

(Ordinance Summary published in The Butler County Times-Gazette on February 13, 2016 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. 1615

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 AND FINAL VILLAGE CROSSING PLANNED UNIT DEVELOPMENT PLANS, EACH LOCATED IN THE CITY OF ANDOVER, KANSAS.

WHEREAS, the governing body of the City of Andover, Kansas (the “City”) has received a recommendation from the Andover City Planning Commission on Case No. Z-2015-04; and

WHEREAS, the governing body finds proper notice was given and a public hearing was held on Case No. Z-2015-04 on January 19, 2016, 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, the governing body finds that new information regarding the location of the City’s storm sewer pipe negates the Andover City Planning Commission’s finding that certain parallel parking need be removed.

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

SECTION 1. The general recommendation of the Planning Commission is hereby approved and the Amended Village Crossing Planned Unit Development District and the Village Crossing Amended Preliminary General Planned Unit Development Plan are hereby amended, provided that, the requirement to remove certain parking is overridden and removed from the Planning Commission’s recommended conditions, as follows:

Parcel 4

That portion of Parcel 1 known as Lot 3b, Block A, of the Amended Village Crossing Addition Final Planned Unit Development Plan, City of Andover, Butler County, Kansas is hereby designated Parcel 4.

Zoning Classification Parcel 4

The existing zoning classification applicable to Parcel 4 of B-2 Neighborhood Business District is modified to allow:

1. Restaurants with drive-thru facilities. Provided that any outdoor speakers shall be limited in speaker volume, and a row of evergreen trees shall be added along the rear of the property to buffer the visual and audible effects on the adjacent single family residences.
2. The hours of operation for such approved restaurant drive-thru windows shall be limited to 5 a.m. to 10 p.m., Central Time.

SECTION 2. 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 3. 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
9th day of February, 2016.

CITY OF ANDOVER, KANSAS

[seal]

Ben Lawrence, Mayor

ATTEST:

Susan C. Renner, City Clerk

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Ordinance No. 1615 Summary

On February 9, 2016, the City of Andover, Kansas adopted Ordinance No. 1615 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 allow drive-thru restaurants as a permitted use in Parcel 4 of the B-2 Neighborhood Business District. 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