

**ORDINANCE NO. 2570**

**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 February 27, 2018, 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) and RP-4 (Planned Mixed-Density Residential District) for Cottages of University Park:

**CASE NO. Z-18-01 (PDP-18-01)**

Rezoning from RP-2 (Planned Two-Family Residential District) to RP-3 (Planned Garden Apartment District):

**Legal Description:**

Part of Tract C, UNIVERSITY PARK ADDITION NO.1, a subdivision in the City of Gardner, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northeast corner of Tract C, UNIVERSITY PARK ADDITION NO.1, a subdivision in the City of Gardner, Johnson County, Kansas; thence S 01°51'50" E, along the East line of said Tract C, a distance of 595.60 feet to the TRUE POINT OF BEGINNING; thence continuing S 01°51'50" E, along the East line of said Tract C, a distance of 1,017.50 feet to the Southeast corner of said Tract C, said point also being on the Northerly right-of-way line of University Drive, as platted; thence S 88°08'10" W, along the Southerly line of said Tract C and also along the Northerly right-of-way line of said University Drive, a distance of 400.16 feet; thence Northwesterly, along the Southwesterly line of said Tract C and also along the Northeasterly right-of-way line of said University Drive on a curve to the right having a radius of 460.00 feet, for a distance of 300.88 feet; thence N 43°06'25" E a distance of 184.08 feet; thence Westerly, on a curve to the right having an initial tangent bearing of N 77°34'56" W and a radius of 200.00 feet, for a distance of 69.83 feet; thence N 43°06'25" E a distance of 378.67 feet; thence N 46°53'35" W a distance of 148.48 feet; thence Northerly, on a curve to the left having an initial tangent bearing of N 32°24'18" E and a radius of 200.00 feet, for a distance of 114.07 feet; thence Northerly, on a curve to the right having an initial tangent bearing of N 00°16'28" W and a radius of 500.00 feet, for a distance of 260.91 feet; thence N 29°37'26" E a distance of 150.01 feet; thence S 60°22'34" E a distance of 174.90 feet; thence N 88°08'10" E a distance of 115.12 feet to the TRUE POINT OF BEGINNING, containing 11.184 acres, more or less.

Rezoning from RP-2 (Planned Two-Family Residential District) to RP-4 (Planned Mixed-Density Residential District):

**Legal Description:**

Part of Tract C, UNIVERSITY PARK ADDITION NO.1, a subdivision in the City of Gardner, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northeast corner of Tract C, UNIVERSITY PARK ADDITION NO.1, a subdivision in the City of Gardner, Johnson County, Kansas; thence S 01°51'50" E, along the East line of said Tract C, a distance of 595.60 feet; thence S 88°08'10" W a distance of 115.12 feet; thence N 60°22'34" W a distance of 174.90 feet; thence S 29°37'26" W a distance of 150.01 feet; thence Southerly, on a curve to the left having a radius of 500.00 feet, for a distance of 260.91 feet; thence Southerly, on a curve to the right having an initial tangent bearing of S 00°16'28" E and a radius of 200.00 feet, for a distance of 114.07 feet; thence S 46°53'35" E a distance of 148.48 feet; thence S 43°06'25" W a distance of 378.67 feet; thence Easterly, on a curve to the left having an initial tangent bearing of S 57°34'35" E and a radius of 200.00 feet, for a distance of 69.83 feet; thence S 43°06'25" W a distance of 184.08 feet to a point on the Southwesterly line of said Tract C, said point also being on the Northeasterly right-of-way line of University Drive, as platted; thence Northwesterly, along the Southwesterly line of said Tract C and also along the Northeasterly right-of-way line of said University Drive, on a curve to the right having an initial tangent bearing of N 54°23'16" W and a radius of 460.00 feet, for a distance of 60.17 feet; thence N 46°53'35" W, continuing along the Southwesterly line of said Tract C and also along the Northeasterly right-of-way line of said University Drive, a distance of 125.00 feet to a point on the Southeasterly right-of-way line of Gretna Street, as platted; thence N 43°06'25" E, along the Southeasterly right-of-way line of said Gretna Street, a distance of 185.00 feet; thence N 46°53'35" W a distance of 50.00 feet to the South corner of Lot 1, Block 2, UNIVERSITY PARK ADDITION NO. 2, a subdivision in the City of Gardner, Johnson County, Kansas; thence N 43°06'25" E, along the Southeasterly line of said Lot 1, Block 2, a distance of 115.00 feet to the East corner of said Lot 1, Block 2; thence N 46°53'35" W, along the Northeasterly line of said UNIVERSITY PARK ADDITION NO. 2, a distance of 557.10 feet; thence N 20°10'14" W, along the Easterly line of said UNIVERSITY PARK ADDITION NO. 2, a distance of 117.62 feet; thence N 01°55'14" W, along the Easterly line of said UNIVERSITY PARK ADDITION NO. 2, a distance of 523.00 feet to a point on the North right-of-way line of 164th Street, as platted; thence S 88°27'20" W, along the North right-of-way line of said 164th Street, a distance of 49.41 feet to a corner on the Easterly line of said UNIVERSITY PARK ADDITION NO. 2; thence N 01°32'40" W, along the East line of said UNIVERSITY PARK ADDITION NO. 2, a distance of 120.18 feet to a point on the North line of said Tract C; thence N 88°27'20" E, along the North line of said Tract C, a distance of 1,117.39 feet to the Point of Beginning, containing 22.455 acres, more or less.

**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 19<sup>th</sup> day of March, 2018.

SIGNED by the Mayor this 19<sup>th</sup> day of March, 2018.


(SEAL)



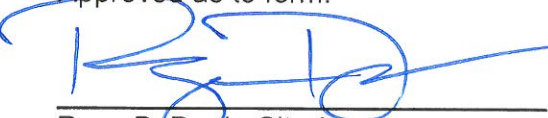
Attest:

  
\_\_\_\_\_  
Amy Waller, City Clerk

CITY OF GARDNER, KANSAS

  
\_\_\_\_\_  
Steve Shute, Mayor

Approved as to form:

  
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Ryan B. Denk, City Attorney