

RESOLUTION NO. 24-1056

A RESOLUTION OF THE CITY OF OLATHE, KANSAS, PROVIDING FOR NOTICE OF A PUBLIC HEARING TO CONSIDER ADOPTION OF THE STAR BOND PROJECT AREA PLAN FOR PROJECT AREA 1 OF THE OLATHE GATEWAY STAR BOND PROJECT DISTRICT.

WHEREAS, the City of Olathe, Kansas (the “City”) is a municipal corporation duly organized and validly existing under the laws of the State of Kansas as a city of the first class; and

WHEREAS, pursuant to K.S.A. 12-17,160 *et seq.* (the “Act”), the City Council (the “Governing Body”) of the City of Olathe, Kansas (the “City”) is authorized to create a STAR bond project district within an eligible area of the City for certain purposes set forth in the Act; and

WHEREAS, pursuant to Ordinance No. 24-35 passed by the Governing Body on September 17, 2024 (the “District Creation Ordinance”), the Governing Body has established a STAR bond project district designated as the “Olathe Gateway STAR Bond Project District” (the “District”) to promote, stimulate and develop the general and economic welfare of the state of Kansas and the City as a “major commercial entertainment and tourism area” containing a “major multi-sport athletic complex;” and

WHEREAS, pursuant to the Act, the City is authorized to undertake one or more STAR bond projects within the District which may be implemented in separate development stages, and prepare a STAR bond project plan in consultation with the City’s Planning Commission; and

WHEREAS, the Governing Body is considering adoption of a STAR bond project plan for Project Area 1 of the District (the “Project Area”), which has been prepared by the City in consultation with the City’s Planning Commission (the “Project Plan”) pursuant to the Act which provides for the redevelopment of property within the Project Area; and

WHEREAS, on October 14, 2024, the City’s Planning Commission made a finding that the Project Plan is consistent with the intent of the City’s comprehensive plan for the development of the City; and

WHEREAS, a copy of the Project Plan has been delivered by the City to the Board of County Commissioners of Johnson County, Kansas and to the Board of Education of U.S.D. No. 233, Johnson County, Kansas (Olathe); and

WHEREAS, the Act provides that prior to adoption, the Governing Body shall, by resolution, call a public hearing to consider adoption of the Project Plan and shall give notice of said public hearing in accordance with the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS, AS FOLLOWS:

Section 1. Public Hearing. Notice is hereby given that the Governing Body shall conduct a public hearing to consider adoption of the Project Plan on **November 19, 2024, at 7:00 p.m.**, or as soon thereafter as the matter can be heard, at Olathe City Hall, Council Chambers, 100 East Santa Fe, Olathe, Kansas. At the public hearing a representative of the City shall present the Project Plan, the Governing Body will receive public comment on the Project Plan, and after the conclusion of such public hearing, the Governing Body may adopt the Project Plan by Ordinance passed upon a 2/3rds vote of the Governing Body in accordance with the provisions of the Act.

Section 2. District Boundaries and Location. The District was established on September 24, 2024, upon publication of the District Creation Ordinance. The legal descriptions of the District and the Project Area are contained on **Exhibit A** attached hereto. A map generally outlining the boundaries of the District and the Project Area is attached hereto as **Exhibit B**.

Section 3. STAR Bond Project Plan. The Project Plan for redevelopment of the Project Area may be described in a general way as a mixed-use development consisting of some or all of the following uses: a multi-sport athletic complex for both professional and youth sports uses and events, entertainment uses, including an amusement park, retail uses, restaurant uses, and other general commercial development; hotel uses; residential uses, including multi-family residential facilities; visitor amenities and accessibility improvements and amenities for disabled visitors; and associated streets and other public and private infrastructure. The Project Plan to be considered by the Governing Body at the public hearing includes, but is not limited to: (a) a summary of the feasibility study required by the Act; (b) a reference to the District Plan; (c) a description and map of the Project Area; (d) the relocation assistance plan as required by the Act; and (e) a detailed description of the buildings and facilities proposed to be constructed or improved within the Project Area.

Section 4. Document Availability. Copies of the Project Plan, including a summary of the feasibility study, market study, relocation assistance plan and any financial guarantees of the prospective developer and a description and map of the Project Area to be redeveloped within the District are public records and are available for public inspection during regular office hours (9:00 a.m. to 5 p.m., Monday to Friday except for holidays) in the office of the City Clerk at 100 East Santa Fe in City Hall.

