

Chapter 18.326
MD METCALF DISTRICT

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18.326.010 Statement of intent

The zoning of property as MD – Metcalf District, is intended to provide for retail sales and services with only minor restrictions. In addition, this District is intended to provide the majority of automobile related uses for the entire Downtown Overland Park area.

(History: Ord. ZRR-2343 §66, 2002)

18.326.020 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 18.326.050:

- A. Any use permitted in District C-3, subject to the applicable development and performance standards.
- B. Publicly owned parking lots.
- C. Accessory uses as provided in Chapter 18.390.

(History: Ord. ZRR-2343 §66, 2002)

18.326.030 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 – 40 feet.
- B. Yards:
 - 1. Front yards – 10 feet.
 - 2. Side and rear yards – no side or rear yard is required; provided, however, that for properties adjacent to residentially zoned properties, a 25-foot building setback from said properties is required.

(History: Ord. ZRR-2343 §66, 2002)

18.326.040 Parking regulations

- A. Sufficient off-street parking spaces shall be made available for all employees, customers, residents, visitor 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 less than 4 spaces for each 1,000 square feet of floor area. In no event shall there be more than 5 spaces for each 1,000 square feet of floor area unless otherwise provided by this Chapter.
- 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, loading, delivery, or service facilities behind buildings shall be setback 15 feet from any residential property line.
- F. All parking setback areas shall be graded and planted with appropriate ground cover and landscaping.

(History: Ord. ZRR-2343 §66, 2002)

18.326.050 Development and performance standards

- A. Drive-in and drive-through service may be provided as set forth in Section 18.324.050 (A).
- 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.
- 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 §66, 2002)

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