

ORDINANCE NO. 20-08

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. RZ19-0023 requesting rezoning from BP District to C-2 District was filed with the City of Olathe, Kansas, on the 3rd day of October 2019; 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 9th day of March 2020; 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:

A parcel of land located in Section 9, Township 14, Range 24, Johnson County, Kansas, more particularly described as follows: The East 25 acres of the Southeast Quarter of the Northeast Quarter of said Section 9, EXCEPT the South 500 feet.

The above Tract also being described as:

All of the East 25 acres of the Southeast Quarter of the Northeast Quarter of Section 9, Township 14 South, Range 24 East of the 6th P.M., Johnson County, Kansas, LESS AND EXCEPT the South 500 feet thereof, and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northeast Quarter of said Section 9, thence North 01°53'51" West, along the East line of said Northeast Quarter, a distance of 500.00 feet to the POINT OF BEGINNING; thence South 88°18'32" West, along the North line of the South 500 feet of the Northeast Quarter of said Section 9, a distance of 847.51 feet to a point on the East line of the Symphony at the Reserve Subdivision – First Plat, a platted tract of land in Olathe, Johnson County, Kansas; thence North 01°52'53" West, along said East line, a distance of 828.94 feet to the Northeast corner of said Symphony at the Reserve – First Plat, said point being on the North line of the Southeast Quarter of the Northeast Quarter of said Section 9; thence North 88°14'41" East, along said North line, a distance of 847.28 feet to the Northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 9; thence South 01°53'51" East, along the East line of said Quarter-Quarter, a distance of 829.89 feet to the POINT OF

BEGINNING and containing 702,836.82 square feet, or 16.13 acres, more or less.

Said legally described property is hereby rezoned from BP District to C-2 District.

SECTION TWO: That this rezoning to the C-2 District is approved with the following uses prohibited:

1. Any Distance Restricted Business as provided in Olathe Municipal Code, Chapter 5.43
2. Animal Care, Outdoor Kennel
3. Auto Supply (Parts) Stores
4. Bars, Taverns, and Drinking Establishments
5. Building Materials Sales – Without Lumberyard
6. Convenience Stores, with or without Gas Sales and Gas Stations
7. Entertainment Establishment
8. Hospital
9. Hotel/Motel
10. Liquor Store
11. Pawnshops
12. Vehicle Services
13. Woodworking Shops

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 7th day of April 2020.

SIGNED by the Mayor this 7th day of April 2020.

Mayor

ATTEST:

City Clerk

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APPROVED AS TO FORM:

City Attorney