

ORDINANCE NO. 987

AN ORDINANCE AMENDING THE "OFFICIAL ZONING MAP" REFERRED TO AND MADE A PART OF THE ZONING REGULATIONS BY ORDINANCE NO. 963 INCORPORATED BY REFERENCE BY CHAPTER 14 OF THE CODE OF THE CITY OF EDWARDSVILLE, KANSAS, BY PROVIDING FOR A CHANGE IN ZONING ON PROPERTY LOCATED AT 10750 RIVERVIEW AVENUE WITHIN THE CITY, FROM "AG/R" AGRICULTURAL RESIDENTIAL DISTRICT TO "C-2" COMMERCIAL RETAIL DISTRICT.

BE IT ORDAINED by the Governing Body of the City of Edwardsville:

Section 1. Application has been made by the City of Edwardsville pursuant to the Zoning Regulations of the City of Edwardsville, Kansas, for a rezoning of 6.5 acres, more or less, located at 10750 Riverview Avenue in Edwardsville, such property currently zoned "AG/R" Agricultural Residential District, to "C-2" Commercial Retail District.

Section 2. As required by law, notice of the public hearing before the Edwardsville Planning Commission on the application for rezoning was posted on the property, and property owners in the rezoning area and adjoining property owners were notified by mail. A legal publication was placed in the official City newspaper notifying the public of the public hearing held by the Edwardsville Planning Commission on December 21, 2016, on this application.

Section 3. The Edwardsville Planning Commission received the staff report prepared and presented by the City Planner, and voted 7-0 on December 21, 2016 to recommend to the Governing Body approval of the rezoning at 10750 Riverview Avenue in Edwardsville.

Section 4. Findings. The Governing Body finds: (a) that this application for rezoning is properly before the Governing Body; (b) that notice was properly provided and the required public hearing held; (c) that action on the application was properly taken by the Planning Commission; (d) that a protest petition has not been filed regarding this application and that the time period provided by law has elapsed for the filing of a protest petition against the requested rezoning; (e) that the Planning Commission has recommended the approval of the rezoning; and (f) that the findings of fact as prepared by the City Planner, submitted to the Planning Commission in the staff report, and recommended for approval by the Planning Commission, should be accepted and adopted as the findings of fact of the Governing Body (g) that the rezoning recommendation by the Planning Commission shall be modified in a manner that only the properties at 10750 Riverview Avenue shall be rezoned from "AG/R" Agricultural Residential District, to "C-2" Commercial Retail District.

Section 5. Map Amendment. That the "Official Zoning Map" referred to and made a part of the Zoning Regulations by Ordinance. No. 963, incorporated by reference by Chapter 14 of the Code of the City of Edwardsville ("Code"), is hereby amended to make the following change in zoning classification:

Zoning Change from "AG/R" Agricultural Residential District, to "C-2" Commercial Retail District

Parcel located in the City of Edwardsville, Wyandotte County, Kansas.


BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 11, RANGE 23; THENCE NORTH 1,482.52 FEET; MORE OR LESS TO THE SOUTH LINE OF THE RIGHT-OF-WAY OF THE KANSAS TURNPIKE AUTHORITY THENCE EASTERLY ALONG THE SOUTH LINE OF SAID RIGHT-OF-WAY 199.01 FEET; THENCE SOUTH 1,489.90 FEET, MORE OR LESS, TO THE SOUTH LINE OF SAID SECTION 11; THENCE WEST 198 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, LESS THAT PART THEREOF BEING USED AS A PUBLIC ROAD ALONG THE SOUTH LINE, WYANDOTTE COUNTY, KANSAS.

Section 6. That the Official Zoning Map shall reflect the boundaries of the amendment as incorporated by this Ordinance.

Section 7. The prospective use and development of real property located within the boundaries of the above-described district shall be governed by Chapter 14 of the Code, provided said real property was in conformity with zoning regulations in existence prior to the adoption of this Ordinance.

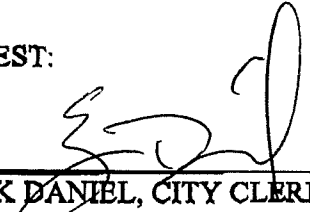
Section 8. This Ordinance shall take effect and be in force from and after its passage and publication as required by law.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF EDWARDSVILLE, KANSAS ON THIS 14th DAY OF AUGUST, 2017.



JOHN McTAGGART, MAYOR

ATTEST:



ZACK DANIEL, CITY CLERK

APPROVED AS TO FORM:



DAVID DUCKERS, CITY ATTORNEY

