

**ORDINANCE NO. 8521**

**AN ORDINANCE REZONING APPROXIMATELY 22.63 ACRES FROM PUD [FOUR SEASONS] (PLANNED UNIT DEVELOPMENT) 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-3-3-10 requesting rezoning from PUD [FOUR SEASONS] to OS was initiated by the Planning Commission on March 22, 2010; 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 26, 2010 to hear a request to rezone approximately 22.63 acres as described in Section Two of this ordinance from PUD [FOUR SEASONS] (Planned Unit Development) District to OS (Open Space) District; and

**WHEREAS**, on April 26, 2010 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 May 11, 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 PORTION OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 13 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN IN DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER ON AN ASSUMED BEARING OF SOUTH 01 DEGREES 32 MINUTES 42 SECONDS EAST A DISTANCE OF 450.00 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND RECORDED IN DEED BOOK 321 PAGE 1713 AND THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01 DEGREE 32 MINUTES 41 SECONDS EAST COINCIDENT WITH THE WEST LINE OF SAID SOUTHEAST QUARTER , 876.07 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER; THENCE NORTH 88 DEGREES 27 MINUTES 39 SECONDS EAST, COINCIDENT WITH THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER, 641.92 FEET; THENCE NORTH 04 DEGREES 26 MINUTES 39 SECONDS WEST, 226.57

FEET; THENCE NORTH 24 DEGREES 16 MINUTES 07 SECONDS EAST, 355.85 FEET; THENCE NORTH 87 DEGREES 28 MINUTES 12 SECONDS EAST, 546.16 FEET TO THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER; THENCE NORTH 01 DEGREE 33 MINUTES 27 SECONDS WEST, COINCIDENT WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER, 426.26 FEET TO THE SOUTH RIGHT OF WAY LINE OF 26TH STREET; THENCE SOUTH 88 DEGREES 17 MINUTES 33 SECONDS WEST, COINCIDENT WITH SAID RIGHT OF WAY LINE, 4.48 FEET; THENCE ON A CURVE TO THE RIGHT, COINCIDENT WITH SAID RIGHT OF WAY LINE, 402.07 FEET, SAID CURVE HAVING A RADIUS OF 921.47 FEET, A CHORD BEARING NORTH 79 DEGREES 12 MINUTES 33 SECONDS WEST AND A CHORD LENGTH OF 398.89 FEET; THENCE NORTH 66 DEGREES 42 MINUTES 34 SECONDS WEST, COINCIDENT WITH SAID RIGHT OF WAY LINE, 215.68 FEET; THENCE ON A CURVE TO THE LEFT, COINCIDENT WITH SAID RIGHT OF WAY LINE, 256.67 FEET, SAID CURVE HAVING A RADIUS OF 1392.39 FEET, A CHORD BEARING NORTH 71 DEGREES 59 MINUTES 06 SECONDS WEST AND A CHORD LENGTH OF 256.31 FEET TO THE NORTHEAST CORNER OF A TRACT OF LAND RECORDED IN DEED BOOK 321 PAGE 1713; THENCE SOUTH 01 DEGREE 32 MINUTES 41 SECONDS EAST, COINCIDENT WITH THE EAST LINE OF SAID TRACT, 365.44 FEET TO THE SOUTHEAST CORNER OF SAID TRACT; THENCE SOUTH 88 DEGREES 11 MINUTES 27 SECONDS WEST, COINCIDENT WITH THE SOUTH LINE OF SAID TRACT, 500.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT AND THE POINT OF BEGINNING. CONTAINING 22.63 ACRES MORE OR LESS.

is hereby changed from PUD [FOUR SEASONS] (Planned Unit Development) 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 May, 2010.

APPROVED:

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Mike Amyx, Mayor

ATTEST:

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Jonathan M. Douglass, City Clerk

APPROVED AS TO FORM AND LEGALITY:

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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.