

ORDINANCE NO. 8369

SPECIAL USE PERMIT NO. SUP-12-10-08

AN ORDINANCE PERTAINING TO ZONING: AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY LOCATED AT 711 W. 23RD STREET, SUITE 5 LAWRENCE, KANSAS.

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

SECTION ONE: Special Use Permit Granted: Pursuant to the regulations set forth in the Code of the City of Lawrence, Section 20-1306 permission is hereby granted to use in the manner set forth in Sections Two and Three, the following described property:

PROPERTY DESCRIPTION:

Tract A, Final Plat of The Malls Subdivision in the City of Lawrence, Douglas County, Kansas with the location and description of the property granted the Special Use Permit set forth in approved site plan SUP-12-10-08 incorporated by reference herein.

SECTION TWO: That the real property described in Section One shall hereafter allow light equipment repair.

All zoning ordinances or zoning regulations of the City of Lawrence, Kansas affecting the use of the real property described in Section One which are inconsistent with this ordinance are hereby made inapplicable to the said property for said period of time.

SECTION THREE: The special use permit granted in Sections One and Two of this ordinance in addition to the full compliance with any general provisions contained in the Development Code of the City of Lawrence, is hereby made contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions, and restrictions, of which the violation of any hereafter enumerated will be a supplementary basis for the revocation of the special use permit in addition to those specified in Section 20-1306 , to wit:

1. Execution of a Site Plan Performance Agreement.
2. Provision of a revised site plan to include a note that all installation activity shall occur in the building.
3. Publication of an ordinance per Section 20-1306(j).

SECTION FOUR: Severability. If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION FIVE: This ordinance shall take affect and be in force from and after its passage and publication as provided by law.

Passed by the Governing Body this _____ day of February, 2009

APPROVED:

Michael Dever, Mayor

ATTEST:

Frank S. Reeb, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni Ramirez Wheeler
Director of Legal Services

Publish one time and return one Proof of Publication to the City Clerk and one to the Director of Legal Services.