

ORDINANCE NO. 8920

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, REZONING APPROXIMATELY 0.27 ACRES FROM RM12D-UC (MULTI-DWELLING RESIDENTIAL-URBAN CONSERVATION OVERLAY) DISTRICT TO CS-UC (COMMERCIAL STRIP-URBAN CONSERVATION OVERLAY) DISTRICT AND AMENDING THE CITY'S "OFFICIAL ZONING DISTRICT MAP," INCORPORATED BY REFERENCE INTO THE CITY CODE AT CHAPTER 20, ARTICLE 1, SECTION 20-108 OF THE "CODE OF THE CITY OF LAWRENCE, KANSAS, 2013 EDITION," AND AMENDMENTS THERETO.

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

SECTION 1. The base zoning district classification for the following legally described real property, situated in the City of Lawrence, Douglas County, Kansas, to-wit:

LOT 1 IN 8TH AND PENNSYLVANIA NEIGHBORHOOD REDEVELOPMENT ADDITION NO. 3, A MINOR SUBDIVISION REPLAT OF LOTS 1 AND 2, BLOCK 'A' OF 8TH AND PENNSYLVANIA NEIGHBORHOOD REDEVELOPMENT IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS

is hereby changed from RM12D-UC (Multi-Dwelling Residential-Urban Conservation Overlay) District to CS-UC (Commercial Strip-Urban Conservation Overlay) District, as such district is defined and prescribed in Chapter 20 of the "Code of the City of Lawrence, Kansas, 2013 Edition," and amendments thereto.

SECTION 2. The rezoning granted in Section 1, *supra*, in addition to being subject to the general conditions established in Chapter 20 of the Code of the City of Lawrence, Kansas, 2013 Edition, as amended, is also subject to the following special condition:

- (a) The following uses are excluded from the zoning district described in Section 1, *supra*:
 - (i) Bars (unless, within a calendar year, 55% of gross receipts from said use are derived from the sale of food for consumption on the premises; said restriction shall be applied beginning on the two-year anniversary of the commencement of the use);
 - (ii) Liquor Store;
 - (iii) Ambulance Service;
 - (iv) Car or Truck Wash;
 - (v) Auto Repair;

- (vi) External drive-through ATM or drive-through window (walk-up ATM's are allowed);
- (vii) Furriers;
- (viii) Pawn Shop;
- (ix) Mobile Home Sales and Service;
- (x) Golf Driving Range;
- (xi) Pet Store (animal sales)
- (xii) Loan Office (short-term cash advance loans); and
- (xiii) Convenience store with Gasoline Sales.

SECTION 3. The "Official Zoning District Map," which is adopted and incorporated into the City Code by reference at City of Lawrence, Kan., Code § 20-108 (July 1, 2013), is hereby amended by showing and reflecting thereon the new zoning district classification for the subject property as described in more detail in Section 1, *supra*.

SECTION 4. 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 5. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED by the Governing Body of the City of Lawrence, Kansas, this ____ day of October, 2013.

APPROVED:

Michael Dever
Mayor

ATTEST:

Jonathan M. Douglass
City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni R. Wheeler
City Attorney

NOTICE TO PUBLISHER

Publish one time and return one Proof of Publication to the City Clerk and one to the City Attorney.