

**CITY OF FAIRWAY, KANSAS
ORDINANCE NO. 1742**

**AN ORDINANCE APPROVING AN AMENDMENT TO THE FAIRWAY
COMPREHENSIVE PLAN PURSUANT TO K.S.A. 12-747 AND SECTION
15-95 THE FAIRWAY DEVELOPMENT ORDINANCES.**

WHEREAS, pursuant to K.S.A. 12-747 and Section 15-93 *et seq.* of the Fairway Development Ordinances ("FDO"), the City of Fairway, Kansas (the "City") adopted the Comprehensive Plan on or about February 27, 2017;

WHEREAS, as part of its annual review of the Comprehensive Plan, the Planning Commission considered amending the Future Land Use Map in Figure 5 of the Comprehensive Plan to change the land use designation for approximately 6.2 acres of real property generally located at 4200 and 4210 Shawnee Mission Parkway, as legally described on Exhibit A and depicted on Exhibit B attached hereto (the "Property"), from Office Park to Community Commercial;

WHEREAS, following publication of notice as required by Section 15-95(b) of the FDO, the Planning Commission conducted a public hearing on the proposed amendment to the Comprehensive Plan on July 26, 2021;

WHEREAS, the Planning Commission adopted Resolution No. 2021-A on July 26, 2021 by a majority vote of all members of the Planning Commission to recommend approval of the proposed amendment to the Comprehensive Plan, including allowance for development of up to five (5) stories within the Community Commercial land use designation, to the Governing Body; and

WHEREAS, on August 9, 2021, the Governing Body reviewed Resolution No. 2021-A along with a written summary of the public hearing, and approved the Planning Commission's recommendation to amend the Comprehensive Plan.

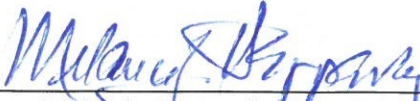
NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FAIRWAY, KANSAS:

SECTION 1. The Governing Body hereby approves the following amendments to the Comprehensive Plan:

- A. The land use designation of the Property shown on the Future Land Use Map in Figure 5 of the Comprehensive Plan shall be amended from Office Park to Community Commercial; and
- B. Development up to five (5) stories is allowed within the Community Commercial land use designation.

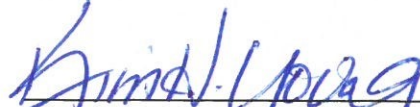
SECTION 2. This Ordinance No. 1742 shall become effective upon publication in the official City newspaper.

PASSED by the City Council the 9th day of August, 2021. **APPROVED** by the Mayor.




Melanie Hepperly, Mayor

ATTEST:



Kim Young, City Clerk

APPROVED AS TO FORM:



Anna M. Krstulic, City Attorney

EXHIBIT A

Legal Description of the Property

4200 Shawnee Mission Parkway

All that part of the Northeast Quarter (NE1/4) of Section 9, Township 12, Range 25, in the City of Fairway, Johnson County, Kansas, more particularly described as follows: Commencing at a point on the North line of said Section 9, 1073.15 feet West from the Northeast corner thereof, as measured along said North line which bears North 90 Degrees West; thence South 0 Degrees West, a distance of 30.00 feet to a point on the South Right-of- Way line of 55th Street, as now established, said point also being the point of beginning of a tract of land to be herein described; thence North 90 Degrees East, parallel to the North line of said Section 9 and along the South line of 55th Street as now established, a distance of 337.23 feet; thence South 31 Degrees 30 Minutes 00 Seconds East, a distance of 54.65 feet to a point on the Northwesterly Right-of-Way line of Johnson Drive, U.S. Highway No. 56, (formerly U.S. Highway No, 50), as now established; thence Southwesterly along said Northwesterly Right-of-Way line and being a curve to the left, the tangent to which bears South 56 Degrees 09 Minutes 24 Seconds West at the last described point, having a radius of 711.00 feet, a distance of 159.26 feet; thence South 43 Degrees 19 Minutes 22 Seconds West tangent to the last described curve and continuing along said Northwesterly Right-of-Way line, a distance of 95.13 feet; thence North 46 Degrees 40 Minutes 38 Seconds West, a distance of 210.99 feet; thence Northwesterly and Northerly along a curve to the right from the last described course as a tangent, having a radius of 82.02 feet, a distance of 66.82 feet; thence North 0 Degrees East, tangent to the last described curve, a distance of 14.09 feet to the point of beginning.

Assessor's Parcel Number (APN): GF251209-3011

4210 Shawnee Mission Parkway

TRACT I:

All that part of the Northeast Quarter of Section 9, Township 12, Range 25, in the City of Fairway, Johnson County, Kansas, more particularly described as follows:

Commencing at a point on the North line of said Section 9, 1073.17 feet West from the Northeast corner thereof, as measured along said North line which bears North 90 degrees West; thence South 0 degrees West, a distance of 30.00 feet to a point on the South Right-of-Way line of 55th St., as now established, said point also being the point of beginning of a tract of land to be herein described; thence North 90 degrees West, along said South Right-of-Way line, a distance of 359.65 feet; thence South 0 degrees East, a distance of 238.00 feet, thence North 90 degrees East, a distance of 77.67 feet; thence South 0 degrees East, a distance of 310.40 feet; thence North 89 degrees 24 minutes 11 seconds East, a distance of 151.60 feet to a point on the Northwesterly Right-of-Way line of Johnson Drive (U.S. Highway No. 56, formally U.S. Highway No. 50), as now established; thence North 43 degrees 19 minutes 22 seconds East along said Northwesterly Right-of-Way line, a distance of 451.27 feet; thence North 46 degrees 40 minutes 38 seconds West, a distance of 210.99 feet; thence Northwesterly and Northerly along a curve to the right from the last described course as a tangent, having a radius of 82.02 feet, a distance of 66.82 feet; thence North 0 degrees East, a tangent to the last described curve, a distance of 14.09 feet to the point of beginning.

Assessor's Parcel Number (APN): GF251209-3010

TRACT II:

A tract of land in the Northeast Quarter of Section 9, Township 12 South, Range 25 East of the 6th Principal Meridian in the City of Fairway, Johnson County, Kansas being bounded and described as follows:

Commencing at a point on the North line of said Section 9, 1832.45 feet West from the Northeast corner as measured along said North line which bears North 90°00'00" West; thence South 00°00'00" East, 30.00 feet to a point on the South right-of-way line of 55th Street, as now established; thence North 90°00'00" East, along said South right-of-way line, 252.30 feet to the Point of Beginning of the tract of land to be herein described; thence continuing North 90°00'00" East along said South right-of-way line, 147.33 feet; thence South 00°00'00" East, 238.00 feet; thence South 90°00'00" West, 147.33 feet; thence North 00°00'00" East, 238.00 feet to the Point of Beginning. Containing 35,064 square feet or 0.80 acres, more or less.

Assessor's Parcel Number (APN): GF251209-3020

EXHIBIT B

Depiction of the Property

