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ORDINANCE NO. 48-112

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. ZON2001-00053

Request for zone change from "SF-5" Single-Family Residential to "LI" Limited Industrial, described as:


Part of Lots 2, 3, and 4, Block 1, and Reserve B, Webb Business Park, An Addition to Wichita, Sedgwick County, Kansas described as follows: Commencing at the East Quarter Corner, Section 29, Township 26 South, Range 2 East of the Sixth Principle Meridian; Thence Bearing S88deg59'40"W, a distance of 1,261.63 feet; Thence Bearing N01deg03'44"W, a distance of 165.20 feet; Thence Bearing N89deg10'39"E, a distance of 1,261.25 feet; Thence Bearing S01deg12'14"E, a distance of 161.19 feet to the Point of Beginning. Generally located south of 45th Street North and west of 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.

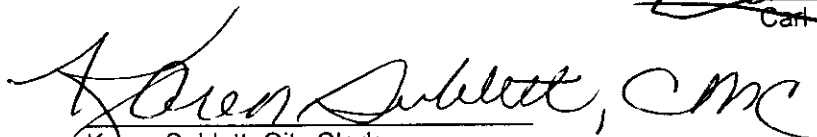
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED AT WICHITA, KANSAS, November 18, 2028

ATTEST:



Carl Brewer, Mayor

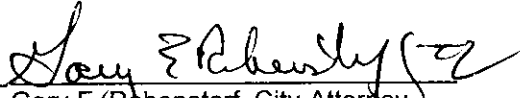


Karen Sublett, City Clerk

(SEAL)



Approved as to form:



Gary E. Rebenstorf, City Attorney

**City of Wichita
City Council Meeting
November 4, 2008**

TO: Mayor and City Council Members

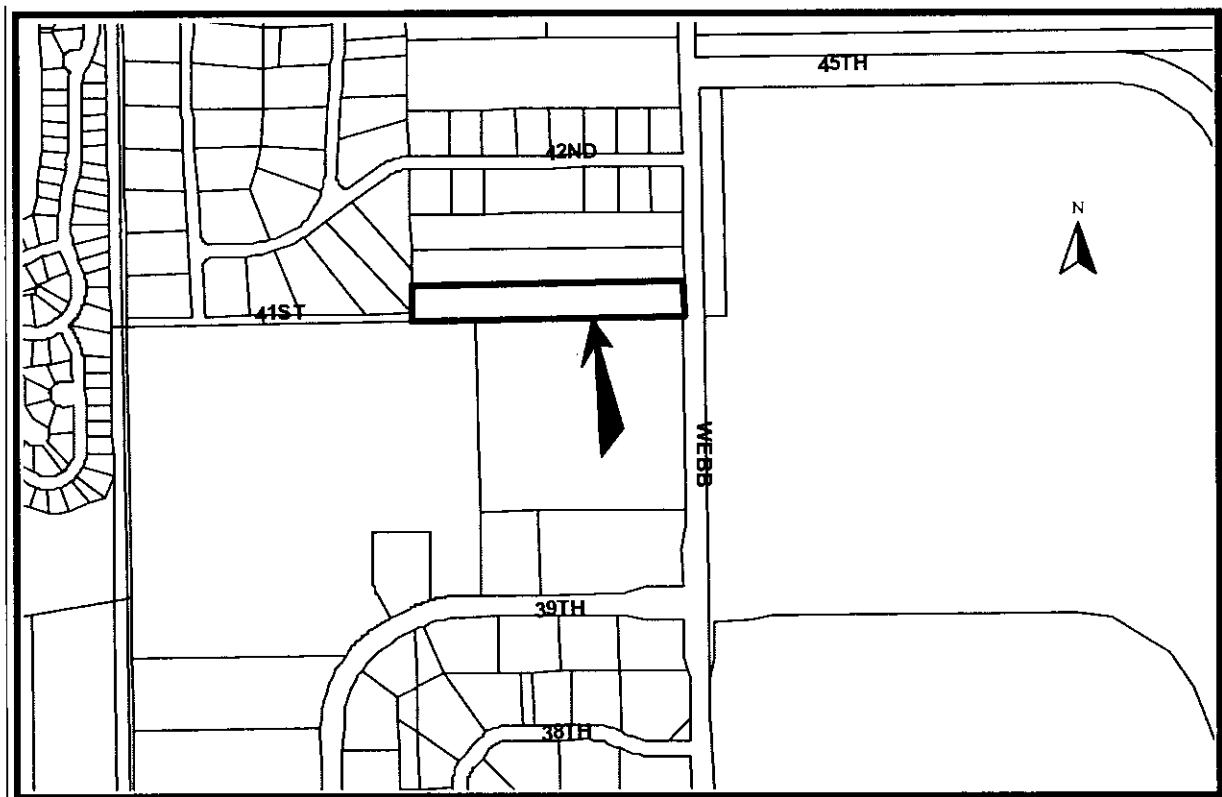
SUBJECT: ZON2001-00053 –Zone change from SF-5 Single-Family Residential to LI Limited Industrial with a restrictive covenant to limit uses and modify development standards. Generally located south of 45th Street North and west of Webb Road (4211 N. Webb Road). District II

INITIATED BY: Metropolitan Area Planning Department *JUS*

AGENDA: Planning (Consent)

MAPC Recommendation: Approve, subject to staff recommendations (12-0).

Staff Recommendation: Approve



Background: On October 2, 2001, the City Council approved a zone change request from “SF-5” Single-Family Residential to “LI” Limited Industrial with a restrictive covenant to limit uses and modify development standards on property generally located south of 45th Street North and west of Webb Road at 4211 N. Webb Road. Approval of the request was subject to the condition of platting the property within one year. An application to plat the property was approved by the Metropolitan Area Planning Commission on March 21, 2002. Three one-year extensions and one two-year extension of time to complete platting have been granted. The property is now platted, and all other required conditions have been met. The zone change ordinance has not been read, and now requires a first reading in order to publish the ordinance.

Analysis: Staff recommends that the City Council approve the first reading of the zone change ordinance, and instruct the City Clerk to publish the ordinance.

Financial Considerations: None.

Goal Impact: Promote Economic Vitality.

Legal Considerations: The ordinance has been reviewed and approved as to form by the Law Department.

Recommendation/Actions:

1. Adopt the findings of the MAPC and approve the zone change subject to staff recommendations; authorize the first reading of the ordinance and publish the zone change ordinance; or
2. Return the application to the MAPC for reconsideration.

(An override of the Planning Commission's recommendation requires a two-thirds majority vote of the City Council on the first hearing.)