

ORDINANCE NO. 19-39

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. RZ19-0007 requesting rezoning from R-1 District and CTY RUR District to M-2 District was filed with the City of Olathe, Kansas, on the 19th day of April 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 24th day of June 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 W 1/2 OF SECTION 3, TOWNSHIP 14, RANGE 23 AND ALL THAT PART OF THE E 1/2 OF SECTION 4, TOWNSHIP 14, RANGE 23, NOW IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NW 1/4 OF SAID SECTION 3; THENCE S 0° E, ALONG THE EAST LINE OF THE W 1/2 OF SAID SECTION 3, A DISTANCE OF 3237.59 FEET, TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THE ATCHISON, TOPEKA & SANTA FE RAILROAD, AS NOW ESTABLISHED; THENCE S 67° 25' 25" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ATCHISON, TOPEKA & SANTA FE RAILROAD, A DISTANCE OF 389.25 FEET, TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ATCHISON, TOPEKA & SANTA FE RAILROAD, SAID LINE BEING ON A CURVE TO THE LEFT, HAVING A RADIUS OF 2964.93 FEET AND A CENTRAL ANGLE OF 6° 51' 01", A DISTANCE OF 354.49 FEET; THENCE S 29° 25' 37" E, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ATCHISON, TOPEKA & SANTA FE RAILROAD, A DISTANCE OF 50 FEET; THENCE SOUTHWESTERLY, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ATCHISON, TOPEKA & SANTA FE RAILROAD, SAID LINE BEING ON A CURVE TO THE LEFT, HAVING A RADIUS OF 2914.93 FEET, A CENTRAL ANGLE OF 1° 11' 46" AND WHOSE INITIAL TANGENT BEARING IS S 60° 34' 24" W, A DISTANCE OF 60.86 FEET, TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT; THENCE CONTINUING SOUTHWESTERLY ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ATCHISON, TOPEKA & SANTA FE RAILROAD, SAID LINE BEING ON A CURVE TO THE LEFT, HAVING A RADIUS OF 2914.93, A CENTRAL ANGLE OF 20° 42' 44" AND WHOSE INITIAL TANGENT

BEARING IS S 59° 22' 38" W, A DISTANCE OF 1053.73 FEET; THENCE N 51° 20' 06" W, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ATCHISON, TOPEKA & SANTA FE RAILROAD, A DISTANCE OF 50 FEET; THENCE SOUTHWESTERLY, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID ATCHISON, TOPEKA & SANTA FE RAILROAD, SAID LINE BEING ON A CURVE TO THE LEFT, HAVING A RADIUS OF 2964.93 FEET, A CENTRAL ANGLE OF 8° 42' 56" AND WHOSE INITIAL TANGENT BEARING IS S 38° 39' 54" W, A DISTANCE OF 451.02 FEET, TO A POINT ON THE SOUTH LINE OF THE N 1/2 OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 3; THENCE S 89° 46' 58" W, ALONG THE SOUTH LINE OF THE N 1/2 OF THE SW 1/4 OF THE SW 1/4 OF SAID SECTION 3, A DISTANCE OF 874.72 FEET, TO THE SOUTHWEST CORNER THEREOF; THENCE N 0° 15' 54" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 3, A DISTANCE OF 859.14 FEET; THENCE N 64° 59' 32" W, A DISTANCE OF 280.10 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 56, AS NOW ESTABLISHED; THENCE N 36° 56' 28" E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 56, A DISTANCE OF 42.67 FEET; THENCE N 54° 05' 22" E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 56, A DISTANCE OF 283.57 FEET, TO A POINT ON THE WEST LINE OF THE SW 1/4 OF SAID SECTION 3; THENCE N 0° 15' 54" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 3 AND ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 56, A DISTANCE OF 24.04 FEET; THENCE N 56° 07' 28" E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 56, A DISTANCE OF 60.04 FEET, TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 56, SAID LINE BEING ON A CURVE TO THE LEFT, HAVING A RADIUS OF 11499.20 FEET AND A CENTRAL ANGLE OF 5° 44' 04", A DISTANCE OF 1150.90 FEET, TO A POINT OF TANGENCY; THENCE N 50° 23' 24" E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 56, A DISTANCE OF 805.18 FEET, TO A POINT 50 FEET SOUTHWESTERLY OF THE NORTHERLY EXTENSION OF THE SOUTHWESTERLY LINE OF LOT 1, JOHNSON COUNTY TRANSPORTATION CENTER, A SUBDIVISION OF LAND NOW IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS; THENCE S 39° 38' 36" E, ALONG A LINE 50 FEET SOUTHWESTERLY AND PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID LOT 1, A DISTANCE OF 596.40 FEET; THENCE S 1° 09' 27" W, A DISTANCE OF 946.51 FEET, TO THE TRUE POINT OF BEGINNING, EXCEPT THAT PART IN ROAD AND HIGHWAY.

Said legally described property is hereby rezoned from R-1 District and CTY RUR District to M-2 District

SECTION TWO: That this rezoning is approved subject to the following stipulation: Any new buildings within this development, other than accessory buildings, shall require a revised preliminary 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 16th day of July 2019.

SIGNED by the Mayor this 16th day of July 2019.

ATTEST:

Mayor

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney