

ORDINANCE NO. 19-58

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. RZ19-0014 requesting rezoning from R-1, RP-4, and CTY A to R-2 (Residential Two-Family) 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 9th day of September 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 Northeast One-Quarter of Section 16, Township 13 South, Range 23 East, in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Commencing at the Southeast corner of the said Northeast One-Quarter; thence South 87 degrees 40 minutes 12 seconds West, along the South line of the said Northeast One-Quarter a distance of 260.46 feet to the Point of Beginning; thence continuing South 87 degrees 40 minutes 12 seconds West, along said South line, a distance of 354.42 feet; thence North 34 degrees 22 minutes 52 seconds West, a distance of 184.27 feet; thence North 48 degrees 49 minutes 26 seconds West, a distance of 51.23 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 68.53 feet to a point of curvature; thence along a curve to the right, having an initial tangent bearing of South 70 degrees 26 minutes 17 seconds West, a radius of 200.00 feet, a central angle of 53 degrees 31 minutes 10 seconds and an arc length of 186.82 feet; thence North 56 degrees 02 minutes 34 seconds West, a distance of 33.14 feet to a point of curvature; thence along a curve to the right, having an initial tangent bearing of South 33 degrees 57 minutes 26 seconds West, a radius of 200.00 feet, a central angle of 124 degrees 54 minutes 46 seconds and an arc length of 436.03 feet to a point of reverse curvature; thence along a curve to the left, having an initial tangent bearing of North 21 degrees 07 minutes 48 seconds West, a radius of 800.00 feet, a central angle of 28 degrees 27 minutes 32 seconds and an arc length of 397.36 feet to a point of reverse curvature; thence along a curve to the right, having an initial tangent bearing of North 49 degrees 35 minutes 20 seconds West, a radius of 400.00 feet, a central angle of 57 degrees 26 minutes 14 seconds and an arc length of 400.99 feet; thence North 07 degrees 50 minutes 54 seconds East, a distance of 125.45 feet to a point of curvature;

thence along a curve to the left, tangent to the previous course and having a radius of 500.00 feet, a central angle of 06 degrees 44 minutes 43 seconds and an arc length of 58.86 feet; thence North 01 degrees 06 minutes 10 seconds East, a distance of 21.31 feet; thence South 88 degrees 53 minutes 50 seconds East, a distance of 168.63 feet; thence South 74 degrees 55 minutes 29 seconds East, a distance of 118.96 feet; thence South 61 degrees 44 minutes 16 seconds East, a distance of 227.20 feet; thence South 43 degrees 05 minutes 58 seconds East, a distance of 154.67 feet; thence North 46 degrees 54 minutes 02 seconds East, a distance of 7.51 feet to a point of curvature; thence along a curve to the right, tangent to the previous course and having a radius of 200.00 feet, a central angle of 31 degrees 18 minutes 23 seconds and an arc length of 109.28 feet; thence North 78 degrees 12 minutes 26 seconds East, a distance of 34.09 feet to a point of curvature; thence along a curve to the left, having an initial tangent bearing of South 08 degrees 41 minutes 57 seconds East, a radius of 500.00 feet, a central angle of 35 degrees 25 minutes 34 seconds and an arc length of 309.15 feet; thence South 44 degrees 07 minutes 31 seconds East, a distance of 730.07 feet to a point of curvature; thence along a curve to the right, tangent to the previous course and having a radius of 500.00 feet, a central angle of 20 degrees 23 minutes 17 seconds and an arc length of 177.92 feet to the Point of Beginning.

Said legally described property is hereby rezoned from R-1, RP-4, and CTY A to R-2 (Residential Two-Family) District

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

1. A street construction agreement for the future collector roadway to the east of the subdivision shall be signed and executed prior to issuance of building permits for phases adjacent to the collector roadway.
2. The single family homes on lots less than 7,200 square feet and two-family homes are subject to building design standards per UDO requirements.

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 1st day of October 2019.

SIGNED by the Mayor this 1st day of October 2019.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney