

ORDINANCE NO. 19-55

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. RZ19-0013 requesting rezoning from CP-2 District to R-1 District was filed with the City of Olathe, Kansas, on the 5th day of July 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 26th day of August 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:

Part of the Southeast One-Quarter of Section 20, Township 14 South, Range 24 East, in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Commencing at the Southeast corner of said Southeast One-Quarter; thence North 02 degrees 33 minutes 10 seconds West along the East line of said Southeast One-Quarter, a distance of 798.58 feet to the Point of Beginning; thence South 87 degrees 26 minutes 50 seconds West a distance of 86.44 feet to a point of curvature; thence along a curve to the left, tangent to the previous course and having a radius of 235.00 feet, a central angle of 49 degrees 33 minutes 20 seconds and an arc length of 203.25 feet; thence South 37 degrees 53 minutes 30 seconds West a distance of 113.42 feet; thence North 85 degrees 12 minutes 48 seconds West a distance of 38.10 feet; thence North 51 degrees 39 minutes 22 seconds West a distance of 110.94 feet; thence North 11 degrees 34 minutes 29 seconds West a distance of 68.69 feet; thence North 40 degrees 00 minutes 40 seconds West a distance of 72.44 feet; thence South 67 degrees 19 minutes 10 seconds West a distance of 94.92 feet; thence South 87 degrees 59 minutes 12 seconds West a distance of 564.52 feet; thence South 21 degrees 48 minutes 44 seconds West a distance of 76.39 feet; thence South 01 degrees 34 minutes 12 seconds West a distance of 93.92 feet; thence South 35 degrees 07 minutes 38 seconds West a distance of 27.52 feet; thence South 82 degrees 23 minutes 16 seconds West a distance of 142.58 feet; thence North 86 degrees 32 minutes 57 seconds West a distance of 91.67 feet; thence North 84 degrees 31 minutes 19 seconds West a distance of 187.27 feet to a point of curvature; thence Northeasterly on a curve to the right having an initial tangent bearing of North 06

degrees 07 minutes 44 seconds East, a radius of 1100.00 feet, a central angle of 68 degrees 16 minutes 27 seconds and an arc length of 1310.77 feet; thence North 74 degrees 24 minutes 11 seconds East a distance of 156.04 feet to a point of curvature; thence Easterly on a curve to the right tangent to the previous course, having a radius of 2300.00 feet, a central angle of 13 degrees 02 minutes 38 seconds and an arc length of 523.62 feet; thence North 87 degrees 26 minutes 50 seconds East a distance of 132.42 feet to a point on the East line of said Southeast One-Quarter; thence South 02 degrees 33 minutes 10 seconds East, along the East line of said Southeast One-Quarter a distance of 844.90 feet to the Point of Beginning, and containing 26.9004 acres, more or less.

Said legally described property is hereby rezoned from CP-2 (Planned General Business District) District to R-1 (Residential Single Family District) District.

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

- (1) A waiver shall be granted to permit minimum five (5) foot side yard setbacks.
- (2) A waiver shall be granted to permit a landscape buffer Type 4A adjacent to the commercial zoned property to the south with a minimum 6-foot berm used towards the 9-foot berm/fencing requirement.
- (3) All lots shall be subject to Building Design Category A standards per UDO Section 18.15.025.

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 17th day of September 2019.

SIGNED by the Mayor this 17th day of September 2019.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney