

ORDINANCE NO. 8333

AN ORDINANCE REZONING APPROXIMATELY 44.259 ACRES FROM RM-24 (MULTI-DWELLING RESIDENTIAL) & UR (URBAN RESERVE) TO CC-200 (COMMUNITY COMMERCIAL); AMENDING THE "OFFICIAL ZONING DISTRICT MAP" INCORPORATED BY REFERENCE IN SECTION 20-108, OF THE "CODE OF THE CITY OF LAWRENCE, KANSAS, 2008 EDITION," AND AMENDMENTS THERETO AND REINCORPORATING THE "OFFICIAL ZONING DISTRICT MAP" IN SECTION 20-108 OF THE "CODE OF THE CITY OF LAWRENCE, KANSAS 2008 EDITION" AS AMENDED

WHEREAS, Rezoning Application Z-06-13-08 requesting rezoning from RM-24 (Multi-Dwelling Residential) & UR (Urban Reserve) to CC-200 (Community Commercial) was filed with the City of Lawrence on June 19, 2008; and

WHEREAS, after due and lawful notice was given pursuant to K.S.A. 12-757 and Section 20-1303 of the "Code of The City of Lawrence, Kansas, 2008 Edition" a public hearing was held by the Lawrence-Douglas County Metropolitan Planning Commission on September 22, 2008 to hear a request to rezone approximately 44.259 acres as described in Section Two of this ordinance from RM-24 (Multi-Dwelling Residential) & UR (Urban Reserve) to CC-200 (Community Commercial) District; and

WHEREAS, on September 22, 2008 The Lawrence-Douglas County Metropolitan Planning Commission considered the report and recommendation of the City's professional staff, the testimony provided at the hearing and the review and decision making criteria of section 20-1303 and voted 9 to 0 to recommend approval of the rezoning request; and

WHEREAS, the rezoning application and Lawrence-Douglas County Metropolitan Planning Commission recommendation were considered by the Governing Body at the October 7, 2008, meeting.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

SECTION ONE: The above stated recitals are by reference incorporated herein, and shall be as effective as if repeated verbatim. The Governing Body hereby adopts the findings of facts as set forth in the staff report as if fully set forth herein.

SECTION TWO: That the zoning district classification for the following legally described tract of land situated in the City of Lawrence, Douglas County, Kansas, to-wit:

Beginning at the Northwest Corner of the Northwest Quarter of Section 9, Township 13 South, Range 20 East, in the City of Lawrence, Douglas County, Kansas. Thence South 01°36'53" East along the Center line of E1600 Road (O'Connell Road), 1280.42 feet to the centerline of 25th Terrace; thence North 88°52'57" East, along Center line of 25th Terrace, 1650.23 feet; thence North 01°31'40" West, 835.37 feet, thence South 88°49'26" West, 419.06 feet; thence North 01°10'34" West 445.26 feet to the North line of said Northwest Quarter; thence South 88°53'29" West, along said Section Line, 1235.90 feet to the point of beginning containing 44.259 acres, more or less.

is hereby changed from RM-24 (Multi-Dwelling Residential) & UR (Urban Reserve) to CC-200 (Community Commercial) District as such district is defined and prescribed in Chapter 20 of the "Code of the City of Lawrence, Kansas, 2008 Edition", and amendments thereto as reflected in the record of the October 7, 2008, Governing Body Meeting. .

SECTION FOUR: That the "Official Zoning District Map" incorporated by reference in and by Section 20-108 of the "Code of the City of Lawrence, Kansas, 2008 Edition" is hereby amended and reincorporated by reference by showing and reflecting thereon the new zoning district classification for the aforesaid tract, as set forth in Section Two of this ordinance.

SECTION FIVE: Severability. If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION SIX: This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED by the Governing Body of the City of Lawrence, Kansas, the _____ day of _____, 2008.

APPROVED:

Michael Dever, Mayor

ATTEST:

Frank S. Reeb, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni Ramirez Wheeler
Director of Legal Services

Publish one time and return one Proof of Publication to the City Clerk and one to the Director of Legal Services.