

**City of Wichita
City Council Meeting
June 6, 2006**

Agenda Report # _____

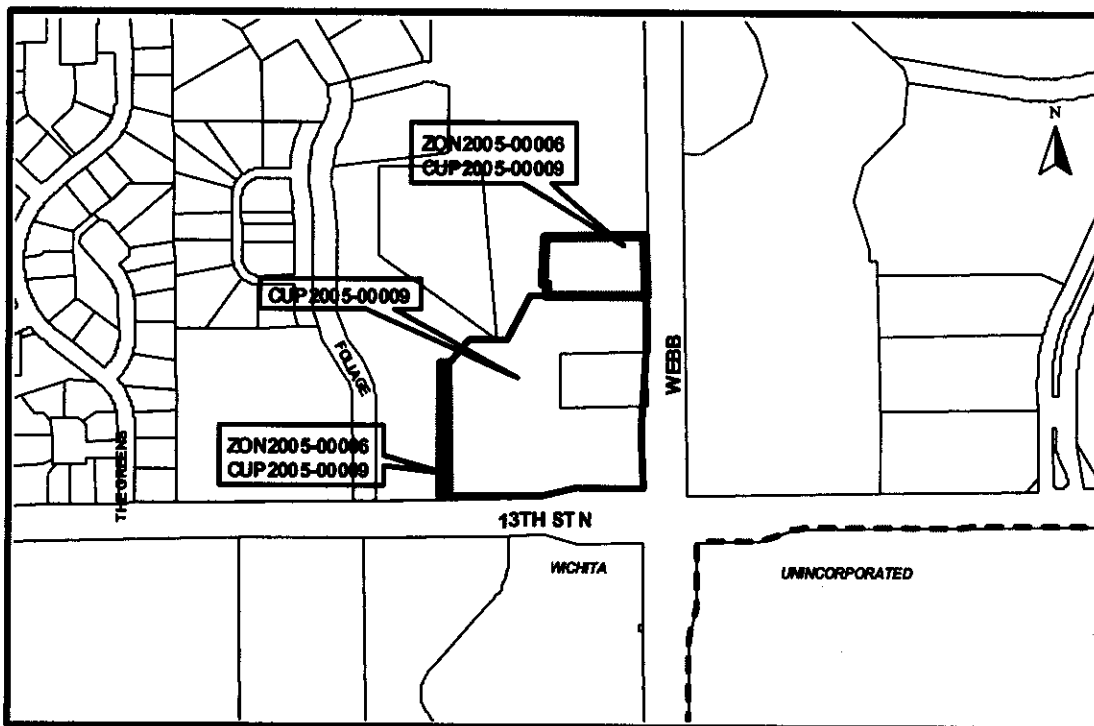
TO: Mayor and City Council Members

SUBJECT: CUP2005-00009 (DP-282) and ZON2005-00006 – Extension of time to complete the platting requirement for the Foliage Commercial Community Unit Plan and a zone change from “SF-5” Single-Family to “LC” Limited Commercial. Generally located north of 13th Street and west of Webb Rd. (District II)

INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA ACTION: Planning (Consent)

Staff Recommendation: Approve extended platting deadline of May 3, 2009.



Background: On May 3, 2005, the City Council approved the creation of DP-282 Foliage Commercial CUP and a zone change from "SF-5" Single-Family to "LC" Limited Commercial on approximately 7.14 acres generally located north of 13th Street and west of Webb Rd. Approval of the request was subject to the condition of platting the property within one year. As the attached letter indicates, the applicant is not ready to develop or begin platting. The applicant requests a three year platting extension to May 3, 2009.

Analysis: Staff recommends that an extension of time to complete platting requirements be granted. The City Council may deny the request for an extension of time to complete platting; however, denying the extension would declare the CUP and zone change null and void and would require reapplication and rehearing if the property owner still desired a CUP and zone change.

Financial Considerations: None.

Goal Impact: Promote Economic Vitality and Affordable Living.

Legal Considerations: No legal documents are required to enact the granting of the platting extension. The granting of a platting extension is indicated via letter to the applicant noting the extended platting deadline as granted by the City Council.

Recommendations/Actions: Approve extended platting deadline of May 3, 2009.

Published in The Wichita Eagle on

March 7, 2008

ORDINANCE NO.

47-779

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. ZON 2005-06

Request for Zone change from "SF-5" Single-Family Residential District to "LC" Limited Commercial District, for property described as:

Lot 1, Block 1, Foliage Center Addition, Wichita, Sedgwick County, Kansas.

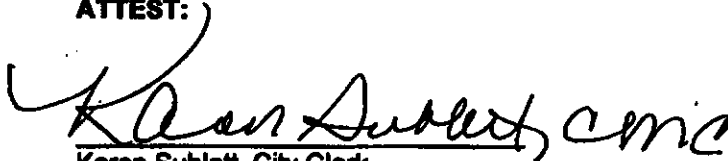
Generally located on the northwest corner of 13th Street North and Webb Road.

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 4 day of March, 2008.

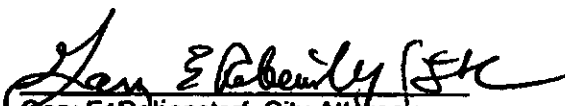
ATTEST:


Karen Sublett, City Clerk


Carl Brewer, Mayor



Approved as to form:


Gary E. Rebenstorf, City Attorney