ORDINANCE NO. 19-57

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. RZ19-0012 requesting rezoning from R-1, RP-1, RP-4, and CTY A to the R-1 (Residential Single Family) District was filed with the City of Olathe, Kansas, on the 5th day of July 2019; 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 9th day of September 2019; 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:

[Part of the Northwest, Northeast and Southeast One-Quarters of Section 16, Township 13 South, Range 23 East, in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Commencing at the Southwest corner of the said Northeast One-Quarter; thence North 87 degrees 40 minutes 12 seconds East, along the South line of the said Northeast One-Quarter, a distance of 25.00 feet to the POINT OF BEGINNING, said point being on the East line of Lot 13, WOODS AT SOUTHGLEN, FIRST PLAT, a subdivision of land in the said City of Olathe; thence continuing North 87 degrees 40 minutes 12 seconds East, along said South line, a distance of 65.92 feet; thence North 01 degrees 57 minutes 15 seconds West, a distance of 284.75 feet; thence North 20 degrees 55 minutes 21 seconds West, a distance of 272.57 feet to a point on the West line of the said Northeast One-Quarter; thence North 33 degrees 03 minutes 13 seconds West, a distance of 50.65 feet to the Easternmost corner of Tract “8”, SOUTHGLEN OF CEDAR CREEK, EIGHTH PLAT, a subdivision of land in the said City of Olathe; thence continuing North 87 degrees 40 minutes 12 seconds East, along said South line, a distance of 182.48 feet; thence North 17 degrees 32 minutes 19 seconds West, a distance of 121.81 feet; thence North 03 degrees 50 minutes 26 seconds West, a distance of 50.00 feet to a point of curvature; thence along a curve to the left, having an initial tangent bearing of North 77 degrees 06 minutes 07 seconds West, a radius of 275.00 feet, a central angle of 01 degrees 14 minutes 48 seconds and an arc length of 5.98 feet; thence North 11
degrees 39 minutes 04 seconds East, a distance of 135.37 feet; thence North 14 degrees 49 minutes 35 seconds West, a distance of 250.88 feet to the Northernmost corner of Tract “7”, of said SOUTHGLEN OF CEDAR CREEK, EIGHTH PLAT, said point also being the Southernmost corner of Lot 155, of SOUTHGLEN OF CEDAR CREEK, SEVENTH PLAT, a subdivision of land in the said City of Olathe; thence along the Southeasterly line of said SOUTHGLEN OF CEDAR CREEK, SEVENTH PLAT for the following six courses, North 60 degrees 56 minutes 55 seconds East, a distance of 135.23 feet; thence South 50 degrees 56 minutes 49 seconds East, a distance of 68.33 feet; thence North 35 degrees 15 minutes 01 seconds East, a distance of 71.33 feet to a point on the East line of the said Northwest One-Quarter; thence continuing North 35 degrees 15 minutes 01 seconds East, a distance of 56.13 feet to a point of curvature; thence along a curve to the right, having an initial tangent bearing of South 54 degrees 44 minutes 59 seconds East, a radius of 315.00 feet, a central angle of 00 degrees 54 minutes 34 seconds and an arc length of 5.00 feet; thence North 36 degrees 09 minutes 35 seconds East, a distance of 195.00 feet; thence South 52 degrees 22 minutes 15 seconds East, a distance of 85.42 feet; thence South 85 degrees 06 minutes 32 seconds East, a distance of 179.89 feet to a point of curvature; thence along a curve to the right, having an initial tangent bearing of North 22 degrees 34 minutes 40 seconds East, a radius of 210.00 feet, a central angle of 64 degrees 24 minutes 30 seconds and an arc length of 236.07 feet to a point of compound curvature; thence along a curve to the right, having an initial tangent bearing of North 86 degrees 59 minutes 11 seconds East, a radius of 325.00 feet, a central angle of 69 degrees 33 minutes 40 seconds and an arc length of 394.57 feet; thence South 23 degrees 27 minutes 09 seconds East, a distance of 75.00 feet to a point of curvature; thence along a curve to the right, tangent to the previous course and having a radius of 350.00 feet, a central angle of 24 degrees 33 minutes 19 seconds and an arc length of 150.00 feet; thence South 01 degrees 06 minutes 10 seconds West, a distance of 167.61 feet; thence South 88 degrees 53 minutes 50 seconds East, a distance of 168.63 feet; thence South 74 degrees 55 minutes 29 seconds East, a distance of 118.96 feet; thence South 61 degrees 44 minutes 16 seconds East, a distance of 227.20 feet; thence South 43 degrees 05 minutes 58 seconds East, a distance of 154.67 feet; thence North 46 degrees 54 minutes 02 seconds East, a distance of 7.51 feet to a point of curvature; thence along a curve to the right, tangent to the previous course and having a radius of 200.00 feet, a central angle of 31 degrees 18 minutes 23 seconds and an arc length of 109.28 feet; thence North 78 degrees 12 minutes 26 seconds East, a distance of 34.09 feet to a point of curvature; thence along a curve to the left, having an initial tangent bearing of South 08 degrees 41 minutes 57 seconds East, a radius of 500.00 feet, a central angle of 35 degrees 25 minutes 34 seconds and an arc length of 309.15 feet; thence South 44 degrees 07 minutes 31 seconds East, a distance of 730.07 feet to a point of curvature; thence along a curve to the right, tangent to the previous course and having a radius of 500.00 feet, a central angle of 20 degrees 23 minutes 17 seconds and an arc length of 177.92 feet to a point on the South line of the said Northeast One-Quarter; thence South 87 degrees 40 minutes 12 seconds West, a distance of 1057.13 feet to the Northeast corner of the West One-half of the said Southeast One-Quarter; thence South 02 degrees 32 minutes 39 seconds East, a distance of 742.00 feet to the Northernmost corner of TIMBERSTONE RIDGE, a subdivision of land in the said City of Olathe; thence along the North line of said TIMBERSTONE RIDGE for the following four courses, South 50 degrees 43 minutes 29 seconds West, a distance of 324.38 feet; thence South 57 degrees 53 minutes 33 seconds West, a distance of 214.62 feet; thence South 68 degrees 12 minutes 27 seconds West, a distance of 179.88 feet; thence North 89 degrees 17 minutes 27 seconds West, a distance of 370.21 feet to the Southeast corner
of Lot 49, WOODS AT SOUTHGLEN, SECOND PLAT, a subdivision of land in the said City of Olathe; thence along the Easterly line of said WOODS AT SOUTHGLEN, SECOND PLAT for the following four courses, North 05 degrees 03 minutes 33 seconds West, a distance of 107.94 feet; thence North 41 degrees 54 minutes 06 seconds West, a distance of 177.11 feet; thence North 34 degrees 53 minutes 52 seconds West, a distance of 91.45 feet; thence North 12 degrees 18 minutes 10 seconds West, a distance of 94.59 feet to the Southeast corner of Lot 38, of said WOODS AT SOUTHGLEN, FIRST PLAT; thence along the East line of said WOODS AT SOUTHGLEN, FIRST PLAT for the remaining seven courses, North 01 degrees 11 minutes 42 seconds East, a distance of 180.28 feet; thence North 23 degrees 25 minutes 27 seconds West, a distance of 259.30 feet; thence North 25 degrees 04 minutes 01 seconds East, a distance of 130.00 feet; thence North 24 degrees 54 minutes 28 seconds West, a distance of 50.00 feet to a point of curvature; thence along a curve to the left, having an initial tangent bearing of South 77 degrees 53 minutes 50 seconds West, a radius of 250.00 feet, a central angle of 04 degrees 26 minutes 50 seconds and an arc length of 19.40 feet; thence North 16 degrees 33 minutes 00 seconds West, a distance of 12.37 feet to the Point of Beginning.

Except for the following:

Commencing at the Southeast corner of the said Northeast One-Quarter; thence South 87 degrees 40 minutes 12 seconds West, along the South line of the said Northeast One-Quarter a distance of 260.46 feet to the Point of Beginning; thence continuing South 87 degrees 40 minutes 12 seconds West, along said South line, a distance of 354.42 feet; thence North 34 degrees 22 minutes 52 seconds West, a distance of 184.27 feet; thence North 48 degrees 49 minutes 26 seconds West, a distance of 51.23 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 68.53 feet to a point of curvature; thence along a curve to the right, having an initial tangent bearing of South 70 degrees 26 minutes 17 seconds West, a radius of 200.00 feet, a central angle of 53 degrees 31 minutes 10 seconds and an arc length of 186.82 feet; thence North 56 degrees 02 minutes 34 seconds West, a distance of 33.14 feet to a point of curvature; thence along a curve to the right, having an initial tangent bearing of South 33 degrees 57 minutes 26 seconds West, a radius of 200.00 feet, a central angle of 124 degrees 54 minutes 46 seconds and an arc length of 436.03 feet to a point of reverse curvature; thence along a curve to the left, having an initial tangent bearing of North 21 degrees 07 minutes 48 seconds West, a radius of 800.00 feet, a central angle of 28 degrees 27 minutes 32 seconds and an arc length of 397.36 feet to a point of reverse curvature; thence along a curve to the right, having an initial tangent bearing of North 49 degrees 35 minutes 20 seconds West, a radius of 400.00 feet, a central angle of 57 degrees 26 minutes 14 seconds and an arc length of 400.99 feet; thence North 07 degrees 50 minutes 54 seconds East, a distance of 125.45 feet to a point of curvature; thence along a curve to the left, tangent to the previous course and having a radius of 500.00 feet, a central angle of 06 degrees 44 minutes 43 seconds and an arc length of 58.86 feet; thence North 01 degrees 06 minutes 10 seconds East, a distance of 21.31 feet; thence South 88 degrees 53 minutes 50 seconds East, a distance of 168.63 feet; thence South 74 degrees 55 minutes 29 seconds East, a distance of 118.96 feet; thence South 61 degrees 44 minutes 16 seconds East, a distance of 227.20 feet; thence South 43 degrees 05 minutes 58 seconds East, a distance of 154.67 feet; thence North 46 degrees 54 minutes 02 seconds East, a distance of 7.51 feet to a point of curvature; thence along a curve to the right, tangent to the previous course and having a radius of 200.00 feet, a central angle of 31 degrees 18 minutes 23 seconds
and an arc length of 109.28 feet; thence North 78 degrees 12 minutes 26 seconds East, a distance of 34.09 feet to a point of curvature; thence along a curve to the left, having an initial tangent bearing of South 08 degrees 41 minutes 57 seconds East, a radius of 500.00 feet, a central angle of 35 degrees 25 minutes 34 seconds and an arc length of 309.15 feet; thence South 44 degrees 07 minutes 31 seconds East, a distance of 730.07 feet to a point of curvature; thence along a curve to the right, tangent to the previous course and having a radius of 500.00 feet, a central angle of 20 degrees 23 minutes 17 seconds and an arc length of 177.92 feet to the Point of Beginning.

Said legally described property is hereby rezoned from R-1, RP-1, RP-4, and CTY A to the R-1 (Residential Single Family) District.

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

1. A waiver is granted to permit minimum twenty (20) foot front yard setbacks.

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 1st day of October 2019.

SIGNED by the Mayor this 1st day of October 2019.

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk

(APPROVED AS TO FORM:)

[Signature]
City Attorney