

ORDINANCE NO. 969

AN ORDINANCE AMENDING THE WESTWOOD ZONING CODE, AS AMENDED, BY REPEALING AND REPLACING IN ITS ENTIRETY SECTION 7.5 OF THE CODE OF THE CITY OF WESTWOOD, KANSAS, AMENDING THE COD-4 COMMERCIAL OVERLAY DISTRICT #4.

WHEREAS, the City of Westwood, Kansas initiated the changes to Section 7.5 of the Zoning Ordinance amending the COD-4 Commercial Overlay District #4 (47th Place and Rainbow Boulevard) regarding description of the district, the maximum building height, maximum building stories, and building standards for parking structures; and

WHEREAS, a public hearing on the City's request was held before the Planning Commission of the City of Westwood, Kansas, on the 4th day of April 2016; and

WHEREAS, said Planning Commission has recommended that said amendments to the zoning ordinance of the City of Westwood, Kansas, be approved.

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

SECTION ONE: That the zoning ordinance, Section 7.5 of Chapter 16 of the Code of the City of Westwood, Kansas, be repealed and replaced in its entirety as follows:

7.5 COD-4 Commercial Overlay District #4 (47th Place and Rainbow Boulevard)

The properties located on the east side of Rainbow Boulevard on the south and north side of the intersection of 47th Place, legally described as follows: All of Lot 5, Westport View - and now legally described as: Lots 1 and 2 of WOODSIDE VILLAGE NORTH, a subdivision of land in the City of Westwood, Johnson County, Kansas, and all of Lots 1 and 2, Woodside Club Complex, subdivisions lying in the Northwest Quarter of Section 2, Township 12 South, Range 25 East, in the City of Westwood, County of Johnson, State of Kansas, along with all adjoining rights-of-way, easements, and appurtenances.

7.5.1 District Requirements

District Requirements	COD-4
Uses Permitted by Right:	
Ground Floor	All permitted commercial uses, multi-family residential (including condominiums and apartments), and fitness and health club uses.
Second Floor	All permitted commercial uses within an approved live/work unit, multi-family residential uses (including condominiums and apartments), and fitness and health club uses.
Third Floor	Multi-family residential (including condominiums and apartments).

Fourth Floor	Multi-family residential (including condominiums and apartments).
Fifth Floor	Multi-family residential (including condominiums and apartments) in accordance with the approved final site plan.
Build to Lines	Per approved final site plan.
Corner Lot Build to Lines	In accordance with the approved final site plan.
Maximum Lot Coverage	In accordance with the approved final site plan.
Minimum Setback Lines	In accordance with the approved final site plan.
Front Yard	In accordance with the approved final site plan.
Interior Side Yard	In accordance with the approved final site plan.
Rear Yard	In accordance with the approved final site plan.
Maximum Building Height	In accordance with the approved final site plan.
Maximum Building Stories	5 stories - in accordance with the approved final site plan.
Parking	Set forth in Section 7.5.2 below.

7.5.2 Building Standards

- A. Mechanical equipment and roof appurtenances shall be included in the building height limitations.
- B. Exterior building walls shall be wood clapboard, wood shingle, wood drop siding, primed board, wood board and batten, brick, stone, stucco, or similar material and glass.
- C. Parking: Surface and up to a five-story parking structure in the rear yard, subject to and in accordance with approval of a final site plan for the same.

SECTION TWO: All other ordinances of said City in conflict herewith are hereby amended to conform to the provision of this Ordinance.

SECTION THREE: This ordinance shall take effect and be in force from and after its adoption and publication as required by law.

PASSED and APPROVED on this 14h day of April, 2016



ATTEST:

A handwritten signature in black ink, appearing to read "F-L-S", written over a horizontal line.

Frederick L. Sherman, CAO / City Clerk

A handwritten signature in black ink, appearing to read "John M. Yé", written over a horizontal line.

John M. Yé, Mayor

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "Ryan B. Denk", written over a horizontal line.

Ryan B. Denk, City Attorney