

## **ORDINANCE NO. 26-02**

### **AN ORDINANCE AMENDING ORDINANCE 03-113 OF THE CITY OF OLATHE, KANSAS, PERTAINING TO ZONING AMENDMENT REQUEST RZ25-0014.**

**WHEREAS**, the Governing Body of the City of Olathe approved Ordinance 03-113 on the 16<sup>th</sup> day of December 2003; and

**WHEREAS**, Rezoning Application No. RZ25-0014 requesting a zoning amendment to Ordinance 03-113 was filed with the City of Olathe, Kansas, on the 15<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 8<sup>th</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 Section Two of Ordinance 03-113 is hereby amended to read as follows:

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

1. The following site and building design requirements shall be required:
  - a. Buildings shall be designed to create a human scale with elements such as canopies, raised landscape planters, pedestrian level lighting and special building material treatments at the base of the building.
  - b. Each building shall have similar qualities and architectural elements that contribute to the overall theme.
  - c. All landscaped areas shall be irrigated.
  - d. A photometric plan, indicating the type of lighting for buildings and parking areas, shall be submitted prior to approval of the final site development plan.
2. Within the Mixed Use building, a minimum of 24,000 square feet of commercial space that is open to the general public (not for the exclusive use of residents or tenants) will be maintained, as shown on the preliminary plan dated November 25, 2025.

**SECTION TWO:** Existing Section Two of Ordinance 03-113 is hereby repealed.

**SECTION THREE:** That this Ordinance shall take effect from and after its passage and publication as provided by law.

**PASSED** by the Governing Body this 6<sup>th</sup> day of January 2026.

**SIGNED** by the Mayor this 6<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