

ORDINANCE NO. 8742

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, REZONING APPROXIMATELY 145 ACRES FROM COUNTY A (AGRICULTURAL), AND B-1 (NEIGHBORHOOD BUSINESS) DISTRICTS, TO CC600 (COMMUNITY COMMERCIAL) 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.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

SECTION 1. The base zoning district classification for the following legally described real property, located in the City of Lawrence, Douglas County, Kansas, to-wit:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE 6TH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 01° 54' 03" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 01° 54' 03" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2,607.54 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 87° 28' 05" EAST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2,496.34 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF THE SOUTH LAWRENCE TRAFFICWAY , SAID POINT BEING 154.55 FEET FROM THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 23° 45' 02" EAST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 109.79 FEET; THENCE, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 3,559.77 FEET, A DELTA ANGLE OF 07° 22' 06", AND A LONG CHORD BEARING SOUTH 06° 23' 24" EAST, A DISTANCE OF 457.47 FEET; THENCE SOUTH 02° 42' 21" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 708.78 FEET; THENCE SOUTH 09° 58' 29" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 410.00 FEET; THENCE SOUTH 27° 50' 40" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 881.14 FEET; THENCE SOUTH 67° 57' 57" WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 441.59 FEET; THENCE SOUTH 87° 34' 30" WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 325.01 FEET; THENCE SOUTH 75° 14' 06" WEST, ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 163.78 FEET TO A POINT ON THE NORTHERN RIGHT-OF-WAY OF U.S. HIGHWAY 40, SAID POINT BEING 40.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 87° 34' 28" WEST, ALONG SAID RIGHT-OF-WAY AND PARALLEL TO THE SOUTH LINE OF SAID QUARTER SECTION, A

DISTANCE OF 1,162.06 FEET TO THE POINT OF BEGINNING. CONTAINS
145.037 ACRES, MORE OF LESS

is hereby changed from County A (Agricultural) and B-1 (Neighborhood Business) Districts to CC600 (Community Commercial) District, as such district is defined in Chapter 20 of the Code of the City of Lawrence, Kansas, 2011 Edition, and amendments thereto.

SECTION 2. The rezoning granted in Section 1, *supra*, in addition to being subject to the general conditions established in Chapter 20 of the Code of the City of Lawrence, Kansas, 2011 Edition, and amendments thereto, is also subject to the following special conditions:

- a. The development is limited to no more than 155,000 sq. ft. of commercial (retail) development.
- b. The permitted uses of the subject property are restricted to those listed below:

Residential	Offices
Non-Ground Floor Structure (mixed use, 50% non-residential)	Administrative and Professional
Work-Live Unit (mixed use, 50% non-residential)	Financial, Insurance and Real Estate
Community Facilities	Other
College/University	Parking
Cultural Center/Library	Accessory
Day Care Center	Retail Sales and Services
Lodge, Fraternal and Civic Assembly	Business Support
Postal and Parcel Service	Food and Beverage
Public Safety	Personal Convenience
School	Personal Improvement
Social Service Agency	Retail Sales, General (65,000 sq ft limit)
Utility Minor (P or SUP)	Transient Accommodations
Medical Facilities	Hotel Motel, Extended Stay
Health Care Office/Clinic	Vehicle Sales & Service
Outpatient Care Facility	Cleaning (car wash)
Recreational Facilities	Gas and Fuel Sales
Active Recreation	Industrial Facilities
Entertainment and Spectator Sports (General and Ltd)	Manufacturing and Production Ltd (SUP)
Participant Sports and Recreation (Indoor and Outdoor)	Manufacturing and Production Tech
Passive Recreation	Research Service
Nature Preserve / Undeveloped	Wholesale Storage and Distribution
Private Recreation	Light
Religious Assembly	Agriculture
Religious Institution (Community or Neighborhood)	Crop Agriculture
Eating and Drinking Establishments	Communications Facilities
Accessory Bar	Amateur and Receive Only (accessory)
Bar or Lounge	Communications Service Establishment

Brewpub	Telecommunication Antennae (accessory)
Fast Order Food	Telecommunication Tower (SUP)
Fast Order Food with Drive-In	Satellite Dish (accessory)
Private Dining Establishments	Recycling
Quality Restaurant	Large Collection
	Small Collection

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 1, *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 adoption 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.