

## **ORDINANCE NO. 24-09**

**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. RZ24-0001 requesting rezoning from the BP (Business Park) District to the C-3 (Regional Center) District was filed with the City of Olathe, Kansas, on the 5<sup>th</sup> day of January 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 26<sup>th</sup> day of February 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:

THIS DESCRIPTION WAS PREPARED BY PHELPS ENGINEERING, INC., KS CLS-82 ON JANUARY 3, 2024, FOR PROJECT NO. 230812. ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 13 SOUTH, RANGE 24 EAST, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 18; THENCE N 89°22'09" E, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 816.05, TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE OF SAID NORTHWEST QUARTER, N 89°22'09" E, A DISTANCE OF 330.35 FEET, TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 18, SAID POINT ALSO BEING THE NORTHWEST PLAT CORNER OF BRITTANY BROOKE, 2ND PLAT, A PLATTED SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS; THENCE S 0°30'32" W, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 18 AND THE WEST PLAT LINE OF SAID BRITTANY BROOKE, 2ND PLAT, A DISTANCE OF 512.20 FEET, TO THE NORTHEAST CORNER OF LOT 3, PRAIRIE RIDGE PLAZA FIRST PLAT, A PLATTED SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS; THENCE ALONG THE EASTERLY PLAT LINE OF SAID PRAIRIE RIDGE PLAZA FIRST PLAT, FOR THE FOLLOWING THREE (3) COURSES; THENCE S 89°21'31" W, A DISTANCE OF 347.50 FEET, THE NORTHWEST CORNER OF SAID LOT 3, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF S. AMBASSADOR STREET, AS NOW ESTABLISHED; THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID S. AMBASSADOR STREET, FOR THE FOLLOWING TWO (2) COURSES; THENCE NORTHERLY ON A CURVE TO THE LEFT, SAID CURVE HAVING AN INITIAL TANGENT BEARING OF N 24°25'49" E AND A RADIUS OF 200.00 FEET, AN ARC

DISTANCE OF 83.51 FEET; THENCE N 0°30'18" E, A DISTANCE OF 431.50 FEET, TO THE POINT OF BEGINNING, CONTAINING 3.8941 ACRES, MORE OR LESS, UNPLATTED LAND.

Said legally described property is hereby rezoned from the BP (Business Park) District to the C-3 (Regional Center) District.

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

1. The following uses are prohibited:
  - a. Uses identified as prohibited for commercial districts in UDO Section 18.20.260.B of the North Ridgeview Road Corridor Overlay District are prohibited in this C-3 District.
  - b. Convenience Store (includes fuel sales)
  - c. Gas Station
  - d. Recycling Centers
  - e. Parking Lots, Surface, as Principal Use

**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 19<sup>th</sup> day of March 2024.

**SIGNED** by the Mayor this 19<sup>th</sup> day of March 2024.

---

Mayor

ATTEST:

---

City Clerk

(Seal)

APPROVED AS TO FORM:

---

City Attorney