

ORDINANCE NO. 21-04

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. RZ20-0011 requesting rezoning from MP-2 (Planned General Industrial) District, BP (Business Park) District, and CP-2 (Planned Community Center) District to M-2 (General Industrial) District and BP (Business Park) District was filed with the City of Olathe, Kansas, on the 18th day of September 2020; 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 14th day of December 2020; 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:

MP-2 ZONING:

ALL THAT PART OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 14 SOUTH, RANGE 23 EAST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF OLATHE, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 21; THENCE SOUTH 87° 18' 08" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 21, A DISTANCE OF 60.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF HEDGE LANE AS NOW ESTABLISHED AND THE POINT OF BEGINNING OF THE SUBJECT TRACT; THENCE SOUTH 1° 54' 31" EAST, ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 2029.21 FEET; THENCE SOUTH 88° 05' 36" WEST, A DISTANCE OF 611.35 FEET; THENCE SOUTH 1° 54' 31" WEST, A DISTANCE OF 70.89 FEET; THENCE SOUTH 88° 04' 40" WEST, A DISTANCE OF 1905.36 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 1° 50' 37" WEST, ALONG SAID WEST LINE A DISTANCE OF 2065.91 FEET TO NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 21; THENCE CONTINUING NORTH 1° 50' 37" WEST, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 21, A DISTANCE OF 1339.17 FEET TO NORTHWEST CORNER OF THE SOUTH ONE HALF OF THE NORTHEAST QUARTER OF SAID SECTION 21; THENCE NORTH 87° 35' 14" EAST, ALONG THE NORTH LINE OF SAID SOUTH ONE HALF, A

DISTANCE OF 2513.11 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF SAID HEDGE LANE; THENCE SOUTH 1° 54' 04" EAST, ALONG SAID HEDGE LANE RIGHT-OF-WAY, A DISTANCE OF 1326.65 FEET TO THE POINT OF BEGINNING.

SUBJECT TRACT CONTAINS 8,546,830 SQUARE FEET OR 196.208 ACRES MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS BASED ON THE KANSAS STATE PLANE ZONE NORTH – NAD83.

BP ZONING:

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 14 SOUTH, RANGE 23 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 21; THENCE SOUTH 88° 05' 37" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 60.00 FEET; THENCE NORTH 1° 54' 23" WEST, A DISTANCE OF 100.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 175TH STREET AS NOW ESTABLISHED AND ON THE WEST RIGHT-OF-WAY LINE OF HEDGE LANE AS NOW ESTABLISHED, ALSO BEING THE POINT OF BEGINNING OF THE SUBJECT TRACT; THENCE SOUTH 88° 05' 37" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID 175TH STREET A DISTANCE OF 2517.23 FEET, TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 1° 50' 37" WEST, ALONG SAID WEST LINE A DISTANCE OF 446.67 FEET; THENCE NORTH 88° 04' 40" EAST, A DISTANCE OF 1905.36 FEET; THENCE NORTH 1° 54' 31" WEST, A DISTANCE OF 70.89 FEET; THENCE NORTH 88° 05' 36" EAST, A DISTANCE OF 611.35 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID HEDGE LANE; THENCE SOUTH 1° 54' 37" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 518.10 FEET TO THE POINT OF BEGINNING.

SUBJECT TRACT CONTAINS 1,168,438 SQUARE FEET OR 26.824 ACRES MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS BASED ON THE KANSAS STATE PLANE ZONE NORTH – NAD83. Said legally described property is hereby rezoned from MP-2 (Planned General Industrial) District, BP (Business Park) District, and CP-2 (Planned Community Center) District to M-2 (General Industrial) District and BP (Business Park) District.

SECTION TWO: That this rezoning is approved with no stipulations.

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 5th day of January 2021.

SIGNED by the Mayor this 5th day of January 2021.

ATTEST:

Mayor

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney