

ORDINANCE NO. Z-4256

SPECIAL USE PERMIT NO. 2022-00027

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:

Part of the Southeast Quarter of the Northeast Quarter of Section 6, Township 13 South, Range 25 East, beginning 353.84 feet south and 306 feet west of the northeast corner of the Southeast Quarter of the Northeast Quarter, thence north 135.55 feet, northerly and northeast 92.12 feet and 81.66 feet, thence north 9.06 feet to the south right-of-way of 97th Street, thence west 725.65 feet, thence south 74.98 feet, thence south and southeast 243.77 feet, thence east 660.02 to the point of beginning, containing 5.031 acres, more or less.

Section 2. That the real property hereinabove described shall hereafter allow a temporary industrial use for a microbrewery for a 10-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

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comply with all regulations and standards of the City of Overland Park unless specifically exempted by the Governing Body.

- b. Prior to the submittal of a building permit for any exterior work on the building or site, the Planning Commission shall approve final development plans.
- c. 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's architecture.
- d. The applicant shall work with staff regarding parking amenities to accommodate a partial parking waiver.

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 06th day of March, 2023.

APPROVED by the Mayor this 06th day of March, 2023.

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 Stiles
Trevor L. Stiles
Senior Assistant City Attorney