

ORDINANCE NO. 3359

AN ORDINANCE APPROVING THE REZONING OF LAND FROM “C-1, OFFICE AND SERVICE BUSINESS DISTRICT” TO “C-3, GENERAL COMMERCIAL DISTRICT” AND AMENDING THE CURRENT DISTRICT ZONING MAP; ALL TO THE CODE OF ORDINANCES OF THE CITY OF ABILENE, KANSAS.

BE IT ORDAINED by the Governing Body of the City of Abilene, Kansas:

SECTION 1. The District Zoning Map of the City of Abilene, Kansas, adopted by Ordinance No. 2796 with all amendments thereto, is hereby amended to rezone and include the following described real property as part of the “C-3, General Commercial District”:

A tract of land described as follows: Beginning at a point of 50.3 feet North and 604 feet West of the Southeast corner of the Southwest Quarter (SW/4) of Section Nine (9), Township Thirteen (13), Range Two (2) East of the 6th P.M., Abilene, Dickinson County, Kansas; thence West 103 feet along the North side of the right-of-way of Northwest Fourteenth Street (formerly U.S. 40 Highway), to a point on the East side of the right-of-way of North Cedar Street in the City of Abilene, Dickinson County, Kansas; thence North along the East side of the right-of-way of said North Cedar Street a distance of 388.7 feet; thence East 103 feet; thence South 388.7 feet to the point of beginning.

SECTION 2. A notice of public hearing was published in the Abilene Reflector-Chronicle on June 18, 2018. The public hearing was conducted by the Planning Commission of the City of Abilene on July 10, 2018 and a recommendation to approve the rezoning was made to the Governing Body.

SECTION 3. In making its recommendation, the Planning Commission made the following findings, which are hereby adopted by the Governing Body:

1. The zoning change would be consistent with the intent of the zoning regulations and the future land use plan.
2. The land uses under the C-3 zoning district would be compatible with uses in the 14th Street and Buckeye commercial corridors.
3. The property has access to a full range of public services.
4. The property has been underused for several years under the current “Office and Service Business – C-1” zoning district suggesting that the use limitations contributed to it’s under use.
5. The net impact of this application on the private and public interest would be positive in terms of allowing a greater variety of uses to a property that has not been put to productive use and making use of existing infrastructure.

SECTION 4. All prior ordinances relating to the real property are repealed to the extent they are in conflict with this ordinance.

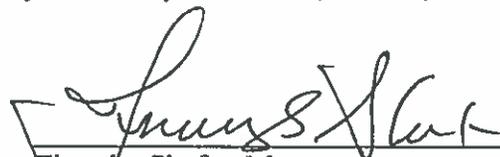
SECTION 5. This ordinance shall be in full force and effect from and after its adoption and publication once in the official city newspaper by the following summary:

Ordinance No. 3359 Summary

On August 13, 2018, the City Commission passed Ordinance No. 18- 3359. The ordinance changes the zoning district classification for 1500 N. Mulberry Street, Abilene, Kansas, from Office and Service Commercial (C-1) to General Commercial (C-3). A complete copy of the ordinance is available online at www.abilenecityhall.com or in the office of the City Clerk, 419 N. Broadway Street in Abilene, Kansas, free of charge. This summary is certified by the City's legal counsel.

APPROVED AND PASSED by the Governing Body of the City of Abilene, Kansas, this 13th day of August, 2018.




Timothy Shafer, Mayor

Attest:


Penny L. Soukup, CMC, City Clerk

The publication summary set forth above is certified this 13th day of August, 2018.


Aaron O. Martin, City Attorney