

ORDINANCE NO. 8761

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, REZONING APPROXIMATELY 12.29 ACRES FROM I-2 (LIGHT INDUSTRIAL) COUNTY ZONING DISTRICT TO IG-FP (GENERAL INDUSTRIAL-FLOODPLAIN OVERLAY) 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 23, 2012, 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-5-7-12, seeking to rezone the base district of the subject property from I-2 (Light Industrial) County Zoning District to IG-FP (General Industrial-Floodplain Overlay) District;

WHEREAS, on June 25, 2012, after due and lawful notice was given in accordance with K.S.A. 2011 Supp. 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-5-7-12;

WHEREAS, at the June 25, 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 (9-0) to recommend to the City Commission that it approve Rezoning Application, No. Z-5-7-12; and

WHEREAS, at its July 10, 2012, public meeting, the Governing Body considered Rezoning Application, No. Z-5-7-12, 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 NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 12 SOUTH, RANGE 20 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE 132.00 FEET WEST OF THE NORTHEAST CORNER OF SAID QUARTER SECTION, (SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAYS 59 AND 40); THENCE SOUTH 02°14'24" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, 496.69 FEET; THENCE NORTH 87°45'36" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, 72.00 FEET; THENCE SOUTH 02°14'24" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, 192.00 FEET; THENCE NORTH 87°45'36" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, 5.00 FEET; THENCE SOUTH 02°14'24" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, 636.32 FEET; THENCE SOUTH 87°47'15" WEST, 474.48 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD; THENCE NORTH 01°19'46" EAST, ALONG SAID EAST RIGHT-OF-WAY LINE, 1331.40 FEET TO THE NORTH LINE OF SAID QUARTER SECTION; THENCE NORTH 88°29'40" EAST, ALONG SAID NORTH LINE, 314.62 FEET TO THE POINT OF BEGINNING. THE ABOVE CONTAINS 12.290 ACRES, MORE OR LESS, ALL IN DOUGLAS COUNTY, KANSAS.

is hereby changed from I-2 (Light Industrial) County Zoning District to IG-FP (General Industrial-Floodplain Overlay) 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. After adoption and publication as provided by law, this ordinance shall be in full force and effect, commencing August 9, 2012.

ADOPTED by the Governing Body of the City of Lawrence, Kansas, this ____ day of July, 2012.

APPROVED:

Robert J. Schumm
Mayor

ATTEST:

Jonathan M. Douglass
City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni R. Wheeler
City Attorney

NOTICE TO PUBLISHER

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