

**ORDINANCE NO. Z-4266**

**SPECIAL USE PERMIT NO. 2023-00003**

**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:

Beginning at the front common lot corner of blocks 4 and 5 of Fox Hill Commercial Center, a subdivision in the City of Overland Park, Johnson County, Kansas. According to the recorded plat thereof; thence Westerly along the Northerly line of said Block 5, following a curve bearing to the right having a radius of 60 feet, whose initial tangent bears South 61°41'45" West, 51.43 Feet; thence South 40°16'29" West, 91.74 Feet; thence South 00°18'15" East, 150.10 feet to a point in the Southerly line of said block 5; thence Easterly along that part of the Southerly line of said block 5, and extended Easterly along the Southerly line of said block 4, following a curve bearing to the right having a radius of 9972.17 Feet, whose initial tangent bears North 86°48'23" East, 511.89 feet to the Southeast corner of said block 4; thence North 25°29'50" West, along the easterly line of said Block 4, 171.62 feet; thence North 08°32'50" West, continuing Northwesterly along Northeasterly line of said block 4, 33.59 feet; thence North 88°04'28" West, 319.76 feet to a point in the Westerly line of said block 4; thence North 28°18'15" West along said Westerly block line, 10.34 feet to the point of beginning.

**Section 2.** That the real property hereinabove described shall hereafter allow a dog daycare and boarding 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:

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- 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 submittal of a building permit, the Planning Commission shall approve final development plans.
- c. Development of the site shall be limited to 21,600 square feet.
- d. If the applicant proposes any expansion to the existing outdoor play area, the requirements for doggie daycare facilities with outdoor play areas shall be met as outlined in the OP Design and Construction Standards.

**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 1st day of May, 2023.

APPROVED by the Mayor this 1st day of May, 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