

ORDINANCE NO. 2523

AN ORDINANCE REVISING AN APPROVED REVISED PRELIMINARY DEVELOPMENT PLAN (PDP-16-01) FOR 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;

WHEREAS, on April 2, 2007 the Gardner City Council approved Ordinance 2232 via Case No. Z-07-01 which rezoned the below described property to its current zoning designation of RP-3, Planned Garden Apartment District, and via case No. PDP-07-02 established the original preliminary development plan, and

WHEREAS, on March 16, 2015 the Gardner City Council approved Ordinance 2481 via case No. PDP-14-02 which revised the original preliminary development plan, and

WHEREAS, Mr. Ken Rogler of Design Homes, Inc. has requested that the City revise the revised preliminary development plan adopted and incorporated by Ord. 2481;

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 August 2, 2016 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 preliminary development plan of Case No. PDP-14-02 for the lands legally described hereby are changed as follows:

The following described property has a zoning classification of RP-3, Planned Garden Apartment District, in accordance with the revised preliminary development plan PDP-16-01.

Legal Description:

A REPLAT OF LOT 6, THE RESERVE AT WAVERLY POINTE, THIRD PLAT, A SUBDIVISION OF LAND IN THE SOUTHWEST QUARTER SECTION 23, TOWNSHIP 14 SOUTH, RANGE 22 EAST, IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS.

SECTION TWO: That upon the taking effect of this Ordinance, the above revised preliminary development plan shall supersede the previously approved revised preliminary development plan for the referenced property.

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 15th day of August, 2016.

SIGNED by the Mayor this 15th day of August, 2016.

(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