

ORDINANCE NO. Z-4297

REZONING NO. 2023-00009

AN ORDINANCE RELATING TO ZONING: AMENDING CERTAIN ZONING REGULATIONS SHOWN ON SHEET NO. 058 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. 058, 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:

Tract I:

The East 264 feet of the West 660 feet of the South 330 feet of the Southwest Quarter of Section 11, Township 14, Range 24, Overland Park, Johnson County, Kansas, EXCEPT part in roads, subject to that part, if any, in streets, roadways, highways or other public rights-of-way.

and

Tract II:

The South 330 feet of the West 396 feet of the Southwest Quarter of Section 11, Township 14, Range 24, Johnson County, Kansas, subject to that part taken by the City of Overland Park, Kansas, in Condemnation Suit 11CV09968, described as follows:

All that part of the South 330.00 feet of the West 396.00 feet of the Southwest Quarter of the Southwest Quarter of Section 11, Township 14 South, Range 24 East, in the City of Overland Park, Johnson County, Kansas, described as follows:

Beginning at the Southwest corner of the Southwest Quarter of said Section 11; thence North 02 degrees 00 minutes 15 seconds West, along the West line of the Southwest Quarter of said Section 11, a distance of 330.00 feet to the North line of the South 330.00 feet of the Southwest Quarter of said Section 11; thence North 88 degrees 14 minutes 23 seconds East, along the North line of the South 330.00 feet of the Southwest Quarter of

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said Section 11, a distance of 60.00 feet; thence South 02 degrees 00 minutes 15 seconds East, along a line that is 60.00 feet East of and parallel with the West line of the Southwest Quarter of said Section 11, a distance of 245.00 feet to a point that is 85.00 feet North of the South line of the Southwest Quarter of said Section 11, as measured perpendicular thereto; thence South 46 degrees 52 minutes 56 seconds East, a distance of 35.43 feet to a point on the line that is 60.00 feet North of and parallel with the South line of the Southwest Quarter of said Section 11, said point also being 85.00 feet East of the West line of the Southeast Quarter of said Section 11; thence North 88 degrees 14 minutes 23 second East, along a line that is

60.00 feet North of and parallel with the South line of the Southwest Quarter of said Section 11, a distance of 311.00 feet to a point on the East line of the West 396.00 feet of the Southwest Quarter of said Section 11; thence South 02 degrees 00 minutes 15 seconds East, along the East line of the West 396.00 feet of the Southwest Quarter of said Section 11, a distance of 60.00 feet to a point on the South line of the Southwest Quarter of said Section 11, a distance of 60.00 feet to a point on the South line of the Southwest Quarter of said Section 11; thence South 88 degrees 14 minutes 23 seconds West, along the South line of the Southwest Quarter of said Section 11, a distance of 396.00 feet to the Point of Beginning, Subject to the West 20.00 feet there in existing roadway right-of-way of Quivira Road and subject to the South 20.00 feet thereof in existing roadway right-of-way of 159th Street, subject to that part, if any, in streets, roadways, highways, or other public rights-of-way.

and

Tract III:

Tract P, WILSHIRE BY THE LAKE, THIRD 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 R-1, Single-Family Residential District, to allow a City Park.

The Zoning District Map, Sheet No. 058 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:

No stipulations.

Section 3. The Zoning District Map for the City of Overland Park, Kansas, is hereby amended by this ordinance, Ordinance No. Z-4297, said amendment being incorporated by reference pursuant to Section 18.150.020 which is amended to read as follows:

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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 07 August, 2023," 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.

PASSED by the City Council this 07 August, 2023.

APPROVED by the Mayor this 07 August, 2023.

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 Stiles
Trevor L. Stiles
Senior Assistant City Attorney