

47-684
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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 2000-23

Request for Zone change from SF-5, Single-Family Residential District to "LI" Limited Industrial and to PO #74, for property described as:

Greenwich Business Center Addition, Wichita, Sedgwick County, Kansas.

Generally located on the east side of Greenwich Road and on the south side of 29th Street North.

SUBJECT TO THE FOLLOWING PROVISIONS OF PROTECTIVE OVERLAY DISTRICT #74:

1. Uses: All uses permitted in the "LI" zoning district except that an asphalt or concrete plant, limited, will not be permitted. Should there be a need for more than 100,000 square feet of floor area of non-"IP" uses, a traffic study will then be completed. The maximum square footage of non-"IP" uses may be increased to 300,000 square feet by an adjustment. The City Traffic Engineer may require that additional traffic improvements be guaranteed to support this traffic volume. The total average daily traffic generated by the uses within this property shall not exceed 8,000 ADT.
2. The transfer of the title on all or any portion of the land included in the development does not constitute a termination of the plan or any portion thereof; but said plan shall run with the land for development and be binding up on the present land owners, their successors and assigns and their lessees unless amended. However, the Planning Director, with the concurrence of the OCI Superintendent, may approve minor adjustments to the conditions in this overlay, consistent with the approved development plan, without filing a formal amendment.
3. Minimum setback requirements for all front setbacks will be 25 feet, rear-10 feet, interior side - 15 feet, and street side yard-35 feet.
4. Outdoor storage and work areas shall not be located in front yard setback areas, and shall be screened from view of all internal and external streets and other ownership's within and abutting the property.
5. Height: 55 feet maximum height for all structures.
6. Signs: All signs along Greenwich, 29th Street North and K-96 shall be limited to the standards for the "IP" district in the City of Wichita's sign code. No signs with rotating or flashing lights shall be permitted, nor shall any portable signs be permitted.
7. No building permits shall be issued for any development without municipal water and sewer service.

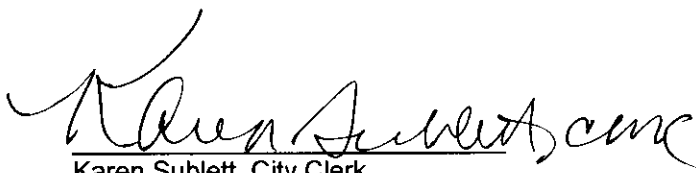
8. Cross-lot circulation is to be provided for all lots developed for retail, commercial or office uses, through the approval of site plans by the Director of Planning.

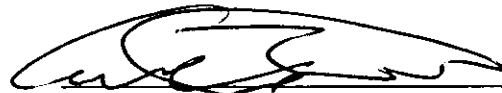
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

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 20 day of November, 2007.

ATTEST:

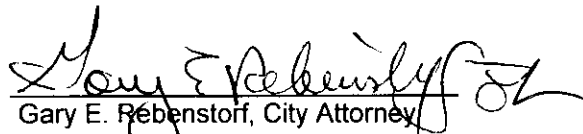

Karen Sublett, City Clerk


Carl Brewer, Mayor

(SEAL)



Approved as to form:


Gary E. Rebenstorf, City Attorney

CONSENT AGENDA ITEM REQUEST



FILE COPY

Approved by County Manager for Consent Agenda

Proposed Agenda Item: ZON2000-00023 – Extension of time to complete platting requirement for a zone change from “RR” Rural Residential to “LI” Limited Industrial. Generally located at the southeast corner of 29th Street North and Greenwich Rd. (District 1)

Presented By: John L. Schlegel, Planning Director *JLS*

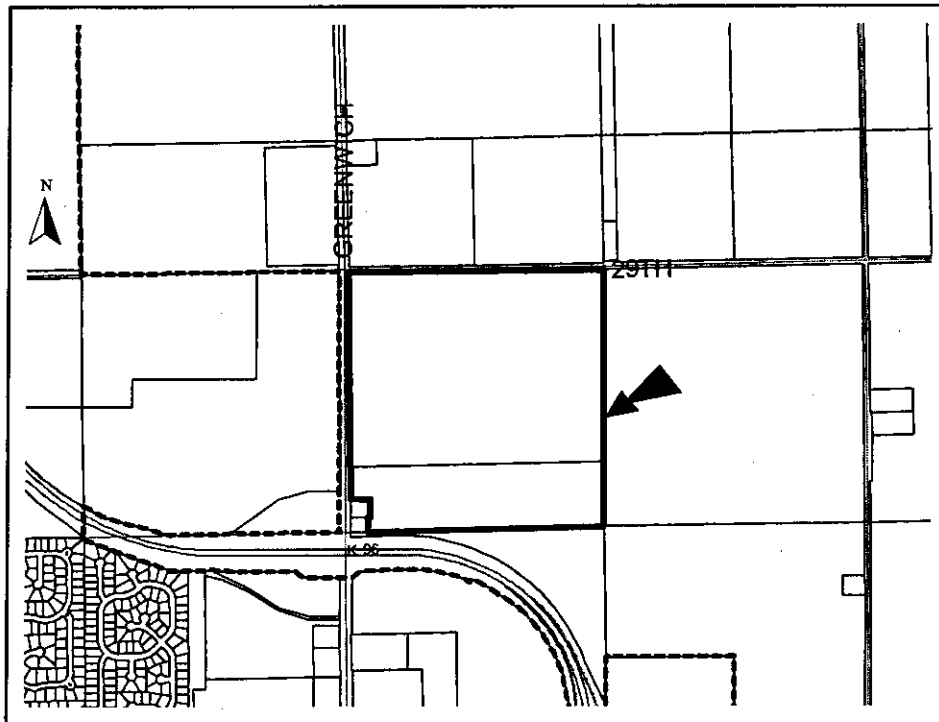
Recommended Action: Approve a two-year extension of time to complete platting

Proposed Agenda Date: March 14, 2007

Outside Attendees: Dean Sellers, P.E., MKEC Engineering Consultants, Inc. 411 N. Webb Rd., Wichita, KS 67206

Multimedia Presentation: N/A

Donations: N/A



Background: On August 9, 2000, the Board of County Commissioners approved a zone change from "RR" Rural Residential to "LI" Limited Industrial for 159 acres located at the southeast corner of 29th Street North and Greenwich Rd. The zone change was approved subject to platting the property within one year. Per adopted policy, the platting deadline was extended by six months on August 22, 2001 by the Chair of the Board of County Commissioners and by additional one-year periods on January 2, 2002, January 22, 2003, January 21, 2004, January 5, 2005, and February 8, 2006 by the Board of County Commissioners. The current platting deadline is February 1, 2007. The applicant indicates (see attached letter) that market issues and drainage planning have delayed platting. Therefore, the applicant requests a two-year platting extension.

Analysis: Staff recommends granting an additional two-year platting extension, extending the platting deadline to February 1, 2009.

Alternatives: The Board of County Commissioners may deny the request for a platting extension. Such a decision would declare the zone change null and void and would require reapplication and rehearing if the property owner still desired a zone change.

Financial Considerations: Not Applicable.

Policy Considerations: Wichita-Sedgwick County Metropolitan Area Planning Commission Policy Statement No. 5 indicates that the Board of County Commissioners may grant a platting extension in this instance.

Legal Considerations:   *imp* Approved as to form and signed by County Counselor's Office
No legal documents are required to enact the granting of platting extension. The granting of a platting extension is indicated via letter to the applicant noting the date of the action by the Board of County Commissioners.