

ORDINANCE NO. 21-17

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. RZ21-0003 requesting rezoning from C-2 (Community Center) and R-1 (Residential Single-Family) Districts to R-3 (Residential Low-Density Multifamily) District was filed with the City of Olathe, Kansas, on the 14th 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 12th day of April 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 NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 13; THENCE S 0°20'45" E, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 1100.58 FEET TO THE NORTHEAST PLAT CORNER OF YELLOW BARN ESTATES, A PLATTED SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS; THENCE ALONG THE NORTHERLY PLAT LINE OF SAID YELLOW BARN ESTATES, FOR THE FOLLOWING TWO (2) COURSES; THENCE N 89°32'35" W, A DISTANCE OF 200.00 FEET; THENCE N 47°34'11" W, A DISTANCE OF 358.82 FEET; THENCE N 89°32'35" W, A DISTANCE OF 561.00 FEET; THENCE S 14°51'29" W, A DISTANCE OF 479.02 FEET TO THE NORTHEAST PLAT CORNER OF NORTHWOOD TRAILS II AND NORTHWEST PLAT CORNER OF NORTHWOOD TRAILS, BOTH BEING PLATTED SUBDIVISIONS OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, SAID POINT ALSO BEING ON THE SOUTH LINE OF THE NORTH ONE-HALF OF THE NORTHEAST QUARTER OF SAID SECTION 13; THENCE N 89°42'18" W, ALONG THE NORTH PLAT LINE OF THE SAID NORTHWOOD TRAILS II AND THE SOUTH LINE OF THE NORTH ONE-HALF OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF

452.93 FEET; THENCE NORTHERLY ON A CURVE TO THE RIGHT, SAID CURVE HAVING AN INITIAL TANGENT BEARING OF N 8°56'21" W AND A RADIUS OF 149.04 FEET, AN ARC DISTANCE OF 98.81 FEET; THENCE N 29°02'44" E, A DISTANCE OF 30.03 FEET; THENCE NORTHERLY ON A CURVE TO THE LEFT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 179.04 FEET, AN ARC DISTANCE OF 146.49 FEET; THENCE N 17°50'01" W, A DISTANCE OF 449.90 FEET; THENCE NORTHWESTERLY ON A CURVE TO THE LEFT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 326.68 FEET, AN ARC DISTANCE OF 71.08 FEET; THENCE N 30°17'58" W, A DISTANCE OF 91.97 FEET; THENCE NORTHERLY ON A CURVE TO THE RIGHT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 149.04 FEET, AN ARC DISTANCE OF 96.83 FEET; THENCE N 6°55'31" E, A DISTANCE OF 226.54 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 149.04 FEET, AN ARC DISTANCE OF 102.54 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE LEFT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 113.42 FEET, AN ARC DISTANCE OF 88.01 FEET; THENCE N 1°53'05" E, A DISTANCE OF 4.15 FEET TO A POINT ON THE NORTH LINE 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 1674.35 FEET TO THE POINT OF BEGINNING, CONTAINING 41.0949 ACRES, MORE OR LESS, OF UNPLATTED LAND, SUBJECT TO THAT PART IN STREETS AND ROADS.

Said legally described property is hereby rezoned from C-2 (Community Center) and R-1 (Residential Single-Family) Districts to R-3 (Residential Low-Density Multifamily) 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 4th day of May 2021.

SIGNED by the Mayor this 4th day of May 2021.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney