

ORDINANCE NO. 2018-02-4456

AN ORDINANCE AUTHORIZING THE CREATION OF A HOUSING OPPORTUNITY OVERLAY DISTRICT (HO-O) FOR 1125 W SKYLINE RD AND THE 5 ACRES ADJACENT IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 34 SOUTH, RANGE 3 EAST OF THE 6TH PRINCIPAL MERIDIAN, ARKANSAS CITY, KANSAS.

WHEREAS, the City of Arkansas City Planning Commission, after providing notice and holding a hearing pursuant to K.S.A. § 12-756 and K.S.A. § 12-757, has considered the proposed creation of a Housing Opportunity Overlay District (HO-O), and recommended the City grant the Petition; and

WHEREAS, the Governing Body of the City of Arkansas City, Kansas, after due investigation and consideration has determined that the nature and extent of the public use and interest to be subserved is such as to warrant the creation of the overlay district for the property at issue.

NOW THEREFORE, IN CONSIDERATION OF THE AFORESTATED PREMISES, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:

SECTION ONE: The property legally described as:

A parcel of land situated in the Northwest Quarter of Section 13, Township 34 South, Range 3 East, of the 6th P.M. in the City of Arkansas City, Kansas, being more particularly described as follows:

Commencing at the Northeast Corner of the Northwest Quarter of Section 13, Township 34 South, Range 3 East of the 6th P.M.; thence South 89 deg. 31 min. 16 sec. West (assumed) along the North line of said Northwest Quarter a distance of 700.02 feet to the point of beginning of the herein described piece of land; thence South 0 deg. 0 min. 0 sec. East, parallel with the East line of said Northwest Quarter, a distance of 522.00 feet; thence North 0 deg. 0 min. 0 sec. West parallel with the East line of said Northwest Quarter a distance of 957.47 feet; thence North 89 deg. 31 min. 16 sec. East along said North line a distance of 522.00; thence South 0 deg. 0 min. 0 sec. East 957.47 feet to the point of beginning. Except the North 40 feet thereof for road right-of-way.

IS HEREBY OVERLAID with a Housing Opportunity Overlay District (HO-O). Article 14 of the City of Arkansas City Zoning Code shall be applicable to the above parcel; and to the extent Article 14 shall conflict with any other zoning provisions applicable to the parcel, the provisions of Article 14 shall prevail.

SECTION TWO: This ordinance shall take effect and be in full force from and after its adoption by the governing body of the City of Arkansas City and either (a) publication once in the official newspaper of the City, or (b) publication of a summary of this Ordinance certified as legally accurate and sufficient by the City Attorney.

SECTION THREE: A certified copy of this ordinance signed by the City Clerk for the City of Arkansas City, Kansas, shall be recorded in the Office of the Register of Deeds, Cowley County, Kansas.

PASSED AND ORDAINED by the Governing Body of the City of Arkansas City, Kansas this 20th day of February, 2018.

Dan Jurkovich, Mayor

ATTEST:

Lesley Shook, City Clerk

APPROVED AS TO FORM

Tamara Niles, City Attorney