

ORDINANCE NO. Z-4080

SPECIAL USE PERMIT NO. 2019-00069

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:

A parcel of land lying within the NE ¼ of Section 30, Township 12, Range 25, W 50.2' LTS 11 & 12 & E 50' LTS 13 & 14 BLK 1 EX S 9' W 50.2' LT 12 IN ST & EX S 9' E 50' LT 13 IN ST, of Overland Park Subdivision in the City of Overland Park, Johnson County Kansas.

Section 2. That the real property hereinabove described shall hereafter allow a temporary commercial structure for a donut trailer, for a two-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 applicant shall obtain and maintain a yearly food truck license from the City of Overland Park.
- b. The trailer shall be open Sunday, Wednesday, Friday, and Saturday. The trailer shall be moved off-site or parked behind the building and not be visible from 80th Street, on Monday, Tuesday, and Thursday.
- c. Prior to the issuance of a site development permit, the applicant shall provide an engineered design for the artificial turf area subsurface that is sufficient to support

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vehicular movements and allow for drainage. The design shall be reviewed and approved by the Engineering Services Division.

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 June, 2020.

APPROVED by the Mayor this 1st day of June, 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