

ORDINANCE NO. 21-12

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. RZ21-0001 requesting a rezoning from CTY RUR (County Rural) District to R-1 (Residential Single-Family) District was filed with the City of Olathe, Kansas, on the 12th day of January 2021; 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 March 2021; 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 NORTH ONE-HALF OF SECTION 13, TOWNSHIP 13 SOUTH, RANGE 23 EAST, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE S 89°40'52" E, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13, A DISTANCE OF 2645.38 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 13; THENCE S 89°32'41" E, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 425.01 FEET; THENCE S 0°27'19" W, A DISTANCE OF 95.02 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF COLLEGE BOULEVARD, AS NOW ESTABLISHED; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID COLLEGE BOULEVARD, FOR THE FOLLOWING SIX (6) COURSES; THENCE S 2°51'44" E, A DISTANCE OF 92.16 FEET; THENCE S 11°07'54" E, A DISTANCE OF 130.62 FEET; THENCE S 89°33'12" E, A DISTANCE OF 90.22 FEET; THENCE S 27°39'47" E, A DISTANCE OF 107.88 FEET; THENCE S 0°27'38" W, A DISTANCE OF 131.20 FEET; THENCE S 89°32'41" E, A DISTANCE OF 31.62 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BURLINGTON NORTHERN SANTA FE RAILROAD (FORMERLY ATCHISON, TOPEKA, AND SANTA FE RAILWAY CO.), AS NOW ESTABLISHED; THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BURLINGTON NORTHERN SANTA FE RAILROAD (FORMERLY ATCHISON, TOPEKA, AND SANTA FE RAILWAY CO.), FOR THE FOLLOWING TWO (2) COURSES; THENCE SOUTHERLY ON A CURVE

TO THE RIGHT, SAID CURVE HAVING AN INITIAL TANGENT BEARING OF S 5°13'21" W AND A RADIUS OF 2710.66 FEET, AN ARC DISTANCE OF 1290.56 FEET; THENCE S 40°00'31" W, A DISTANCE OF 1174.18 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE N 89°47'01" W, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13 AND THE NORTH PLAT LINE OF WOODLAND HILLS, FIRST PLAT AND WOODLAND HILLS, SECOND PLAT, BOTH BEING PLATTED SUBDIVISIONS OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, A DISTANCE OF 2099.45 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 13, SAID POINT ALSO BEING THE NORTHWEST PLAT CORNER OF THE SAID WOODLAND HILLS, SECOND PLAT; THENCE N 0°03'26" W, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13, A DISTANCE OF 2662.22 FEET TO THE POINT OF BEGINNING, CONTAINING 177.3194 ACRES, MORE OR LESS, OF UNPLATTED LAND.

Said legally described property is hereby rezoned from CTY RUR (County Rural) District to R-1 (Residential Single-Family) 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 6th day of April 2021.

SIGNED by the Mayor this 6th day of April 2021.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney