

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.

27 Section 4. The District Plan, attached herein as Exhibit B and incorporated by
28 reference, is approved.

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

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

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

44 Section 8. The City Clerk is directed to provide a certified copy of the Ordinance
45 to the County Clerk and to the Unified School District 501.

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47 PASSED and APPROVED by the Governing Body December 10, 2019.

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CITY OF TOPEKA, KANSAS

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Michelle De La Isla, Mayor

55 ATTEST:

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Brenda Younger, City Clerk

EXHIBIT 'A'

PORTIONS OF THE SOUTHWEST QUARTER OF SECTION 29, PORTIONS OF THE SOUTHEAST QUARTER OF SECTION 30, PORTIONS OF THE NORTHWEST, SOUTHWEST, SOUTHEAST AND NORTHEAST QUARTERS OF SECTION 31, PORTIONS OF THE NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 32, ALL IN TOWNSHIP 11 SOUTH, RANGE 16 EAST; PORTIONS OF THE NORTHWEST QUARTER OF SECTION 5, PORTIONS OF THE NORTHWEST AND NORTHEAST QUARTERS OF SECTION 6, ALL IN TOWNSHIP 12 SOUTH, RANGE 16 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY, KANSAS, BOUNDED AND DESCRIBED AS FOLLOWS:

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 EASTERLY ALONG SAID PROTECTION WALL TO THE INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE EASTERLY 45 FEET WIDE RIGHT OF WAY LINE OF NE ADAMS STREET; THENCE SOUTH-SOUTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE INTERSECTION WITH THE NORTHERN RIGHT OF WAY LINE OF NE CRANE STREET; THENCE EASTERLY 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 WEST 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 EASTERLY 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 EASTERLY ALONG SAID SOUTHERLY ORDINARY HIGHT WATER LINE, 2197 FEET, MORE OR LESS TO THE PLACE OF BEGINNING.

EXCLUDING THE FOLLOWING; SEE ATTACHED EXHIBIT 'A1'

