

Ent	Name	Acct No	Invoice	Date	P.O. Num	Reference	Amount	Discount	Check Amt
090000	KARBANK HOLDING	1350-001	REZONEAPP1	6/27/2023		Westwood CityParcels	500.00	0.00	500.00

Payor: KARBANK HOLDINGS LLC
Payee: CITY OF WESTWOOD

Date: 6/28/2023
Check No.: 108985

Check Amount: 500.00

Retain this statement for your records

ORIGINAL CHECK HAS A COLORED BACKGROUND, VOID PANTO & A HEAT SENSITIVE ICON - SEE BACK FOR DETAILS

VOID
KARBANK HOLDINGS LLC
2000 SHAWNEE MISSION PARKWAY
SUITE 400
MISSION WOODS, KS 66205

VOID
COMMERCE BANK
1100 WALNUT
KANSAS CITY, MO 64106

VOID

18-1
1010
Date: 6/28/2023
Check No.: 108985
Check Amount: 500.00

Five Hundred AND 00/100 Dollars

Pay to the order of:

CITY OF WESTWOOD
4700 RAINBOW BLVD
WESTWOOD, KS 66205

VOID IF NOT CASHED WITHIN 120 DAYS WITHIN DATE OF ISSUE

[Handwritten Signature]



REZONING APPLICATION & CHECKLIST

FEE SCHEDULE		Office Use Only Fee Paid:
<u> </u> RESIDENTIAL	\$ 250.00	\$ <u>500.-</u> Date Paid:
<u> x </u> OFFICE/COMMERCIAL/INDUSTRIAL	\$ 500.00	<u>6/29/23</u> Case No.:
		<u>RE-2023-01</u> Meeting Date:

Name of Project: 50th and Rainbow Development

Requested Zoning: PD - Planned Development District

Existing Zoning: R-1 Single Family Residential

PROPERTY DESCRIPTION

Location/Address: 5000 - 5050 Rainbow et. al.

Approximate Size of Property (in square feet or acres): Approximately 2.81 Acres

Note: If property is not in a recorded subdivision, an electronic legal description of the property must be submitted with this application in Word format.

Property Tax ID Number: RP63000001 0001; RF251203-3060; RP27000000 0008 D; RP30000001 0012B

Present Use of Property: Park (5000 Rainbow) and Vacant Land (5050 Rainbow et. al.)

Proposed Use of Property: Mixed Use - Office / Retail / Residential

List improvements on the property: N/A

Proposed - Up to 140,000 square feet of buildings, with surface lots and parking garages as required.

APPLICANT INFORMATION Note: *If Agent/Contact Person is anyone other than the fee simple owner, signature of the fee simple owner designating the Agent/Contact Person as the authorized agent for all matters concerning this request, must submit the attached affidavit with the application.*

Owner of Record:

Agent/Contact Person:

Name: City of Westwood, Kansas Name: Karbank Holdings LLC (Adam Feldman, Authorized Agent)

Address: 4700 Rainbow Blvd Address: 2000 Shawnee Mission Parkway, Suite 400

City/State Westwood, KS Zip: 66205 City/State Mission Woods, Kansas Zip: 66205


Phone: 913-362-1550 Phone: 816-221-4488

Email: david.waters@westwoodks.org Email: af@karbank.com



REZONING APPLICATION & CHECKLIST

I, Adam Feldman, (Contact Person's Name; Please Print), hereby certify the attached and completed application contains the information as specified below in accordance with the Unified Development Code. I understand the submission of incomplete or inaccurate information may result in a delay in processing and action on this application and may be subject to other penalties provided by law.


Signature of Contact Person

6/29/23
Date

1. Developer participates in a pre-application conference with City staff to present a conceptual plan for the development if development is more than three acres.
2. The Secretary of the Planning Commission checks rezoning applications for completeness and receives the filing fee, which shall be made by the deadline stipulated on the prepared schedule prior to the associated Planning Commission meeting date.
3. For rezoning applications the City shall mail Notice of Public Hearing to all surrounding property owners within 200' (1000' if property is adjacent to extraterritorial property) of all property boundaries. Mailings shall be made at least 20 days prior to the hearing date and shall include the time and place of the hearing, a general description of the proposal, a general street location of the property subject to the proposed change, and a statement explaining that the public may be heard at the public hearing. The notice shall also contain a statement explaining that property owners required to be notified by this section shall have the opportunity to submit a protest petition, in conformance with the Westwood Zoning Ordinance, to be filed with the office of the City Clerk within 14 days after the conclusion of the public hearing. If a valid petition is filed, then an affirmative vote of three-fourths (3/4) of the City Council members must occur to adopt the proposed rezoning.
4. The applicant is responsible for posting signs, furnished by the City, 20 days prior to the Planning Commission public hearing, on the property so that they are visible from the public street. The signs must be placed so as to face each of the streets abutting thereto within five feet of the street right-of-way line in a central position on the lot, tract, or parcel of land so that the sign is free of any visual obstructions surrounding the sign. The applicant shall file an affidavit with the City Clerk at the time of the public hearing verifying that the sign has been maintained and posted as required by this title and applicable resolutions. Failure to submit the affidavit prior to the hearing may result in a continuance of the hearing. The sign may be removed at the conclusion of the public hearing and must be removed at the end of all proceedings on the application or upon withdrawal of the application.
5. The City shall be responsible for a public advertisement in the official newspaper of the City of Westwood.
6. By the deadline stipulated on the prepared schedule, an applicant must submit for approval four (4) collated, bound and rolled copies of a concept or preliminary site plan to the Secretary of the Planning Commission. **As part of the rezoning application, a detailed description of the proposed project and how the request complies with applicable zoning and comprehensive planning criteria must be submitted. The narrative should also address the criteria within Section 1.6.17 of the Westwood Zoning Ordinance.**
7. After reviewing the plan, City Staff will prepare comments which will be e-mailed to the contact person and must be subsequently addressed and resubmitted by the date stipulated.
8. The Planning Commission conducts public hearings on the rezoning and plan applications and forwards a recommendation to the City Council.
9. The City Council approves the application, in whole or in part, with or without modifications and conditions, or denies the application. Upon review of rezoning applications the City Council also has the option to remand the application back to the Planning Commission. In the event of a denial by the Governing Body, the application may not be resubmitted for one year.
10. Full application and requirements and procedures are identified in Section 1.6 of the Westwood Zoning Ordinance. Applicants bear the onus of understanding all requirements and procedures and asking City staff if and when clarification is needed.



REZONING APPLICATION & CHECKLIST

AFFIDAVIT

STATE OF KANSAS)
) §
COUNTY OF JOHNSON)

David E. Waters (Mayor and Authorized Agent)

I _____, being duly sworn upon our oath and being of
Name of Property Owner

sound mind and legal age, depose and state that:

1. City of Westwood, Kansas is the owner of property located at approximately
Name of Property Owner
RP63000001 0001; RF251203-3080; RP27000000 0008D; RP30000001 0012B
Address or Vicinity of Property

2. I have the legal authority to bind Karbank Holdings LLC, as the Applicant, the
Authorized Person
authority to authorize the filing of land use applications on the Property.

3. I have authorized Karbank Holdings LLC to file an application for
Authorized Person
a Rezoning on the property described above, and
Rezoning/Special Use Permit
do affirm that I have the authority necessary to grant such.

City of Westwood, Kansas

[Signature]
Signature of Property Owner

Name: City of Westwood, Kansas
Print name of Property Owner

Title: David E. Waters, Mayor and Authorized Agent

Subscribed and sworn to before me this 29 day of June, 2023.

[Signature]

My Commission Expires: 2/5/2025



Notary Public

EXHIBIT A

Legal description for the Land:

Lots 13 and 14, Block 1, KLASSEN PLACE, a subdivision in Johnson County, Kansas;

And,

All that part of Lot 12, Block 1, KLASSEN PLACE, a subdivision of land in Johnson County, Kansas described as follows: Beginning at the Northeast corner of said Lot 12; thence Southeasterly, along the Easterly line of said Lot 12, to the Southeast corner thereof; thence Southwesterly, along the Southerly line of said Lot 12, a distance of 16.87 feet; thence Northwesterly, to the Point of Beginning.

And,

East 286.58 feet of the North one-half of Lot Eight (8), HOLMESLAND, a subdivision in Johnson County, Kansas, the Easterly 23 feet thereof being subject to rights of the State Highway Commission under condemnation for road purposes; EXCEPT All that part of the East 286.58 feet of the North half of Lot 8, HOLMESLAND, a subdivision of land in Johnson County, Kansas, more particularly described as follows: Beginning at a point on the North line and 286.58 feet West of the Northeast corner of said Lot 8; thence South, along a line 286.58 feet West of and parallel to the East line of said Lot 8, a distance of 165.39 feet, to the South line of the North half of said Lot 8; thence East, along the South line of the North half of said Lot 8, a distance of 1.28 feet, to the Northeast corner of Lot 12, Block 1, KLASSEN PLACE, a subdivision of land in Johnson County, Kansas; thence Northeasterly, to a point on the North line and 271.28 feet West of the Northeast corner of said Lot 8; thence West, along the North line of said Lot 8, a distance of 15.30 feet, to tie Point of Beginning;

And,

Lots 1, 2 and 3, block 1, Swatzell Addition, a subdivision in the City of Westwood, Johnson County, Kansas;

And,

All that part of the Northeast 1/4 of Section 3, Township 12, Range 25 in the City of Westwood, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Southeast corner of the Northeast quarter of Section 3, Township 12, Range 25; thence West along the East-West center lines of said Section 3; 290.40 feet to the Southeast corner of Lot 4, Block 1, Swatzell Addition; thence North along the East

line of Lot 4, 75 feet; thence East along the South line of a portion of Block 1, Swatzell Addition 290.50 feet to the East line of Section 3; thence South 75 feet to the point of beginning, less the East 43 feet taken for public road, all in the City of Westwood, Johnson County, Kansas,

All except any other part used or dedicated for streets, roads and public rights of way.

Legal description for the Lot Line Adjustment Parcel:

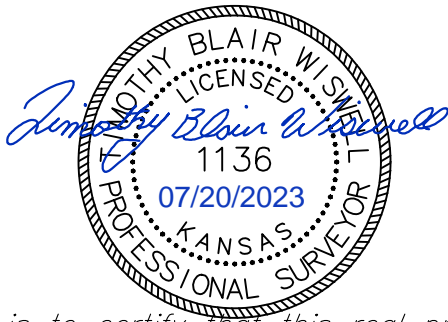
To be developed by survey.

Corrected 7/20/23


PROPOSED LOT 1 DESCRIPTION:

A tract of land being all of Lots 13 and 14, and part of Lot 12, Block 1, KLASSEN PLACE, a subdivision recorded in Bk. 12, Pg. 50; all of Lots 1, 2, and 3, Block 1, SWATZELL ADDITION, a subdivision recorded in Bk. 7, Pg. 35; part of Lot 8, HOLMESLAND, a subdivision recorded in Bk. 3, Pg. 11; and a portion of unplatted land, recorded in Book 661, Page 184, and lying in the Northeast Quarter of Section 3, Township 12 South, Range 25 East of the 6th Principal Meridian, in the City of Westwood, Johnson County, Kansas, being more particularly described by Timothy Blair Wiswell, LS 1136, of George Butler Associates Inc., CLS 8, on July 20, 2023, as follows:

Commencing at the Southeast Corner of said Northeast Quarter; thence South 87°43'46" West, on the South line of said Northeast Quarter, a distance of 43.00 feet, to a point on the West Right-of-Way line of Highway 169, also known as Rainbow Boulevard, as now established per Condemnation No. 14610, recorded in Bk. 26, Pg. 79, said point also being the Point of Beginning; thence South 02°10'40" East, departing said South line, on said West Right-of-Way line, a distance of 305.31 feet, to the Southeast corner of said Lot 14, KLASSEN PLACE; thence South 87°47'33" West, departing said West Right-of-Way line, on the Northerly Right-of-Way line of W. 51st Street, as now established per said KLASSEN PLACE, a distance of 100.09 feet (100.0 feet per plat), to a point of curvature, said point also being the Southwest corner of said Lot 14; thence Southwesterly, continuing on said Northerly Right-of-Way line, and on a curve to the left, having a radius of 380.20 feet, a central angle of 19°53'46", and an arc length of 132.03 feet; thence North 14°02'17" West, departing said Northerly Right-of-Way line, a distance of 166.00 feet; thence North 87°43'46" East, a distance of 1.25 feet; thence North 02°40'54" East, a distance of 165.87 feet; thence North 87°43'46" East, a distance of 1.29 feet; thence North 02°16'38" West, a distance of 75.00 feet; thence North 87°43'22" East, a distance of 13.15 feet; thence North 02°16'38" West, a distance of 61.34 feet, to a point on the Southerly Right-of-Way line of W. 50th Street, as now established per said SWATZELL ADDITION, said point also being a point on a non-tangent curve; thence Northeasterly, on said Southerly Right-of-Way line, and on a curve to the left, having an initial tangent bearing of North 79°30'06" East, a radius of 420.00 feet, a central angle of 05°10'42", and an arc length of 37.96 feet; thence North 73°06'49" East, continuing on said Southerly Right-of-Way line, a distance of 203.11 feet, to a point on the West Right-of-Way line of said Highway 169; thence South 02°17'01" East, departing said Southerly Right-of-Way line, on said West Right-of-Way line, a distance of 194.71 feet, to the Point of Beginning, containing 117,463.55 square feet, or 2.697 acres, more or less.



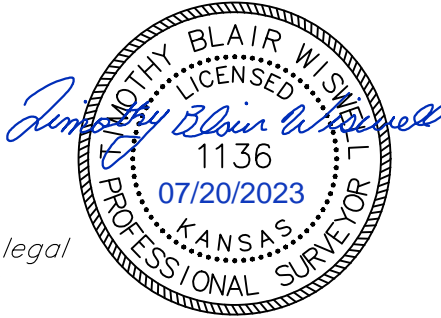
This is to certify that this real property legal description has been prepared by me or under my direct supervision.

	9801 Renner Boulevard Lenexa, Kansas 66219 913.492.0400 www.gbateam.com twiswell@gbateam.com	PROJECT NUMBER 14031.15	Proposed Lot Description Lot 1 HENRY'S ADDITION Westwood, Jo.Co., KS	SHEET NUMBER 1 of 3
	© George Butler Associates, Inc. 2023 C.O.A. # CLS-8	DATE 07/20/2023		

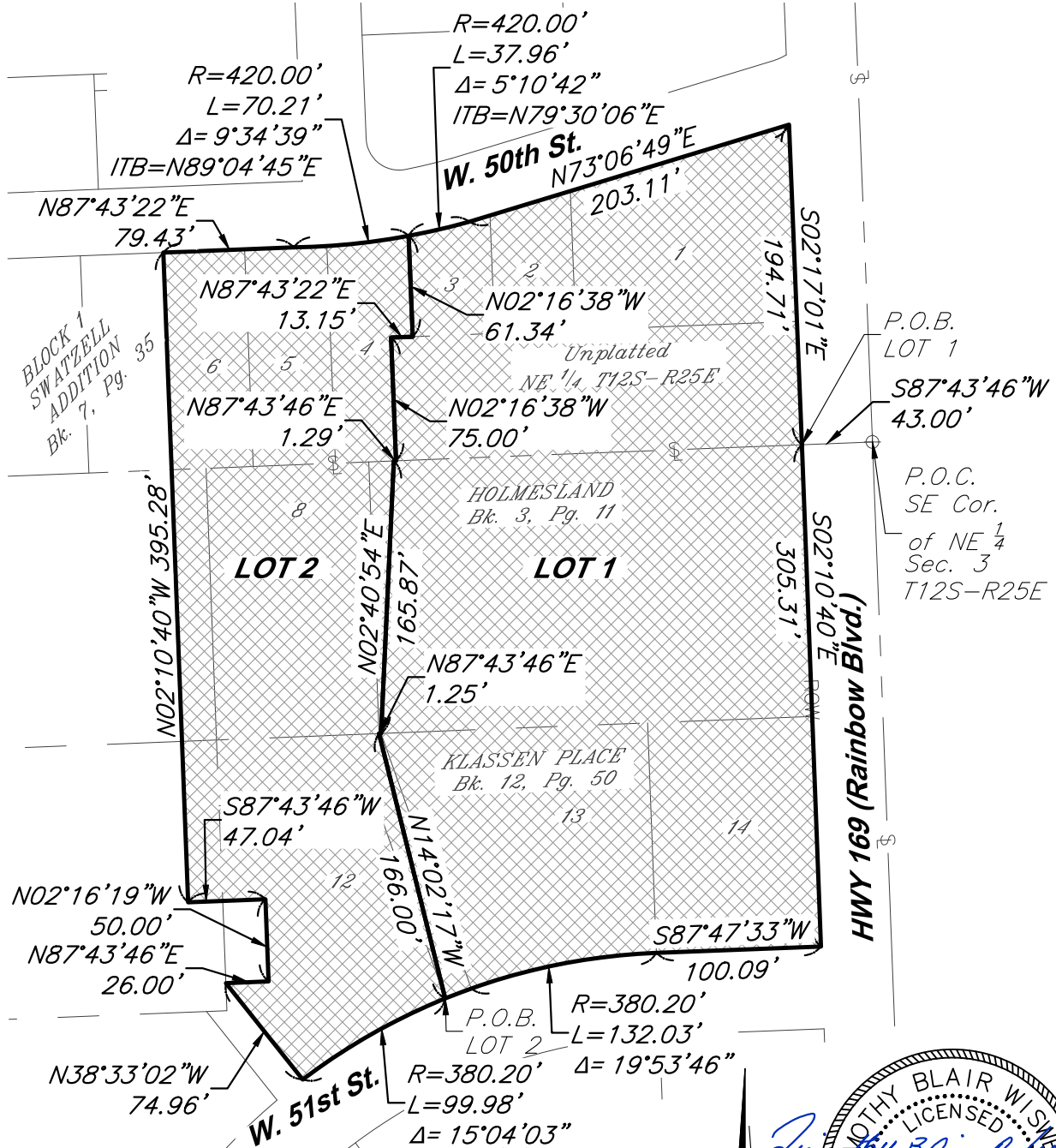
PROPOSED LOT 2 DESCRIPTION:

A tract of land being part of Lot 12, Block 1, KLASSEN PLACE, a subdivision recorded in Bk. 12, Pg. 50; all of Lots 4, 5, and 6, Block 1, SWATZELL ADDITION, a subdivision recorded in Bk. 7, Pg. 35; part of Lot 8, HOLMESLAND, a subdivision recorded in Bk. 3, Pg. 11, in the City of Westwood, Johnson County, Kansas, being more particularly described by Timothy Blair Wiswell, LS 1136, of George Butler Associates Inc., CLS 8, on July 20, 2023, as follows:

Commencing at the Southeast Corner of the Northeast Quarter of Section 3, Township 12 South, Range 25 East of the 6th Principal Meridian; thence South 87°43'46" West, on the South line of said Northeast Quarter, a distance of 43.00 feet, to a point on the West Right-of-Way line of Highway 169, also known as Rainbow Boulevard, as now established per Condemnation No. 14610, recorded in Bk. 26, Pg. 79; thence South 02°10'40" East, departing said South line, on said West Right-of-Way line, a distance of 305.31 feet, to the Southeast corner of said Lot 14, KLASSEN PLACE; thence South 87°47'33" West, departing said West Right-of-Way line, on the Northerly Right-of-Way line of W. 51st Street, as now established per said KLASSEN PLACE, a distance of 100.09 feet (100.0 feet per plat), to a point of curvature, said point also being the Southwest corner of said Lot 14; thence Southwesterly, continuing on said Northerly Right-of-Way line, and on a curve to the left, having a radius of 380.20 feet, a central angle of 19°53'46", and an arc length of 132.03 feet, to the Point of Beginning; thence Southwesterly, continuing on said Northerly Right-of-Way line, and on a curve to the left, having a radius of 380.20 feet, a central angle of 15°04'03", and an arc length of 99.98 feet; thence North 38°33'02" West, continuing on said Northerly Right-of-Way line, a distance of 74.96 feet (74.30 feet per plat), to a point on the West line of said Lot 12; thence North 87°43'46" East, departing said Northerly Right-of-Way line, a distance of 26.00 feet; thence North 02°16'19" West, a distance of 50.00 feet; thence South 87°43'46" West, a distance of 47.04 feet; thence North 02°10'40" West, a distance of 395.28 feet, to a point on the Southerly Right-of-Way line of W. 50th Street, as now established per said SWATZELL ADDITION; thence North 87°43'22" East, on said Southerly Right-of-Way line, a distance of 79.43 feet, to a point on a non-tangent curve; thence Northeasterly, continuing on said Southerly Right-of-Way line, and on a curve to the left, having an initial tangent bearing of North 89°04'45" East, a radius of 420.00 feet, a central angle of 09°34'39", and an arc length of 70.21 feet; thence South 02°16'38" East, departing said Southerly Right-of-Way line, a distance of 61.34 feet; thence South 87°43'22" West, a distance of 13.15 feet; thence South 02°16'38" East, a distance of 75.00 feet; thence South 87°43'46" West, a distance of 1.29 feet; thence South 02°40'54" West, a distance of 165.87 feet; thence South 87°43'46" West, a distance of 1.25 feet; thence South 14°02'17" East, a distance of 166.00 feet, to the Point of Beginning, containing 62,136.40 square feet, or 1.427 acres, more or less.

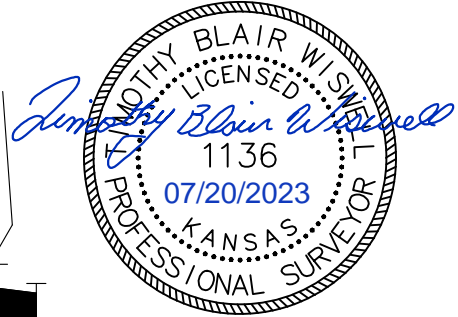
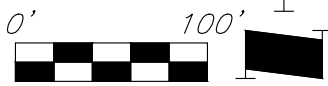


This is to certify that this real property legal description has been prepared by me or under my direct supervision.



This is to certify that this real property exhibit was prepared by me or under my direct supervision. This exhibit does not warrant that a boundary survey was performed upon the hereon shown tract of land.

SCALE:
 1 INCH =
 100 FEET



GBA
 architects
 engineers
 9801 Renner Boulevard
 Lenexa, Kansas 66219
 913.492.0400
 www.gbateam.com
 twiswell@gbateam.com
 © George Butler Associates, Inc. 2023 C.O.A. # CLS-8

PROJECT NUMBER
 14031.15
 DATE
 07/20/2023

Proposed Lot Description
 Lot 1 and Lot 2
 HENRY'S ADDITION
 Westwood, Jo. Co., KS

SHEET NUMBER
3 of 3