

Planning Agenda Item # _____

City of Wichita
City Council Meeting

August 1, 1995

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3172 -LARRY W. HAYES REQUESTS ZONE CHANGE FROM "B" MULTIPLE-FAMILY DWELLING TO 'LC' LIGHT COMMERCIAL, LOCATED NORTH OF 21ST STREET NORTH; ON THE WEST SIDE OF ROSENTHAL.
(District #6)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approved, subject to replatting. (11-0)

Staff Recommendation: Approved, subject to replatting.

CPO Recommendation: Approved, subject to replatting. (8-0)

Background: The applicant requests a zone change from the 'B' Multiple Family Dwelling District to the 'LC' Light Commercial District for 0.15 acres platted as Lots 14 and 16 of Rosenthal's Subdivision of Meyers and Snyders Out-Lots. The subject property is currently developed with a single family home (2217 Rosenthal) and is located north of 21st Street North on the west side of Rosenthal. The QuikTrip Corporation proposes to remove the existing residence and include the property, as part of a larger project extending to 21st Street and to Arkansas Avenue, into a new convenience store. The new store would replace an existing store at 21st Street and Waco.

The subject property is surrounded by single family homes to the north and east, and several commercial businesses to the south, southeast, and west. As part of the project, the applicant indicates that a single family home north of the application area (2221 Rosenthal) would also be removed. That property would be used to reroute the north-south alley that would need to be relocated when the convenience store is constructed. The applicant has also volunteered, as part of the platting process, to restrict access to Rosenthal where across the street from residentially zoned property. The existing businesses along the north side of 21st Street between Arkansas and Rosenthal would also be removed as part of the project.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of platting; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; 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 first hearing.)

4529

**WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT**

September 22, 1995

TO: Pat Burnett, Deputy City Clerk

FROM: Kevin Kokes, Senior Planner, Current Plans Division

SUBJECT: Zoning Ordinance for Z-3172

On Sept. 12, 1995, the Wichita City Council approved the plat of QuikTrip 6th Addition and placed on first reading the associated zone change ordinance. Publication of the zoning ordinance was to be withheld until the plat was recorded.

The plat was recorded with the Register of Deeds on Sept. 19, 1995, and therefore, the Ordinance establishing the zone change may now be published.

*8/23/95
42-854
42-854
42-854*

42-854 pub Sept 27, 95

() Published in The Daily Reporter on 9/27/95

ORDINANCE NO. 42-354

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.210, THE CODE OF THE CITY OF WICHITA, KANSAS.

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 Section 28.04.210, The Code of the City of Wichita, Kansas, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3172

Zone Change from the "B" Multiple-Family Dwelling District to the "LC" Light Commercial District.

Lots 14 and 16, on Rosenthal Avenue, Rosenthal's Subdivision of Meyers and Snyder's Out-Lots to Wichita, Kansas, Sedgwick County, Kansas

Generally located north of 21st Street North on the west side of Rosenthal.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning change 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 Zoning Ordinance 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:

(SEAL) Pat Burnett, Deputy City Clerk

Bob Knight, Mayor

Approved as to form:

Gary E. Rebenstorf, City Attorney

STAFF REPORT

June 29, 1995

CASE NUMBER: Z-3172

APPLICANT/AGENT: Larry W. Hayes (property owner), QuikTrip Corporation
 c/o Keith Spiker (contract purchaser) / Baughman
 Company c/o Phil Meyer & Andeel & Co. c/o Gene
 Rasook

REQUEST: Zone change to 'LC' Light Commercial

CURRENT ZONING: 'B' Multiple Family Dwelling District

SITE SIZE: 0.15 acres

LOCATION: North of 21st Street North on the west side of Rosenthal
 (2217 Rosenthal).

PROPOSED USE: Convenience store

