

**ORDINANCE NO. 8343**

**AN ORDINANCE REZONING APPROXIMATELY .134 ACRES FROM U-KU (UNIVERSITY) DISTRICT TO RM32 (MULTI-DWELLING RESIDENTIAL) DISTRICT; 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-08-15-08 requesting rezoning from U-KU (University) District to RM32 (Multi-Dwelling Residential) District was initiated by the City of Lawrence on August 12, 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 .134 acres as described in Section Two of this ordinance from U-KU (University) District to RM32 (Multi-Dwelling Residential) District; and

**WHEREAS**, on October 20, 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 eight (8) to zero (0) to one (1) 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 20, 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:

Louisiana Street Lot 230.

is hereby changed from U-KU (University) District to RM32 (Multi-Dwelling Residential) 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.

**SECTION THREE:** The rezoning granted in Section Two of this ordinance is hereby made contingent upon the performance and observance of the following regulations, stipulations, conditions and restrictions:

1. The property shall not be used in any fashion for a parking lot except in strict compliance with the zoning standards of the Development Code. Parking facilities shall only be permitted if accessory to a permitted and approved principal use that is located on the same property that is the subject of this rezoning application.

**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 November, 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.