

RESOLUTION NO. 26-1075

A RESOLUTION GRANTING A SPECIAL USE PERMIT FOR STARFISH PROJECT FOUNDATION TO PROVIDE COMMUNITY FOOD AND PERSONAL SUPPORT SERVICES, NONRESIDENTIAL USE, SUBJECT TO CERTAIN STIPULATIONS

WHEREAS, Application No. SU26-0006 was filed with the City of Olathe, Kansas, on the 18th day of June 2026; and

WHEREAS, said Application requested that the City Council of the City of Olathe, Kansas, issue a special use permit for Community Food and Personal Support Services, Nonresidential use on the following described property:

LOT 1, ALDI, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS.

and

WHEREAS, the Property is zoned CP-1; and

WHEREAS, Chapter 18.20 and 18.40, of the Unified Development Ordinance authorize the establishment of such a use in such zoned area upon the issuance of a special use permit; and

WHEREAS, proper notice of such special use permit application was given pursuant to Chapter 18.40 of the Olathe Unified Development Ordinance; and

WHEREAS, a public hearing was held before the Planning Commission of the City of Olathe, Kansas, on the 27th day of July 2026; and

WHEREAS, the Planning Commission of the City of Olathe, Kansas, has recommended denial by a vote of 5 to 3; and

WHEREAS, a valid protest petition was filed on such special use permit application, requiring a three-fourths vote of the governing body to approve the special use application.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS, AS FOLLOWS:

SECTION ONE: Application No. SU26-0006 for a special use permit for Community Food and Personal Support Services, Nonresidential use on the previously described Property, currently zoned CP-1 District, is approved.

SECTION TWO: This special use permit is approved subject to the following stipulations and in conformance with Chapters 18.20 and 18.40 of the Unified Development Ordinance:

1. The special use permit for the proposed Community Food and Personal Support Services use is valid for a period of two (2) years following the date of the approved resolution.
2. The Community Food and Personal Support Services on the subject property will occur as described in the statement of purpose attached as Exhibit A.
3. No donations, merchandise, or equipment will be stored or displayed outside the building.

4. A waiver is granted from UDO 18.32.060.F permitting the use of one (1) truck measuring twenty (20) feet or less in length for use by the organization.
5. The following site improvements must be completed through a final site development plan:
 - a. Landscaping must be reviewed and planted in accordance with the approved landscape plan for the property.
 - b. The trash container must meet all screening requirements of UDO 18.30.130.
 - c. The parking lot must be restriped, delineating parking spaces and any no-parking areas.
 - d. Exterior ground-mounted or building mounted equipment including but not limited to, mechanical equipment, utilities' meter banks and coolers must be screened from public view with three (3) sided landscaping or an architectural treatment compatible with the building architecture.

SECTION THREE: This Resolution shall take effect immediately.

ADOPTED by the Governing Body this 18th day of August 2026.

SIGNED by the Mayor this 18th day of August 2026.

ATTEST:

Mayor

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

Statement of Purpose

Starfish Project Foundations hours of operation:

- *M – F, 9:00 am to 5:00 pm

- *Second Saturday of every month 10:00 – 2:00

On this Saturday we provided a potluck lunch, hand up haircuts, free health and dental screenings. All activities are inside the building.

- *We receive food 7 days a week, so we have a small group in on Saturday and Sunday mornings from 8:00 – 10:30 taking in donations, counting and getting them ready for clients on Monday

- *We have a volunteer night once a month on the second Tuesday of the month. OJSL is very active with us this night and when needed we supply items for their Cyclone Closet at Santa Fe Jr High.

- *In the future, we would like to offer one evening a week, where we stay open until 7:00 pm to allow clients to get items, that could not normally get to us during open hours.

We have a side door on the west side building where people would pull up and drop off donations.

Donation drop off times are:

- *M – F, 9:30 – 4:30

- *Second Saturday 10:00 – 1:30

- *No after hour drop offs

- *Bulk drop offs would use the loading dock

People coming in to pick up donations, would park in one of the 130 parking spaces. Come in the front door and pick up items, then take our via our front door.

With the exception of people dropping off donations outside at the side door, all of our operations are held inside the building. 2 times a year we have a thank you party for our volunteers, all inside. In September, we would like to see if we can do a cook out in the parking lot and would check with proper authorities to see if a permit was needed. It would consist of a grill, tent to cover the grill and maybe a few games in the parking lot. Once a year, the Mayor's Food Drive committee would like to collect food for the Mayor's Food Drive in the parking lot.

When construction is not taking place, most of our traffic would come and go via Santa Fe.

Our donations consist of food, clothing, household items (not furniture), toiletries, and life-sustaining necessities. Our goal is to keep good items out of our cities landfill and give them away to the community for free.

Agencies we work with:

- *We are a recipient of the Mayor's Children's Fund to provide full sized toiletry bags to the children of our community

- *We are part of the Mayor's Community Food Drive to provide supplemental food for our children through the summer months

- *We provide a school resource center for all the Olathe Schools and the school districts homeless outreach program

- *We pick up food from the 15 junior high and high schools at the end of the day and turn those items into meals for our children and families that night. All of the food being kept out of our landfill.

EXHIBIT A

*We work with the food distribution for the Olathe Public Schools. Items that they are unable to serve to our children, we are able to distribute and keep out of our landfill

*We work with the OPD and Johnson County Mental Health to provide support items for their programs

*We work with the city's waste management to keep items out of our landfill

*We partner with other non-profits, churches and charities to distribute bulk items we keep out of the landfill. We get these items by picking up from grocery stores, restraints, retail businesses, warehouses and distribution centers.

*We work with the local food garden to distribute local produce

*We are a community partner for OATC, Mill Creek Campus, and Havencroft school

*We work with the court system to provide mandated community service

*We work with students needing community service hours for their schools and civic organizations

*We take in and distribute food items that other food pantries are unable to use. This includes outdated items and overages of items they can't get out before they spoil.

*We are working with the Jo Co Food Collation to provide solutions to the counties food insecurities

*We are an approved social work practicum site for KU and the University of Phoenix

*We are an approved provider for CE's through the KS Behavior Science and Regulatory Board

*We are a host agency for SER, Jobs for Progress National

*We provide internships with Workforce Partnership

*We look for problems here in our community and bring the community together to solve those problems

*We feel it is vital to give a safe place for people of all ages and abilities to volunteer and contribute to the success of our community

*We encourage people to go out and do Acts of Kindness in the community

*We have a very small print shop (for profit). The IRS does not like for profit and non-profits to comeingle. The purpose of our printshop is to donate back to the non-profit Starfish Project Foundation and create an additional source of fundraising. Printing consist of paper printing: (business cards, postcards, envelopes and the ability to do bulk mailings). We currently donate the fall mailing for the Mayor's Children's Fund. The Indian Creek Library refers their clients to us when the printers are down in their Maker's Space or clients are unable to get on the schedule to use their printers.

I am happy to provide a list of agencies we work with and list of business we pick up from as well, (including Amazon, FedEx and Lineage).

What we don't do:

*Provide overnight housing

*Provide utility support

*Take in furniture donations

*Allow people to drop donations after hours