

(Published in *The Legal Record* on June 24 and July 1, 2025)

RESOLUTION NO. 25-1056

A RESOLUTION CALLING AND PROVIDING FOR THE GIVING OF NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF CREATING A COMMUNITY IMPROVEMENT DISTRICT IN THE CITY OF OLATHE, KANSAS TO BE KNOWN AS THE CHAR BAR COMMUNITY IMPROVEMENT DISTRICT AND REGARDING THE CITY'S INTENT TO LEVY A COMMUNITY IMPROVEMENT DISTRICT SALES TAX WITHIN SUCH DISTRICT.

WHEREAS, K.S.A. 12-6a26 *et seq.* (the “Act”) authorizes the governing body of any city or county to create community improvement districts to finance projects within such defined area of the city or county and to levy a community improvement district sales tax and/or levy special assessments upon property within the district to finance projects; and

WHEREAS, a petition (the “Petition”) was filed with the City Clerk on June 5, 2025, proposing the creation of the 200 W. Santa Fe Street Community Improvement District (“CID”) under the Act, the imposition of a community improvement district sales tax in order to pay the costs of Projects (defined herein); and

WHEREAS, the Petition was signed by the required number of owners of record, whether resident or not, as required by the Act; and

WHEREAS, the City of Olathe, Kansas (the “City”) intends to create the CID and to levy a community improvement district sales tax in an amount equal to 2.0% as requested in the Petition (the “CID Sales Tax”); and

WHEREAS, the Governing Body hereby finds and determines it to be necessary to direct and order a public hearing on the advisability of creating the CID, approving the Projects described herein and levying the CID Sales Tax, pursuant to the authority of the Act; and further to provide for the giving of notice of said hearing in the manner required by the Act.

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

SECTION 1. Petition. The Governing Body hereby finds and determines that the Petition meets the requirements of the Act.

SECTION 2. Public Hearing. It is hereby authorized, ordered and directed that the Governing Body shall hold a public hearing, in accordance with the provisions of the Act, on the advisability of creating the CID, approving the Projects, and whether to impose a CID Sales Tax in an amount equal to 2.0% and such other matters related thereto, such public hearing to be held on **July 15, 2025 at 7:00 p.m.**, or as soon thereafter as the matter can be heard, at City Hall, City Council Chambers, 100 East Santa Fe, Olathe, Kansas, under the authority of the Act.

SECTION 3. Proposed CID Projects. The general nature of the proposed project is to renovate, redevelop or improve the CID to consist of: construction and reconstruction of the approximately 8,827 square foot existing structure and addition of approximately 15,500 additional

square feet for purposes of a family-friendly restaurant and entertainment establishment similar in concept to Char Bar located at 15348 Old Town Drive, Parkville, Missouri, and other facilities or improvements associated with or incidental to such use, including demolition of existing facilities and all public and private infrastructure improvements or facilities as further described in that certain Development Agreement between the City and CB Olathe Holdings LLC dated as of May 19, 2025; and the City's administrative costs in establishing and maintaining the CID, and other items collectively permitted to be financed within the CID under the Act (collectively, the "Projects").

SECTION 4. Estimated Cost. The estimated cost of the proposed Projects is \$10,521,660.

SECTION 5. Method of Financing, Community Improvement District Sales Tax and Special Assessments. The estimated cost of the proposed Projects will be financed by through a combination of private equity, private debt and pay-as-you-go financing, as defined in the Act. It is proposed that a CID Sales Tax in an amount equal to 2.0% be levied. There will not be any special assessments on property within the boundaries of the CID to pay the costs of the Projects.

SECTION 6. Map and Legal Description of Proposed CID. The legal description of the property to be contained in the proposed CID is set forth on **Exhibit A** attached hereto and incorporated by reference herein. A map generally outlining the boundaries of the proposed CID is attached as **Exhibit B** hereto and incorporated by reference herein.

SECTION 7. Notice of Hearing. The City Clerk is hereby authorized, ordered and directed to give notice of said public hearing by publication of this Resolution in the official newspaper. Such publication shall be at least once each week for two consecutive weeks. The second publication shall be at least 7 days prior to the date of the hearing. The City Clerk is hereby further ordered and directed to mail a copy of this Resolution, via certified mail, to all property owners within such proposed CID at least 10 days prior to the date of the hearing.

SECTION 8. Effective Date. This Resolution shall take effect and be in full force immediately after its adoption by the Governing Body of the City.

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ADOPTED on June 17, 2025.

By: _____
John Bacon, Mayor

[SEAL]

By: _____
Brenda Swearingian, City Clerk

EXHIBIT A

**LEGAL DESCRIPTION OF PROPOSED CHAR BAR
COMMUNITY IMPROVEMENT DISTRICT**

LOTS 1 AND 2, CHAMBER DISTRICT, A SUBDIVISION IN THE CITY OF OLATHE,
JOHNSON COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF.

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EXHIBIT B

MAP OF PROPOSED CHAR BAR COMMUNITY IMPROVEMENT DISTRICT

The following property located in Johnson County, Olathe, Kansas:

