

## **ORDINANCE NO. 8662**

**AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, REZONING APPROXIMATELY 8 ACRES FROM RM12D (MULTI-DWELLING RESIDENTIAL) DISTRICT TO RM12 (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 June 20, 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-6-16-11, seeking to rezone the subject property from RM12D (Multi Dwelling Residential) District to RM12 (Multi-Dwelling Residential) District;

**WHEREAS**, on August 22, 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-6-16-11;

**WHEREAS**, at the August 22, 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 (9-0) to recommend to the City Commission that it approve Rezoning Application, No. Z-6-16-11; and

**WHEREAS**, at its September 6, 2011, meeting, the Governing Body considered Rezoning Application, No. Z-6-16-11, 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 4 through 21 in Block 4, along with portions of the public street Right-of-Ways lying adjacent thereto as follows: E. 1650 (Franklin) Road to the East line of the Southeast Quarter of the Northwest Quarter; to the centerlines of Ellington Drive, 25<sup>th</sup> Way, Dalton Drive & East 26<sup>th</sup> Terrace, in FAIRFIELD FARMS EAST ADDITION NO. 1; and to the center of 25<sup>th</sup> Terrace in the East half of the Northeast Quarter of the Northwest Quarter, all in Section 9, Township 13 South, Range 20 East, in the City of Lawrence, Douglas County, Kansas, containing 348,534 square feet or 8.00 acres, more or less.

is hereby changed from RM12D (Multi Dwelling Residential) District to RM12 (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 September, 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.