

RESOLUTION NO. 23-1065

A RESOLUTION GRANTING A SPECIAL USE PERMIT FOR MOTOR VEHICLE RENTALS FOR AVIS RENTAL CAR SUBJECT, HOWEVER, TO THE STIPULATIONS HEREINAFTER MORE FULLY EXPRESSED.

WHEREAS, Application No. SU23-0008 was filed with the City of Olathe, Kansas, on the 13th day of April 2023; and

WHEREAS, said Application requested that the City Council of the City of Olathe, Kansas, issue a special use permit for Motor Vehicle Rentals use on the following described property:

TRACT 1:

THE WEST 110 FEET OF ALL THAT PART OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 13, RANGE 24, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF LOT 31, UNITED INDUSTRIAL PARK, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF AND 346.72 FEET SOUTH OF THE SOUTHEAST CORNER OF LOT 1 OF SAID SUBDIVISION; THENCE SOUTH 175.83 FEET TO THE NORTH RIGHT OF WAY LINE OF K-150 HIGHWAY; THENCE NORTH 89 DEGREES, 50 MINUTES, 45 SECONDS WEST, ALONG SAID RIGHT OF WAY 215 FEET; THENCE NORTH 85 DEGREES, 12 MINUTES, 41 SECONDS WEST ALONG SAID RIGHT OF WAY 11.03 FEET; THENCE NORTH 17 4.94 FEET; THENCE SOUTH 89 DEGREES, 50-MINUTES, A5 SECONDS EAST 226 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART IN ROAD, THE EAST LINE OF SAID WEST 110 FEET IS MEASURED AS RIGHT ANGLES TO AND IS PARALLEL WITH SAID WEST LINE, EXCEPT THAT PART IN ROAD.

TRACT 2:

AN APPURTENANT, NON-EXCLUSIVE EASEMENT AND RIGHT OF WAY FOR INGRESS AND EGRESS AND DRIVEWAY PURPOSES FILED AS FILE NO. 1117815, IN VOLUME 1235, AT PAGE 174, OVER AND ACROSS ALL THAT PART OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 13, RANGE 24, CITY OF OLATHE, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE LAND DESCRIBED IN PARCEL 1 ABOVE; THENCE NORTH 89 DEGREES, 50 MINUTES, 45 SECONDS WEST ALONG THE WESTERLY PROLONGATION OF THE NORTH LINE OF SAID LAND DESCRIBED IN PARCEL 1 ABOVE 189 FEET TO A POINT IN THE EAST LINE OF ROGERS ROAD BEING ALSO A POINT IN THE WEST LINE OF SAID SOUTHEAST $\frac{1}{4}$ OF SAID SECTION 30; THENCE NORTH ALONG SAID EAST LINE OF ROGERS ROAD 40 FEET; THENCE SOUTH 89 DEGREES, 50 MINUTES, 45 SECONDS EAST ALONG A LINE PARALLEL WITH SAID WESTERLY PROLONGATION OF SAID NORTH LINE OF LAND DESCRIBED IN PARCEL 1 ABOVE 189 FEET TO A POINT WHICH BEARS DUE NORTH A DISTANCE OF 40 FEET FROM THE POINT OF BEGINNING; THENCE SOUTHEASTERLY IN A STRAIGHT LINE TO A POINT IN SAID NORTH LINE OF SAID LAND DESCRIBED IN PARCEL 1 ABOVE DISTANCE THEREON SOUTH 89 DEGREES, 50 MINUTES, 45 SECONDS EAST 40 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES, 50 MINUTES, 45 SECONDS WEST ALONG SAID NORTH LINE 40 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART IN ROAD.

and

WHEREAS, the Property is zoned C-3; and

WHEREAS, Chapter 18.20 and 18.40, of the Unified Development Ordinance authorizes the establishment of such a use in such zoned area upon the issuance of a special use permit; and

WHEREAS, the Planning Commission and the City Council of the City of Olathe, Kansas, having given the requisite notices by publication and otherwise, and after holding a public hearing on the 11th day of September 2023, and affording a full and fair hearing to all the property owners, generally, and to other interested persons situated in the affected area or in the vicinity thereof; and

WHEREAS, the Planning Commission of the City of Olathe, Kansas, has recommended that the special use permit be granted; and

WHEREAS, the City Council is of the opinion that such special use permit should be granted subject to the conditions set out herein.

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

SECTION ONE: That Application No. SU23-0008 requesting approval of a special use permit for Motor Vehicle Rentals use on the previously described Property, which is presently zoned as C-3 is hereby approved.

SECTION TWO: That this special use permit is approved and granted upon the following stipulations and in conformance with Chapter 18.20 and Chapter 18.40 of the Unified Development Ordinance:

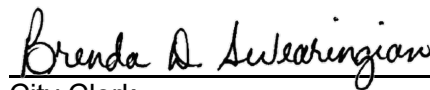
1. The special use permit to allow motor vehicle rentals is valid for a period of five (5) years following the date of the approved Resolution.
2. All landscaping must be maintained per the requirements of the Unified Development Ordinance. Any dead or missing landscaping shall be replaced within three (3) months of the date of Resolution in accordance with the approved landscape plan.

SECTION THREE: That this Resolution shall take effect immediately.

ADOPTED by the City Council this 3rd day of October 2023.

SIGNED by the Mayor this 3rd day of October 2023.

ATTEST:



City Clerk


John W. Bacon (Oct 4, 2023 12:01 CDT)

Mayor

Resolution No. 23-1065
SU23-0008
Page 3



(Seal)

APPROVED AS TO FORM:

Christopher M. Gurnea

Deputy City Attorney







Signature Packet

Final Audit Report

2023-10-04

Created:	2023-10-04
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-  Signer John Bacon (jbacon@olatheks.org) entered name at signing as John W Bacon
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City Attorney

Final Audit Report

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