



# City of Olathe

## COUNCIL AGENDA ITEM

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**MEETING DATE:** 4/20/2021

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**FOCUS AREA:** Legal; Economy

**STAFF CONTACT:** Ron Shaver; Aimee Nassif

**SUBJECT:** ANX 21-0003, Annexation of approximately 160.0± acres, Petitioner: The Robert S. Murphy Revocable Trust.

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### ITEM DESCRIPTION:

Consideration of Ordinance No. 21-16 (ANX 21-0003) annexing approximately 160.0± acres of land at the northeast corner of 175th Street and Hedge Lane, and an annexation agreement with the Robert S. Murphy Revocable Trust and BK Properties, LLC.

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### SUMMARY:

This item was a report on the April 6, 2021 City Council agenda. In accordance with K.S.A. 12-520 (a)(7), the Robert S. Murphy Revocable Trust (the "Landowner") and BK Properties, LLC (the "Developer") has submitted an agreement and a petition for annexation of approximately 160.0± acres of land (**Exhibits A & B**) (the "Property") which lies contiguous with the corporate boundaries of Olathe (upon annexation of the land to be annexed under ANX 21-0002). The property is generally located at the northeast corner of 175<sup>th</sup> Street and Hedge Lane.

The annexation agreement provides that the Landowner and Developer will submit a rezoning application from Johnson County RUR to City of Olathe M-2 and BP within 360 days of the effective date of the annexation. Development of the Property will be subject to City development standards as reasonably required by the City for all development projects within the City.

The Landowner and Developer have agreed to comply with all road improvement requirements required by the City for development of the Property, including any requirements to improve and/or dedicate the future right-of-way for Hedge Lane. Should Developer proceed with acquisition and development of the Property, the Property would be included in the benefit district to improve Hedge Lane from 175<sup>th</sup> to 171<sup>st</sup> Street.

the Property is within the boundaries of the 1-B-077-10 South Cedar Creek Sewer Phase I (aka 159th and Hedge Lane Crossing) sanitary sewer benefit district and is subject to its proportionate share of special assessments for such improvements. Any improvements required to extend sanitary sewers to the Property, including acquisition of any necessary easements related to such improvements, will be extended by Landowner (and dedicated to the City). The Property will receive water service from Johnson County Water District No. 1.

The property to be annexed upon adoption of an annexation ordinance is within the City of Olathe Growth Area and is shown on the Future Land Use Map as part of an Industrial Area and an Employment Area and includes Secondary Greenway.

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### FINANCIAL IMPACT:

None

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### ACTION NEEDED:

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**MEETING DATE:** 4/20/2021

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Approve Ordinance No. 21-16 (ANX 21-0003) annexing approximately 160.0± acres of land at the northeast corner of 175th Street and Hedge Lane, and an annexation agreement with the Robert S. Murphy Revocable Trust and BK Properties, LLC.

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**ATTACHMENT(S):**

- A. Agreement and Petition for Annexation
- B. Map of Subject Property
- C. Annexation ordinance