

ORDINANCE NO. 8395

SPECIAL USE PERMIT NO. SUP-02-01-09

AN ORDINANCE PERTAINING TO ZONING: AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY LOCATED AT 647 MASSACHUSETTS STREET 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:

Lot 19 on Massachusetts Street in the Original Townsite of the City of Lawrence, Douglas County, Kansas [647 Massachusetts Street, Second Floor only]

SECTION TWO: That the real property described in Section One shall hereafter allow a Research Service Use for a ten year period of time ending July 2019.

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. Publication of an ordinance per Section 20-1306(j).
3. Applicant shall provide a revised site plan to include the following listed restrictions:
 - a. No manufacturing or production activities shall be conducted on-site;
 - b. No radioisotopes or other radioactive materials shall be used on-site;
 - c. No known type 1 mutagens or carcinogens shall be used on-site;
 - d. No known toxins or pathogens shall be used on-site; and
 - e. No animal research shall be conducted on-site.
4. Applicant shall provide a revised site plan to include the following note: "SUP is granted approval for 10 years. A new SUP shall be required before July 2019 to continue Research Service uses."

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 effect and be in full force from and after its passage and publication as provided by law.

Passed by the Governing Body this ____ day of May, 2009

APPROVED:

Robert Chestnut, 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.