

ORDINANCE NO. 21-19

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. RZ21-0007 requesting rezoning from C-2 (Community Center) District to D (Downtown, Core) District was filed with the City of Olathe, Kansas, on the 19th day of February 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 OF LOTS 1 THROUGH 3, TOGETHER WITH ALL OF LOTS 10 THROUGH 30, BLOCK 34, TOGETHER WITH ALL OF THE VACATED ALLEYS LYING WITHIN BLOCK 34, TOWN OF OLATHE, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, AND PART OF NORTH WATER STREET, AS NOW ESTABLISHED, ALL LYING IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 13 SOUTH, RANGE 23 EAST, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF EAST POPLAR STREET AND THE EAST RIGHT-OF-WAY LINE OF NORTH WATER STREET, AS BOTH STREETS ARE NOW ESTABLISHED;

THENCE SOUTH 00 DEGREES 49 MINUTES 46 SECONDS EAST, ON SAID EAST RIGHT-OF-WAY LINE AND ON THE WEST LINE OF BLOCK 33, TOWN OF OLATHE, A DISTANCE OF 469.63 FEET, TO THE SOUTHWEST CORNER OF SAID BLOCK 33, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF EAST SANTA FE STREET, AS NOW ESTABLISHED;

THENCE SOUTH 88 DEGREES 58 MINUTES 20 SECONDS WEST, DEPARTING SAID EAST RIGHT-OF-WAY LINE AND ON THE SOUTH LINE OF SAID LOTS 30, 29, 28, 27, 26, 25, 24, 23, AND 22, BLOCK 34, TOWN OF OLATHE, A DISTANCE

OF 333.48 FEET, TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID NORTH CHESTNUT STREET AND THE SOUTHWEST CORNER OF SAID LOT 22;

THENCE NORTH 00 DEGREES 52 MINUTES 12 SECONDS WEST, DEPARTING SAID NORTH RIGHT-OF-WAY LINE AND ON SAID EAST RIGHT-OF-WAY LINE AND THE WEST LINE OF SAID LOTS 22, 21, 18, 17, 14, 13 AND 10, BLOCK 34, TOWN OF OLATHE, A DISTANCE OF 469.83 FEET, TO THE SOUTHWEST CORNER OF LOT 9 OF SAID BLOCK 34;

THENCE NORTH 88 DEGREES 58 MINUTES 18 SECONDS EAST, ON THE SOUTH LINE OF LOTS 9, 8, 7, 6, 5 AND 4, A DISTANCE OF 183.24 FEET, TO THE SOUTHEAST CORNER OF SAID LOT 4;

THENCE NORTH 01 DEGREES 03 MINUTES 35 SECONDS WEST, DEPARTING SAID SOUTH LINE AND ON THE EAST LINE OF SAID LOT 4, A DISTANCE OF 128.24 FEET, TO THE NORTHEAST CORNER OF SAID LOT 4 AND THE NORTHWEST CORNER OF SAID LOT 3, SAID POINT BEING ON SAID SOUTH RIGHT-OF-WAY LINE OF EAST POPLAR STREET;

THENCE NORTH 88 DEGREES 58 MINUTES 13 SECONDS EAST, DEPARTING SAID EAST LINE AND ON SAID SOUTH LINE AND THE NORTH LINE OF SAID LOTS 3, 2 AND 1, A DISTANCE OF 91.01 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF NORTH WATER STREET, AS NOW ESTABLISHED;

THENCE NORTH 89 DEGREES 10 MINUTES 14 SECONDS EAST, DEPARTING SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 60.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 133,283 SQUARE FEET OR 3.0598 ACRES, MORE OR LESS.

Said legally described property is hereby rezoned from C-2 (Community Center) District to D (Downtown, Core) 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