

Chapter 18.324
SFD SANTA FE DISTRICT

Sections:

- 18.324.010 Statement of intent
- 18.324.020 Permitted uses
- 18.324.030 Height and area regulations
- 18.324.040 Parking regulations
- 18.324.050 Development and performance standards

18.324.010 Statement of intent

The zoning of property as SFD – Santa Fe District, is intended to provide retail uses that support the surrounding neighborhoods, and multi-family residential development that supports the business within the core of Downtown Overland Park. In addition, the District is intended to provide for the majority of automobile related uses along Santa Fe Drive, which is considered a main entry into Downtown Overland Park. The buildings that are constructed in this corridor are intended to exhibit a character that blends with the existing buildings within the core of downtown.

(History: Ord. ZRR-2343 §65, 2002)

18.324.020 Permitted uses

No building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses, subject to the development and performance standards set forth in Section 18.324.050:

- A. Any use permitted in C-1, subject to the applicable development and performance standards.
- B. Retail sale of goods and services including or similar to the following but excluding any use specifically listed in District C-3:
 - Communication and specialty electronics;
 - Department stores;
 - Gasoline and other motor vehicle fuels;
 - Glass;
 - Medical equipment;
 - Newspaper publishing and printing;
 - Office Equipment;
 - Theatres, movie and stage;
 - Rental or leasing of furniture and home furnishings.
- C. Apartment houses.
- D. Mixed use buildings, consisting of retail, office and residential uses.

Chapter 18.324

- E. Publicly owned parking lots.
- F. Public parks and playgrounds, including public recreation or service buildings and publicly owned swimming pools.
- G. Churches, and publicly owned and operated community buildings, museums, and libraries.
- H. Clubs and drinking establishments.
- I. Automotive services limited to glass installation and replacement, brake and muffler repairs, window tinting, radio and stereo installation, tire and battery stores, and tune-up, quick lube and auto diagnostic centers.
- J. Accessory uses as provided in Chapter 18.390.
(History: Ord. ZRR-2418 §1, 2002; ZRR-2343 §65, 2002)

18.324.030 Height and area regulations

The maximum height of buildings and provisions for yards shall be as follows, except as otherwise provided in Chapter 18.420:

- A. Maximum height – 3 stories.
 - B. Yards:
 - 1. For all property with street frontage on Santa Fe Drive, a 15-foot build-to line is required for said street frontage.
 - 2. All other street frontages -- Minimum 10-foot setback.
 - 3. All lot lines not adjacent to a public street – no setback is required, except that for properties adjacent to residentially zoned properties, a 25-foot building setback from said properties is required.
- (History: Ord. ZRR-2343 §65, 2002)

18.324.040 Parking regulations

- A. Sufficient on-street or off-street parking spaces shall be made available for all employees, customers, residents, visitors and others who may spend time on site. The number of such parking spaces shall be determined at the time of downtown development plan approval. In no event shall there be more than 5 spaces for each 1,000 square feet of non-residential floor area.
- B. Where provisions are made to accommodate transit facilities such as bus shelters or “park and ride” operations, or where the parking required by Section 18.430.150 exceeds 5 spaces for each 1,000 square feet of floor area, parking in excess of the limitations

outlined in Section A above, may be permitted at the time of downtown development plan approval.

- C. Shared parking between adjacent uses may be permitted at the time of downtown development plan approval, so long as the cumulative parking for all adjacent uses meets the requirements of (A) above. Approval of shared parking shall be contingent upon the recording of joint parking and access easements.
- D. No portion of any paved parking area that is hereafter constructed shall be permitted within 10 feet of a street line or 6 feet from a lot line, except where shared parking and cross access easements are provided.
- E. All parking setback areas shall be graded and planted with appropriate ground cover and landscaping. In addition, all parking setback areas adjacent to a public street shall include a low wall and/or hedge located at the build-to line, for the entire length of the lot.
- F. On-street parking may be constructed where adequate right-of-way is available, subject to good traffic engineering design principles. On-street parking that is available directly in front of, and in the case of a corner lot along the side of a lot, may be credited to the parking required by (A) above. Determination as to the appropriateness of on-street parking shall be determined at the time of downtown development plan approval.

(History: Ord. ZRR-2343 §65, 2002)

18.324.050 Development and performance standards

- A. Drive-in and drive-through service wherein a patron is served through a window or other device while remaining in a motor vehicle may be provided except where cereal malt beverages in any form are served or sold through the drive-through window. The location and design of any drive-in or drive-through facility shall be such that potential adverse effects on adjacent property are minimal or nonexistent, and the Planning Commission or Governing Body may attach conditions to any development approval for a drive-in or drive-through facility relating to the configuration, design or operation of the facility intended to lessen potential adverse effects. All property for which drive-in or drive-through food service is provided shall be subject to the following standards:
 - 1. No order box, order window, payment window, pickup window, drive-in service stall, or similar point of interaction for the drive-in or drive-through facility shall be located within 200 feet of any residentially zoned property. Provided, however, that the distance restriction above may be reduced or waived by the Planning Commission or the Governing Body at the time of downtown development plan approval where the residentially zoned land is not designated on the Future Development Plan as being within a residential category. In determining to what degree the 200-foot distance should be reduced, if any, the Planning Commission and/or Governing Body shall consider, but not be limited to, the following factors:

Chapter 18.324

- a. The likelihood that the residentially zoned property will be developed for a residential use or will continue to be utilized for a residential use in the foreseeable future.
 - b. The degree to which the current or anticipated use of the residentially zoned property is likely to be sensitive to or affected by the noise, headlight glare, exhaust fumes and litter that may result from the operation of the drive-in or drive-through facility.
 - c. The degree to which the property containing the drive-in or drive-through facility also contains or is proposed to contain landscaping, fencing, berming, and/or other buffering techniques to lessen the impact of the drive-in or drive-through on the residentially zoned property.
 - d. The degree to which the residentially zoned property has a site configuration, a building design or other physical features which would lessen the impact of the drive-in or drive-through facility on the residentially zoned property.
2. Adequate passenger car stacking space shall be provided from the order box or order window to ensure that public right-of-way or common driveway easements will not be blocked due to the drive-in or drive-through facility. The amount of stacking space is to be determined as part of the downtown development plan and after consultation with the Traffic Engineer of the City.
- B. Only retail merchandise designed for exterior use and made from weather-resistant materials may be displayed or stored outside a building. Such merchandise shall be kept off of the public sidewalks and the public rights-of-way, except that limited displays on the public sidewalk may be permitted as part of a temporary promotional event approved through a Special Event Permit issued by the City. All other merchandise, materials or equipment shall be stored inside a building.
- C. Sales and consumption of cereal malt beverages or alcoholic liquor shall be subject to the provisions set out in Section 18.260.050, 18.270.050, and as required in Chapters 5.12, 5.20, and 5.48, as applicable.
- D. Restaurants may have an outdoor service area that is accessory to the main restaurant function. The outdoor service area must be a well-defined space, designed and serviced to keep debris from blowing off the premises. Patrons must gain entrance through the main entrance to the restaurant, but at least one exit must be provided for fire safety. If the outdoor seating area is adjacent to public street right-of-way, the perimeter of the outdoor seating area shall be enclosed by a low wall and/or hedge located at the build-to line.

- E. The Planning Commission or City Council may require assurance of the financial and administrative ability of any agency created by a developer for the purpose of maintaining common open space and facilities of a non-public nature.
- F. No smoke, radiation, vibration or concussion, heat or glare shall be produced that is perceptible outside a building, and no dust, fly ash or gas that is toxic, caustic or obviously injurious to humans or property shall be produced.
- G. Prior to the issuance of any building permit, downtown development plan approval shall be obtained as provided for in Chapter 18.140.

(History: Ord. ZRR-2343 §65, 2002)

[Next Page is 18-2360]