

ORDINANCE NO. 2023-11-_____

AN ORDINANCE AUTHORIZING THE RE-ZONING OF BLOCKS 19, 20 & 21 OF SLEETH ADDITION, FROM “P” (PUBLIC USE DISTRICT) TO “R-3” (HIGH DENSITY RESIDENTIAL DISTRICT).

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 request to re-zone property, and recommended the City grant the Petition to re-zone; and

WHEREAS, on August 15, 2023, the Governing Body approved Resolution 2023-08-3565 authorizing the City of Arkansas City to enter into a Memorandum of Understanding with Alfredo Sampayo, his business partners and consolidated development partners, to acquire property and develop a residential housing development on city owned property located in the Sleeth Addition of Arkansas City; and

WHEREAS, the existing Public Use District would not permit a residential housing development; 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 re-zoning of the property at issue; and

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:

Blocks 19, 20 & 21 Sleeth Addition to Arkansas City

AND

A tract beginning 8 feet East of the Northeast Corner of said Block 21, thence East 112 feet, thence South 350 feet, thence West 112 feet, thence North to the Point of Beginning

AND

Vacated L Street, Vacated K Street & the Vacated alleys all adjacent to said blocks.

IS HEREBY RE-ZONED from a P (Public Use District) to an R-3 (High Density Residential District).

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 7th day of November, 2023.

(Seal)

Diana L. Spielman, Mayor

ATTEST:

Tiffany Parsons, Clerk

APPROVED AS TO FORM

Larry Schwartz, City Attorney

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2023-11-_____ of the City of Arkansas City, Kansas adopted by the governing body on November 7, 2023 as the same appears of record in my office.

DATED: _____.

Tiffany Parsons, Clerk