

ORDINANCE NO. 24-08

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF OLATHE, KANSAS, AS ADOPTED BY REFERENCE IN SECTION 18.20.030 OF THE OLATHE UNIFIED DEVELOPMENT ORDINANCE; FURTHER AMENDING SAID SECTION 18.20.030 BY REINCORPORATING SUCH MAP AS AMENDED.

WHEREAS, Rezoning Application No. RZ23-0003 requesting rezoning from the R-1 (Residential Single-Family), CTY RUR (County Rural), C-2 (Community Center), C-O (Office) and RP-4 (Planned Medium Density Multifamily) and R-2 (Residential Two-Family) Districts to the R-3 (Residential Low-Density Multifamily) District was filed with the City of Olathe, Kansas, on the 21st day of April 2023; and

WHEREAS, proper notice of such rezoning application was given pursuant to K.S.A. 12-757 and Chapter 18.40 of the Olathe Unified Development Ordinance; and

WHEREAS, a public hearing on such application was held before the Planning Commission of the City of Olathe, Kansas, on the 26th day of February 2024; and

WHEREAS, said Planning Commission has recommended that such rezoning application be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLATHE, KANSAS:

SECTION ONE: That the Zoning Map of the City of Olathe, Kansas, is hereby ordered to be amended insofar as the same relates to certain parcels of land legally described as:

PART OF THE NORTHEAST ONE-QUARTER OF SECTION OF SECTION 16, TOWNSHIP 13 SOUTH, RANGE 23 EAST IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SAID NORTHEAST ONE-QUARTER; THENCE ALONG THE NORTH LINE OF THE SAID NORTHEAST ONE-QUARTER, NORTH 87 DEGREES 45 MINUTES 23 SECONDS EAST, A DISTANCE OF 405.00 FEET; THENCE SOUTH 02 DEGREES 14 MINUTES 20 SECONDS EAST, A DISTANCE OF 143.14 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, BEING TANGENT TO THE PREVIOUS COURSE AND HAVING A RADIUS OF 1500.00 FEET, A CENTRAL ANGLE OF 9 DEGREES 16 MINUTES 43 SECONDS AND AN ARC LENGTH OF 242.92 FEET TO THE POINT OF BEGINNING; THENCE NORTH 87 DEGREES 45 MINUTES 23 SECONDS EAST, A DISTANCE OF 635.97 FEET; THENCE SOUTH 63 DEGREES 30 MINUTES 19 SECONDS EAST, A DISTANCE OF 55.52 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, BEING TANGENT TO THE PREVIOUS COURSE AND HAVING A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 46 DEGREES 13 MINUTES 00 SECONDS AND AN ARC LENGTH OF 201.66 FEET; THENCE SOUTH 19 DEGREES 19 MINUTES 01 SECONDS EAST, A DISTANCE OF 32.20 FEET; THENCE NORTH 59 DEGREES 31 MINUTES 13 SECONDS EAST, A DISTANCE OF 41.75 FEET; THENCE SOUTH 31 DEGREES 45 MINUTES 30 SECONDS EAST, A DISTANCE OF 91.15 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, BEING TANGENT TO THE PREVIOUS COURSE AND HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 16 DEGREES 19 MINUTES 19 SECONDS AND AN ARC LENGTH OF 85.46 FEET; THENCE SOUTH 48 DEGREES 04 MINUTES 49 SECONDS EAST, A DISTANCE OF 157.84 FEET TO A POINT OF CURVATURE; THENCE ALONG

A CURVE TO THE RIGHT, BEING TANGENT TO THE PREVIOUS COURSE AND HAVING A RADIUS OF 700.00 FEET, A CENTRAL ANGLE OF 62 DEGREES 04 MINUTES 14 SECONDS AND AN ARC LENGTH OF 758.33 FEET; THENCE SOUTH 13 DEGREES 59 MINUTES 25 SECONDS WEST, A DISTANCE OF 205.32 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, BEING TANGENT TO THE PREVIOUS COURSE AND HAVING A RADIUS OF 400.00 FEET, A CENTRAL ANGLE OF 13 DEGREES 11 MINUTES 01 SECONDS AND AN ARC LENGTH OF 92.04 FEET; THENCE SOUTH 78 DEGREES 12 MINUTES 26 SECONDS WEST, A DISTANCE OF 62.79 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, BEING TANGENT TO THE PREVIOUS COURSE AND HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 31 DEGREES 18 MINUTES 23 SECONDS AND AN ARC LENGTH OF 109.28 FEET; THENCE SOUTH 46 DEGREES 54 MINUTES 02 SECONDS WEST, A DISTANCE OF 7.51 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING AN INITIAL BEARING OF SOUTH 40 DEGREES 58 MINUTES 13 SECONDS WEST, A RADIUS OF 210.00 FEET, A CENTRAL ANGLE OF 17 DEGREES 51 MINUTES 45 SECONDS AND AN ARC LENGTH OF 65.47 FEET; THENCE NORTH 74 DEGREES 55 MINUTES 47 SECONDS WEST, A DISTANCE OF 113.84 FEET; THENCE NORTH 24 DEGREES 22 MINUTES 48 SECONDS WEST, A DISTANCE OF 156.47 FEET; THENCE SOUTH 54 DEGREES 39 MINUTES 49 SECONDS WEST, A DISTANCE OF 140.60 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 289.36 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 05 DEGREES 41 MINUTES 30 SECONDS EAST, A RADIUS OF 400.00 FEET, A CENTRAL ANGLE OF 02 DEGREES 09 MINUTES 24 SECONDS AND AN ARC LENGTH OF 15.06 FEET; THENCE NORTH 07 DEGREES 50 MINUTES 54 SECONDS EAST, A DISTANCE OF 125.45 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, BEING TANGENT TO THE PREVIOUS COURSE AND HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 06 DEGREES 44 MINUTES 43 SECONDS AND AN ARC LENGTH OF 58.86 FEET; THENCE NORTH 01 DEGREES 06 MINUTES 10 SECONDS EAST, A DISTANCE OF 188.92 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, BEING TANGENT TO THE PREVIOUS COURSE AND HAVING A RADIUS OF 350.00 FEET, A CENTRAL ANGLE OF 24 DEGREES 33 MINUTES 19 SECONDS AND AN ARC LENGTH OF 150.00 FEET; THENCE NORTH 23 DEGREES 27 MINUTES 09 SECONDS WEST, A DISTANCE OF 75.00 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, BEING TANGENT TO THE PREVIOUS COURSE AND HAVING A RADIUS OF 325.00 FEET, A CENTRAL ANGLE OF 69 DEGREES 33 MINUTES 48 SECONDS AND AN ARC LENGTH OF 394.59 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF SOUTH 86 DEGREES 58 MINUTES 59 SECONDS WEST, A RADIUS OF 210.00 FEET, A CENTRAL ANGLE OF 04 DEGREES 36 MINUTES 32 SECONDS AND AN ARC LENGTH OF 16.89 FEET; THENCE NORTH 19 DEGREES 47 MINUTES 04 SECONDS WEST, A DISTANCE OF 295.51 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING AN INITIAL TANGENT BEARING OF NORTH 19 DEGREES 47 MINUTES 05 SECONDS WEST, A RADIUS OF 1500.00 FEET, A CENTRAL ANGLE OF 08 DEGREES 16 MINUTES 02 SECONDS AND AN ARC LENGTH OF 216.43 FEET TO THE POINT OF BEGINNING, AND CONTAINING 27.1482 ACRES, MORE OR LESS.

Said legally described property is hereby rezoned from the R-1 (Residential Single-Family), CTY RUR (County Rural), C-2 (Community Center), C-O (Office), R-2

(Residential Two-Family) and RP-4 (Planned Medium Density Multifamily) Districts to the R-3 (Residential Low-Density Multifamily) District.

SECTION TWO: That this rezoning is approved with no stipulations.

SECTION THREE: That Section 18.20.030 of the Unified Development Ordinance, which incorporates by reference the Olathe Zoning Map, is hereby amended by reincorporating by reference the said Zoning Map as it has been amended in Section One of the Ordinance.

SECTION FOUR: That this Ordinance shall take effect from and after its passage and publication as provided by law.

PASSED by the City Council this 19th day of March 2024.

SIGNED by the Mayor this 19th day of March 2024.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney