

**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, March 8, 2021, at 1:30 p.m., in the City Council Chamber of City Hall, 8500 Santa Fe Drive.

Please Note: To reduce the spread of COVID19, social distancing guidelines will be followed at the meeting. There will be a 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 selecting "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.

Persons who wish to appear before the Planning Commission to provide in-person comments will be asked to abide by social distancing guidelines and, depending on the number of persons in attendance, may be asked to wait outside the Council Chamber until the item is being considered by the Planning Commission.

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

SPECIAL USE PERMIT - SUP2020-00050 – 8717 Lenexa Drive

Legal Description:

Part of the north 250' of Lot 11, Sunset Hill, a subdivision in the City of Overland Park, Johnson County, Kansas, more particularly described as follows:

Beginning at the northeast corner of Lot 11, thence south 217.6' to the north right-of-way line of 87th Terrace; thence northwest, along the north right-of-way line of 87th Terrace a distance of 17.6'; thence continuing northwest along said right-of-way line, a distance of 132.6'; thence northeast, along said right-of-way line, a distance of 30'; thence northwest, along said right-of-way line, a distance of 50'; thence southwest, along said right-of-way line, a distance of 30'; thence northwest, along said right-of-way line, a distance of 235.5'; thence northeast, a distance 45', to the north line of Lot 11; thence along the north line of Lot 11, to the Point of Beginning.

Elizabeth Kupchin, applicant, is requesting a special use permit to allow the renewal of a billboard, for a five-year period of time. This property is currently zoned CP-2, Planned General Business District, M-1, Industrial Park District, and CP-3, Planned Commercial District.

SPECIAL USE PERMIT - SUP2020-00051 – 7700 Wedd Street

Legal Description:

Commencing at the northwest corner of the southwest ¼ of Section 24, Township 12 South, Range 24 East; thence south along the west line of said section a distance of 1,760 feet to the True Point of Beginning; thence east, perpendicular to the west line of said section a distance of 150 feet to a point on the west line of the railroad right-of-way; thence southwest 250 feet along the railroad right-of-way to the west line of said section; thence north along the west line of said section 200 feet to the Point of Beginning.

Outfront Media, applicant, is requesting a special use permit to allow the renewal of a billboard, for a five-year period of time. This property is currently zoned M-1, Industrial Park District.

SPECIAL USE PERMIT - SUP2020-00052 – 8909 West 135th Street

Legal Description:

Tenant space commonly known as 8905 W 135th Street, part of Lot 4, Ritz Charles Plaza, a subdivision of land in the City of Overland Park, Johnson County, Kansas.

Legacy KC LLC, applicant, is requesting a special use permit to allow a drinking establishment, for a three-year period of time. This property is currently zoned CP-2, Planned General Business District.

SPECIAL USE PERMIT - SUP2021-00001 – 8501 West 95th Street

Legal Description:

Lot 1, Block 17, Sylvan Grove, 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 the renewal of a drinking establishment, for a five-year period of time. This property is currently zoned CP-2, Planned General Business District.

SPECIAL USE PERMIT - SUP2021-00002 – 8036 Metcalf Avenue

Legal Description:

Lot 1, Lot 2 and Tract A, UMB At Metcalf, a subdivision of land in the City of Overland Park, Johnson County Kansas.

Bankers Security, applicant, is requesting a special use permit to allow a temporary banking facility, for a two-year period of time. This property is currently zoned DFD,

Downtown Form District.

SPECIAL USE PERMIT - SUP2021-00003 – 12687 Metcalf Avenue

Legal Description:

Tenant space commonly known as 12687 Metcalf Ave., part of Lot 3, Metcalf 127, a subdivision of land in the City of Overland Park, Johnson County, Kansas.

Final Club LLC, applicant, is requesting a special use permit to allow a drinking establishment, for a three-year period of time. This property is currently zoned CP-1, Planned Restricted Business District.

REZONING - REZ2021-00001 – Vicinity of 108th and Metcalf Avenue

Legal Description:

All that part of Tract "D", METCALF "107", a platted subdivision in the City of Overland Park, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northeast corner of said Tract "D"; thence South 00°10'00" West, along the East line of said Tract "D", 135.89 feet to the Northeast corner of Lot 1, METCALF 108, a platted subdivision in said City of Overland Park; thence North 89°50'00" West, along the North line of said Lot 1, a distance of 162.02 feet to the Northwest corner thereof; thence along the West line of said Lot 1, the following three courses: thence South 00°10'00" West, 15.00 feet; thence southerly along a curve to the right having a radius of 300.00 feet, and a central angle of 33°30'15", an arc length of 175.43 feet; thence South 33°40'15" West, 122.56 feet to the West corner of said Lot 1, said point also being on the Southwest line of said Tract "D"; thence along said Southwest line, the following three courses: thence North 56°19'45" West, 195.44 feet; thence northwesterly along a curve to the right having a radius of 170.33 feet, and a central angle of 56°46'05", an arc length of 168.76 feet; thence North 00°26'20" East, 18.23 feet to the Southwest corner of Tract "C", said METCALF "107"; thence South 89°47'56" East, along the South line of said Tract "C", 150.71 feet to the Southeast corner thereof; thence North 00°10'00" East, along the East line of said Tract "C", 149.83 feet to the Northeast corner thereof and the Northwest corner of said Tract "D"; thence South 89°50'00" East, along the North line of said Tract "D", 368.00 feet to the Point of Beginning, containing 117,367 square feet, or 2.694 acres, more or less.

Metcalf 108 Redevelopment Investors LLC, applicant, is requesting a rezoning to MXD, Planned Mixed Use District, to allow a mixed use building.

REVISED PRELIMINARY PLAN - CITYPLACE PARCEL II - PDP2021-00002 - Vicinity of the southeast corner of Nieman Road and College Boulevard

Legal Description:

All that part of the Northeast Quarter of Section 14, Township 13 South, Range 24 East, all being in the City of Overland Park, Johnson County, Kansas, being more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of Section 14, Township 13 South, Range 24 East; thence North 88 degrees 13 minutes 33 seconds East, along the North line of the Northeast Quarter of said Section 14, a distance of 64.57 feet to a point; thence South 01 degrees 46 minutes 27 seconds East, a distance of 100.27 feet to the point of intersection of the East right of way line of Nieman Road as established in Bk. 200905, Pg. 003225, and the South right of way line of College Boulevard, as established by CityPlace, First Plat, a subdivision in the City of Overland Park, Johnson County, Kansas, the POINT OF BEGINNING; thence North 43 degrees 48 minutes 35 seconds East, departing said East right of way line, along the South right of way line of said College Boulevard, a distance of 36.11 feet to a point; thence North 88 degrees 13 minutes 33 seconds East, continuing along the South right of way line of said College Boulevard, a distance of 598.12 feet to a point; thence South 01 degrees 30 minutes 06 seconds East, departing the South right of way line of said College Boulevard, a distance of 740.53 feet, to a point on the North right of way line of 113th Street, as established by said CityPlace, First Plat, said point also lying on a non-tangent curve; thence in a Westerly direction, along the North right of way line of 113th Street, along a curve to the left, whose initial tangent bears North 82 degrees 59 minutes 22 seconds West, having a radius of 630.00 feet, through a central angle of 26 degrees 56 minutes 22 seconds, an arc length of 296.21 feet, to a point of tangency; thence South 70 degrees 04 minutes 16 seconds West, continuing along the North right of way line of said 113th Street, a distance of 21.30 feet, to a point of curvature; thence in a Westerly direction, continuing along the North right of way line of said 113th Street, along a curve to the right, having a radius of 570.00 feet, through a central angle of 18 degrees 28 minutes 50 seconds, an arc length of 183.85 feet, to a point of tangency; thence South 88 degrees 33 minutes 05 seconds West, continuing along the North right of way line of said 113th Street, a distance of 151.33 feet to a point; thence North 46 degrees 26 minutes 55 seconds West, continuing along the North right of way line of said 113th Street, a distance of 21.21 feet, to a point on the East right of way line of said Nieman Road; thence North 01 degrees 26 minutes 55 seconds West, continuing along the East right of way line of said Nieman Road, departing the North right of way line of said 113th Street, a distance of 11.21 feet to a point; thence North 01 degrees 47 minutes 54 seconds East, continuing along the East right of way line of said Nieman Road, a distance of 282.20 feet to a point; thence North 01 degrees 01 minutes 39 seconds East, continuing along the East right of way line of said Nieman Road, a distance of 420.78 feet, to a point of curvature; thence in a Northerly direction, continuing along the East right of way line of said Nieman Road, and along a curve to the left, having a radius of 1045.00 feet, through a central angle of 02 degrees 28 minutes 34 seconds, an

arc length of 45.16 feet, to a point of non-tangency, said point also being the POINT OF BEGINNING, containing 491,890 Square Feet or 11.2922 Acres,

And

RP-6 - East

All of Lot 1, and part of Tract C, CityPlace, Second Plat, a subdivision in the City of Overland Park, Johnson County, Kansas, together with all that part of the Northeast Quarter of Section 14, Township 13 South, Range 24 East, all being in the City of Overland Park, Johnson County, Kansas, being more particularly described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of Section 14, Township 13 South, Range 24 East; thence North 88 degrees 13 minutes 33 seconds East, along the North line of the Northeast Quarter of said Section 14, a distance of 684.66 feet to a point; thence South 01 degrees 46 minutes 27 seconds East, departing said line, a distance of 876.26 feet to the Northwest corner of Lot 1, CityPlace, Second Plat, a subdivision in the City of Overland Park, Johnson County, Kansas, said point also lying on the South right of way line of 113th Street, as established by CityPlace, First Plat, a subdivision in the City of Overland Park, Johnson County, Kansas, said point also lying on a non-tangent curve, the POINT OF BEGINNING; thence in a Southeasterly direction, along the South right of way line of said 113th Street, and along the North line of said Lot 1, and along a curve to the right whose initial tangent bears South 82 degrees 05 minutes 13 seconds East, having a radius of 570.00 feet, through a central angle of 12 degrees 44 minutes 02 seconds, an arc distance of 126.68 feet to a point of tangency; thence South 69 degrees 21 minutes 11 seconds East, continuing along said South right of way line and said North line, a distance of 60.27 feet to a point of curvature; thence in an Easterly direction, continuing along said South right of way line and said North line, along a curve to the left, having a radius of 514.00 feet, through a central angle of 23 degrees 09 minutes 25 seconds, an arc distance of 207.74 feet to a point of non-tangency; thence South 57 degrees 15 minutes 37 seconds East, continuing along said South right of way line and said North line, and along the North line of Tract C of said CityPlace, Second Plat, a distance of 70.41 feet to a point on a non-tangent curve; thence in a Southeasterly and Easterly direction, continuing along said South right of way line and said North line, along a curve to the left whose initial tangent bears, South 29 degrees 40 minutes 59 seconds East, having a radius of 109.00 feet, through a central angle of 63 degrees 23 minutes 23 seconds, an arc distance of 120.59 feet to a point of non-tangency, said point also being the Northeast corner of said Tract C; thence South 00 degrees 00 minutes 00 seconds East, departing said South right of way line and said North line, along the East line of said Tract C, a distance of 115.11 feet to a point; thence South 35 degrees 43 minutes 20 seconds East, continuing along said East line, a distance of 14.36 feet to a point; thence South 02 degrees 54 minutes 35 seconds East, continuing along said East line, a distance of 59.08 feet to a point;

thence South 27 degrees 17 minutes 27 seconds West, departing said East line, along the South line of said Tract C and its Northerly extension, and along the North line of College Park Estates, a subdivision in the City of Overland Park, Johnson County, Kansas, and its Northerly extension, a distance of 790.37 feet to the Southernmost corner of said Tract C, said point also lying on the North line of said College Park Estates; thence North 62 degrees 42 minutes 33 seconds West, along the North line of said College Park Estates, and along the North line of Blue Valley Estates, a subdivision in the City of Overland Park, Johnson County, Kansas, a distance of 939.80 feet to a point on the East right of way line of Nieman Road, as established in Volume 1477, Page 714; thence North 01 degree 26 minutes 55 seconds West, departing the North line of said Blue Valley Estates and along the East right of way line of said Nieman Road, a distance of 542.64 to a point on the South right of way line of said 113th Street; thence North 43 degrees 33 minutes 05 seconds East, departing the East right of way line of said Nieman Road, along the South right of way line of said 113th Street, a distance of 21.21 feet to a point; thence North 88 degrees 33 minutes 05 seconds East, continuing along the South right of way line of said 113th Street, a distance of 151.33 feet to a point of curvature; thence in a Easterly direction, continuing along the South right of way line of said 113th Street, along a curve to the left, having a radius of 630.00 feet, through a central angle of 18 degrees 28 minutes 50 seconds, an arc length of 203.20 feet to a point of tangency; thence North 70 degrees 04 minutes 16 seconds East, continuing along the South right of way line of said 113th Street, a distance of 21.30 feet to a point of curvature; thence in a Easterly direction, continuing along the South right of way line of said 113th Street, along a curve to the right, having a radius of 570.00 feet, through a central angle of 27 degrees 50 minutes 31 seconds, an arc length of 276.98 feet to the POINT OF BEGINNING, containing 902,883 Square Feet or 20.7273 Acres, more or less.

College 69 Associates LLC, applicant, is requesting approval of a revised preliminary plan to allow an apartment development. This property is currently zoned RP-6, Planned High-Rise Apartment District.

REVISED PRELIMINARY PLAN - TOTAL ACCESS URGENT CARE (TAU) - COSTCO OUTLET - PDP2021-00003 - Vicinity of the northeast corner of 123rd Street and Blue Valley Parkway

Legal Description:

All that part of West Half of the Northeast Quarter of Section 19, Township 13 North, Range 25 East, now in the City of Overland Park, Johnson County, Kansas, more particularly described as follows:

COMMENCING at the Northeast corner of the West Half of the Northeast Quarter of said Section 19;

THENCE South 01°57'42" East, along the East line of the West Half of the Northeast Quarter of said Section 19, a distance of 1950.05 feet, to a point on the Easterly right of way line of U.S. Highway No. 169, as now established, said point also being the true POINT OF BEGINNING of subject tract;

THENCE continuing South 01°57'42" East, along the East line of the West Half of the Northeast Quarter of said Section 19, a distance of 702.09 feet to the Southeast corner thereof;

THENCE South 87°42'54" West, along the South line of the Northeast Quarter of said Section 19, a distance of 330.23 feet to a point on the Easterly right of way line of said U.S. Highway No 169;

THENCE North 23°10'09" East, along the Easterly right of way line of said U.S. Highway No. 169, a distance of 777.56 feet to the POINT OF BEGINNING of subject tract, except that part in streets and roads.

Said described tract of land contains a gross area of 116,010 square feet or 2.6632 acres and a net area, less streets rights of way, of 97,035 square feet or 2.2276 acres, more or less.

TAUC Properties, Inc., applicant, is requesting approval of a revised preliminary plan to allow a medical office building. This property is currently zoned CP-2, Planned General Business District.

CERTIFICATE OF CONFORMITY - DEV2021-00003 - 7109 West 80th Street

Legal Description:

Lot 1, Lot 2 and Tract A, UMB At Metcalf, a subdivision of land in the City of Overland Park, Johnson County Kansas.

Gastinger Walker, applicant, is requesting a certificate of conformity to allow a deviation to allow a bank renovation.

TEXT AMENDMENT ZRR-3313

The City of Overland Park, Kansas, applicant, is requesting amendments to the Unified Development Ordinance for Sections 18.110.190, 18.260.050.E.2, 18.270.020.H, 18.270.050, 18.275.050.E & H, 18.370.020.F, 18.370.040.D, 18.390.060.A, 18.390.100 and 18.430.150 - pertaining to drinking establishments. (Case No. PLM2020-00090)

TEXT AMENDMENT ZRR-3314

The City of Overland Park, Kansas, applicant, is requesting amendments to the Unified Development Ordinance for Sections 18.140.150 and 18.140.080 -

pertaining to protest petitions. (Case No. PLM2020-00091)

Sent to The Legal Record for publication on Tuesday, February 2, 2021.