

ORDINANCE NO. 26-40

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. RZ26-0005 requesting rezoning from the AG (Agricultural) District to the PD (Planned District) District was filed with the City of Olathe, Kansas, on the 29th day of April, 2026; 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 13th day of July, 2026; 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:

THE NORTH 328.23 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 13, RANGE 24, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE S 2° 05' 59" E, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 1324.80 FEET, TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N 87° 44' 00" E, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 663.73 FEET, TO THE NORTHEAST CORNER THEREOF; THENCE S 2° 03' 43" E, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 328.23 FEET; THENCE S 87° 44' 00" W, ALONG THE SOUTH LINE OF THE NORTH 328.23 FEET OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 663.51 FEET, TO THE SOUTHWEST CORNER THEREOF; THENCE N 2° 05' 59" W, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 328.23 FEET, TO THE POINT OF BEGINNING, CONTAINING 5.0004 ACRES, MORE OR LESS, SUBJECT TO THAT PART THEREOF DEDICATED FOR STREET PURPOSES.

Said legally described property is hereby rezoned from the AG (Agricultural) District to the PD (Planned District) District.

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

1. This property is subject to the regulations set forth in the attached 'Zoning and Design Standards for the Row at Uptown' document.

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 4th day of August 2026.

SIGNED by the Mayor this 4th day of August 2026.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney

Zoning & Design Standards for The Row at Uptown

Introduction:

The regulations set forth in this document establish the Planned District (PD) standards applicable to the subject property. Except where stated otherwise in this document, these regulations apply where they modify or add to otherwise applicable regulations in the City of Olathe's Unified Development Ordinance (UDO). All other UDO regulations remain applicable. In addition, the Planning Official may use the general spirit and intent of the UDO to provide direction where this document falls silent.

Zoning:

Permitted Uses:

All land uses permitted in the R-3 District; and

All land uses permitted in the C-1 District; except for the following:

- Animal Care with Outdoor Kennel
- All drive-through uses

Home Occupations are permitted as allowed by UDO.

Residential Density: Must not exceed 12 Units per Acre

Total Commercial Building Area must be a minimum of 5,000 Sq. Ft.

Building Height shall be measured from average ground level abutting a building or structure to the peak of the roof at its highest point.

Residential Building must be 3- or 4- stories and must not exceed 55 feet

Commercial Building must be between 25 feet and 55 feet

Buildings and paved areas must comply with the following setbacks:

Front setback minimum of 25 feet, maximum building setback of 50 feet along Black Bob Road.

Corner/Side setback minimum of 15 feet, maximum building setback of 60 feet along 133rd Street.

All other setbacks minimum of 10 feet.

Open Space:

Minimum common open space must be 5%

Active Open Space, Minimum must be 2.5%

Site Design Standards:

Open Space Design: All common and active open space areas must be of a high-quality design and level of finish as approved by the Planning Official. See Attachment A for illustrative examples.

Pedestrian Connectivity: Direct pedestrian connections must be provided between buildings on the site. At least two (2) pedestrian gateway features must be provided. Pedestrian gateways must include signature landscaping and hardscape features, such as benches or development signage.

Street Frontage Treatment: Where parking lots front a public street, a 15-foot-deep landscaped area with a low masonry wall that is 2-3 feet in height must be provided.

Building Design Standards:

Architectural Style: All buildings must apply the French Renaissance style as approved by the Planning Official. See Attachment A for illustrative examples.

Building Materials: All buildings must use 100% Class 1 materials on all four (4) facades, with genuine 3-layer stucco as the primary material.

Building Entry: One (1) front porch or recessed area must be provided per residential unit and must be a minimum of 4-feet deep and 6-feet wide. One (1) canopy, dormer, or similar feature must be provided above each main commercial entry.

Garages: Residential garage doors must be recessed at least 1-foot behind the leading edge of any balcony or wall on the front facade. Commercial garage doors are prohibited.

Balconies: Two (2) balconies must be provided per residential unit. Both balconies must be at least 10-feet-wide and one balcony must be at least 4-feet deep.

Facade Articulation: Residential: One (1) dormer or similar structural feature must be provided on the front and rear of each unit or shared between two (2) units. This feature must result in at least a 2-foot change in both vertical and horizontal articulation.

Commercial: One (1) dormer or similar structural feature must be provided on the front of each unit or every 50 feet, whichever is stricter. This feature must result in at least a 2-foot change in vertical articulation and at least a 1-foot change in horizontal articulation.

All HVAC equipment on commercial buildings must be roof-mounted and screened from view as required by UDO.

Facade Treatment: At least 20% of front, 5% of side, and 10% of rear elevations must be glass on residential buildings. At least 30% of front, 20% of side, and 15% of rear elevations must be glass on commercial buildings. The Planning Official may approve a combination of glass and other decorative facade treatments, such as faux shutters, spandrel, living (green) walls, etc., that achieves a higher quality design.

Roof materials must be Class 1 or 2 materials and uniform for all buildings.

Development Standards:

Parking: Parking and loading must meet UDO requirements.

Residential Driveway: Each driveway must be a minimum of 20 feet deep, excluding any sidewalk area.

Streets:

All street surfaces in the development will be private standards. All street surface areas will remain private in perpetuity and not deeded or given to the city of Olathe at any point.

Public sidewalk will be installed as required by City standards. Sidewalk will be 6' wide at the back of curb.

Private outdoor lighting will meet the UDO requirements.

Landscape:

The project must provide the following landscaping. Due to site constraints, the Planning Official may approve deviations from strict compliance with this section if the purpose and intent are met.

- Along Black Bob Road: Master landscaping per UDO 18.30.130.H.
- Along 133rd Street: Nonresidential landscaping per UDO 18.30.130.L.
- Along the south and east boundaries: Type 1 buffer per UDO 18.30.130.J.
- Residential landscaping per UDO 18.30.130.K.
- Parking Lot Landscaping per UDO 18.30.130.M
- Building Foundation: A combination of landscape beds, planters and hanging plants must be incorporated around the commercial buildings.
- Tree Preservation & Mitigation Requirements: 30% of all existing significant trees located on site must be preserved or replaced at a ratio of one (1) additional tree for each required significant tree removed. The species and location of each replacement tree will be determined at final site development plan.

Supplemental Standards

Signage:

Commercial Building Signs must meet the UDO requirements for signage in the C-1 district. Building Signs will be made of metal and painted black. The lettering shall be uniform in color and lettering.

Entrance monument sign must meet UDO requirements for signage for signage in the C-1 district.

Entrance monument sign must be lit with landscape lighting, use black iron or Aluminum lettering with consistent font and size and match Architectural style of the entire development.

Fencing: Fencing located along public streets must be aluminum black fence or similar quality and is limited to a maximum of five feet (5') in height.

Sustainability

This development will implement a minimum of three (3) of the following sustainability options:

Native grasses, hydrodynamic separator, bike racks, EV charging stalls, bioswales, or providing alternative energy sources like solar landscape lighting.

Attachment A – Illustrative Examples

Architectural Design Inspiration:



Open Space Design Inspiration:

Commercial





Residential



