

ORDINANCE NO. 2791

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 December 19, 2023, 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 400' west of the intersection of Main St. and Moonlight Rd. shall hereafter have a zoning classification of CP-2 (Planned General Business) District in accordance with preliminary development plan 23-304-10 for HTEaO dated December 8, 2023 and subject to the following conditions:

1. Approval of deviations 1-4 as presented in the staff report and a deviation from the sign area allowance only per deviation request #5;
2. Proposed monument sign shall be setback a minimum distance of 15 from the property lines which allow the desired sign height without the need for a height deviation; and
3. The applications shall be reviewed and approved by the Johnson County Airport Commission and Board of County Commissioners prior to the release of the plat for recording.

CASE NO. 23-304-10

Rezoning from C-2 (General Business) District to CP-2 (Planned General Business) District:

Legal Description:

LOT 4, MAIN STREET MARKET PLACE, a subdivision in the City of Gardner, Johnson County, Kansas

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.

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

PASSED by the Governing Body this 16th day of January, 2024.

SIGNED by the Mayor this 16th day of January, 2024.

(SEAL)

CITY OF GARDNER, KANSAS

/s/

Todd Winters, Mayor

Attest:

/s/

Renee Rich, Interim City Clerk

Approved as to form:

/s/

Ryan B. Denk, City Attorney

(Case No. 23-304-10)