

## **ORDINANCE NO. 24-01**

### **AN ORDINANCE AMENDING SECTION TWO OF ORDINANCE 20-44 OF THE CITY OF OLATHE, KANSAS. PERTAINING TO A ZONING AMENDMENT REQUEST RZ23-0010.**

**WHEREAS**, Application No. RZ23-0010 requesting a zoning amendment to Ordinance 20-44 was filed with the City of Olathe, Kansas, on the 22<sup>nd</sup> day of September, 2023; and

**WHEREAS**, proper notice of such zoning amendment 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 11<sup>th</sup> day of December, 2023; and

**WHEREAS**, said Planning Commission has recommended that such zoning amendment application be approved.

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

**SECTION ONE:** Section One of Ordinance 20-44 is hereby amended as follows:

1. The prohibited uses are established within the attached Use List (Exhibit A). Any modifications to the uses must be requested through the zoning amendment process.
2. The development must provide the general allocation of land uses established on the preliminary site development plan (Exhibit B) dated November 27, 2023 and comply with the following standards:
  - a. The residential density must maintain a minimum of 22 dwelling units per acre and a maximum of 29 dwelling units per acre.
  - b. A minimum commercial floor area of 27,000 square feet must be provided.
  - c. A minimum of 20% open space must be maintained and high-quality outdoor residential amenities provided.
  - d. All setbacks are as established on the preliminary site development plan dated November 27, 2023.
  - e. A minimum street frontage buildout of 30% is required along S. Mur-Len Road for Lots 1, 4 and 5 and a minimum 50% buildout along all other streets for Lot 2.

- f. The development is subject to the development standards of UDO 18.30 and the supplemental standards of UDO 18.50.
3. The maximum building height is established as follows: 65' multi-family residential, 35' townhouses and 55' commercial/mixed use.
4. The multi-family residential, townhouses and mixed-use buildings are subject to Site Design Category 3, and the commercial buildings are subject to Site Design Category 4 per UDO 18.15.
5. The building design is subject to UDO 18.15.020 for the commercial and mixed-use buildings. All other buildings must be comprised of primarily masonry materials with fiber cement siding as an accent only. The architectural design will be cohesive and harmonious throughout the development.
6. Sign standards will be determined with final site development plans or through a comprehensive sign package.
7. All street improvements shall be in accordance with the traffic impact study and as required by the City Engineer. A revised traffic study or report shall be submitted if there is a change in land use, as required by the City Engineer.
8. All access drives and internal streets will be constructed with the first phase of development.

**SECTION TWO:** Existing Section One of Ordinance No. 20-44 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 City Council this 9<sup>th</sup> day of January, 2024.

**SIGNED** by the Mayor this 9<sup>th</sup> day of January, 2024.

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Mayor

ATTEST:

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City Clerk

(Seal)

APPROVED AS TO FORM:

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City Attorney