

**ORDINANCE NO. Z-4028**

**SPECIAL USE PERMIT NO. 2019-00031**

**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:

All that part of the Northwest Quarter of the Northwest Quarter of Section 8, Township 14, Range 25, Johnson County, Kansas, more particularly described as follows: Commencing at a point on the West line of the Northwest Quarter of the Northwest Quarter of said Section 8, and 611.60 feet North of the Southwest corner thereof, said point also being the centerline of the Kansas City, Clinton and Springfield Railroad, as now located; thence North 88 degrees 27 minutes East (this and all other bearings refer to the West line of the Northwest Quarter of the Northwest Quarter of said Section 8 as being North 0 degrees East), along the centerline of said Kansas City, Clinton and Springfield Railroad, a distance of 387.14 feet; thence South 0 degrees East, a distance of 50.02 feet, to a point on the Southerly Right-of-Way line of said Kansas City, Clinton and Springfield Railroad; thence North 88 degrees 27 minutes East, along the Southerly right-of-way line of said Kansas City, Clinton and Springfield Railroad, a distance of 12.76 feet, to a point of curvature; thence Easterly, along the Southerly right-of-way line of said Kansas City, Clinton and Springfield Railroad, said line being on a curve to the right, having a radius of 1860.08 feet, a distance of 266.73 feet, to a point on the Southerly extension of the East line of Lot 11, Block 6, Town of Stanley, a subdivision of land, in Johnson County, Kansas; thence South 0 degrees East, along the Southerly extension of the East line of said Lot 11, a distance of 75 feet, to the true point of beginning of subject tract; thence continuing South 0 degrees East, along the Southerly extension of the East line of said Lot 11, a distance of 75 feet; thence North 90 degrees West, a distance of 258.08 feet; thence North 0 degrees East, a distance of 75 feet; thence North 90 degrees East, a distance of 258.08 feet, to the true point of beginning of subject tract, subject to any part thereof in street, road or highway.

**Section 2.** That the real property hereinabove described shall hereafter allow renewal of a yoga studio, for a five-year period of time.

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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:

None.

**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 9th day of September, 2019.

APPROVED by the Mayor this 9th day of September, 2019.

**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