ORDINANCE NO. Z-4067

SPECIAL USE PERMIT NO. 2019-00068

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:

The south 260 feet of the southernmost part of Lot 25, Corbin Park, Eleventh Plat, a subdivision in the City of Overland Park, Johnson County, Kansas.

Section 2. That the real property hereinabove described shall hereafter allow a doggie daycare renewal, for a ten-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 facility shall be operated in a manner that prevents noise, odors, vermin, infestations, or other objectionable conditions from becoming a nuisance to neighboring properties.

b. Animal waste shall be disposed of in a fashion that does not create a nuisance to neighbors (i.e., weekly removal, use of sealed containers, and measures to prevent odors).

c. The facility shall be regularly cleaned, sanitized, and operated in a fashion that prevents the attraction of vermin, the growth of infectious bacteria, the communication of disease, or any other such related health problems.
d. The facility shall be continuously operated in compliance with all State of Kansas laws, regulations, and requirements for kennel operations, including licensure for the duration of the term of this permit.

e. With the approval of this new special use permit, the applicant agrees to rescind Special Use Permit SUP2017-00107.

f. A landscape plan shall be submitted with the construction drawings for the tenant space expansion. The plan shall include the nine shade trees approved with the original special use permit (SUP2017-00107). The trees shall be planted prior to issuance of a Certificate of Occupancy for the tenant space expansion.

g. Prior to the issuance of a Certificate of Occupancy for the tenant space expansion, the 2017 building permit (BLD-C-2017-02346) shall be completed and closed out.

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 2nd day of March, 2020.

APPROVED by the Mayor this 2nd day of March, 2020.

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) Stephen B. Horner
    Stephen B. Horner
    Senior Assistant City Attorney