

ORDINANCE NO. 49-586

AN ORDINANCE ADOPTING A REDEVELOPMENT PROJECT PLAN FOR THE WEST BANK APARTMENTS PROJECT AREA LOCATED WITHIN THE EAST BANK REDEVELOPMENT DISTRICT PURSUANT.

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. 42-966, passed December 12, 1995, and published December 15, 1995, City Council (the “Governing Body”) of the City established a redevelopment district pursuant to the Act, known as the East Bank Redevelopment District (the “District”); and

WHEREAS, by Ordinance No. 45-339, passed June 25, 2002, and published June 29, 2002, the City removed certain property and reduced the boundaries of the District pursuant to K.S.A. 12-1771(g); and

WHEREAS, Ordinance No. 46-407, passed November 23, 2004, and published November 29, 2004, the City added certain property and increased the boundaries of the District pursuant to K.S.A. 12-1771(f) and made a substantial change to the District Plan for the District; and

WHEREAS, the District Plan for the District provided that redevelopment of the District would be in several project areas within the District as set forth in separate redevelopment plans to be approved by the governing body of the City pursuant to the Act; and

WHEREAS, pursuant to Ordinance No. 49-557, passed August 13, 2013, and published August 16, 2013, a non-substantial amendment to Ordinance No. 46-407 and the District Plan was made by attaching a map of the proposed project areas; and

WHEREAS, by Ordinance No. 45-983, passed January 3, 2004, and published February 6, 2004, the City adopted a redevelopment project plan for the WaterWalk Redevelopment Project Area within the District; and

WHEREAS, the City has prepared an additional redevelopment project plan for the West Bank Apartments Project Area (the “Project Area”), dated as of June 20, 2013, which includes, but is not limited to, the development and construction of public parking, street and signalization improvements and certain site and public improvements, all in conjunction with development of an apartment 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. 13-161, adopted August 27, 2013, the Governing Body set a public hearing to consider the adoption of the Project Plan on October

8, 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 8, 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 22, 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-[___] (the "Ordinance") of the City of Wichita, Kansas (the "City"); that said Ordinance was passed by the City Council on October 22, 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 25, 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 25, 2013.

Karen Sublett, City Clerk