ORDINANCE NO. 8687

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, REZONING APPROXIMATLEY 3.3 ACRES FROM RSO (SINGLE-DWELLING RESIDENTIAL OFFICE) DISTRICT TO CS (COMMERCIAL STRIP) 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 September 12, 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-9-24-11 seeking to rezone the base district of the subject property from RSO (Single-Dwelling Residential Office) District to CS (Commercial Strip) District;

WHEREAS*,* on November 14, 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-9-24-11;

WHEREAS, at the November 14, 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 (8-0) to recommend to the City Commission that it approve Rezoning Application No. Z-9-24-11; and

WHEREAS, at its December 13, 2011, public meeting, the Governing Body considered Rezoning Application No. Z-9-24-11 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 base zoning district classification for the following legally described real property, situated in the City of Lawrence, Douglas County, Kansas, to-wit:

> A TRACT OF LAND IN THE SOUTHWEST QUARTER OF SECTION 12 IN TOWNSHIP 13 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:
>
> BEGINNING AT A POINT WHICH IS SOUTH 01° 36' 41" EAST, 0.60 FEET ALONG THE WEST LINE, FROM THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 12; THENCE NORTH 87° 43' 00" EAST, 367.19 FEET; THENCE SOUTH 8° 33' 41" EAST, 97.10 FEET; THENCE SOUTH 8° 30' 57" EAST, 97.61 FEET; THENCE SOUTH 1° 35' 15" EAST, 189.22 FEET; THENCE SOUTH 87° 42' 09" WEST, 389.99 FEET; THENCE NORTH 1° 36' 41" WEST, 377.91 FEET ALONG WEST LINE OF SAID SECTION 12 TO THE POINT OF BEGINNING. CONTAINS 3.334 ACRES, MORE OR LESS.

is hereby changed from RSO (Single-Dwelling Residential Office) District to CS (Commercial Strip) District, as such district is defined and described 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.

ADOPTED by the Governing Body of the City of Lawrence, Kansas, this ___ day of December, 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.