

ORDINANCE NO. Z-4159

REZONING NO. 2021-00011

AN ORDINANCE RELATING TO ZONING: AMENDING CERTAIN ZONING REGULATIONS SHOWN ON SHEET NO. 025 OF THE ZONING DISTRICT MAP INCORPORATED BY REFERENCE BY OVERLAND PARK MUNICIPAL CODE SECTION 18.150.020; AMENDING OVERLAND PARK MUNICIPAL CODE SECTION 18.150.020, AND REPEALING THE SAME.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:

Section 1. Amendment of Zoning District Map. The zoning district boundaries set forth on the Zoning District Map, Sheet No. 025, of the City of Overland Park, Kansas, incorporated by reference in the Overland Park Municipal Code, Section 18.150.020, are hereby amended with respect to the following described real property, to-wit:

Legal Description:

All That Part Of The Southwest $\frac{1}{4}$ Of Section 7, Township 13, Range 25, Now In The City Of Overland Park, Johnson County, Kansas, More Particularly Described As Follows: Commencing At A Point On The West Line Of The Southwest $\frac{1}{4}$ Of Said Section 7 And 357.80 Feet South Of The Northwest Corner Thereof; Thence North 90° East Along A Line Perpendicular To The West Line Of The Southwest $\frac{1}{4}$ Of Said Section 7, A Distance Of 20 Feet; Thence North 0° East, Along A Line 20 Feet East Of And Parallel To The West Line Of The Southwest $\frac{1}{4}$ Of Said Section 7, A Distance Of 58.91 Feet To A Point On The Southerly Right-Of-Way Line Of Interstate Highway No. 435, As Now Established; Thence Easterly Along The Southerly Right-Of-Way Line Of Said Interstate Highway No. 435, Said Line Being On A Curve To The Left, Having A Radius Of 11609.19 Feet, And Whose Initial Tangent Bearing Is South $86^{\circ}49'53''$ East A Distance Of 548.42 Feet; Thence South $89^{\circ}33'49''$ East Along The Southerly Right-Of-Way Line Of Said Interstate Highway No. 435, A Distance Of 722 Feet; Thence Easterly Along The Southerly Right-Of-Way Line Of Said Interstate Highway No. 435, Said Line Being On A Curve To The Right, Having A Radius Of 5579.55 Feet, And Whose Initial Tangent Bearing Is South $89^{\circ}34'31''$ East, A Distance Of 310.16 Feet To The True Point Of Beginning Of Subject Tract; Thence Continuing Easterly, Along The Southerly Right-Of-Way Line Of Said Interstate Highway No. 435, Said Line Being On A Curve To The Right, Having A Radius Of 5579.65 Feet, And Whose Initial Tangent Bearing Is South $86^{\circ}23'26''$ East, A Distance Of 1023.64 Feet; Thence South $75^{\circ}46'04''$ East Along The Southerly Right-Of-Way Line Of Said Interstate Highway No. 435, A Distance Of 54.40 Feet To A Point On The East Line Of The Southwest $\frac{1}{4}$ Of Said Section 7; Thence South $0^{\circ}11'44''$ West Along The East Line Of The Southwest $\frac{1}{4}$ Of Said Section 7, A Distance Of 1274.30 Feet; Thence North 90° West A Distance Of 66.63 Feet, To A Point Of Curvature; Thence Westerly

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And Northwesterly Along A Curve To The Right, Having A Radius Of 280 Feet, A Distance Of 122.17 Feet To A Point Of Tangency; Thence North 65° West, A Distance Of 150 Feet To A Point Of Curvature; Thence Northwesterly, Westerly And Southwesterly Along A Curve To The Left, Having A Radius Of 460 Feet, A Distance Of 594.11 Feet; Thence North 49° West, A Distance Of 259.57 Feet; Thence North 0° East, A Distance Of 1300.40 Feet To The True Point Of Beginning Of Subject Tract; Except Any Part Taken, Used Or Dedicated For Roads Or Public Rights Of Way;

ALSO

All of Lot 16, Lot 17 and Lot 18 of EXECUTIVE HILLS SECOND PLAT, a subdivision in the City of Overland Park, Johnson County, Kansas.

The real property hereinabove described shall hereafter be deemed zoned and classified as CP-O, Planned Office Business District.

The Zoning District Map, Sheet No. 025 is hereby ordered to be changed to reflect such amendment.

Section 2. Stipulations and Conditions. The rezoning granted in Section 1 of this ordinance is hereby made contingent upon the performance and observance of the following regulations, stipulations, conditions, and restrictions, 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 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.

Section 3. The Zoning District Map for the City of Overland Park, Kansas, is hereby amended by this ordinance, Ordinance No. Z-4159, said amendment being incorporated by reference pursuant to Section 18.150.020 which is amended to read as follows:

18.150.020 Zoning District Map

The boundaries of the zoning districts enumerated in Section 18.150.010 and in Article 7 of the Johnson County, Kansas, Zoning & Subdivision Regulations adopted herein shall be shown on a map officially designated as the Zoning District Map, which map is hereby incorporated by reference. Such "Zoning District Map" shall be marked "official copy of zoning district map incorporated into the zoning regulations by adoption of a zoning ordinance by the Governing Body of the City on the 13th day of September, 2021," and

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shall be filed in the office of the Director of Planning and Development Services of the City of Overland Park, Kansas, to be open to inspection and available to the public at all reasonable business hours. Ordinances amending the boundaries of zoning districts shall order the "Zoning District Map" to be changed to reflect such amendment, shall amend this Section 18.150.020, and shall reincorporate such "Zoning District Map" as amended.

Section 4. All zoning ordinances or provisions of the City of Overland Park, Kansas, otherwise limiting the use of the above described real property and inconsistent with this ordinance are hereby repealed. Further, Overland Park Municipal Code, Section 18.150.020, is hereby repealed to allow for amendment to the Zoning District Map as set forth hereinabove.

Section 5. 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 13th day of September, 2021.

APPROVED by the Mayor this 13th day of September, 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