TOPEKA, KANSAS
TIF DISTRICT
8.14.2019



NE RIVER RD

17TH STREET

TOPIKA BLVD

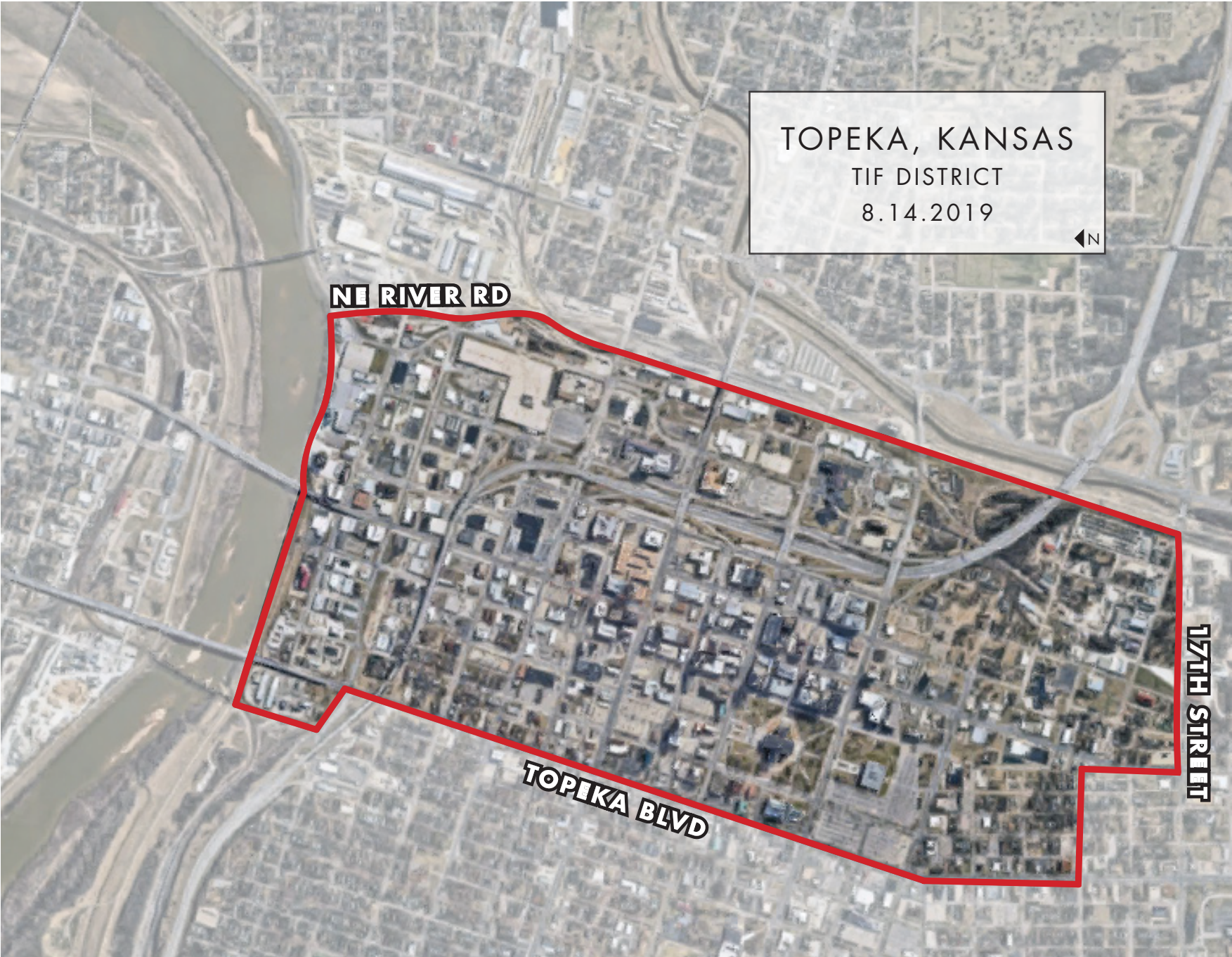


Exhibit A1 - Exclusion from TIF District

PROPERTY DESCRIPTION	ADDRESS	
RITCHIE'S ADDITION , Lot 425 , QUINCY ST LOT 425 RITCHIES ADD SECTION 06 TOWNSHIP 12 RANGE 16	1229 SE QUINCY ST	Topeka, KS 66612
ORIGINAL TOWN , Lot 115 + , TENTH AVE EAST ALL LOTS 115-117-119 SECTION 31 TOWNSHIP 11 RANGE 16	123 SE 10TH AVE	Topeka, KS 66612
ORIGINAL TOWN, S31, T11, R16, Lot 104 + , TENTH AVE EAST LOTS 104-106-108-11 0-112-114-116-118-120	120 SE 10TH AVE	Topeka, KS 66612
ORIGINAL TOWN , Lot 307 , KANSAS AVE LOT 307 SECTION 31 TOWNSHIP 11 RANGE 16	919 S KANSAS AVE	Topeka, KS 66612
ORIGINAL TOWN, S31, T11, R16, Lot 295 + , QUINCY ST LOTS 295-297-299	909 SE QUINCY ST	Topeka, KS 66612
ORIGINAL TOWN, S31, T11, R16, Lot 305, KANSAS AVE S 9 INCHES OF LOT 301 ALL LOTS 303 & 305 SECTION 31 TOWNSHIP 11 RANGE 16	915 S KANSAS AVE	Topeka, KS 66612
ORIGINAL TOWN, S31, T11, R16, Lot 290 + , ACRES 0.26, KANSAS AVE LOTS 290-292-294 ORIGINAL TOWN	900 S KANSAS AVE	Topeka, KS 66612
ORIGINAL TOWN , Lot 289 + , KANSAS AVE LOTS 289-291-293-295 SECTION 31 TOWNSHIP 11 RANGE 16	901 S KANSAS AVE	Topeka, KS 66612
ORIGINAL TOWN , Lot 274 , KANSAS AVE LOT 274 SECTION 31 TOWNSHIP 11 RANGE 16	820 S KANSAS AVE	Topeka, KS 66612
ORIGINAL TOWN , Lot 277 + , HARRISON ST LOT 277 LESS N 32INCHES THEREOFF & ALL LOTS 279 THRU 287 (ODD) & E1/2 VAC ALLEY TO SD LOT S SECTION 31 TOWNSHIP 11 RANGE 16	404 SW 9TH ST	Topeka, KS 66612
ORIGINAL TOWN, S31, T11, R16, Lot 108 + , ACRES 0.18, SE 8TH AVE LOTS 108-110 ALSO A TRACT DAF BEG 79.22' N SW COR LOT 112 TH NE 50.71 SE 25.02 SW 50.72 NW 25.02 TO POB	112 SE 8TH AVE	Topeka, KS 66603
ORIGINAL TOWN, S31, T11, R16, Lot 246, KANSAS AVE LOT 246 & 1' STRIP ALLEY LYING E OF LOT SECTION 31 TOWNSHIP 11 RANGE 16	728 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 247 , KANSAS AVE LOT 247 SECTION 31 TOWNSHIP 11 RANGE 16	731 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 238 , KANSAS AVE LOT 238 SECTION 31 TOWNSHIP 11 RANGE 16	720 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 236 , KANSAS AVE LOT 236 SECTION 31 TOWNSHIP 11 RANGE 16	718 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 233 + , LOTS 233-235-237 (ODD) ON KANSAS AV E & ADJ VAC ALLEY & W 10' KANSAS AV E ADJ TO LOTS 233 THRU 239 (ODD) SECTION 31 TOWNSHIP 11 RANGE 16	719 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN, S31, T11, R16, Lot 217 + , QUINCY ST E 50FT OF LOTS 217-219-221-223 & E 50FT OF N 15FT OF LOT 22 5 SECTION 31 TOWNSHIP 11 RANGE 16	707 SE QUINCY ST	Topeka, KS 66603
ORIGINAL TOWN , Lot 234 + , LOTS 234-236-238 & 240 ON JACKSON S T AKA UNIT 3 SECTION 31 TOWNSHIP 11 RANGE 16	716 SW JACKSON ST #3	Topeka, KS 66603
ORIGINAL TOWN, S31, T11, R16, Lot 218 + , KANSAS AVE LOTS 218-220-222-224 SECTION 31 TOWNSHIP 11 RANGE 16	700 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN, S31, T11, R16, Lot 221 + , KANSAS AVE LOTS 221-223 SECTION 31 TOWNSHIP 11 RANGE 16	705 S KANSAS AVE	Topeka, KS 66603
HOLLIDAY SUB , Lot 183 + , BEG 205.77' E OF NW COR LOT 169 TH E 114.85' S 154.20' W 58.16' N 57.6 8' W 17.22' S 3.27' W 30.7' N 2.95' W 9.04' N 97.26' TO POB SECTION 32 TOWNSHIP 11 RANGE 16	600 SE MADISON ST	Topeka, KS 66607
ORIGINAL TOWN, S31, T11, R16, Lot 121 + , 6TH AVE E LTS 121 THRU 131 (ODD #L TS) & N 1/2 VAC ALLEY SECTION 31 TOWNSHIP 11 RANGE 16	600 SE QUINCY ST	Topeka, KS 66603
ORIGINAL TOWN , Lot 117 + , SIXTH AVE EAST LOTS 117-119 SECTION 31 TOWNSHIP 11 RANGE 16	123 SE 6TH AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 115 , SIXTH AVE EAST LOT 115 SECTION 31 TOWNSHIP 11 RANGE 16	119 SE 6TH AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 111 , SE 6TH LOT 111 SECTION 31 TOWNSHIP 11 RANGE 16	115 SE 6TH AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 181 + , KANSAS AVE LOT 181 & 183 SECTION 31 TOWNSHIP 11 RANGE 16	601 S KANSAS AVE	Topeka, KS 66603
KEYWAY SUB , BLOCK U , Lot 1 + , BLK U LOTS 1 THRU 16 BLK Y LOTS 1 T HRU 18 PLUS VACATED 5TH S T BY ORD 11235 KEYWAY SUB SECTION 32 TOWNSHIP 11 RANGE 16	420 SE 6TH AVE	Topeka, KS 66607
ORIGINAL TOWN , Lot 141 + , KANSAS AVE LTS 141,143 SECTION 31 TOWNSHIP 11 RANGE 16	435 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 131 , KANSAS AVE LOT 131 SECTION 31 TOWNSHIP 11 RANGE 16	423 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 79 , KANSAS AVE LOT 79 SECTION 31 TOWNSHIP 11 RANGE 16	307 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 73 + , KANSAS AVE LT 73-75-77 LESS CONDO U NITS A B C D E F & OFFICE 1 SECTION 31 TOWNSHIP 11 S30, T11, R16, POB NE COR HARRISON & 1ST ST, TH N 450.73, E 160.56, S 450.73, W 160.5 6 TO POB	303 S KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , UNIT A SELLS BROTHERS BUILDING LOFT ASSOCIATION INC CONDO SECTION 31 TOWNSHIP 11 RANGE 16	320 SW 1ST ST	Topeka, KS 66603
S31 , T11 , R16 , UNIT B SELLS BROTHERS BUILDING LOFT ASSOCIATION INC CONDO	303 S KANSAS AVE #A	Topeka, KS 66603
S31 , T11 , R16 , UNIT C SELLS BROTHERS BUILDING LOFT ASSOCIATION INC CONDO	303 S KANSAS AVE #B	Topeka, KS 66603
S31 , T11 , R16 , UNIT D SELLS BROTHERS BUILDING LOFT ASSOCIATION INC CONDO	303 S KANSAS AVE #C	Topeka, KS 66603
ORIGINAL TOWN , UNIT E SELLS BROTHERS BUILDING LOFT ASSOC INC CONDO SECTION 31 TOWNSHIP 11 RANGE 16	303 S KANSAS AVE #D	Topeka, KS 66603
S31 , T11 , R16 , UNIT F SELLS BROTHERS BUILDING LOFT ASSOCIATION INC CONDO	303 S KANSAS AVE #E	Topeka, KS 66603
S31 , T11 , R16 , OFFICE 1 SELLS BROTHERS BUILDING LO FT ASSOCIATION INC CONDO	303 S KANSAS AVE #F	Topeka, KS 66603
ORIGINAL TOWN , Lot 225 + , ACRES 0.35, KANSAS AVE LOTS 225-227-229-231 LES S UNITS 401-402-403-404-301-302-305 -306	303 S KANSAS AVE #1	Topeka, KS 66603
ORIGINAL TOWN , Lot 225 + , ACRES 0.35, KANSAS AVE LOTS 225-227-229-231 LES S UNITS 401-402-403-404-301-302-305 -306	709 S KANSAS AVE #304	Topeka, KS 66603
ORIGINAL TOWN, S31, T11, R16, Lot 280, ACRES 0.09, KANSAS AVE LOT 280	826 S KANSAS AVE	Topeka, KS 66612
MILL BLOCK, S30, T11, R16, Lot 17, ACRES 0.1, BEG SW COR LOT 17 TH N 50.18 E 87 S 48(S) W 12(S) S .95 W 74.67 TO POB	115 N KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN, S31, T11, R16, Lot 343 + , ACRES 0.52, QUINCY ST S1/2 LOT 341 LESS W 20 & LOTS 343- 345-347-349-351-353-355 LESS BEG NW COR S 1/2 LOT 343 TH SE 20 SW 26.73 NW 20 NE 26.73 TO POB & LESS BEG SW COR LOT 355 NE 109.96 SE 20 SW 109.96 NW 20 TO P	1035 SE QUINCY ST	Topeka, KS 66612
ASSUMPTION CHURCH SUB, S31, T11, R16, BLOCK A, Lot 1, ACRES 0.5, BLK A LOT 1 ASSUMPTION CHURCH SUB	735 SW JACKSON ST	Topeka, KS 66603
WINTER PARK, S32, T11, R16, BLOCK A, Lot 1, ACRES 0.7, BLK A LOT 1 WINTER PARK SUB	135 SE JEFFERSON ST	Topeka, KS 66607
ORIGINAL TOWN, S31, T11, R16, Lot 74 + , ACRES 0.52, 74-76-78-80-82-84 VAN BUREN, ORIGINAL TOWN	304 SW VAN BUREN ST	Topeka, KS 66603
ORIGINAL TOWN, S31, T11, R16, Lot 282 + , ACRES 0.35, KANSAS AVE LOTS 282-284-286-288	830 S KANSAS AVE	Topeka, KS 66612
ORIGINAL TOWN , Lot 309 + , KANSAS AVE LOT 309-N 5FT OF W 1/2 OF LOT 311 SECTION 31 TOWNSHIP 11 RANGE 16	921 S KANSAS AVE	Topeka, KS 66612
HUNTOONS ADDITION, S06, T12, R16, BLOCK 11, Lot 470 + , HARRISON ST LOTS 470, 472, 474, 476, 478, 480 & N 10.5 FT OF LOT 482 BLK 11 HUNTOONS ADD SECTION 06 TOWNSHIP 12 RANGE 16	1306 SW HARRISON ST	Topeka, KS 66612
ORIGINAL TOWN , Lot 276 + , KANSAS AVE LT 276 278 SECTION 31 TOWNSHIP 11 RANGE 16	822-824 S KANSAS AVE	Topeka, KS 66612
ORIGINAL TOWN, S31, T11, R16, Lot 97 + , N 75' OF LOTS 97-99-101-103-105-107-109-111-113-115 W OF RR SPUR 20' R/W SECTION 31 TOWNSHIP 11 RANGE 16	100 S KANSAS AVE	Topeka, KS 66603
MILL BLOCK , Lot 1 + , LTS 1 , 3 , 5 , 7 & PT VAC ALLEY POB S W COR LT 1 , TH W 15 , N 100 , E 15 , S 100 TO POB SECTION 30 TOWNSHIP 11 RANGE 16	101 N KANSAS AVE	Topeka, KS 66603
ORIGINAL TOWN , Lot 104 + , VAN BUREN ST N 10FT LOT 104-S 15FT OF W 93FT LOT 104 & N 12 1/2 FT OF W 93FT OF LOT 106 SECTION 31 TOWNSHIP 11 RANGE 16	330 SW VAN BUREN ST	Topeka, KS 66603
ORIGINAL TOWN, LOT 209, QUINCY ST. LOT 209, SECTION 31, TOWNSHIP 11, RANGE 16	629 SE QUINCY ST	Topeka, KS 66603
ORIGINAL TOWN, LOT 301, KANSAS AVE N 24 FT, 3IN, LOT 301, SECTION 31, TOWNSHIP 11, RANGE 16	913 S KANSAS AVE	Topeka, KS 66612
ORIGINAL TOWN, LOT 296+, KANSAS AVE LOT 296, 298, & 300, SECTION 31 TOWNSHIP 11, RANGE 16	906 S KANSAS AVE	Topeka, KS 66612

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.