

RESOLUTION NO. 26-1026

A RESOLUTION GRANTING A SPECIAL USE PERMIT FOR A TELECOMMUNICATIONS FACILITY FOR MATHER WEST OLATHE BUSINESS PARK SUBJECT, HOWEVER, TO THE STIPULATIONS HEREINAFTER MORE FULLY EXPRESSED.

WHEREAS, Application No. SU25-0007 was filed with the City of Olathe, Kansas, on the 13th day of November 2025; and

WHEREAS, said Application requested that the City Council of the City of Olathe, Kansas, issue a special use permit for a Telecommunications Facility use on the following described property:

AN 80.00 FEET WIDE TRACT BEING A PART OF LOT 2, NEW CENTURY BUSINESS PARK, A SUBDIVISION IN THE CITY OF OLATHE, AS RECORDED IN BOOK 202404 AT PAGE 000641, JOHNSON COUNTY, KANSAS, AS DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2 AS THE POINT OF BEGINNING; THENCE ALONG THE SOUTH LINE OF SAID LOT 2, SOUTH 87 DEGREES 48 MINUTES 53 SECONDS WEST A DISTANCE OF 80.00 FEET; THENCE NORTH 02 DEGREES 11 MINUTES 07 SECONDS WEST A DISTANCE OF 27.00 FEET; THENCE NORTH 87 DEGREES 48 MINUTES 53 SECONDS EAST A DISTANCE OF 80.00 FEET TO THE EAST LINE OF LOT 2, THENCE CONTINUING ALONG SAID EAST LINE SOUTH 02 DEGREES 11 MINUTES 07 SECONDS EAST A DISTANCE OF 27.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 2,160 SQ FT MORE OR LESS.

and

WHEREAS, the Property is zoned M-2; and

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

WHEREAS, the Planning Commission and the City Council of the City of Olathe, Kansas, having given the requisite notices by publication and otherwise, and after holding a public hearing on the 23rd day of February 2026, and affording a full and fair hearing to all the property owners, generally, and to other interested persons situated in the affected area or in the vicinity thereof; and

WHEREAS, the Planning Commission of the City of Olathe, Kansas, has recommended that the special use permit be granted; and

WHEREAS, the City Council is of the opinion that such special use permit should be granted subject to the conditions set out herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OLATHE, KANSAS:

SECTION ONE: That Application No. SU25-0007 requesting approval of a special use permit for a Telecommunications Facility use on the previously described Property, which is presently zoned as M-2 is hereby approved.

SECTION TWO: That this special use permit is approved and granted upon the following stipulations and in conformance with Chapter 18.20 and Chapter 18.40 of the Unified Development Ordinance:

1. The special use permit for the Telecommunication Facility is approved for a ten (10) year period effective from the date of the Resolution.
2. A deviation to the required setbacks of the monopole support structure is approved, as shown on the site plan dated January 19, 2026.
3. Equipment buildings, shelters or cabinets must meet all requirements of UDO 18.50.220 including but not limited to size, height, materials and setback requirements.

SECTION THREE: That this Resolution shall take effect immediately.

ADOPTED by the Governing Body this 17th day of March 2026.

SIGNED by the Mayor this 17th day of March 2026.

ATTEST:

Mayor

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney