

ORDINANCE NO. 24-17

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. RZ23-0011 requesting rezoning from the the M-2 (General Industrial) District to the C-2 (Community Center) District was filed with the City of Olathe, Kansas, on the 18th day of October 2023; 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 29th day of April 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:

BEGINNING 150 FEET EAST AND 200 FEET SOUTH OF THE NORTHWEST CORNER OF LOT 28, CORNWALL & BARTON'S ADDITION TO OLATHE, JOHNSON COUNTY, KANSAS, THENCE EAST 130.18 FEET, THENCE SOUTH 38.68 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF KANSAS CITY ROAD, THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY 158.65 FEET, THENCE NORTH 131.13 FEET TO THE POINT OF BEGINNING, SUBJECT TO PART IN STREET, ROADS OR RIGHT OF WAYS.

Said legally described property is hereby rezoned from the M-2 (General Industrial) District to the C-2 (Community Center) District.

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

1. The following uses are prohibited:
 - a. Animal Care – Indoor or Outdoor Kennel
 - b. Bars, Taverns, and Drinking Establishments
 - c. Convenience Stores, with Gas Sales
 - d. Entertainment Establishment
 - e. Gas Station
 - f. Leasing/Rental – Consumer or Recreational Goods
 - g. Liquor Store
 - h. Any Distance Restricted Businesses as listed in Olathe Municipal Code Chapter 5.43

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 21st day of May 2024.

SIGNED by the Mayor this 21st day of May 2024.

ATTEST:

Mayor

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney