

ORDINANCE NO. Z-4216

REZONING NO. 2022-00002

AN ORDINANCE RELATING TO ZONING: AMENDING CERTAIN ZONING REGULATIONS SHOWN ON SHEET NO. 083 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. 083, 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 an unplatted tract of land, located in all of the Northwest Quarter of Section 25, together with all that part of Lot 1 and the West 215.00 feet of the West 1/2 of Lot 2, Gentlemans Quarters, First Plat, a subdivision in the City of Overland Park, Johnson County, Kansas, according to the recorded plat thereof, all in Township 14 South, Range 24 East, being more particularly described by Timothy B. Wiswell, Kansas PS-1136, of Olsson Inc., Kansas LC-114, on February 9, 2022, as follows:

BEGINNING at the Northwest corner of the Northwest Quarter of said Section 25; thence North 88 degree 02 minutes 44 seconds East, on the North line of the Northwest Quarter of said Section 25, a distance of 2,665.55 feet, to the Northeast corner of the Northwest Quarter and the Northwest corner of the Northeast Quarter of said Section 25; thence North 88 degree 02 minutes 46 seconds East, on the North line of the Northeast Quarter of said Section 25, a distance of 1,071.61 feet, to a point being on the Northerly prolongations of the East line of the West 215.00 feet of Lot 2 of said Gentlemans Quarters, First Plat and the East line of a certain tract of land conveyed by Warranty Deed recorded in Book 202112 at Page 011236; thence South 02 degree 12 minutes 34 seconds East, departing said North line and on said Northerly prolongations and on said East lines, a distance of 1327.22 feet, to the Southeast corner of the West 215.00 feet of Lot 2 of said Gentlemans Quarters, First Plat and said certain tract of land conveyed by Warranty Deed recorded in Book 202112 at Page 011236, said point also being on the North line of Lot 55, Arbor View, Fourth Plat, a subdivision in the City of Overland Park, Johnson County, Kansas, according to the recorded plat thereof; thence South 88 degree 02 minutes 38 seconds West, on the South line said certain tract of land conveyed by Warranty Deed recorded in Book 202112 at Page 011236, and the North line of said Lot 55 and Lot 56 of said Arbor View, Fourth Plat and the North line of Lot 1, Blue Valley Elementary School #23, a subdivision in the City of Overland Park, Johnson County, Kansas, according to the recorded plat thereof, a distance

ORDINANCE NO. Z-4216

of 1,071.50 feet, to the Southwest corner of said certain tract of land conveyed by Warranty Deed recorded in Book 202112 at Page 011236 and the Northwest corner of Lot 1 of said Blue Valley Elementary School #23, said point also being on the East line of a certain tract of land conveyed by Warranty Deed recorded in Book 1176 at Page 706; thence South 02 degree 12 minutes 53 seconds East, on said East line and the West line of said Lot 1, a distance of 235.22 feet, to a point on the Easterly right-of-way line of Grant Street, as now established, said point also being the beginning of a point of curvature; thence in a Southerly and Southeasterly direction, departing said East line and on a curve to left and on the West line of said Lot 1 and said Easterly right-of-way line, having a radius of 470.00 feet, through a central angle of 19 degrees 56 minutes 54 seconds, an arc distance of 163.64 feet, to the beginning of a reverse curve; thence in a Southeasterly and Southerly direction, on a curve to right and on the West line of said Lot 1 and said Easterly right-of-way line, having a radius of 530.00 feet, through a central angle of 19 degrees 56 minutes 54 seconds, an arc distance of 184.53 feet, to a point on a tangent line; thence South 02 degree 12 minutes 53 seconds East, on the West line of said Lot 1 and said Easterly right-of-way line, a distance of 216.24 feet, to a point being the intersection of the West line of said Lot 1 and the Easterly right-of-way line of said Grant Street and the North right-of-way line of 179th Street, as both streets are now established; thence South 87 degree 47 minutes 07 seconds West, departing the West line of said Lot 1 and said Easterly and North right-of-way lines and on a line perpendicular to said Easterly right-of-way line, a distance of 60.00 feet, to a point on the West right-of-way line of said Grant Street, as now established, and the East line of said certain tract of land conveyed by Warranty Deed recorded in Book 1176 at Page 706; thence South 02 degree 12 minutes 53 seconds East, on said West right-of-way line and said East line and the Southerly prolongation of said East line, a distance of 534.48 feet, to the Southeast corner of said certain tract of land conveyed by Warranty Deed recorded in Book 1176 at Page 706, said point also being the Southeast corner of the Northwest Quarter and the Southwest corner of the Northeast Quarter of said Section 25; thence South 88 degree 02 minutes 35 seconds West, on the South line of said certain tract of land conveyed by Warranty Deed recorded in Book 1176 at Page 706 and on the South line of the Northwest Quarter of said Section 25, a distance of 2,660.01 feet, to the Southwest corner of said certain tract of land conveyed by Warranty Deed recorded in Book 1176 at Page 706, said point also being the Southwest corner of the Northwest Quarter of said Section 25; thence North 02 degree 20 minutes 03 seconds West, on the West line of said certain tract of land conveyed by Warranty Deed recorded in Book 1176 at Page 706 and on the West line of the Northwest Quarter of said Section 25, a distance of 2,654.52 feet, to the POINT OF BEGINNING, containing 8,513,720 Square Feet or 195.4481 Acres, more or less.

The real property hereinabove described shall hereafter be deemed zoned and classified as R-1, Single-Family Residential District, to allow the development of Single-Family homes.

The Zoning District Map, Sheet No. 083 is hereby ordered to be changed to reflect such amendment.

ORDINANCE NO. Z-4216

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. Prior to the issuance of a building permit, the property shall be preliminary and final platted.

Section 3. The Zoning District Map for the City of Overland Park, Kansas, is hereby amended by this ordinance, Ordinance No. Z-4216, 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 09th day of May, 2022," and 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.

[Remainder of Page Intentionally Left Blank]

ORDINANCE NO. Z-4216

PASSED by the City Council this 09th day of May, 2022.

APPROVED by the Mayor this 09th day of May, 2022.

CITY OF OVERLAND PARK, KANSAS

By: (s) Curt Skoog
Curt Skoog
Mayor

(SEAL)

ATTEST:

APPROVED AS TO FORM:

By: (s) Elizabeth Kelley
Elizabeth Kelley
City Clerk

By: (s) Trevor L. Stiles
Trevor L. Stiles
Senior Assistant City Attorney