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16/08

ORDINANCE NO. 46-607

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 2003-16

Request for a zone change from SF-5, Single-family Residential District to LC, Limited Commercial District on property described as:

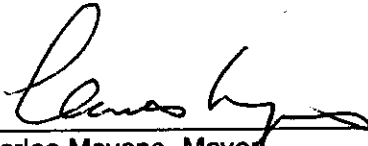
Lot 2 , Blattner Addition, Wichita, Sedgwick County, Kansas.

Generally located east of 135th Street West and on the north side of 13th Stret North.

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.

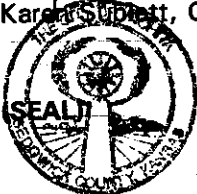
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this 14th day of June 2005.

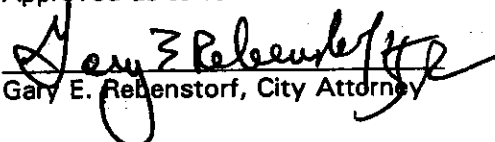

Carlos Mayans, Mayor

ATTEST:


Karen Sublett, City Clerk



Approved as to form:


Gary E. Rebenstorff, City Attorney

**City of Wichita
City Council Meeting
January 4, 2005**

Agenda Report # _____

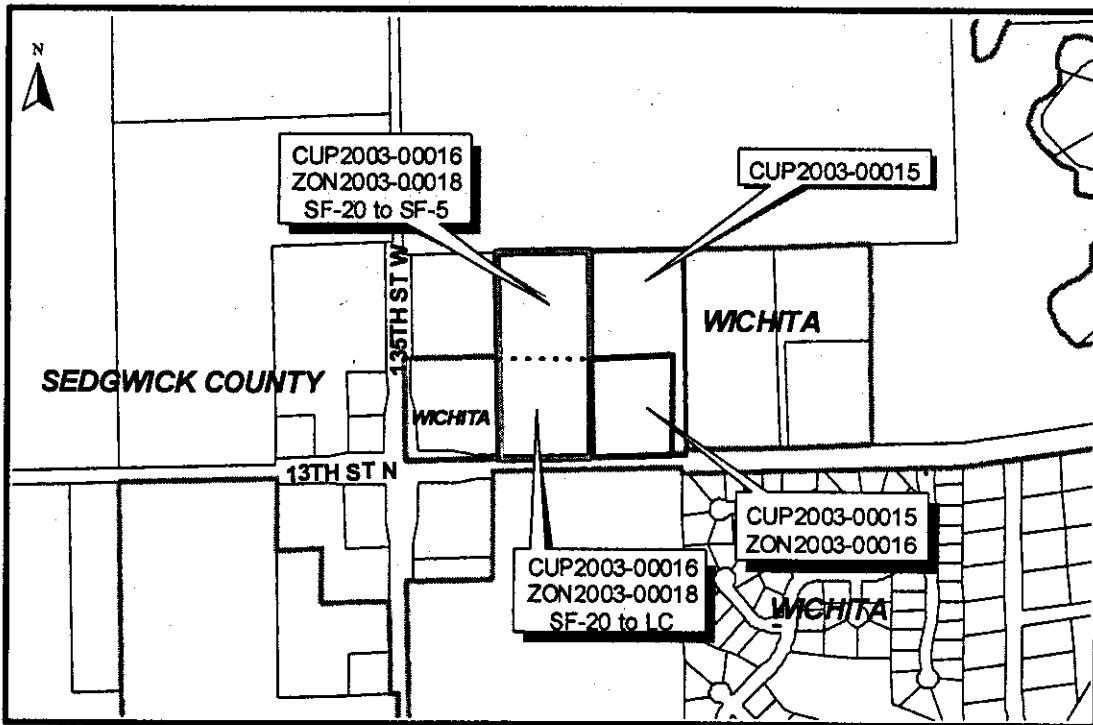
TO: Mayor and City Council Members

SUBJECT: CUP2003-15, CUP2003-16, ZON2003-16, & ZON2003-18 – Extension of time to complete the platting requirement for DP-264 Louis Development Residential and Commercial Community Unit Plan (CUP) and a zone change from “SF-5” Single Family to “LC” Limited Commercial. Generally located north of 13th Street North and east of 135th Street West. (District V)

INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA ACTION: Planning (Consent)

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



Background: On June 3, 2003, the City Council approved the creation of DP-264 Louis Development Residential and Commercial CUP and a zone change from "SF-5" Single-Family Residential to "LC" Limited Commercial on approximately 20 acres generally located north of 13th Street North and east of 135th Street West. Approval of the request was subject to the condition of platting the property within one year. A six-month extension of time to complete platting subsequently was granted by staff to allow additional time to prepare the required plat. A plat for the property was approved by the Metropolitan Area Planning Commission (MAPC) on July 29, 2004. The extended platting deadline was December 3, 2004; however, the applicant indicates in the attached letter from their agent that additional time is needed to address some deed description problems with the owners and the title company. Therefore, the applicant has requested an additional six-month extension of time to complete platting. Such an extension of time to complete platting requires City Council approval.

Analysis: Staff recommends that an extension of time to complete platting requirements be granted to June 3, 2005. The City Council may deny the request for an extension of time to complete platting. 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.

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 extension of time to complete platting to June 3, 2005.