

ORDINANCE NO. 24-03

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. RZ23-0012 requesting rezoning from the CTY RUR (County Rural) District to the R-1 (Residential Single-Family) District was filed with the City of Olathe, Kansas, on the 15th day of November 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 8th day of January 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:

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 14 SOUTH, RANGE 24 EAST, IN JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17, SAID POINT ALSO BEING THE NORTHEAST PLAT CORNER OF ARBOR CREEK, 1ST PLAT, A PLATTED SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS; THENCE S 1°44'18" E, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 AND THE EAST PLAT LINE OF SAID ARBOR CREEK, 1ST PLAT, A DISTANCE OF 50.00 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 159TH STREET, AS NOW ESTABLISHED, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID 159TH STREET, FOR THE FOLLOWING TWO (2) COURSES; THENCE N 78°42'07" E, A DISTANCE OF 188.28 FEET; THENCE N 87°52'12" E, A DISTANCE OF 1453.56 FEET TO A POINT ON THE EAST LINE OF THE WEST ONE-HALF OF THE WEST ONE-HALF OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE S 1°50'03" E, ALONG THE EAST LINE OF THE WEST ONE-HALF OF THE WEST ONE-HALF OF THE NORTHEAST QUARTER OF SAID SECTION 17 AND ALONG THE WEST PLAT LINE OF BEREAN BIBLE CHURCH, A PLATTED SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS AND IT'S NORTHERLY EXTENSION, A DISTANCE OF 1311.97 FEET, TO THE SOUTHEAST CORNER OF THE WEST ONE-HALF OF THE WEST ONE-HALF OF THE NORTHEAST QUARTER OF SAID SECTION 17; THENCE N 87°59'07" E, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 964.84 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF S. LACKMAN ROAD, AS NOW ESTABLISHED; THENCE S 1°53'28" E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID S. LACKMAN ROAD, A DISTANCE OF 1333.91 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER

OF SAID SECTION 17; THENCE S 88°06'00" W, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 AND THE NORTH PLAT LINES OF FAIRFIELD AT HERITAGE PARK, 1ST PLAT, FAIRFIELD AT HERITAGE PARK, 5TH PLAT, STONEBRIDGE PARK, 1ST PLAT AND STONEBRIDGE PARK, 2ND PLAT, ALL BEING PLATTED SUBDIVISIONS OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, A DISTANCE OF 2609.77 FEET, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17, SAID POINT ALSO BEING THE SOUTHEAST PLAT CORNER OF ARBOR CREEK, 3RD PLAT, A PLATTED SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS; THENCE N 1°44'18" W, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 AND ALONG THE EAST PLAT LINES OF SAID ARBOR CREEK, 3RD PLAT, ARBOR CREEK, 1ST PLAT AND ARBOR CREEK, 2ND PLAT, A PLATTED SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, A DISTANCE OF 2607.38 FEET, TO THE POINT OF BEGINNING, CONTAINING 128.9844 ACRES, MORE OR LESS.

Said legally described property is hereby rezoned from the CTY RUR (County Rural) District to the R-1 (Residential Single-Family) 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 6th day of February 2024.

SIGNED by the Mayor this 6th day of February 2024.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney