

028001

(PUBLISHED IN THE *WICHITA EAGLE* ON OCTOBER 11, 2013)

ORDINANCE NO. 49-583

AN ORDINANCE ADOPTING A REDEVELOPMENT PROJECT PLAN FOR THE EXCHANGE PLACE PROJECT AREA LOCATED WITHIN THE CENTER CITY SOUTH REDEVELOPMENT DISTRICT.

WHEREAS, the City of Wichita, Kansas (the “City”) is a municipal corporation duly organized and validly existing under the laws of the State of Kansas as a city of the first class; and

WHEREAS, pursuant to K.S.A. 12-1770 *et seq.*, as amended (the "Act") and Ordinance No. 47-475, passed May 8, 2007, and published May 11, 2007, the City Council (the “Governing Body”) of the City established a redevelopment district pursuant to the Act., as amended, known as the Center City South Redevelopment District (the “District”); and

WHEREAS, by Ordinance No. 48-124, passed December 9, 2008, and published December 12, 2008, the City added certain property and increased the boundaries District pursuant to K.S.A. 12-1771(f) and made a substantial change to the District Plan for the District; and

WHEREAS, the City has heretofore, in 2007, approved a redevelopment project plan for the Exchange Place Project Area (the “Project Area”) within the District, which plan has been amended on two occasions; and

WHEREAS, due to economic conditions and the inability of the designated project developers to obtain financing, the redevelopment project plan has not been commenced, thus not completed and needs to be abandoned; and

WHEREAS, the City has prepared a new redevelopment project plan for the Project Area, dated as of August 22, 2013, which includes, but is not limited to, the acquisition of land within the Project Area, the demolishing of certain existing structures thereon, the design and construction of a parking garage and making certain other site improvements, all in conjunction with development of additional housing and commercial structures by a private developer within the Project Area (the “Project Plan”) and is considering adoption of the Project Plan; and

WHEREAS, on August 22, 2013, the Wichita Sedgwick County Metropolitan Area Planning Commission reviewed the proposed Project Plan and has adopted a resolution finding that the Project Plan is consistent with the comprehensive plan for the development of the City; and

WHEREAS, pursuant to the requirements of the Act and Resolution No. 13-162, adopted August 27, 2013, the Governing Body set a public hearing to consider the adoption of the Project Plan on October 1, 2013 at 9:00 a.m. or as soon thereafter as the matter could be heard, at the City Council Chambers in City Hall, 455 N. Main, Wichita, Kansas; and

WHEREAS, notice of such public hearing was provided as required by the Act; and

WHEREAS, on October 1, 2013, the public hearing was opened, public comment was received by the Governing Body and the public hearing was closed; and

WHEREAS, the Governing Body is authorized by the Act to adopt the Project Plan by ordinance passed by not less than two-thirds vote of the Governing Body.

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

Section 1. Project Plan Approval. The Project Plan for the redevelopment of the Project Area within the District, together with all attachments and exhibits thereto, which is on file in the office of the City Clerk, is hereby adopted.

Section 2. Effective Date This Ordinance shall take effect and be in force from and after its passage and publication one time in the official City newspaper.

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PASSED by not less than two-thirds vote of the City Council of the City of Wichita, Kansas, on October 8, 2013.

(SEAL)

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

APPROVED AS TO FORM:

Gary E. Rebenstorf, Director of Law

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CERTIFICATE

I, the undersigned, hereby certify that the above and foregoing is a true and correct copy of the original Ordinance No. 49-583 (the "Ordinance") of the City of Wichita, Kansas (the "City"); that said Ordinance was passed by the City Council on October 8, 2013, that the record of the final vote on its passage is found on page ____ of journal ____; that it was published in the official newspaper of the City on October 11, 2013; and that the Ordinance has not been modified, amended or repealed and is in full force and effect as of this date.

DATED: October 11, 2013.

Karen Sublett, City Clerk