

ORDINANCE NO. 2486

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OF CERTAIN LANDS LOCATED IN THE CITY OF GARDNER, KANSAS, UNDER THE AUTHORITY GRANTED BY TITLE 18 OF THE MUNICIPAL CODE OF THE CITY OF GARDNER, KANSAS; (Z-15-01).

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARDNER, KANSAS:

SECTION ONE: That having received a recommendation from the Planning Commission on April 28, 2015 and proper notice having been given and hearing held as provided by law and under the authority of and subject to the provisions of the Gardner, Kansas Zoning Ordinance, the zoning classification of the lands legally described hereby are changed as follows:

The following described properties shall hereafter have a zoning classification of A – Agriculture District.

CASE NO. Z-15-01

Rezoning from RP-1– Planned Single-Family Residential District, RP-3 - Planned Garden Apartment Residential District, C-O – Office Building District, CP-2 – Planned General Business District.

Legal Description:

Tract I:

The Southwest Quarter of Section 14, Township 14, Range 22, Johnson County, Kansas, except for parts in streets and roads and more particularly described as follows:

All of the Southwest Quarter of Section 14, Township 14, Range 22 East of the Sixth Principal Meridian, Johnson County, Kansas, described as follows: Beginning at the Northwest Quarter of the Southwest Quarter of said Section 14; thence North 88 degrees 49 minutes 32 seconds East, along the North line of the Southwest Quarter of said Section 14, a distance of 2596.36 feet to the Northeast corner of the Southwest Quarter of said Section 14; thence South 01 degrees 54 minutes 57 seconds East, along the East line of the Southwest Quarter of said Section 14, a distance of 2662.71 feet to the Southeast corner of the Southwest Quarter of said Section 14; thence South 88 degrees 34 minutes 20 seconds West, along the South line of the Southwest Quarter of said Section 14, a distance of 2589.90 feet to the Southwest corner of the Southwest Quarter of said Section 14; thence North 02 degrees 03 minutes 06 seconds West, along the West line of the Southwest Quarter of said Section 14, a distance of 2674.25 feet to the point of beginning, except that part in streets and roads and EXCEPT that part described as follows:

Beginning at the Southwest corner of the Southwest Quarter of Section 14, Township 14 South, Range 22 East, thence North 02 degrees 03 minutes 13 seconds West coincident with the West line of said Southwest Quarter section, 1665.40 feet; thence North 87 degrees 56 minutes 47 seconds East, 241.67 feet; thence on a curve to the left with a radius of 400.00 feet and an arc length of 134.96 feet; thence North 68 degrees 36 minutes 51 seconds East, 93.08 feet, thence on a curve to the right with a radius of 200.00 feet and an arc length of 23.75 feet; thence North 75 degrees 25 minutes 10 seconds East, 41.01 feet; thence North 77 degrees 28 minutes 42

seconds East, 144.54 feet; thence North 75 degrees 20 minutes 26 seconds East, 64.98 feet to a point of non-tangent curvature; thence on a curve to the left with a radius of 1800.00 feet and an arc length of 254.05 feet with a chord that bears South 24 degrees 18 minutes 19 seconds East a distance of 253.84 feet; thence South 29 degrees 28 minutes 42 seconds East, 192.13 feet; thence North 60 degrees 23 minutes 32 seconds East, 129.89 feet; thence on a curve to the right with a radius of 300.00 feet and an arc length of 38.16 feet; thence North 67 degrees 40 minutes 51 seconds East, 398.29 feet; thence on a curve to the left with a radius of 500.00 feet and an arc length of 23.48 feet; thence North 64 degrees 59 minutes 26 seconds East, 104.87 feet; thence South 25 degrees 00 minutes 34 seconds East, 126.53 feet; thence on a curve to the right with a radius of 730.00 feet and an arc length of 554.88 feet; thence South 18 degrees 32 minutes 29 seconds West, 544.15 feet; thence on a curve to the left with a radius of 430.00 feet and an arc length of 150.46 feet; thence South 01 degrees 30 minutes 27 seconds East, 332.88 feet to a point on the South line of said Southwest Quarter section; thence South 88 degrees 34 minutes 14 seconds West coincident with the South line of said Southwest Quarter section, 1395.52 feet to the point of beginning, less that part in streets and roads.

Tract II:

A tract of land located in the Southwest Quarter of Section 14, Township 14 South, Range 22 East of the 6th Principal Meridian, Johnson County, Kansas, described as follows:

Beginning at the Southwest corner of the Southwest Quarter of Section 14, Township 14 South, Range 22 East, thence North 02 degrees 03 minutes 13 seconds West coincident with the West line of said Southwest Quarter section, 1665.40 feet; thence North 87 degrees 56 minutes 47 seconds East, 241.67 feet; thence on a curve to the left with a radius of 400.00 feet and an arc length of 134.96 feet; thence North 68 degrees 36 minutes 51 seconds East, 93.08 feet, thence on a curve to the right with a radius of 200.00 feet and an arc length of 23.75 feet; thence North 75 degrees 25 minutes 10 seconds East, 41.01 feet; thence North 77 degrees 28 minutes 42 seconds East, 144.54 feet; thence North 75 degrees 20 minutes 26 seconds East, 64.98 feet to a point of non-tangent curvature; thence on a curve to the left with a radius of 1800.00 feet and an arc length of 254.05 feet with a chord that bears South 24 degrees 18 minutes 19 seconds East a distance of 253.84 feet; thence South 29 degrees 28 minutes 42 seconds East, 192.13 feet; thence North 60 degrees 23 minutes 32 seconds East, 129.89 feet; thence on a curve to the right with a radius of 300.00 feet and an arc length of 38.16 feet; thence North 67 degrees 40 minutes 51 seconds East, 398.29 feet; thence on a curve to the left with a radius of 500.00 feet and an arc length of 23.48 feet; thence North 64 degrees 59 minutes 26 seconds East, 104.87 feet; thence South 25 degrees 00 minutes 34 seconds East, 126.53 feet; thence on a curve to the right with a radius of 730.00 feet and an arc length of 554.88 feet; thence South 18 degrees 32 minutes 29 seconds West, 544.15 feet; thence on a curve to the left with a radius of 430.00 feet and an arc length of 150.46 feet; thence South 01 degrees 30 minutes 27 seconds East, 332.88 feet to a point on the South line of said Southwest Quarter section; thence South 88 degrees 34 minutes 14 seconds West coincident with the South line of said Southwest Quarter section, 1395.52 feet to the point of beginning, less that part in streets and roads.

SECTION TWO: That upon the taking effect of this Ordinance, the above zoning changes shall be incorporated and shown on the Zoning District Map previously adopted by reference, and said Zoning District Map is hereby reincorporated as a part of the Zoning Ordinance as amended.

SECTION THREE: That this Ordinance shall take effect and be in force from and after its adoption by the City Council and publication in the official City Newspaper.

PASSED by the City Council this 1st day of June, 2015.

SIGNED by the Mayor this 1st day of June, 2015.

(SEAL)

CITY OF GARDNER, KANSAS

/s/ Chris Morrow
Chris Morrow, Mayor

Attest:

/s/ Jeanne Koontz
Jeanne Koontz, City Clerk

Approved as to form:

/s/ Ryan B. Denk
Ryan B. Denk, City Attorney