(OCA150004 BID 37529-009 CID #76383)

Published in The Wichita Eagle on March 11, 2011

ORDINANCE NO. 48-955

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 2008-00052

Zone change request from SF-5 Single-family Residential to GC General Commercial, on property described as:

Lots 1 through 5, Block 1, Funston Addition, Wichita, Sedgwick County, Kansas.

Generally located on the southwest corner of Hydraulic and 47th Street South.

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 8th **day of** March, **20** 11.

ATTEST:

Karen Sublett, City Clerk

Carl Brewer, Mayor

(SEAL)

APPROVED AS TO FORM:

Gary E. Rebenstorf, Director of Law

Agenda Item No. _____

City of Wichita
City Council Meeting
February 2, 2010

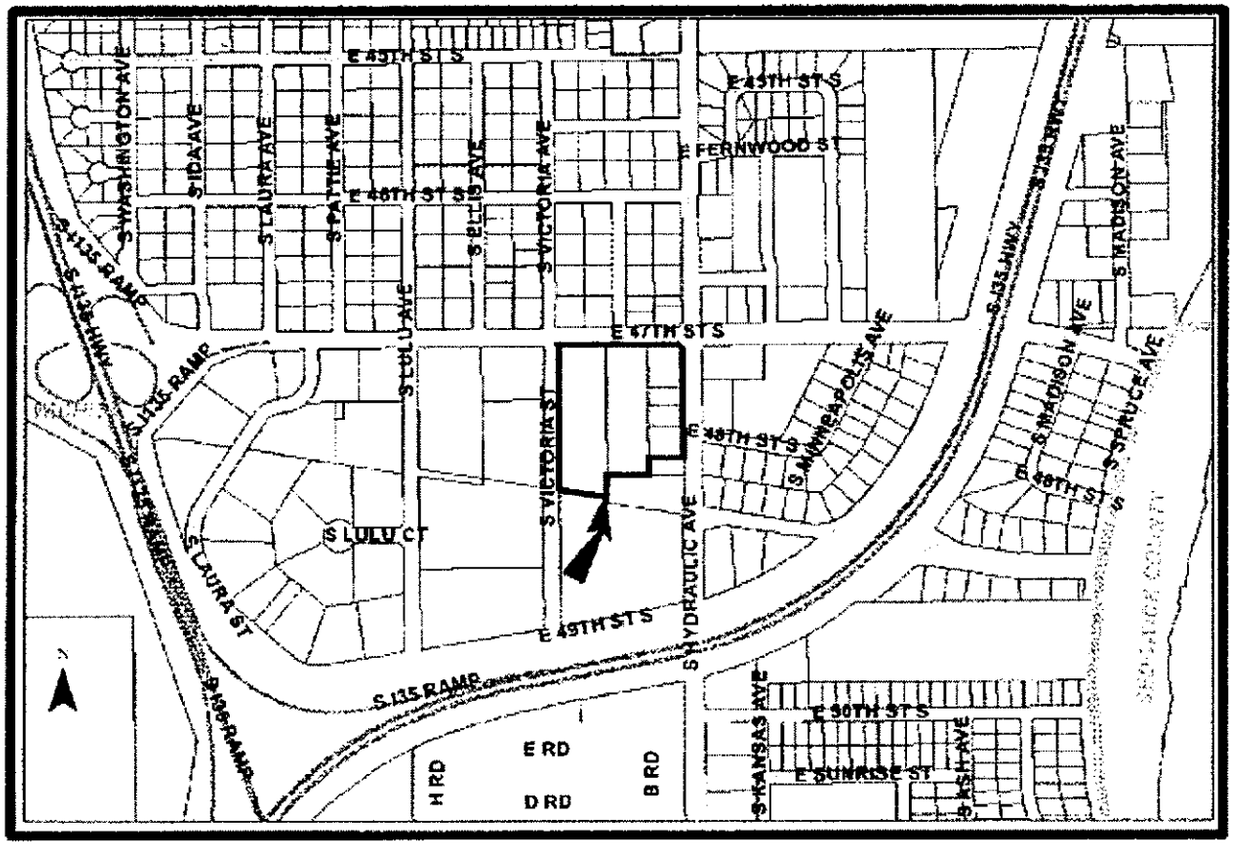
TO: Mayor and City Council

SUBJECT: ZON2008-00052 AND CUP2008-00040 – Extension of time to complete the platting requirement for DP-315 The Funston Addition Community Unit Plan and a zone change from SF-5 Single-family Residential ("SF-5") to GC Limited Commercial ("GC"), generally located on the southwest and corner of 47th Street South and Hydraulic Avenue. (District III)

INITIATED BY: Metropolitan Area Planning Department

AGENDA: Planning (Consent)

MAPD Staff Recommendations: Approve extension of platting deadline to December 9, 2010.



Background: On December 9, 2008, the City Council approved the creation of DP-315 and a zone change from SF-5 Single-family Residential ("SF-5") to GC Limited Commercial ("GC"), subject to the condition of platting the property within one year. The applicant's attached letter request a one-year platting extension to complete the platting process.

Analysis: Staff recommends that a platting time extension is 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.

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

Recommendation/Actions: Approve an extension of the platting deadline to December 9, 2010.