



STAFF REPORT

Planning Commission Meeting: January 26, 2026

Application:	HL25-0001: A nomination to the Olathe Register of Historic Places for 126 S. Cherry, located northeast of E. Loula and S. Cherry Street.
Location:	126 S. Cherry Street – Original Olathe Post Office
Owner/Applicant:	Amar Singh; Gurdwara Nanak Darbar Sahib, Inc.
Staff Contact:	Emily Carrillo; Senior Planner

Site Area: 0.51 acres **Existing Use:** Religious Institution
Current Zoning: C-2 (Community Center) **Plat:** Olathe (1866)

1. Introduction

The following is a request for nomination to the Olathe Register of Historic Places. The purpose of the nomination is procedural in nature to recognize and honor Olathe's historic properties at a local level. The register assists local efforts to identify, promote and protect local historic resources.

This nomination was prepared by FEMA in conjunction with an active Nonprofit Security Grant project in partnership with Gurdwara Nanak Darbar Sahib, located at 126 S. Cherry in downtown Olathe. The scope of the project includes the replacement of the original main entry doors and front-facing windows. The application process requires Section 106 review, a federal historic preservation process required for projects involving federal funding, permits, or approvals that may affect historic properties.

FEMA met with the Olathe Historic Preservation Board in August 2024 to review the proposed project and determined that modifications to the scope which would avoid or minimize adverse effects were appropriate in order to proceed. A Memorandum of Agreement (MOA) outlining mitigation measures was drafted and signed by all parties. The MOA also includes a stipulation requiring the property owner to complete a nomination to the Olathe Register of Historic Places as a condition of approval. Any original doors and windows will be stored in a manner that maintains their historic integrity, and new doors and windows will be custom designed to replicate the original framing and historic features.

2. History

The subject property, located at 126 S. Cherry, was originally constructed as Olathe's first permanent post office. The building was constructed in 1938 at a cost of \$90,000 as part of the federal New Deal program, with Louis A. Simon serving as the supervising architect. The post office was officially dedicated on Old Settlers Day in 1939.

The need for a new post office arose after the previous facility, located on N. Cherry Street, was destroyed in the 1936 Grange Building fire. Postmaster Cecil Pember received orders for the new post office site in early 1937.

Historic aerial photographs and archival images indicate that flat-roofed additions to the sides and rear of the building were constructed in the late 1940s to 1950s.

The building was acquired by the City of Olathe in 1990 and used for government offices until 2010, when it was acquired by Gurdwara Nanak Darbar Sahib.



View of subject property circa 1950.

3. Existing Conditions

The Gurdwara Nanak Sikh Worship Center, located at 126 S. Cherry Street, currently serves as a place of worship, providing religious services as well as educational and community-oriented activities.

The subject property occupies a single commercial lot and is surrounded by a public parking garage and office buildings, including the Johnson County Administration Building. The brick-clad building is symmetrical in form and features a central cupola on a low-pitched, side-gabled roof. Early flat-roofed additions to both sides and the rear of the building incorporate historic materials and architectural details consistent with the original structure.

The primary (west, street-facing) façade is characterized by eight (8) double-hung, twelve-over-twelve, true divided-light windows. A centrally located entrance features paneled double doors, each with six (6) true divided-light windows, and is surmounted by a fanlight transom. The entrance is flanked by Doric columns and detailed with an architrave and brick arch.

Since its original construction, the building has undergone several additions and renovations, including the installation of new interior finishes, interior and exterior security systems, and combination storm windows. Despite these changes, the subject property retains integrity of location, design, setting, materials, and sense of time and place. While modifications have occurred over time to accommodate changing ownership and uses, the building continues to convey its historic character as a New Deal–era Colonial Revival post office.

The building does not contribute to a National Register of Historic Places eligible or listed historic district. The building is individually eligible for listing in the National Register of Historic Places under Criterion A for its association with broad patterns in history and Criterion C for architecture.

A signed Exterior Preservation Easement Agreement was recorded with the Johnson County Register of Deeds in 2013 to ensure the preservation of the historic building's exterior façade. A copy of the recorded agreement is included in the packet.



Subject property highlighted in yellow.



View of subject property looking east from S. Cherry Street.

4. Public Notification and Neighborhood Meeting

Certified public notification letters were mailed to surrounding properties within 200 feet of the subject property per UDO requirements. Staff nor and the applicant have received any inquiries regarding the property nomination.

5. Historic Landmark Designation Criteria

As outlined in Chapter 2.84.050 of the Olathe Municipal Code, the designation of buildings, structures, and objects as historic landmarks, certain criteria must be met, including properties must be fifty (50) years or older. In addition, the property must meet one or more of the following criteria:

- (1) Is associated with events that have made a significant contribution to the broad pattern of history of the city, county, state or nation;*
- (2) Is associated with a significant person or group of persons in the history of the city, county, state or nation;*
- (3) Embodies distinctive characteristics of a type, period, or method of construction, represents the work of a master builder/architect; possesses high artistic values; or represents a distinguishable entity whose components may lack individual distinction;*
- (4) Yields or is likely to yield information important in prehistory or history; or*
- (5) Possesses integrity of location, design, setting, materials and workmanship.*

6. Analysis

Chapter 2.84 of the Olathe Municipal Code requires public hearings before the Olathe Historic Preservation Board, an appointed advisory body, and the Planning Commission, both of which provide recommendations to the Olathe City Council for final consideration.

A meeting of the Preservation Board was held on December 10, 2025, to consider the landmark nomination. A public hearing was conducted, and no members of the public were in attendance. Meeting minutes are included in the packet. The Board voted 7–0 to recommend approval of the landmark application based on the following criteria for inclusion on the Olathe Register of Historic Places:

- Association with events that have made a significant contribution to the broad pattern of history of the city, county, state or nation;
- Embodies distinctive characteristics of a type, period, or method of construction, represents the work of a master builder/architect; possesses high artistic values; or represents a distinguishable entity whose components may lack individual distinction;

Staff's analysis of this application is based on the findings of the Preservation Board, as well as conformance with approved plans. The proposed historic landmark nomination meets the following policy elements of the PlanOlathe Comprehensive Plan and Olathe Historic Master Plan:

CRL-2.1 Preservation Board. Engage input from the Olathe Historic Preservation Board.

CRL-2.3: Historic Resource Identification. Identify and protect buildings, districts and sites of historical, architectural, archaeological, or cultural significance. Encourage a survey of local historic resources on a local, state, or federal level and incorporate results and recommendations of a historic resource survey into a preservation plan for the City.

CRL-2.4: Local Historic Register. Consider the establishment of a local historic register or other local historic designation for local historic sites and landmarks.

Policy 1.2: Utilize Survey information to further preservation goals in Olathe

Strategy 1.2.3: *Nominate eligible resources to national, state and/or local historic registers, with owner consent.*

7. Recommendation

A. Staff recommends approval of HL25-0001 for the following reasons:

1. The proposed nomination complies with the policies and goals of the PlanOlathe Comprehensive Plan and the Olathe Historic Preservation Master Plan.
2. The nomination meets the Municipal Code preservation criteria for considering historic landmark applications.

B. The Olathe Historic Preservation Board recommends approval of the historic landmark nomination (HL25-0001) to the Olathe Register of Historic Places by a vote of 6-0.

- C. Staff recommends approval of the proposed landmark nomination (HL25-0001) to the Olathe Register of Historic Places with the following stipulation(s):
 - 1. Section 2.84.130 of the Olathe Municipal Code requires a Certificate of Appropriateness Review to be completed by City staff and the Olathe Historic Preservation Board prior to any permits being issued for the site, including but not limited to demolition, addition or other construction activity.

Office Use Only	
Application # <u>HL25-</u>	Date _____
Notification _____	Planner <u>cc</u>
OHPS Approval _____	Date _____
CC Resolution # _____	Date _____

City of Olathe Historic Landmark Application

This form and requested supplemental documentation is for use in applying to the City of Olathe for designation of a property as an Olathe Historic landmark. Designation as a historic landmark is primarily an indication that the property holds importance in Olathe's history and contributes to Olathe's sense of place. Nominations are based upon the significance the property holds to the history of the area or national events, architectural style, degree of craftsmanship, or contribution to archeology. Regulations to protect the character of the property do exist after the property is designated as a local landmark. Please consult the Development Services Department for information regarding necessary regulatory reviews.

Please read the instructions for completing the form prior to filling out the form. If any item does not apply to the property being documented, enter "N/A" or "not applicable."

Date 7/16/2025

Location of Proposed Landmark:

Address 126 S. CHERRY ST.
 Legal Description of Property _____
OLATHE LTS 6 9 & 10 BLK 51 & W 1/2 VAC ALLEY ADJ OLC 1211 BOTA 00 7030 TX

Nomination Made By:

- Owner
- City Council
- Historic Preservation Board
- Other

Name Audrey Wolfe
 Address 11224 Holmes Road, Kansas City, MO 64131
 Phone 202-808-6582 Email audrey.wolfe@fema.dhs.gov
 Relationship to Owner FEMA contact for Gurdwara Nanak Non-Profit Security Grant Program project

Property Owner Information

Name GURDWARA NANAK DARBAR SAHIB, INC.
 Address PO BOX 14423, LENEXA, KS 66285-4423
 Phone (913) 839-9100 Email _____
 Relationship to Owner _____

See additional instructions for document submittal on page 2 of this application

Historic Landmark Application – Supplemental Documents

In addition to the information provided on the front page of this application, the following documentation must be submitted with this nomination form. Incomplete submittals will not be considered.

1. Completion of the **Architectural Survey Form** found on page 3 of this application.
2. Completion of the **Historic Landmark Agreement** on page 4 of this application.
3. Attach a written **Statement of Significance** indicating why the property is considered historic. Statements will range in length but should be thorough in documenting how the property meets designation criteria. The "Guide to Completing the City of Olathe Historic Landmark Application" outlines how to complete the Statement of Significance. Additionally, please check the criteria under which you are nominating this landmark. At least one must be marked, although multiple criteria are encouraged and supporting historic documents must be provided within the Statement of Significance.
 - Is associated with events that have made a significant contribution to the broad pattern of history of the City, county, state or nation
 - Is associated with a significant person or group of persons in the history of the City, county, state or nation
 - Embodies distinctive characteristics of a type, period, or method of construction; represents the work of a master builder/architect; possesses high artistic values; or represents a distinguishable entity whose components may lack individual distinction
 - Yields or is likely to yield information important in prehistory or history
 - Possess integrity of location, design, setting, materials and workmanship
4. **Bibliography** and supporting documents of resources used in writing the Statement of Significance.
5. **Photographs** of the landmark, including a front, side, and rear elevation.
6. **Site Plan** showing the location of the landmark, including a north arrow, adjacent streets and property lines.

**Completed forms should be submitted to the attention of:
Development Services Department
Olathe City Hall, 100 E Santa Fe
Olathe, KS, 66061**

Questions regarding this application or application procedures should be made to the Development Services Department at 913-971-8750.

Historic Landmark Application – Architectural Survey

1. PROPERTY INFORMATION

Street Address 126 S. CHERRY ST.
Municipality, Zip Code OLATHE, 66061
Historic Name (OLD) OLATHE POST OFFICE
Common Name GURDWARA NANAK DARBAR SAHIB
Legal Description
OLATHE LTS 6 9 & 10 BLK 51 & W 1/2 VAC ALLEY ADJ OLC 1211 BOTA 00 7030 TX

2. FUNCTION

Property Use:
Residential
Type _____
Commercial
Type _____
Institutional
Type _____
Educational
Type _____
Industrial
Type _____
Site
Type _____
Other
Type RELIGIOUS

3. ARCHITECTURAL INFORMATION

Style/Form COLONIAL REVIVAL
Period of Significance: 1938-1939
Construction Date 1938-1939
Date of Major Alterations: _____
Builder/Architect LOUIS A. SIMON
Stories 1 1.5 2
 2.5 3 3.5
Plan Rectangular/massed
 L-Plan
 U-Plan
 Irregular Plan
 Other

Historic Landmark Application – Architectural Survey Continued

4. EXTERIOR MATERIALS

Foundation CONCRETE

Structural _____

Walls BRICK

Roof ASPHALT

Windows WOOD

Doors WOOD

Other _____

Roof Type Gabled Flat

Hipped

Window Type Double-Hung Fixed

Casement

Porch Yes No

Additional Narrative & Distinguishing Architectural Details _____

E. SITE DESCRIPTION

Status Occupied Unoccupied

Integrity Unaltered Altered

Moved Original Site

Condition Excellent Deteriorated

Good Ruins

Fair

Ownership Private Public

Rental Other

Historic Register National State

Local None

F. SURVEY INFORMATION

Completed By _____

Date _____

Historic Landmark Agreement

Property Address: 126 S. Cherry Street, Olathe, KS 66061
Property Legal Description: _____

The undersigned owner(s) hereby agrees that the property above described should be considered for local historic landmark designation, pursuant to the Olathe Historic Preservation Ordinance, Ordinance No. XX-XX, as codified in Chapter 2.84 of the Olathe Municipal Code, as may be amended from time to time (the "Ordinance").

I understand that upon designation, I or my successors in ownership of the property will be required to submit to the review process of the Olathe Historic Preservation Board of the City of Olathe as set forth in the Ordinance prior to the occurrence of any of the following:

1. Reconstruction, remodeling, or alteration of the exterior of the improvements on the property, or;
2. Construction of, addition to, or demolition of exterior improvements on the property.

I further understand that I or my successors in ownership will be required to submit to the review process of the Historic Preservation Commission of the City of Olathe as set forth in the Ordinance if a building, grading, or parking permit or the property is requested for any one of the following:

1. Alteration or reconstruction of or an addition to the exterior of any improvement which constitutes all or part of a landmark structure or landmark district;
2. Demolition or relocation of any improvement which constitutes all or part of a landmark structure or landmark district; or
3. Construction or erection of or an addition to any improvement upon any land included in a landmark district.

I understand that as part of any such review process, the Olathe Historic Preservation Board shall be required to follow its review guidelines as set forth in the Ordinance. I also understand that any historic landmark designation for the property transfers with the title of the property should the property be sold.

Dated this 12 day of November 20 25

Amartjit Singh
Signature of Owner

AMARTJIT SINGH on behalf of GURDWARA NANAK
Printed Name DARBAR SATHI, INC.

Subscribed and sworn to before me this 12th day of November, 2025.



Darci Clark
Notary Public

4/24/28
My Commission Expires

City of Olathe Historic Landmark Application -- Supplemental Documents

The Gurdwara Nanak Sikh Worship Center is located at 126 South Cherry Street. The one-story, brick building, originally a post office designed in the Colonial Revival style, was constructed in 1938 by architect Louis A. Simon as part of the federal New Deal Era programs. The postmaster, Cecil Pember, received orders for the site of the post office in early 1937 and it was constructed 1938-1939 before being dedicated in fall 1939 during the annual reunion of the Johnson County Old Settlers Association. The Old Olathe Post Office is eligible for designation as a local historic landmark for its significance in the area of politics and government because it represents the efforts of the federal government to improve the infrastructure of small towns throughout the nation during the New Deal era. The building is also eligible for designation as a local historic landmark in the area of architecture as a representative and intact example of post offices constructed during this period in the United States.

The New Deal was a policy spearheaded by President Franklin D. Roosevelt to boost the nation's economy after the Great Depression caused the U.S. economy to spiral. The New Deal provided various relief in the form of numerous programs and grants that included giving aid to farmers, creating jobs by building government and public infrastructure, establishing private-public partnerships to increase and boost manufacturing, and more. As a result, thousands of projects across the county including roads and bridges, parks and park trails, dams, a variety of government facilities were constructed. The construction of federal buildings increased when the National Industrial Recovery Act (NIRA) was enacted in 1933. This act created the Public Works Administration (PWA), which oversaw the construction of thousands of public buildings in communities across America.

In 1935, 185 post offices were constructed by the federal government. This was followed by 260 in 1936, 303 in 1937, and 259 in 1938. During the span of about a decade (from 1933-1943) over 1,400 post offices were constructed under some of the federal building programs. These post offices were unique compared to some other government facilities constructed under these New Deal programs.

Designs for post offices built during this period between 1933 and 1943 followed standardized plans. Some stylistic variation was permitted on the facades, but the floor plans were well established by the early 1930s. As summarized in the National Register Bulletin, *How to Apply the National Register Criteria to Post Offices*, the Depression-era programs created public architecture as well as stimulating state and local construction industry and the general economy. The Annual Report of the Secretary of the Treasury for 1937 reported that standardization had been successful in achieving its goals of efficiency and stimulating employment. It is also interesting to note the reference to 11 standard designs to meet the sectional architectural traditions.

“A large portion of the program has consisted of small post office buildings spread over the entire United States. Type designs were developed and, in order to meet the

varying requirements of the Post Office Department and the sectional architectural traditions, eleven designs were required. By thus standardizing the designs, there resulted a great saving in time and cost of production of the drawings and specifications and the placing of these projects on the market was greatly expedited. The buildings which have been constructed from these type designs have proved economical and satisfactory.

The policy of preparing drawings and specifications permitting to the greatest practicable extent the use of materials and products native to the localities has resulted in stimulating employment and spreading the benefits of the building program.”⁵

The architectural styles of the Depression Era tended toward those of modernized and simplified buildings. For example, commonly used styles were the Colonial Revival style or a simplified classical style blending modern and classical elements, characterized by symmetrical massing and plain surfaces. The development of the Colonial Revival movement is thought to have started after the Centennial celebration in 1876 and the Columbian Exposition in Chicago in 1893. These events drew their roots from the colonial age and the birth of America. They brought with them a sense of nostalgia; the nation was looking back while also moving forward.

In most instances, while the architecture of these small buildings is relatively uniform, most have paintings on the interior that depict images specific to local histories. This usually involved commissioning local artists from the community to give the buildings a community connection while also making art more accessible. These post offices, as a result, were important focal points of these communities, especially smaller, more rural communities like Olathe.

The Old Olathe Post Office occupies a lot surrounded by parking garages and office buildings including the Johnson County Administration Building, located on the opposite side of South Cherry Street. The brick clad building is symmetrical with a central cupola on the low-pitched side-gabled roof. Early flat-roofed additions to both sides and the back of the building repeat the historic materials and details of the original building. The primary (west-facing) elevation consists of eight double-hung twelve-over-twelve true divided-light windows. A central entrance with paneled double doors, each with six true divided light windows is surmounted with a fanlight transom, flanked by Doric columns, and surmounted by an architrave and a brick arch. Character-defining features include the twelve-over-twelve divided light double hung windows, the main entrance doorway including columns, details on the cupola, extensive use of brick, and cornice details.

This building was one of many federally funded New Deal projects in the City of Olathe, built as the first permanent post office. A plaque on the west-facing façade of the building states that the supervising architect was Louis A. Simon. Simon was a Baltimore based architect until 1896, when he was appointed to the Office of Supervising Architect at the

U.S. Treasury Department, where he served from 1905-1933. During his career, he directed designs for post offices, courthouses, custom houses, mints, assay offices, hospitals, and other federal office buildings.

One of the interior features of this post office was an original mural by Albert T. Reid titled 'The Mail Must Go Through' and/or 'Romance of the Mail.' The mural by Albert Reid is an oil-on-canvas painting that depicts a stagecoach crossing a winter Kansas landscape. Reid was a local Kansas artist who mostly published political cartoons, but later focused on painting and teaching. The mural was removed from the Old Olathe Post Office and installed in the Olathe Public Library in 1984, where it remains.

The Old Post Office was acquired by the City of Olathe in 1990 and used for government offices until 2010, when the building was purchased by the Subrecipient in 2010 to be used as a Sikh Gurdwara. The building has undergone significant additions and renovations since its initial construction, including several additions, new interior finishes, installation of an interior and exterior security camera system, door locking mechanisms and combination storm windows.

The Old Olathe Post Office retains integrity of location, design, setting, materials, and feeling. While changes have occurred over time as ownership and use have changed, the building still reads as a New Deal era Colonial Revival post office.

Bibliography

¹ Boland, Beth M., *National register Bulletin 13: How to Apply the National Register Criteria to Post Offices*. Washington, D.C.: National Park Service, 1991.

² Harris, Emily. *History of Post Office Construction, 1900-1940*. Washington, D.C.: Postal Service, 1982.

³ National Archives Microfilm Publications Pamphlet Describing [M1126](https://www.archives.gov/research/post-offices/locations-1837-1950.html#kansas), *Post Office Department Reports of Site Locations, 1837-1950*, Washington, DC: National Archives and Records Administration, 1986, <https://www.archives.gov/research/post-offices/locations-1837-1950.html#kansas>.

⁴ Historic Preservation Services, LLC. *New Deal-era Resources of Kansas*. 2002.

⁵ United States. Department of the Treasury. *Annual Report of the Secretary of the Treasury on the State of the Finances for the Fiscal Year Ended June 30, 1937*, Fiscal Year Ended June 30, 1937, p. 182.



FEMA

INDEX TO PHOTOGRAPHS

2021-UA-00015 (41521)

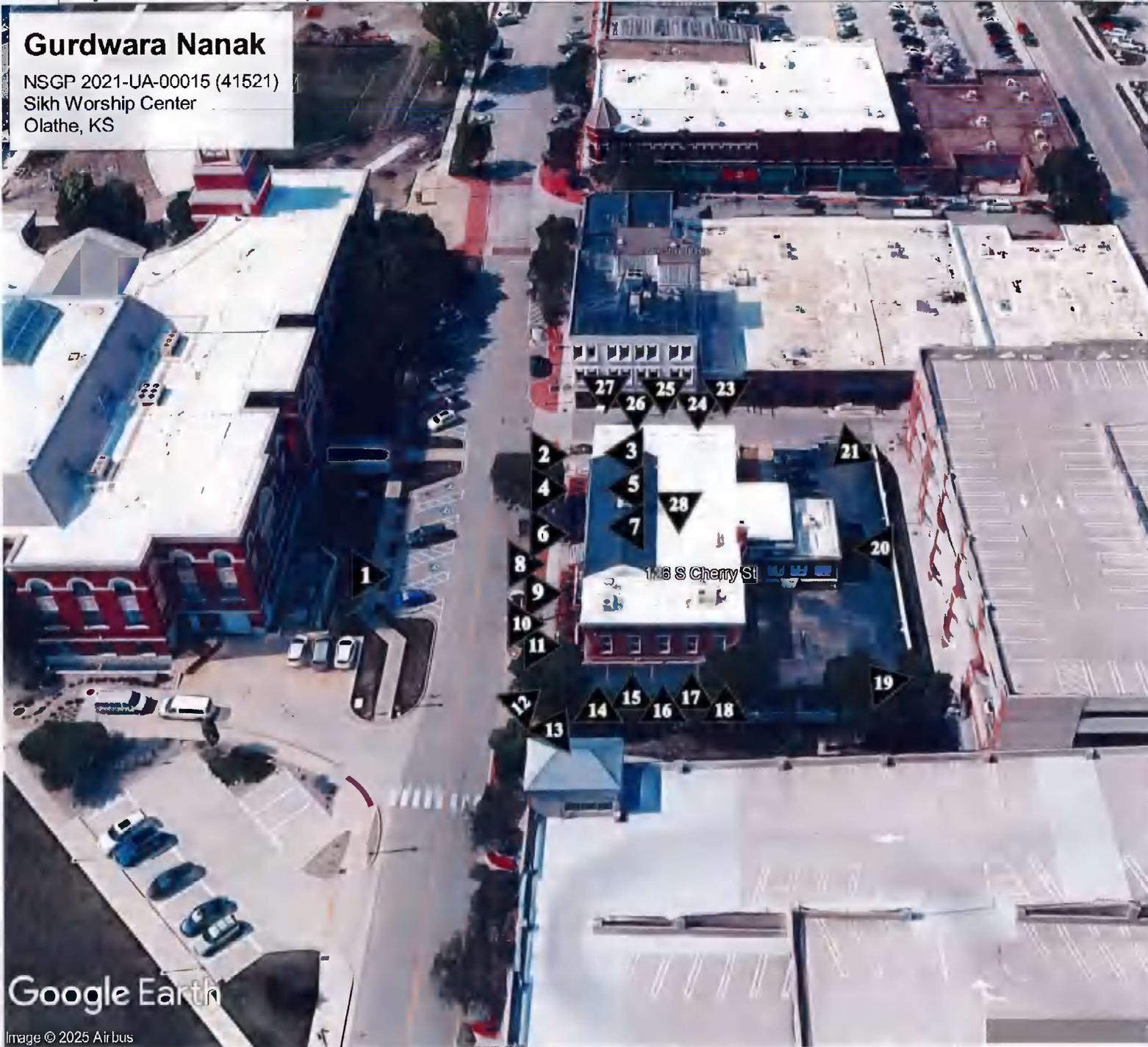
Gurdwara Nanak Security Upgradcs
126 S. Cherry Street, Olathe, KS

Alma Hubbard, photographer, June 2025

Photo 1	Sikh Worship Center, front (west) elevation, overview
Photo 2	Sikh Worship Center, front (west) elevation, window 1 exterior
Photo 3	Sikh Worship Center, front (west) elevation, window 1 interior
Photo 4	Sikh Worship Center, front (west) elevation, window 2 exterior
Photo 5	Sikh Worship Center, front (west) elevation, window 2 interior
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Photo 27	Sikh Worship Center, side (north) elevation, window 18 exterior
Photo 28	Sikh Worship Center, facing northwest, interior

Gurdwara Nanak

NSGP 2021-UA-00015 (41521)
Sikh Worship Center
Olathe, KS



Sikh Worship Center – photo key.



Sikh Worship Center – front (west) photo key.



Photo 1: Sikh Worship Center, front (west) elevation, overview, June 23, 2025.



Photo 2: Sikh Worship Center, front (west) elevation, window 1 exterior, June 23, 2025.



Photo 3: Sikh Worship Center, front (west) elevation, window 1 interior, June 23, 2025.



Photo 4: Sikh Worship Center, front (west) elevation, window 2 exterior, June 23, 2025.



Photo 5: Sikh Worship Center, front (west) elevation, window 2 interior, June 23, 2025.



Photo 6: Sikh Worship Center, front (west) elevation, center door exterior, June 23, 2025.

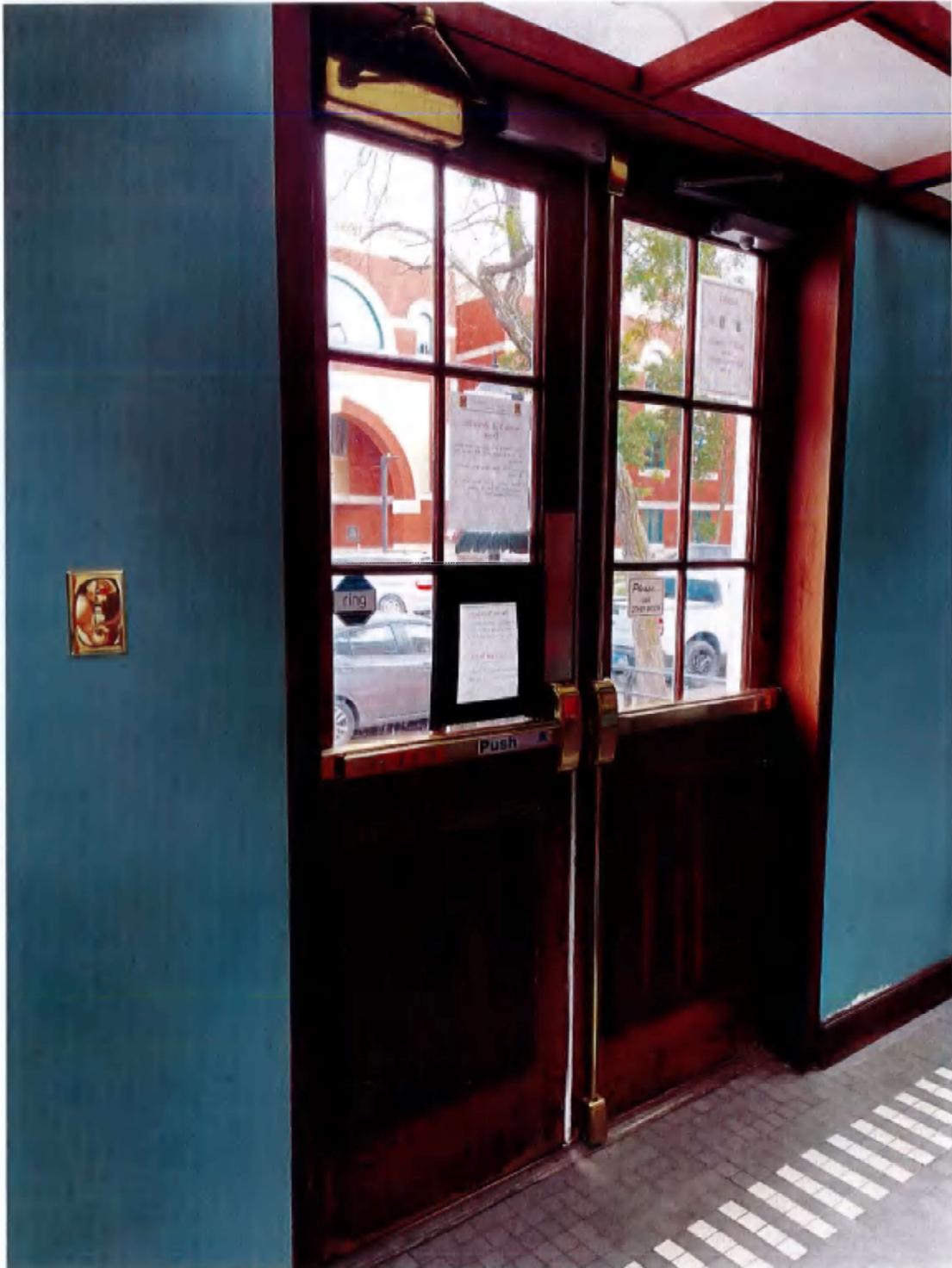


Photo 7: Sikh Worship Center, front (west) elevation, center door interior, June 23, 2025.



Photo 8: Sikh Worship Center, front (west) elevation, window 5 exterior, June 23, 2025.



Photo 9: Sikh Worship Center, front (west) elevation, window 6 exterior, June 23, 2025.



Photo 10: Sikh Worship Center, front (west) elevation, window 7 exterior, June 23, 2025.



Photo 11: Sikh Worship Center, front (west) elevation, window 8 exterior, June 23, 2025.



Photo 12: Sikh Worship Center, southwest elevation, overview, June 23, 2025.



Photo 13: Sikh Worship Center, side (south) elevation, overview photo key, June 23, 2025.



Photo 14: Sikh Worship Center, side (south) elevation, window 9 exterior, June 23, 2025.



Photo 15: Sikh Worship Center, side (south) elevation, window 10 exterior, June 23, 2025.



Photo 16: Sikh Worship Center, side (south) elevation, window 11 exterior, June 23, 2025.

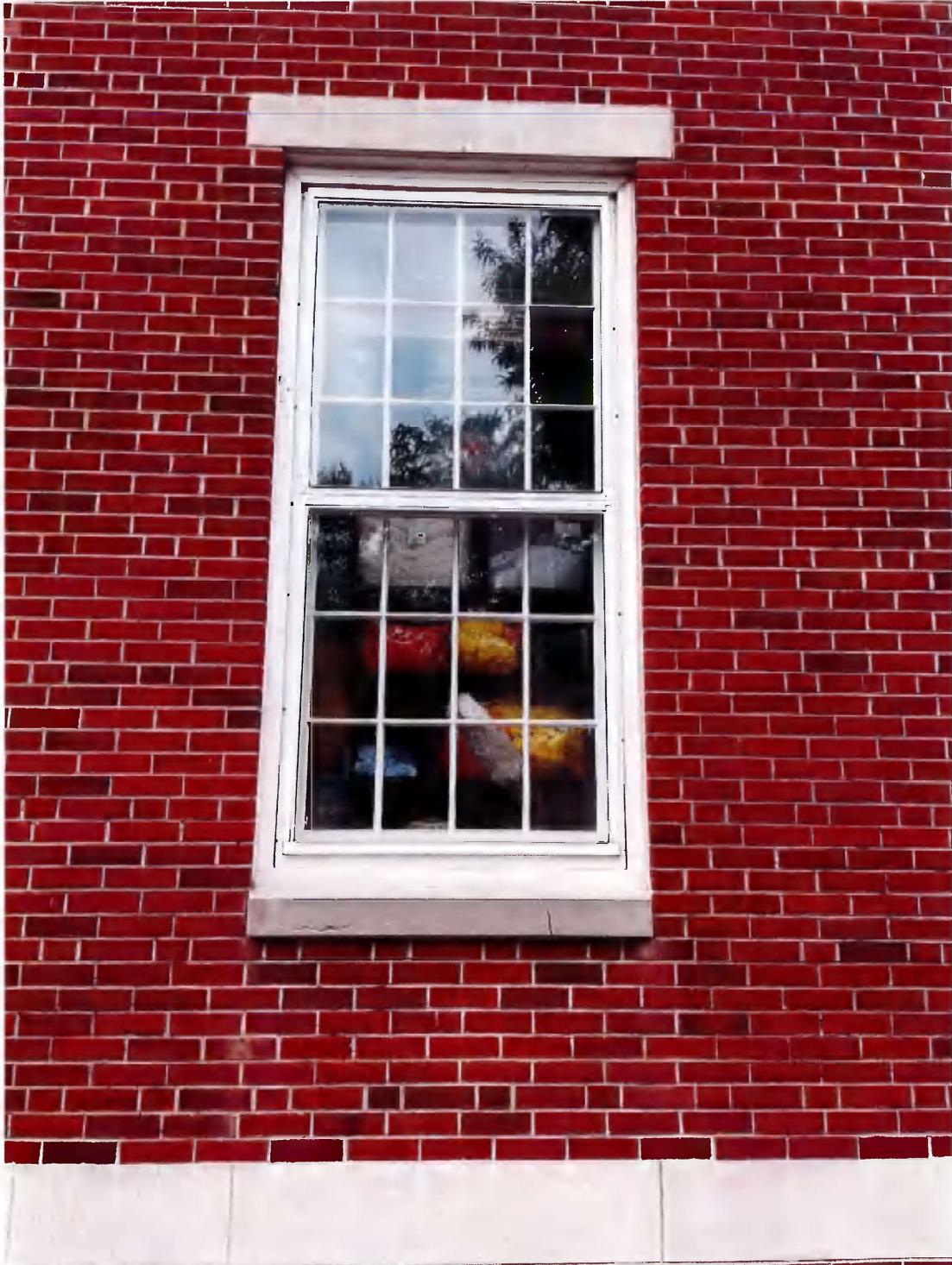


Photo 17: Sikh Worship Center, side (south) elevation, window 12 exterior, June 23, 2025.



Photo 18: Sikh Worship Center, side (south) elevation, window 13 exterior, June 23, 2025.



Photo 19: Sikh Worship Center, southeast elevation, overview, June 23, 2025.

U.S. Department of Homeland Security
Federal Emergency Management Agency
Project Number: 2021-UA-00015 (41521)
Section 106 Review: Gurdwara Nanak Security Upgrades
Project Locations: 126 S. Cherry Street, Olathe, KS (38.88131, -94.81925)



Photo 20: Sikh Worship Center, rear (east) elevation, overview, June 23, 2025.



Photo 21: Sikh Worship Center, rear (east) elevation, overview, June 23, 2025.



Photo 22: Sikh Worship Center, side (north) elevation, overview photo key, June 23, 2025.



Photo 23: Sikh Worship Center, side (north) elevation, window 14 exterior, June 23, 2025.



Photo 24: Sikh Worship Center, side (north) elevation, window 15 exterior, June 23, 2025.



Photo 25: Sikh Worship Center, side (north) elevation, window 16 exterior, June 23, 2025.



Photo 26: Sikh Worship Center, side (north) elevation, window 17 exterior, June 23, 2025.



Photo 27: Sikh Worship Center, side (north) elevation, window 18 exterior, June 23, 2025.



Photo 28: Sikh Worship Center, facing northwest, interior, June 23, 2025.

KANSAS WARRANTY DEED

THIS INDENTURE, Made this *//TH* day of December A.D., Two Thousand Thirteen

by and between

CITY OF OLATHE, KANSAS

of Johnson County, in the State of Kansas, Party of the first part, and

GURDWARA NANAK DARBAR SAHIB, INC.

of Johnson County, in the State of Kansas, Party of the second part, and

WITNESSETH: THAT SAID PARTY OF THE FIRST PART, in consideration of the sum of ONE DOLLAR AND ALL OTHER VALUABLE CONSIDERATIONS-----DOLLARS, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey unto the said party of the second part, all the following described real estate, situated in the County of Johnson and State of Kansas, to-wit:

All of Lots 6, 9, and 10, Block 51, in the City of Olathe, Johnson County, Kansas, according to the recorded plat thereof, and the West Half of the vacated alley adjacent on the East.

Subject to "Exterior Preservation Easement Agreement" attached here to as Exhibit A.

Subject to easements, restrictions, reservations, and special assessments which may be of record.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, forever. And said PARTY OF THE FIRST PART for its successors and assigns, does hereby covenant, promise and agree to and with said party of the second part, that at the delivery of these presents it is lawfully seized in its own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above granted and described premises, with the appurtenances, that the same are free,

clear, discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of what nature or kind soever:

EXCEPT AS ABOVE STATED, AND EXCEPT FOR ALL TAXES, BOTH GENERAL AND SPECIAL, NONE NOW DUE AND PAYABLE; and that it will warrant and forever defend the same unto the said party of the second part, its successors and assigns, against said party of the first part, its successors and assigns, and all and every person or persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, The said party of the first part has hereunto caused this Deed to be signed on its behalf by its *MAYOR*, thereunto duly authorized to do, the day and year first above written.

CITY OF OLATHE

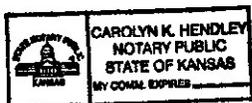
[Handwritten Signature]
BY: *Michael E. Copeland*
Mayor

KANSAS ACKNOWLEDGMENT

STATE OF KANSAS
COUNTY OF JOHNSON

BE IT REMEMBERED, That on this *11th* day of December A.D., 2013 before me, the undersigned, a Notary Public in and for said County and State, came *Michael E. Copeland* of CITY OF OLATHE, KANSAS who is personally known to me to be the same person who executed the within instrument of writing, and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal the day and year last above written.



12-11-16

Carolyn K. Hendley

/Notary Public
Carolyn K. Hendley

/Type Name

My Commission Expires:
December 11, 2016

EXHIBIT A

EXTERIOR PRESERVATION EASEMENT AGREEMENT

This Exterior Preservation Easement Agreement (the "Agreement") is made between Gurdwara Nanak Darbar Sahib, Inc., ("Grantor"), and the City of Olathe, Kansas ("Grantee"). This Agreement is entered for the purpose of preserving the exterior appearance of the Subject Property identified herein, a building that is an important part of the historic and architectural fabric of downtown Olathe, Kansas.

1. **The Subject Property.** This Agreement creates an exterior preservation easement over certain real property with a street address of 126 S. Cherry Street, Olathe, KS 66061, and legally described as follows:

ORIGINAL OLATHE PLAT, LOTS 6, 9, 10, BLOCK 51, AND W ½ OF THE VACATED ALLEY ADJACENT ON THE EAST OF SAID PROPERTY

(hereinafter referred to as the "Subject Property").

2. **Grant of Easement.** In consideration of the sum of One Dollar (\$1.00), the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants to Grantee an exterior preservation easement on the Subject Property for the purpose of assuring preservation of the exterior of the Subject Property.

3. **Grantor's Covenants.**

- a. *Covenant to Maintain.* Grantor agrees at all times to maintain the Subject Property's Façade in substantially the same structural condition and state of repair to that existing on the Effective Date (as defined in Section 5.a., below). Grantor's obligation to maintain shall require replacement, repair, and reconstruction by Grantor whenever necessary to preserve the Building's Façade in substantially the same structural condition and state of repair as that existing on the Effective Date.
- b. *Prohibited Activities.* The following acts or uses are expressly forbidden on, over, or under the Subject Property, except as otherwise conditioned in this paragraph:
 - i. The Building shall not be demolished, removed, or razed except as provided in Section 3.c. or 5.e., below; and
 - ii. Nothing shall be erected or allowed to grow on the Subject Property which would impair the visibility of the Subject Property's facade from street level beyond any such impairment as of the Effective Date. Notwithstanding the foregoing, Grantor shall be permitted to plant and maintain landscaping on the Subject Property, including trees, in areas where landscaping was installed as of the Effective Date, in accordance with Section 4.c., below.
- c. *Conditional Rights Requiring Approval by Grantee.* Without the prior express written approval of the Grantee, which approval may be withheld or conditioned in the sole discretion of Grantee, Grantor shall not undertake any of the following actions:
 - i. Construct any addition to the Subject Property;
 - ii. Alter, reconstruct, or change the appearance of the Subject Property's façade;
 - iii. Make changes in the material or workmanship of the Subject Property's façade; or
 - iv. Erect any external signs or external advertisements except:
 - a. Such signs permitted under the City of Olathe Unified Development Ordinance, including a sign to identify the ownership and use of the Subject Property;
 - b. A sign stating solely the address of the Subject Property; and

EXHIBIT A

- c. A temporary sign to advertise the sale or rental of the Subject Property.
4. **Grantor's Reserved Rights Not Requiring Further Approval by Grantee.** Unless otherwise stipulated herein, the following rights, uses, and activities of or by Grantor on, over, or under the Subject Property are permitted by this Agreement without further approval by Grantee:
- a. *Acts and Uses.* The right to engage in all those acts and uses that:
 - i. are permitted by governmental statute or regulation;
 - ii. do not substantially impair the architectural value of the Subject Property; and
 - iii. are not inconsistent with the purpose of this Agreement.
 - b. *Maintenance and Repair.* The right to maintain and repair the exterior of the Subject Property. As used in this subparagraph, the right to maintain and repair shall mean the use by Grantor of in-kind materials and colors, applied with workmanship comparable to that which was used in the construction or application of those materials being repaired or maintained, for the purpose of retaining in good condition the appearance and construction of the Subject Property. The right to maintain and repair as used in this subparagraph shall not include the right to make changes in appearance, materials, colors, and workmanship from that existing prior to the maintenance and repair without the prior written approval of Grantee.
 - c. *Use and Enjoyment.* The right to continue all manner of existing use and enjoyment of the Subject Property, including but not limited to the maintenance, repair, and restoration of the interior of the Subject Property; the right to maintain existing driveways, roads, and paths with the use of same or similar surface materials; the right to maintain existing utility lines, gardening and building walkways, steps, and garden fences; the right to cut, remove, and clear grass or other vegetation and to perform routine maintenance, landscaping, horticultural activities, and upkeep, consistent with the purpose of this Agreement.
 - d. *Other Activities.* The right to conduct at or on the Subject Property lawful activities that are not inconsistent with the protection of the architectural value of the Subject Property.
5. **Conditions of Easement:**
- a. *Duration.* The easement granted hereby shall remain for perpetuity commencing on the date when it is recorded in the office of the Johnson County, Kansas Register of Deeds (hereinafter, the "Effective Date").
 - b. *Documentation of Condition of the Subject Property.* In order to make more certain the full extent of Grantor's obligations and the restrictions on modifications of the exterior of the Subject Property, and in order to document the nature and condition of the exterior of the Subject Property, photographic documentation of the exterior of the Subject Property is attached hereto as Exhibit "1" and incorporated herein by reference. Grantor has provided to Grantee architectural drawings of the Subject Property. Grantor agrees that the nature and condition of the Subject Property on the date of execution of this easement is accurately documented by the photographs contained in Exhibit "1".
 - c. *Right to Inspect.* Grantor agrees that Grantee, its employees, agents and designees shall have the right to inspect the exterior of the Subject Property at all reasonable times, with twenty-four hours written notice, in order to ascertain whether the conditions of this easement are being observed. However, in the case of any natural or man-made disaster or imminent endangerment to the Subject Property, Grantee shall be granted access to the Subject Property with no prior notice.

EXHIBIT A

- d. Easement shall run with the land; conditions on conveyance.* This easement shall run with the land and be binding on Grantor, its successors, and assigns. Grantor agrees to insert an appropriate reference to this easement agreement in any deed or other legal instrument by which it divests itself in part or in whole of either the fee simple title or other lesser estate in the Subject Property, the Subject Property, or any part thereof.
- e. Casualty Damage or Destruction.* In the event that the exterior of the Subject Property or any part of it shall be damaged or destroyed by fire, flood, windstorm, earth movement, or other casualty, Grantor shall notify Grantee in writing within fourteen (14) calendar days of the damage or destruction, such notification including what, if any, emergency work has already been completed. No repairs or reconstruction of any type, other than temporary emergency work to prevent further damage to the exterior of the Subject Property and to protect public safety, shall be undertaken by Grantor without Grantee's prior written approval. Grantee shall give its written approval, if any, of any proposed work within sixty (60) days of receiving the request from Grantor. If after reviewing the condition of the exterior of the Subject Property, Grantee determines that the features, materials, appearance, workmanship, and environment (or setting) which justified this Agreement have been lost or so damaged that the purpose of this Agreement is defeated, Grantee may extinguish the easement granted herein by recording an instrument in the office of the Johnson County, Kansas Register of Deeds.
- f. Enforcement.* Grantee shall have the right to prevent and correct violations of the terms of this easement. If Grantee, upon inspection of the exterior of the Subject Property, finds what appears to be a violation, it may exercise its discretion to seek injunctive relief in a court having jurisdiction. Except when an ongoing or imminent violation will irreversibly diminish or impair the architectural importance of the exterior of the Subject Property, Grantee shall give the Grantor written notice of the violation and allow thirty (30) calendar days to correct the violation before taking any formal action, including, but not limited to, legal action. If a court, having jurisdiction, determines that a violation exists or has occurred, Grantee may seek to obtain an injunction to stop the violation, temporarily or permanently. A court may also issue a mandatory injunction requiring Grantor to restore the exterior of the Subject Property to a condition that would be consistent with the purposes of this Agreement. In any case where a court finds that a violation has occurred, the court may require the Subject Property owner to reimburse Grantee for all expenses incurred in stopping, preventing, and/or correcting the violation, including, but not limited, to reasonable attorney's fees. The failure of Grantee to discover a violation or to take immediate action to correct a violation shall not bar it from doing so at a later time.

6. General Conditions

- a. Severability.* If any part of this Agreement is held to be illegal by a court, the validity of the remaining parts shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement does not contain the particular part held to be invalid.
- b. Amendments.* The parties may by mutual written agreement jointly amend this Agreement, provided that any such amendment shall not be effective unless it is executed and recorded in the same manner as this Agreement.
- c. Entire Agreement.* This instrument reflects the entire agreement of Grantor and Grantee regarding the subject easement. Any prior or simultaneous correspondence, understandings, agreements, and representations are null and void upon execution of this Agreement, unless set out herein.
- d. Applicable Law.* This Agreement shall be construed and enforced in accordance with the laws of the State of Kansas.

In witness whereof, Grantor and Grantee have set their hands under seal on the days and year set forth below.

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GRANTEE: CITY OF OLATHE, KANSAS

By *Jim Randall*
Jim Randall, Mayor Pro Tem

STATE OF KANSAS)
) ss:
JOHNSON COUNTY)

On the 13th day of December, 2013, before me, a Notary Public for said State, personally appeared *Jim Randall*, who stated that he is the duly appointed and actively serving *Mayor Pro Tem, City of Olathe, Kansas*, and that he executed the foregoing instrument as his voluntary act and as the voluntary act of the City of Olathe, Kansas.



(Seal)

Carolyn K. Hendley
NOTARY PUBLIC

Printed Name: Carolyn K. Hendley

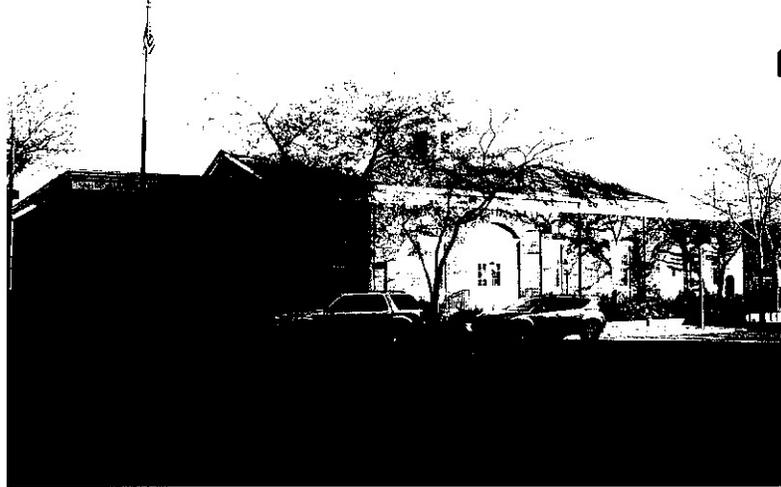
My Appointment Expires:

December 11, 2016

EXHIBIT A

EXHIBIT "1" TO EXTERIOR PRESERVATION EASEMENT AGREEMENT

Photographic Documentation of Exterior Condition
126 S. Cherry Street, Olathe, KS



OLATHE HISTORIC PRESERVATION BOARD

Public Hearing Minutes – December 10, 2025

Meeting called to order at 3:01 p.m. by Chair Tom Kearney. In attendance were members Tom Kearney, Lynn Gentry, Bob Courtney, Rick Babson, Emma Plankers, and Lexi Selvig; City staff attending included Emily Carillo and Anna Will.

HL25-0001 (126 S. Cherry Street)

Chair Kearney introduced HL25-0001, a request to nominate 126 S. Cherry Street to the Olathe Register of Historic Places.

Ms. Carrillo presented the application, describing the property's location, history as a former post office, and its prior identification as an eligible landmark. She explained that the nomination was initiated in conjunction with an active FEMA Nonprofit Security Grant sought by the Gurdwara Nanak Sikh Temple to improve safety while preserving historic features. FEMA prepared the nomination application including photos along with the property owner's consent. Ms. Carrillo also noted an existing Exterior Preservation Easement was recorded in 2013 which requires that any major changes to the exterior would not be permitted without additional review and approval. Regardless of the nomination status, this easement is recorded and governs the property.

Ms. Carrillo reviewed the nomination criteria outlined in Chapter 2.84 of the Olathe Municipal Code, noting the property met Criteria #1 and #3:

- (1) Is associated with events that have made a significant contribution to the broad pattern of history of the City, county, state or nation;*
- (3) Embodies distinctive characteristics of a type, period, or method of construction; represents the work of a master builder/architect; possesses high artistic values; or represents a distinguishable entity whose components may lack individual distinction;*

She confirmed that only one criterion is required. She also summarized consistency with the PlanOlathe Comprehensive Plan and the Historic Preservation Master Plan. She stated City staff recommended approval of the nomination with no stipulations. The application would proceed to the Planning Commission on January 26, 2026, and City Council on February 17, 2026.

Board discussion followed, including questions about FEMA timelines, procedural requirements, and concern to not cause the applicant any undue delay.

Ms. Carrillo explained that no bonding or time restrictions were imposed by the City and that FEMA timelines governed the process.

Chair Kearney asked what alterations had been made to the building.

Board members discussed alterations to the building, including possible additions (wings), a basement believed to be original, and historic catwalk features from its time as a post office.

Ms. Selvig sought additional clarification regarding FEMA's role.

Ms. Carrillo responded, noting FEMA had completed the architectural survey, photographs, inventory, and statement of significance.

Chair Kearney called for any additional questions and noted, when the Historic Board initially approached the property owner representative about possible designation, he was hesitant. Chair Kearney noted he was appreciative that the applicant later expressed support for the nomination and demonstrated a willingness to pursue local historic recognition.

Ms. Carrillo added the Board didn't require any work in addition to what FEMA already had to do for their process.

Discussion also touched on the status of a historic mural previously associated with the site, which previously relocated to the downtown library in 1984.

Ms. Selvig noted the importance of supporting safety.

Chair Kearney noted the applicant was not present for any comments.

Chair Kearney opened the public hearing, but there was no public comment, nor speakers signed up to speak.

A motion to close the public hearing was made by Mr. Courtney, seconded by Ms. Selvig, and passed unanimously by a vote of 6 to 0.

A motion to approve HL25-0001 was made by Mr. Babson and seconded by Mr. Courtney. The motion passed unanimously by a vote of 6 to 0. The Board recommended approval of the nomination.

HL25-0002 (600 E Park Street)

Chair Kearney introduced HL25-0002, a request to nominate 600 E. Park Street to the Olathe Register of Historic Places.

Ms. Carrillo read an email from the applicants requesting withdrawal of their application due to concerns about future resale limitations.

Board members discussed misconceptions about historic designation and the need for better public education through events like the Historic Homes Tour, printed materials, the City website, OlatheLink, and social media, including information on grants and benefits of designation.

Ms. Selvig moved to continue HL25-0002 to allow additional information to be shared with the applicants, and Ms. Plankers seconded the motion. The motion passed unanimously 6 to 0.