

ORDINANCE NO. Z-4235

SPECIAL USE PERMIT NO. 2022-00014

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:

Milburn Fields Lot A, a subdivision in the City of Overland Park, Johnson County, Kansas. Excepting there from any portion in streets or roadways.

Section 2. That the real property hereinabove described shall hereafter allow a temporary fire station facility for a three-year 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. 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.

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- c. The number, location, and geometrics of all driveways and parking areas are subject to review and approval by the Planning and Development Services Department.
- d. Concurrent with the submittal of construction plans for a site development or building permit, whichever comes first, the developer's engineer shall provide a Final Stormwater Management Study that addresses any outstanding items from the Preliminary Stormwater Management Study and includes any design changes. The study shall be approved prior to the issuance of a permit.
- e. Prior to the issuance of a certificate of occupancy, all sidewalk ramps in the public right-of-way adjacent to the property shall be constructed or reconstructed to conform with current public sidewalk ramp requirements, including the installation of truncated domes where applicable.
- f. Prior to the issuance of a certificate of occupancy, any existing public sidewalk adjacent to this property that does not substantially meet current City standards or is in poor condition shall be reconstructed to current City standards. The limits of the repair shall be approved by the Engineering Services Division prior to the issuance of a building or site development permit. An alternate route for pedestrian traffic shall be maintained in compliance with Section 13.10.070 of the Municipal Code. In no case shall public sidewalks be closed to pedestrian traffic for a period exceeding 30 days without prior approval from the City.

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.

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PASSED by the City Council this 12th day of September, 2022.

APPROVED by the Mayor this 12th day of September, 2022.

CITY OF OVERLAND PARK, KANSAS

By: (s) Curt Skoog _____
Curt Skoog
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