

**ORDINANCE NO. Z-4179**

**SPECIAL USE PERMIT NO. 2021-00035**

**AN ORDINANCE RELATING TO ZONING: AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:**

**Section 1. Special Use Permit Granted.** Pursuant to regulations set forth in the Overland Park Municipal Code, Section 18.370, permission is hereby granted to use in the manner set forth in Section 2 hereof, the following described real property, to-wit:

Legal Description:

Lot 1 Highlands Village West, a subdivision of land In the City of Overland Park, Johnson County, Kansas

**Section 2.** That the real property hereinabove described shall hereafter allow the expansion of a rehabilitation hospital, for an indefinite period of time.

All Zoning Ordinances or Zoning Regulations of the City of Overland Park, Kansas, affecting the use of the real property hereinbefore described which are inconsistent with this ordinance are hereby made inapplicable to the said property for said period of time.

**Section 3. Conditions and Stipulations.** The special use permit granted in Sections 1 and 2 hereinabove in addition to full compliance with any general provisions contained in Chapter 18.370 of the Overland Park Municipal Code, Unified Development Ordinance, is hereby made contingent upon the performance and observation of the following additional and supplementary regulations, stipulations, conditions, and restrictions, of which the violation of any hereafter enumerated will be a supplementary basis for revocation in addition to those specified in Section 18.370.050, to-wit:

- a. The development shall be in accordance with Exhibit "A" (Site Plan), and Exhibit "B" (Building Elevations), which are filed in the office of the Planning Commission Secretary at City Hall and which are incorporated by reference as if set out in full herein. Provided, subsequent revisions may be made thereto in accordance with the application, notice, and other requirements of O.P.M.C. Title 18. In addition, the development shall follow and comply with all regulations and standards of the City of Overland Park unless specifically exempted by the Governing Body.
- b. Development of the site shall be limited to 62 beds. Modifications to the plan and proposed square-footage may be allowed per Section 18.140.200 of the Unified Development Ordinance.

ORDINANCE NO. Z-4179

- c. Prior to the submittal of a building permit, the Planning Commission shall approve final development plans.
- d. Prior to the issuance of a certificate of occupancy, all rooftop, and ground-mounted mechanical equipment shall be screened from view with an architectural treatment that is compatible with the building architecture.
- e. The applicant agrees to rescind SUP2013-00008.

**Section 4. Take Effect.** This ordinance shall take effect and be in force as of the date of its passage, approval and publication as provided by law.

PASSED by the City Council this 1<sup>st</sup> day of November, 2021.

APPROVED by the Mayor this 1<sup>st</sup> day of November, 2021.

**CITY OF OVERLAND PARK, KANSAS**

By: (s) Carl Gerlach  
Carl Gerlach  
Mayor

(SEAL)

ATTEST:

APPROVED AS TO FORM:

By: (s) Elizabeth Kelley  
Elizabeth Kelley  
City Clerk

By: (s) Trevor L. Stiles  
Trevor L. Stiles  
Senior Assistant City Attorney