

ORDINANCE NO. 8396

AN ORDINANCE REZONING APPROXIMATELY 2.83 ACRES FROM RS7 (SINGLE-DWELLING RESIDENTIAL) DISTRICT TO RM12D (MULTI-DWELLING) DISTRICT; AMENDING THE "OFFICIAL ZONING DISTRICT MAP" INCORPORATED BY REFERENCE IN CHAPTER 20, ARTICLE 1, SECTION 20-108, OF THE "CODE OF THE CITY OF LAWRENCE, KANSAS, 2009 EDITION," AND AMENDMENTS THERETO

WHEREAS, Rezoning Application Z-02-03-09 requesting rezoning from RS7 to RM12D was filed with the City of Lawrence on February 17, 2009; 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, 2009 Edition" a public hearing was held by the Lawrence-Douglas County Metropolitan Planning Commission on April 20, 2009 to hear a request to rezone approximately 2.83 acres as described in Section Two of this ordinance from RS7 (Single-Dwelling Residential) District to RM12D (Multi-Dwelling Residential) District; and

WHEREAS, on April 20, 2009 The Lawrence-Douglas County Metropolitan Planning Commission voted (6 to 2) 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 May 5, 2009, 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.

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

423 E. 19th Street: Lot 1, A Final Plat of Elsie Hemphill Addition in the City of Lawrence, Douglas County, Kansas;

431 E. 19th Street: The North 92 feet of Tract 'B', Evergreen Addition in the City of Lawrence, Douglas County, Kansas;

533 E. 19th Street: Beginning at a point 212 feet south of the Northwest Corner of Tract 'A', Evergreen Addition in the City of Lawrence, Douglas County, Kansas; thence East 34 feet; thence South 263 feet; thence West 34 feet; thence North 263 feet to the point of beginning; also, Tract 'B', less the North 92 feet thereof, Evergreen Addition in the City of Lawrence, Douglas County, Kansas;

1926 Learnard Avenue: Lot 3, A Final Plat of Elsie Hemphill Addition in the City of Lawrence, Douglas County, Kansas;

1930-32 Learnard Avenue: Beginning at a point 130 feet north of the Southwest Corner of Tract 'D', Evergreen Addition in the City of Lawrence, Douglas County, Kansas; thence East 100 feet; thence North 65 feet; thence West 100 feet; thence South 65 feet to the point of beginning;

1934-36 & 1938-40 Learnard Avenue: Beginning at the Southwest corner of Tract 'D', Evergreen Addition in the City of Lawrence, Douglas County, Kansas; thence

North 130 feet; thence East 115 feet; thence South 130 feet; thence West 115 feet to the point of beginning;

Undeveloped Parcel East of 1938-40 Learnard Avenue: A portion of Tract 'D' described as: Beginning at the Southeast Corner of Tract 'D'; thence South 90° West along the South line of Tract 'D', 179.83 feet to the Southeast corner of that Tract described in Book 192/273; thence North 01°10' West along the East line of said Tract, 130 feet to the Northeast corner thereof; thence North 89°59'34" East, 104.83 feet to the Southwest corner of Tract 'B' in Evergreen Addition; thence South 89°57'06" East along the south line of Tract 'B', 74.98 feet to the southeast corner thereof, said point being on the east line of Tract 'D'; thence South 01°10'33" East along the East line of Tract 'D', 129.95 feet to the point of beginning.

is hereby changed from RS7 (Single-Dwelling Residential) District to RM12D (Multi-Dwelling Residential) District as such district is defined and prescribed in Chapter 20 of the "Code of the City of Lawrence, Kansas, 2009 Edition," and amendments thereto.

SECTION THREE: That the "Official Zoning District Map" incorporated by reference in and by Chapter 20, Article 1, Section 20-108 of the "Code of the City of Lawrence, Kansas, 2009 Edition" is hereby amended by showing and reflecting thereon the new zoning district classification for the aforesaid tracts, as set forth in Section Two of this ordinance.

SECTION FOUR: 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 FIVE: 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 May, 2009.

APPROVED:

Robert Chestnut, 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.