**Neighborhood Revitalization Plan**

**K.S.A. 12-17, 114 et seq.**

This law authorizes any municipality covered by the cash basis law to designate and area within its boundaries as a neighborhood revitalization area and to provide rebates to taxpayers in the amount of the increases in property taxes resulting from improvements made to the property. The term “municipality” may include a city, township, school, county, or other political subdivision. The rebates are to be made within 30 days of the payment of the full taxes.

Neighborhood revitalization area means in part, an area in which buildings or improvements by reason of dilapidation or obsolescence are detrimental to the public health, safety or welfare; or an area where there is a substantial number of deteriorating or defective structures and other improvements which impairs or arrests the sound growth of a city or constitutes an economic liability; or 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. See K.S.A. 12-17, 115(b), (1), (2), and (3).

Prior to designation of such an area, the municipality must adopt a program for the area which shall include, among other things, any proposals for improving or expanding various municipal services within the area, criteria to be used by the governing body for eligibility for rebates and other application process. Notice and public hearings are required prior to adoption of the program.

Municipalities are authorized to create a neighborhood revitalization fund for this purpose and to place moneys in said fund from any lawful source and from the general fund. Any two or more municipalities may enter into inter local cooperating agreements to exercise the powers under this act.

**Purpose:**

This Neighborhood Revitalization Plan is intended to promote the rehabilitation, conservation and/or redevelopment of the designated Neighborhood Revitalization Area within the City of Leavenworth in order to protect the public health, safety and welfare of the residents of the city. A tax rebate incentive based on the incremental increase of qualified improvements will be available to property owners in the designated Neighborhood Revitalization Area in accordance with the provisions of K.S.A. 12-17, 114 et seq.

In accordance with K.S.A 12-17, 118 a tax rebate incentive will be available to property owners for certain improvements that raise the appraised value of residential and commercial property.

In accordance with K.S.A. 12-11, 114 et seq. the City Commission conducted a public hearing on January 10, 2017 and considered the Neighborhood Revitalization Plan. Accordingly, the City Commission designates that the described area meets the conditions contained in K.S.A. 12-17, 115 to be designated as a Neighborhood Revitalization Area.

**Part 1: Description of Neighborhood Revitalization Area**

A neighborhood revitalization area falls into one or more of three categories:

1. An area with a predominance of buildings or improvements that are dilapidated, deteriorated, obsolete, inadequately ventilated and lighted, lacking provision for sanitation and open spaces with high population densities and overcrowding, to an extent that life or property is endangered.
2. An area with a predominance of deteriorated, dilapidated, unsafe and unhealthy conditions that inhibit growth of the municipality or constitute an economic liability for the public health, safety or welfare.
3. An area with a predominance of buildings that are historic or architecturally significant and should be preserved or restored for productive use.

The Neighborhood Revitalization Area is legally described as follows:

A TRACT OF LAND IN THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS; AS MORE PARTICULARLY DESCRIBED AS FOLLOW:

BEGINNING AT THE INTERSECTION OF THE CENTERLINES OF 10TH ST. AND METROPOLITAN AVE.; THENCE EASTERLY ALONG THE CENTERLINE OF METROPOLITAN AVE., TO THE INTERSECTION OF THE CENTERLINES OF METROPOLITAN AVE. AND 7TH ST.; THENCE SOUTHERLY ALONG THE CENTERLINE OF 7TH ST., TO THE INTERSECTION OF THE CENTERLINES OF 7TH ST. AND PAWNEE ST.; THENCE EASTERLY ALONG THE CENTERLINE OF PAWNEE ST., TO THE INTERSECTION OF THE CENTERLINES OF PAWNEE ST. AND 4TH ST.; THENCE NORTHERLY ALONG THE CENTERLINE OF 4TH ST., TO THE INTERSECTION OF THE CENTERLINES OF 4TH ST. AND METROPOLITAN AVE.; THENCE EASTERLY ALONG THE CENTERLINE OF METROPOLITAN AVE., TO THE INTERSECTION OF THE CENTERLINES OF METROPOLITAN AVE. AND ESPLANADE ST. AS IT EXTENDS NORTH TO METROPOLITAN AVE.; THENCE SOUTHERLY ALONG THE CENTERLINE OF ESPLANADE ST., TO THE INTERSECTION OF THE CENTERLINES OF ESPLANADE ST. AND SENECA ST., THENCE WESTERLY ALONG THE CENTERLINE OF SENECA ST., TO THE INTERSECTION OF THE CENTERLINES OF SENECA ST. AND 4TH ST.; THENCE SOUTHERLY ALONG THE CENTERLINE OF 4TH ST., TO THE INTERSECTION OF THE CENTERLINES OF 4TH ST. AND CHOCTAW ST.; THENCE EASTERLY ALONG THE CENTERLINE OF CHOCTAW ST., TO THE INTERSECTION OF THE CENTERLINES OF CHOCTAW ST. AND ESPLANADE ST.; THENCE SOUTHERLY ALONG THE CENTERLINE OF ESPLANADE ST., TO THE INTERSECTION OF THE CENTERLINES OF ESPLANADE ST. AND SPRUCE ST.; THENCE WESTERLY ALONG THE CENTERLINE OF SPRUCE ST., TO THE INTERSECTION OF THE CENTERLINES OF SPRUCE ST. AND 10TH ST.; THENCE NORTHERLY ALONG THE CENTERLINE OF 10TH ST., TO THE INTERSECTION OF THE CENTERLINES OF 10TH ST. AND MIAMI ST.; THENCE WESTERLY ALONG THE CENTERLINE OF MIAMI ST., TO THE INTERSECTION OF THE CENTERLINES OF MIAMI ST. AS IT EXTENDS WEST AND 11TH ST. AS IT EXTENDS SOUTH; THENCE NORTHERLY ALONG THE CENTERLINE OF 11TH ST., TO THE INTERSECTION OF THE CENTERLINES OF 11TH ST. AND OTTAWA ST.; THENCE EASTERLY ALONG THE CENTERLINE OF OTTAWA ST., TO THE INTERSECTION OF THE CENTERLINES OF OTTAWA ST. AND 10TH ST.; THENCE NORTHERLY ALONG THE CENTERLINE OF 10TH ST.; TO THE POINT OF BEGINNING.

And;

LEAVENWORTH, PLT ORIG, S25, T08, R22E, BLOCK 22, LOT 24-32

And;

LEAVENWORTH, PLT ORIG, S25, T08, R22E, BLOCK 19, LT 16 & W .04’(S) LT 15

And;

LEAVENWORTH, PLT ORIG S25, T08, R22E, BLOCK 19, LOTS 12-14 $ E6’ LT 15 & N1/2 VAC N/S ALLEY ADJ

And;

LEAVENWORTH, PLT ORIG, S36, T08, R22E, BLOCK 21, LTS 20-25 & W2’ LT 26

And;

LEAVENWORTH, PLT ORIG, S25, T08, R22E, BLOCK 19, S90’ LOT 17

And;

LEAVENWORTH, PLT ORIG, S36, T08, R22E, BLOCK 20, W2’ OF LTS 4-11 & ALL LTS 13-21 & VAC ALLEY AJD (SCALED)

And;

LEAVENWORTH, PLT ORIG, S36, T08, R22E, BLOCK 21, LT 1 & PT LT 2; BEG NE COR LT2 S125’, WLY7.5’, N10’, E2’, N32’

And;

Lots 24, 25, 26, 27, 28, 29, 30,31 and 32, Block 22 of Leavenworth City Proper, City of Leavenworth, according to the recorded Plat thereof, Leavenworth County, Kansas

And;

A tract of land, being a part of Block 19, Plat of Leavenworth, in the City of Leavenworth, Leavenworth County, Kansas, being more particularly described as follows:

Beginning at the Northwest Corner of said Block 19, said corner being the corner of the base of the stone foundation of existing brick building, then N 79°03’30” E along the North line of said Block 19, a distance of 25.48 feet to the intersection of the North line of said Block 19 and the Northerly prolongation of the centerline of the common foundation wall between 121 & 119 Delaware Street; thence S 11°32’29” E along the centerline of common foundation wall between 121 & 119 Delaware Street, a distance of 125.33 feet to the intersection of the Southerly prolongation of the common foundation wall between 121 & 119 Delaware Street and the North line of a 14’ wide platted Alley; thence S 78°59’32” W along the North line of said Alley, a distance of 26.79 feet to the intersection of the North line of said Alley and the West line of said Block 19; thence N 11°23’48” W along the West line of said Block 19, a distance of 125.35 feet to the Northwest Corner of said Block 19, said point also being the Point of Beginning, and containing 3,338.29 square feet, more or less.

And;

A tract of land, being a part of Block 19, Plat of Leavenworth, in the City of Leavenworth, Leavenworth County, Kansas, being more particularly described as follows:

Commencing at the Northwest Corner of said Block 19, said corner being the corner of the base of the stone foundation of existing brick building, thence N 79°03’30” E along the North line of said Block 19, a distance of 78.56 feet to the intersection of the North line of said Block 19 and the Northerly prolongation of the centerline of the common foundation wall between 117 & 113/115 Delaware Street, said point also being the Point of Beginning: thence N 79°03’30” E continuing along the North line of said Block 19, a distance of 73.56 feet to the intersection of the North line of said Block 19 and the Northerly prolongation of the centerline of the common foundation wall between 113/115 & 109-111 Delaware Street; thence S 11°10’30” E along the centerline of the common foundation wall between 113/115 & 109-111 Delaware Street, a distance of 125.18 feet to the intersection of the Southerly prolongation of the common foundation wall between 113/115 & 109-111 Delaware Street and the South line of the North 5 feet of Lot 6, said Block 19, said South line also being the Easterly prolongation of the North line of the East/West platted Alley of Block 19; thence S 78°59’32” W along said South line of the North 5 feet of Lot 6 and said North line of said East/West platted Alley, a distance of 73.87 feet to the intersection of the North line of said Alley and the Southerly prolongation of the centerline of the common foundation wall between 117 & 113/115 Delaware Street; thence N 11°01’53” W along the centerline of the common foundation wall between 117 & 113/115 Delaware Street a distance of 125.26 feet to the intersection of the Northerly prolongation of the centerline of the common foundation wall between 117 & 113/115 Delaware Street and of the North line of said Block 19, said point also being the Point of Beginning, and containing 9,230.01 square feet, more or less.

And;

Lots 20, 21, 22, 23, 24, 25 and the West 4 feet of Lot 26, LEAVENWORTH CITY PROPER, City of Leavenworth, Leavenworth County, Kansas

And;

The South 90 feet of Lot 17, Block 19, Leavenworth City Proper, City of Leavenworth, according to the recorded Plat thereof, Leavenworth County, Kansas

And;

The West 2 feet of Lots 4, 5, 6, 7, 8, 9 10 and 11, AND all of Lots 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21, Block 20, Leavenworth City Proper, City of Leavenworth, according to the recorded Plat thereof, Leavenworth County, Kansas; AND the vacated East/West alley lying between Lots 12, 13, 14 15, 16 and Lots 17, 18, 19, 20 and 21, Block 20; AND the vacated North/South alley lying directly West of Lots 4, 5, 6, 7, 8, 9 10 and 11, Block 20; AND the West ½ of the vacated North/South alley lying adjacent to Lot 21, Block 20; AND the South ½ of vacated Cherokee Street lying adjacent to the North line of the foregoing.

And;

LOTS 1 AND 2, BLOCK 21, LEAVENWORTH CITY PROPER, CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS. LESS THE FOLLOWING DESCRIBED PART OF LOT 2, BLOCK 21, LEAVENWORTH CITY PROPER:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 2; THENCE WEST 7.5 FEET ALONG THE SOUTH LINE OF LOT 2 TO THE POINT OF BEGINNING OF THE PARCEL; THENCE NORTHERLY 10 FEET PARALLEL TO THE EAST LINE OF LOT 2; THENCE EASTERLY 2.0 FEET PARALLEL TO THE SOUTH LINE OF LOT 2; THENCE NORTHERLY 32.0 FEET PARALLEL TO THE EAST LINE OF LOT 2; THENCE WESTERLY 8.0 FEET PARALLEL TO THE SOUTH LINE OF LOT 2; THENCE NORTHERLY 50.0 FEET PARALLEL TO THE EAST LINE OF LOT 2; THENCE EASTERLY 8.0 FEET PARALLEL TO THE SOUTH LINE OF LOT 2; THENCE NORTHERLY 33.0 FEET PARALLEL TO THE EAST LINE OF LOT 2; THENCE WESTERLY 18.5 FEET ALONG THE NORTH LINE OF LOT2; THENCE SOUTHERLY 126.0 FEET ALONG THE WEST LINE OF LOT 2; THENCE EASTERLY 16.5 FEET ALONG THE SOUTH LINE OF LOT 2 TO THE POINT OF BEGINNING, IN LEAVENWORTH COUNTY, KANSAS.

And;

Lots 17, 18, 19, 20, and 21, Block 22, Leavenworth City Proper, in the City of Leavenworth, Leavenworth County, Kansas.

See Map: NRA Tax Rebate Area

**Part 2: Valuation**

The appraised valuation of the real estate in the Neighborhood Revitalization Area as of July 28, 2016 for each parcel by land and building values is on file in the City of Leavenworth Community Development office. The current property value is to be determined during the application process for each parcel of property that is to be improved.

 Appraised

Land $25,351,670

Improvements $189,673,040

Total Valuation $215,024,710

**Part 3: Names and Addresses of Owner of Record**

Each owner of record of each parcel of land is listed together with the corresponding address in file in the City of Leavenworth Community Development office.

**Part 4: Zoning and Land Use**

The existing zoning districts within the Neighborhood Revitalization Area boundary are as follows:

 CBD Central Business District

 GBD General Business District

 I-1 Light Industrial District

 I-2 Heavy Industrial District

 NBD Neighborhood Business District

 OBD Office Business District

 R1-6 High Density Single Family Residential District

 R1-9 Medium Density Single Family Residential District

 R-MF Multiple Family Residential District

**Part 5: Eligible Improvements**

The property tax rebate shall be limited to an increase in valuation due to improvements made to existing residential or commercial structures, or construction of new residential or commercial structures. Improvements to existing or construction of new accessory structures such as detached garages, gazebos, storage buildings, workshops, swimming pools, etc., shall not be eligible.

**Part 6: Criteria for Determination of Eligibility**

1. A building permit must be issued on or after January 1, 2017, the date of designation of the Neighborhood Revitalization area by the City.
2. An application for rebate must be filed prior to starting any improvements and within 30 days of the issuance of a building permit.
3. The value of land on which an improvement is located shall not be considered in determining the incremental increase in value or in determining whether an improvement is a qualified improvement.
4. The improvements must conform with the City of Leavenworth’s Comprehensive Land Use Plan and Zoning Regulations in effect at the time the improvements are made.
5. The new, as well as existing improvements on 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.
6. Any property that is delinquent in any tax payment or special assessment shall not be eligible for any rebate or future rebate until such time as all taxes and special assessments have been paid.
7. Only owners of real property are eligible for tax rebates. The rebate shall be by check issued to all of the owners of record as shown on the County tax rolls.
8. Tax rebates transfer with ownership.
9. Tax rebates are based on the increase of ad valorem taxes attributable to the appraised value due to the improvements or new construction as of January 1 following the year of 100% completion, contingent on final inspection or issuance of a certificate of occupancy, if required.

**Part 7: Application Contents**

1. Owner’s name
2. Owner’s mailing address
3. Owner’s phone number
4. Owner’s SSN or EIN
5. Address of proposed project
6. Legal description of property
7. CAMA#
8. Description of existing property
9. Demolition plan (if proposed)
10. Description of proposed improvements
11. Estimated cost of improvements
12. Names and status of tenant families or occupants (if applicable)
13. Estimate of time frame for completion
14. Current appraised value
15. Most recent paid tax statement
16. Copy of building permit
17. Owner’s signature
18. Submission of Certificate of Occupancy upon completion

**Part 8: Application Procedure**

1. The owner shall obtain an Application for Property Tax Rebate Program from the City of Leavenworth
2. The applicant shall complete sections 1-7 and sign application.
3. The City of Leavenworth Community Development Department shall verify the existing appraised value with the Leavenworth County Appraiser’s office.
4. The City of Leavenworth will submit the rebate application to the Leavenworth County Appraiser’s Office.
5. The owner shall notify the County Appraiser’s office upon completion of improvements by submitting a copy of the Certificate of Occupancy.
6. The County Appraiser, or such person’s designee, shall conduct a visual inspection of the property improvements and shall update and/or verify the CAMA value. The County Appraiser, or such person’s designee, shall enter the CAMA value for the first year of the property tax rebate, in order to calculate the increment of change.
7. Upon determination by the Leavenworth County Appraiser’s office that the improvements meet the valuation test for the rebate and the Clerk’s office has determined the status of the taxes on the property, the County shall notify the City of Leavenworth that the application does or does not meet the requirements for a tax rebate and the City of Leavenworth shall notify the applicant.
8. 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, a tax rebate will be issued for the amount of the tax increment of improved value.

**Part 9: Standards for Review**

1. A building permit must be issued on or after January 1, 2017, the date of designation of the Neighborhood Revitalization area by the City.
2. An application for rebate must be filed prior to starting any improvements and within 30 days of the issuance of a building permit.
3. The value of land on which an improvement is located shall not be considered in determining the incremental increase in value or in determining whether an improvement is a qualified improvement.
4. The improvements must conform with the City of Leavenworth’s Comprehensive Land Use Plan and Zoning Regulations in effect at the time the improvements are made.
5. The new, as well as existing improvements on 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.
6. Any property that is delinquent in any tax payment or special assessment shall not be eligible for any rebate or future rebate until such time as all taxes and special assessments have been paid.
7. Only owners of real property are eligible for tax rebates. The rebate shall be by check issued to all of the owners of record as shown on the County tax rolls.
8. Tax rebates transfer with ownership.
9. Tax rebates are based on the increase of ad valorem taxes attributable to the appraised value due to the improvements or new construction as of January 1 following the year of 100% completion, contingent on final inspection or issuance of a certificate of occupancy, if required.

**Part 10: Program Amount and Years of Eligibility**

The period for eligibility of rebate shall be determined by the total increase in valuation as follows:

**Valuation Increase Rebate Term**

$1.00 to $99,999.00 Five Years

$100,000.00 to $199,999.00 Six Years

$200,000.00 to $299,999.00 Seven Years

$300,000.00 to $399,999l00 Eight Years

$400,000.00 to $499,999.00 Nine Years

$500,000.00 or more or Ten Years

ANY property listed on the

National Register of Historic Places

Rebate amount shall be 100% of ad valorem taxes paid on eligible improvement value.

**Part 11: Additional Issues**

1. Failure to build or maintain the property to applicable codes, rules and regulations shall cause the rebate to be terminated.
2. Failure to timely pay all property taxes and required assessments shall result in not being eligible for any rebate or future rebate until such time as all taxes and special assessments have been paid. Late fees, fines, surcharges and the like are not eligible for rebate.
3. No credit for partial improvement increases attributable to partial completion of a project will be allowed.