

ORDINANCE NO. 8447

AN ORDINANCE REZONING APPROXIMATELY .735 ACRES FROM RS10 (SINGLE-DWELLING RESIDENTIAL) DISTRICT TO CS (COMMERCIAL STRIP) 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-5-7-09 requesting rezoning from RS10 to CS was filed with the City of Lawrence on May 5, 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 July 20, 2009 to hear a request to rezone approximately .735 acres as described in Section Two of this ordinance from RS10 (Single-Dwelling Residential) District to CS (Commercial Strip) District; and

WHEREAS, on July 20, 2009 The Lawrence-Douglas County Metropolitan Planning Commission considered the report and recommendation of the City's professional staff, the evidence and testimony provided at the hearing and the review and decision making criteria of section 20-1303 and voted (7 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 August 18, 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 tract of land situated in the City of Lawrence, Douglas County, Kansas, to-wit:

The south 141.5 feet of Lot 1, Final Plat of Hodson Subdivision in the City of Lawrence, Douglas County, Kansas.

is hereby changed from RS10 (Single-Dwelling Residential) District to CS (Commercial Strip) 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 as reflected in the record of the August 18, 2009, Governing Body Meeting. .

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 tract, 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 August, 2009.

APPROVED:

Robert Chestnut, Mayor

ATTEST:

Jonathan M. Douglass, 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.