

ORDINANCE NO. 2560

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 October 24, 2017, 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 zoning classification or districts of the lands legally described hereby are changed as follows:

The following described properties shall hereafter have a zoning classification of RP-3 (Planned Garden Apartment District), in accordance with preliminary development plan PDP-17-02 (Bethel Estates) and subject to the following condition:

1. Additional pedestrian connections shall be provided from Buildings 1 and 9 to the sidewalk along the north side of Madison Street on the preliminary development plan.

CASE NO. Z-17-01 (PDP-17-02)

Rezoning from the R-1 (Single-Family Residential District) to RP-3 (Planned Garden Apartment District):

Legal Description:

A tract of land in the Southeast Quarter of section 23, Township 14 South, Range 22 East of the 6th, P.M., Johnson County, Kansas, More particularly described as follows:

Commencing at the Northeast corner of said Southeast Quarter; Thence South 88 degrees 23 minutes 33 seconds West a distance of 690.97 feet to the Northwest corner of Jamestown Subdivision to the City of Gardener and the Point of Beginning; Thence South 01 degrees 19 minutes 10 seconds East on the West line of said Subdivision a distance of 629.85 feet to the centerline of Madison Avenue as Platted; Thence on a curve to the right having a Radius of 400.00 feet an Arc length of 195.17 feet and a Chord which bears North 73 degrees 52 minutes 41 seconds West a distance of 193.24 feet; Thence North 59 degrees 53 minutes 59 seconds West a distance of 682.36 feet on said centerline: Thence on a curve to the left having a Radius of 400.00 feet an Arc length of 221.33 feet and a Chord which bears North 75 degrees 45 minutes 02 seconds West a distance of 218.52 feet to the East line of Madison Farms Subdivision to the City of Gardner; Thence North 02 degrees 13 minutes 13 seconds West on said East line a distance of 151.57 feet to the South line of Prairie Crossing Subdivision to the City of Gardner; Thence North 88 degrees 19 minutes 44 seconds East on said South line a distance of 974.06 feet to the Point of Beginning.

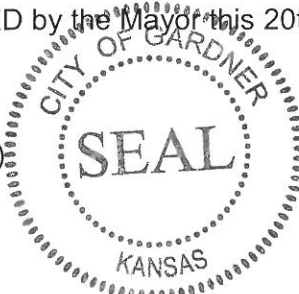
SECTION TWO: That upon the taking effect of this Ordinance, the above zoning changes shall be incorporated and shown on the Zoning District Map previously adopted by reference, and said Zoning District Map is hereby reincorporated as a part of the Land Development Code as amended.

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 City Council this 20th day of November, 2017.

SIGNED by the Mayor this 20th day of November, 2017.

(SEAL)



Attest:

Handwritten signature of Amy Waller in cursive script.

Amy Waller, City Clerk

CITY OF GARDNER, KANSAS

Handwritten signature of Chris Morrow in cursive script, positioned above a horizontal line.
Chris Morrow, Mayor

Approved as to form:

Handwritten signature of Ryan B. Denk in cursive script, positioned above a horizontal line.

Ryan B. Denk, City Attorney