

ORDINANCE NO. 19-23

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. RZ19-0005 requesting rezoning from R-1 District to R-3 District was filed with the City of Olathe, Kansas, on the 22nd day of March 2019; 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 13th day of May 2019; 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 NE1/4 of Section 27, Township 13 S, Range 23 E, and all of Lot 4, and part of Lots 3 and 5, MEADOWLAND COMMONS, a subdivision of land, all in the City of Olathe, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeast corner of said Lot 4; thence S 0° 01' 01" E, along the East line of said Lot 4, a distance of 141.20 feet; thence S 2° 52' 46" E, along the East line of said Lots 4 and 5, a distance of 109.25 feet; thence S 89° 58' 59" W, a distance of 534.18 feet, to a point on the West line of said Lot 3; thence N 0° 01' 01" W, along the West line of said Lot 3, a distance of 393.82 feet, to a point 10 feet South of the North line thereof; thence Northeasterly and Easterly, along a line 10 feet South of and concentric with the North line of said Lot 3, said line being a curve to the right having a radius of 440.00 feet, a central angle of 8° 00' 53" and whose initial tangent bearing is N 81° 51' 35" E, an arc distance of 61.55 feet, to a point of tangency; thence N 89° 53' 06" E, along a line 10 feet South of and parallel with the North line of said Lot 3, and its Easterly extension thereof, a distance of 467.39 feet; thence S 0° 01' 01" E, a distance of 148.73 feet, to the point of beginning, containing 4.842 acres, more or less. To be known as "Lot 1, LEGACY SENIOR RESIDENCES II", a subdivision of land in the City of Olathe, Johnson County, Kansas.

Said legally described property is hereby rezoned from R-1 District to R-3 District.

SECTION TWO: That this rezoning is approved subject to the following stipulations:

- (1) A final plat shall be approved and recorded, and all excise fees paid prior to issuance of a building permit.
- (2) A final site development plan shall be approved prior to submitting for building permit.

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 4th day of June 2019.

SIGNED by the Mayor this 4th day of June 2019.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney