

**ORDINANCE NO. Z-4044**

**SPECIAL USE PERMIT NO. 2019-00039**

**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 Nicklaus Golf Club at Lionsgate, 1<sup>st</sup> and 2<sup>nd</sup> Plats, except that part replatted as Links at Lionsgate 2<sup>nd</sup> and 3<sup>rd</sup> Plats.

And all of Tracts B and C of Links and Lionsgate, 2<sup>nd</sup> Plat.

Except that part of Lot 4, Nicklaus Golf Club at Lionsgate more particularly described as follows: Beginning at a point being the southernmost corner of Lot 109, Links at Lionsgate, 2<sup>nd</sup> Plat; thence northeasterly along a line a distance of 117.14 feet to a point, said point is the endpoint of a line that is the southeasterly extension of the northerly line of said Lot 109 a distance of 20 feet; thence continuing northeasterly along a line to the eastern most corner of Lot 108, Links at Lionsgate, 2<sup>nd</sup> Plat a distance of 117.15 feet; thence southwesterly along the easterly line of said Lot 108 a distance of 120.51 feet to the southernmost corner of said Lot 108; thence continuing southwesterly along the easterly line of said Lot 109 to the southernmost corner of said Lot 109 a distance of 121.92 feet, said point being the point of beginning.

All subdivisions are in the City of Overland Park, Johnson County, Kansas.

**Section 2.** That the real property hereinabove described shall hereafter allow renewal of a drinking establishment, for a five-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

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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 4th day of November, 2019.

APPROVED by the Mayor this 4th day of November, 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