

ORDINANCE NO. 8640

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, REZONING APPROXIMATELY 4.6 ACRES FROM RS7 (SINGLE DWELLING RESIDENTIAL) DISTRICT TO RM12D (MULTI-DWELLING RESIDENTIAL) DISTRICT AND AMENDING THE CITY'S "OFFICIAL ZONING DISTRICT MAP" INCORPORATED BY REFERENCE INTO THE CITY CODE AT CHAPTER 20, ARTICLE 1, SECTION 20-108 OF THE "CODE OF THE CITY OF LAWRENCE, KANSAS, 2011 EDITION," AND AMENDMENTS THERETO.

WHEREAS, on April 18, 2011, the owners of record of the subject property, the legal description of which is set forth at Section 2, *infra*, filed with the City of Lawrence, Kansas, Rezoning Application, No. Z-4-13-11, seeking to rezone the subject property from RS7 (Single Dwelling Residential) District to RM12D (Multi-Dwelling Residential) District;

WHEREAS, on June 20, 2011, after due and lawful notice was given in accordance with K.S.A. 12-757 and City of Lawrence, Kan., Code § 20-1303 (Jan. 1, 2011), the Lawrence-Douglas County Metropolitan Planning Commission conducted a public hearing on Rezoning Application, No. Z-4-13-11;

WHEREAS, at the June 20, 2011, public hearing, the Lawrence-Douglas County Metropolitan Planning Commission considered the report and recommendation of City staff, weighed the evidence adduced at the public hearing, reviewed the decision-making criteria set forth at City of Lawrence, Kan., § 20-1303 (Jan 1, 2011), and voted unanimously (7-0) to recommend to the City Commission that it approve Rezoning Application, No. Z-4-13-11; and

WHEREAS, at its July 5, 2011, meeting, the Governing Body considered Rezoning Application, No. Z-4-13-11, and the recommendation of the Lawrence-Douglas County Metropolitan Planning Commission.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

SECTION 1. The above-stated recitals are incorporated herein by reference and shall be as effective as if repeated verbatim.

SECTION 2. The zoning district classification for the following legally described real property, situated in the City of Lawrence, Douglas County, Kansas, to-wit:

Lots 1 through 7 in Block 1, Lots 9 and 10 in Block 2, Lots 8 through 13 and a portion of Lot 14 in Block 15, along with portions of public street Right-of-Way, all in FAIRFIELD FARMS EAST ADDITION NO. 1, in the City of Lawrence, Douglas County, Kansas described as follows:

BEGINNING at the Southwest corner of said Lot 1; thence on FAIRFIELD FARMS EAST ADDITION NO. 1 bearings, South 88°52'08" West, coincident with the South line of said ADDITION NO. 1, a distance of 60.00 feet to the West line of the Southwest Quarter of the Northwest Quarter of Section 9, Township 13 South, Range 20 East; thence North 01°37'18" West, coincident with said West

line, 195.19 feet, thence North 88°52'57" East, 206.63 feet, thence North 01°07'03" West, 150.00 feet; thence North 88°52'57" East, 464.23 feet; thence South 01°07'03" East, 345.02 feet; thence South 88°52'08" West, 609.14 feet to the POINT OF BEGINNING, containing 200,352 square feet or 4.60 acres, more or less.

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, 2011 Edition," and amendments thereto.

SECTION 3. The "Official Zoning District Map," which is adopted and incorporated into the City Code by reference at City of Lawrence, Kan., Code § 20-108 (Jan. 1, 2011), is hereby amended by showing and reflecting thereon the new zoning district classification for the subject property as described in more detail in Section 2, *supra*.

SECTION 4. 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 5: 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, this ____ day of July, 2011.

APPROVED:

Aron E. Cromwell, Mayor

ATTEST:

Jonathan M. Douglass, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni R. Wheeler
Director of the Legal Department

Publish one time and return one Proof of Publication to the City Clerk and one to the Director of the Legal Department.