

ORDINANCE NO. 8711

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, REZONING APPROXIMATELY 5.97 ACRES FROM RS7 (SINGLE-DWELLING RESIDENTIAL) DISTRICT TO RM12D (MULTI-DWELLING RESIDENTIAL) DISTRICT, REZONING APPROXIMATELY 8.55 ACRES FROM RM12D (MULTI-DWELLING RESIDENTIAL) DISTRICT TO RS7 (SINGLE-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 December 27, 2011, the owners of record of the subject properties, the legal descriptions of which are set forth at Sections 2 and 3, *infra*, filed with the City of Lawrence, Kansas, Rezoning Application, No. Z-12-37-11, seeking to rezone the base districts of the subject properties from RS7 (Single-Dwelling Residential) District to RM12D (Multi-Dwelling Residential) District and from RM12D (Multi-Dwelling Residential) District to RS7 (Single-Dwelling Residential) District;

WHEREAS, on February 27, 2012, 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-12-37-11;

WHEREAS, at the February 27, 2012, 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-12-37-11; and

WHEREAS, at its _____, 2012, public meeting, the Governing Body considered Rezoning Application, No. Z-12-37-11, 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:

Lots 12 through 18 and portions of Lots 9 through 11 in Block 7, Lots 1 through 11 and portions of Lots 12 through 20 in Block 8, Lot 18 and portions of Lots 1, 2 and 17 in Block 11, along with portions of public street Right-of-Way, all in FAIRFIELD FARMS EAST ADDITION NO. 1, in the Northwest Quarter of Section 9, Township 13 South, Range 20 East of the 6th P.M. in the City of Lawrence, Douglas County, Kansas described as follows:

COMMENCING at the Northwest corner of said Northwest Quarter; thence South 01°36'53" East, along the West line of said Northwest Quarter, a distance of 1280.42 feet to the centerline of 25th Terrace; thence along said 25th Terrace centerline, North 88°52'57" East, a distance of 2174.23 feet to the centerline of Ellington Drive; thence along said Ellington Drive centerline, South 01°07'03" East, a distance of 355.00 feet to the **POINT OF BEGINNING**; thence continuing along said Ellington Drive centerline, South 01°07'03" East, a distance of 301.00 feet; thence South 88°52'57" West, a distance of 289.59 feet; thence South 71°13'36" West, a distance of 249.03 feet; thence South 22°07'19" West, a distance of 85.47 feet; thence on a curve to the left, 45.09 feet, said curve has a radius of 200.00 feet with a chord bearing North 84°39'31" West, 45.00 feet to a point on the centerline of 26th Street; thence along said 26th Street centerline, South 88°52'57" West, a distance of 248.51 feet; thence North 08°45'44" East, a distance of 150.56 feet; thence North 28°59'07" East, a distance of 134.76 feet; thence North 49°28'48" East, a distance of 126.19 feet; thence North 71°13'36" East, a distance of 182.57 feet; thence North 18°46'24" West, a distance of 52.07 feet; thence North 88°52'57" East, a distance of 504.72 feet to the **POINT OF BEGINNING**, containing 260,241 square feet or 5.97 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 base 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 13, Lots 1 through 7 in Block 12, Lot 1 Block 14 and Lot 1 Block 15, and portions of the following: Lot 2 in Block 14, Lot 2 Block 15, and Lots 7 & 8 Block 7, along with portions of public street Right-of-Way, all in FAIRFIELD FARMS EAST ADDITION NO. 1, in the Northwest Quarter of Section 9, Township 13 South, Range 20 East of the 6th P.M. in the City of Lawrence, Douglas County, Kansas described as follows:

COMMENCING at the Northwest corner of said Northwest Quarter; thence South 01°36'53" East, along the West line of said Northwest Quarter, a distance of 1280.42 feet to the centerline of 25th Terrace; thence along said 25th Terrace centerline, North 88°52'57" East, a distance of 675.30 feet to the **POINT OF BEGINNING**; thence continuing along said 25th Terrace centerline, North 88°52'57" East, a distance of 805.86 feet to a point hereinafter referred to as **Point A**; thence South 01°07'04" East, a distance of 148.02 feet; thence South 30°33'09" East, a distance of 159.79 feet; thence North 71°13'36" East, a distance of 84.08 feet; thence South 18°46'24" East, a distance of 97.93 feet; thence South 88°52'57" West, a distance of 994.21 feet; thence North 01°07'03" West, a distance of 355.00 feet to the **POINT OF BEGINNING**, containing 304,710 square feet or 7.00 acres, more of less;

Also:

Lots 8 through 11 and a portion of Lot 7 in Block 5, along with portions of public street Right-of-Way, all in FAIRFIELD FARMS EAST ADDITION NO. 1, in the Northwest Quarter of Section 9, Township 13 South, Range 20 East of the 6th P.M. in the City of Lawrence, Douglas County, Kansas described as follows:

COMMENCING at the aforesaid **Point A**; thence along the centerline of 25th Terrace, North 88°52'57" East, a distance of 693.07 feet to the centerline of Ellington Drive; thence along said Ellington Drive centerline, South 01°07'03" East, a distance of 656.00 feet to the **POINT OF BEGINNING**; thence continuing along said Ellington Drive centerline, South 01°07'03" East, a distance of 449.00 feet to a point on the East 26th Terrace centerline; thence along said East 26th Terrace centerline, North 88°52'57" East, a distance of 150.00 feet; thence North 01°07'03" West, a distance of 449.00 feet; thence South 88°52'57" West, a distance of 150.00 feet to the POINT OF BEGINNING, containing 67,350 square feet or 1.55 acres, more or less.

is hereby changed from RM12D (Multi-Dwelling Residential) District to RS7 (Single-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 4. 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 Sections 2 and 3, *supra*.

SECTION 5. 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 6. 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 ____, 2012.

APPROVED:

Aron E. Cromwell
Mayor

ATTEST:

Jonathan M. Douglass
City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni R. Wheeler
City Attorney

Publish one time and return one Proof of Publication to the City Clerk and one to the City Attorney.