast, across Murdock Avenue, and east of the site, across Topeka Avenue, are GO and GC zoned Via Christi-St. Francis buildings (built 2000, 2004 and 2006) and their open parking lots. These medical buildings are part of the Via Christi-St. Francis medical complex, which is the dominant development in the area. The Via Christi-St. Francis medical complex covers roughly an area from Pine Street to 10th Street North (five and a half blocks) and from Santa Fe Avenue to Topeka Avenue (four blocks). A B zoned single-family residence (built 1902) abuts the south side of the site. The adjacent south and southwestern (across a paved alley) properties are zoned B and GC and are developed with four (4) two-three story apartments (built 1900, 1924 and 1930) and undeveloped land. As already noted a GC zoned QT convenience store (built 1989) is currently located west, across a paved alley, from the subject site.

Analysis: On November 3, 2014, District Advisory Board (DAB) VI considered and approved (7-0) the request. There were no protests against the request at the DAB VI meeting.

On November 6, 2014, the Metropolitan Area Planning Commission (MAPC) considered the request. There were no protests at the MAPC meeting. The MAPC voted 8-0 to approve the request. Planning staff has received no valid protest and received no calls protesting the request.

Financial Considerations: Approval of this request will not create any financial obligations for the City.

Legal Considerations: The Law Department has reviewed and approved the ordinance as to form.

Recommendation/Actions: It is recommended that the City Council concur with the findings of the MAPC and approve the zoning and place the ordinance on first reading (simple majority vote required).

Attachments:

- MAPC minutes
- DAB memo
- Ordinance