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City Council Agenda

City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 20, 2009
6:00 PM

City Manager: Norton N. Bonaparte, Jr.

Mayor: William W. Bunten

Councilmembers

Karen A. Hiller	District No. 1	Deborah Swank	District No. 6
John Alcala	District No. 2	Robert E. Archer	District No. 7
Sylvia E. Ortiz	District No. 3	Jeff Preisner	District No. 8
Jack Woelfel	District No. 4	Richard Harmon	District No. 9
Larry Wolgast	District No. 5		

Addressing the Council: No person shall address the Council during a Council Meeting, unless they have notified the City Clerk by 5:00 P.M. on the day of any Council Meeting of their desire to speak on a specific matter on the published meeting agenda or during the public comment portion of the Council Meeting. This limitation shall not apply to items added during the course of a meeting. The Council does not take action with respect to any subject not on the agenda unless added to the agenda by a two-thirds vote of the Council

Persons addressing the City Council will be limited to four (4) minutes of public address on a particular agenda item. Debate, question/answer dialogue or discussion between Councilmembers will not be counted towards the four (4) minute time limitation. The Chair may extend time with the unanimous consent of the Council or the Council by affirmative vote of five (5) members may extend the four (4) minute limitation.

Persons will be limited to addressing the City Council one (1) time on a particular matter unless otherwise allowed by an affirmative vote of five (5) members of the City Council.

Citizens wishing to offer Public Comment may sign up by phoning the City Clerk's office at 368-3940.

To make arrangements for special accommodations please call 785-368-3940. A 48-hour advance notice is preferred.

The Federal Communications Commission (FCC) has adopted use of the 711 dialing code for access to Telecommunications Relay Services (TRS). TRS permits persons with a hearing or speech disability to use the telephone system via a text telephone (TTY) or other device to call persons with or without such disabilities. To reach the City Clerk's office using the TRS, please dial 711.

(Agendas are available on Thursday afternoon in the City Clerk's office, 215 SE 7th – Room 166 and on the City's web site at <http://www.topeka.org>)

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. PROCLAMATIONS:

"None scheduled at this time."

2. PRESENTATIONS:

"Topeka Transit Authority"

3. ROLL CALL:

4. CONSENT AGENDA:

A. Board Appointment - Jayhawk Area Agency on Aging Advisory Council



[ATTACHMENTS](#)

BOARD APPOINTMENT recommending the appointment of Sylvia Herrmann to the Jayhawk Area Agency on Aging Advisory Council for a term that would end October 31, 2012. *(Council District No. 4)*

B. Board Appointment - Parks and Recreation Advisory Board



[ATTACHMENTS](#)

BOARD APPOINTMENT recommending Veronica Padilla to the Parks and Recreation Advisory Board to fill an unexpired term that would end July 31, 2010. *(Council District No. 5)*

C. Board Appointment - Topeka Sustainability Advisory Board



[ATTACHMENTS](#)

BOARD APPOINTMENT recommending the appointment of Sarah Noller to the Topeka Sustainability Advisory Board for a term that would end December 31, 2009. *(Council District No. 2)*

D. MINUTES of the regular meeting of October 13, 2009

E. APPLICATIONS:

5. PUBLIC HEARINGS:

A. Public Hearing and Ordinance - City of Topeka (V08S/4)



[ATTACHMENTS](#)

A PUBLIC HEARING in conjunction with vacation request V08S/4 to vacate a portion of the city street right-of-way intersecting the railroad right-of-way located on NW Howard and NW 7th Streets between NW Lincoln and NW Lane Streets, City of Topeka, Shawnee County, Kansas.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., relating to the vacation of a portion of city street right-of-way intersecting the railroad right-of-way located on NW Howard and NW 7th Streets between NW Lincoln and NW Lane Streets, City of Topeka, Shawnee County, Kansas. **Final Reading.** *(V08S/4) (Council District No. 2) (Deferred from the meeting of October 6, 2009.)*

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would vacate a portion of NW Howard and NW 7th Streets and establish a necessary utility easement.)

6. UNFINISHED BUSINESS:

A. Ordinance - Parkland Development Fee (ASR09/1)



[ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending Topeka City Code Sections 134-143 and 134-169, subdivision regulations, relating to parkland acquisition and development, as well as, streets, repealing said original sections. **Final Reading.** *(ASR09/1) (Deferred from the meeting of September 22, 2009.)*

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would revise the parkland development fee structure to be more consistent with the Parks and Open Space element of the Comprehensive Plan. This includes establishing the fee based on the greenspace health of an area and requiring that any expenditures occur in the same area it is collected.)

B. Ordinance - Parks and Open Space Plan Amendment (CPA09/2)

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., pertaining to an amendment to the text and map of the Topeka Comprehensive Metropolitan Plan. Final Reading. (CPA09/02) *(Deferred from the meeting of September 22, 2009.)*

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would amend the Parks and Open Space Plan element to include parkland fee districts.)

C. Ordinance - Well Water Meters and Rates

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., concerning wastewater rates and charges, amending City of Topeka Code Section 146-341 and specifically repealing said original section. Final Reading.

(Approval would update city code to reflect current practice of the Wastewater Utility which does not specifically address wastewater charges for customers on well water supply.)

7. NEW BUSINESS:

A. Temporary Encroachment Agreement - St. Gregory, LLC

 [ATTACHMENTS](#)

A TEMPORARY ENCROACHMENT AGREEMENT between the City of Topeka and St. Gregory, L.L.C., granting consent by the City for a public improvement in the City's right-of-way.

(Approval would allow for the construction of an accessible ramp, landings, railings and planters in the City's right-of-way adjacent to the property located at 635 SW Harrison Street.)

B. Ordinance - Weekly Expenditures - September 28-October 4, 2009

 [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of September 28, 2009, through October 4, 2009, and enumerating said expenditures therein. First and Final Reading.

8. MISCELLANEOUS:

-

9. PRESENTATIONS BY THE CITY MANAGER, MAYOR AND MEMBERS OF THE COUNCIL:

-

10. PUBLIC COMMENT:

-

11. ADJOURNMENT:

-



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 15, 2009

 [Back](#)  [Print](#)

DATE: October 20, 2009

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

"None scheduled at this time."

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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CIP PROJECT: No

ACTION OF COUNCIL:

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DOCUMENT DESCRIPTION:

"Topeka Transit Authority"

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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ACTION OF COUNCIL:

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POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 28, 2009

+ Back Print

DATE: October 20, 2009
CONTACT PERSON: Mayor Buntin **DOCUMENT #:**
SECOND PARTY/SUBJECT: Jayhawk Area Agency on Aging Advisory Council **PROJECT #:**
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment of Sylvia Herrmann to the Jayhawk Area Agency on Aging Advisory Council for a term that would end October 31, 2012. *(Council District No. 4)*

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Mayor is recommending the appointment of Sylvia Herrman, 3246 SE Indiana, to the Jayhawk Area Agency on Aging Advisory Council for a three year term that will end October 31, 2012. This is a statutory board wherein the Mayor nominates and Council approves.

BACKGROUND:

Federal authority - Older Americans Act and Ordinance 18382. The Jayhawk Area Agency on Aging Advisory Council advises the Board of Directors concerning policies and programs that affect older citizens in Douglas, Shawnee and Jefferson counties, and promotes the ability of older citizens to secure and maintain a high degree of independence and dignity in their community.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Herrmann Bio - JAAA AC](#)

Dear Bill, (Your Honor, Mr. Mayor),

Following, is the information Mr Jack Wolfel told me I should give you.

Name : Sylvia J. (A.K.A. Juanita) Herrmann
Address: 3246 S. E. Indiana, zip 66605-2641
Phone : 267-3760, no E-mail
Do I want this information kept confidential? Not necessarily.

A short Bio: Born north east of Topeka
Age 10 - moved to Tecumseh
Age 19 - married Lawrence Herrmann; 4 children; helped farm; Active in farm organizations such as Farm bureau and Extension Service; started political activities as Precinct Committee-woman in Monmouth Township.
Age 36 - widowed
Other political activities: Candidate for State Rep. several times; County Republican Party secretary and Vice-Chairman

Present activites: On board of Shawnee County Health Agency five or six years, (est.), served two years as chairman; Have been on Lutheran Fine Arts Council of Topeka for five or six years, (another est.); Am active at Hope Lutheran Church and recently resigned as treasurer after serving seven or eight years, (another guesstimate), and am presently on the Site Committee for a new church we are starting at S.E. 45th & Paulen Rd. I am also a part of the Shawnee County Medical Reserve Corps, a part of S.C.H.A. (Sn. Co. Health Agency).

My educational background:
Graduated from Highland Park High School, (Topeka), in 1949
First year of college, 1949-50, at K-State
Any number of semesters at Washburn
One summer semester at Emporia State
Graduated from Washburn, 1976, B.A. in Political Science (have over 150 undergraduate hours)
Graduate School, (law school): One semester at the University of South Dakota at Vermillion, S.D.
One semester of law school at the University of Tulsa, Tulsa, Oklahoma
Several semesters in the law program at Tulsa Junior College where I was named to the Dean's Honor Roll,
I took a number of classes at Tulsa Vo-Tech. (Some semesters I attended two, or all three schools at the same time)

My working career is spotty as I spent most of my adult life attending school. I have been "too old", "too young", "over-qualified", or "lacked experience", or any number of other excuses.

While in Tulsa, (I lived there ten years.), I held several part-time jobs, including child care at the church I attended; caring for one, two, then three little boys, and updating periodicals in the libraries of several law firms.

I moved back home in September of 1996 and have lived in Topeka since then. The main job I have had since moving home was at Similar Mode Uniforms where I worked for about three years doing alterations and learning to operate a commercial embroidery machine. I think the most unusual project I have undertaken was to make two pairs of police uniform pants into maternity pants. I had to leave the job, (which I loved), because I started falling asleep at work and was diagnosed as having sleep apnea, (long under control). My boss, Bob Boyd, didn't want to take a chance on my falling asleep at the embroidery machine and getting my hand caught under the needle, which makes 900 stitches a minute.

I have been mostly "retired" since and have concentrated on my volunteer activities.

I also have made wedding cakes and other fancy cakes since the early '50s. Most notably, three birthday cakes for Alf Landon; the wedding cake for Bob and Alice Weinkauff, (before he was chief of police); and one I made for Doug Wright when he was mayor, which had the city crest on it. It was for a dinner observing a change in city government.

Between my husband's passing in 1968, and law school in 1984, I did short stints in the county treasurer's office, Paine, Webber; was secretary for the county soil conservation office for a year or so; worked off and on at Sears, (in almost every department); and had a real estate license for 20 some years. (There may be more that I have forgotten)

I was born and raised here. Even though I've not always lived within the Topeka City limits, I believe Topeka and Shawnee County are both a part of each other. This was always home even while I was living in Tulsa. I am willing to do whatever I can to help Topeka grow and become an even better, more exciting and interesting place to live. I believe my friendly outgoing nature, the fact I've never met a stranger, and my innate ability at public speaking; plus my willingness to hold my ground, stand up for myself and speak my mind, are all plusses that will help me in this endeavor. I also believe my wide variety of job experiences will be helpful in this position.

I await your decision.

Sincerely,

Sylvia Herrmann



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 30, 2009

+ Back Print

DATE: October 20, 2009
CONTACT PERSON: Mayor Buntin **DOCUMENT #:**
SECOND PARTY/SUBJECT: Parks and Recreation **PROJECT #:**
Advisory Board
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending Veronica Padilla to the Parks and Recreation Advisory Board to fill an unexpired term that would end July 31, 2010. *(Council District No. 5)*

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Mayor is recommending the appointment of Veronica Padilla, 1216 SW 29th, to fill an unexpired term that will end July 31, 2010. Ms. Padilla was nominated by Councilman Wolgast. A bio is attached for review.

BACKGROUND:

Ordinance 18382 and TCC 102-54. The Parks and Recreation Advisory Board makes recommendations to the city council on major proposals and propositions for construction, reconstruction and improvements of public parks and recreational facilities.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Background Information](#)

September 21, 2009

Veronica R. Padilla
1216 SW 29th St.
Topeka, Kansas 66611
Phone/FAX (785) 235-1255
Cell 785 249 2963

November 18, 2006 to present:

I am currently involved in community service work. I just finished up a 6 year term on Midland Care Connection Board of Directors. I have been re-elected to the YWCA Board of Directors for a 2 year term and currently helped on the Leadership Luncheon event. I also chair the YWCA Race committee and we have currently adopted a high school to help students see a bigger better future. I am presently a member of Topeka LULAC Council and just recently completed a Greater Topeka Leadership training session through the local Chamber of Commerce this is open to 35 people throughout the community and has over 100 plus applicants.

WORK HISTORY

Topeka Capital Journal: Topeka, KS

June 2005 to November 17, 2006

Moved to Classified Sales to get back to selling. After 3 months in classified division the current sales director asked me to put in an application for retail sales. I applied for and got a retail sales job handling agencies. I've been at that job since late August 2005 to November 17, 2006. I've been selling print and online including dealing with local accounts as well as major ad agencies throughout the United States. I also handled large accounts i.e. Sac & Fox, Golden Eagle, Educational Credit Union and local large agencies such as Jones Huyett Partners, MBPiland, and Frye Allen.

Topeka Capital Journal: Topeka, KS

January 2004 to May 2005

I moved to the Circulation division under the direction of a succession of supervisors Eliseo Torres, then Maria Dennison then Doug Maxwell. I moved from single copy sales to Third Party sales and promoted to Circulation Sales Manager. I worked in that division until the marketing budget was frozen.

Topeka Capital Journal: Topeka, Ks

August 30, 1999 to January 2004

I started at CJOnline as a salesperson part time selling web development and I-Shop Topeka. I moved to full time sales in January 2000 and became Online Sales Manager in March of 2000. I continued as Sales and Managing of Web Development, Maintenance and Banner sales until I moved to partial online and partial print Sept 15, 2001. My title was Special Project Coordinator and Online Liaison. I have sold print ads and continued to sell large contract jobs in online, i.e. Commerce "Hawk Zone" sponsorship and the Koch Legislative site. I have also sold inserts into the main newspaper, i.e. Kansas Trial Lawyers, Hispanic Tab, Housing Development, Credit Unions Tabs 2 years and the Security Benefit Tab.

Teletech: Topeka Kansas

Jan 19, 1999- to February 2000

I was hired as part of the first crew on the startup of a call center for Pac Bell, Verizon, and Bell South processed by Teletech. Teletech is a call center operation.

This was an incoming call center. I was trained in call center sales and computer applications relating to the sales call, processing, credit check and start-up. I was promoted to Customer Service Supervisor in August 1999. I supervised 19 customer service reps and sometimes covered for two teams who were without supervisors. I successfully completed supervisor's courses and received bonuses for end of year goals achieved before leaving company and going with Topeka Capital Journal full time.

Admark/Promotional Resource Group, Topeka, Kansas.

National Account Sales Manager - This Company provided kids meals toys to individual restaurants, small, mid-size and large chains as well as schools, zoos and theme parks.

02/96-8/98

I managed the multi-task processing of client orders. I worked in a fast paced environment using problem solving skills to coordinate materials inventory, art work and ground and air transportation for the timely completion and delivery of products to a variety of customers on a nationwide basis. I had direct contact with purchasing agents to present company inventory and customize service to a variety of food service companies.

**Smith St. John, Kansas City, Missouri Sales Representative and National Accounts:
Restaurant and Bar supplies**

Representative. 07/85- 05/95.

In office sales and service to national franchise accounts. I performed on site appraisal of client needs. I developed and increased a large client base. I have knowledge of layout and design principles and of the bid letting process. I maintained an in home office and very flexible work schedule to meet the various and changing needs of a wide range of clients. Worked closely with management and operations level personnel in developing purchase orders for project materials and equipment.

Five Star Restaurant Supply, Topeka, Kansas. Sales Representative. 09/1982-07/85.

I began with inside sales but was recognized for knowledge of business and related fields and given added responsibility for outside sales. Maintained customer service for accounts in Topeka and Emporia, Kansas.

Stevenson's Restaurant and Hotel Supply, Topeka, Kansas. Sales Support and Office Staff. 02/82-09/82.

Started in Sales Support. Provided estimates and quotes for client projects. I worked on accounts receivable and project follow up. Worked on inventory and records keeping necessary for company operations. Maintained contacts with various corporation representatives and business associate as part of customer relations for the company.

Promotion... To full sales associate. I was responsible for service to existing accounts and for the development of new clients in growing outside sales department.

Whelan's Incorporated, Topeka, Kansas. Sales and Staff Support. 04/1976-02/82.

Sales Support in Component Homes Division. Estimated quantities of materials and prices of completed home packages. Shipped home packages according to specifications. I have excellent math skills. Close customer relations with contractors and private homebuilders.

Promotion... To Sales Associate at the Whelan's Home Center. Responsible for layout, design,

pricing, ordering and sales of custom kitchen packages.

Personal History

I am a lifetime resident of Topeka. I am a graduate of Topeka High School and I attended Washburn University in the Purchasing Degree Program. I have been married for 40 years. I have two grown children and 5 grandsons. I am in good health and have a good work record. My driving record is very good and I have a dependable vehicle. I am outgoing, personable and team oriented but confident working with little or no supervision. I am active in any job duties I may have and am very goal oriented.

- * National Board of Directors MANA – A Latina Women's Group, National
- * Current Board of Director YWCA of Topeka
- * Current Chair of YWCA and City of Topeka R.A.C.E. Committee
- * Current member of the Living the Dream Foundation, Business Partners
- * Current Member of LULAC of Topeka
- * Past President of Mana de Topeka 2007
- * Past member of Business After Hours for the Topeka Chamber of Commerce
- * Past president of the Fraternal Order of Police Auxiliary #3
- * Past member of the Career Chapter of American Business Women's Association.
- * Past National Chaplain of the National Auxiliary of the Fraternal Order of Police Aux.
- Past member of the Board of Directors for the Whelan's Employees Credit Union.
- Pas Member of the Mayor's council on Diversity
- Past member of Board of Trustees – Midland Hospice



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 1, 2009

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DATE: October 20, 2009
CONTACT PERSON: Mayor Buntin
SECOND PARTY/SUBJECT: Topeka Sustainability Advisory Board
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment of Sarah Noller to the Topeka Sustainability Advisory Board for a term that would end December 31, 2009. *(Council District No. 2)*

POLICY ISSUE:

N/A

STAFF RECOMMENDATION:

The Mayor is recommending the appointment of Sarah Noller, 619 NE Green St., to fill an unexpired term that will end December 31, 2009 on the Topeka Sustainability Advisory Board. Ms. Noller was nominated by Councilwoman Swank. A bio is attached for review.

BACKGROUND:

Ordinance 19165. The purpose of the nine member board is to promote environmental awareness and advocate for policies which support sustainability. Of the nine members first appointed, four members shall serve one year terms, and five members shall serve two year terms. At least five of the nine members shall be currently licensed, have a degree in, or be engaged in, or have substantial past experience in the fields of environmental awareness, waste reduction, recycling, energy conservation and/or natural resource conservation or a similar field relating to the environment or conservation.

BUDGETARY IMPACT:

N/A

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Noller - SAB](#)

Item #8

Bio. for Sustainability Advisory Board:

Sarah D. Noller

619 NE Green St.

Topeka, KS 66616

785-357-0113 (Home)

785-233-6336 (Work)

Educational History:

May 2009: Bachelor of Science in Biology with a minor in Chemistry received from Washburn University, Topeka, KS

Academic Honors and Affiliations:

Biology Honors

Beta Beta Beta National Biology Honor Society

Washburn Biology Club, Treasurer 2006-2007, 2008-2009

Washburn Tree Huggers

May 1998: Associate of Arts in Fine Art received from Highland Community College, Highland, KS

Academic Honors and Affiliations:

President's List, 1997

Dean's List, 1996

Recent Employment History:

1997-Present Kaner Coffee Company, Barista

2008-2009 Washburn Biology Office, Office Assistant

1997-2005 Better Business Bureau, Consumer Consultant



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CIP PROJECT: No

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POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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CIP PROJECT: No

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STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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Topeka, Kansas 66603

October 7, 2009

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DATE:	October 20, 2009		
CONTACT PERSON:	David Thurbon/Braxton Copley	DOCUMENT #:	N/A
SECOND PARTY/SUBJECT:	City of Topeka	PROJECT #:	V08S/4
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 006 Vacations		
CIP PROJECT:	No		
ACTION OF COUNCIL:	09/15/09 First Reading. 9/22/09 Deferred for two weeks. 10/06/09 Deferred for two weeks.	JOURNAL #:	09

PAGE #:

DOCUMENT DESCRIPTION:

A PUBLIC HEARING in conjunction with vacation request V08S/4 to vacate a portion of the city street right-of-way intersecting the railroad right-of-way located on NW Howard and NW 7th Streets between NW Lincoln and NW Lane Streets, City of Topeka, Shawnee County, Kansas.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., relating to the vacation of a portion of city street right-of-way intersecting the railroad right-of-way located on NW Howard and NW 7th Streets between NW Lincoln and NW Lane Streets, City of Topeka, Shawnee County, Kansas. Final Reading. (V08S/4) (Council District No. 2) (Deferred from the meeting of October 6, 2009.)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would vacate a portion of NW Howard and NW 7th Streets and establish a necessary utility easement.)

POLICY ISSUE:

The vacation is for a railroad crossing on the Goodyear Spur. City Council's approval of the vacation of street right-of-way across the Union Pacific Railroad will complete an agreement between the City of Topeka and the UPRR. Approximately 2,367 feet of UPRR track along SW 1st Street from Jackson to Tyler, including the SW 1st Street Crossing will be abandoned with the vacation. The abandonment of this track and the crossing made it possible for the City to design and construct a new Topeka Boulevard bridge.

STAFF RECOMMENDATION:

The Planning and Legal Departments recommend **APPROVAL** of the proposed vacation conditional upon retaining a necessary utility easement.

BACKGROUND:

Item #11

- This portion of right-of-way was previously approved by the City Council on May 6, 2008. However, 7th Street

was not named explicitly in the legal description or public notice. Therefore, this vacation is being resubmitted for approval.

- The Kansas Statutes and Topeka Code Section 130-476(b) requires a public hearing in conjunction with proposed vacation petitions which have been filed in accordance with a prescribed procedure.
- Traffic counts for NW Howard and NW 7th Streets at the UPRR crossing were 252 vehicles per day, peak hourly volume at 18 vehicles.
- Westar has utilities within the street right-of-way. The ordinance reflects the retention of a utility easement.
- Planning staff sent out notices on July 16, 2009, to property owners within a 200' radius of the proposed vacation. Sandy Howard, property owner, called with concerns about traffic.

BUDGETARY IMPACT:

N/A.

SOURCE OF FUNDING:

N/A.

ATTACHMENTS:

[Application](#)

[Aerial](#)

[Ordinance](#)

[Legal Advertisement](#)

[Check-Off Page](#)

[Vicinity Map](#)

CITY OF TOPEKA PLANNING DEPARTMENT

620 SE Madison Street-3rd Floor
Topeka, Kansas 66607

Office: (785) 368-3728
Fax: (785) 368-2535

PLANNING OFFICE USE ONLY

Date Submitted 3-14-08

Date Advertised

Application No. 108514

Date of Public Hearing

TO BE COMPLETED BY CITY CLERK'S OFFICE

Filing Fee \$ 250.00

Receipt No. 39517.7036

APPLICATION

City Vacation of Streets, Alleys and Easements

RECEIVED

MAR 14 2008

TOPEKA PLANNING
DEPARTMENT

- Applicant(s): City of Topeka, Engineering Division
- Applicant's Mailing Address: 620 SE Madison, 2nd floor
City Topeka State: Ks Zip: 66607
- Telephone: Area Code: (785) No.: 368-3842
- Legal description of property requested to be vacated as prepared by the City of Topeka Department of Public Works: Howard Street Right-of-Way at
grade crossing with Department of Transportation
Crossing No. 604730U - See Attached Sheet

- Check type of vacation: Street ☒ Alley ☐ Easement ☐ Other ☐
- Legal description of property owned by the applicant which adjoins the street, alley or easement to be vacated:

Lots _____ Block No. _____

In _____ Subdivision _____

Public Right-of-Way on Howard Street

Meres and Bounds Description, if unplatted: N/A

RECEIVED
CITY CLERK
2008 MAR 13 A 9:29
TOPEKA, KANSAS

7. Are there other owners of land who own property adjoining the subject street, alley or easement proposed to be vacated who, pursuant to K.S.A. 12-504, would be a property party to the petition to vacate?

Yes _____ No ✓ _____

If yes, please list said owner's name(s) and mailing address.

8. Briefly, describe the proposed development of the subject property and your reasons for vacating the property: see Attached sheet

9. Will the area proposed for vacation preclude, restrict, hamper or lessen ingress-egress to other similarly abutting properties? No

10. Do you concur with the retention of the subject area as an easement should the reviewing utility or public agency request such to cover existing or proposed utility lines? N/A - Area of abandoned street right-of-way is within continuous Railroad Right-of-Way

11. Will any permanent structures be constructed within the area proposed for vacation? _____

12. Will the area proposed for vacation create any unique, adverse or undesirable traffic conditions? No

13. How are adjoining properties used? RR Right-of-Way for Goodyear Industrial Lead Track

14. In your opinion, would the proposed vacation injure or endanger any private rights? No

15. In your opinion, would the public suffer any loss or inconvenience should the petition to vacate be approved? No

16. In the event this proposed vacation is to vacate street or alley right-of-way, are you aware of the applicability of the district zoning on the subject property? Please briefly explain: _____

"R-1" Single Family Dwelling District zoning
is adjacent to the R.O.W

Signature of Applicant(s)

Bernard L. Corby, P.E.
City of Topeka, Engineering

(Please Attach Any Additional Information)

If the owner(s) of record is to be represented by legal counsel or an authorized agent, please complete the following so that communications pertaining to this application may be forwarded to the appropriate individual.

Name of Representative _____

Street Address _____

City _____ State _____ Zip Code _____

Telephone No. (____) _____ Fax No. (____) _____



V08S/4 City of Topeka

(Published in the Topeka Metro News _____)

ORDINANCE NO.

AN ORDINANCE introduced by City Manager, Norton N. Bonaparte, Jr., relating to the vacation of a portion of City's street right-of-way intersecting the railroad right-of-way located on NW Howard and NW 7th Streets between NW Lincoln and NW Lane Streets, City of Topeka, Shawnee County, Kansas. **(V08S/4) (Council District No. 2)**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That pursuant to the requirements of K.S.A. 12-504 as amended, a petition by the City of Topeka, as property owners, has been filed with the office of the City Clerk, requesting the vacation of the following described street right-of-way located within the City of Topeka, Shawnee County, Kansas:

A tract in the fractional Northwest Quarter of Section 19, Township 11 South, Range 16 east of the 6th P.M. in the City of Topeka, Shawnee County, Kansas described as: Beginning at the Southwest corner of Lot 51 on Lincoln Street in White Oak Grove; thence westerly, on an extension of the North line of Howard Street, to an intersection with the West line of the right-of-way of the former Chicago, Kansas and Nebraska Railway Company, recorded as a 100-foot wide strip in Volume 123 at page 325; thence southeasterly, on the West line of said right-of-way, to an intersection with an extension of the South line of 7th Street in Cross Addition; thence easterly, on an extension of the South line of 7th Street, to an intersection with the East line of said right-of-way; thence northwesterly to the point of beginning.

Section 2. That said petition has been duly published for two (2) consecutive weeks in a newspaper of general circulation and on September 15, 2009, the petition is ready for determination by the Governing Body of the City of Topeka, Kansas.

Section 3. That the Governing Body of the City of Topeka, after being duly informed and hearing the evidence presented finds that:

- a. Legal notice was given as required by K.S.A. 12-504 as amended.
- b. No private rights will be injured or endangered by such vacation.
- c. The public will suffer no loss or inconvenience by such vacation.

Section 4. That the Governing Body of the City of Topeka does hereby find that justice requires the petition of vacation be granted and does hereby order the vacation of the below described street right-of-way located within the City of Topeka, Kansas:

A tract in the fractional Northwest Quarter of Section 19, Township 11 South, Range 16 east of the 6th P.M. in the City of Topeka, Shawnee County, Kansas described as: Beginning at the Southwest corner of Lot 51 on Lincoln Street in White Oak Grove; thence westerly, on an extension of the North line of Howard Street, to an intersection with the West line of the right-of-way of the former Chicago, Kansas and Nebraska Railway Company, recorded as a 100-foot wide strip in Volume 123 at page 325; thence southeasterly, on the West line of said right-of-way, to an intersection with an extension of the South line of 7th Street in Cross Addition; thence easterly, on an extension of the South line of 7th Street, to an intersection with the East line of said right-of-way; thence northwesterly to the point of beginning.

Section 5. That the Governing Body of the City of Topeka does hereby find that justice further requires the provision for the retention of a utility easement over the described property as set forth in Section 4 and does hereby order the retention of the below described area as a utility easement:

A tract in the fractional Northwest Quarter of Section 19, Township 11 South, Range 16 east of the 6th P.M. in the City of Topeka, Shawnee County, Kansas described as: Beginning at the Southwest corner of Lot 51 on Lincoln Street in White Oak Grove; thence westerly, on an extension of the North line of Howard Street, to an intersection with the West line of the right-of-way of the former Chicago, Kansas and Nebraska Railway Company, recorded as a 100-foot wide strip in Volume 123 at page 325; thence southeasterly, on the West line of said right-of-way, to an intersection with an extension of the South line of 7th Street in Cross Addition; thence easterly, on an extension of the South line of 7th Street, to an intersection with the East line of said right-of-way; thence northwesterly to the point of beginning.

Section 6. This vacation shall not affect any other underlying easements or restrictions whether platted or by instrument.

Section 7. The City Clerk is hereby directed to certify a copy of this ordinance to the Shawnee County Register of Deeds Office for appropriate recording.

Section 8. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Topeka_____, 2009.

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified ____
Not To Be Codified X

Please have the attached published in the Topeka Metro News in the Legal Advertising Section on August 7, 2009 and again on August 14, 2009.

IN THE MATTER OF THE PROPOSED VACATION OF:

Vacation of a portion of City's street right-of-way intersecting the railroad right-of-way located on NW Howard and NW 7th Streets between NW Lincoln and NW Lane Streets, City of Topeka, Shawnee County, Kansas. **(V08S/4) (Council District No. 2)**

NOTICE OF PUBLIC HEARING

(Pursuant to K.S.A. 12-504 et seq.)

To Whom It May Concern:

Public notice is hereby given that a petition has been filed by the City of Topeka, owners of the concerned property, which includes a portion of street right-of-way and praying that the street right-of-way located on said property be vacated.

The petition will be presented to the Council of the City of Topeka for hearing on September 15, 2009, at 6:00 P.M. or as soon thereafter as the same may be heard in the City Council Chambers, Municipal Building, 2nd Floor, 8th and Monroe Streets, Topeka, Kansas, at which time and place all interested persons may appear and be heard, either for or against granting the prayer of said Petition.

**BY THE GOVERNING BODY,
CITY OF TOPEKA, KANSAS**

STREET/ALLEY/EASEMENT/SUBDIVISION VACATION

Case No.: V08S/4 Location: NW Howard & NW 7th Streets
between NW Lincoln & NW Lane
Streets

DEPARTMENTS:

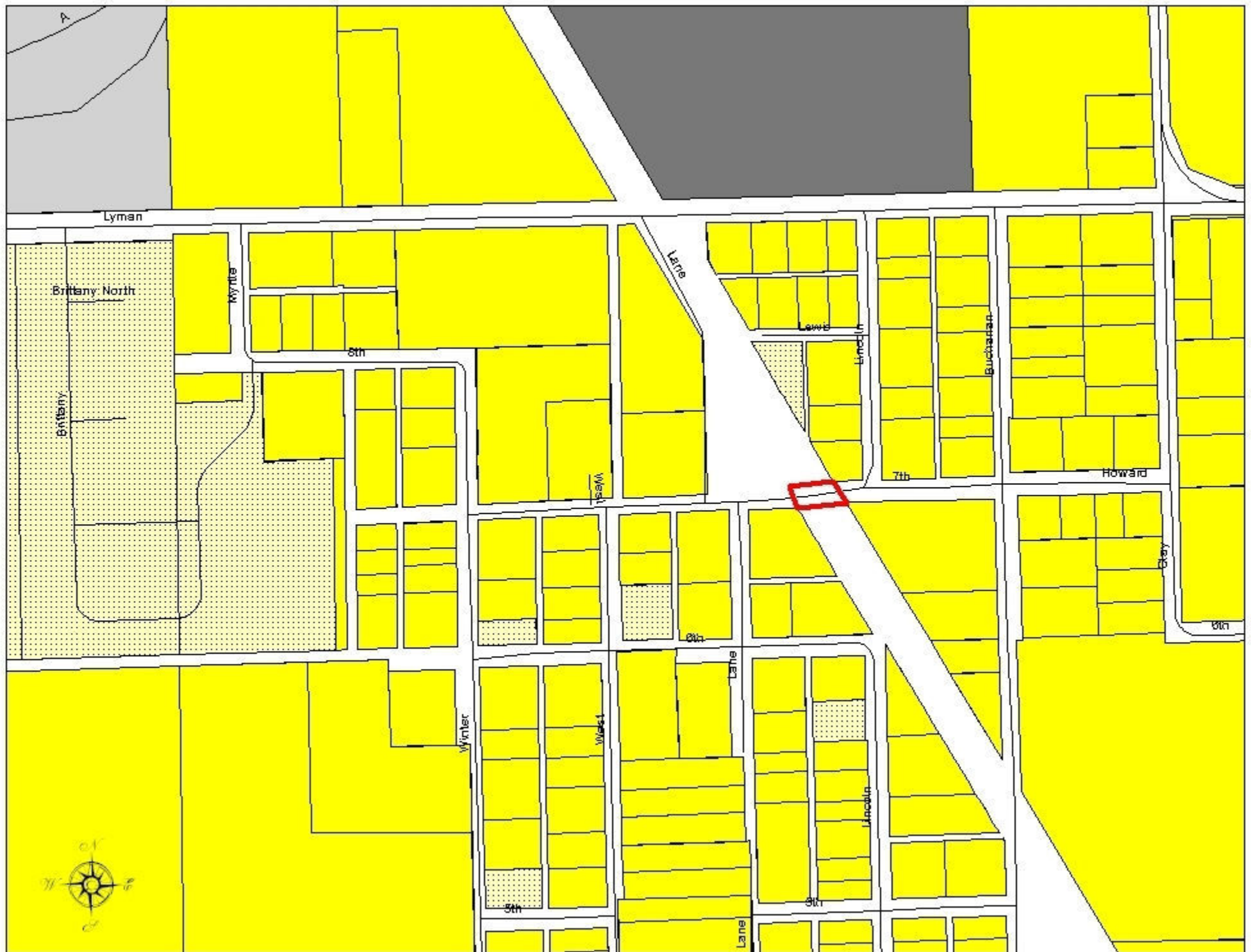
- **Water Division:** X No Objection Objection
Comments: The vacated right-of-way will need to be retained as a utility easement. There is a 6" water main through the area.
- **Engineering:** X No Objection Objection
Comments: The crossing does not contain storm sewer but there is a sanitary sewer near and parallel with the east side of the railroad right-of-way. The sewer should be covered by a separate license agreement and not be affected by this vacation.
- **Fire:** X No Objection Objection
- **Police:** X No Objection Objection
- **Shawnee County Refuse:** X No Objection Objection

UTILITY COMPANIES:

- **AT&T:** X No Objection Objection
- **Westar:** X No Objection Objection
Comments: Westar has existing overhead electric facilities. An easement needs to be retained for continued operation, maintenance and replacement of electric facilities.
- **Kansas Gas Service:** X No Objection Objection
- **Cox Communications:** X No Objection Objection

Cindy Johnson, Planner I

August 17, 2009





A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 23, 2009

+ Back Print

DATE: October 20, 2009

CONTACT PERSON: Bill Fiander/David Thurbon **DOCUMENT #:**

SECOND PARTY/SUBJECT: Parkland Development Fees **PROJECT #:** ASR09/1

CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 134 Subdivisions

CIP PROJECT: No

ACTION OF COUNCIL: 09/15/09 First Reading.
9/22/09 Deferred to
10/20/09. **JOURNAL #:** 09

PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending Topeka City Code Sections 134-143 and 134-169, subdivision regulations, relating to parkland acquisition and development, as well as, streets, repealing said original sections. Final Reading. (ASR09/1) (Deferred from the meeting of September 22, 2009.)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would revise the parkland development fee structure to be more consistent with the Parks and Open Space element of the Comprehensive Plan. This includes establishing the fee based on the greenspace health of an area and requiring that any expenditures occur in the same area it is collected.)

POLICY ISSUE:

The parkland fee ordinance within the City's Subdivision Regulations is in need of updating in order to strengthen its legal foundation. The proposed changes would provide a defensible nexus between how parkland development fees are collected and where they are spent. The changes would be consistent with the Parks and Open Space Plan element of the Comprehensive Plan.

STAFF RECOMMENDATION:

The Planning Commission recommended this proposal be **APPROVED** by a vote of **7-0-0** at their August 17, 2009 meeting as referenced in their attached minutes. The Planning Department recommended that the ordinance be **APPROVED** as presented.

BACKGROUND:

See attached staff memo to the Planning Commission (dated July 20, 2009)

Item #12

Governing Body options:

- **Adopt**the Ordinance recommended by the Planning Commission by a simple majority of the Governing Body membership (6 votes);
- **Override**the Planning Commission's recommendation by a two-thirds majority of the Governing Body membership (7 votes); or,
- **Return**such recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

BUDGETARY IMPACT:

Fees collected will continue to be deposited in the parkland development fund which totals approximately \$240,000. No funds have been expended from the parkland fees collected since its inception in 2003. Funds can only be used to purchase new parkland or improve existing parkland in the districts it is collected in.

SOURCE OF FUNDING:

Parkland development fees are paid by the private builder/owner at the time of a building permit for a new house. The current fee is typically \$225 for a new single-family house if parkland is not dedicated. The proposed fee in that situation would range from \$75-\$300 depending on which area of the city the house is built.

ATTACHMENTS:

[Staff memo to Planning Commission](#)

[PC minutes 7-20-09](#)

[Ordinance](#)

[Planning Commission Minutes](#)



CITY OF TOPEKA

PLANNING DEPARTMENT
David Thurbon, Director
620 SE Madison Street, 3rd Floor
Topeka, Kansas 66607-1118
Tel.: (785) 368-3728

Fax: (785) 368-2535
www.topeka.org

TO: Topeka Planning Commission
FROM: Bill Fiander, Deputy Planning Director
DATE: July 20, 2009
RE: Parkland Development Fees Amendments

Attached are changes to the Subdivision Regulations as well as the Topeka Parks and Open Space Plan (element of the Topeka Comprehensive Plan 2025) concerning parkland development fees in order to strengthen their legal foundation, provide for better implementation and reflect current costs. The major changes include:

Topeka Parks and Open Space Plan (CPA09/2)

Parkland fee districts – The 17 geographic planning areas adopted in the Topeka Parks and Open Space Plan are proposed to be merged into 7 “parkland fee districts” intended solely for the apportionment of parkland fee expenditures. This change helps to better implement the Plan and would be the first amendment to the Plan adopted in 2005.

Subdivision Regulations (ASR09/1)

Increase base fee – A new base fee reflects an average of current land acquisition and improvement costs (\$15,000/acre and \$25,000/acre respectively). The fee is still designed to cover 60% of cost to develop a typical park.

Link fees to planning areas/districts and health ratings – The amended Topeka Parks and Open Space Plan proposes that those areas with better park health pay less than those with poorer park health. This produces a range of \$75-\$300 for a new single-family home depending on the parkland fee district it is located. *The fees must be spent in the same planning area/district they were collected.* As currently proposed, only the Southwest parkland fee district would increase (\$225 to \$300 per single-family unit) while three districts would see a decrease to as low as \$75 per single-family unit.

Apply fee to all new homes – Currently, only homes on new lots platted after August, 2003 would be required to pay the fee. This proposal requires that any development that increases the number of housing units would pay the fee.

Credit for dedication and benefit districts – As currently provided for, developers will still receive credit for public or private dedication of open space within a subdivision and have a reduced fee. In addition, any lots included in a benefit district to improve the dedicated parkland will have no fee.

Payment of fee in ETJ – The ordinance would allow payments on new subdivisions with 30+ units outside the City limits to be made in three installments over a two year period if an agreement is entered into with the City prior to the recording of the plat. The fee is still collected at the building permit stage inside the City limits. Currently, City Council approval is needed on a case-by-case basis. This amendment would provide the same opportunity to all developers.

Assessment of street costs to parks – Adopted design policies encourage park locations along collectors with generous street frontage. Under these changes, the City of Topeka Parks and Recreation Department would no longer be mandated to pay for half of the street frontage costs for new parks. The park parcel

may still be part of a subdivision's street benefit district, but the proposed ordinance no longer mandates the terms of the City's participation.

**Minutes of the
Topeka Planning Commission
July 20, 2009**

A. Roll call

Present: Doug Bassett, Richard Beardmore, Mark Boyd - Chair, Jim Brown, John Federico, Michelle Hoferer - Vice-Chair, Fred Martinez and Lee Williams **(6)**
Absent: Doug Bassett, Howard Blackmon and Fred Martinez **(3)**
Staff Present: David Thurbon-Director, Bill Fiander-Deputy Planning Director, Dean Diediker-Planner II, Annie Driver-Planner I and Loreena Munoz-Office Specialist.

- 1. Parkland Development Fees** – Bill Fiander summarized F-1a and b together. Discussion is for both items as well. Voting is separate for each item.

Discussion by members:

Mr. Fiander stated currently there are seventeen districts. Each district should equate to a certain number of parks and open space. He explained how parkland fees are collected. He said having seventeen areas is too much so we are proposing consolidating into seven areas. He said, looking at the map, the greener the more parks/open space in that area. The amendment includes consolidation for the purpose of collecting and spending the parkland fee funds. The fees will be spent in the area they are collected, which is spelled out in the next item. The southwest part of town is the area lacking parkland. The areas in more need of parkland will pay a higher fee than those that aren't.

Mr. Fiander said this change is to increase the fee and reflect current development costs. He said the fee would go up from 225.00 to 300.00 per lot. . He said this also links the collections to be spent in the area they were collected. The greener the area the less the fee. This fee applies to all homes on undeveloped lots, not just subdivisions. Fee is for added population only. A benefit district to pay for a park does not have to pay parkland fees. For those in the 3 mile area the fee has to be paid before recording of the final plat. If there are more than 30 lots involved they can make a payment plan with the city attorney's office. The Parkland fee for parks adjacent to streets with assessment fees would be negotiated with the parks department. He said there is a provision written in that states if any of the fees aren't spent in 5 years, the fees have to be returned to the owner, as long as city council doesn't pass a resolution saying they have a purpose for those funds. We can't hang on to the funds forever. They need to be spent for the purpose they were collected for.

Mark Boyd asked who tracks the funds of spent/unspent? David Thurbon stated Planning and the Finance Department work together to track the funds. Lee Williams asked if the city council decides where to spend the money and on what? Mr. Thurbon replied yes within the district it is collected.

Mr. Boyd said if this is not approved it does not go on to council? Mr. Thurbon replied yes, it has to be approved by you before moving on to council.

Jim Brown asked if the developer pays this fee when the plat is filed? Mr. Thurbon replied it is his choice. He can pay up front or with a building permit, which is what they usually do.

Mr. Brown said the building permit isn't issued until the parkland fee is paid? Mr. Thurbon said that is correct. Mr. Thurbon said the fund needs to be built up so we can get out and purchase property to get park land while property values are low. He said we would like to purchase the land prior to development. He said parks and recreation will do a priority listing of existing that needs to be improved and potential property to be purchased for future parks. Mr. Brown said in a 5 year period they want to build a park? Mr. Thurbon replied yes or maintain/upgrade an existing.

Michelle Hoferer asked what will happen if the county takes over the parks and recreation department? What would happen to the funds? Would they have to administer as specified here? Mr. Thurbon said that is a complicated question. Lawyers would have to figure that out. It will have to be dealt with if it happens. Ms. Hoferer said she is worried if the merger happens that the funds won't be spent in the district they are collected.

Richard Beardmore said in the ordinance page 8, line 166 it states utilities may be needed at the parks, shouldn't water be in there as well? Mr. Thurbon said he doesn't understand why that was left out and this could be added.

Mr. Boyd asked if there is ability to abate the fees? Mr. Fiander replied no. He said the core area is required to pay less. He said in the in the highly developed areas the fees are less but we don't expect we will collect many fees in these areas. Mr. Boyd asked if they could they go to city council to get the fee waived? Mr. Thurbon said the city council doesn't have authority to waive building permit fees but I am not sure with these fees. Mr. Boyd said a person trying to redevelopment in the core will be charged the parkland fee to build a new house. Mr. Fiander said the commission could make a policy choice to say areas that fall above average with parkland don't have to pay the fee. Mr. Fiander said this is the reason we have the refund blurb. Mr. Boyd said the only problem is it will take five years for a refund if the funds aren't put to use. Mr. Fiander stated we should have Braxton Copley in on any changes because he wrote this. Mr. Thurbon said he would need some time to discuss these suggestions with Mr. Copley. Ms. Hoferer suggested approving item a and continue b so Mr. Copley can be consulted with. Mr. Boyd suggested a condition to exempt some from the parkland fee as an incentive for infill or redevelopment being built.

Mr. Federico said it needs to be spelled out to allow the council some flexibility to exempt some infill type development from paying the fee.

Ms. Hoferer said there are parts of town that have some parkland and need infill as well. She said she doesn't want to attach the exemption to a specific area or level. Mr. Boyd said he believes staff and Mr. Copley will come up with correct wording for this.

Mr. Thurbon said the applicant must demonstrate to council incentives are needed to help their development. Mr. Fiander said he remembers Mr. Copley stated it has to be given evenly and fairly to all. Mr. Thurbon said if it is determined illegal by Mr. Braxton we would have to bring it back to you.

- a. **CPA09/02 an amendment to the Parks and Open Space Plan** an element of the Comprehensive Plan 2025 of the City of Topeka, Kansas to establish the location and purpose of parkland fee districts.

Michelle Hoferer moved approval, seconded by John Federico. **APPROVAL. (6-0-0)**

- b. **ASR09/1 an amendment to the Subdivision Regulations** regarding parkland development fees and street assessments for parks.

Michelle Hoferer moved to continue to the August 17, 2009 Planning Commission meeting, seconded by Jim Brown. **CONTINUED to the August 17, 2009 Planning Commission meeting. (6-0-0)**

B. Adjournment @ 8:45

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending Topeka City Code §§ 134-143 and 134-169, subdivision regulations, relating to parkland acquisition and development as well as streets, repealing said original sections.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 134-143, Dedication, reservation and acquisition of public sites and open spaces, of the Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Dedication, reservation and acquisition of public sites and open spaces.

(a) *Definitions.* For the purposes of this chapter, certain terms and words are hereby defined.

(1) *Parkland.* Any dedicated public open space specifically designed for active recreational uses, including linkages to the regional trail system, intended to serve the immediate surrounding one or more neighborhood(s) or the entire community (i.e. a regional park or trail).

(2) *Parkland acquisition cost.* Average sale price for one (1) acre of vacant, ~~developable~~ land within the City of Topeka and the city's three (3) mile extraterritorial jurisdiction. For purposes of this chapter, said fee shall be set at ~~seven~~fifteen thousand ~~five hundred~~ dollars (\$~~7,500.00~~15,000.00) per acre.

(3) *Parkland improvement cost.* Average cost to improve a neighborhood level park with typical amenities for recreational

uses. For purposes of this chapter, said fee shall be set at twenty-
~~two~~five thousand ~~seven hundred fifty~~ dollars (~~\$22,750.00~~\$25,000.00)
per acre.

(4) *Parkland development fee.* The combination of parkland
acquisition cost and the parkland improvement cost per dwelling
unit to support five (5) acres of parkland per one thousand (1,000)
people. For the purposes of this chapter, the parkland development
fee shall consist of ~~a ratio of twenty-five (25) percent parkland~~
~~acquisition fee, and seventy-five (75) percent parkland~~
~~improvement fees~~sixty (60) percent of the actual cost per dwelling
unit.

(5) *Dwelling unit.* Any single-family, two (2) family, or multi-family
dwelling intended for habitation, including group living facilities.

(6) *Planning Area.* Geographic areas for community-level parks as
identified as parkland fee districts in the Park and Open Space
element of the Comprehensive Plan. New development outside a
designated planning area shall be included in the adjacent or
nearest planning area which would best serve that development.

(7) *New Development.* Construction of one (1) or more dwelling units
on a lot upon which no dwelling unit previously existed.

(8) *Redevelopment.* Construction of one (1) or more dwelling units on
a lot upon which a dwelling unit previously existed and which has
the effect of creating a greater number of dwelling units than
previously existed.

(9) Reconstruction. Rebuilding or replacement of a dwelling unit or units on a lot that previously maintained the same number, type and use of dwelling units which has the effect of creating the same or fewer number of dwelling units than previously existed.

(b) *Purpose.* The purpose of this section is to serve the communities' population growth with neighborhood and regional parkland based on the Comprehensive Plan and national recreation and parks association standard of five (5) acres per one thousand (1,000) persons for a neighborhood park and fifteen (15) acres per thousand (1,000) persons for a regional park.

(c) *Parkland development fee.*

(1) In all instances where property owners or developers seek approval of new development or redevelopment or a final plat or re-plat of land that creates additional residential lots, a parkland development fee shall be required. All fees shall be collected by the development services division of the city public works department concurrent with the application for a building permit, or for subdivisions outside of the city's corporate limits, the fee may shall be paid to the ~~Clerk of the City of Topeka upon recording of the final plat~~planning department prior to the plat being released to the developer. For plats containing more than thirty (30) units, the developer may enter into an agreement with the city which allows for the parkland development fee to be paid in three (3) equal installments. Said agreement shall be a covenant running with the land and shall be recorded with the Shawnee County Register of Deeds. The first installment shall be paid and a copy of the agreement shall be filed of record with the Register of Deeds prior to the plat being released to the developer. The two

remaining installments shall be payable upon the first and second anniversary of the city council approval of the plat.

(2) The parkland development fee shall be assessed based upon the planning area's health classification contained in the Comprehensive Plan in which the dwelling unit(s) will be located according to the following schedule:

~~Single family and two (2) family dwelling units, per unit\$225.00~~

~~Three (3) to eight (8) family dwelling unit development, per unit.....200.00~~

~~Nine (9) family dwelling unit development and above, per unit.....175.00~~

Planning Area Rating	FEE SCHEDULE (per unit)		
	Single and Two (2) Family Dwelling Unit Development		
	New Development or Redevelopment	New Development or Redevelopment w/ Public Dedication	New Development or Redevelopment w/ Private Dedication
<i>one tree (intensive care)</i>	\$ 300	\$ 188	\$ 225
<i>two trees (at risk)</i>	\$ 225	\$ 141	\$ 169
<i>three trees (out patient)</i>	\$ 150	\$ 94	\$ 113
<i>four trees (healthy)</i>	\$ 75	\$ 47	\$ 56

Planning Area Rating	FEE SCHEDULE (per unit)		
	Three (3) to Eight (8) Family Dwelling Unit Development		
	New Development or Redevelopment	New Development or Redevelopment w/ Public Dedication	New Development or Redevelopment w/ Private Dedication
<i>one tree (intensive care)</i>	\$ 267	\$ 167	\$ 200
<i>two trees (at risk)</i>	\$ 200	\$ 125	\$ 150
<i>three trees (out patient)</i>	\$ 134	\$ 83	\$ 100
<i>four trees (healthy)</i>	\$ 67	\$ 42	\$ 50

Planning Area Rating	FEE SCHEDULE (per unit)		
	Nine (9) Family Dwelling Unit Development and above		
	New Development or Redevelopment	New Development or Redevelopment w/ Public Dedication	New Development or Redevelopment w/ Private Dedication
<i>one tree (intensive care)</i>	\$ 234	\$ 146	\$ 175
<i>two trees (at risk)</i>	\$ 175	\$ 110	\$ 131
<i>three trees (out patient)</i>	\$ 117	\$ 73	\$ 88
<i>four trees (healthy)</i>	\$ 58	\$ 37	\$ 44

(3) All fees shall be deposited in the city's parkland acquisition and development fund by planning area. Fees collected shall be used for the acquisition and improvement of new or undeveloped parkland within the ~~developing areas of the city, planned growth areas, or other areas consistent with the comprehensive plans~~ same planning area as which the fee is collected.

(4) (a) Except as described in subsection (c)(4)(b) below, upon application of the property owner, the city shall refund that portion of any parkland development fee which has been on deposit over seven (7) years and which is unexpended and uncommitted. The refund shall be made to the then current owner or owners of lots or units of the development project or projects.

(b) If fees in any parkland development fee account are unexpended or uncommitted for more than five (5) calendar years after deposit, the city council shall make findings by resolution on or before December 31 of the fifth (5th) calendar year after receipt of the fee and annually thereafter until the funds are expended or committed. For so long as the city retains the fees, the resolution shall identify the purpose to which such fees shall be put and to show a roughly proportional and reasonable relationship between the fee and the purpose for which it was collected. If the city council makes such findings, the fees are exempt from the refund requirement.

(d) *Credit for parkland dedications.* Developers may dedicate a portion of their land for public parkland. In such instances where parkland is accepted for dedication, a credit equal to ~~seven~~ fifteen thousand ~~five~~

~~hundred~~ dollars (~~\$7,500.00~~15,000.00) per acre, or fraction thereof, of dedicated parkland shall be applied against the balance of parkland acquisition costs required under this section for the subdivision. Provided however, \$such dedication shall not reduce the payment for parkland improvement costs as reflected in the minimum fee schedule listed ~~below:~~above.

Single family and two (2) family dwelling units, per unit.....	\$169.00
Three (3) to eight (8) family dwelling unit development, per unit.....	150.00
Nine (9) dwelling unit development and above, per unit.....	131.00

(e) Credit for parkland improvements in a benefit district. In addition to dedicating a portion of their land, developers may also petition the city to include the cost of public parkland improvements within a benefit district for the service area. Where such dedication occurs and public parkland is approved for inclusion in a benefit district, a credit equal to one hundred (100) percent of the required parkland improvement and street cost defined under this section shall be applied to the subdivision within the benefit district.

(ef) Dedication criteria. Land proposed for parkland dedication shall be approved by the ~~parks and recreation director~~ planning commission prior to ~~upon~~ approval of the ~~preliminary~~final plat. The parks and recreation director and planning director shall determine the suitability of the land for parkland, and determine any improvements required to bring the land into useable condition. Factors to be considered in

evaluating potential parkland sites shall include, but shall not be limited to,
the following:

(1) All land proposed for dedication as a park or other recreational site shall contain a minimum of five (5) acres.

(2) Not more than ten (10) percent of the park or open space shall contain storm-water detention/retention facilities, floodplain, or wetland, unless such area is part of a linear trail system, or is accepted by the parks and recreation director.

(3) The park or open space shall not have an average slope greater than ten (10) percent.

(4) Undisturbed natural open space may be accepted for a portion of the dedication requirements at the ratio of four (4) acres of undisturbed natural open space, for each one (1) acre of active parkland dedication.

(5) The parks and recreation director shall have the authority to waive or modify any or all of the above listed criteria.

(6) The park or open space shall be consistent with design policies/standards of the Comprehensive Plan.

(fg) *Trail dedication.* Where the Topeka-Shawnee County Trails and Greenways Plan identifies a trail planned for an area within a proposed subdivision, the property owner or developer shall be required to dedicate that portion of land for a public trail easement or trail right-of-way. Any such dedication shall receive a credit as specified in subsection (d), credit for parkland dedications, herein.

(gh) *Other considerations prior to deeding.* The parks and recreation director may require that any dedicated parkland be improved prior to dedication. Factors that may be considered shall include, but shall not be limited to, the following:

(1) To the greatest extent possible, the developer may be required to preserve existing trees or other species of vegetation, or other natural features on the land to be dedicated for a park, trail, or recreational space. Significant trees lost during the construction process may be required to be replaced with suitable species and of suitable site as determined by the parks and recreation director.

(2) Grass, or other quick establishing vegetative ground cover may be required to prevent soil erosion, according to the specifications determined by the parks and recreation director.

(3) The developer may be required to bring utilities to the boundary of the proposed park or open space and shall cap them off at no cost to the city. Utilities may include, but shall not be limited, to gas, storm sewer, sanitary sewer, and electricity. The location where such utilities are to be brought shall be determined by the city engineer and the parks and recreation director.

(hi) *Dedication process.*

(1) Land to be accepted as a park or trail under this section shall be designated as public park area or trail on the final plat.

(2) Prior to the dedication of parkland, the owner or developer shall provide the city with evidence of title in a form acceptable to the city attorney or a title insurance policy insuring the city's interest in the property. In any dedication of required land, the developer must have good and marketable title to the land, free and clear of any mortgages, liens, encumbrances, or assessments, except easements or minor imperfections of the title acceptable to the city.

(3) The parkland or trail shall be dedicated at the time of approval of the final plat. However, the city shall not accept the parkland or trail until the completion of required improvements and the approval of the parks and recreation director. All parkland reflected on a preliminary plat shall be dedicated to the city no later than the time of approval of a final plat which results in one-half ($\frac{1}{2}$) or more of the total area indicated in the preliminary plat.

(ii) *Credit for private open space.* Property owners or developers may choose to reserve a portion of a subdivision for use as private open space for the benefit of subdivision residents. In such instances, a credit of twenty-five (25) percent shall be applied against the parkland development fee as required by this chapter. All land proposed for reservation as private open space must be deemed useable and accessible by all residents within the proposed subdivision, as determined by the planning director, and approved by the planning commission.

Section 2. That section 134-169, Streets, of the Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Streets.

(a) Streets shall be graded and improved by construction of curb, gutter and pavement in units of one block or more for streets entirely within the subdivision but may include fractional blocks ending at the subdivision boundaries.

(b) Streets whose centerline is the boundary line of the subdivision and streets whose centerline is the city boundary may be improved to the centerline or city boundary and shall be paid for and provided by the owner of the subdivision in accordance with provisions as set forth above. Such improvements shall conform to the usual requirements for residential street paving.

(c) Major traffic thoroughfare improvements will be furnished by the city when necessary and in the judgment of the council such improvements are vital to the welfare of the city under the following conditions:

(1) If the street is unimproved, a portion comparable in cost to a street improvement in a regulation residential street shall be borne by the owner of the subdivision as set forth above.

(2) If the major traffic thoroughfare is already improved with pavement comparable to the usual residential requirements, the distribution of cost shall be determined by the city as provided by statute.

(d) Streets separating a park from residential or other property shall be improved as provided in subsection (a) and shall be paid for as follows:

(1) ~~The half of such street adjacent to private property shall be paid for~~
~~by the subdivider or property owner in accordance with section 134-~~
~~166.~~

(2) ~~The half of such street which adjoins public park property within the~~
~~city shall be paid for by the city at large, provided however, the~~
~~amount to be paid by the city under this subsection shall be~~
~~determined by three appraisers appointed by the council, and the~~
~~amount which they find to be the city's one half shall be conclusive~~
~~upon the city and the owner of the subdivision.~~

Section 3. Original City of Topeka Code § 134-143 and § 134-169 are hereby
specifically repealed.

Section 4. This ordinance shall take effect and be in force from and after its
passage, approval and publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk

DRAFT

**Minutes of the
Topeka Planning Commission
August 17, 2009**

ASR09/1 an amendment to the Subdivision Regulations regarding parkland development fees and street assessments for parks.

Braxton Copley summarized the amendment. He said he does not recommend allowing exceptions to the parkland fees within the subdivision regulations. He said in the building code there is a waiver to permit fees. He said most of this is residential development. The districts have been crafted and weighted in the fee. For the core district that has numerous parklands the fees are lower. The districts that need parkland will have a higher parkland fee. If the fee isn't spent within 10 years then the fee has to be refunded to the developer/owner. This is a fee that will pass through to the district it is originated in to be spent in that district to develop the services it is collected for. The fees were based on the need in the districts. Even in the areas that don't have a need to create new parks, monies could be used to upgrade or purchase additional park equipment. Mr. Copley said the monies can not be spent on maintenance.

Mark Boyd asked if the money could be used to develop trails? Mr. Copley said he believes the money could be used to purchase trail land.

Michelle Hoferer said Crestview Community Center would like to upgrade their pool to make it more like the Shawnee North Aquatics Center. Can the money be used to do that? Mr. Copley replied, yes. Ms. Hoferer asked what would happen if the city and county parks and recreation merged? Would the districts still stand? Mr. Copley said his initial answer is yes. The subdivision regulations will still apply. This money is being paid in and has to be spent as dictated in the subdivision regulations.

Howard Blackmon asked if the developer can still dedicate parkland in lieu of the fee. Bill Fiander replied, yes, they have to dedicate for public use which is a portion of the fee. He said we would also accept dedication for private use, as long as it is accessible to everyone they would receive credit.

Jim Brown said in a new area, the parkland fee could be used for trails. Mr. Fiander replied yes it could be used for trails. If a trail shows up within a subdivision that is part of the Trails Plan, you have to dedicate the land for the trail and the developer would receive credit for that dedication.

MOTION: Ms. Hoferer moved for approval.

Mr. Beardmore said the fees can be used for maintenance? Mr. Copley replied not for operational maintenance but it can be used to acquire additional parkland or to add to existing.

MOTION: Michelle Hoferer moved for approval, seconded by Howard Blackmon. **APPROVAL. (7-0-0)**



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 23, 2009

+ Back Print

DATE: October 20, 2009

CONTACT PERSON: Bill Fiander/David Thurbon **DOCUMENT #:**

SECOND PARTY/SUBJECT: Parks and Open Space Plan **PROJECT #:** CPA09/2

CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 009 Planning

CIP PROJECT: No

ACTION OF COUNCIL: 09/15/09 First Reading. **JOURNAL #:** 09
9/22/09 Deferred to
10/20/09.

PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., pertaining to an amendment to the text and map of the Topeka Comprehensive Metropolitan Plan. Final Reading. (CPA09/02) (Deferred from the meeting of September 22, 2009.)

Voting Requirement: Majority vote of the Governing Body, including the Mayor.

(Approval would amend the Parks and Open Space Plan element to include parkland fee districts.)

POLICY ISSUE:

The 17 geographic planning areas adopted in the Topeka Parks and Open Space Plan are proposed to be merged into 7 “parkland fee districts” intended solely for the apportionment of parkland fee expenditures. This change enables the parkland fees to be used in a more timely manner since they are required to be invested in the same area they are collected. The fee is collected at the time a new dwelling unit is built. The new districts are also rated in terms of their greenspace health. Those areas that need more park space will pay the full fee while those that have more access to greenspace will pay less.

STAFF RECOMMENDATION:

The Planning Commission recommended this proposal be **APPROVED** by a vote of **6-0-0** at their July 20, 2009 meeting as referenced in their attached minutes. The Planning Department recommended that the plan amendments be **APPROVED** as presented.

BACKGROUND:

See attachments A (text), B (table) and C (map) for description of amendment.

A companion ordinance is also presented for Governing Body consideration that would change the parkland development fee structure in the Subdivision Regulations (ASR09/1) consistent with the Plan amendment. Approval of

Item #13

this ordinance is necessary in order to consider the proposed Subdivision Regulation amendment.

Governing Body options:

- **Adopt** the Ordinance recommended by the Planning Commission by a simple majority of the Governing Body membership (6 votes);
- **Override** the Planning Commission's recommendation by a two-thirds majority of the Governing Body membership (7 votes); or,
- **Return** such recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

BUDGETARY IMPACT:

n/a

SOURCE OF FUNDING:

n/a

ATTACHMENTS:

[Parks and Open Space Plan](#)

[Ordinance](#)

[Exhibit C - map](#)

[Exhibit A - text](#)

[Exhibit B - table](#)

[PC minutes 7-20-09](#)

DRAFT
1-31-05

TOPEKA COMPREHENSIVE PARKS AND OPEN-SPACE PLAN

"The really great cities of the world are remembered for their public realm: their parks, plazas, squares, and pedestrian streets. It isn't about buildings alone—it's the public realm, the public environment, the connective fabric that sets the tone for private investment and creates the environment for human activity and habitation."

Cy Paumier, Principle to LDR International, to the Ninth Annual Urban Land Institute Mayor's Forum in Seattle, Washington, 1999.

Introduction –

Parks and open spaces are becoming increasingly important for people of all generations to exercise, spend time with family and friends, to play, enjoy nature and simply to relax from the stresses of modern day society. Indeed, residents of Topeka today benefit from the planning and forethought of city leaders of more than a century ago as we enjoy a first class system of parks, trails, and other recreational facilities within our community. Topekans today enjoy a wide variety of both active and passive recreational opportunities located in a comprehensive system of City, County, and State parks.

The system of parks and recreational facilities currently available to residents of Topeka has served us well for over a century. However, as growth within and around our community increases, the need for new recreational opportunities also increases. It thus becomes increasingly important to ensure that existing and planned parks and recreational amenities can meet the needs of an expanding population.

Everyone feels the impact of growth. More and more people are forced to share and support limited park space and recreational facilities. Perhaps more importantly, as the physical boundaries of our urban area continue to grow, convenient access to these facilities often becomes unattainable to many segments of our community. Therefore, it is essential that we, as a community, plan for and implement a comprehensive park and open space plan that ensures that our opportunities for leisure and play are not diminished.

This Parks and Open Space Plan is only one element of the greater Topeka Comprehensive Plan. The purpose of this plan is to guide the acquisition, planning and development of parkland in Topeka and its surrounding jurisdiction. A second function of the plan is to ensure the continued eligibility of Topeka to participate in state and federal funding programs for parks and recreation facilities.

This Plan does not attempt to guide the development of facilities or recreational programs that ultimately occur within our city's parks. Decisions regarding recreational programming should be left to the citizens and users of each park space, in conjunction with the Topeka parks and recreation Department. Rather, this document only provides a guide for the acquisition of parkland that will ultimately make other programming decisions possible.

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In the past, the primary responsibility of the Topeka Parks and Recreation Department has been to manage a network of existing park facilities while working within a limited budget. Due to perimeter growth around the City of Topeka, we must consider the need to expand the number of parks and types of services available to handle increasing demands. At the same time, it must be understood by the governing body of Topeka that adequate resources must be allocated to our Parks and Recreation Department in order to continue the level of services that we have come to expect.

The development of parks and recreational facilities should be an integral part of a larger open space framework where the protection of unique environments and natural resources are balanced with recreational enjoyment and interpretation. Therefore, this element of the Comprehensive Plan is closely linked to the Topeka-Shawnee County Regional Trails and Greenways Plan, and will lay the framework for a future comprehensive natural resources conservation plan, as well.

Why Do We Need Parks, and Open Spaces?

Aside from the obvious need for places to walk, play and unwind from daily stresses, there are a myriad other reasons to invest in a comprehensive and integrated system of public parks and open spaces. These open spaces enhance our **quality of life** and the **image** of our community. Regional parks are destination points for residents and visitors to our community. Often, perceptions of our community are based, in large part, on our experiences within our public open spaces. Regional parks, such as Gage Park or Lake Shawnee, can be sources of great pride and are, by themselves, generators of tourism.

Open spaces differ from parks in that they are not intended for active recreational use, but rather as calming vistas along our streets and boulevards. They are the collective space in our city that together, comprises the “public realm.” Open spaces can function as landscaped traffic calming devices, such as the Potwin traffic circles, or the median between opposing lanes of traffic. They can be the spaces between buildings on a campus, such as Washburn University, or the V.A. Hospital. Or, they can simply be the right-of-way of a tree-lined residential street.



Victorian Garden and mini-train bridge - Gage Park

But, like parks, open spaces generate valuable **aesthetic and land use benefits**.

Topekans have come to expect and rely upon the presence of large and small tracts of undeveloped areas. Many of our primary boulevards and trafficways are scattered with scenic vistas of both public and private open spaces. Often, these open spaces are located in floodways or otherwise unbuildable areas that have been dedicated as public parks or are otherwise left fallow by the property owner. In addition to providing valuable open space within our neighborhoods, the presence of these places offers motorists and passersby with a pleasing environment and experience while journeying through our city.

Parks and open spaces can also be used as **buffers** between incompatible land uses. For example, parks can be extremely valuable around the perimeter of residential districts, where aesthetic concerns are more important than in an adjacent industrial area where the function of the property is a greater concern than appearance.

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The ability of parks and open spaces to provide various **environmental benefits** is well documented. Greenspaces filter our air and replenish our groundwater. They reduce erosion, which in turn cleans our rivers and streams providing healthy habitats for plants and animals. Greenspaces reduce air temperatures by providing shade and absorbing heat from the summer sun.

Recent studies have also suggested parks provide various **social benefits**, such as reduced crime and delinquency rates. Parks are prime social gathering places for people of all ages. When these spaces are available, especially to youth, they often provide positive alternatives for spending leisure time, especially during summer months when school is not in session.

Why We Must Plan Ahead –

Cost - Parks and open spaces are best provided in advance of, or commensurate with development. Once an area is developed, the provision of open space and parks becomes extremely problematic. The retro-acquisition of developed land, and the associated costs of demolition and relocation makes the feasibility of parks much more costly.

Sprawl - Current development patterns are more land consumptive than of previous decades. Prior to 1950, a population of 1,000 people required approximately 30 acres of land. Today, that same population consumes in excess of 100 acres, and in some areas of Shawnee County, as much as 200 acres. Once this land is developed, its ability to contribute to the public as park or open space land is greatly diminished and the distance between these spaces increases. This pattern results in less land available for public use and benefit.



Autumn in Oakland-Billard Park

Access - Another factor requiring advanced planning for parks and open space is the changing patterns of public mobility. In many areas of Topeka, especially those areas built after 1960, accommodations for pedestrian access are largely missing. Sidewalks can have a huge impact on the ability of residents, particularly children, to walk within a neighborhood to a public park.

The absence of these sidewalks greatly reduces the independence and ability of children to access a nearby neighborhood park. This further reduces the options available to children in how they spend their leisure time, a factor that has a profound impact on the intellectual and physical development of children.

Planned Growth – This Parks and Open Space Plan incorporates the intent of the Topeka Growth Management and Land Use Plan to designate limited areas around the perimeter of the City of Topeka as population growth areas. The Growth Management and Land Use Plan estimates a population growth rate

of approximately 1.5 percent over the next 30 years, which will result in a population increase of approximately 95,000 persons in Shawnee County. New parks and open spaces within these designated growth areas must accompany this increase in population.

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Coordination – Parks in Topeka and Shawnee County are governed by two separate parks and recreation agencies – The Topeka Parks and Recreation Department, and the Shawnee County Parks and Recreation Department. As growth occurs within the planned growth areas, parks will be dedicated beyond the corporate limits of the City of Topeka, and which will be the responsibility of Shawnee County for maintenance and development. As these areas become developed and annexation occurs, the transfer of maintenance responsibilities from County to City must be seamless so as not to disrupt the services provided by these parks, and so as not to unnecessarily burden either service provider.

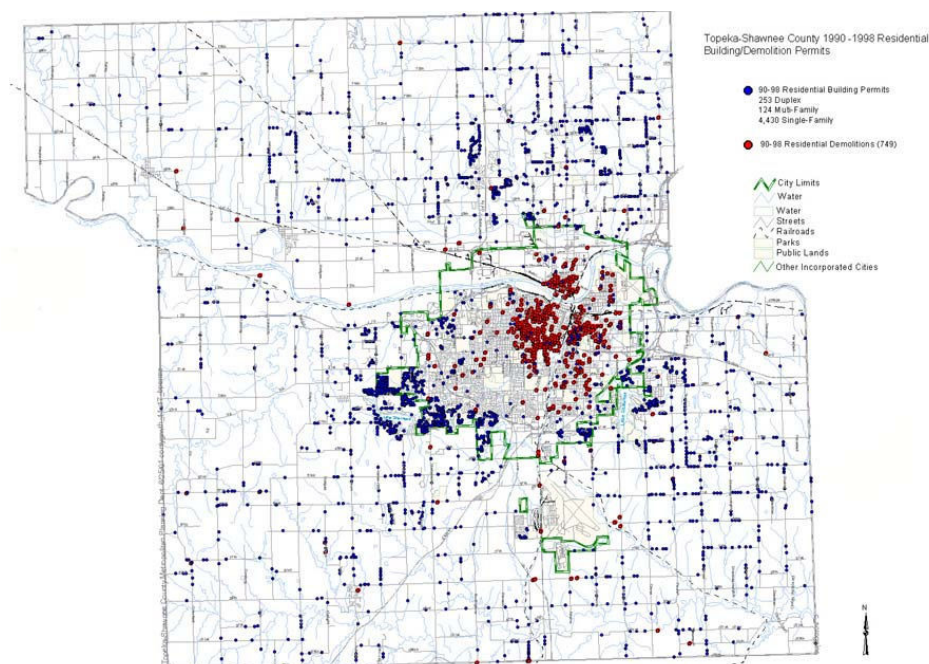
Keeping Pace With Growth –

The vast majority of neighborhood parks and open spaces that we currently enjoy were dedicated to the City of Topeka prior to 1950. Since that time, our community has grown, both in terms of population, and in terms of geographic boundaries.

Recent development trends in Shawnee County have resulted in the decentralization of both population and commerce. As population densities within the City of Topeka continue to decline, the population densities of the urban fringes increases. In most cases, this population expansion has occurred within the unincorporated areas of Shawnee County.

Although the City of Topeka has recently annexed several areas contiguous to the corporate boundaries on the City's north and southeast sides, the dedication of park and open space has not kept pace with demand for these public recreational places. Figure 1 illustrates the pattern of growth within and around the City of Topeka and Shawnee County over the past decade. As can be seen from the illustration, high concentrations of building permits (blue dots) have been issued for new residential construction at the southwestern edge of Topeka near Lake Sherwood. Significant concentrations of new residential building permits have also been issued in areas southeast of Topeka near Lake Shawnee, and also north of US Highway 24. In contrast, the numbers of demolitions (red dots) that have occurred are almost exclusively within central, north and east Topeka.

Figure 1



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1-31-05**

Under this pattern of growth (inner city demolition and perimeter sprawl), existing parks within the City of Topeka are being used and supported by a declining number of residents. Meanwhile, the lack of dedication of new parks and open spaces in the newer fringe subdivisions has left most residents of these areas without convenient access to neighborhood parks.

Obstacles to Dedication of New Parks – A principle cause for the slow-down in the dedication of new parks results from the method used to finance the construction of new roads within newly platted subdivisions. An ordinance passed by the Topeka City Council in 1981 states that *“The half of such street which adjoins public park property within the city shall be paid for by the city at large, provided, however, the amount to be paid by the city under this subsection shall be determined by three appraisers appointed by the council, and the amount which they find to be the city’s one-half shall be conclusive upon the city and the owner of the subdivision.”* (Sec. 134-169. Streets (d)(2)). In essence, this requires the City’s participation in road improvement districts when new subdivisions include public park space.

It was the intent of this ordinance for the City at large to accept ½ of the burden of the cost of constructing a public street when adjacent to a dedicated public park. However, city funding to pay for special assessments levied by road improvement districts have been paid directly from the Parks and Recreation Department budget for the past several years. The result has been a decreasing ability by the Parks & Recreation Department to accept the dedications of new parks due to their inability to shoulder the financial burden imposed by the ordinance cited above.

A secondary negative effect of the ordinance has been poor park design. Fees imposed by road improvement districts are based, in part, on the amount of road frontage bordering a lot. In the few instances where public or private park space has been recently dedicated with a plat, developers have attempted to minimize public road frontage in order to reduce the financial obligation imposed upon the City or a homeowners association by the road improvement district. This practice has resulted in the dedication of several parks that are practically hidden from public view, thus greatly reducing the visibility, safety, and usefulness of the park-space.

A second, but no less substantial obstacle to the dedication of new parks is the issue of an unpredictable budget. A portion of the City’s overall tax mill levy is dedicated exclusively for parks and recreation. This portion is controlled by the City Council, which can raise or lower this balance during each budget year. The total dedicated mill levy for parks and recreation for 2004 is 6.105 mills. The recommended mill levy for 2005 is a reduction to 5.92 mills, or a loss of approximately \$169,275 from the Parks Department budget.

The periodic rise and fall of this dedicated mill levy has made the Parks Department reluctant to accept new park dedications for fear that they will not be able to afford development and maintenance of additional acres to the city’s inventory of parks and open spaces. In order to accept, improve, and maintain parks within newly developed areas of the city, and its immediate perimeter, a stable and adequate source of funding is essential.

Maintaining and Expanding our Current Parks System –

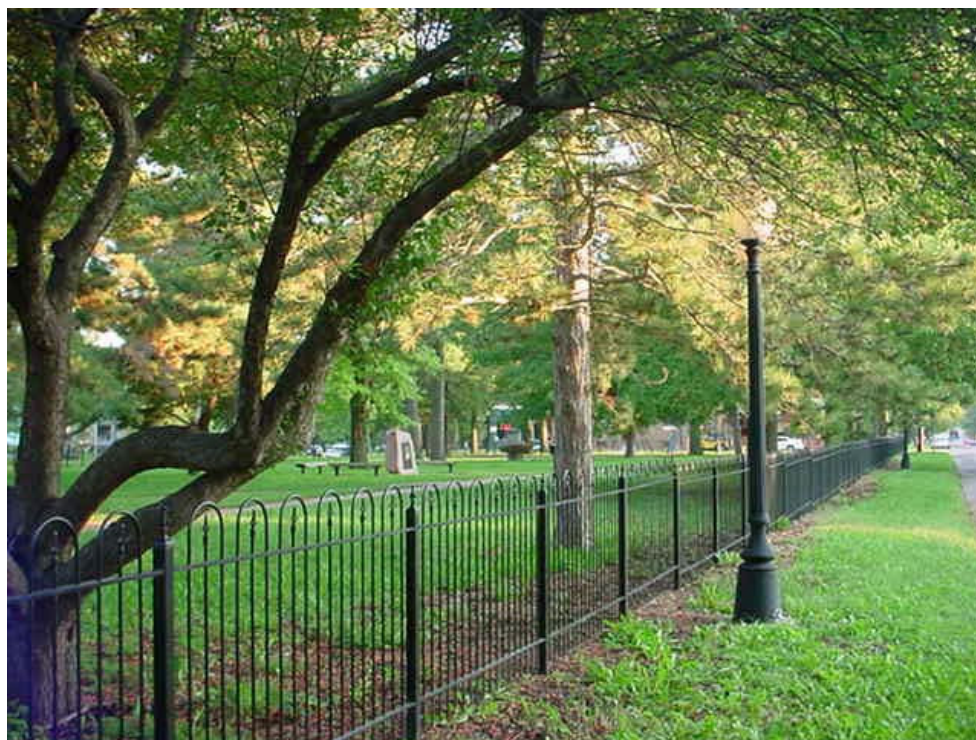
The attention that this document directs toward expansion of our parks and open space system in newly developed areas should not exclude or supersede the continued viability of our existing parks system. Indeed, most of our urban core and existing urbanized areas are presently underserved in terms of neighborhood and community-level parks. All efforts should be pursued to achieve adopted standards for the provision of parks at all levels, in all areas of our community.

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These efforts can be achieved in several ways. Since much of the existing urbanized area is platted and built with neighborhoods, shopping areas, office parks, and other infrastructure, the acquisition of sizeable portions of land for parks (5-10 acres) will, undoubtedly, be difficult. Therefore, alternatives to parks of this size should be considered. In these existing urbanized areas, it should be recognized that smaller parks can successfully fill the needs of their surrounding neighborhoods.

For example, Holiday Park in the Central Topeka planning area is just slightly greater than $\frac{1}{4}$ acre in size, yet is an ideal neighborhood park for its immediate surrounding area. However, due to its limited size, its capacity to serve the full extent of the neighborhood is also limited. To compensate, additional similar-sized parks of $\frac{1}{2}$ to 3 acres should be considered in other portions of the neighborhood, where, collectively, all such neighborhood parks can meet desired acres-to-population ratios.

It is also possible to expand existing neighborhood parks or open spaces in small increments. Throughout the urbanized area, many parks and open spaces are dedicated where limited street frontage exists or where lots are not desired for housing or commercial development. To aid in the revitalization of these areas and meet the demand of area residents, these parks and open spaces can be expanded by eliminating adjoining deteriorated housing, and beautifying additional street frontages and corridors.



Holiday Park in the summer.

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1-31-05

Previous Plans – The City of Topeka has an established history of advocacy for parks. However, the most recent long-range plan adopted exclusively for parks and open spaces was written in 1960. This document, entitled “Master Plan Report: Parks Recreation Areas, and Open Spaces,” laid the framework for our current system of neighborhood, community, and regional parks.

Most of the City’s current system of Community Centers (Rice, Hillcrest, Crestview, Oakland, Central) were established as recommendations within this report. This plan also established standards for the types and quantities of parks and open spaces that were to be built as our population grew.

While this plan was very successful in suggesting, and ultimately causing our current parks and open space system to be implemented, hindsight has proven that this plan was somewhat optimistic in its predictions for population growth. Estimates for population in Shawnee County, according to this plan, were expected to reach 227,000 by 1980. However, the authors of this report had no way of predicting the closure of Forbes Airbase only a short time after the adoption of this plan.

Subsequent plans for parks and open space have been included within updates to the city and county’s Comprehensive Plan. However, no real analysis has been performed in terms of service levels of the existing parks and open space system. Rather, recent plans have continued to suggest parks and open space dedication standards based on population growth and expansion. In most cases, these plans have suggested use of the parks and open space dedication guidelines established by the National Recreation and Parks Association (NRPA) and the National Academy for Park and Recreation Administration (NAPRA).

Although such standards have been included and adopted within previous parks and open space plans and comprehensive plans, no mechanism for implementing these standards has ever been adopted. Because of this, our parks and open space system grew very little during the last half of the 20th Century and has left large urbanized areas of Topeka and Shawnee County without adequate parks service.

