

## **ORDINANCE NO. 24-21**

**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. RZ24-0007 requesting rezoning from the CP-1 (Planned Retail Business), RP-1 (Planned Single Family), CP-O (Planned Office Building) Districts to C-1 (Neighborhood Center) District was filed with the City of Olathe, Kansas, on the 8<sup>th</sup> day of March 2024; 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 13<sup>th</sup> day of May 2024; 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:

ALL OF LOT 1, ASBURY CENTRE, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS.

AND

ALL OF LOT 2, ASBURY CENTRE, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS.

Said legally described property is hereby rezoned from the CP-1 (Planned Retail Business), RP-1 (Planned Single Family), CP-O (Planned Office Building) Districts to C-1 (Neighborhood Center) District.

**SECTION TWO:** That this rezoning is approved with the following stipulation:

1. The following uses are prohibited:
  - a. Fast-Food or Carryout Restaurants
  - b. Animal Care Facilities with Outdoor Kennels
  - c. Any Distance Restricted Businesses as listed in Olathe Municipal Code Chapter 5.43.

**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 City Council this 4<sup>th</sup> day of June 2024.

**SIGNED** by the Mayor this 4<sup>th</sup> day of June 2024.

ATTEST:

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Mayor

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City Clerk

(Seal)

APPROVED AS TO FORM:

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City Attorney