

ORDINANCE NO. Z-4327

SPECIAL USE PERMIT NO. 2024-00002

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, FRYE INDUSTRIAL PARK RESURVEY, A SUBDIVISION IN THE CITY OF OVERLAND PARK, JOHNSON COUNTY, KANSAS, EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 1; THENCE SOUTH 89 DEGREES 50 MINUTES 43 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 340.00 FEET TO A POINT; THENCE SOUTH 65 DEGREES 18 MINUTES 44 SECONDS WEST, A DISTANCE OF 190.42 FEET TO A POINT; THENCE NORTH 89 DEGREES 50 MINUTES 43 SECONDS WEST, A DISTANCE OF 80.93 FEET TO A POINT; THENCE SOUTH 64 DEGREES 56 MINUTES 13 SECONDS WEST, A DISTANCE OF 95.00 FEET TO A POINT IN THE EASTERLY RIGHT-OF-WAY OF METCALF AVENUE; THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE SAID EASTERLY RIGHT-OF-WAY, A DISTANCE OF 120.48 FEET TO THE POINT OF BEGINNING.

Section 2. That the real property hereinabove described shall hereafter allow a renewal of dog daycare and kennel for a 10-year period of time. This property is currently zoned IP-1J, Planned Light Industrial District, Johnson County.

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 dog daycare shall be operated in compliance with all State of Kansas and City of Overland Park laws, regulations, and requirements.
- b. Poly carts located at the rear of the building shall be used for trash purposes. Pick-up shall be coordinated at intervals appropriate to minimize odor and pests.
- c. In the event the outdoor play area is determined to be the source of pollution as defined in Chapter [7.58](#) of the Municipal Code, or the cause of sanitation or odor problems, the applicant shall be given a reasonable amount of time, not to exceed three months, to eliminate the cause of the identified problems.
- d. The applicant shall maintain the fabric mesh fence material and change it at any time that it becomes torn or damaged in any way. When the current fence is replaced in the future, a solid fence product shall be permitted and installed.

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 May, 2024.

APPROVED by the Mayor this 06th day of May, 2024.

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