

ORDINANCE NO. 8481

AN ORDINANCE REZONING APPROXIMATELY 24 ACRES FROM UR (URBAN RESERVE) DISTRICT TO CC400 (COMMUNITY COMMERCIAL) 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-10-17-09 requesting rezoning from UR to CC400 was filed with the City of Lawrence on October 12, 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 December 14, 2009 to hear a request to rezone approximately 24 acres as described in Section Two of this ordinance from UR (Urban Reserve) District to CC400 (Community Commercial) District; and

WHEREAS, on December 14, 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 (8 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 January 5, 2010, 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 IN THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS SOUTH 88°04'36" WEST, 1772.60 FEET ALONG THE SOUTH LINE, AND NORTH 01°55'24" WEST, 391.08 FEET FROM THE SOUTHEAST CORNER OF SAID QUARTER SECTION SAID POINT BEING ON THE EAST RIGHT OF WAY OF THE SOUTH LAWRENCE TRAFFICWAY; THENCE NORTH 14°23'48" WEST, ALONG SAID EAST RIGHT OF WAY LINE, 6.39 FEET; THENCE NORTH 32°50'50" WEST, ALONG SAID EAST RIGHT OF WAY LINE, 896.17 FEET; THENCE NORTH 02°42'21" WEST, ALONG SAID EAST RIGHT OF WAY LINE, 837.78 FEET; THENCE LEAVING SAID EAST RIGHT OF WAY LINE ALONG A 300.00 FOOT RADIUS CURVE TO THE LEFT WITH A 234.01 FOOT CHORD BEARING SOUTH 68°58'36" EAST, AN ARC DISTANCE OF 240.39 FEET; THENCE NORTH 88°04'03" EAST, 708.25 FEET; THENCE ALONG A 750.00 FOOT RADIUS CURVE TO THE RIGHT WITH A 126.11 FOOT CHORD BEARING SOUTH 87°06'35" EAST, AN ARC DISTANCE OF 126.26 FEET; THENCE SOUTH 07°42'46" WEST, 40.00 FEET; THENCE SOUTH 21°13'41" WEST, 656.16 FEET; THENCE SOUTH 68°46'19" EAST, 35.00 FEET; THENCE SOUTH 21°13'41" WEST, 126.29 FEET; THENCE SOUTH 68°46'19" EAST, 41.23 FEET; THENCE SOUTH 21°13'41" WEST, 512.10 FEET; THENCE SOUTH 39°23'56" WEST, 30.00 FEET; THENCE SOUTH 50°36'04" EAST, 245.73 FEET; THENCE ALONG A 300.00 FOOT RADIUS

CURVE TO THE LEFT WITH A 209.86 FOOT CHORD BEARING SOUTH 71°04'26" EAST, AN ARC DISTANCE OF 214.39 FEET; THENCE SOUTH 88°27'13" WEST, 441.92 FEET; THENCE ALONG A 250.00 FOOT RADIUS CURVE TO THE RIGHT WITH A 49.69 FOOT CHORD BEARING NORTH 85°50'36" WEST, AN ARC DISTANCE OF 49.77 FEET TO THE POINT OF BEGINNING. CONTAINS 23.957 ACRES, MORE OR LESS.

is hereby changed from UR (Urban Reserve) District to CC400 (Community Commercial) 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 19^h day of January, 2010.

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.