ORDINANCE NO. 19-25

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. RZ17-0019 requesting rezoning from RP-4 District to C-2 District was filed with the City of Olathe, Kansas, on the 22nd day of November 2017; 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 January 2018 and the 12th day of March 2018; 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 Lot 1, Tracts A and B, Alcan Street and 120th Street rights of way, together with all that part of Lot 2, all of Olathe Commons First Plat, together with all that part of Lot 3, Olathe Commons Second Plat, both subdivisions in the City of Olathe, Johnson County, Kansas, all lying in the Northwest Quarter of Section 21, Township 13 South, Range 24 East, described as follows:

BEGINNING at the Northwest corner of Lot 1, Olathe Commons First Plat, a subdivision in the City of Olathe, Johnson County, Kansas; thence North 90 degrees 00 minutes 00 seconds East, along the North line of said Lot 1, and along the North line of Alcan Street right of way, as established in said Olathe Commons First Plat, a distance of 633.99 feet to the Northeast corner of said Alcan Street right of way; thence South 00 degrees 05 minutes 04 seconds West along the East line of said Alcan Street right of way, a distance of 306.44 feet to a point on a non-tangent curve, said point also lying on the North line of Lot 2 of said Olathe Commons First Plat; thence in a Southwesterly direction, along said North line and along a curve to the right whose initial tangent bears South 25 degrees 28 minutes 46 seconds West, having a radius of 265.00 feet, through a central angle of 40 degrees 01 minute 07 seconds, an arc distance of 185.09 feet to a point on a non-tangent line; thence South 24 degrees 30 minutes 07 seconds East, departing said North line, a distance of 28.19 feet to a point of curvature; thence in a Southeasterly and Southerly direction, along a curve to the
right, having a radius of 200.00 feet, through a central angle of 44 degrees 05 minutes 25 seconds, an arc distance of 153.90 feet to a point of reverse curvature; thence in a Southerly direction, along a curve to the left, having a radius of 200.00 feet, through a central angle of 19 degrees 35 minutes 18 seconds, an arc distance of 68.38 feet to a point of tangency; thence South 00 degrees 00 minutes 00 seconds East a distance of 228.76 feet to a point; thence North 90 degrees 00 minutes 00 seconds West a distance of 582.57 feet to a point on the West line of Lot 3 of Olathe Commons Second Plat, a subdivision in the City of Olathe, Johnson County, Kansas; thence North 04 degrees 32 minutes 10 seconds East, along the West line of said Lot 3 and along the West line of said Olathe Commons First Plat, a distance of 907.89 feet to the POINT OF BEGINNING, containing 544,750 Square Feet or 12.5057 Acres, more or less.

Said legally described property is hereby rezoned from an RP-4 District to a C-2 District.

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

1. Final site development plans shall be approved prior to submittal of building permits.

2. A waiver shall be granted to permit the landscape buffer on the south and east property lines to use a berm and landscaping for screening. No fence shall be required.

3. The two northbound lanes on Shannon Lane shall be reduced to 11-feet wide and the existing median shall be widened to accommodate landscaping. This shall be shown with the final site development plan.

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 June 2019.

SIGNED by the Mayor this 4th day of June 2019.

[Signature]
Mayor

ATTEST:

[Signature]
Ordinance No. 19-25
RZ17-0019
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City Clerk
(Seal)

APPROVED AS TO FORM:

City Attorney
STATE OF KANSAS
JOHNSON COUNTY, SS

Brandon Humble, being first duly sworn, deposes and says: That he is the editor of
THE GARDNER NEWS  A weekly newspaper printed in the State of Kansas, and published in and of general circulation in Johnson County, Kansas and that said newspaper is a bi-weekly published at least weekly, 52 times a year; has been published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office in Gardner, Kansas in said county as second class matter.
That the attached notice is a true copy there of and was published in the regular and entire issue of said newspaper for 1 consecutive weeks(s),
The first publication there of being made as aforesaid on 6/12/19
Publications being made on the following:

EDITORS

SUBSCRIBED AND SWORN TO ME THIS : June 12. 2019

NOTARY PUBLIC

MY COMMISSION EXPIRES

COST---------

ADDITIONAL COPIES---------

IN THE DISTRICT COURT OF JOHNSON, COUNTY KANSAS-----------------------------

The within Proof Of Publication approved

Public Notice

First published in The Gardner News Wednesday, June 12, 2019

PUBLICATION SUMMARY OF ORDI-
NANCE NO. 19-25, PASSED BY THE
GOVERNING BODY OF THE CITY OF
OLATHE, KANSAS ON THE 4th DAY
OF JUNE 2019.
SUMMARY
On June 4, 2019, the Governing Body of the City of Olathe, Kansas passed Ordinance No. 19-25, which amended the zoning map of the City of Olathe by approving Rezoning Application RZ17-0019. Such rezoning application requested a rezoning from RP-4 to C-2 for a Property on 12.83± acres; located in the vicinity of 119th Street and Shannon Lane. The complete text of this ordinance may be obtained or viewed free of charge at the office of the Olathe City Clerk, Olathe City Hall, 100 East Santa Fe Street, Olathe, Kansas, or on the City's official website address http://www.olatheks.org/government/city- clerk/public-notices, where a reproduction of the original ordinance will be available for a minimum of one week following this summary publication.
This summary is certified this 5th day of June 2019.

/ s/ Rachelle R. Breckenridge
Assistant City Attorney
Publish one time and return one Proof of Publication to the City Clerk, one to Planning; and one to the City Attorney.

PUBLIC NOTICE