

ORDINANCE NO. 19-25

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. RZ17-0019 requesting rezoning from RP-4 District to C-2 District was filed with the City of Olathe, Kansas, on the 22nd day of November 2017; 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 2018 and the 12th day of March 2018; 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 of Lot 1, Tracts A and B, Alcan Street and 120th Street rights of way, together with all that part of Lot 2, all of Olathe Commons First Plat, together with all that part of Lot 3, Olathe Commons Second Plat, both subdivisions in the City of Olathe, Johnson County, Kansas, all lying in the Northwest Quarter of Section 21, Township 13 South, Range 24 East, described as follows:

BEGINNING at the Northwest corner of Lot 1, Olathe Commons First Plat, a subdivision in the City of Olathe, Johnson County, Kansas; thence North 90 degrees 00 minutes 00 seconds East, along the North line of said Lot 1, and along the North line of Alcan Street right of way, as established in said Olathe Commons First Plat, a distance of 633.99 feet to the Northeast corner of said Alcan Street right of way; thence South 00 degrees 05 minutes 04 seconds West along the East line of said Alcan Street right of way, a distance of 306.44 feet to a point on a non-tangent curve, said point also lying on the North line of Lot 2 of said Olathe Commons First Plat; thence in a Southwesterly direction, along said North line and along a curve to the right whose initial tangent bears South 25 degrees 28 minutes 46 seconds West, having a radius of 265.00 feet, through a central angle of 40 degrees 01 minute 07 seconds, an arc distance of 185.09 feet to a point on a non-tangent line; thence South 24 degrees 30 minutes 07 seconds East, departing said North line, a distance of 28.19 feet to a point of curvature; thence in a Southeasterly and Southerly direction, along a curve to the

right, having a radius of 200.00 feet, through a central angle of 44 degrees 05 minutes 25 seconds, an arc distance of 153.90 feet to a point of reverse curvature; thence in a Southerly direction, along a curve to the left, having a radius of 200.00 feet, through a central angle of 19 degrees 35 minutes 18 seconds, an arc distance of 68.38 feet to a point of tangency; thence South 00 degrees 00 minutes 00 seconds East a distance of 228.76 feet to a point; thence North 90 degrees 00 minutes 00 seconds West a distance of 582.57 feet to a point on the West line of Lot 3 of Olathe Commons Second Plat, a subdivision in the City of Olathe, Johnson County, Kansas; thence North 04 degrees 32 minutes 10 seconds East, along the West line of said Lot 3 and along the West line of said Olathe Commons First Plat, a distance of 907.89 feet to the POINT OF BEGINNING, containing 544,750 Square Feet or 12.5057 Acres, more or less.

Said legally described property is hereby rezoned from an RP-4 District to a C-2 District.

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

- (1) Final site development plans shall be approved prior to submittal of building permits.
- (2) A waiver shall be granted to permit the landscape buffer on the south and east property lines to use a berm and landscaping for screening. No fence shall be required.
- (3) The two northbound lanes on Shannon Lane shall be reduced to 11-feet wide and the existing median shall be widened to accommodate landscaping. This shall be shown with the final site development plan.

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:

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City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney