

**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, October 9, 2023, at 1:30 pm, in the Council Chamber of City Hall, 8500 Santa Fe Drive.

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

SPECIAL USE PERMIT - SUP2023-00022 - 8909 West 179th street

Legal Description:

All of Lot 3, Overland Park Arboretum, Second Plat, a subdivision in the City of Overland Park, Johnson County, Kansas, except the eastern 150 feet along Antioch Road and northern 150 feet along 179th Street. Along with the parts of Tract B, Kemper Farms, First Plat, a subdivision in the City of Overland Park, Johnson County, Kansas, located in the southeast quarter of Section 25 and the northeast quarter of Section 36, Township 14 South, Range 24 East, except the eastern 150 feet along Antioch Road.

The City of Overland Park, applicant, is requesting a special use permit to allow a drinking establishment for a three-year period of time. This property is currently zoned RUR-J, Rural District, Johnson County.

SPECIAL USE PERMIT - SUP2023-00019 - 7501 West 69th Street

Legal Description:

All that part of Section 18, Township 12, Range 25, and all that part of Tract A, MILBURN WEST AMENDED PLAT, a subdivision of land, and all that part of Lots 18, 19, and 22, and the Vacated right-of-way lying adjacent thereto, ELEANORA HEIGHTS, a subdivision of land, and all that part of a strip of land 60 feet wide formerly known as the right-of-way of the Missouri and Kansas Electric Railway lying within the SE1/4 of said Section 18, and all in the City of Overland Park, Johnson County, Kansas, more particularly described as follows:

Beginning at the Center corner of said Section 18; thence N 2° 15' 40" W, along the West line of the SW1/4 of the NE1/4 of said Section 18, a distance of 22.00 feet; thence N 87° 53' 12" E, along a line 22 feet North of and parallel with the South line of the SW1/4 of the NE1/4 of said Section 18, a distance of 1331.61 feet, to a point on the East line thereof; thence S 2° 19' 16" E, along the East line of the SW1/4 of the NE1/4 of said Section 18, a distance of 22.00 feet, to the Southeast corner thereof; thence N 87° 53' 12" E, along the North line of the SE1/4 of said Section 18, a distance of 24.37 feet, to a point on the West right-of-way line of Santa Fe Trail Boulevard, as now established; thence S 5° 22' 46" E, along the West right-of-way line of said Santa Fe Trail Boulevard, a distance of 67.06 feet, to a point of curvature; thence Southerly, along the West right-of-way line of said Santa Fe Trail Boulevard, said line being a curve to the right having a radius of 2,840.00 feet, an arc distance of 167.54 feet, to a point of tangency; thence S 1° 59' 58" E, along the West right-of-way line of said Santa Fe Trail Boulevard, a distance of 880.02 feet, to a point of curvature; thence Southeasterly, along the West right-of-way line of said Santa Fe Trail Boulevard, said line being a curve to the left having a radius of 1,500.06 feet, an arc distance of 657.23 feet, to a point of tangency; thence S 27° 06' 10" E, along the West right-of-way line of said Santa Fe Trail Boulevard, a distance of 26.69 feet, to a point of curvature; thence Southeasterly and Southerly, along the West right-of-way line of said Santa Fe Trail Boulevard, said line being a curve to the right having a radius of 1565.03 feet, an arc distance of 631.06 feet, to a point of compound curvature; thence Southerly, along the West right-of-way line of said Santa Fe Trail Boulevard, said line being a curve to the right having a radius of 2,198.90 feet and an initial tangent bearing S 3° 59' 58" E, an arc distance of 95.33 feet, to a point of tangency; thence S 1° 30' 56" E, along the West right-of-way line of said Santa Fe Trail Boulevard, a distance of 137.75 feet; thence S 43° 22' 05" W, along the West right-of-way line of said Santa Fe Trail Boulevard, a distance of 14.17 feet, to a point on the North right-of-way line of W. 71st Street, as now established; thence S 87° 59' 43" W, along the North right-of-way line of said W. 71st Street, a distance of 1647.12 feet, to a point on the East line of the SW1/4 of said Section 18; thence S 87° 52' 28" W, along the North right-of-way line of said W. 71st Street, a distance of 669.49 feet, to a point on the East line of the West 665.00 feet of the East Half of the SW1/4 of said Section 18; thence N 2° 08' 39" W, along the East line of the West 665.00 feet of the East Half of the SW1/4 of said Section 18, a distance of 1000.00 feet; thence N 79° 24' 55" W, a distance of 681.75 feet, to a point on the West line of the East Half of the SW1/4 of said Section 18; thence N 2° 08' 39" W, along the West line of the East Half of the SW1/4 of said Section 18, a distance of 1217.89 feet, to a point on the South line of the North 258.00 feet of said Tract A; thence S 87° 55' 17" W, along the South line of the North 258.00 feet of said Tract A, a distance of 50.00 feet, to the Southwest corner of the North 258.00 feet of the East 50.00 feet of said Tract A; thence N 2° 08' 39" W, along the West line of the East 50.00 feet of said Tract A, a distance of 258.00 feet, to a point on the North line thereof, said point also being on the North line of the SW1/4 of said Section 18; thence N 87° 55' 17" E, along the North line of the SW1/4 of said Section 18, a distance of 1383.45 feet, to the point of beginning,

EXCEPT the following described tract as described in the Quit Claim Deed recorded in Deed Book 457 at Page 406 in the Office of the Register of Deeds, Johnson County,

Kansas:

“Beginning at a point 25 feet South of the North line of the Southeast 1/4 of Section 18, Township 12, Range 25, and 60 feet East of the West line of the Southeast 1/4 of Section 18, Township 12, Range 25; thence Southwardly and parallel to the West line of the East 1/2 of the Southeast 1/4 of Section 18, Township 12, Range 25, a distance of 90 feet; thence Eastwardly and parallel to the North line of the Southeast 1/4 of Section 18, Township 12, Range 25, a distance of 20 feet; thence Northwardly and parallel to the West line of the East 1/2 of the Southeast 1/4 of Section 18, Township 12, Range 25, a distance of 90 feet; thence Westwardly and parallel to the North line of the Southeast 1/4 of Section 18, Township 12, Range 25, a distance of 20 feet, all land lying and situate in Mission Township, Johnson County, Kansas and containing 0.041 Acres more or less.” containing 152.857 acres, more or less.

Milburn Golf & Country Club, applicant, is requesting a special use permit to allow a drinking establishment for an indefinite period of time. This property is currently zoned R-1, Single-Family Residential District.

SPECIAL USE PERMIT - SUP2023-00021 - 7171 West 95th Street

Legal Description:

The Northern 335 feet of Lot 3, Metcalf Sperry Equities NFF, a subdivision of land in the City of Overland Park, Johnson County, Kansas, except the Eastern 730 feet and Western 130 feet.

The City of Overland Park, applicant, is requesting a special use permit to allow temporary contractor storage for a 15-month period of time. This property is currently zoned CP-2, Planned General Business District.

SPECIAL USE PERMIT - SUP2023-00020 - 9220 Foster Street

Legal Description:

All that part in Lot 1, Block 2, Meadowlark Hill, a subdivision of land now in the City of Overland Park, Johnson County, Kansas, more particularly described as follows: Beginning at a point on the east line of said Lot 1 and 362.99 feet northerly of the southeast corner thereof, as measured along said easterly line; thence North 90° west, along a line parallel to the south line of said Lot 1, a distance of 250 feet; thence north 0° east a distance of 80 feet; thence north 90° east, a distance of 69 feet; thence north 0° east, a distance of 20 feet; thence north 90° east, a distance of 23.73 feet; thence north 70° east a distance of 118.86 feet, to a point on the easterly line of said Lot 1; thence southeasterly along the easterly line of said Lot 1, a distance of 148 feet, to the point of beginning.

M-H Apartment Company, L.P., 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 R-3, Garden Apartment District.

REZONING - REZ2023-00012 - Vicinity of the southeast corner of 95th Street and Craig Drive

Legal Description:

East 290.00 feet of Lot 1, Holy Cross Catholic School, First Plat, a subdivision in the City of Overland Park, Johnson County, Kansas.

The Roman Catholic Archdiocese of Kansas City in Kansas, applicant, is requesting a rezoning to CP-O, Planned Office Building District, to allow office buildings.

REVISED PRELIMINARY PLAN - Pawnee Elementary School - PDP2023-00024 - 9501 West 91st Street

Legal Description:

Beginning at the Northwest corner of the Southeast Quarter of Section 36, Township 12, Range 24, in Johnson County, Kansas; thence South along the West Line of said Southeast Quarter, a distance of 871.20 feet; thence East parallel to the North line of said Southeast Quarter, a distance of 500 feet; thence North parallel to the West line of said, Southeast Quarter, a distance of 871.2 feet to the North line of said Southeast Quarter; thence West along the North line of said Southeast Quarter, a distance of 500 feet to the point of beginning.

Shawnee Mission School District, applicant, is requesting approval of a revised preliminary plan to allow the addition of ball fields for Pawnee Elementary School. This property is currently zoned R-1, Single-Family Residential District.

REVISED PRELIMINARY PLAN - Oak Park Plaza - Chick-fil-A - PDP2023-00022 - Vicinity of the southeast corner of 97th Street and Quivira Road

Legal Description:

Block 1, Lots 16 thru 28, Oak Park Shopping Center Third Plat and Block 1, Lot 1 Oak Park Shopping Center, a subdivision of land in the City of Overland Park, Johnson County, Kansas. Except any part used or dedicated for streets, roads, or highways.

Oak Park Mall LLC, applicant, is requesting approval of a revised preliminary plan to allow a building addition and changes to an existing drive-thru restaurant. This property is currently zoned CP-2, Planned General Business District.

PRELIMINARY PLAN - Bietigheim-Bissingen (BB) Park - PDP2023-00023 - Vicinity of the northeast corner of 159th Street and Quivira Road

Legal Description:

A parcel of land in the Southwest Quarter of Section 11, Township 14 South, Range 24 East being the South 330 feet of the West 660 feet, of the Southwest Quarter, and Tract P of Final Plat of "Wilshire By The Lake, Third Plat" (recorded in Book 201402 at Page 004072 at the Johnson County, Kansas Recorder of Deeds Office) described as follows:

BEGINNING at the Southeast corner of Tract P, "Wilshire By The Lake, Third Plat"; thence South 88 degrees, 14 minutes, 24 seconds West, along the South line of Tract P, being 60 feet North of and parallel with the South line of the Southwest Quarter of Section 11 and the existing North Right-Of-Way of 159th Street (acquired by the City of Overland Park, Kansas, in Condemnation Case No 11CV09968, recorded in Book 201111 at Page 008701), 210.83 feet; thence South 88 degrees, 14 minutes, 24 seconds West, along the South line, 264.00 feet; thence South 88 degrees, 14 minutes, 24 seconds West, along the North Right-Of-Way, 311.00 feet; thence North 46 degrees, 52 minutes, 55 seconds West, continuing along the North Right-Of-Way, 35.43 feet to the existing East Right-Of-Way of Quivira Road (acquired by the City of Overland Park, Kansas, in Condemnation Case No 11CV09968, recorded in Book 201111 at Page 008701); thence North 02 degrees, 00 minutes, 14 seconds West, along the existing East Right-Of-Way, 245.00 feet to the Southwest corner of Lot 1, "Wilshire By The Lake West" (recorded in Book 201804 at Page 004620); thence North 88 degrees, 14 minutes, 23 seconds East, along the South line of Lots 1 to 7, 600.00 feet to the Southeast corner of Lot 7 and the West line of Tract P "Wilshire By The Lake, Third Plat"; thence North 02 degrees, 00 minutes, 14 seconds West, along the East line of Lots 7 and 8, and the West line of Tract P, 274.29 feet to the Northwest corner of Tract P; thence along the North and East lines of Tract P the following eight courses:

- 1) North 87 degrees, 59 minutes, 46 seconds East, 74.95 feet;
- 2) Curve left, Radius of 525.00 feet, arc length of 74.73 feet;
- 3) North 79 degrees, 50 minutes, 25 seconds East, 29.15 feet;
- 4) South 10 degrees, 09 minutes, 35 seconds East, 143.01 feet;
- 5) South 07 degrees, 48 minutes, 36 seconds West, 108.93 feet;
- 6) South 10 degrees, 37 minutes, 23 seconds East, 170.24 feet;
- 7) South 23 degrees, 10 minutes, 10 seconds East, 15.77 feet;
- 8) South 01 degree, 49 minutes, 30 seconds East, 122.72 feet

to the POINT OF BEGINNING, containing 284,488.26 square feet, or 6.53 acres, more or less.

The City of Overland Park, applicant, is requesting approval of a preliminary development plan to allow a city park. This property is currently zoned RR-J, Rural Residential District, Johnson County.

Legal Description:

South 102.1' N ½ of Lot 32, Marty's 1st Addition to Overland, a subdivision in the City of Overland Park, Johnson County, Kansas.

Larry and Janiece Vohland, applicants, are requesting a certificate of conformity to allow deviations for a single-family home.

DFD CERTIFICATE OF CONFORMITY - DEV2023-00061 - 7979 Metcalf Avenue

Legal Description:

Lot 1 of O'Neill Honda East, a subdivision in the City of Overland Park, Johnson County, Kansas.

WRL Investments L.P., applicant, is requesting a certificate of conformity to allow deviations for a car dealership.