

ORDINANCE NO. 1398

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR AN OFF-LEASH DOG PARK FACILITY WITHIN THE CORPORATE LIMITS OF THE CITY OF BALDWIN CITY, KANSAS

WHEREAS, an application has been submitted by the City of Baldwin City requesting a Conditional Use Permit to construct an off-leash dog park facility addressed as 1102 Main Street, Baldwin City, Kansas; and

WHEREAS, the City of Baldwin City Planning Commission conducted a public hearing and published notification in accordance with K.S.A. 12-741, et seq., as amended, on December 11, 2018; and

WHEREAS, the City of Baldwin City Planning Commission has recommended that the Governing Body of the City of Baldwin City, Kansas, approve the Conditional Use Permit to allow for the construction of an off-leash dog park facility addressed as 1102 Main Street, Baldwin City, Kansas, be approved subject to certain conditions of approval;

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

SECTION 1. SUBJECT REAL ESTATE. The following described real estate (the “**Subject Real Estate**”) is hereby legally described as:

Beginning at a 5/8” rebar at the Southeast corner of the Southwest Quarter of Section 4, Township 15 South, Range 20 East of the 6th Principal Meridian, Douglas County, Kansas; THENCE North 89 degrees 14 minutes 22 seconds West for a distance of 1310.85 feet to a ½” rebar at the Southwest corner of the Southeast Quarter of said Southwest Quarter; THENCE North 00 degrees 59 minutes 56 seconds West for a distance of 1334.81 feet to the Northwest corner of the Southeast Quarter of said Southwest Quarter; THENCE North 00 degrees 59 minutes 56 seconds West for a distance of 996.83 feet to a ½” rebar, said rebar being 338.00 feet South of the Northwest corner the Northeast Quarter of said Southwest Quarter; THENCE South 89 degrees 16 minutes 48 seconds East for a distance of 869.82 feet to a ½” rebar; THENCE South 00 degrees 47 minutes 56 seconds East for a distance of 653.55 feet to a ½” rebar; THENCE South 89 degrees 16 minutes 54 seconds East for a distance of 449.15 feet to a ½” rebar on the East line of said Southwest Quarter, said rebar being 991.54 feet South of the Northeast corner of said Southwest Quarter; THENCE South 00 degrees 47 minutes 56 seconds East for a distance of 343.64 feet to the Northeast corner of the Southeast Quarter of said Southwest Quarter; THENCE South 00 degrees 47 minutes 56 seconds East for a distance of 1335.17 feet to the POINT OF BEGINNING. Together with and subject to covenants, easements, and restrictions of record. Said property contains 63.63 acres more or less, Douglas County, Kansas, as shown on survey by Taylor Design Group, P.A., dated July, 2005.

SECTION 2. CONDITIONAL USE PERMIT. A Conditional Use Permit (“**CUP**”) for the Subject Real Estate is hereby approved in accordance with the CUP application as shown in Section 3.

SECTION 3. CONDITIONS. The CUP is and shall be expressly subject to the following conditions of approval:

1. Prior to opening the dog park, the City Council shall approve the dog park operation rules and procedures.
2. The dog park facility shall be in conformance with the Planning Commission's approved Development Plan.
3. Gravel or similar surface material(s) may be allowed for off-street parking and drive aisles, except for required paved off-street parking stalls and sidewalks pursuant to federal ADA requirements.

SECTION 4. EFFECTIVE DATE OF ORDINANCE. This Ordinance shall take effect on its passage and upon its publication as required by law.

Passed by the City Council this 15 day of January, 2019.



Casey Simoneau, Mayor

ATTEST: 

Laura E. Hartman, City Clerk

(Approved as to Form):



Blake Glover, City Attorney