ORDINANCE NO. 20228

AN ORDINANCE introduced by City Manager Brent Trout, establishing the Dynamic Core Redevelopment District pursuant to K.S.A. 12-1770 et seq.

WHEREAS, notice of a public hearing to consider establishment of the redevelopment district was provided as required by K.S.A. 12-1771(a) and K.S.A. 12-1772(c) (Resolution No. 9146); and

WHEREAS, pursuant to K.S.A. 12-1771, the governing body held a public hearing on October 15, 2019 in City Council Chambers, 214 E. 8th, at 6 p.m. to consider the advisability of establishing a redevelopment district within an enterprise zone established on December 30, 1991, which hearing was recessed to December 3, 2019; and

WHEREAS, the hearing was held on December 3, 2019 and recessed to December 10, 2019; and

WHEREAS, the hearing was held on December 10, 2019 and concluded.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS, that:

Section 1. The map and legal description of the Dynamic Core Redevelopment District (District) is identified on Exhibit A which is attached herein and incorporated by reference.

Section 2. The District is an “eligible area” as defined at K.S.A. 12-1770a(g) by virtue of the area being included within an enterprise zone.

Section 3. The redevelopment of the area within the District is necessary to promote the general and economic welfare of the City. Accordingly, the District is established and its boundaries identified in Exhibit A.
Section 4. The District Plan, attached herein as Exhibit B and incorporated by reference, is approved.

Section 5. The city manager shall present an annual report by December 31 of each year on the status of the District to include, at a minimum, an overview of revenue expenses and current projects. Upon payment of all redevelopment project costs, any tax increment remaining in the special fund established pursuant to K.S.A. 12-1775 and amendments thereto, shall be used to pay the costs of a project within the redevelopment district approved by the Governing Body, the Board of Commissioners of Shawnee County, and the U.S.D 501 Board of Education. If the parties cannot agree on a project, the City shall allocate the remaining tax increment to each of the taxing subdivisions that levy taxes within the redevelopment district on a proportional basis based upon the respective mill levies.

Section 6. The governing body shall remove properties from the District that meet the criteria for a property tax rebate in accordance with a neighborhood revitalization program.

Section 7. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 8. The City Clerk is directed to provide a certified copy of the Ordinance to the County Clerk and to the Unified School District 501.
PASSED and APPROVED by the Governing Body December 10, 2019.

CITY OF TOPEKA, KANSAS

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Michelle De La Isla, Mayor

ATTEST:

_______________________________
Brenda Younger, City Clerk
EXHIBIT ‘A’


BEGINNING AT THE INTERSECTION OF THE EASTERN RIGHT OF WAY LINE OF SW KANSAS AVENUE AND SOUTHERN ORDINARY HIGH WATER LINE OF THE KANSAS RIVER, (AS LOCATED IN 2016); THENCE SOUTHERLY ALONG SAID EASTERN RIGHT OF WAY LINE TO THE INTERSECTION WITH THE CENTERLINE OF THE CONCRETE FLOOD PROTECTION WALL ALONG THE SOUTHERN SIDE OF THE KANSAS RIVER; THENCE EASTERNLY ALONG SAID PROTECTION WALL TO THE INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE EASTERNLY 45 FEET WIDE RIGHT OF WAY LINE OF NE ADAMS STREET; THENCE SOUTH-SOUTHWESTERLY ALONG SAID EASTERNLY RIGHT OF WAY LINE TO THE INTERSECTION WITH THE NORTHERN RIGHT OF WAY LINE OF NE CRANE STREET; THENCE EASTERNLY ALONG SAID NORTHERN RIGHT OF WAY LINE, 20 FEET, MORE OR LESS; THENCE SOUTH-SOUTHWESTERLY ALONG THE CENTER OF VACATED ADAMS STREET TO THE CENTERLINE OF NE 1ST STREET; THENCE SOUTH-SOUTHEASTERLY TO THE NORTHWEST CORNER OF LOT 217 (ON 1ST STREET) CRANE'S ADDITION; THENCE SOUTHEASTERLY TO A POINT 20 FEET WEST OF THE NORTHEAST CORNER OF LOT 14 (ON ADAMS STREET) CRANE'S ADDITION; THENCE SOUTHERLY TO THE INTERSECTION WITH THE NORTHERN RIGHT OF WAY LINE OF VACATED 2ND STREET, (ORDINANCE NO.552) AND THE NORTHERLY PROLONGATION OF THE EASTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET, (ORDINANCE NO. 552); THENCE SOUTH-SOUTHWESTERLY ALONG SAID PROLONGATED EASTERN RIGHT OF WAY LINE, 80 FEET TO THE SOUTHERN RIGHT OF WAY LINE OF SAID VACATED 2ND STREET; THENCE SOUTH-SOUTHWESTERLY TO THE SOUTHEAST CORNER OF LOT 71 (ON HOLLIDAY STREET) CRANE'S ADDITION, BEING THE WESTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET AND THE NORTHERN RIGHT OF WAY LINE OF VACATED 3RD STREET, (ORDINANCE NO. 2489); THENCE SOUTH-SOUTHWESTERLY ALONG THE PROLONGATION OF VACATED HOLLIDAY STREET TO THE NORTHEAST CORNER OF LOT 231 (ON 5TH STREET, VACATED ORDINANCE NO.333) HOLLIDAY ADDITION; THENCE SOUTH-SOUTHWESTERLY ALONG THE WESTERN RIGHT OF WAY LINE OF VACATED HOLLIDAY STREET, (VACATED ORDINANCE NO. 2362) AND IT’S SOUTH-SOUTHWESTERLY PROLONGATION, BEING 25 FEET, MORE OR LESS WEST OF THE BNSF RAILWAY COMPANY TRACK TO THE SOUTH RIGHT OF WAY LINE OF SE 17TH STREET; THENCE WEST ALONG THE SOUTH RIGHT OF WAY LINE OF SE 17TH STREET TO THE INTERSECTION WITH THE CENTERLINE OF SW KANSAS AVENUE; THENCE NORTH ALONG THE CENTERLINE OF SW KANSAS AVENUE TO THE INTERSECTION WITH THE CENTERLINE OF SW 15TH STREET; THENCE EAST ALONG THE CENTERLINE OF SW 15TH STREET TO THE INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD; THENCE NORTH ALONG THE WEST RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD TO THE NORTH RIGHT OF WAY LINE OF SW HUNTOON STREET; THENCE NORTH-NORTHEASTERLY ALONG THE WESTERLY RIGHT OF WAY LINE OF SW TOPEKA BOULEVARD TO THE NORTHERN RIGHT OF WAY LINE OF SW 1ST STREET, BEING THE SOUTHEAST CORNER OF THE CITY OF TOPEKA MAINTENANCE FACILITY PROPERTY; THENCE WESTERLY ALONG SAID NORTHERN RIGHT OF WAY LINE 322 FEET, MORE OR LESS, TO THE EASTERN RIGHT OF WAY LINE OF SW TYLER STREET; THENCE NORTHERLY ALONG SAID EASTERN RIGHT OF WAY LINE, 441 FEET, MORE OR LESS, TO THE SOUTH LINE OF A PERMANENT RIGHT OF WAY EASEMENT RECORDED IN BOOK 4274, PAGE 567 IN THE OFFICE OF THE SHAWNEE COUNTY REGISTER OF DEEDS; THENCE WESTERLY ALONG SAID SOUTH LINE, 135 FEET, MORE OR LESS, TO THE EASTERNLY BOUNDARY LINE OF THE UNION PACIFIC RAILROAD, COMMON WITH SAID CITY OF TOPEKA MAINTENANCE FACILITY PROPERTY; THENCE NORTHERLY ALONG SAID COMMON LINE, A DISTANCE OF 658 FEET, MORE OR LESS, TO THE ORDINARY HIGH WATER LINE OF THE KANSAS RIVER, (AS LOCATED IN 2016); THENCE EASTERNLY ALONG SAID SOUTHERLY ORDINARY HEIGHT WATER LINE, 2197 FEET, MORE OR LESS TO THE PLACE OF BEGINNING.

EXCLUDING THE FOLLOWING; SEE ATTACHED EXHIBIT ‘A1’
EXHIBIT B

District Plan

The proposed plan is based upon a market study that concluded that the area encompassed by the proposed District could support 900 new and rehabilitated housing units, 690,000 supportable square feet of retail space, 300,000 new and rehabilitated square feet of office space and over 200 new hotel rooms over the next ten years. The District shall consist of one (1) or more redevelopment project areas, which are anticipated to include a mix of all these uses including retail, restaurant, and other commercial uses with associated amenities, along with associated infrastructure.