

ORDINANCE NO. 23-3436

AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED WITHIN THE PARCEL GENERALLY DESCRIBED AS 2005 N BUCKEYE AVE. FROM C-3, GENERAL COMMERCIAL DISTRICT TO R-3, HIGH-DENSITY RESIDENTIAL DISTRICT, AND AMENDING THE ZONING MAP OF THE CITY OF ABILENE, KANSAS.

WHEREAS, the property owners of record have requested the City consider rezoning certain property located within the parcel generally described as 2005 N Buckeye Ave, and as legally described herein, from C-3, General Commercial District, to R-3, High-Density Residential District.

WHEREAS, the Planning Commission conducted a public hearing on September 5, 2023, and comments received from the public were in support of the rezoning and intended future housing development; and

WHEREAS, the Planning Commission recommended approval of the rezoning with a vote of 5-0.

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

SECTION ONE: Property Rezoned: That property legally described as follows is hereby rezoned from C-3, General Commercial District, to R-3, High-Density Residential District:

A tract of land located in the North half of the North half of the Northwest Quarter of the Southeast Quarter of Section 9, Township 13 South, Range 2 East of the 6th Principal Meridian, Dickinson County, Abilene, Kansas, being described by Gregory Chad Weller, Kansas PLS-1417, of Olsson KSLC-114, on August 4, 2023.

Commencing at the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 9, Township 13 South, Range 2 East; thence S00°33'58"E on the East line of said Northwest Quarter a distance of 40.00 feet to a point on the South Right of Way line of NE 21st Street as it now exists, said point also being the Point of Beginning; thence continuing S00°33'58"E along said East line a distance of 292.31 feet to a point on the South line of the North half of the North half of said Northwest Quarter of the Southeast Quarter; thence S89°30'29"W on said South line a distance of 670.00 feet to a point; thence N00°33'58"W a distance of 292.47 feet to a point on said South Right of Way line; thence N89°31'18"E along said South Right of Way line a distance of 670.00 feet to the Point of Beginning. Contains 195,901.95 Sq. Ft. or 4.49 acres More or Less. Subject to Easements, Restrictions and Reservations now of record.

SECTION TWO: Zoning Map: Amended. That the Zoning Map of the City of Abilene, Kansas, as adopted by Ordinance No. 2796, and amendments thereto, is hereby amended to be consistent with the amendments described herein.

SECTION THREE. Effective Date. This Ordinance shall become effective and in full force from and after its passage, adoption, and publication in the official city newspaper by the following summary:

Ordinance No. 23-3436 Summary

On September 25, 2023, the City Commission passed Ordinance No. 23-3436. The Ordinance changes the zoning district classification for the 4.49-acre parcel located within 2005 N Buckeye Ave., Abilene, Kansas, from C-3, General Commercial District, to R-3, High-Density Residential District, and amends the Zoning Map of the City of Abilene, Kansas. A complete copy of the ordinance is available online at www.abilenecityhall.com or in the office of the City Clerk, 419 N. Broadway St. in Abilene, Kansas, free of charge. This summary is certified by the City's legal counsel.

PASSED AND ADOPTED by the Governing Body of the City of Abilene, Kansas this 25th day of September 2023.



CITY OF ABILENE, KANSAS

By: 
Trevor D. Witt, Mayor

ATTEST:

By: 
Shayla L. Mohr, City Clerk

The publication summary set forth above is certified this 25th day of September 2023.


Aaron O. Martin, City Attorney