

ORDINANCE NO. 1944

AN ORDINANCE TENTATIVELY APPROVING REZONING CERTAIN RUSSELL CITY LANDS IN THE CITY OF RUSSELL, KANSAS FROM A-1 DISTRICT TO C-5 DISTRICT.

WHEREAS, an application has been filed requesting that the following property be rezoned from an A-1 District to a C-5 District:

A parcel of land described as commencing at the West Quarter corner of Section 2, Township 14 South, Range 14 West, in Russell County, Kansas; Thence North 00°47'45" East, along the West line of said Section 2, a distance of 557.70 feet; Thence leaving said West line of Section 2, South 89°12'15" East, a distance of 130.12 feet to the East right-of-way line of U.S. Highway 281 and the North right-of-way line of Interstate 70; Thence South 68°09'02" East, along said North right-of-way line of Interstate 70, a distance of 391.87 feet to the POINT OF BEGINNING; Thence leaving said North right-of-way line of Interstate 70, North 00°49'05" East, a distance of 468.99 feet; Thence South 89°12'15" East, a distance of 300.00 feet; Thence South 00°48'33" West, a distance of 561.97 feet to the North right-of-way line of Interstate 70; Thence North 83°43'00" West, along said North right-of-way line of Interstate 70, a distance of 78.31 feet; Thence continuing along said North right-of-way line, North 68°09'02" West, a distance of 237.99 feet to the POINT OF BEGINNING. Containing 3.61 acres more or less; and

WHEREAS, notice was given to all property owners concerned in accordance with the ordinances of the City of Russell, Kansas, and the Planning Commission, after holding a public hearing on the same, voted to recommend approval of the zoning amendment to the governing body, and

WHEREAS, the City's zoning regulations provide that prior to rezoning any area to any district other than the A-1 District the land shall be subdivided in accordance with the subdivision regulation, and that the zoning request can be tentatively approved by the City, subject to the land being properly subdivided within a period of up to one (1) year and for an additional six (6) month period upon proper application; and

WHEREAS, the governing body after due and proper consideration of the same concludes that the rezoning request should be tentatively approved as follows:

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RUSSELL, KANSAS;

Section 1. The governing body tentatively approves the planning commission's recommendation of approval of the application.

Section 2. The property described as COMMENCING at the West Quarter corner of Section 2, Township 14 South, Range 14 West, in Russell County, Kansas; Thence North 00°47'45" East, along the West line of said Section 2, a distance of 557.70 feet; Thence leaving said West line of Section 2, South 89°12'15" East, a distance of 130.12 feet to the East right-of-way line of U.S. Highway 281 and the North right-of-way line of Interstate 70; Thence South 68°09'02" East, along said North right-of-way line of Interstate 70, a distance of 391.87 feet to the POINT OF BEGINNING; Thence leaving said North right-of-way line of Interstate 70, North 00°49'05" East, a distance of 468.99 feet; Thence South 89°12'15" East, a distance of 300.00 feet; Thence South 00°48'33" West, a distance of 561.97 feet to the North right-of-way line of Interstate 70; Thence North 83°43'00" West, along said North right-of-way line of Interstate 70, a distance of 78.31 feet; Thence continuing along said North right-of-way line, North 68°09'02" West, a distance of

237.99 feet to the POINT OF BEGINNING (containing 3.61 acres more or less) shall be rezoned from an A-1 District to a C-5 District upon approval of an appropriate subdivision of the land as provided by the city zoning regulations and as provided above.

Section 3. Upon proper subdivision of the parcel of land as provided by the city's zoning regulation the parcel of land will be rezoned from an A-1 District to a C-5 District.

Section 4. Publication and Effective Date. This ordinance shall take effect and be in full force and effect from and after its passage, signature and publication of a summary of this ordinance in the official city newspaper and posting of the full text of the ordinance on the city's website in compliance with K.S.A. 12-3007(b).

PASSED BY THE GOVERNING BODY this 17th day of September 2019 and approved by the Mayor of the City of Russell, Kansas.


Raymond C. Mader, Mayor


ATTEST: _____
Katrina Woelk, City Clerk

