Agenda Item #_____

City of Wichita
City Council Meeting
November 6, 2001

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **Z-3293 – EXTENSION OF TIME TO COMPLETE PLATTING REQUIREMENT FOR A ZONE CHANGE FROM "SF-6" SINGLE-FAMILY RESIDENTIAL AND "LC" LIMITED COMMERCIAL TO "GC" GENERAL COMMERCIAL. GENERALLY LOCATED NORTH OF MACARTHUR AND WEST OF SENECA** (District #IV)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve six-month extension of time to complete platting.

Background: On October 27, 1998, the City Council approved a zone change from "SF-6" Single-Family Residential and "LC" Limited Commercial to "GC" General Commercial on property generally located north of MacArthur and west of Seneca. Approval of the zone change was subject to the condition of platting the property within one year. The final plat of the property was approved by the MAPC on April 15, 1999; however, the applicant indicated an unwillingless to dedicate Martinson Avenue along the west property line and began working with the adjacent property owner to the north to vacate Martinson, which prevented completion the plat prior to the deadline. Therefore, staff approved an extension of time to complete platting to October 27, 2001. The applicant indicates that the process of vacating Martinson was unsuccesful due to the unwillingness of the adjacent property owner to participate in the vacation petition; therefore, the applicant is ready to proceed with completing the plat of the property with the required dedication for Martinson and has requested an additional six-month extension of time to complete platting. MAPC Policy Statement No. 5 indicates that second extensions of time to complete platting require City Council approval.

Recommendation:

1. Approve six-month extension of time to complete platting to April 27, 2002; or

2. Deny the extension of time to complete platting and declare the zone change null and void.

Published in The Wichita Eagle on 6-20-02

ORDINANCE NO. 45-246

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-3293

Request for zone change from "SF-5", Single-Family Residential and "LC", Limited Commercial to "LC", Limited Commercial for the south 300 feet of the Leedy Addition, Sedgwick County, Kansas

and

"SF-5", Single-Family Residential and "LC", Limited Commercial to "OW", Office Warehouse for the Leedy Addition, except for the south 300 feet thereof, described as

Generally located on the west of Seneca, on the north side of MacArthur.

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, APR 2 2002

ATTEST:

for Pat Burnett, City Clerk

Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney