

**NOTICE OF PUBLIC HEARING
CITY PLANNING COMMISSION
CITY OF OVERLAND PARK, KANSAS**

Notice is hereby given that the City Planning Commission of Overland Park, Kansas, will hold a public hearing Monday, February 13, 2023, at 1:30 pm, in the Council Chamber of City Hall, 8500 Santa Fe Drive.

There will be limited seating in the Council Chambers for members of the public. The public is encouraged to view the live stream at opkansas.civicweb.net and select "Watch Live."

Persons who wish to provide testimony at the public hearing may 1) submit comments in writing to planningcommission@opkansas.org; 2) appear in-person.

A public hearing will be held in consideration of the following items to wit:

SPECIAL USE PERMIT - SUP2022-00027 - 7211 West 97th Street

Legal Description:

Tenant space commonly known as 7211 West 97th Street, a part of an unplatted parcel described as follows:

Part of the Southeast Quarter of the Northeast Quarter of Section 6, Township 13 South, Range 25 East, beginning 353.84 feet south and 306 feet west of the northeast corner of the Southeast Quarter of the Northeast Quarter, thence north 135.55 feet, northerly and northeast 92.12 feet and 81.66 feet, thence north 9.06 feet to the south right-of-way of 97th Street, thence west 725.65 feet, thence south 74.98 feet, thence south and southeast 243.77 feet, thence east 660.02 to the point of beginning, containing 5.031 acres, more or less.

Curry Investment Company, applicant, is requesting a special use permit to allow a temporary industrial use for a microbrewery for a three-year period of time. This property is currently zoned CP-2, Planned General Business District.

SPECIAL USE PERMIT - SUP2022-00028 - 8900 West 135th Street

Legal Description:

Lot 1, Hy-Vee Business Park, a subdivision of land in the City of Overland Park, Johnson County, Kansas.

Hy-Vee, Inc., applicant, is requesting a special use permit to allow a temporary commercial use for a seasonal retail garden center for a four-month period of time. This property is currently zoned CP-2, Planned General Business District.

SPECIAL USE PERMIT - SUP2022-00026 - 4941 Hadley Street

Legal Description:

All that part of Tract "E" in the Northwest Quarter of Section 6, Township 12, Range 25, Johnson County, Kansas of Certificate of Survey of William R Roberts, filed in Book 5 of Plats at Page 46 in the office of Register of Deeds in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Northwest corner of said Tract "E"; thence 00 degrees, 05 minutes, 00 seconds east along the west line of said Tract "E"; a distance of 128.05 feet; thence north 89 degrees, 55 minutes, 00 seconds east, a distance of 198.75 feet; thence north 21 degrees, 34 minutes, 10 seconds west, a distance of 191.95 feet to the present South Line of Merriam; thence south 68 degrees, 25 minutes, 50 seconds west along said South line of said right of way, a distance of 138.04 feet to the point of beginning, excluding all property located in streets.

Vernon Estes, applicant, is requesting a special use permit to allow the renewal of a temporary commercial use for a 10-year period of time. This property is currently zoned M-1, Industrial Park District.

SPECIAL USE PERMIT - SUP2022-00025 - 10520 Metcalf Avenue

Legal Description:

(Tenant Space 10556 Metcalf Lane): Lot 6, Block 6, Metcalf View, Second Plat, a subdivision of land now in the city of Overland Park, Johnson County, Kansas.

Sunil Kumar, applicant, is requesting a special use permit to allow a dog daycare and boarding for a five-year period of time. This property is currently zoned CP-2, Planned General Business District.

REZONING - REZ2022-00020 - Vicinity of southeast corner of 175th Street and Pflumm Road

Legal Description:

Tract 1 (RP-3):

All that portion of the North One-half of Northwest Quarter and the North One-half of the Northeast Quarter of Section 27, Township 14 South, Range 24 East, in the City of Overland Park, Johnson County, Kansas, this Original Legal Description was prepared on December

8, 2022, by me, Craig E. Chaney, Professional Surveyor, Kansas License No. 1141, with said portion being more particularly described as follows:

COMMENCING at the Northwest Corner of the Northwest Quarter of said Section 27; thence South $02^{\circ}29'10''$ East, along the West Line of said quarter section, a distance of 947.44 feet to the true POINT OF BEGINNING of land being described; thence departing said West Line of said quarter section, North $87^{\circ}38'07''$ East, a distance of 585.78 feet; thence North $02^{\circ}00'26''$ West, a distance of 25.29 feet; thence North $87^{\circ}59'34''$ East, a distance of 671.91 feet to a point of curvature; thence northerly along a curve to the left, said having an initial tangent bearing of North $04^{\circ}41'59''$ East, a radius of 350.00 feet, a delta angle of $7^{\circ}10'26''$, an arc length of 43.82 feet; thence North $02^{\circ}28'27''$ West, a distance of 112.25 feet; thence North $88^{\circ}00'38''$ East, a distance of 724.49 feet to a point of curvature; thence easterly and southeasterly along a curve to the right, said curve being tangent to the last described course and having a radius of 356.00 feet, a delta angle of $51^{\circ}42'26''$, an arc length of 321.28 feet to a point of tangency; thence South $40^{\circ}16'56''$ East, a distance of 77.70 feet; thence North $49^{\circ}43'04''$ East, a distance of 194.81 feet to a point of curvature; thence northeasterly along a curve to the right, said curve having an initial tangent bearing of North $18^{\circ}15'51''$ East and a radius 200.00 feet, a delta angle of $29^{\circ}00'01''$, an arc length of 101.23 feet to a point on the southwesterly Right-of-Way Line of 175th Street as now established, said right-of-way being established by that certain Deed of Dedication dated February 24, 1998 and filed as Document No. 2805920 in Book 5509 at Page 382 in the Johnson County Kansas Register of Deeds Office; thence southeasterly along said right-of-way line and being along a non-tangent curve to the right, said curve having an initial tangent bearing of South $37^{\circ}48'03''$ East and having a radius of 1,580.38 feet, a delta angle of $07^{\circ}07'22''$, an arc length of 196.47 feet to a point of tangency; thence continuing along said right-of-way line South $30^{\circ}40'41''$ East, a distance of 71.64 feet (measured), 71.24 feet (deed) to a point on the East Line of the North One-half of the Northwest Quarter of said Section 27; thence continuing South $30^{\circ}40'41''$ East, along the southwesterly Right-of-Way Line of 179th Street as now established, said right-of-way being established by that certain Deed of Dedication dated February 24, 1998 and filed as Document No. 2805921 in Book 5509 at Page 387 in the Johnson County Kansas Register of Deeds Office, a distance of 391.53 feet (measured) 390.86 feet (deed) to a point on the South Line of the North One-half of the Northeast Quarter of said Section 27; thence departing said southwesterly right-of-way line along the said South Line of said North One-half of the Northeast Quarter of said Section 27, South $88^{\circ}00'11''$ West, a distance of 184.91 feet to the Southeast Corner of the North One-half of the Northwest Quarter of said Section 27; thence South $88^{\circ}00'08''$ West, along the South Line of said North One-half of said quarter section, a distance of 1500.04 feet to the Northeast Plat Corner of said WOLF RUN, FIRST PLAT; thence continuing along said South Line of the North One-half of said quarter section and the North Plat Line of said WOLF RUN, FIRST PLAT, South $88^{\circ}00'08''$ West, a distance of 484.80 feet; thence North $60^{\circ}35'38''$ West (measured) North $60^{\circ}33'53''$ West (deed), a distance of 76.57 feet (measured) 76.65 feet (deed); thence South $53^{\circ}34'06''$ West (measured) South $53^{\circ}29'15''$ West (deed), a distance of 70.55 feet (deed & measured) to a point on the South Line of said North One-half of said quarter section and on said North Plat Line of WOLF RUN,

FIRST PLAT; thence South 88°00'08" West, along said South Line of said North One-half and said North Line of said WOLF RUN, FIRST PLAT, a distance of 551.66 feet to the Southwest Corner of the North One-half of said quarter section; thence North 02°29'10" West, along the West Line of said quarter section, a distance of 380.85 to the place of beginning and subject to the existing Pflumm Road right-of-way easement of record;

Containing 1,266,248 square feet or 29.069 acres, more or less.

Tract 2 (RP-6):

All that portion of the North One-half of Northwest Quarter of Section 27, Township 14 South, Range 24 East, in the City of Overland Park, Johnson County, Kansas, this Original Legal Description was prepared on December 12, 2022, by me, Craig E. Chaney, Professional Surveyor, Kansas License No. 1141, with said portion being more particularly described as follows:

COMMENCING at the Northwest Corner of the Northwest Quarter of said Section 27; thence South 02°29'10" East, along the West Line of said North One-half of said quarter section, a distance of 947.44 feet; thence departing said West Line, North 87°38'07" East, a distance of 585.78 feet; thence North 02°00'26" West, a distance of 25.29 feet; thence North 87°59'34" East, a distance of 671.91 feet; thence northerly along a curve to the left, said curve having an initial tangent bearing of North 04°41'59" East, a radius of 350.00 feet, a delta angle of 7°10'26", an arc length of 43.82 feet to a point of tangency; thence North 02°28'27" West, a distance of 112.25 feet to the true POINT OF BEGINNING of land being described; thence continuing North 02°28'27" West, a distance of 633.72 feet to a point on the southerly Right-of-Way Line of 175th Street as now established, said right-of-way being established by that certain Deed of Dedication dated February 24, 1998 and filed as Document No. 2805920 in Book 5509 at Page 382 in the Johnson County Kansas Register of Deeds Office; thence easterly and southeasterly along said southerly Right-of-Way Line of said 175th Street and the southwesterly Right-of-Way Line of 179th Street, as now established and as being established in said certain Deed of Dedication dated February 24, 1998 and filed as Document No. 2805920 in Book 5509 at Page 382 in the Johnson County Kansas Register of Deeds Office for the following Five (5) described courses; thence easterly and southeasterly along a non-tangent curve to the right, said curve having an initial tangent bearing of North 88°32'06" East, a radius of 1551.83 feet, a delta angle of 24°21'22", an arc length of 659.67 feet; thence South 71°24'13" East, a distance of 93.91 feet; thence southeasterly along a non-tangent curve to the right, said curve having an initial tangent bearing of South 63°40'17" East, a radius of 1561.68 feet, a delta angle of 21°46'21", an arc length of 593.44 feet to a point of tangency; thence North 48°06'04" East, a distance of 18.70 feet; thence southeasterly along a non-tangent curve to the right, said curve having an initial tangent bearing of South 41°53'56" East, a radius of 1580.38, a delta angle of 04°05'52", an arc length of 113.03 feet; thence departing said southwesterly right-of-way line of 179th Street on a non-tangent curve to the left, said curve having an initial

tangent bearing of South 47°15'52" West, a radius of 200.00 feet, a delta angle of 29°00'01", an arc length of 101.23 feet; thence South 49°43'04" West, a distance of 194.81 feet; thence North 40°16'56" West, a distance of 77.70 feet to a point of curvature; thence northwesterly and westerly along a curve to the left, said curve being tangent to the last described course and having a radius of 356.00 feet, a delta angle of 51°42'26", an arc length of 321.28 feet to a point of tangency; thence South 88°00'38" West, a distance of 724.49 feet to the place of beginning;

Containing 595,266 square feet or 13.665 acres, more or less.

Tract 3 (CP-2):

All that portion of the North One-half of Northwest Quarter of Section 27, Township 14 South, Range 24 East, in the City of Overland Park, Johnson County, Kansas, this Original Legal Description was prepared on December 8, 2022, by me, Craig E. Chaney, Professional Surveyor, Kansas License No. 1141, with said portion being more particularly described as follows:

COMMENCING at the Northwest Corner of the Northwest Quarter of said Section 27; thence South 02°29'10" East, along the West Line of said North One-half of said quarter section, a distance of 258.93 feet to the true POINT OF BEGINNING of land being described, said point being on the southerly Right-of-Way Line of 175th Street as now established, said right-of-way being established by that certain Deed of Dedication dated February 24, 1998 and filed as Document No. 2805920 in Book 5509 at Page 382 in the Johnson County Kansas Register of Deeds Office; thence along said southerly right-of-way line of 175th Street for the following Six (6) described courses; thence departing said West Line of said quarter section, North 87°30'50" East, perpendicular to said West Line, a distance of 40.11 feet (measured) 40.00 feet (deed); thence North 02°27'13" West, a distance of 158.15 feet; thence North 87°58'52" East, a distance of 951.20 feet; thence South 02°01'08" East, a distance of 28.54 feet; thence North 87°58'52" East, a distance of 254.65 feet to a point of curvature; thence easterly along a curve to the right, said curve being tangent to the last described course and having a radius of 1551.83 feet, a delta angle of 00°33'15", an arc length of 15.01 feet; thence departing said southerly right-of-way line, South 02°28'27" East, a distance of 745.96 feet to a point of curvature; thence southerly along a curve to the right, said curve being tangent to the last described course and having a radius of 350.00 feet, a delta angle of 7°10'26", an arc length of 43.82 feet; thence South 87°59'34" West, a distance of 671.91 feet; thence South 02°00'26" East, a distance of 25.29 feet; thence South 87°38'07" West, a distance of 585.78 feet to a point on the West Line of said North One-half of said quarter section; thence North 02°29'10" West, along said West Line, a distance of 688.51 feet to the place of beginning and subject to the existing Pflumm Road right-of-way easement of record;

Containing 1,033,278 square feet or 23.721 acres, more or less.

Pflumm Holdings, LLC, Cogswell Holdings, LLC, Melkkoe, LLC, and Schlagel Holdings, LLC, applicants, are requesting a rezoning to CP-2, Planned General Business District, RP-3, Planned Garden Apartment District, and RP-6, Planned High-Rise Apartment District, to allow retail and multi-family uses.

REVISED PRELIMINARY PLAN - Aubry Bend Middle School - PDP2022-00030 - 12501 West 175th Street

Legal Description:

All of Lot 1B, Lot Split Survey, Overland Park Fire Station #8, as established in Book 202101, Page 009128, together with all of Lot 1, Blue Valley Southwest High School, EXCEPT that part of said Lot 1 dedicated to the City of Overland Park in Book 201811, Page 006989, all in the City of Overland Park, Johnson County, Kansas.

Blue Valley School District No. 229, applicant, is requesting approval of a revised preliminary plan to allow for a multi-purpose addition. This property is currently zoned R-1, Single-Family Residential District.

DFD CERTIFICATE OF CONFORMITY - DEV2022-00108 - 7514 West 80th Street

Legal Description:

The east 30 feet of the west 90.7' of Lot 13 and Lot 14, Block 1, Overland Park a subdivision in the City of Overland Park, Johnson County, Kansas.

7514 W 80th LLC, applicant, is requesting a certificate of conformity to allow the repurposing of an existing commercial building.