

ORDINANCE NO. 8279

SPECIAL USE PERMIT NO. SUP-03-03-08

AN ORDINANCE PERTAINING TO ZONING: AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY LOCATED IN THE 1300 BLOCK OF NORTH 3RD STREET, LEGALLY DESCRIBED AS LOT 1 AND LOT 2, BLOCK 1, BC&R STORAGE ADDITION IN THE CITY OF 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 and Section 20-538 permission is hereby granted to use in the manner set forth in Sections Two and Three, the following described property:

PROPERTY DESCRIPTION:

Lot 1 and Lot 2, Block 1 of BC&R Storage Addition

SECTION TWO: That the real property described in Section One shall hereafter allow the area of Exterior Storage uses to exceed 50% of the area of the floor area of the associated principal structure.

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[s] 20-1306 and Section 20-538, to wit:

1. Receipt of a US Army Corps of Engineers Permit;
2. Execution of a Site Plan Performance Agreement;
3. Publication of an ordinance per Section 20-1306(j);
4. Provision of a Stormwater Pollution Prevention Plan approved by the Stormwater Engineer;
5. Provision of a revised Site Plan to show the following:
 - a. Revise the parking summary to show the required parking figures rounded up for a total of 23 spaces;
 - b. Show proposed sanitary sewer service line to the existing sanitary sewer main;
 - c. The applicant is requesting a waiver from the requirement to construct sidewalks (see Item #4B). If sidewalks are required, amend note #10 on this preliminary plat to state that public improvements will consist of sidewalks;
 - d. Add a note that sanitary sewer manholes will be adjusted to final grade;
 - e. Add a note to identify that the waterline extension is a private fire service line and that the fire hydrant will be painted red;
 - f. Identify the fire lines (and sizes), the 2" domestic service for the existing 60,000 sf building, and the ¾" domestic service for the smaller building;
 - g. Add a note discussing backflow prevention as per City Code Chapter 19, Article 7, Cross Connection Control to address water quality of the proposed private fire service line.

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 10th day of June, 2008.

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.