

ORDINANCE NO. 8473

AN ORDINANCE REZONING APPROXIMATELY 4.36 ACRES FROM COUNTY A (AGRICULTURAL) DISTRICT AND COUNTY V-C (VALLEY CHANNEL) DISTRICT TO OS (OPEN SPACE) 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-8-15-09 requesting rezoning from A and V-C to OS was filed with the City of Lawrence on August 24, 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 October 26, 2009 to hear a request to rezone approximately 4.36 acres as described in Section Two of this ordinance from County A (Agricultural) District and County V-C (Valley Channel) District to OS (Open Space) District; and

WHEREAS, on October 26, 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 (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 November 10, 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:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 14 AND NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 13 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, KANSAS, NOW DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION 14; THENCE SOUTH 88°12'53" WEST, 50.00 FEET; THENCE SOUTH 01°47'07" EAST, 731.00 FEET; THENCE NORTH 88°12'53" EAST, 17.00 FEET; THENCE SOUTH 01°47'07" EAST, 283.67 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°10'13" EAST, 311.71 FEET; THENCE SOUTH 46°29'05" EAST, 266.04 FEET; THENCE NORTH 88°10'13" EAST, 516.19 FEET; THENCE SOUTH 47°04'17" EAST, 168.92 FEET; THENCE SOUTH 88°06'55" WEST, 913.12 FEET; THENCE NORTH 11°06'59" WEST, 85.87 FEET; THENCE SOUTH 88°12'44" WEST, 175.02 FEET; THENCE SOUTH 88°12'53" WEST, 50.00 FEET; THENCE NORTH 01°47'07" WEST, 177.84 FEET; THENCE NORTH 88°12'53" EAST, 17.00 FEET; THENCE NORTH 01°47'07" WEST, 46.33 FEET TO THE POINT OF BEGINNING. THE ABOVE CONTAINS 4.36 ACRES, MORE OR LESS.

is hereby changed from County A (Agricultural) District and County V-C (Valley Channel) District to OS (Open Space) 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 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 December, 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.