

ORDINANCE NO. 24-18

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. RZ23-0013 requesting rezoning from the RP-1 (Planned Single-Family) District to the C-1 (Neighborhood Center) District was filed with the City of Olathe, Kansas, on the 17th day of November 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:

ASBURY CENTRE TRACT A, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF.

Said legally described property is hereby rezoned from the RP-1 (Planned Single-Family) District to the C-1 (Neighborhood Center) District.

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


1. The following uses are prohibited:
 - a. Fast-Food or Carryout Restaurants (Prohibited on Lot 2 only)*
 - b. Animal Care Facilities with Outdoor Kennels*
 - c. Any Distance Restricted Businesses as listed in Olathe Municipal Code Chapter 5.43.*
2. Hours of operation for the *'Restaurant, Carryout, or Fast Food'* use on Lot 1 are limited to 5:00 am to 8:00 pm. daily.

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.

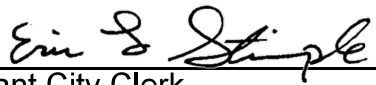
PASSED by the City Council this 21st day of May 2024.

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


John W. Bacon (May 22, 2024 10:16 CDT)


Mayor

ATTEST:


Assistant City Clerk



APPROVED AS TO FORM:


Ron Shaver (May 22, 2024 10:45 CDT)

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, May 28, 2024.

PUBLICATION SUMMARY OF ORDINANCE NO. 24-18, PASSED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS ON THE 21st DAY OF MAY 2024.

SUMMARY

On May 21, 2024, the Governing Body of the City of Olathe, Kansas passed Ordinance No. 24-18, which amended the zoning map of the City of Olathe by approving Rezoning Application RZ23-0013. Such rezoning application requested a zoning amendment from the RP-1 (Planned Single-Family) District to the C-1 (Neighborhood Center) District for a Property on approximately 1.10 acres located northwest of W. 159th Street and S. Ridgeview 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.

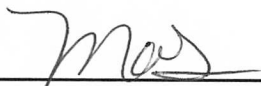
This summary is certified this 22nd day of May 2024.

/s/ Rachelle R. Breckenridge
Rachelle R. Breckenridge
Assistant City Attorney
5/28

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:

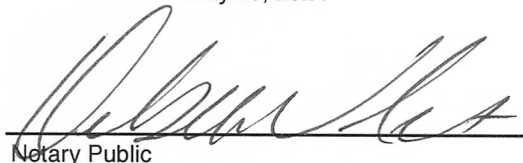
SUMMARY OF ORDINANCE NO. 24-18
5/28/24



Maureen Gillespie, Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

May 28, 2024


Notary Public

DEBRA VALENTI

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

L18431
Publication Fees: \$22.87