

ORDINANCE NO. 26-11

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF OLATHE, KANSAS, AS ADOPTED BY REFERENCE IN SECTION 18.20.030 OF THE OLATHE UNIFIED DEVELOPMENT ORDINANCE; FURTHER AMENDING SAID SECTION 18.20.030 BY REINCORPORATING SUCH MAP AS AMENDED.

WHEREAS, Rezoning Application No. RZ25-0020 requesting rezoning from the BP (Business Park) District to C-2 (Community Center) District was filed with the City of Olathe, Kansas, on the 24th day of December 2025; and

WHEREAS, proper notice of such rezoning application was given pursuant to K.S.A. 12-757 and Chapter 18.40 of the Olathe Unified Development Ordinance; and

WHEREAS, a public hearing on such application was held before the Planning Commission of the City of Olathe, Kansas, on the 23rd day of February 2026; and

WHEREAS, said Planning Commission has recommended that such rezoning application be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLATHE, KANSAS:

SECTION ONE: That the Zoning Map of the City of Olathe, Kansas, is hereby ordered to be amended insofar as the same relates to certain parcels of land legally described as:

A TRACT OF LAND LYING AND SITUATED IN LOT 6, SUNNYBROOK, A SUBDIVISION RECORDED DECEMBER 29, 1999 AND FILED IN DOCUMENT NUMBER 3074563 IN BOOK 114, PAGE 31, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, SAID TRACT AS SURVEYED BY BRENT E. THOMPSON, PS-1277, WITH BHC, CLS 175, BEING MORE PARTICULARLY DESCRIBED ON DECEMBER 15, 2025 BY METES AND BOUNDS AS FOLLOWS:

(NOTE: FOR COURSE ORIENTATION THE BEARINGS IN THIS DESCRIPTION ARE BASED ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 13 SOUTH, RANGE 23 EAST, HAVING A BEARING OF NORTH 87° 52' 14" EAST, REFERENCED TO THE KANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE (NAD83).)

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 15, TOWNSHIP 13 SOUTH, RANGE 23 EAST, IN SAID CITY OF OLATHE, THENCE NORTH 87°52'14" EAST, ON THE NORTH LINE OF SAID SECTION 15, 1491.83 FEET; THENCE DEPARTING SAID NORTH LINE, SOUTH 02°07'46" EAST, 60.00 FEET, TO THE NORTHWEST CORNER OF LOT 33, SUNNYBROOK BUSINESS PARK 1ST PLAT, A SUBDIVISION IN THE CITY OF OLATHE, RECORDED IN JANUARY 16, 2007 AND FILED IN BOOK 200701, PAGE 003982, SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF COLLEGE BOULEVARD, AS IT NOW EXISTS AND THE POINT OF BEGINNING, BEING MONUMENTED BY A 1/2" REINFORCING ROD WITH CAP STAMPED 'P&B CLS-49'; THENCE ALONG THE WEST LINE OF SAID SUNNYBROOK BUSINESS PARK 1ST PLAT FOR THE FOLLOWING THREE COURSES: THENCE SOUTH 02°07'46" EAST, 661.69 FEET, TO A 1/2" REINFORCING ROD WITH CAP STAMPED 'P&B CLS-49'; THENCE SOUTH 13°36'36" EAST, 74.05 FEET, TO A 1/2" REINFORCING ROD WITH CAP STAMPED 'P&B CLS-49'; THENCE SOUTH 02°07'46" EAST, 230.00 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE

TO THE SOUTH, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 36, SAID SUNNYBROOK BUSINESS PARK 1ST PLAT MONUMENTED BY A 1/2" REINFORCING ROD WITH CAP STAMPED 'P&B CLS-49', ON THE NORTH RIGHT-OF-WAY LINE OF 113TH STREET (PLATTED SUNNYBROOK BOULEVARD), AS IT NOW EXISTS; THENCE WESTERLY, ON A CURVE, TO THE LEFT HAVING A RADIUS OF 330.00 FEET, FOR AN ARC LENGTH OF 85.44 FEET, SAID CURVE HAVING A CHORD BEARING OF SOUTH 84°49'02" WEST, A CHORD LENGTH OF 85.20 FEET, AND A CENTRAL ANGLE OF 14°50'06", TO A 1/2" REINFORCING ROD WITH CAP STAMPED 'P&B CLS-49'; THENCE SOUTH 77°23'59" WEST, 68.01 FEET, TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTH, MONUMENTED BY A 1/2" REINFORCING ROD WITH CAP STAMPED 'P&B CLS-49'; THENCE SOUTHWESTERLY, ON A CURVE TO THE LEFT HAVING A RADIUS OF 1230.00 FEET, FOR AN ARC LENGTH OF 258.38 FEET, SAID CURVE HAVING A CHORD BEARING OF SOUTH 71°22'55" WEST, A CHORD LENGTH OF 257.90 FEET, AND A CENTRAL ANGLE OF 12°02'09", TO A 1/2" REINFORCING ROD WITH CAP STAMPED 'P&B CLS-49'; THENCE SOUTH 65°21'50" WEST, 43.19 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE EAST, MONUMENTED BY A 1/2" REINFORCING ROD WITH CAP STAMPED 'P&B CLS-49'; THENCE NORTHWESTERLY, ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1470.00 FEET, FOR AN ARC LENGTH OF 22.73 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 23°01'25" WEST, CHORD LENGTH OF 22.73 FEET, AND A CENTRAL ANGLE OF 00°53'09", TO A 1/2" REINFORCING ROD WITH CAP STAMPED 'P&B CLS-49'; THENCE SOUTH 67°25'09" WEST, 60.00 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE WEST; THENCE NORTHWESTERLY, ON A CURVE TO THE LEFT HAVING A RADIUS OF 470.00 FEET, FOR AN ARC LENGTH OF 119.16 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 29°50'38" WEST, AND A CHORD LENGTH OF 118.84 FEET, AND A CENTRAL ANGLE OF 14°31'34", TO THE BEGINNING OF A REVERSE CURVE; THENCE NORTHWESTERLY & NORTHERLY, ON A CURVE TO THE RIGHT HAVING A RADIUS OF 530.00 FEET, FOR AN ARC LENGTH OF 431.87 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 13°45'47" WEST, AND A CHORD LENGTH OF 420.02 FEET, AND A CENTRAL ANGLE OF 46°41'16"; THENCE NORTH 09°34'51" EAST, 65.73 FEET, TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE WEST; THENCE NORTHERLY, ON A CURVE TO THE LEFT HAVING A RADIUS OF 210.00 FEET, FOR AN ARC LENGTH OF 54.68 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 02°07'16" EAST, AND A CHORD LENGTH OF 54.53 FEET, AND A CENTRAL ANGLE OF 14°55'10", TO THE BEGINNING OF A REVERSE CURVE; THENCE NORTHERLY, ON A CURVE TO THE RIGHT HAVING A RADIUS OF 410.00 FEET, FOR AN ARC LENGTH OF 94.00 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 01°13'47" EAST, AND A CHORD LENGTH OF 93.79 FEET, AND A CENTRAL ANGLE OF 13°08'10", TO THE BEGINNING OF A REVERSE CURVE; THENCE NORTHERLY, ON A CURVE TO THE LEFT HAVING A RADIUS OF 1450.00 FEET, FOR AN ARC LENGTH OF 251.23 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 02°50'03" EAST, AND A CHORD LENGTH OF 250.92 FEET AND A CENTRAL ANGLE OF 9°55'38"; THENCE NORTH 02°07'46" WEST, 49.22 FEET, TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHWESTERLY, ON A CURVE TO THE LEFT HAVING A RADIUS OF 40.00 FEET, FOR AN ARC LENGTH OF 49.12 FEET, SAID CURVE HAVING A CHORD BEARING OF NORTH 37°18'22" WEST, AND A CHORD LENGTH OF 46.09 FEET, AND A CENTRAL ANGLE OF 70°21'11"; THENCE NORTH 72°28'57" WEST, 14.24 FEET, TO A POINT ON THE NORTH LINE OF SAID LOT 6; THENCE NORTH 87°52'14" EAST, 624.08 FEET, ON SAID NORTH LINE AND THE SOUTH RIGHT-OF-WAY LINE OF

COLLEGE BOULEVARD AS NOW ESTABLISHED TO THE POINT OF BEGINNING, OF SAID TRACT HEREIN DESCRIBED, SAID TRACT CONTAINING 614,623 SQUARE FEET OR 14.1098 ACRES.

Said legally described property is hereby rezoned from the BP (Business Park) District to C-2 (Community Center) District.

SECTION TWO: That this rezoning is approved with the following stipulations:

1. The following uses are prohibited:
 - a. Animal Care Facility with Outdoor Kennel;
 - b. Auto-Supply (Parts) Stores;
 - c. Laundry, Coin Operated;
 - d. Vehicle Services;
 - e. Check cashing, except in connection with a bank or savings and loan institution, tax service, or investment/brokerage service or as ancillary to a convenience store or grocery store;
 - f. Class A, Class B, or other private club as defined in the Kansas Liquor Control Act;
 - g. Distance Restricted Businesses as set forth in Chapter 5.43 of the Olathe Municipal Code and any amendments thereto;
 - h. Outdoor storage of any kind, whether a primary or accessory use;
 - i. Vapor Retailer and Tobacco Shop as defined in Chapter 6.20 of the Olathe Municipal Code.

SECTION THREE: That Section 18.20.030 of the Unified Development Ordinance, which incorporates by reference the Olathe Zoning Map, is hereby amended by reincorporating by reference the said Zoning Map as it has been amended in Section One of the Ordinance.

SECTION FOUR: That this Ordinance shall take effect from and after its passage and publication as provided by law.

PASSED by the Governing Body this 17th day of March 2026.

SIGNED by the Mayor this 17th day of March 2026.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney
