

(Published on the City of Augusta website, www.augustaks.org
on the 7th day of November 2022)

THE CITY OF AUGUSTA, KANSAS

ORDINANCE No. 2202

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY LOCATED AT ALL OF THE ST. LOUIS AND SAN FRANCISCO RAILROAD (ABANDONED) RIGHT-OF-WAY, LOCATED BETWEEN THE WEST RIGHT-OF-WAY LINE OF WALNUT STREET (U.S. HWY 77) TO THE EAST RIGHT-OF-WAY LINE OF HUNTER ROAD (DIKE ROAD), WITHIN THE CORPORATE CITY LIMITS OF THE CITY OF AUGUSTA, KANSAS FROM THE PRESENT AGRICULTURAL (A) DISTRICT TO THE I-1 (INDUSTRIAL) DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AUGUSTA, KANSAS.

WHEREAS, notice of a October 24, 2022, Augusta Planning Commission public hearing on Zoning Case No. Z2022-21, changing the zoning classification of the herein described real property, located within the corporate limits of the City of Augusta, Kansas, from the present (A) Agricultural District to the (I-1) Industrial District, was published in the City of Augusta Official website on October 3, 2022 and mailed on October 4, 2022, to all owners of record of lands, within the corporate limits of the City of Augusta, located within 200-feet of the proposed zoning change;

WHEREAS the Augusta Planning Commission conducted a public hearing on October 24, 2022, on changing the zoning classification of the herein described real property located within the corporate limits of the City of Augusta from the present (A) Agricultural District to (I-1) Industrial District, and therefore, based upon the public hearing and a discussion of factors to consider rezoning, voted to recommend approval of said zone change by governing body; and

WHEREAS, more than 14-days has elapsed since said public hearing and no protest petition has been filed with the City of Augusta City Clerk.

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

Section 1. Zone Change

The official zoning classification of the property hereinafter described is hereby changed from the present zoning classification of (A) Agricultural District to (I-1) Industrial District. Said property is legally described as follows:

All of the St. Louis and San Francisco Railroad (Abandoned) right-of-way located between the West right-of-way line of Walnut St. (U.S. Hwy 77) to the East right-of-way line of SW Hunter Rd. (Dike Rd.) more particularly described as beginning at the North line of said St. Louis and San Francisco Railroad (Abandoned); thence Southwesterly along said North line 1067 feet to a point of curvature Southwesterly

a radius of 653.2 feet a length of 1721.8 feet thence Southwesterly 36.4 feet to the East line of SW Hunter Rd (Dike Rd); thence South 89 feet along said East line; Northeasterly along the North right-of-way of SW Sixth Avenue 281.6 feet; thence East Southeast along said SW Sixth Avenue right-of-way a distance of 218.5 feet; thence Northeasterly along the South right-of-way of St. Louis and San Francisco (Abandoned) a Radius of 1840.0 feet a length of 239 feet to a point of curvature to the right a radius 607.1 feet a length of 805.5 feet; thence South along said Railroad 91 feet, thence East 54.4 feet to a point on the East right-of-way line of said abandoned St. Louis and San Francisco Railroad; thence North 91 feet along said Railroad to a point of curvature to the right a radius of 575.2 feet a length of 668 feet; thence Northeasterly along said Railroad right-of-way 1050.2 feet to the West line of Walnut St. (U.S. Hwy 77; thence North along said West line 100 feet to the Point of Beginning. AND ALSO, All of the St. Louis and San Francisco Railroad (Abandoned) right-of-way, beginning at a point in the previously described tract of land that is on the East right-of-way line of said Abandoned St. Louis and San Francisco Railroad that is 91 feet South of a curve to the right; thence West 54.4 feet; thence South along the West right-of-way line of said Abandoned St. Louis and San Francisco Railroad, a distance of 1260 feet more or less to the East right-of-way line of said Abandoned St. Louis and San Francisco Railroad; thence North along said East right-of-way line, a distance of 1260 feet more or less to the point of beginning.

Section 2. Zoning Ordinance and Map Amendment

City of Augusta Ordinance Number 2170 and the official zoning map of the City of Augusta, Kansas, are hereby amended in accordance with Section 1 of this Ordinance.

Section 3. Effective Date

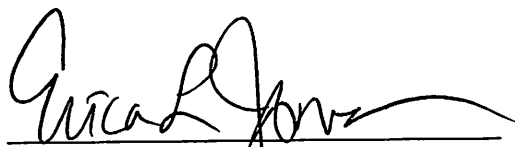
This Ordinance shall take effect and be in full force from and after its publication in the official newspaper.

Adopted by the City Council this 7th day of November 2022.

Adopted by the Mayor this 7th day of November 2022.


MIKE L. RAWLINGS, MAYOR

ATTEST:


ERICA L. JONES, CITY CLERK

