

ORDINANCE NO. 8829

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, REZONING APPROXIMATELY 20 ACRES, GENERALLY LOCATED EAST OF KANSAS HIGHWAY 10 (K-10), NORTH OF WEST SIXTH STREET, WEST OF GEORGE WILLIAMS WAY, EXTENDED, AND NORTH OF BALDWIN CREEK CITY PARK, IN DOUGLAS COUNTY, KANSAS, FROM COUNTY A (AGRICULTURAL) DISTRICT TO CITY GPI (GENERAL PUBLIC AND INSTITUTIONAL USE) 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 10, 2012, the owner 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-12-00191, seeking to rezone the base district of the subject property from County A (Agricultural) District to City GPI (General Public and Institutional Use) District;

WHEREAS, on November 12, 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-12-00191;

WHEREAS, at the November 12, 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-12-00191; and

WHEREAS, at its January 8, 2013 public meeting, the Governing Body considered Rezoning Application, No. Z-12-00191, 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 described real property, situated in the City of Lawrence, Douglas County, Kansas, to-wit:

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE 6TH PRINCIPAL MERIDIAN. IN DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 88°09'19" EAST ALONG THE NORTH LINE OF SAID QUARTER SECTION, 623.78

FEET; THENCE SOUTH 01°20'42" EAST, 28.41 FEET; THENCE ON A MEASURED BEARING OF SOUTH 41°21'06" EAST, AND A MEASURED DISTANCE OF 382.94 FEET; THENCE SOUTH 46°35'43" WEST, 494.32 FEET; THENCE SOUTH 61°56'31" WEST, 113.77 FEET; THENCE SOUTH 15°06'47" WEST, 83.31 FEET; THENCE SOUTH 01°37'19" EAST, 400.20 FEET; THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 120.00 FEET, AN ARC LENGTH OF 31.00 FEET, A CHORD BEARING SOUTH 09°01'12" EAST AND CHORD DISTANCE OF 30.91 FEET; THENCE SOUTH 16°25'12" EAST, 229.08 FEET; THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 280.00 FEET, AN ARC LENGTH OF 358.69 FEET, A CHORD BEARING SOUTH 20°16'45" WEST AND CHORD DISTANCE OF 334.66 FEET; THENCE SOUTH 56°58'42" WEST, 111.44 FEET TO THE EASTERLY LINE OF A RIGHT-OF-WAY DEEDED TO THE STATE OF KANSAS; THENCE NORTH 33°18'55" WEST, 280.30 FEET ALONG SAID RIGHT-OF-WAY; THENCE NORTH 11°11'55" WEST, 224.43 FEET ALONG SAID RIGHT-OF-WAY; THENCE SOUTH 88°05'04" WEST, 25.00 FEET ALONG SAID RIGHT-OF-WAY TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 01°54'56" WEST, 1341.53 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING. CONTAINS 19.768 ACRES.

is hereby changed from County A (Agricultural) District to City GPI (General Public and Institutional Use) District, as such district is defined 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 _____, 2013.

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.