

## **ORDINANCE NO. 26-03**

**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. RZ25-0018 requesting rezoning from the O (Office) District to the C-1 (Neighborhood Center) District was filed with the City of Olathe, Kansas, on the 28<sup>th</sup> day of October 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 22<sup>nd</sup> day of December 2025; and

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

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY 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:

PART OF LOT 3A, INDIAN CREEK OFFICE PARK, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER LOT 3A, INDIAN CREEK OFFICE PARK, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF LOT 1, INDIAN CREEK OFFICE PARK, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, SAID CORNER ALSO BEING ON THE SOUTH LINE OF LOT 4, RAMSGATE PLAZA, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS; THENCE N 90°00'00" E ALONG THE NORTH LINE OF SAID LOT 3A AND ALONG THE SOUTH LINE OF SAID LOT 4, A DISTANCE OF 309.13 FEET TO THE NORTHEAST CORNER OF SAID LOT 3A, SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF SAID LOT 4, SAID CORNER ALSO BEING ON THE WEST LINE OF LOT 307, DEVENSHIRE PHASE III, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS; THENCE S 00°00'45" E ALONG THE EAST LINE OF SAID LOT 3A AND ALONG THE WEST LINE OF SAID LOT 307 AND THE WEST LINES OF LOTS 308, 309, 310 AND 311, DEVENSHIRE PHASE III AND ALONG THE WEST LINES OF LOTS 312 AND 313, DEVENSHIRE PHASE IV, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, A DISTANCE OF 386.48 FEET; THENCE S 90°00'00" W A DISTANCE OF 295.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 3A, SAID POINT ALSO BEING ON THE WEST LINE OF LOT 2, INDIAN CREEK OFFICE PARK; THENCE N 00°00'00" E ALONG THE WEST LINE OF SAID LOT 3A AND ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 16.48 FEET TO A CORNER ON THE WEST LINE OF SAID LOT 3A, SAID CORNER ALSO BEING THE NORTHEAST CORNER OF SAID LOT 2; THENCE S 90°00'00" W ALONG THE WEST LINE OF SAID LOT 3A AND ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 14.22 FEET TO A CORNER ON THE WEST LINE OF SAID LOT 3A, SAID CORNER

ALSO BEING THE SOUTHEAST CORNER OF SAID LOT 1; THENCE N 00°00'00" E ALONG THE WEST LINE OF SAID LOT 3A AND ALONG THE EAST LINE OF SAID LOT 1, A DISTANCE OF 370.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2.738 ACRES MORE OR LESS.

Said legally described property is hereby rezoned from the O (Office) District to the C-1 (Neighborhood Center) District.

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

1. The following uses are prohibited:
  - a. Any Distance Restricted Business 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 Governing Body this 20<sup>th</sup> day of January 2026.

**SIGNED** by the Mayor this 20<sup>th</sup> day of January 2026.

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Mayor

ATTEST:

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City Clerk

(Seal)

APPROVED AS TO FORM:

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City Attorney