

ORDINANCE NO. 2734

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF GARDNER, KANSAS, UNDER THE AUTHORITY GRANTED BY TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF GARDNER, KANSAS;

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 May 23, 2022, 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 Land Development Code, the recommendation of the Planning Commission is hereby approved and the zoning classification or districts of the lands legally described hereby are changed in conformity therewith as follows:

The following described property located approximately 0.4 miles north of 175th Street along Kill Creek Road, adjacent to St. John's Highlands II plat shall hereafter have a zoning classification from "R-2" (Two Family) District to "RP-2" (Planned Two Family) District.

CASE NO. Z-22-04

Rezoning from R-2 (Two Family) District to RP-2 (Planned Two Family) District:

LEGAL DESCRIPTION:

All that part of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ and the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 22, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas, and BRECKENWOOD CREEK, 1ST PLAT, a subdivision in the City of Gardner, Johnson County, Kansas, described as follows:

Beginning at the Northwest corner of the SW $\frac{1}{4}$ of said Section 22; thence S 89°45'11" E, along the North line of the NW $\frac{1}{4}$ of said Section 22, also being the North line of St. Johns Trace IV and St. Johns Trace II, subdivisions in the City of Gardner, Johnson County, Kansas, a distance of 1,329.08 feet to the TRUE POINT OF BEGINNING, also being the Northeast corner of Lot 76, St. Johns Trace II; thence S 89°45'11" E, along the North line of the SW $\frac{1}{4}$ of said Section 22, a distance of 2,655.18 feet to the Northeast corner, W $\frac{1}{2}$, SE $\frac{1}{4}$ of said Section 22 said corner also being the Northwest corner of Lot 9, Block 11, Double Gate VII, a subdivision in the City of Gardner, Johnson County, Kansas; thence S 00°15'23" E, along the West line of Lot 1, Block 11, Lots 16, 15, 14, 13, 12, 11, 10, Block 9, of said Double Gate VII, Lots 9, 8, 7, 6, Block 9, Double Gate VI, a subdivision in the City of Gardner, Johnson County, Kansas, Lots 5, 4, 3, 2, 1, Block 9 and Lot 17, Block 7, Double Gate V, a subdivision in the City of Gardner, Johnson County, Kansas and lot 16 and part of Lot 15, Block 7 Double Gate IV, a subdivision in the City of Gardner, Johnson County, Kansas, a distance of 1,540.94 feet; thence N 67°02'46" W a distance of 603.89 feet; thence N 54°57'51" W a distance of 133.33 feet; thence N 21°20'36" W a distance of 127.86 feet; thence S 70°50'10" W a distance of 442.45 feet to a curve to left having an initial tangent bearing of N 29°09'09" W, a radius of 330.00 feet, a delta of 00°11'14" and on an arch length of 1.08 feet; thence N 29°20'23" W a distance of 148.55 feet to the Southwest corner of Lot 129, St. John's Highland II, a subdivision in the City of Gardner, Johnson County, Kansas; thence N 41°18'11" E, along the South line of Lots 129 and 130 of said St. John's Highlands II, a distance of 114.60 feet; thence N 52°46'33" E, along said Lot 130, a distance of 41.97 feet; thence N 72°04'11" E, along

the South line of said Lot 130 and 131, St. John's Highlands II, a distance of 36.01 feet; thence N 49°27'48" E, along the South line of said Lot 131, a distance of 57.30 feet to the Southwest corner of Lot 132, of said St. John's Highlands II; thence N 53°44'30" E, along the South line of Lot 132, a distance of 66.45 feet to the Southwest corner of Lot 133 of said St. John's Highlands II; thence N 58°20'46" E, along the South line of Lots 133 and 134, a distance of 138.86 feet to the Southwest corner of Lot 135 of said St. John's Highlands II; thence N 46°33'58" E, along the South line of Lots 135 and 136 of said St. John's Highlands II, a distance of 103.17 feet; thence N 54°32'40" E, along the South line of said Lot 136, a distance of 45.08 feet; thence N 36°16'55" E, along the East line of said Lot 136, a distance of 30.00 feet to the Southwest corner of Lot 137 of said St. John's Highlands II; thence N 24°06'45" E, along the East line of Lots 137 and 138 of said St. John's Highlands II, a distance of 125.60 feet; thence N 00°14'49" E, along the East line of Lots 138, 139, 140, 141 and 142 of said St. John's Highlands II, a distance of 343.95 feet to the Northeast corner of said Lot 142; thence N 89°45'11" W, along the North line of said Lot 142 and its extension, a distance of 165.00 feet to a point on the West right-of-way line of 172nd Street; thence South 00°14'49" W, along said West right-of-way line of 172nd Street, a distance of 9.42 feet to the Northeast corner of Lot 98 of said St. John's Highlands II; thence S 89°50'38" W, along the North line of said Lot 98, a distance of 82.53 feet; thence S 83°59'13" W, along the North line of Lots 98 and 97 of said St. John's Highlands II, a distance of 70.57 feet; thence S 83°57'16" W, along the North line of Lots 97, 96 and 95 of said St. John's Highlands II, a distance of 160.22 feet to the Northwest corner of said Lot 95; thence S 89°10'29" W, along the North line of Lot 94 of said St. John's Highlands II, a distance of 65.51 feet to the Northeast corner of Lot 93 of said St. John's Highlands II; thence N 85°36'18" W, along the North line of Lots 93, 92, 91 and 90 of said St. John's Highlands II, a distance of 283.55 feet to the Northeast corner of lot 89 of said St. John's Highlands II; thence N 87°02'01" W, along the North line of said Lot 89, a distance of 95.94 feet to a point on the East right-of-way line of Kill Creek Road; thence N 89°45'11" W, along the North line of Lots 88 and 87 of said St. John's Highlands II, Lots 68, 67, 66, 42 and 41, St. John's Highlands, a subdivision in the City of Gardner, Johnson County, Kansas, a distance of 705.00 feet; thence S 77°28'21" W, along the North line of Lots 41 and 40 of said St. John's Highlands, a distance of 175.56 feet to the Northwest corner of said Lot 40; thence S 12°40'41" E, along the West line of Lot 40 and part of Lot 39 of said St. John's Highlands, a distance of 78.84 feet to the Northeast corner of Lot 21 of said St. John's Highlands; thence N 89°45'11" W, along the North line of Lots 21 and 20 of said St. John's Highlands, a distance of 216.87 feet to the Northwest corner of said Lot 20 and also being on the East line of Lot 70, St. John's Trace II, a subdivision in the City of Gardner, Johnson County, Kansas; thence 00°24'01" W, along the East line of Lots 72, 73, 74, 75 and 76, of said St. John's Trace II, a distance of 402.69 feet to the TRUE POINT OF BEGINNING, containing 38.60 acres, more or less, subject to that part in roads or easements.

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 Land Development Code as amended.

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