

ORDINANCE NO. 21-11

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. RZ20-0015 requesting a rezoning from RP-1 (Planned Single-Family Residential) District to O (Office) District was filed with the City of Olathe, Kansas, on the 30th day of December 2020; 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 8th day of March 2021; 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:

PART OF THE SE¼ OF SECTION 3, T14S, R24E OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SE¼ OF SECTION 3, T14S, R24E OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS; THENCE S 88°14'57" W, ALONG THE SOUTH LINE OF SAID SE¼, A DISTANCE OF 745.77 FEET; THENCE N 01°45'55" W A DISTANCE OF 55.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 151ST STREET, AS NOW ESTABLISHED, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING N 01°45'55" W A DISTANCE OF 67.00 FEET; THENCE N 35°32'46" E A DISTANCE OF 73.08 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF LOT 35, HARMONY VIEW WEST, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS; THENCE S 54°16'14" E, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 35, A DISTANCE OF 45.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 35; THENCE N 01°45'55" W, ALONG THE EAST LINE OF LOTS 35 AND 34, HARMONY VIEW WEST, A DISTANCE OF 503.75 FEET; THENCE N 88°14'57" E A DISTANCE OF 643.21 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF QUIVIRA ROAD, AS NOW ESTABLISHED; THENCE S 06°54'23" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID QUIVIRA ROAD, A DISTANCE OF 258.70 FEET; THENCE S 01°59'19" E, CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF

SAID QUIVIRA ROAD, A DISTANCE OF 59.50 FEET; THENCE S 01°25'18" E, CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID QUIVIRA ROAD, A DISTANCE OF 101.08 FEET; THENCE S 01°59'19" E, CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID QUIVIRA ROAD, A DISTANCE OF 151.17 FEET; THENCE S 43°07'59" W, CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID QUIVIRA ROAD, A DISTANCE OF 40.93 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID 151ST STREET; THENCE S 88°14'57" W, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID 151ST STREET, A DISTANCE OF 509.77 FEET; THENCE S 83°54'04" W, CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID 151ST STREET, A DISTANCE OF 65.95 FEET; THENCE S 88°14'57" W, CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID 151ST STREET, A DISTANCE OF 80.00 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 8.57133 ACRES, MORE OR LESS.

Said legally described property is hereby rezoned from RP-1 (Planned Single-Family Residential) District to O (Office) District.

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

A. The following uses are prohibited:

1. Any Distance Restricted Business as listed in Olathe Municipal Code Chapter 5.43
2. Business Service Centers/Business Support
3. Catering/Food Service
4. Conference and Retreat Center
5. Courier and Messenger Services
6. Data Processing, Hosting and Related Services
7. Environmental Monitoring Stations
8. Hotel, Boutique (50 Rooms Maximum)
9. Hotel/Motel
10. Laboratories – Research and Testing
11. Laundry, Pick-up Only and Garment Services
12. Nonstore Retail/Internet Retail

13. Parking Lots, Underground Structure, as Principal Use
14. Post Office and Postal Substations
15. Postal Service Receptacle Pods Designated on a Plat/Plan
16. Public Transportation Facility
17. Radio and Television Broadcasting or Recording Studio
18. Research and Development
19. Restaurant, Carryout or Fast Food
20. Rooming House (Includes Fraternity/Sorority Houses and Dorms)
21. Schools, Colleges and Universities
22. 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 6th day of April 2021.

SIGNED by the Mayor this 6th day of April 2021.

Mayor

ATTEST:

City Clerk

(Seal)

APPROVED AS TO FORM:

City Attorney