

ORDINANCE NO. 8715

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, REZONING APPROXIMATELY 0.34 ACRES FROM A (AGRICULTURAL) AND F-F (FLOODWAY FRINGE OVERLAY) DISTRICTS TO OS-FP (OPEN SPACE WITH FLOODPLAIN MANAGEMENT REGULATIONS 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 December 20, 2011, as the owner of record of the subject property, the legal description of which is set forth at Section 2, *infra*, the City filed with the Lawrence-Douglas County Planning Office, Rezoning Application, No. Z-12-31-11, seeking to rezone the base district of the subject property from A (Agricultural) and F-F (Floodway Fringe Overlay) Districts to OS-FP (Open Space with Floodplain Management Regulations Overlay) District;

WHEREAS, on February 29, 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), and amendments thereto, the Lawrence-Douglas County Metropolitan Planning Commission conducted a public hearing on Rezoning Application, No. Z-12-31-11;

WHEREAS, at the February 29, 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 amendments thereto, and voted to recommend to the City Commission that it approve Rezoning Application, No. Z-12-31-11; and

WHEREAS, at its March 27, 2012, public meeting, the Governing Body considered Rezoning Application, No. Z-12-31-11, 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:

THAT PART OF A TRACT OF LAND RECORDED IN BOOK 1024, PAGE 5155 IN THE OFFICE OF THE REGISTER OF DEEDS AND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 12 SOUTH, RANGE 19 EAST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER ON AN ASSUMED

BEARING OF N88°13'06"E, 360.00 FEET TO POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE N88°13'06"E, 140.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE ALONG THE EAST LINE OF SAID TRACT S01°51'55"E, 105.00 FEET; THENCE S88°13'06"W, 140.00 FEET; THENCE N01°51'55"W, 105.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED CONTAINS 14,700 SQUARE FEET, MORE OR LESS.

is hereby changed from A (Agricultural) and F-F (Floodway Fringe Overlay) Districts to OS-FP (Open Space with Floodplain Management Regulations 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. 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 27th day of March, 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.