

ORDINANCE NO. 25-32

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. RZ25-0007 requesting rezoning from the RUR (County Rural) to C-2 (Community Center) and M-2 (General Industrial) Districts was filed with the City of Olathe, Kansas, on the 27th day of June 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 11th day of August 2025; and

WHEREAS, said Planning Commission has recommended that such rezoning application be denied by a vote of 5-2.

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:

DESCRIPTION (C-2)

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 14 SOUTH, RANGE 23 EAST, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED BY PHELPS ENGINEERING, INC., ON JUNE 25, 2025, FOR PROJECT 250489, AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE N 2°00'24" W, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23, A DISTANCE OF 176.35 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 175TH STREET, AS NOW ESTABLISHED; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING FOUR (4) COURSES; THENCE S 70°51'07" W, A DISTANCE OF 174.22 FEET; THENCE S 76°54'58" W, A DISTANCE OF 146.84 FEET; THENCE S 84°34'22" W, A DISTANCE OF 488.87 FEET; THENCE S 87°49'22" W, A DISTANCE OF 1047.00 FEET, TO THE POINT OF BEGINNING; THENCE, CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING THREE (3) COURSES, S 87°49'22" W, A DISTANCE OF 53.00 FEET; THENCE S 88°46'37" W, A DISTANCE OF 600.08 FEET; THENCE N 71°37'16" W, A DISTANCE OF 85.44 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF LONE ELM ROAD, AS NOW ESTABLISHED; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING TWO (2) COURSES; THENCE N 8°28'14" W, A DISTANCE OF 191.16 FEET; THENCE N 2°03'05" W, A DISTANCE OF 302.30 FEET; THENCE N 87°56'59" E, A DISTANCE OF 749.86 FEET; THENCE S 2°32'51" E, A DISTANCE OF 530.65 FEET, TO THE POINT OF BEGINNING, CONTAINING 8.9960 ACRES, MORE OR LESS, OF UNPLATTED LAND.

DESCRIPTION (M-2)

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 14 SOUTH, RANGE 23 EAST, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED BY PHELPS ENGINEERING, INC., ON JUNE 25, 2025, FOR PROJECT 250489, AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE N 2°00'24" W, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23, A DISTANCE OF 176.35 FEET, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 175TH STREET, AS NOW ESTABLISHED, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR THE FOLLOWING FOUR (4) COURSES; THENCE S 70°51'07" W, A DISTANCE OF 174.22 FEET; THENCE S 76°54'58" W, A DISTANCE OF 146.84 FEET; THENCE S 84°34'22" W, A DISTANCE OF 488.87 FEET; THENCE S 87°49'22" W, A DISTANCE OF 1047.00 FEET; THENCE N 2°32'51" W, A DISTANCE OF 530.65 FEET; THENCE S 87°56'59" W, A DISTANCE OF 749.86 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF LONE ELM ROAD, AS NOW ESTABLISHED; THENCE N 2°03'05" W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF SAID LONE ELM ROAD, A DISTANCE OF 701.61 FEET; THENCE N 87°58'42" E, A DISTANCE OF 615.00 FEET; THENCE N 2°03'05" W, A DISTANCE OF 330.00 FEET; THENCE S 87°58'42" W, A DISTANCE OF 620.00 FEET, TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID LONE ELM ROAD; THENCE N 2°03'05" W, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 973.92 FEET, TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23; THENCE N 88°08'01" E, ALONG SAID NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2607.02 FEET, TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SAID SECTION 23; THENCE S 2°00'24" E, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF SAID SECTION 23, A DISTANCE OF 2417.34 FEET, TO THE POINT OF BEGINNING, CONTAINING, 136.7880 ACRES, MORE OR LESS, OF UNPLATTED LAND.

Said legally described property is hereby rezoned from the RUR (County Rural) to C-2 (Community Center) and M-2 (General Industrial) Districts.

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

1. The following uses are prohibited in the M-2 District:
 - a. Power generation plant
 - b. Parking Lots, Surface, as Principal Use
 - c. Public Utility Storage and Service Yards
 - d. Automobile Storage or Towing (Tow Lot)
 - e. Paper Manufacturing
 - f. Recycling Centers, Drop-Off
 - g. Rendering and Meat Byproduct Processing
 - h. Petroleum Bulk Stations and Terminals
 - i. Storage Area or Lot, except when as an accessory use to a building

- j. Textile, Clothing, and Leather Manufacturing
 - k. Leasing/Rental of Trucks, Trailers, RVs, Boats, Motorcycles
 - l. Bus/Truck Maintenance, Including Repair and Storage
2. The following uses are prohibited in the C-2 District:
- a. Entertainment Establishment
 - b. All Distance-Restricted Businesses (OMC 5.43)
3. In the M-2 District, buildings within 1,400 linear feet of 175th Street are limited to a maximum height of 55 feet.
4. Buildings in the C-2 District are limited to a maximum building height of 35 feet.

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 16th day of September 2025.

SIGNED by the Mayor this 16th day of September 2025.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney