

NEIGHBORHOOD REVITALIZATION
PLAN

CITY OF GREAT BEND

JANUARY 1, 2013

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The Neighborhood Revitalization Plan will be reviewed by the City Council every three years at which time modifications to the Program may be considered.

PART 1

LEGAL DESCRIPTION OF AREA AND MAP

Legal Description of Neighborhood Revitalization in the Primary Target Area:

All of the City Limits of the City of Great Bend east of a line beginning at a point where the west right-of-way line of U.S. Highway 281 intersects the north easement line of the north levee of the Great Bend Flood Control Project.

THENCE north along the west right-of-way line of U.S. Highway 281 to the north right-of-way line the Central Kansas Railway right-of-way; thence southwesterly along the north line the Central Kansas Railway right-of-way to a line extended south along the west right-of-way line of Odell Street; thence northwesterly along the north line of the Central Kansas Railway right-of-way to the west right-of-way line of Monroe Street;

THENCE north along the west right-of-way line of Monroe Street to the north right-of-way line of U.S. 56 Highway; thence west along the north right-of-way line of U.S. 56 Highway to the east right-of-way line of Jackson Street;

THENCE north along the east right-of-way line of Jackson Street to the south right-of-way line of 24th Street, thence east along the south right-of-way line of 24th Street to the east right-of-way line of Washington Street;

THENCE north along the east right-of-way line of Washington Street to a point on the east right-of-way of Washington Street and on the south exterior to the south flood control dike along Dry Walnut Creek;

Except for the area within the City Limits of the City of Great Bend east of the east right-of-way line of U.S. Highway 281 and north of the north right-of-way of 24th Street.

Legal Description of Neighborhood Revitalization in the Secondary Target Area:

All the City Limits of Great Bend except the areas of the Great Bend Flood Control Project.

Map

A map outlining the Neighborhood Revitalization Area and depicting the existing parcel of real estate therein is on file at the City Administrative Offices at 1209 Williams, Great Bend, Kansas.

PART 2

APPRAISED VALUATION OF LAND AND BUILDINGS WITHIN THE AREA

According to the Barton County Appraiser's Office the year 2012 existing appraised valuation on all parcels of real estate in the proposed Neighborhood Revitalization area is \$230,720,340 in the Primary Target Area and \$441,539,330 in the Secondary Target Area, for a total appraised valuation on parcels of real estate of \$672,259,670.

PART 3

LISTING OF OWNERS OF RECORD IN AREA

The names and address of the owners of record of real estate within the area are on file in the County Appraiser's Office at 1400 Main.

PART 4

EXISTING ZONING AND LAND USE

A zoning map, a list of zoning districts for the area, and existing land use map are on file in the City Administrative offices at 1209 Williams, Great Bend, Kansas.

PART 5

CAPITAL IMPROVEMENTS PLANNED FOR THE AREA

Primary Target Area – The following are proposed capital improvements and projects for the Primary Target Area:

Street Improvements

- Resurface of Railroad Avenue from Main Street to Washington Street
- Arterial and Collector Street Rehabilitation Projects
- New Traffic Signal Lights at 24th and Main Street
- Realignment of Main and Railroad Avenue Intersection

Parks

- Continued Implementation of Zoo Great Bend Master Plan
- Improvements of Stone Lake
- New Playground Equipment at Brit Spaugh Park
- Continued Improvements to Wetlands Aquatic Park

Sewer and Water

- Improvements to Water and Sewer Lines as Needed.

Secondary Target Area – The following are proposed capital improvements and projects for the Secondary Target Area:

Street Improvements

- Arterial and Collector Street Rehabilitation Projects
- Residential Street Rehabilitation Projects

Parks

- Basketball Courts at Veteran's Memorial Park

Sewer and Water

- Improvements to Water and Sewer Lines as Needed.

PART 6

ELIGIBILITY REQUIREMENTS

Residential Property

1. Rehabilitation, alterations and additions to any existing residential structure, including the alteration of a single-family home into a multi-family dwelling, shall be eligible. Rental property is eligible. Mobile homes are not eligible.
2. Construction of new residential structures, including the conversion of all or part of a non-residential structure into a residential structure, shall be eligible.
3. Residential property must be located within the appropriate target areas and be zoned properly to be eligible.
4. Improvements to detached accessory structures such as garages, workshops and storage sheds are eligible. Improvements such as swimming pools and built-in hot tubs shall not be eligible.

Commercial/Industrial Property:

1. Rehabilitation, alterations and additions to any existing commercial structure used for retail, office, manufacturing, warehousing, institutional or other commercial or industrial purposes shall be eligible.
2. Construction of new commercial structures, including the conversion of all or part of a non-commercial structure into a commercial structure, used for retail, office, manufacturing, warehousing, institutional or other commercial or industrial purposes shall be eligible.
3. Commercial or industrial property must be located within the appropriate target areas and be zoned properly to be eligible.

PART 7

CRITERIA FOR DETERMINATION OF ELIGIBILITY

1. Construction of an improvement must have been commenced on or after January 1, 2013, the effective date of enactment of the 2013 renewed tax rebate program, as documented by a building permit.
2. An application for rebate must be filed within sixty (60) calendar days of the issuance of the building permit, except that the City Council may extend this period for up to thirty (30) additional days if deemed appropriate.
3. The minimum investment of an improvement shall be \$5,000 for residential property and \$10,000 for commercial and industrial property, as documented by the building permit. In addition to the minimum investment, the minimum increase in assessed value shall be 5% for residential property and 10% for commercial and industrial property as determined by the Barton County Appraiser following partial or total completion of the improvement. For eligibility purpose a property must meet **both** minimum investment requirements and minimum assessed value increases.
4. Property eligible for tax incentives under any other program adopted pursuant to statutory or constitutional authority shall be eligible to submit an application.
5. The property for which a rebate is requested shall conform with all applicable city codes and regulations in effect at the time the improvements are made and shall remain in conformance for the duration of the rebate period or the rebate shall be terminated. This includes the new as well as the existing improvements on the property.
6. Rebates do not follow the sale of the property. Applicant must retain ownership of the property in order to receive the rebate. If property sells before the rebate period has ended, the rebate is terminated at the time of sale. The exception to this would be the one time sale of a new house by a developer to the first owner resident or sale of a commercial building built for speculation purposes by a developer to the first owner occupant of the facility.
7. Any property that is delinquent in any tax payment, special assessment, or city utility payment shall not be eligible for a rebate until such time as all taxes, bills and assessments have been paid. The City has the responsibility to notify Barton County of any such know delinquency. After a parcel has been accepted for the Neighborhood Revitalization Plan and the taxpayer has not paid real estate property taxes before the redemption is issued on said parcel, the parcel shall be removed from the plan by the County. The County

Clerk shall notify the City in the event of such an occurrence. The City shall then notify the taxpayer of their removal from the plan.

8. No application shall be considered for an improvement for which an unresolved tax protest has been filed.
9. If future year values are protested, the property owner shall take the lesser of the two values for the purpose of this program, i.e. the rebate from this program or the abated value as granted. In the event a protest of the value or of the taxes is filed on a property in the program, rebate payments shall be suspended until final resolution of the protest.
10. Any rebate granted for a property class will be nullified if the property owner changes the property classification, e.g. from the residential to the commercial property classification.

PART 8

CONTENTS OF APPLICATION FOR TAX REBATE

An application for a rebate of property tax increments shall contain the following information.

Part I

1. Owner's name
2. Owner's mailing address
3. Owner's daytime phone number
4. Address of property
5. Legal description of property
6. Parcel I.D. No.
7. Building Permit No.
8. Existing use of property
9. Proposed improvements (details along with proposed costs).
10. Buildings proposed to be or actually demolished.
11. Number of Living Units
12. Proposed improvements
13. Estimated cost of improvements including materials and labor
14. Date construction started
15. Estimated date of completion of construction
16. List of tenants occupying the bulding
17. County Appraiser's statement of existing assessed valuation of improvements to be verified by Barton County Appraiser's office at the time of submittal.
18. County Appraiser's Statement of Current Taxes to be verified by the Barton County Clerk's Office prior to submittal to Barton County Appraiser's Office.

Part II

1. Property owner's name and telephone number.
2. Address of job site.
3. Status of construction as of January 1 following commencement
4. City Clerk's statement of special assessment status.
5. Planning Director's statement of program conformance.
6. City Building Inspector's verification of final inspection and issued Certificate of Occupancy.
7. Upon completion of construction, the owner applicant shall file final construction costs and make available all construction receipts. Failure to provide completed documentation may result in exclusion from participation in the revitalization rebate program, said decision shall be made by the County Appraiser.

Part III

1. Building Permit Number
2. Address of Job Site
3. Issue Date of Building Permit
4. Estimated Revised Completion Date
5. Property Owners Name and Telephone Number

PART 9

PROCEDURES TO SUBMIT APPLICATION

1. The applicant shall obtain an Application for Tax Rebate from the City Inspector when obtaining a building permit.
2. The applicant shall complete and sign Part 1 of the application and file the original with the Barton County Appraiser's Office within sixty (60) calendar days following issuance of the building permit.

3. The Barton County Appraiser's Office shall make a determination of the existing assessed valuation of the improvements.
4. Upon completion by the County Appraiser's Office the Appraiser's Office will return the application to the applicant. The applicant shall certify the status of the improvement project as of January 1 following the commencement of the construction by completing and signing Part 2 of the application. The applicant shall file the application with the Appraiser's Office on or before May 31, preceding the commencement of the tax rebate period. A rebate period begins after January 1 of the year when the applicant has completed 100 percent of the improvements. Example: for a project completed in October 2013, the rebate period would begin on January 1, 2014, with the rebate provided for the tax payment due by December 20, 2014.
5. The County Appraiser shall conduct an on-site inspection of the construction project and determine the new valuation of the real estate as of January 1, and shall complete his portion of the application and report the new valuation to the County Clerk by June 15. The tax records on the project shall be revised by the County Clerk's Office.
6. Upon determination by the County Appraiser's Office that the improvements meet the percentage test for rebate, determination by the County Treasurer's office that the taxes and assessments on the property are not delinquent, and determination by City Inspection Department that the project and application meets the requirements for a tax rebate, the County Appraiser's Office shall notify the applicant and the County Treasurer's Office of the rebate percentage due for each year of the rebate period.
7. Upon the full payment of the real estate tax for the subject property for the initial and each succeeding tax year extending through the specified rebate period, a tax rebate shall be made to the applicant. The tax rebate shall be made within thirty (30) days from the tax distribution dates of January 20, March 20, June 5, September 20 or October 31, following the due date of payment and submittal of a receipt by the applicant to the County Treasurer's Office. The tax rebate shall be made from the Neighborhood Revitalization Fund established by Barton County in conjunction with the other taxing units participating in an Interlocal Agreement. The County Appraiser's Office shall make periodic reports on the tax rebate program to the governing bodies of the participating taxing units.

Part 10

STANDARDS AND CRITERIA FOR REVIEW AND APPROVAL

1. The property for which a rebate is requested shall conform to all applicable city codes and regulations in effect at the time the improvements are made and shall remain in conformance for the duration of the rebate period or the rebate shall be terminated. Rebates are payable to the owner at the time the rebate is due.
2. Any property that is delinquent in any tax payment, special assessment or city utility payment shall not be eligible for a rebate until such time as all taxes, bills and assessments have been paid. The City has the responsibility to notify Barton County of any such know delinquency. After a parcel has been accepted for the Neighborhood Revitalization Plan and the taxpayer has not paid real estate property taxes before the redemption is issued on said parcel, the parcel shall be removed from the plan by the County. The County Clerk shall notify the City in the event of such an occurrence. The City shall then notify the taxpayer of their removal from the plan.
3. Following establishment of the increase in assessed value resulting from a specific improvement, the fixed rebate percentage shall be applied to any change in assessed value or mill levy during subsequent years.
4. The City Administrator, or his/her designee, shall have the authority and discretion to approve or reject applications based on the eligibility standards and review criteria contained herein. If an applicant is dissatisfied with the City Administrator's decision, a written appeal may be submitted to the City Council for final determination.

Part 11

REBATE FORMULA

AMOUNT AND YEARS OF REBATE ELIGIBILITY

1. For improvements to property located in the primary target area:

Year	Rebate*
1	95%
2	95%
3	95%
4	75%
5	75%
6	75%
7	50%
8	50%
9	25%
10	25%

2. For improvements to property located in the secondary target area:

Year	Rebate*
1	95%
2	80%
3	60%
4	40%
5	20%

*5% of the increment is to be retained by Barton County for administrative costs.

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT (hereinafter referred to as "Agreement), effective January 1, 2013 by and between the City of Great Bend, Kansas; a duly organized municipal corporation, hereinafter referred to as "City", and Barton County Community College, hereinafter referred to as "BCCC".

WHEREAS, K.S.A. 12-2904 allows public agencies to enter into interlocal agreements to jointly perform certain functions including economic development, and

WHEREAS, K.S.A. 12, 17,114 et seq. provides a program for neighborhood revitalization and further allows for the use of interlocal agreements between municipalities to further neighborhood revitalization, and

WHEREAS, it is the desire and intent of the parties hereto to provide the maximum economic incentive as provided for in K.S.A. 12-17,119 by acting jointly.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS, CONTAINED HEREIN THE PARTIES AGREE AS FOLLOWS:

1. The parties agree to adopt the neighborhood revitalization plan as contained in attachment A, attached hereto and incorporated by reference as if fully set forth herein. The parties further agree the neighborhood revitalization plan as adopted will not be amended without approval of the parties except as may be necessary to comply with applicable state law or regulation.
2. The parties further agree that Barton County shall administer the neighborhood revitalization plan as adopted by each party on behalf of the signatory parties. It is agreed that 5% of the increments as defined in K.S.A.12-17,115 (d) shall be utilized by the County to pay for administrative costs incurred by the County in implementing and administering the Plan. Additionally there shall be a \$15.00 application fee collected at the time the application is submitted. The county shall create a neighborhood revitalization fund pursuant to K.S.A. 12-17,118 for the purpose of financing the redevelopment and to provide rebates. Any increment in property taxes received by the county resulting from qualified improvements to property pursuant to the neighborhood revitalization plan shall be credited to the county's revitalization fund.
3. The parties agree to undertake a review of the neighborhood revitalization plan every three years hereafter, to determine any needed modifications to the neighborhood revitalization plan. The parties agree that any party may terminate this agreement by providing thirty (30) days advance written notice, provided however, any applications for tax rebate submitted prior to termination, if approved, be considered eligible for the duration of the rebate period.

IN WITNESS WHEREOF, the parties have hereunto executed this agreement as of the day and year first above written.

CITY OF GREAT BEND, KANSAS

Mike Allison, Mayor

ATTEST:

Wayne E. Henneke, City Clerk

Dr. Carl R. Heilman
President, BCCC

Approved to form:

Robert G. Suelter
City Attorney

Approved this _____ day of _____, 2012, by the Attorney General of the State of Kansas.

Kansas Attorney General