

ORDINANCE NO. 24-10

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. RZ24-0002 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 5th 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 26th 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:

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 S 0°20'45" E, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 733.10 FEET; THENCE N 89°39'15" E, A DISTANCE OF 60.00 FEET TO THE SOUTHWEST PLAT CORNER OF PRAIRIE RIDGE PLAZA FIRST PLAT, A PLATTED SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, SAID POINT ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF RIDGEVIEW ROAD, AS NOW ESTABLISHED, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG THE SOUTHERLY PLAT LINE OF SAID PRAIRIE RIDGE PLAZA FIRST PLAT, FOR THE FOLLOWING NINE (9) COURSES; THENCE N 1°57'28" E, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID RIDGEVIEW ROAD, A DISTANCE OF 83.45 FEET TO THE INTERSECTION OF SAID RIDGEVIEW ROAD AND S. AMBASSADOR STREET, AS NOW ESTABLISHED; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID S. AMBASSADOR STREET, FOR THE FOLLOWING SIX (6) COURSES; THENCE N 89°22'28" E, A DISTANCE OF 125.41 FEET; THENCE EASTERLY ON A CURVE TO THE LEFT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 530.00 FEET, AN ARC DISTANCE OF 121.09 FEET; THENCE N 76°17'02" E, A DISTANCE OF 47.91 FEET; THENCE EASTERLY ON A CURVE TO THE RIGHT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 420.00 FEET, AN ARC DISTANCE OF 137.78 FEET; THENCE S 84°55'14" E, A DISTANCE OF 99.01 FEET; THENCE EASTERLY ON A CURVE TO THE LEFT, SAID CURVE BEING TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 200.00 FEET, AN ARC DISTANCE OF 104.29 FEET; THENCE S 36°30'40" E, A DISTANCE OF

105.29 FEET; THENCE N 89°18'52" E, A DISTANCE OF 381.45 FEET TO THE SOUTHEAST PLAT CORNER OF SAID PRAIRIE RIDGE PLAZA FIRST PLAT, SAID POINT ALSO BEING ON THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 18, SAID POINT ALSO BEING ON THE WEST PLAT LINE 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 WEST PLAT LINE OF SAID BRITTANY BROOKE, 2ND PLAT AND THE WEST PLAT LINE OF BRITTANY BROOKE, 7TH PLAT, A PLATTED SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, A DISTANCE OF 628.27 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 18; THENCE S 89°27'16" W, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 18, A DISTANCE OF 1066.65 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID RIDGEVIEW ROAD; THENCE N 0°20'45" W, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID RIDGEVIEW ROAD, A DISTANCE OF 588.04 FEET TO THE POINT OF BEGINNING, CONTAINING 16.4002 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
2. The building height for the attached independent living wing is limited to 3 stories and 50 feet and the building height for the detached independent living building is limited to 4 stories and 50 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 19th day of March 2024.

SIGNED by the Mayor this 19th day of March 2024.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney