



2019-2021

## ***City of Topeka, Kansas***

Effective January 1, 2019  
ADOPTED BY THE CITY OF TOPEKA GIVERNING BODY:

October 23, 2018

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## **Introduction**

This Plan is intended to promote the revitalization of the inner urban area hereinafter described as the Neighborhood Revitalization Area (NRA) of the City of Topeka through the rehabilitation, conservation and redevelopment of the area in order to protect the public health, safety welfare of the residents of the City. More specifically, in accordance with KSA 12-17, 118 (d), a tax rebate incentive will be available to property owners for certain improvements that raise the appraised value of residential property 10% and commercial property 20%.

In accordance with KSA 12-17, 114 et. seq., the Governing Body has held a public hearing and considered the existing conditions and alternatives with respect to the described area, the criteria and standards for a tax rebate and the necessity for interlocal cooperation among the other taxing units (City of Topeka, Shawnee County, USD 501 (Topeka), USD 345 (Seaman), USD 450 (Shawnee Heights), USD 437 (Auburn-Washburn Rural), Washburn University, Topeka-Shawnee County Public Library, Topeka Metropolitan Transit Authority (TMTA), Metropolitan Topeka Airport Authority (MTAA). Accordingly, the Governing Body has reviewed, evaluated, and found that the described area meets one or more of the conditions contained in KSA 12-17,115 (c).

1. An area in which there is a predominance of buildings or improvements which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety or welfare;
2. An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, defective or inadequate streets, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is detrimental to the public health, safety or welfare in its present condition and use; or

3. An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.

Furthermore, the Governing Body may declare a building outside of a NRA to be a “dilapidated structure” if the structure satisfies the following definition KSA 12-17,115(a): “Dilapidated structure” means a residence or other building which is in deteriorating condition by reason of obsolescence, inadequate provision of ventilation, light, air or structural integrity or is otherwise in a condition detrimental to the health, safety or welfare of its inhabitants or a residence or other building which is in deteriorating condition and because of age, architecture, history or significance is worthy of preservation.

The boundary of the proposed NRA is intended to reflect the City’s most investment-challenged and deteriorated areas as determined by the City’s Neighborhood Health Map. The NRA includes all designated “Intensive Care” and “At Risk” Census block groups based on the most recent update of the health map in 2017. These areas are deemed to qualify under all of the above criteria (KSA 12-17, 115 (c)).

In addition, some parts of the proposed NRA are outside At Risk/Intensive Care designations. Those areas are included because they either: 1) have been historically “At Risk” since 2000, 2) are part of infill subdivisions or redevelopment areas that were dependent upon and approved under the City’s past Neighborhood Revitalization Plans, 3) are part of minor boundary rounding to make the NRA as contiguous and orderly as possible, or 4) otherwise would qualify under the above criteria (KSA 12-17, 115 (c)). Taken as a whole, the proposed NRA meets legislative and statutory intent of KSA 12-17, 115 (c).

Any boundary expansions should be consistent with the above criteria and the State’s Attorney General’s opinion issued in 1996 which determined that the intent of the legislation was aimed at neighborhood stabilization and preventing deterioration in the central section of the city or more specifically, neighborhoods. The opinion concludes that the governing body must make a finding that the area meets one of the conditions listed in KSA 12-17, 115 (c), that rehabilitation of the

area is necessary to protect the welfare of the municipalities' residents, and that the area should not include the entire municipality.

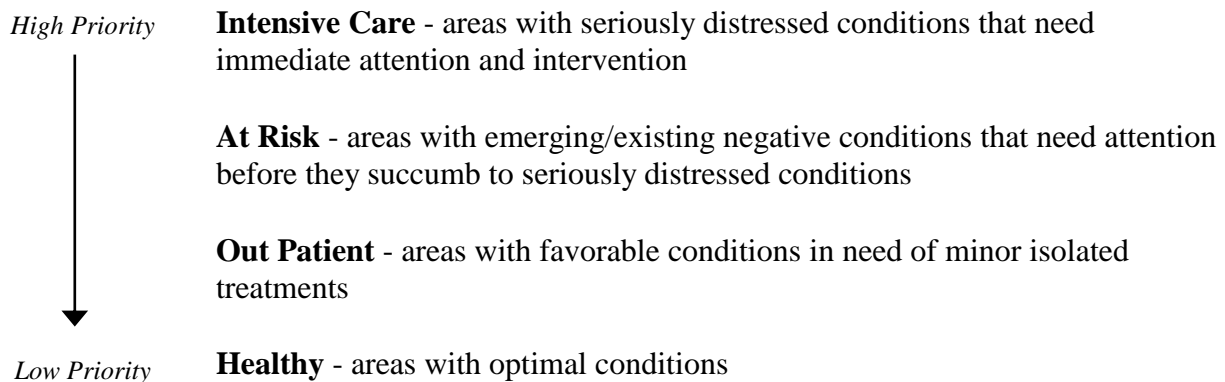
As a matter of policy, the City of Topeka's NRA is also proposed to be limited in scope to the above areas in order to promote a streamlined and administrative "but for" policy. The inherent presumption of this Plan is that necessary private investments would not occur in these areas "but for" the incentives offered under the Plan. Incentives are approved administratively by City of Topeka staff upon application by the property owner without further proof of need for the incentives. In order to enforce this assumption, the Plan puts forth thresholds for application deadlines to ensure the applicant knew about the program prior to construction and that the investment must create an impactful value increase.

Therefore, this Plan finds the proposed areas are most legally justifiable under State law and provides for a streamlined "but for" test to revitalize the City's most deteriorated sections.

## PART 1

### DESCRIPTION OF NEIGHBORHOOD REVITALIZATION AREA

The Neighborhood Revitalization Area (Map #1) in general follows the boundaries of *Intensive Care* and *At Risk* neighborhoods as identified in the City of Topeka Neighborhood Health Map. This map most recently updated in 2017, establishes four (4) health classifications for neighborhoods (intensive care, at risk, out patient, and healthy) to determine priorities for re-investment and planning assistance. They are described below in order of priority:



The four health classifications were based on five (5) vital signs that measured the relative health of all neighborhood areas in Topeka. This neighborhood health assessment was used to develop a “triage” approach to revitalization. Those areas that had more “life-threatening” or urgent needs as measured by the vital signs should receive higher priority for treatment over those areas with less urgent needs. These higher priority areas (*intensive care/at risk*) are the focus for neighborhood planning efforts and public re-investment. A summary of the vital signs include:

**Poverty (2012-2016 American Community Survey 5-Year Estimates, U.S Census)** - High concentrations of poverty are one of the most reliable indicators of performance in school, crime rates, family fragmentation, job readiness, housing conditions, etc.

**Public Safety (January 2015 – December 2016, Topeka Police Dept.)** – Public Safety, as measured by number of Part 1 crimes reported for the last two full years, is a symptom indicating the local environmental conditions conducive to crime and how well a neighborhood is organized to prevent crime from occurring.

**Residential Property Values (June 2017, Shawnee County Appraisers Office)** – Property values are in part a reflection of the quality of housing supply and the image of a neighborhood. The median value of a house purchased in Shawnee County was \$122,000 in 2018 (Topeka Association of Realtors).

### **Single Family Housing Tenure (June 2017 Shawnee County Appraisers Office)**

The percentage of homeowners residing in a neighborhood can be an indication of the willingness (or confidence) to invest in the area. The most relevant measure of this is how many single-family dwellings are owner-occupied since these homes were primarily built for individual ownership.

**Secured Houses & Unsafe Structures (2017 City of Topeka Code Enforcement Unit)** - A secured house is one of the most evident physical displays that will undermine confidence in an area for investment and precipitates a downward spiral for the block and/or neighborhood.

### **Vital Sign Ranges (2017)**

Neighborhood Health Composite (avg. score)	% of Persons Below Poverty Level (score)	Part 1 Crimes per 100 Persons (score)	Average Residential Property Values (score)	% Owner Occupied Housing Units (score)	Number of Secured and Unsafe Structures Per 100 Properties (score)
<b>Healthy</b> (3.3 - 4.0)	<b>2017: 0 - 9%</b> (4)	<b>0 - 12</b> (4)	<b>2017: \$107,029 and ↑</b> (4)	<b>70 - 100%</b> (4)	<b>2017: 0</b> (4)
<b>Out Patient</b> (2.7 - 3.2)	<b>2017: 10 - 18%</b> (3)	<b>13 - 18</b> (3)	<b>2017: \$69,613 - \$107,028</b> (3)	<b>50 - 69%</b> (3)	<b>2017: 0.01 - 0.75</b> (3)
<b>At Risk</b> (1.9 - 2.6)	<b>2017: 19 - 30%</b> (2)	<b>19 - 28</b> (2)	<b>2017: \$41,364 - \$69,612</b> (2)	<b>34 - 49%</b> (2)	<b>2017: 0.76 - 1.75</b> (2)
<b>Intensive Care</b> (1.0 - 1.8)	<b>2017: 31 - 100%</b> (1)	<b>29 +</b> (1)	<b>2017: \$41,363 and ↓</b> (1)	<b>0 - 33%</b> (1)	<b>2017: 1.75 and ↑</b> (1)

### **Area Profile**

Health rankings are determined by averaging all vital sign levels for each neighborhood area. *Intensive care* and *at risk* neighborhoods have the lowest vital sign measurements, and hence are the primary focus of the Neighborhood Revitalization (NR) Area. Below is a comparison profile of the NR Area and non-NR Area

Total Primary Neighborhood Revitalization Area (2017)

Health Rating	Part 1 Crimes per 100 persons	% of Persons Below Poverty Level	% Owner Occupied Single Family Housing units	Secured & Unsafe Structures	Average Residential Property Values
Intensive Care	24	46.9%	36.5%	1.81	\$33,076
At Risk	15	33.3%	50.1%	1.11	\$58,131
Out Patient	13	19.2%	53.4%	0.13	\$58,555
Total Primary NR Area	17	33.2%	46.6%	1.02	\$49,921

#### Total Non Neighborhood Revitalization Area (2017)

Health Rating	Part 1 Crimes per 100 persons	% of Persons Below Poverty Level	% Owner Occupied Single Family Housing units	Secured & Unsafe Structures	Average Residential Property Values
Out Patient	13	17.4%	61.2%	0.35	\$130,680
Healthy	7	7.7%	82.3%	0.06	\$207,611
Total Non NR Area	10	12.6%	71.7%	0.21	\$169,145

#### General Characteristics (2017)

Area	Square Miles	% of Total	#of Parcels	% Total	Vacant Parcels	% Total
Intensive Care	2.5	4.0%	2,787	5.4%	451	10.4%
At Risk	9.4	15.0%	10,491	20.5%	1,605	37.1%
Out Patient	2.3	3.7%	2,038	4.0%	97	2.2%
Kanza/ USD 501	0.3	0.5%	27	0.05%	4	0.09%
Total NR AREA	14.2	22.7%	15,438	30.1%	2,153	49.8%
Non-NR Area	48.4	77.3%	20,399	39.8%	2,172	50.2%
Total (All Topeka)	62.6	100%	51,275	100%	4,325	100%

#### General Characteristics

Area	2010 Population	% of Total	Total Housing Units (2013 - 2017 ACS)	% of Total	Real Property Valuation (2018)	% of Total
Intensive Care (Primary)	5,858	4.6%	2,550	3.8%	\$269,201,160	3.2%
At Risk (Primary)	26,770	20.9%	12,201	18.1%	\$1,451,132,000	17.1%
Out Patient (Primary)	5,733	4.5%	2,596	3.8%	\$2,317,832,000	27.4%
Total NR Area	38,361	30.0%	17,347	25.7%	\$1,963,586,880	23.2%
Non NR Area	89,556	70.0%	50,136	74.3%	\$2,471,130,500	29.2%
Total (All Topeka)	127,917	100%	67,483	100%	\$8,472,882,540	100.0%

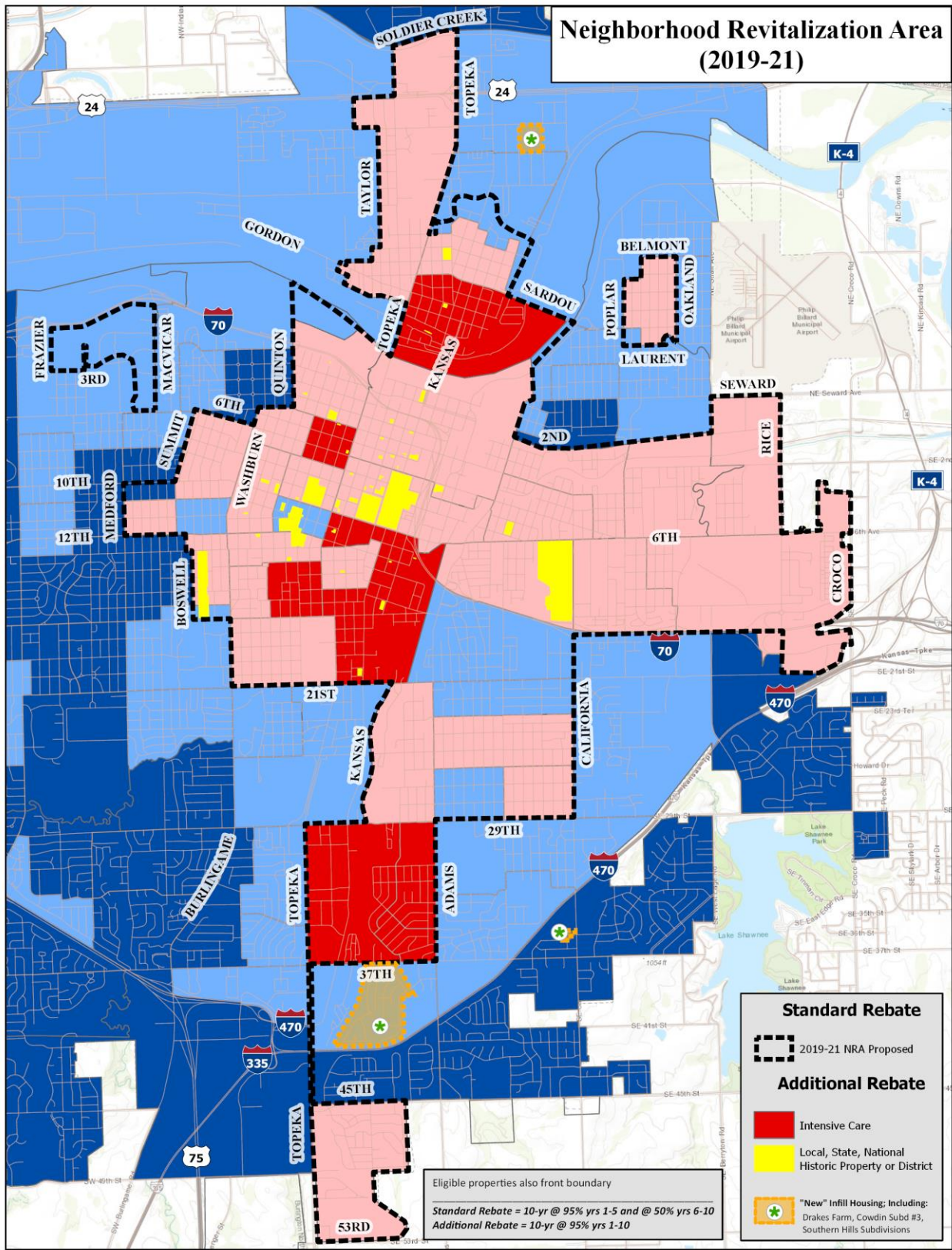
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Out Patient (Primary)	5,733	4.5%	2,596	3.8%	\$2,317,832,000	27.4%
Total NR Area	38,361	30.0%	17,347	25.7%	\$1,963,586,880	23.2%
Non NR Area	89,556	70.0%	50,136	74.3%	\$2,471,130,500	29.2%
Total (All Topeka)	127,917	100%	67,483	100%	\$8,472,882,540	100.0%

## Summary

- The primary NR Area comprises only 23% of the land area of Topeka, but contains approximately 50% of all vacant parcels in the City.
- The poverty rate in the primary NR Area is two and a half times the poverty rate of the non-NR Area.
- Average residential property values are nearly three times greater outside of the NR Area than within its boundaries.
- The homeownership rate is substantially greater outside of the primary NR Area boundary (72% versus 47%).
- 72% of all secured and unsafe structures in the City are located within the NR Area boundary yet only constitute 26% of all housing units in the city





**LEGAL DESCRIPTION OF  
Neighborhood Revitalization Area  
OCTOBER, 2018**

**PRIMARY AREA**

Beginning at the intersection of the Centerline of US Highway 24 with the Centerline of NW Clay Street; thence easterly, on the Centerline of US Highway 24, to an intersection with the Centerline of NW Rochester Road; thence northerly on the Centerline of NW Rochester Road to an intersection with the Centerline of Soldier Creek; thence easterly on the Centerline of Soldier Creek to an intersection with the Centerline of NW Topeka Boulevard; thence southerly, on the Centerline of NW Topeka Boulevard to an intersection with the Centerline of Soldier Creek; thence easterly down the Centerline of Soldier Creek to an intersection with the Centerline of the Mainline Track of the Union Pacific Railroad; thence southerly, on the centerline of said mainline track, to an intersection with the Centerline of the West Approach to the Sardou Bridge over the Kansas River; thence east-southeasterly on the centerline of said approach and the Centerline of the Sardou Bridge to an intersection with the Centerline of the Kansas River; thence southwesterly up the Centerline of the Kansas River to an intersection with an extension of the Centerline of NE Chandler Street; thence southerly on the Centerline of NE Chandler Street to an intersection with the Centerline of NE Seward Avenue; thence westerly on the Centerline of NE Seward Avenue to an intersection with the Centerline of NE Branner Street; thence south-southwesterly on the Centerline of Branner Street to an intersection with the Centerline of the Mainline Track of the Burlington Northern - Santa Fe Railway; thence easterly on the centerline of said mainline track to an intersection with the East line of the Northeast Quarter of Section 33, Township 11 South, Range 16 east of the 6<sup>th</sup> P.M.; thence northerly on the East line of the Northeast Quarter to an intersection with the Centerline of NE Seward Avenue; thence easterly on the Centerline of NE Seward Avenue to an intersection with the Centerline of NE Rice Road; thence southerly on the Centerline of NE Rice Road and on the Centerline of SE Rice Road to an intersection with the Centerline on SE Sixth Street; thence easterly on the Centerline of SE Sixth Street to the extended West line of Reser's Croco Subdivision No. 2; thence on the boundary of Reser's Croco Subdivision No. 2 the following five courses: northerly, 300.00 feet; westerly, 100.00 feet; northerly, 1642.97 feet; easterly, 300.00 feet; southerly, 399.26 feet. Thence easterly on the North line of Reser's Croco Subdivision No. 2 and its extension to an intersection with the East line of the Southeast Quarter of Section 34, Township 11 South, Range 16 East of the Sixth P.M.; thence southerly to the Northeast corner of Section 3, Township 12 South, Range 16 East of the 6<sup>th</sup> P.M.; thence westerly on the North line of Section 3, 330.61 feet; thence southerly and parallel to the East line of Section 3, 527.03 feet; thence easterly and parallel to the North line of Section 3, 330.61 feet to an intersection with the East line of Section 3; thence southerly on the East line of Section 3 to the North right of way line of Interstate Highway No. 70; thence southwesterly on the right of way line to the East line of the West Half of the Southeast Quarter of Section 3; thence southerly on said East line to the South right of way line of Interstate Highway No. 70; thence easterly on the right of way line to the East line of the Southeast Quarter of Section 3; thence southerly on the East line of the Southeast Quarter to the Northeast corner of the South Half of the Southeast Quarter of Section 3; thence westerly to the Northeast corner of Lot 3, Altair Heights Subdivision; thence southerly to the Southeast corner of Lot 3, Altair Heights Subdivision; thence westerly to the extended East line of Lot 5, Altair Heights Subdivision; thence southerly on the East line of Altair Heights Subdivision and its extension to an intersection with the Centerline of SE 21<sup>st</sup> Street; thence southwesterly and westerly on the Centerline of SE 23<sup>rd</sup> Street to an intersection with the Centerline of SE Rice Road; thence northerly on the Centerline of SE Rice Road to an intersection with the Centerline of Interstate Highway 70; thence westerly on the Centerline of Interstate Highway 70 to an intersection with the Centerline of SE California Avenue; thence southerly on the Centerline of SE California Avenue to an intersection with the Centerline of SE 29<sup>th</sup> Street; thence westerly on the Centerline of SE 29<sup>th</sup> Street to an intersection with the Centerline of SE Adams Street; thence southerly on the Centerline of SE Adams Street to an intersection with the Centerline of SE 37<sup>th</sup> Street; thence westerly on the Centerline of 37<sup>th</sup> Street to an intersection with the Centerline of SW Topeka Boulevard; thence northerly on the Centerline of SW Topeka Boulevard to an intersection with the Centerline of SW 29<sup>th</sup> Street; thence easterly on the Centerline of 29<sup>th</sup> Street to an intersection with the Centerline of the right of way of the Landon Trail, formerly the right of way of the Missouri Pacific Railway; thence northerly on the Centerline of the right of way of the Landon Trail to an intersection with the Centerline of SE 21<sup>st</sup> Street; thence westerly, on the Centerline of 21<sup>st</sup> Street, to the Northeast corner of the Northeast Quarter of Section 12, Township 12 South, Range 15 east of the 6<sup>th</sup> PM; thence southerly on the East line of said Northeast Quarter to an intersection with the Centerline of SW 27<sup>th</sup> Street; thence westerly on the Centerline of SW 27<sup>th</sup> Street to an intersection with the Centerline of SW Washburn

Avenue; thence northerly on the Centerline of SW Washburn Avenue to an intersection with the Centerline of SW 17<sup>th</sup> Street; thence westerly on the Centerline of SW 17<sup>th</sup> Street to an intersection with the Centerline of SW Boswell Avenue; thence northerly on the Centerline of SW Boswell Avenue to an intersection with the Centerline of SW Huntoon Street; thence westerly on the Centerline of SW Huntoon Street to an intersection with the Centerline of SW Jewell Avenue; thence northerly on the Centerline of SW Jewell Avenue to an intersection with the Centerline of SW 12<sup>th</sup> Street; thence Westerly on the Centerline of SW 12<sup>th</sup> Street to an intersection with the Centerline of SW Medford Avenue; thence northerly on the Centerline of SW Medford Avenue to an intersection with the Centerline of SW 10<sup>th</sup> Avenue; thence easterly on the Centerline of SW 10<sup>th</sup> Avenue to an intersection with the Centerline of SW Summit Avenue; thence north-northeasterly on the Centerline of SW Summit Avenue to an intersection with the Centerline of SW Sixth Avenue;

thence easterly and east-southeasterly on the Centerline of SW Sixth Avenue to an intersection with the Centerline of SW Washburn Avenue; thence north-northeasterly on the Centerline of SW Washburn Avenue to an intersection with the Centerline of SW Willow Avenue; thence easterly, on the Centerline of SW Willow Avenue to an intersection with the Centerline of Quinton Avenue; thence northerly on the Centerline of Quinton Avenue to an intersection with the Centerline of SW 1<sup>st</sup> Street; thence east-southeasterly on the Centerline of SW 1<sup>st</sup> Street to the West line of Section 30, Township 11 South, Range 16 East of the 6<sup>th</sup> P.M.; thence northerly on the West line of Section 30 to an intersection with the Centerline of the Kansas River; thence southeasterly down the Kansas River to an intersection with the Centerline of SW Topeka Boulevard; thence north-northeasterly on the Centerline of Topeka Boulevard to an intersection with the Centerline of NW Laurent Street; thence west-northwesterly on the Centerline of NW Laurent Street to an intersection with the Centerline of NW Norris Street; thence west-northwesterly on the Centerline of NW Norris Street to an intersection with the Centerline of NW Lane Street; thence north-northeasterly on the Centerline of NW Lane Street to an intersection with the Centerline of NW Gordon Street; thence east-southeasterly on the Centerline of NW Gordon Street to an intersection with the Centerline of NW Buchanan Street; thence northerly on the Centerline of NW Buchanan Street to an intersection with the Centerline of NW Grant Street; thence easterly, on the Centerline of NW Grant Street to an intersection with the Centerline of NW Western Avenue; thence northerly on the Centerline of NW Western Avenue to an intersection with the Centerline of NW St. John Street; thence easterly on the Centerline of NW St. John Street to an intersection with the Centerline of NW Taylor Street; thence northerly on the Centerline of NW Taylor Street to an intersection with the Centerline of NW Lyman Road; thence westerly on the Centerline of NW Lyman Road to an intersection with the Centerline of NW Clay Street; thence northerly on the Centerline of NW Clay Street to the point of beginning.

(AND IN ADDITION)

#### **KANZA BUSINESS AND TECHNOLOGY PARK (OVERALL PUD BOUNDARY)**

A TRACT OF LAND IN THE SOUTHEAST QUARTER, THE EAST HALF OF THE SOUTHWEST QUARTER, LOT 3 OF THE NORTHWEST QUARTER, AND THE NORTHEAST QUARTER, ALL IN SECTION 26, TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE ON AN ASSUMED BEARING OF NORTH 00°00'22" EAST, 30.00 FEET, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89°36'04" WEST, 23.50 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89°36'04" WEST, 2611.74 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHEAST QUARTER, 30.00 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 00°06'23" WEST, 1118.90 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 86°16'38" EAST, 130.48 FEET; THENCE NORTH 42°55'39" EAST, 233.28 FEET; THENCE NORTH 01°25'17" WEST, 497.95 FEET; THENCE SOUTH 88°46'41" WEST, 278.01 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00°06'23" EAST, 120.24 FEET ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER TO THE NORTH LINE OF ARLINGTON HEIGHTS SUBDIVISION; THENCE SOUTH 89°54'32" WEST, 1309.28 FEET ALONG THE NORTH LINE OF SAID SUBDIVISION TO THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°11'27" EAST, 953.94 FEET ALONG THE WEST LINE OF THE EAST HALF OF SAID SOUTHWEST QUARTER; THENCE NORTH 00°18'11" EAST, 663.92 FEET ALONG THE WEST LINE OF SAID LOT 3 TO THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 70; THENCE NORTH 88°53'30" EAST, 883.63 FEET ALONG SAID RIGHT-OF-WAY LINE; THENCE ON A CURVE TO THE LEFT, ALONG SAID RIGHT-

OF-WAY LINE, A RADIUS OF 1579.22 FEET, AN ARC DISTANCE OF 683.95 FEET, WITH A CHORD WHICH BEARS NORTH 76°29'04" EAST, 678.62 FEET; THENCE NORTH 64°04'38" EAST, 1046.28 FEET, ALONG SAID RIGHT-OF-WAY LINE; THENCE SOUTH 00°08'08" WEST, 213.32 FEET; THENCE SOUTH 78°48'28" EAST, 1483.53 FEET TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE SOUTH 00°08'53" EAST, 87.25 FEET ALONG THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 16°33'51" WEST, 156.49 FEET; THENCE SOUTH 00°08'53" EAST, 539.57 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER, 45.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 00°00'22" WEST, 35.43 FEET; THENCE SOUTH 89°59'38" EAST, 21.50 FEET; THENCE SOUTH 00°00'22" WEST, 2570.01 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT CONTAINS 258.943 ACRES, MORE OR LESS.

A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SHAWNEE COUNTY KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 26; THENCE ALONG THE SOUTH LINE OF SAID QUARTER ON AN ASSUMED BEARING OF SOUTH 89°35'38" WEST, A DISTANCE OF 825.36 FEET; THENCE ON A BEARING OF NORTH 00°24'22" WEST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE PARALLEL WITH THE SOUTH LINE OF SAID QUARTER ON A BEARING OF SOUTH 89°35'38" WEST, A DISTANCE OF 515.96 FEET; THENCE ON A BEARING NORTH 00°25'19" WEST, A DISTANCE OF 2033.61 FEET; THENCE ON A BEARING OF NORTH 44°27'37" EAST, A DISTANCE OF 68.73 FEET; THENCE ON A BEARING OF SOUTH 63°56'06" EAST, A DISTANCE OF 18.56 FEET; THENCE ON A BEARING OF NORTH 19°56'13" EAST, A DISTANCE OF 44.30 FEET; THENCE ON A BEARING OF NORTH 34°34'08" EAST, A DISTANCE OF 25.22 FEET; THENCE ON A BEARING OF NORTH 72°13'53" EAST, A DISTANCE OF 27.65 FEET; THENCE ON A BEARING OF SOUTH 37°05'32" EAST, A DISTANCE OF 14.75 FEET; THENCE ON A BEARING OF SOUTH 54°25'19" EAST, A DISTANCE OF 16.30 FEET; THENCE ON A BEARING OF SOUTH 80°46'21" EAST, A DISTANCE OF 23.15 FEET; THENCE ON A BEARING OF SOUTH 87°13'11" EAST, A DISTANCE OF 11.70 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 75.00 FEET, A CHORD BEARING OF SOUTH 74°03'00" EAST, AND A CHORD DISTANCE OF 34.18 FEET) A DISTANCE OF 34.48 FEET; THENCE ON A BEARING OF SOUTH 60°52'49" EAST, A DISTANCE OF 42.96 FEET; THENCE ON A BEARING OF SOUTH 53°28'55" EAST, A DISTANCE OF 108.90 FEET; THENCE ON A BEARING OF SOUTH 31°54'18" EAST, A DISTANCE OF 87.45 FEET; THENCE ON A BEARING OF SOUTH 26°44'08" EAST, A DISTANCE OF 158.72 FEET; THENCE ON A BEARING OF SOUTH 28°30'48" EAST, A DISTANCE OF 137.12 FEET; THENCE ON A BEARING OF SOUTH 35°51'47" EAST, A DISTANCE OF 63.86 FEET; THENCE ON A BEARING OF SOUTH 44°53'50" EAST, A DISTANCE OF 71.01 FEET; THENCE ON A BEARING OF SOUTH 00°10'26" EAST, A DISTANCE OF 305.26 FEET; THENCE ON A BEARING OF SOUTH 41°48'53" WEST, A DISTANCE OF 216.94 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 75.00 FEET, A CHORD BEARING OF SOUTH 19°54'50" EAST, AND A CHORD DISTANCE OF 97.23 FEET) A DISTANCE OF 105.78 FEET; THENCE ON A BEARING OF SOUTH 00°01'58" EAST, A DISTANCE OF 78.63 FEET; THENCE ON A BEARING OF SOUTH 34°02'36" EAST, A DISTANCE OF 118.96 FEET; THENCE ON A BEARING OF SOUTH 00°17'22" WEST, A DISTANCE OF 227.41 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 60.00 FEET, A CHORD BEARING OF SOUTH 45°46'21" WEST, AND A CHORD DISTANCE OF 77.15 FEET) A DISTANCE OF 83.79 FEET; THENCE ON A BEARING OF SOUTH 00°06'58" EAST, A DISTANCE OF 142.97 FEET; THENCE ON A BEARING OF SOUTH 86°22'32" WEST, A DISTANCE OF 30.69 FEET; THENCE ON A BEARING OF SOUTH 01°46'13" EAST, A DISTANCE OF 80.18 FEET; THENCE ON A BEARING OF SOUTH 89°57'22" WEST, A DISTANCE OF 20.82 FEET; THENCE ON A BEARING OF SOUTH 00°15'55" WEST, A DISTANCE OF 130.86 FEET; THENCE ON A BEARING OF SOUTH 89°40'17" EAST, A DISTANCE OF 21.15 FEET; THENCE ON A BEARING OF SOUTH 00°20'17" WEST, A DISTANCE OF 28.30 FEET TO A POINT ON A CURVE TO THE LEFT; THENCE ALONG SAID CURVE TO THE LEFT (SAID CURVE HAVING A RADIUS OF 118.49 FEET, A CHORD BEARING OF SOUTH 21°22'45" EAST, A CHORD DISTANCE OF 60.15 FEET) A DISTANCE OF 60.82 FEET; THENCE ON A BEARING OF SOUTH 32°29'33" EAST, A DISTANCE OF 24.43 FEET TO A POINT ON A CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT (SAID CURVE HAVING A RADIUS OF 194.67 FEET, A CHORD BEARING OF

SOUTH 12°51'45" EAST, AND A CHORD DISTANCE OF 80.56 FEET) A DISTANCE OF 81.15 FEET; THENCE ON A BEARING OF SOUTH 01°52'31" EAST, A DISTANCE OF 26.20 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 24.081 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL RIGHTS-OF-WAY, EASEMENTS, RESTRICTIONS, AND COVENANTS OF RECORD, IF ANY.

(AND IN ADDITION)

**KANZA BUSINESS AND TECHNOLOGY PARK SUBDIVISION.** CONTAINS APPROXIMATELY 10.39-ACRES, MORE OR LESS.

EXCEPT

The property commonly known as the 501 Sports Complex and legally described as follows: A tract of land in the Southeast Quarter of Section 26, Township 11 South, Range 15 East of the Sixth Principal Meridian, described as follows: Beginning at a point on the West line, 30.00-feet North of the Southwest Corner of said Quarter Section (said point being on the North right-of-way line of West Sixth Street); thence North 00 degrees, 06 minutes, 40 seconds West, along said West Line, 1,118.79-feet; thence South 86 degrees, 14 minutes, 23 seconds East, 130.46-feet; thence North 42 degrees, 56 minutes, 08 seconds East, 233.28-feet; thence North 01 degrees, 24 minutes, 28 seconds West, 497.95-feet; thence North 88 degrees, 48 minutes, 04 seconds East, 120.98-feet; thence on a 302.50-foot radius curve to the left, with a 170.62-foot chord bearing North 72 degrees, 25 minutes, 13 seconds East, an arc distance of 172.97-feet; thence North 56 degrees, 02 minutes, 21 seconds East, 399.91-feet; thence South 20 degrees, 26 minutes, 15 seconds East 750.52-feet; thence South 00 degrees, 24 minutes, 53 seconds East, 1,344.97-feet to the North right-of-way line of West Sixth Street; thence South 89 degrees, 36 minutes, 04 seconds West, along said North right-of-way line, 1,162.82-feet to the Point of Beginning. The above contains 44.001-acres, more or less, all in the City of Topeka, Shawnee County, Kansas.

(AND IN ADDITION)

Cowdin Subdivision No. 3, according to the recorded plat thereof.

(AND IN ADDITION)

**OAKLAND AREA**

Begin at the intersection of the centerline of NE Poplar Street with the centerline of NE Laurent Street in the City of Topeka, Shawnee County, Kansas; thence northerly along the centerline of NE Poplar Street to the centerline of NE Grant Street; thence easterly along the centerline of NE Grant Street to the centerline of NE Chester Avenue; thence northerly along the centerline of NE Chester Avenue to the centerline of NE Belmont Avenue; thence easterly on the centerline of NE Belmont Avenue to the centerline of NE Oakland Avenue; thence southerly along the centerline of NE Oakland Avenue to the Northeasterly line of the Doran Avenue lots, in Garden Park Addition; thence northwesterly along the North line of the Doran Avenue lots to a point on the East line of Lot 10 on Doran Avenue, as described in Book 4208, page 873; thence southwesterly along the West line of the parcel described in Book 4208, page 873 and its extension to the centerline of NE Laurent Street; thence westerly along the centerline of NE Laurent Street to the Point of Beginning.

(AND IN ADDITION)

A tract of land in Section 30, Township 12 South, Range 16 East of the Sixth Principal Meridian, in the City of Topeka, Shawnee County, Kansas, described as follows: Begin at the Southwest corner of Section 30; thence northerly along the West line of Section 30 to the North line of said Section 30; thence easterly along the North line of Section 30 to the extended East line of South Village Subdivision; thence southerly along the East line of South Village Subdivision to the South line of South Village Subdivision; thence westerly along the South line of South Village Subdivision to the East line of Terra Heights Subdivision; thence southerly along the East line of Terra Heights Subdivision to the Southwesterly right of way line of the Missouri Pacific Railroad, as recorded in Book 4251, page 621; thence South 54 degrees 38 minutes 32 seconds East, 1304.94 feet along said right of way line; thence southeasterly and southwesterly along said right of way line, 1020.98 feet along the arc of a curve to the right, having a radius of 419.28 feet with a chord which bears South 21 degrees 57 minutes 15 seconds West, 786.78 feet; thence South 89 degrees 35 minutes 28 seconds West, 132.83 feet along said right of way line; thence westerly along said right of way line, 249.10 feet along the arc of a curve to the left, having a radius of 613.69 feet with a chord which bears South 77 degrees 55 minutes 31 seconds West, 247.40 feet to the North right of way line of SE 53<sup>rd</sup>



Street; thence South 89 degrees 35 minutes 28 seconds West, 368.63 feet along the North right of way of SE 53<sup>rd</sup> Street; thence southerly to the South line of Section 30; thence westerly along the South line of Section 30 to the Point of Beginning.

(AND IN ADDITION)

Southern Hills Subdivision “A”, Southern Hills Subdivision “B”, and Southern Hills Subdivision “C” according to the recorded plats thereof. Contains approximately 110.8 acres.

(AND IN ADDITION)

Drakes Farm Subdivision, according to the recorded plat thereof.

## **PART 2**

### **APPRAISED VALUATION OF REAL PROPERTY**

The appraised valuation of the real estate contained in the Neighborhood Revitalization Area as of June 1, 2018 for each parcel by land and building values is on file in the office of the Shawnee County Appraiser. The 2018 appraised valuation for the 15,464 parcels contained in the area is:

Land	\$277,703,410
<u>Improvements</u>	<u>\$1,685,883,470</u>
Total Appraised Valuation	\$1,963,586,880

## **PART 3**

### **LISTING OF OWNERS OF RECORD IN AREA**

Each owner of record of each parcel of land is listed together with the corresponding address on file in the office of the Shawnee County Appraiser (<http://www.snco.us/ap/>).

## **PART 4**

### **EXISTING ZONING BOUNDARIES & EXISTING/PROPOSED LAND USES**

Descriptions of zoning districts, current boundaries, existing land uses, and future land use maps within the Neighborhood Revitalization Area are all found on file in the Topeka Planning Department or at [www.topeka.org/planning](http://www.topeka.org/planning)

**PART 5**  
**MAJOR IMPROVEMENTS**  
**PROPOSED FOR NEIGHBORHOOD REVITALIZATION AREA**

A list of the proposed major improvements within the Neighborhood Revitalization Area are identified within the adopted neighborhood and area plans of the City's Comprehensive Plan. Copies of those plans are on file with the Topeka Planning Department and on-line at [www.topeka.org/planning](http://www.topeka.org/planning)

- Topeka Land Use and Growth Management Plan (2015)
- Central Highland Park Neighborhood Plan (2010)
- Ward-Meade Neighborhood Plan (2001/2010)
- Chesney Park Neighborhood Plan (1998/2009)
- Central Park Neighborhood Plan (1998/2008)
- Hi-Crest Neighborhood Plan (2015)
- North Topeka West (2016)
- Historic North Topeka East (2013)
- Holliday Park Neighborhood Plan (1998/2008)
- Oakland Neighborhood Plan (2004/2014)
- Hi-Crest Neighborhood Plan (2003)
- Old Town Neighborhood Plan (2003)
- East Topeka Neighborhood Revitalization Plan (2002)
- Downtown Topeka Redevelopment Plan (2001)
- Elmhurst Neighborhood Plan (2001)
- Tennessee Town (2001/2017)
- Washburn-Lane Parkway Plan (2001)
- Quinton Heights Neighborhood Plan (2018)

Proposed housing, infrastructure, and public facility improvements within these plans are intended to guide the City's future resource allocation as targeted within the Neighborhood Revitalization Area. Actual approved resource allocations are found with the City's Capital Improvement Budget and Consolidated Plan.



**PART 6**  
**STATEMENT SPECIFYING THE ELIGIBILITY REQUIREMENTS**  
**FOR A TAX REBATE**

**Residential New Construction/Rehabilitation**

All properties with residential improvements legally permitted by applicable zoning regulations and building codes within, or that fronts a public street boundary of the designated Neighborhood Revitalization Area are eligible for the specified tax rebate provided the new appraised valuation is increased by a minimum of 10%.

**Commercial New Construction/Rehabilitation**

All properties with commercial, office and institutional, and industrial improvements legally permitted by applicable zoning regulations and building codes within, or that fronts a public street boundary of the designated Neighborhood Revitalization Area are eligible for the specified tax rebate provided the new appraised valuation is increased by a minimum of 20%.

## **PART 7**

### **CRITERIA FOR DETERMINATION OF ELIGIBILITY**

- (a) Construction of an improvement must have begun on or after January 1, 2019. Such improvement project shall remain eligible in the event the neighborhood revitalization plan is extended beyond 2021 by a subsequent ordinance. An improvement project constructed pursuant to a building permit and an application for tax rebate filed before January 1, 2019, may be eligible for a rebate under the Neighborhood Revitalization Program created by City Ordinance No. 19771 and extended by Ordinance No. 20086.
- (b) A rebate application must be filed prior to or within sixty (60) days of the issuance of a building permit or initiation of work (if no building permit is required) as determined by the Planning Director. An application determined to be “out-of-time” shall be accepted by the Planning Director if the applicant can demonstrate that prior to commencing the improvements, he or she intended to use the program’s benefits for the specific improvement proposed in the application. Some factors that may be used to determine the intent and prior knowledge of the program include previous written or verbal communication with city staff, contractors, or other interested parties in the project. The fact that the applicant was not made aware of the program by city staff shall not be used as a factor in this determination. An application shall not be accepted “out-of-time” if the building permit was issued to correct a past zoning or building code violation. The applicant must submit all evidence in writing that supports the above criteria to the Planning Department within one (1) year of the issuance of the building permit. The applicant may appeal the Planning Director’s decision to the City Manager who has final authority over the matter.
- (c) The improvements must conform with the Comprehensive Plan, design guidelines within applicable elements of the Comprehensive Plan and Title 18 Comprehensive Zoning Regulations, including adopted Neighborhood Conversation Districts in effect at the time the improvements are made.
- (d) New and existing improvements on the property must conform with all other applicable codes, rules, and regulations in effect at the time the improvements are made, and for the length of the rebate or the rebate may be terminated.
- (e) Any property that is delinquent in any real property tax payment or special assessment shall not be eligible for any rebate or future rebate until such time as all real property taxes and special assessments have been paid. Additionally, taxes on all real property owned by the applicant must be current.
- (f) Commercial or industrial property eligible for tax incentives under any adopted Neighborhood Revitalization Plan and Topeka's existing tax abatement program pursuant

to Article 11, Section 13 of the Kansas Constitution and TMC Chapter 3.55, may receive one exemption/rebate per project from the City as a tax incentive.

- (g) Any property that fronts a public street boundary of the Neighborhood Revitalization Area shall be eligible for the rebate, except those properties that front a public highway.

**PART 8**  
**CONTENTS OF APPLICATION FOR TAX REBATE**

Part 1 - General Information (Completed by applicant)

- (a) Owner's Name and applicant's name
- (b) Owner's Mailing Address.
- (c) School District No.
- (d) Parcel I.D. No.
- (e) Building Permit No. and copy of permit
- (f) Address of Property.
- (g) Legal Description of Property
- (h) Day Phone Number.
- (i) Proposed Property Use.
- (j) Improvements (Attach itemized list of improvements)
- (k) Estimated Cost of Improvements
- (l) Proof of Historical Register Listing or nomination.
- (m) List of Buildings proposed to be or actually demolished.
- (n) Date of commencement of construction.
- (o) Estimated date of completion of construction.

Part 2 - Status of Construction/Completion

- (a) County Appraiser's Statement of Percentage Test.
- (b) County Clerk's Statement of Tax Status.
- (c) Planning's Statement of Application Conformance for Tax Rebate.

**PART 9**  
**APPLICATION PROCEDURE**

- (a) The owner/applicant shall obtain an Application for Tax Rebate from Topeka Planning Department, or concurrent with obtaining a building permit application.
- (b) The applicant shall complete and sign the application and file the original with Planning, prior to or within sixty (60) days of issuance of the building permit or as permitted under Part 7(b).
- (c) Planning shall forward the application to the Shawnee County Appraiser's Office for determination of the appraised valuation of the improvements and when necessary for designated historic properties, shall indicate the base tax year in order to determine the property's pre-demolition value for historic resources or landmarks that were demolished to make way for the improvements.
- (d) On or about January 1, the County Appraiser shall conduct an on-site inspection of the construction project, determine the new valuation of the real-estate, complete his portion of the application, and report the new valuation to the Shawnee County Clerk by June 1 of that same year. The tax records on the project shall be revised by the County Clerk's Office.
- (e) Upon determination by the Appraiser's office that the improvements meet the percentage test for rebate and the Clerk's office has determined the status of the taxes on the property, Planning shall certify to the County Clerk the project and application does or does not meet the requirements for a tax rebate and shall notify the applicant.
- (f) Upon the payment of the real estate tax for the subject property for the initial and each succeeding tax year period extending through the specified rebate period, and within a thirty (30) day period following the date of tax distribution by Shawnee County to the other taxing units, a tax rebate in the amount of the tax increment (less any fees as specified in the Interlocal Agreement) shall be made to the applicant.

The tax rebate amount will be based on the appraised property value increment between the application year and the completion year directly attributable to the improvement itself. The actual rebate may vary year to year depending upon the approved mill levy for all participating taxing jurisdictions. The tax rebate shall be made by Audit and Finance, Shawnee County through the Neighborhood Revitalization Fund established in conjunction with the City of Topeka and the other taxing units participating in an Interlocal Agreement.

**PART 10**  
**STANDARDS AND CRITERIA FOR APPROVAL**

- (a) Project improvements shall be 100% complete within two years of building permit issuance or within two years of beginning construction on the listed improvements.
- (b) The appraised value of residential property must be increased by a minimum of 10%.
- (c) The appraised value of commercial and industrial property must be increased by a minimum of 20%.
- (d) New improvements must conform with all applicable codes, rules, and regulations in effect at the time the improvements are made, including zoning regulations and design guidelines adopted by the Governing Body, for the length of the rebate.
- (e) Any property that is delinquent in any real property tax payment or special assessment shall not be eligible for any rebate or future rebate until such time as all real property taxes and special assessments have been paid. Additionally, taxes on all real property owned by the applicant must be current.

## **PART 11**

### **STATEMENT SPECIFYING REBATE FORMULA**

#### **Program Period:**

The Neighborhood Revitalization Fund and tax rebate incentive program shall expire on December 31, 2021.

#### **Rebate Period:**

All Eligible Uses	10 years
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#### **Rebate Amount\*:**

All Eligible Uses Not Specified or In Areas Below	95% (years 1-5) 50% (years 6-10)
“Intensive Care” areas (2017 Neighborhood Health Map)	95%
National/State Register/Properties and Districts and Local Historic Properties/Districts	95%
“New” Infill Housing (Single and Multi-Family); including: Single-family in Cowdin Subd. #3, Southern Hills Subd. A, B, and C, and Drakes Farm Subdivisions	95%

\*5 % to remain in Neighborhood Revitalization Fund for administrative costs.

## **Part 12**

### **OTHER MATTERS**

1. The governing body may declare a structure outside of a neighborhood revitalization area eligible if it satisfies the conditions set forth in subsection (a) of KSA 12-17, 115 as a “dilapidated structure” due to its deteriorated conditions and/or is worthy of preservation. In such event, the governing body will proceed pursuant to K.S.A. 12-17,114 et seq.
  
2. The Special Fund identified in the Neighborhood Revitalization Plan adopted in Ordinance No. 18222 shall only be used to support in-fill housing projects either administered by the City of Topeka, or in partnership with the City of Topeka, within the Neighborhood Revitalization Area. Eligible activities shall include any improvements by Community Development Organizations (CHDOs) associated with infill-housing projects. A maximum match of 30% of Special Fund dollars can be used for the total project cost. All improvements must be consistent with any adopted design guidelines of Neighborhood Plans. The Special Fund shall not be used as substitute funding for current sources or programs.



## SHAWNEE COUNTY TAX LEVY SCHEDULE 2017

### Tax Levies per \$1,000 Assessed Valuation

	<b><u>Taxing Jurisdiction (within USD 501 area)</u></b>	<b><u>Mill Levy</u></b>	<b><u>% of Total Levy</u></b>
1.	Shawnee County	48.363	30.56%
2.	City of Topeka	39.920	25.22%
3.	USD 501 (Topeka)	50.702	32.04%
4.	Washburn University	3.250	2.05%
5.	Topeka-Shawnee County Public Library	9.787	6.18%
6.	TMTA (Transit)	4.200	2.65%
7.	MTAA (Airport)	<u>2.054</u>	<u>1.30%</u>
	<b>Total</b>	<b>158.276</b>	<b>100%</b>

	<b><u>Taxing Jurisdiction (within USD 345 area)</u></b>	<b><u>Mill Levy</u></b>	<b><u>% of Total Levy</u></b>
1.	Shawnee County	48.363	30.39%
2.	City of Topeka	39.920	25.08%
3.	USD 345 (Seaman)	51.593	32.41%
4.	Washburn University	3.250	2.04%
5.	Topeka-Shawnee County Public Library	9.787	6.15%
6.	TMTA (Transit)	4.200	2.64%
7.	MTAA (Airport)	<u>2.054</u>	<u>1.29%</u>
	<b>Total</b>	<b>159.167</b>	<b>100%</b>

	<b><u>Taxing Jurisdiction (within USD 450 area)</u></b>	<b><u>Mill Levy</u></b>	<b><u>% of Total Levy</u></b>
1.	Shawnee County	48.363	30.33%
2.	City of Topeka	39.920	25.03%
3.	USD 450 (Shawnee Heights)	51.888	32.54%
4.	Washburn University	3.250	2.04%
5.	Topeka-Shawnee County Public Library	9.787	6.14%
6.	TMTA (Transit)	4.200	2.63%
7.	MTAA (Airport)	<u>2.054</u>	<u>1.29%</u>
	<b>Total</b>	<b>159.462</b>	<b>100%</b>

	<b><u>Taxing Jurisdiction (within USD 437 area)</u></b>	<b><u>Mill Levy</u></b>	<b><u>% of Total Levy</u></b>
1.	Shawnee County	48.363	30.46%
2.	City of Topeka	32.920	25.14%
3.	USD 437 (Auburn Washburn Rural)	51.197	32.25%
4.	Washburn University	3.250	2.05%
5.	Topeka-Shawnee County Public Library	9.787	6.16%
6.	TMTA (Transit)	4.200	2.65%
7.	MTAA (Airport)	<u>2.054</u>	<u>1.29%</u>
	<b>Total</b>	<b>158.771</b>	<b>100%</b>

Source: Shawnee County Clerk's Office, 2017