

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 22nd 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 11th 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.

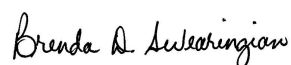
PASSED by the City Council this 9th day of January, 2024.

SIGNED by the Mayor this 9th day of January, 2024.


John W. Bacon (Jan 10, 2024 10:11 CST)

Mayor

ATTEST:




City Clerk

(Seal)



APPROVED AS TO FORM:


Ron Shaver (Jan 10, 2024 11:01 CST)
City Attorney

The Legal Record

1701 E. Cedar St., Ste. 111
Olathe, KS 66062-1775
(913) 780-5790

ATTN: CITY CLERK
CITY OF OLATHE
100 E SANTA FE ST
OLATHE KS 66061-3409

First published in The Legal Record, Tuesday, January 16, 2024.

PUBLICATION SUMMARY OF ORDINANCE NO. 24-01, PASSED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS ON THE 9TH DAY OF JANUARY 2024.

SUMMARY

On January 9, 2024, the Governing Body of the City of Olathe, Kansas passed Ordinance No. 24-01, which amended the zoning map of the City of Olathe by approving Rezoning Application RZ23-0010. Such rezoning application requested a zoning amendment to Ordinance No. 20-44 on approximately 17.31 acres located southwest of W. 127th and S. Mur-Len Road.

The complete text of this ordinance may be obtained or viewed free of charge at the office of the Olathe City Clerk, Olathe City Hall, 100 East Santa Fe Street, Olathe, Kansas, or on the City's official website address <http://www.olatheks.org/government/city-clerk/public-notices>, where a reproduction of the original ordinance will be available for a minimum of one week following this summary publication.

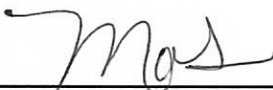
This summary is certified this 10th day of January 2024.

/s/ Rachelle R. Breckenridge
Rachelle R. Breckenridge
Assistant City Attorney
1/16

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Maureen Gillespie, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Clerk for The Legal Record which is a newspaper printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than one year prior to the first publication of the notice attached, and has been entered at the post office as Periodicals Class mail matter. That a notice was published in all editions of the regular and entire issue for the following subject matter (also identified by the following case number, if any) for 1 consecutive week(s), as follows:

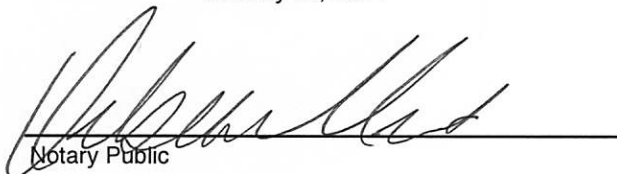
SUMMARY OF ORDINANCE NO. 24-01
1/16/24



Maureen Gillespie, Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

January 16, 2024


Notary Public

DEBRA VALENTI

Notary Public-State of Kansas
My Appt. Expires Aug. 21, 2027

L16453
Publication Fees: \$20.76