

(First Published in the Cowley CourierTraveler, October ____,2023)

ORDINANCE NO. 2023-10-_____

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW A SELF-STORAGE FACILITY IN A C-2, RESTRICTED COMMERCIAL DISTRICT LOCATED AT 425 W QUINCY AVENUE REQUESTED BY CHRIS BEFORT, IN THE CITY OF ARKANSAS CITY, KANSAS.

WHEREAS, Written findings have been made by the Planning Commission for the City of Arkansas City after providing notice and holding a hearing pursuant to K.S.A. § 12-756 and K.S.A. § 12-757 that the application from Chris Befort dated August 14, 2023, for a conditional use permit is in compliance with the Arkansas City Zoning Regulations.

WHEREAS, the Governing Body of the City of Arkansas City, Kansas, after due investigation and consideration has determined that the nature and extent of the public use and interest to be subserved is such as to warrant the granting of a conditional use permit for the property.

NOW THEREFORE, IN CONSIDERATION OF THE AFORESTATED PREMISES, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:

SECTION ONE: A conditional use permit is hereby granted to allow a self-storage facility in a C-2, Restricted Commercial District, at 425 W Quincy Avenue, Arkansas City, Kansas with the following conditions: 1) The project must meet the requirements of Subdivision Regulations Section 13-702; 2) The project must ensure its drainage plan does not negatively impact the existing drainage ditch on the property; 3) Automotive Repair or related operations shall not be allowed on the site.

The property is legally described as follows:

The North 415 feet of the following described tracts:

The West 460 feet of Outlot A, Gooch's Addition to Arkansas City, Cowley County, Kansas.

AND

Part of said Outlot A beginning at a point 132 feet West of the Northeast corner of said Outlot A, thence 160 feet West, thence 630 feet South, thence 160 feet East, thence 630 feet North to the Point of Beginning.

SECTION TWO: The conditional use permit runs with the land and the right to carry on the approved use is subject to the initial application and conditions of this permit. The permit for the approved use shall not be limited in time. A change in ownership shall require the new owner to notify staff. Any change in scale, extent or nature of the approved use will require notice and hearing before the Planning Commission with final approval by the City Commission.

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

SECTION FOUR: A certified copy of this ordinance signed by the City Clerk for the City of Arkansas City, Kansas, shall be recorded in the Office of the Register of Deeds, Cowley County, Kansas.

PASSED AND ORDAINED by the Governing Body of the City of Arkansas City, Kansas, this 3rd day of October 2023.

(Seal)

Diana L. Spielman, Mayor

ATTEST:

Tiffany Parsons, City Clerk

APPROVED AS TO FORM

Larry R. Schwartz, City Attorney

CERTIFICATE

I, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2023-10-_____ of the City of Arkansas City, Kansas adopted by the governing body on October 3, 2023 as the same appears of record in my office.

DATED: _____.

Tiffany Parsons, City Clerk