

**ORDINANCE NO. Z-4123**

**SPECIAL USE PERMIT NO. 2020-00048**

**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, Hyvee Business Park, a subdivision of land in the City of Overland Park, Johnson County Kansas.

**Section 2.** That the real property hereinabove described shall hereafter allow a temporary location for a retail garden center, for a four-month 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 number, location and geometrics of all driveways and parking areas are subject to review and approval by the Planning and Development Services Department.
- b. Signage is limited to the 30 square-foot banner attached to the shade structure and the 12 square-foot double-sided sign located inside the fenced area.

**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.

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PASSED by the City Council this 1st day of March, 2021.

APPROVED by the Mayor this 1st day of March, 2021.

**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