Section 5. Notice of Public Hearing. The City Clerk is hereby authorized and directed to provide for notice of the public hearing by taking the following actions:

(a) A copy of this Resolution, including **Exhibits A and B**, shall be mailed by United States certified mail, return receipt requested, within 10 days of this date to:

- (i) The Board of County Commissioners of Johnson County, Kansas;
- (ii) The Board of Education of U.S.D. No. 233, Johnson County, Kansas (Olathe); and
- (iii) Each owner and occupant of land within the proposed Project Area.

(b) This Resolution, specifically including **Exhibits A and B** attached hereto, shall be published once in the official newspaper of the City not less than one week nor more than two weeks preceding the date of the public hearing.

(c) Notice shall be conspicuously provided at a prominent location on the first page of the website of the City, such notice to provide a link to all documents and information required under the Act.

Section 6. Further Action. The City Manager, City Clerk and other officials and employees of the City, including the City Attorney, and Gilmore & Bell, P.C., Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this resolution.

Section 7. Effective Date. This Resolution shall be effective upon adoption by the Governing Body.

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ADOPTED by the Governing Body of the City of Olathe, Kansas this 15th day of October, 2024.

CITY OF OLATHE, KANSAS

By: _____
John Bacon, Mayor

[SEAL]

ATTEST:

Brenda Swearingian, City Clerk

EXHIBIT A

LEGAL DESCRIPTION OF STAR BOND PROJECT DISTRICT AND PROJECT AREA

The following properties located within the City of Olathe, Kansas and Johnson County, Kansas:

Project Area 1 (the “Project Area”)

All that part of the Northeast Quarter of Section 19, Township 13 South, Range 24 East, in the City of Olathe, Johnson County, Kansas, more particularly described by Chris R. Sprague, Kansas PS-1632 of Olsson, LS-144, on October 11, 2023, as follows:

COMMENCING at the Northeast corner of the Northeast Quarter of said Section 19; thence South 02 degrees 07 minutes 57 seconds East, on the East line of said Northeast Quarter, a distance of 369.28 feet to a point; thence departing said East line, South 87 degrees 52 minutes 03 seconds West a distance of 60.00 feet to a point on the West right-of-way line of Renner Boulevard as established by Dedication for Public Street, Storm Drainage and Utilities, recorded in Book 2232, Page 966 and the POINT OF BEGINNING; thence South 02 degrees 07 minutes 57 seconds East, on said West right-of-way line, a distance of 537.10 feet to the Northeast corner of Fire Station No. 2, a platted subdivision in said City of Olathe; thence departing said West right-of-way line, South 87 degrees 28 minutes 07 seconds West, on the North line of said Fire Station No. 2, a distance of 370.00 feet to the Northwest corner thereof; thence departing said North line, South 02 degrees 07 minutes 57 seconds East, on the West line of said Fire Station No. 2, a distance of 319.99 feet to the Southwest corner thereof, said point also lying on the North line of Interstate Addition, a platted subdivision in said City of Olathe; thence departing said West line, South 87 degrees 28 minutes 07 seconds West, on the North line of said Interstate Addition, a distance of 1,753.01 feet to the Northwest corner thereof; thence departing said North line, South 02 degrees 07 minutes 57 seconds East, on the West line of said Interstate Addition, a distance of 348.26 feet to a point of curvature; thence in a Southerly, Southeasterly, and Easterly, on the Southwesterly line of said Interstate Addition, on a curve to the left having a radius of 577.71 feet, through a central angle of 90 degrees 23 minutes 57 seconds, an arc distance of 911.49 feet to a point; thence North 87 degrees 28 minutes 07 seconds East, on the South line of said Interstate Addition, a distance of 554.94 feet to a point; thence departing said South line, South 02 degrees 07 minutes 57 seconds East, on the West line of said Interstate Addition, a distance of 20.00 feet to a point on the North line of a 30.00 foot wide public right-of-way, as established by Dedication for Public Street and Utilities, recorded in Book 196, Page 649; thence departing said West line, South 87 degrees 28 minutes 07 seconds West, on said North right-of-way line, a distance of 1,204.94 feet to the Southeast corner of Lot 1, Olathe Entertainment District Third Plat, a platted subdivision in said City of Olathe; thence departing said North right-of-way line, North 02 degrees 31 minutes 53 seconds West, on the East line of said lot 1, a distance of 24.00 feet to a point; thence South 87 degrees 28 minutes 07 seconds West, on the East line of said Lot 1, a distance of 251.59 feet to a point; thence North 02 degrees 00 minutes 17 seconds West, on the East line of said Lot 1, a distance of 253.85 feet to the Northernmost Northeast corner thereof; thence departing said East line, South 87 degrees 59 minutes 43 seconds West, on the North line of said Lot 1, a distance of 155.00 feet to the Northwest corner thereof, said point also being on the West line of the Northeast Quarter of said Section 19; thence departing said North line, North 02 degrees 00 minutes 17 seconds West, on said West line of said Northeast Quarter, a distance of 765.82 feet to the Southwest corner of Resourcenet International, a platted subdivision in said City of Olathe; thence departing said West line, North 87 degrees 28 minutes 58 seconds East, on the South line of said Resourcenet International, a distance of 575.00 feet to the Southeast corner thereof; thence departing said South line, North 02 degrees 00 minutes 17 seconds West, on the East line of said Resourcenet International, a distance of 1,071.51 feet to the Northeast corner thereof, said point also being on the South right-of-way line of 119th Street as now established; thence departing said East line, North 87 degrees 28 minutes 54 seconds East, on said South right-of-way line, a distance of 610.29 feet to a point on the Southerly right-of-way line as established by

Dedication for a Public Street, recorded in Book 202102, Page 000726; thence departing said South right-of-way line South 85 degrees 38 minutes 24 seconds East, on said Southerly right-of-way line, a distance of 123.91 feet to a point; thence North 87 degrees 28 minutes 54 seconds East, continuing on said Southerly right-of-way line, a distance of 233.41 feet to a point on the Southerly right-of-way line of 119th Street as established by Dedication for a Public Street, recorded in Book 200810, Page 001916; thence South 55 degrees 38 minutes 24 seconds East, on said Southerly right-of-way line, a distance of 23.35 feet to a point; thence North 87 degrees 29 minutes 00 seconds East, continuing on said Southerly right-of-way line, a distance of 111.00 feet to a point; thence North 49 degrees 54 minutes 43 seconds East, continuing on said Southerly right-of-way line, a distance of 22.98 feet to a point on the Southerly right-of-way line of 119th Street as established by said Dedication for a Public Street, recorded in Book 202102, Page 000726; thence departing the Southerly right-of-way line as recorded in said Book 200810, Page 001916, on the Southerly right-of-way line of 119th Street recorded in Book 202102, Page 000726, the following eight (8) courses: thence North 87 degrees 28 minutes 54 seconds East a distance of 38.40 feet to a point; thence North 42 degrees 28 minutes 54 seconds East a distance of 16.97 feet to a point; thence North 87 degrees 28 minutes 54 seconds East a distance of 39.17 feet to a point of curvature; thence Easterly, on a curve to the right having a radius of 2,486.00 feet, through a central angle of 02 degrees 54 minutes 44 seconds, an arc distance of 126.36 feet to a point; thence South 89 degrees 36 minutes 22 seconds East a distance of 245.12 feet to a point; thence South 82 degrees 48 minutes 47 seconds East a distance of 123.59 feet to a point; thence North 87 degrees 28 minutes 54 seconds East a distance of 269.45 feet to a point; thence South 42 degrees 18 minutes 21 seconds East a distance of 38.29 feet to a point on the West right-of-way line of Renner Boulevard as established by said Dedication for a Public Street, recorded in Book 202102, Page 000726; thence departing said Southerly right-of-way line, South 02 degrees 07 minutes 35 seconds East, on said West right-of-way line, a distance of 238.76 feet to a point; thence North 87 degrees 52 minutes 25 seconds East, continuing on said West right-of-way line, a distance of 26.99 feet to the POINT OF BEGINNING, containing 2,750,097 Square Feet, or 63.1335 Acres, more or less.

Project Area 2

All that part of the South half of the Southwest quarter of Section 17, Township 13, Range 24 East in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Southwest corner of Section 17, Township 13, Range 24 East; thence N° 01 26' 24" W along the west section line of said section a distance of 1,324.80 feet to the Northwest corner of HALL'S ACRES plat; thence N 88° 13' 21" E to the west section line of Section 17, Township 13, Range 24 East; thence south along said section line at a bearing of S 3° 5' 56" E a distance of 297.05 feet to a point of Right-of-Way along S Kansas City Rd; thence southwesterly along said Right-of-Way S 42° 31' 27" W a distance of 1,434.70 feet to the south line of Section 17, Township 13, Range 24 East; thence west along said section line S 88° 11' 14" W a distance of 1,651.85 feet to the point of beginning, containing 68.71 acres more or less.

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EXHIBIT B

STAR BOND DISTRICT AND PROJECT AREA

