

(Ordinance Summary published in The Butler County Times-Gazette on November 28, 2015 and the full text of the Ordinance made available at www.andoverks.com for a minimum of one (1) week from the date of publication.)

ORDINANCE NO. 1606

AN ORDINANCE APPROVING THE RECOMMENDATION OF THE ANDOVER CITY PLANNING COMMISSION TO AMEND THE OVERLAY DISTRICT KNOWN AS THE AMENDED VILLAGE CROSSING PLANNED UNIT DEVELOPMENT DISTRICT AND TO AMEND THE AMENDED PRELIMINARY VILLAGE CROSSING PLANNED UNIT DEVELOPMENT PLAN, EACH LOCATED IN THE CITY OF ANDOVER, KANSAS.

WHEREAS, the governing body of the City of Andover, Kansas (the “City”) previously received a recommendation from the Andover City Planning Commission on Case No. Z-2014-06; and

WHEREAS, proper notice was given and a public hearing was held on Case No. Z-2014-06 on December 16, 2014, all as provided by law and under authority and subject to the provisions of the Zoning Regulations of the City, as originally approved by Ordinance No. 1187 of the City; and

WHEREAS, on March 10, 2015, the governing body of the City considered an amendment of the Amended Village Crossing Planned Unit Development District and the Village Crossing Preliminary General Planned Unit Development Plan and approved said Plans without adopting an ordinance properly amending the City’s zoning to accommodate said Plans; and

WHEREAS, it is necessary and desirable to amend the applicable zoning and reaffirm the governing body’s prior approval of the aforementioned Plans.

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

SECTION 1. The recommendation of the Planning Commission is hereby reaffirmed and approved. The Amended Village Crossing Planned Unit Development District and the Village Crossing Amended Preliminary General Planned Unit Development Plan are hereby amended as follows:

Parcel 3

That portion of Parcel 1 known as Lot 3a, Block A, of the Amended Village Crossing Addition Final Planned Unit Development Plan, City of Andover, Butler County, Kansas is hereby designated Parcel 3.

Zoning Classification Parcel 3

The existing zoning classification applicable to Parcel 3 of B-2 Neighborhood Business District is modified to allow:

1. An increase in the maximum allowable height limitation from 35 feet to 40 feet.
2. An increase in the maximum allowable floor space limitation of any separate business establishment from 5,000 square feet to 8,500 square feet.
3. An increase in the hours of operation limitation from the existing 7 a.m. to 11 p.m. restriction to 6 a.m. to midnight.

SECTION 2. The City's prior acceptance of the amendments to the Amended Village Crossing Planned Unit Development District and the Village Crossing Amended Preliminary General Planned Unit Development Plan approved in Case No. Z-2014-06 are hereby ratified and confirmed.

SECTION 3. Upon the taking effect of this Ordinance, the above zoning change shall be entered and shown on the Official Zoning Map(s) as previously adopted by reference and said map(s) is hereby reincorporated and the applicant within 15 days of publication of this ordinance shall file a revised statement with the Butler County Register of Deeds with all the information required by Section 4-116E2.

SECTION 4. This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City, approval by the Mayor and either (a) publication once in the official newspaper of the City, or (b) publication of a summary hereof certified as legally accurate and sufficient by the City Attorney.

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PASSED AND APPROVED by the Governing Body of the City of Andover, Kansas this
24th day of November, 2015.

CITY OF ANDOVER, KANSAS

[seal]

Ben Lawrence, Mayor

ATTEST:

Susan C. Renner, City Clerk

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Ordinance No. 1606 Summary

On November 24, 2015, the City of Andover, Kansas adopted Ordinance No. 1606 amending the Amended Village Crossing Planned Unit Development District and the Village Crossing Amended Preliminary General Planned Unit Development Plan, each located within the City, to create a Parcel 3 from an existing portion of Parcel 1 and modifying the B-2 Neighborhood Business District zoning district classification within said Parcel 3. A complete copy of this ordinance may be obtained or viewed free of charge at the Office of the City Clerk at City Hall, 1609 E. Central or at www.andoverks.com. This summary is certified legally accurate and sufficient by the Andover City Attorney pursuant to K.S.A. 12-3001, *et seq.*

City Attorney