

(Published on the City of Augusta website, www.augustaks.org
on the 4th day of June 2024)

THE CITY OF AUGUSTA, KANSAS

ORDINANCE NO. 2236

AN ORDINANCE AMENDING THE ZONING REGULATIONS OF THE CITY OF AUGUSTA, KANSAS, 2020, BY ADOPTING A CONDITIONAL USE PERMIT, AUTHORIZING A BREWPUB TO OPERATE AT 414 STATE STREET.

WHEREAS, Section 05.03 of the adopted zoning regulations for the City of Augusta allows a *Brewpub* as a primary land use by Conditional Use Permit, and

WHEREAS, the City of Augusta published notice on April 10, 2024 in the official city newspaper for a May 13, 2024 public hearing before the Augusta Planning Commission to consider a Conditional Use Permit for a brewpub, pursuant to Section 14.03.A.1 of the adopted zoning regulations, and

WHEREAS, the City of Augusta provided written notification on April 10, 2024, for a May 13, 2024, public hearing before the Augusta Planning Commission to all property owners within 200 feet of the subject property located at 414 State Street, pursuant to Section 14.03.A.3 of the adopted zoning regulations, and

WHEREAS, the Augusta Planning Commission conducted a public hearing pursuant to Section 14.03.B of the adopted zoning regulations to consider a Conditional Use Permit to allow a brewpub, to be located at 414 State Street; and

WHEREAS, at the culmination of the public hearing and after reviewing the Golden Factors, the Augusta Planning Commission voted unanimously to recommend approval of the Conditional Use Permit request for a brewpub to be located at 414 State Street.

WHEREAS, the request for a Conditional Use Permit for a brewpub to be located at 414 State Street, has been subjected to a fourteen (14) day protest period pursuant to Section 14.05 of the adopted zoning regulations in which no valid petitions of protest were filed with the City Clerk for the City of Augusta, Kansas.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF AUGUSTA, KANSAS AS FOLLOWS:

SECTION ONE: Conditional Use Permit. The City Council of the City of Augusta, Kansas does hereby accept the recommendation made by the Planning Commission of the City of Augusta, Kansas to approve a request for a Conditional Use Permit allowing a brewpub on property located at 414 State Street.

SECTION TWO: Term. Pursuant to Section 14.06.C of the adopted zoning regulations, this Conditional Use Permit, approved in accordance with the adopted zoning regulations, shall run with the land upon approval by the City Council of the City of Augusta, Kansas. This Conditional Use Permit shall remain in

effect without regard to ownership so long as the storage structure remains on the subject property at 414 State Street without being significantly altered or destroyed.

SECTION THREE: Effective Date. This ordinance shall be in full force and effect from and after its publication in the official city newspaper.

Passed by the City Council this 3rd day of June 2024.

Approved by the Mayor this 3rd day of June, 2024.



Mike L. Rawlings

MIKE L. RAWLINGS, MAYOR

ATTEST:

Erica L. Jones

ERICA L. JONES, CITY CLERK

[SEAL]