

ORDINANCE NO. Z-4114

SPECIAL USE PERMIT NO. 2020-00037

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, REPLAT OF NORTH REGENCY PARK, a subdivision in the City of Overland Park, Johnson County, Kansas.

AND

All that part of Lot 2, REPLAT OF NORTH REGENCY PARK, a subdivision of land now in the City of Overland Park, Johnson County, Kansas, more particularly described as follows: Commencing at the most Easterly Southeast corner of said Lot 2, thence North 89 degrees 52 minutes 58 seconds West, along the South line of said Lot 2, a distance of 114.31 feet, to the True point of Beginning of subject tract; thence continuing North 89 degrees 52 minutes 58 seconds West, along the South line of said Lot 2 and its extension, a distance of 117.29 feet; thence North 0 degrees 07 minutes 02 seconds East, a distance of 12.82 feet; thence North 89 degrees 52 minutes West, a distance of 135 feet; thence North 0 degrees 08 minutes East, a distance of 76.56 feet, thence South 89 degrees 52 minutes East, a distance of 5.98 feet; thence North 0 degrees 08 minutes 50 seconds East, a distance of 20 feet; thence South 89 degrees 51 minutes 10 seconds East, a distance of 126.81 feet, thence South 0 degrees 08 minutes West, a distance of 8.07 feet, thence South 89 degrees 52 minutes East, a distance of 110.50 feet, thence South 0 degrees 08 minutes West, a distance of 61 feet, thence South 89 degrees 52 minutes East, a distance of 9 feet, thence South 0 degrees 08 minutes West, a distance of 40.24 feet, to the True Point of Beginning of subject tract.

Shown as Tract 2B on that certain Certificate of Survey Minor Lot Split Lot 2, Replat of North Regency Park filed of record June 12, 2002 as Document No. 3428008 in Book 7877 at Page 412.

AND

All that part of Lot 3, REPLAT OF NORTH REGENCY PARK, a subdivision of land now in the City of Overland Park, Johnson County, Kansas, more particularly described as

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follows: Beginning at the Northwest corner of said Lot 3; thence South 89 degrees 52 minutes East, along the North line of said Lot 3, a distance of 87.05 feet; thence South 0 degrees 08 minutes West, a distance of 105.64 feet, thence North 89 degrees 52 minutes West, a distance of 8.41 feet, thence South 0 degrees 08 minutes West, a distance of 29.36 feet, thence North 89 degrees 52 minutes West, a distance of 9.00 feet, thence South 0 degrees 08 minutes West, a distance of 196.16 feet, to a point on the South line of said Lot 3 and 168.59 feet East of the Southwest corner thereof, as measured along said South line; thence North 89 degrees 52 minutes 58 seconds West, along the South line of said Lot 3, a distance of 168.59 feet to the Southwest corner thereof; thence north 0 degrees 07 minutes 02 seconds East, along the Westerly line of said Lot 3, a distance of 34.38 feet, to a point of curvature; thence Northerly and Northeasterly along the Westerly line of said Lot 3, said line being on a curve to the right having a radius of 275 feet and a central angle of 43 degrees 51 minutes 37 seconds, a distance of 210.51 feet, to a point of reverse curvature, thence Northeasterly and Northerly, along the Westerly line of said Lot 3, said line being on a curve to the left having a radius of 80 feet, a central angle of 43. degrees 50 minutes 39 seconds and whose initial tangent bearing is North 43 degrees 58 minutes 39 seconds East, a distance of 61.22 feet, to a point of tangency; thence North 0 degrees 08 minutes East, along the Westerly line of said Lot 3, a distance of 50.85 feet to the point of beginning.

Shown as Tract 3A on that certain Certificate of Survey Minor Lot Split, Lot 3, Replat of North Regency Park filed of record January 17, 2003 as Document No. 3551348 in Book 8562 at Page 655.

Section 2. That the real property hereinabove described shall hereafter allow a clinical research facility and hospital for Vince Research Plaza, for an indefinite period of time. This property is currently zoned CP-2, Planned General Business District.

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 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

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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. Development of the site shall be limited to 78,906 square feet and 99 beds.
- c. Prior to the submittal of a building permit, the Planning Commission shall approve final development plans.
- d. Prior to the issuance of a certificate of occupancy, all roof-top and ground-mounted mechanical equipment shall be screened from view with an architectural treatment that is compatible with the building architecture.
- e. The final plan shall meet the requirements of the Site Design Standards and Architectural Design Standards.
- f. The number, location, and geometrics of all driveways and parking areas are subject to review and approval by the Planning and Development Services Department.

Section 4. Take Effect. This ordinance shall be set for publication within fourteen (14) days following receipt of written notification from the applicant so long as such notification is received on or before December 31, 2021; and this ordinance shall thereafter take effect and be in force upon publication as provided by law. Provided, if notification is not received by such date, this Ordinance shall not be published, shall not take effect and shall be null and void.

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

APPROVED by the Mayor this 1st day of February, 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