

ORDINANCE NO. 2677

AN ORDINANCE REVISING AN APPROVED PRELIMINARY DEVELOPMENT PLAN (PDP-20-04) 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 May 18, 2015 the Gardner City Council approved Ordinance 2485 via Case No. Z-15-02 which rezoned the below described property to its current zoning designation of RP-5, Planned Apartment House District, and via case No. PDP-15-01 established the original preliminary development plan, and

WHEREAS, on October 19, 2020 the Gardner City Council approved Ordinance 2677 via case No. PDP-20-04 which revised the original preliminary development plan, and

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 September 22, 2020 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-20-04 for the lands legally described hereby are changed as follows:

The following described property has a zoning classification of RP-5, Planned Apartment House District, in accordance with the revised preliminary development plan PDP-20-04.

Legal Description:

A PORTION OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 14, RANGE 22, IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING 330 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 35; THENCE EAST 660 FEET; THENCE SOUTH 330 FEET; THENCE WEST 660 FEET; THENCE NORTH 330 FEET, TO THE POINT OF BEGINNING.

A PORTION OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 14, RANGE 22, IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS; BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 35; THENCE WEST 660 FEET; THENCE SOUTH 330 FEET; THENCE EAST 660 FEET; THENCE NORTH 330 FEET TO THE POINT OF BEGINNING.

A PORTION OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 14, RANGE 22, IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING 330 FEET SOUTH OF THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 35; THENCE WEST 660 FEET; THENCE SOUTH 330 FEET; THENCE EAST 660 FEET; THENCE NORTH 330 FEET, TO THE POINT OF BEGINNING.

A PORTION OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 14, RANGE 22, IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING 660 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 35; THENCE WEST 660 FEET; THENCE 330 FEET; THENCE EAST 660 FEET; THENCE NORTH 330 FEET, TO THE POINT OF BEGINNING.

EXCEPT THE FOLLOWING PARCEL:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 14 SOUTH, RANGE 22 EAST, OF THE 6TH P.M., IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE ON KANSAS STATE PLANE NORTH ZONE 1501 BEARINGS, SOUTH 02°31'47" EAST, CONTIGUOUS WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 435.72 FEET; THENCE SOUTH 87°28'13" WEST, 455.00 FEET; THENCE NORTH 02°31'47" WEST, 444.61 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 88°35'24" EAST, COINCIDENT WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER, 455.08 FEET TO THE POINT OF BEGINNING. CONTAINING 200,275.21 SQUARE FEET OR 4.595 ACRES, MORE OR LESS.

CONTAINING 661,805 SQUARE FEET OR 15.19 ACRES, MORE OR LESS.

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.