In 2001, The City of Topeka and Shawnee County adopted a comprehensive **Topeka-Shawnee County Regional Trails and Greenways Plan**. This plan was adopted as an element of the greater Comprehensive Metropolitan Plan, and is intended to serve as a companion this document. The Regional Trails Plan proposes routes for approximately 188 miles of public trails throughout the City of Topeka and Shawnee County.

This Parks and Open Space Plan strives for the utmost compatibility with the Regional Trails Plan in terms of the location and connection of existing and future parks along designated trail systems. Both documents should be consulted when determining suitable locations for future parks.



A mountain biker tests his metal on the trails at Dornwood Park.

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1-31-05**

Major Themes — This document introduces several new ideas, or themes, into the management and maintenance of our parks and open space system. Perhaps most significant of all these themes is the manner in which we consider “**open space**.” This plan merges the concept of “open space” with “public realm.” As such, it encompasses a wide variety of types of public spaces, such as landscaped traffic calming devices, traffic medians, sidewalks, roadside gardens and gateways, fountains and public art, plazas and squares.

Open spaces can be unimproved fields, or can be a courtyard outside a public building. They can be geared toward passive or active recreational activities. They can be parks, or can be a scenic view shed of a natural or man-made vista.

The consideration of “open spaces” in this manner greatly expands their importance within the overall parks and open space system. Indeed, this document is entitled the **Topeka Parks and Open Space Plan**. As we strive to enhance our quality of life in Topeka, open spaces must be emphasized for their ability to improve the aesthetics and livability of our community.



**Foot bridge over Shunganunga Creek –
Crestview Park**

Another major theme of this plan is the concept of **environmental stewardship**, especially with regard to water. As everyone knows, water falls as rain or emerges from the ground in the form of a natural spring; some soaks into the ground, and some will find its way into our streams and rivers. Water is a very dynamic element, and as such it is not limited solely as an issue for parks and open spaces, but more as an environmental issue that affects the health and livability of the entire community. This plan suggests that we begin to think of water differently — not as a nuisance that we should divert to our streams and rivers as quickly as possible, but to use the water more as a resource to replenish our ground, to nurture our wildlife, and to provide us with recreational opportunities. This plan also suggests that we use parks, open spaces, and the public realm to demonstrate how Best Management Practices can help reduce storm water runoff, resulting in healthier lakes, streams, and rivers.

This plan also espouses **partnerships**. Partnerships can be multi-faceted, and can combine various interests in working toward similar goals. It is possible, for example, for civic groups and private organizations to utilize parks and open spaces as a means to commemorate a particular person or event. In this way, parks and open spaces combine **historic preservation** and **heritage recognition** to further both public and private goals.

Schools, cemeteries, and corporate campuses can also be integrated with the surrounding neighborhoods to provide pleasing vistas, trails, and open spaces, not only to local workers and students, but to residents of the surrounding neighborhoods, as well.

Arguably, the most important theme to be introduced by this plan is a **commitment to implementation** of the goals,



Historic Ritchie House

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strategies, and standards established by this plan. This document does not suggest altering the previously adopted standards for the dedications of parks and open spaces, or changes to their classifications. Rather, this document recommends adopting these recommendations as public policy coupled with the legislative framework to enact these recommendations.

Park and Open Space Acquisition – According to the Growth Management element of the Topeka Comprehensive Plan, Shawnee County is projected to grow at a rate of 1.5 percent per year over the next 30 years. Growth at this rate will mean 95,000 additional residents to Shawnee County, for a total population of 265,000 in the year 2030. As the population of Topeka grows, it will become increasingly important that new park and open space lands be reserved and developed for use by area residents.

In some cases, areas of open space and recreational facilities can be provided by private entities. Such cases can include golf courses, marinas, health clubs, and small neighborhood parks owned and maintained by common ownership associations.

In most cases, however, it is incumbent upon cities, the County, or other government entities to provide for such dedications of park and open space lands. Therefore, it should be recognized that ***the establishment and maintenance of parks and open spaces is an essential function of government at all levels.***

In order to ensure adequate public lands for parks and open space uses, ***acquisition of these properties should occur before the development of residential, commercial, or other land uses.*** This can be accomplished in a variety of ways including dedication of land concurrent with the platting process for residential or commercial subdivisions. Alternatively, funds can be dedicated to the City by a developer in lieu of lands. These funds, commonly called **development impact fees**, can then be used to develop parks and open spaces in other areas where they are most needed.

The Importance of Design – Really good parks, those that impart a defining character on a neighborhood and are used and cherished by the families who live around them, all have one thing in common: *great design*! Thoughtful and appropriate design of our neighborhood and community-level parks can have a profound impact in the long-term success on the quality of our neighborhoods.

There are three basic factors that contribute to great design for neighborhood and community level parks. The following section discusses each of these factors in greater detail.

- **Size** – Great neighborhood parks reflect the human scale of their surrounding areas. Neighborhood parks must be large enough to accommodate the needs of families who use the park, yet not so large that it overwhelms or dominates the character of the neighborhood. Most neighborhood parks range from 3 to 5 acres. This acreage easily accommodates a variety of uses, yet contains these uses within a focused, concise area.
- **Accessibility/Visibility** – Great neighborhood parks must be completely accessible to the surrounding area. Users of a neighborhood park should be able to access the park within an easy five-minute walk, or within ¼ mile from their home, without crossing major thoroughfares or difficult natural barriers. Ideally, neighborhood parks should be surrounded by local residential streets near the center of the neighborhood, with uninhibited access via sidewalks or local trails. Parks should not be designed with limited street frontage, or surrounded with rear yards that force an extended journey through the neighborhood to access that frontage.

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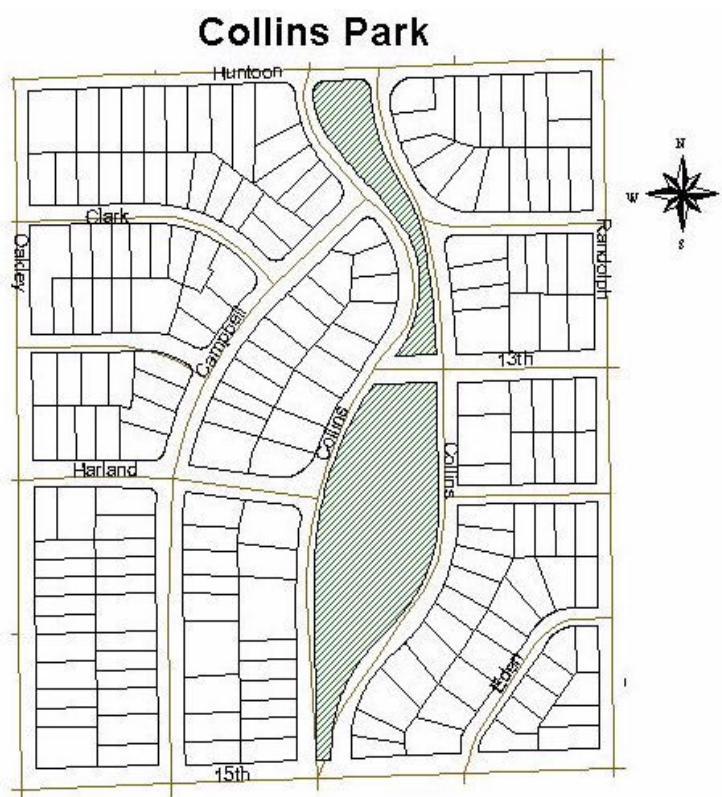
It is equally important that parks be designed to achieve the greatest degree of visibility from the surrounding neighborhood. Unfettered access to a park leads to greater visibility from all surrounding properties and streets. Being in a visible and open park increases the users sense of security and enjoyment of the park. An open design, not limited by reduced street frontage or hidden by privacy fences, creates a self-policing environment as neighbors and passersby can easily see within the park.

- **Location** - Neighborhood parks should be conveniently located for all residents of the neighborhood. Usually, this means the park should be located near the center of the neighborhood, as opposed to its periphery. A prime benefit for those homes fronting a quality neighborhood park is an increase in property value over other homes in the neighborhood. Proper selection of the site should balance protection of the site's natural features with the recreational needs of the parks intended users. For example, baseball or soccer fields should not be located on land with severe slopes. However, such slopes can provide wonderful views of surrounding areas, thus accommodating passive recreational needs of area residents, provided that sloped land, water detention areas, or thick wooded areas, etc. do not comprise a majority of the site.

Case Studies of Neighborhood Park Design – Topeka is blessed with many wonderful examples of neighborhood parks that incorporate these design principles. One of these parks, **Collins Park**, is considered by many to be a quintessential neighborhood park in the City of Topeka. Developed in the early 1920s, the Collins Park neighborhood was a distant suburb to the City of Topeka, yet central to its design was a linear park at its core. The neighborhood itself is 80 acres. Dedicated concurrent with the plat for the Collins Park neighborhood, the park at its center is approximately 4 acres and is no more than a 2-block walk from any residence in the neighborhood. The park enjoys great visibility with all homes facing the park, thus increasing the number of “eyes” on the park and creating a self-policing environment for its users. The park is designed with both passive green-spaces, as well as active recreational areas, including playgrounds, picnic areas, and a basketball court.

The location of the park within the neighborhood was dictated by the areas topography. The selected site is the lowest elevation of the neighborhood, and serves a dual purpose as a natural drainage basin for the neighborhood, although no part of the site actually lies within the 100 year flood-zone.

Collins Parks serves as an anchor to the surrounding neighborhood, providing opportunities for many neighborhood events, such as an annual 4th of July parade, neighborhood picnics, and small carnivals. The interaction between neighbors created by the park has fostered a unique identity for this neighborhood, and has increased the values of surrounding properties over time.



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Topeka also maintains several neighborhood parks that were developed under less than ideal conditions. Similar to the previous example of Collins Park, **Kingsrow Park** was also developed within a suburban neighborhood near the western edge of the City of Topeka. Kingsrow Park is located within the Brookfield neighborhood, a subdivision of 416 acres of residential land. There are approximately 1200 households within this neighborhood, for an approximate population of 2,700 persons. Kingsrow Park, itself, is slightly over 5 acres in size.

Contrary to Collins Parks discussed earlier, Kingsrow Parks was not dedicated with the original plat for Brookfield Subdivision, but acquired by the City of Topeka after most of the surrounding neighborhood was substantially developed. The difference between park dedication and park acquisition, in this instance, means that the City was forced to “make do” with a left-over parcel of land that was not suitable for development. The resulting park has limited street frontage, and is bordered on three sides by back yards, rather than public street frontage. When parks are designed to abut the rear yards of residential property, this usually forces an extended route for someone to reach the park, even though they may live within a few hundred feet of the park itself. This design also tends to encroach upon the privacy of the families who live adjacent to the park since the public has access to their rear yards. When this becomes problematic, the solution is often to erect privacy fences, which results in decreased surveillance of the park. This decrease in public surveillance, then, can lead to vandalism, illegal dumping, and other behavior within the park itself that reduces its overall appeal and use.

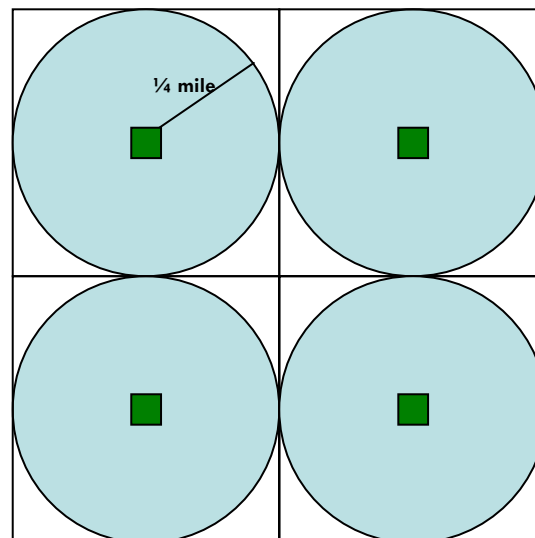
Kingsrow Park



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Model Standards for Neighborhood & Community Parks – This document presents a broad set of nationally recognized standards for park dedications. These standards indicate the density and acreage of parks that are required to serve a given population. This section will detail the standards for the foundation of our parks system, which is the neighborhood park.

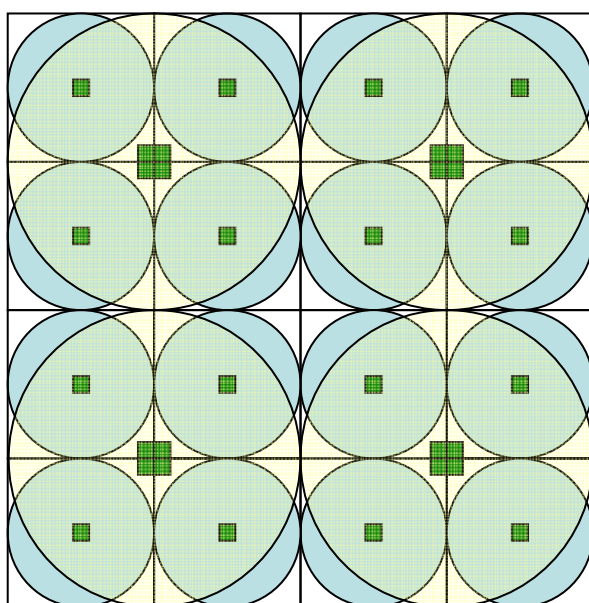
The graphic at right illustrates a generic square-mile section of land (640 acres), divided into quarters, each quarter representing a single neighborhood. At urban densities of 3 dwelling units per acre, each neighborhood, or quarter section of land, would be expected to be populated by roughly 1,000 persons. According to the recommended standard for neighborhood parks, each neighborhood should contain approximately 5 acres of neighborhood park space. In the graphic, this park space is placed near the center of each neighborhood.



Model of Neighborhood Park system.

The circles within each quarter section represent a quarter-mile, or 5-minute walking radius to the neighborhood park. Approximately 78% of the area within each quarter section lies within this quarter-mile radius. Therefore, as development occurs within the City of Topeka and its surrounding areas, roughly **78% of homes should be built no more than 1/4 mile, or a 5 minute walk, from a public neighborhood park.**

By combining multiple sections of land, such as illustrated in the example below, this concept can be expanded to incorporate community-level parks. Community parks share the same ratio of acreage to persons served as neighborhood parks (5 acres per 1,000 persons). However, community parks are designed to meet the recreational needs of several neighborhoods. Their purpose differs from neighborhood parks because they offer facilities and services that are not feasible, and perhaps not desirable, at the neighborhood level.



Model of Neighborhood and Community Park system.

In this second illustration, neighborhood parks remain at or near the center of each neighborhood, while larger community level parks are placed at the intersections of 4 separate neighborhoods. In this example, the resulting radius for each community-level park is approximately 1/2 mile, again encompassing approximately 78% of all land area within each section of land. However, recommended standards for the service area of community parks can vary from 1/2 mile to as much as 3 miles, depending on other types of parks and recreational facilities, including schools, available within the greater community.

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Vision – To better promote the physical, mental, and emotional well-being of all our citizens and visitors to our community, and in order to enhance to quality of experiences we share as residents of this city, the following vision is established to guide the further development and enhancement of our parks and open spaces system:

- All residents enjoy safe and convenient access within a 5-minute walk to a world-class system of parks, trails and open spaces.
- Sufficient parks and open space areas are provided throughout every neighborhood that meet national standards.
- Topeka's parks and open space system is based on partnerships that ensures the responsible stewardship of all public lands.

Goals – Goals encompass the overall vision and desired outcome of the Parks and Open Space planning effort. By adopting a range of defined goals through this plan, a set of benchmarks is also established to measure our progress toward achieving our overall vision. The Goals offered through this plan describe the kind of system we hope to develop in the future. These goals both implement the overall vision for the provision of parks and open spaces within Topeka, and focus community resources on identified issues and opportunities. These goals are further supported by a framework of strategies and actions to achieve what we, as a community, want in our parks and open space system.

GOAL I. Expand and Maintain the Park System

GOAL II. Establish Partnerships

GOAL III. Preserve Our Local Heritage

GOAL IV. Preserve Scenic Views and Corridors

GOAL V. Reconnect with the Kansas River and other Waterways

GOAL VI. Ensure Responsible Stewardship of Public Lands

The following section details specific strategies and actions to achieve these goals. How each strategy is achieved is then explained in terms of specific actions and programs.

GOAL I. Expand and Maintain the Park System –

The dedication of new parks and open spaces should accompany urban expansion to ensure a geographically equitable distribution of, and convenient access to regional, community, and neighborhood parks. In order to guarantee that future generations have access to quality, safe parks and open spaces, it is imperative that we begin, today, the process of acquiring these lands and reserving them for future use.

It is equally imperative that we strive to fulfill the need for parks and open spaces in those areas of our community that are already urbanized. All areas of our community are presently lacking at some level of park, be it a community park, neighborhood park, or smaller mini-park or open space. The City of Topeka should seek the opportunities to expand our existing park system in existing urbanized areas whenever possible.

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Strategy 1. Acquire and dedicate parks and open spaces commensurate with new development.

Actions:

1. Conduct a Natural Resources Survey to determine the most appropriate land within the City of Topeka and surrounding areas for the dedication of neighborhood, community and regional parks.
2. Adopt specific standards for the dedication of parks and open spaces commensurate with new development within the 3-mile extraterritorial boundary of the City of Topeka.
3. Require Development Impact Fees to fund the improvement and maintenance of new parks.
4. Explore incentives to encourage the dedication of parks and open spaces.
5. Adopt subdivision regulations that require the dedication of parks and open spaces as specified in the adopted standards for neighborhood, community, and regional parks through the platting process.
6. Eliminate the City's liability for participation in road improvement districts when parks or open spaces are dedicated with a final plat.

Strategy 2. Encourage the use of Traditional Neighborhood Design concepts in new subdivisions to secure accessible, pedestrian-friendly parks and open spaces.

Actions:

1. Adopt policies requiring adequate pedestrian access to all newly dedicated parks.
2. Encourage the placement of newly dedicated parks and open spaces adjacent to schools, fire stations, trails, or other public facility to maximize exposure of the park to the general public, and to enhance public surveillance.
3. Establish parkland dedication standards within the subdivision regulations to ensure adequate, safe, and functional park-space dedications within new developments.

Strategy 3. Expand the existing park system within existing urbanized areas where appropriate.

Actions:

1. Identify park deficiencies and opportunities within adopted neighborhood and area plans and implement their recommendations.
2. Identify available funding sources to acquire all appropriate and available properties to enhance and maximize the current park system.

GOAL II. Establish Partnerships – The establishment of partnerships with other government and non-government agencies can greatly improve the parks and open space system. As people increasingly desire diversity in recreational choices, local governments often find that their resources may not stretch far enough to meet current or future needs. Partnerships between public, private and non-profit organizations can help offset these deficiencies by combining resources.

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For example, private trails, such as the Menninger Health and Fitness Trail, could be granted public access, thus expanding the communities trail resources. Advocacy organizations, such as the Rails to Trails Conservancy can lead efforts to acquire and dedicate new parks and trails for public use.

In addition, the City can partner with various civic organizations to “adopt” a Park, trail or stream. Such programs are extremely beneficial to park maintenance in a variety of ways. A sense of “ownership” reduces litter and vandalism and builds an awareness of those actions on our parks system. Volunteer labor can also help defray expenses by increasing the quality and frequency of maintenance given to those adopted facilities.

Specific partnerships should be considered between public and private entities, including Federal, State and local governments, school districts, and community organizations.

Strategy 1. Partner with the public to foster community “ownership” of public parks, trails, and open spaces.

Actions:

1. Develop cooperative relationships with civic and community organizations to identify deficiencies and needed improvements to our existing inventory of neighborhood parks and open spaces.
2. Expand the Adopt-a-Park program to encourage community “ownership” of parks and open spaces.
3. Establish “Adopt-a-Stream” and “Adopt-a-Trail” programs to encourage civic involvement in the maintenance and restoration of our waterways and trails.
4. Partner with corporations and civic organizations to accomplish project specific improvements, such as bridge replacement projects on trails and construction of new playground equipment.
5. Partner with advocacy groups to encourage the acquisition and maintenance of public lands and natural habitat areas.

Strategy 2. Maximize the use of private open spaces and recreational facilities within the greater parks and open space “system.”

Actions:

1. Explore public access rights to identified private open spaces for public recreational benefit. Examples may include the Kanza Business & Technology Park, Menninger Campus fitness trail.....
2. Encourage the dedication of private open spaces within new developments.

GOAL III. Preserve our Local Heritage – The dedication of parks and open spaces is an ideal mechanism for recognizing and preserving significant aspects of our past. Heritage parks can be as elaborate as the Ward Meade Park, which has developed a theme of 19th Century life in the Midwest, or as simple as a garden that calls attention to a significant person or event in our past.

Topeka has a variety of heritage parks already and stands poised to gain even more in the future. Many of these parks, such as the Kansas State Historical Society and Museum and the Monroe National Historic Monument are not owned

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or operated by the City, but by state and federal agencies. However, local agencies can capitalize on these resources to establish local and regional themes that can both educate and be used to generate tourism opportunities.

Strategy 1. Identify and protect our areas cultural and historic resources.

Actions:

1. Conduct a historic and cultural resources survey to identify possible locations for commemorative parks and public spaces.
2. Expand local landmarks eligibility to include identified non-residential properties.
3. Encourage National Register Designation for identified historic properties.
4. Establish design guidelines for recognized historic districts and their surrounding areas to protect the authenticity of these historical and cultural resources.

Strategy 2. Utilize the areas cultural and historic resources to maximize educational and tourism opportunities.

Actions:

1. Initiate a “way finding” sign campaign to direct the public to identified cultural and historic resources.
2. Establish volunteer “Friends” groups to educate the public and offer tours of cultural and historic resources.
3. Capitalize on state and federal resources to establish local and regional themes for cultural and historical education and tourism opportunities.

GOAL IV. Preserve Scenic Views and Corridors – Scenic views and corridors can range from thousands of acres of rural lands to a single small homestead with a front yard of $\frac{1}{4}$ acre. Scenic views and corridors, or view-sheds, are similar to historic buildings and districts in that they reveal aspects of our community’s origins and values. View-sheds can preserve both man-made and natural vistas, ranging from parks and playgrounds, to battlefields, cemeteries, agricultural preserves, or views of the State Capital Building. All these man-made vistas can be preserved by ensuring appropriate development within certain identified areas, particularly along major roadways with prominent views of these resources. Other view-sheds, such as natural, pristine views of the Kansas River or native prairies, should also be protected to remind us of our region’s natural history. Preservation of these view-sheds can provide scenic, economic, ecological, social, recreational, and educational opportunities that help us understand ourselves, both as individuals, and as a community. This goal strives to capitalize on our region’s natural and man made scenic vistas by ensuring their prominence within the overall parks and open space system.

Strategy 1. Reserve natural and man-made scenic views and corridors for view-shed protection.

Actions:

1. Conduct natural and historical resource surveys to identify possible view-sheds for protection.

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2. Discourage the placement of buildings, signs, utilities, towers, or other man-made features within designated scenic or historic view-sheds.
3. Adopt a sign ordinance that prohibits the placement of billboards and other signs within protected view-sheds.
4. As feasible, encourage all utility lines to be buried, both in new developments and in older neighborhoods.
5. Establish appropriate standards for signage for buried utilities and public information signs.

Strategy 2. Preserve public green-space along public roadways, waterways, and trails.

Actions:

1. Adopt a Street-Tree Ordinance to re-establish an urban forest within the expanding urbanized area.
2. Adopt a Historic Tree Ordinance to protect large species and historic or significant trees within public rights-of-way and other public properties.
3. Adopt design standards for public works projects that incorporate public green-spaces as prominent design elements.
4. Identify the region's waterways by placing identification markers on bridges and viaducts.
5. Adopt a Stream-Buffers ordinance that restricts development adjacent to streams and waterways.
6. Establish overlay zones with specific design standards and design review procedures within 75' of all public parks, trails and green-ways to protect and enhance the character of these public areas.

GOAL V. Reconnect with the Kansas River and other Waterways – Area streams and creeks played a very crucial role in the development of Topeka's earliest parks and open spaces. In most cases, ground that lay within a flood-plain and could not be developed was set aside and reserved for park space. This practice has led to the dedication of dozens of parks in the City of Topeka ranging in size from little more than an acre (Shimer Park), to several hundred acres (Shunga Trail). Recently, however, it has become more economical for developers to fill low-lying areas prone to flooding, redirect the flows of water and make use of land that, earlier, had been considered impractical for development.

Contributing to this practice was the aftermath of the flood of 1951. After this event, many of our natural streams and waterways were channelized. The flood, although devastating in its effects on many areas of Topeka, caused us to regard our streams and waterways more as nuisances than assets. Streams became the means by which water was sent to the Kansas River, and the resulting engineering of our streams sent this water to the river as quickly and efficiently as possible.

Recent findings in storm-water management practices have led us to rethink this policy of over-engineering our streams as nothing more than conduits for storm-water drainage. It is now viewed as possible, and even advantageous, to utilize our streams and waterways more in their natural state, and to naturalize those streams that have already been converted. This new practice utilizes our waterways and wetlands as filters to reduce or eliminate pollutants that enter our streams in the form of storm-water run-off. This practice also allows our ground-water resources to replenish, thus reducing the effects of periodic droughts. The end results of this practice are cleaner streams and rivers, cleaner drinking water, sustainable habitat for wildlife, and useable recreational resources for people.

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Strategy 1. Increase opportunities for public recreation along the Kansas River and other waterways.

Actions:

1. Implement the Topeka-Shawnee County Regional Trails Plan, which calls for the construction of trails along the Kansas River, Soldier Creek, Shunganunga Creek, and Deer Creek.
2. Establish additional points of access to the Kansas River for boating and fishing opportunities.
3. Construct a Downtown Riverfront Park to showcase the regions primary natural attributes to both area residents and visitors.
4. Develop a network of lagoons, lakes and ponds at strategic locations along our creeks and streams that serve to provide recreational opportunities for area residents, provide habitat for natural wildlife, and serve as filters to improve the water quality.
5. Establish an "Adopt-a-Stream" program to encourage civic involvement in the maintenance and restoration of our waterways.

Strategy 2. Improve the environmental quality of all waterways in Topeka for habitat and recreational purposes.

Actions:

1. Adopt a Stream-Buffers ordinance that limits development adjacent to streams and waterways.
2. Encourage the use of Best Management Practices to control storm-water runoff to reduce pollutants entering our streams and waterways.
3. Continue to support the Shawnee County Conservation District's efforts to educate the public regarding storm-water drainage and pollutant's entering streams and rivers.
4. Develop a network of lagoons, lakes and ponds at strategic locations along our creeks and streams that serve to provide recreational opportunities for area residents, provide habitat for natural wildlife, and serve as filters to improve water quality.

GOAL VI. Ensure Responsible Stewardship of Public Lands – Topeka's quality of life is greatly influenced by the region's natural and cultural resources and the scenic settings they create. Outdoor recreation brings people in contact with our natural surroundings, and gives us an opportunity to enjoy our natural environment. Environmental, historical, and cultural features in parks can therefore serve as important educational resources.

Environmental quality is necessary to ensure the quality of outdoor recreation. Damage to our natural resources results in a reduction in our quality of life and in costly solutions to the public. Utilizing our parks and open spaces in a manner that safeguards natural ecosystems systems creates utilitarian benefits, and recreational and aesthetic benefits, as well.

Strategy 1. Establish a framework for the preservation, enhancement, and restoration of park landscapes and ecological habitats.

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Actions:

1. Conduct a countywide biological survey to identify prime habitats for both fauna and flora.
2. Adopt use specific development standards for public lands and open spaces that protect the character and integrity of public lands while balancing the needs of human and natural habitats.
3. Establish a review process for all public and private development projects in order to protect and enhance historic and natural resources within Topeka.
4. Establish parkland dedication standards within the subdivision regulations to ensure adequate, safe, and functional park-space dedications within new developments.
5. Adopt a stream-buffers ordinance that protects our community's waterways from development and degradation.
6. Zone all publicly owned parks and open spaces to the "OS-1" Open Spaces District, to ensure their continued availability and use as parks and recreational amenities.
7. Adopt urban design standards that encourage street-scaping with all new road improvement, and other public and private infrastructure projects. Such standards should include landscaped medians, traffic calming devices, and street trees.

Strategy 2. Ensure adequate funding to support ongoing acquisition, maintenance, and improvements to our parks, trails, and open space systems.

Actions:

1. Explore alternative funding sources to support capital improvements within parks, trails, and open spaces. Such alternatives may include the establishment of parks districts, development impact fees, corporate or community sponsorship, grants, or private contributions, among others.
2. Initiate a "Quality First" approach to parks and open space management to include initial investment in quality materials, design, preventative maintenance programs, and energy/materials conservation.
3. Explore private maintenance contracts for public parks and open spaces.
4. Explore the possibility of consolidation of the Topeka and Shawnee County Parks and Recreations Departments as a means of cost savings and joint funding.
5. Develop guidelines for the allocation of parkland development fees.

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Priorities for Implementation –

The above-listed section outlines a broad set of goals, actions, and strategies that are designed to collectively implement and achieve the vision for our parks and open spaces as established by this plan. The following section is a subset of these actions and strategies. The priorities are listed in no particular order, but serve to identify and detail the highest priorities as collectively set forth by the City of Topeka through the adoption of this document. Some of these priorities may be readily and quickly achievable, while others may require further planning or study, or greater length of time to fully implement. However, it is intended that progress toward implementing each of these priorities should begin as soon as possible so that momentum established by the passage and adoption of this document is maintained, and community interest remains high.

Priority 1. Conduct a county-wide biological survey to identify prime habitats for both fauna and flora to identify the most appropriate lands for new park-land dedication. (Goal I, Strategy 1, Action 1)

Who: Topeka Planning Dept.
When: CY 2005
Cost: \$50,000 (estimate)

Priority 2. Establish design standards for new parkland dedications within the subdivision regulations to ensure adequate, safe, and functional park-space within new developments. (Goal I, Strategy 2, Action 3)

Who: Topeka Planning Department
When: CY 2005
Cost: \$100,000 (to be completed as a component of the Unified Development Code)

Priority 3. Adopt new subdivision regulations that require the dedication of parks and open spaces as specified in the adopted standards for neighborhood, community, and regional parks through the platting process in all areas of the City of Topeka and its Urban Services Boundary. (Goal I, Strategy 1, Action 5)

Who: Topeka Planning Department
When: CY 2005
Cost: \$100,000 (component of the Unified Development Code)

Priority 4. Eliminate the City's liability for participation in road improvement districts when parks or open spaces are dedicated with a final plat. (Goal I, Strategy 1, Action 6)

Who: Topeka Planning Department; Topeka City Council
When: Immediately.
Cost: No initial cost; however, removal of the city's liability for road improvement districts will impact the cost of private developments.

Priority 5. Establish additional points of access to the Kansas River for boating and fishing opportunities. (Goal V, Strategy 1, Action 2)

Who: Topeka Public Works Dept; Topeka Parks & Rec. Department; Army Corps of Engineers
When: Initial Planning Phase – 1995; Construction Phase - 1996

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Cost: \$100,000; State or federal funding possible

Priority 6. Construct a Downtown Riverfront Park to showcase the regions primary natural attributes to area residents and visitors. (Goal V, Strategy 1, Action 3)

Who: Topeka Planning Dept; Topeka Public Works Dept; Topeka Parks & Rec. Dept; Railroad Days & Great Overland Station Museum; Greater Topeka Chamber of Commerce; Topeka Convention & Visitors Bureau; Army Corps of Engineers

When: Initial Design Phase should start immediately; Construction Phase should begin by CY 2007

Cost: \$2,000,000 between private fundraising, and local, state, and federal funding

Priority 7. Implement the Topeka-Shawnee County Regional Trails Plan, which calls for the construction of trails along the Kansas River, Soldier Creek, Shunganunga Creek, and Deer Creek. (Goal V, Strategy 1, Action 1)

Who: Topeka Parks & Rec. Dept.

When: Ongoing

Cost: \$100,000 annual appropriation though CIP

Priority 8. Adopt urban design standards that encourage street-scaping with all new public and private infrastructure projects. Such standards should include landscaped medians, traffic calming devices, street trees and historic street-tree preservation. (Goal IV, Strategy 2, Actions 1, 2, and 3)

Who: Topeka Planning Dept; Topeka Public Works Dept.

When: Immediately

Cost: \$10,000 (estimate)

Priority 9. Zone all publicly owned parks and open spaces to the “OS-1” Open Spaces District, to ensure their continued availability and use as parks and recreational amenities. (Goal VI, Strategy 1, Action 6)

Who: Topeka Planning Dept; Topeka City Council

When: Immediately

Cost: Negligible

Priority 10: Develop guidelines for the allocation of parkland development fees. (Goal VI, Strategy 2, Action 5)

Who: Topeka Planning Dept; Topeka Parks & Rec Dept.

When: Immediately

Cost: Negligible

Priority 11: Add as necessary.

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Current Levels of Service -

As a part of this parks and open space plan, staff have conducted a comprehensive analysis of current levels of service of parks and open space. To do this, a total of 21 distinct “planning areas” were identified within the City of Topeka and the immediate surrounding area. Those areas located outside the corporate limits of the city of Topeka mirror those areas planned for future population and employment growth as identified within the proposed Future Land Use and Growth Management Plan.

To the greatest extent possible, each planning area was determined based on natural barriers, such as creeks and rivers, and man-made barriers such as major arterials roads and highways. Each area represents a reasonable expectation of “community boundaries” and largely reflects the service areas of existing recreation “Community Centers,” such as Shawnee County North Community Center, Rice Park, Garfield Park, and Hillcrest Park.

In addition to identifying individual communities, or planning areas, the analysis of service levels further identified individual neighborhoods. Each neighborhood is based on a reasonable 5-minute walking distance to a neighborhood park. As is plainly visible on the following map, each neighborhood largely follows Section and Quarter-Section lines or other physical boundaries.

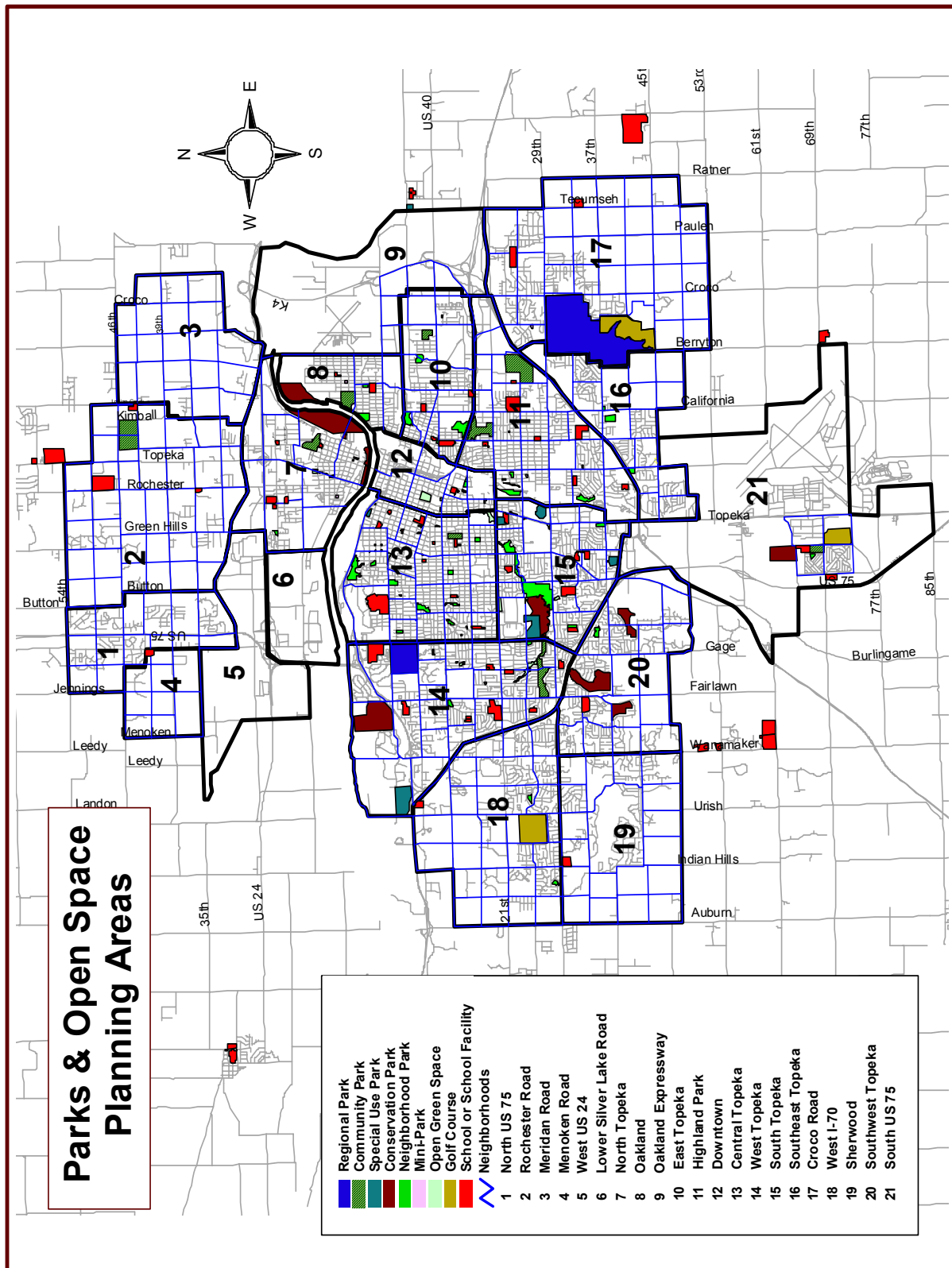
To perform the analysis, each park and identified open space within each planning area was assigned a specific classification. A total of eight (8) classifications were determined based on the intended use and function of each park or open space. The classifications are as follows:

- 1) Regional Park
- 2) Community Park
- 3) Special Use Park
- 4) Conservation Park
- 5) Neighborhood Park
- 6) Mini-Park
- 7) Open Space/Greenway
- 8) Golf Course

Figure 2 outlines each planning area and neighborhood boundary. Table 1 provides a detailed breakdown of each planning area, its population, and acreage of parks by major category. This table is followed by a detailed description of the levels of service for parks and open space for each planning area.

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Figure 2



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Parks & Open Space Summary Table - Acres

Planning Area	Population	Regional Total Acres	Acres Per 1000	Community Total Acres	Acres Per 1000	Special Use Total Acres	Acres Per 1000	Conservation Total Acres	Acres Per 1000	Neighborhood Total Acres	Acres Per 1000
1 North US 75	2,240	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2 Rochester Road	4,082	0.00	0.00	115.00	28.17	0.00	0.00	0.00	0.00	0.00	0.00
3 Meridan Road	1,578	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
4 Menoken Road	435	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
*5 West US 24	262	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
*6 Lower Silver Lake Road	216	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
7 North Topeka	6,237	0.00	0.00	23.70	3.80	0.00	0.00	0.00	0.00	3.20	0.51
8 Oakland	6,243	0.00	0.00	51.30	8.22	0.00	0.00	100.40	16.08	18.70	3.00
*9 Oakland Expressway	360	0.00	0.00	0.00	0.00	8.14	22.61	0.00	0.00	0.00	0.00
10 East Topeka	7,252	0.00	0.00	16.53	2.28	0.00	0.00	0.00	0.00	68.43	9.44
11 Highland Park	14,990	0.00	0.00	137.90	9.20	0.00	0.00	0.00	0.00	24.05	1.60
12 Downtown	2,988	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.80	1.61
13 Central Topeka	26,926	0.00	0.00	16.30	0.61	5.30	0.20	0.00	0.00	67.60	2.51
14 West Topeka	16,838	160.00	9.50	65.00	3.86	81.43	4.84	176.60	10.49	9.20	0.55
15 South Topeka	15,468	0.00	0.00	0.00	0.00	116.50	7.53	102.66	6.64	131.80	8.52
16 Southeast Topeka	5,563	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	23.10	4.15
17 Croco Road	6,073	766.86	126.27	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
18 West I-70	10,599	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9.15	0.86
19 Sherwood	5,595	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
20 Southwest Topeka	5,563	0.00	0.00	0.00	0.00	0.00	0.00	190.63	34.27	8.70	1.56
*21 South US-75	6,073	0.00	0.00	64.50	10.62	0.00	0.00	75.03	12.35	2.65	0.44
Total	145,581	926.86	6.37	490.23	3.37	211.37	1.45	645.32	4.43	371.38	2.55
NRPA Recommendation		2183.72	15.00	727.91	5.00	Variable	Variable	Variable	Variable	727.91	5.00

Planning Area	Population	Mini Total Acres	Acres Per 1000	Open Space Total Acres	Acres Per 1000	Public Golf Course Total Acres	Acres Per 1000	Total Total Acres	Acres Per 1000	Percent Parks
1 North US 75	2,240	0.00	0.00	0.00	0.00	0.00	0.00	-	0.00	0.0%
2 Rochester Road	4,082	0.00	0.00	0.00	0.00	0.00	0.00	115.00	28.17	1.9%
3 Meridan Road	1,578	0.00	0.00	0.00	0.00	0.00	0.00	-	0.00	0.0%
4 Menoken Road	435	0.00	0.00	0.00	0.00	0.00	0.00	-	0.00	0.0%
*5 West US 24	262	0.00	0.00	0.00	0.00	0.00	0.00	-	0.00	0.0%
*6 Lower Silver Lake Road	216	0.00	0.00	0.00	0.00	0.00	0.00	-	0.00	0.0%
7 North Topeka	6,237	0.80	0.13	9.87	1.58	0.00	0.00	37.57	6.02	1.1%
8 Oakland	6,243	1.90	0.30	0.00	0.00	0.00	0.00	172.30	27.60	11.8%
*9 Oakland Expressway	360	0.00	0.00	0.00	0.00	0.00	0.00	8.14	22.61	0.0%
10 East Topeka	7,252	1.80	0.25	0.00	0.00	0.00	0.00	86.76	11.96	3.8%
11 Highland Park	14,990	4.30	0.29	2.97	0.20	0.00	0.00	169.22	11.29	4.2%
12 Downtown	2,988	1.90	0.64	18.35	6.14	0.00	0.00	25.05	8.38	1.8%
13 Central Topeka	26,926	1.35	0.05	19.60	0.73	0.00	0.00	110.15	4.09	2.5%
14 West Topeka	16,838	0.65	0.04	18.90	1.12	0.00	0.00	511.78	30.39	9.7%
15 South Topeka	15,468	0.00	0.00	10.25	0.66	0.00	0.00	361.21	23.35	11.4%
16 Southeast Topeka	5,563	0.00	0.00	0.00	0.00	0.00	0.00	23.10	4.15	0.3%
17 Croco Road	6,073	0.30	0.05	0.00	0.00	244.00	40.18	1,011.16	166.50	20.5%
18 West I-70	10,599	0.00	0.00	0.00	0.00	160.41	15.13	169.56	16.00	4.1%
19 Sherwood	5,595	0.00	0.00	0.00	0.00	0.00	0.00	-	0.00	0.0%
20 Southwest Topeka	5,563	0.00	0.00	0.00	0.00	0.00	0.00	199.33	35.83	7.2%
*21 South US-75	6,073	0.00	0.00	0.00	0.00	76.07	12.53	218.25	35.94	3.0%
Total	139,508	13.00	0.09	79.94	0.55	480.48	3.30	3,218.58	22.11	4.2%
NRPA Recommendation		291.16	2.00	Variable	Variable	Variable	Variable	Variable	Variable	

* These planning areas are projected for future employment growth, as opposed to additional residential growth. Therefore, additional park space is not forecast for these areas.

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Planning Area Health Assessment – In order to gauge the overall need for parks and open spaces within the City of Topeka and its surrounding areas must be determined relative to all other areas so that priority areas can be recognized and planned for. This plan borrows a system by which the overall health of specified areas is judged according to a common set of criteria. Once this “health assessment” is completed, then those areas with the greatest need can be easily identified, and policies and remedies can be planned for and budgeted. This health assessment can also be used as a benchmark to track progress toward alleviating those measures of ill-health that have been identified.

This health assessment **DOES NOT** make any judgments regarding the quality of existing parks, and is **NOT** meant to serve as a tool to guide budget expenditures.

For the purposes of this plan, the health assessment has been determined based on a set of four separate categories of information listed below.

Health Categories –

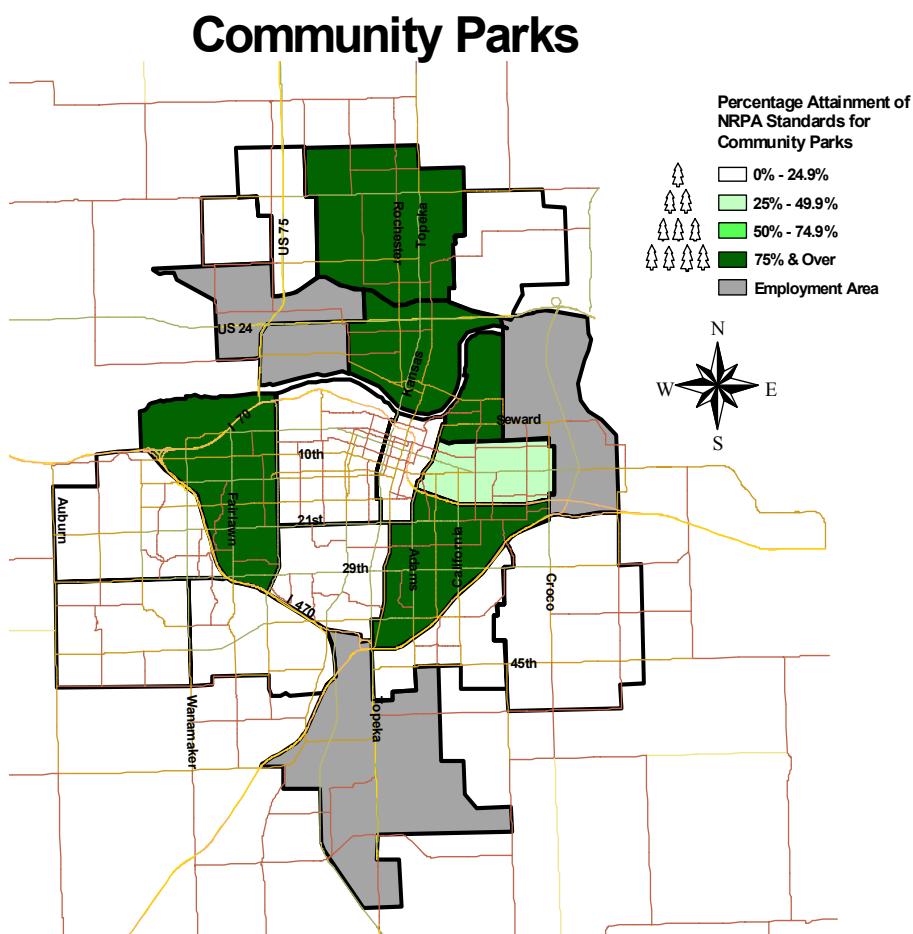
- 1)  **Four Trees (Healthy)** – This category is intended to denote those planning areas that exhibit most or all of the characteristics that make a neighborhood “park friendly.” Healthy neighborhoods meet the minimum recommendation of the National Recreation and Parks Administrators (NRPA) for community and neighborhood parks per 1,000 persons; offer a neighborhood or community-level park within ¼ mile of 78% of all homes within the planning area; and have a minimum of 10% of all land within the planning area devoted to parks or open space.
- 2)  **Three Trees (Out-Patient)** – This category is reserved for those planning areas with significant resources in terms of parks and open spaces, but could use some improvement. These planning areas meet between 67% and 99% of NRPA recommendations for community and neighborhood-level parks per 1,000 persons; provide a neighborhood or community-level park within ¼ mile of 52% to 77% of all homes within the planning area; and have between 7% and 9.9% of all land within each planning area devoted to parks and open space.
- 3)  **Two Trees (At Risk)** – At-risk planning areas need improvement in all aspects of the provision of parks and open space. These planning areas meet between 34 and 66% of NRPA recommendations for the provision of neighborhood and community-level parks per 1,000 persons. These planning areas also provide community or neighborhood level park space within a ¼ mile radius to fewer than 51% of all homes. Lastly, these planning areas contain between 4.5% and 6.9% of all land within their boundaries dedicated as parks or open space.
- 4)  **One Tree (Intensive Care)** – This category denotes those planning areas that offer little, if any, resources for public parks and open spaces. These planning areas meet less than 33% of NRPA recommendations for the provision of neighborhood and community-level parks per 1,000 persons. These planning areas also provide community or neighborhood level park space within a ¼ mile radius to fewer than 25% of all homes, and contain less than 4.4% of all land area dedicated as park or open space.

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Assessment Criteria:

- 1) **Community Parks** – The first measure of health for parks and open spaces is the percentage attainment of NRPA recommendation for community parks. The NRPA recommendation for community-level parks is 5 acres per 1,000 persons. Only four planning areas meet this standard (Rochester Road at 563% of NRPA recommendation, Highland Park at 184%, Oakland at 164%, and South US-75 at 212%). Rochester Road contains the Shawnee County North Community Center, a 115-acre complex offering multiple recreational opportunities. Highland Park boasts nearly 138 acres of community-level parks divided between Hillcrest and Dornwood Parks, while Oakland offers the Oakland-Billard Park at 51.3 acres. Although the South US-75 planning area is regarded by this document as a future employment zone, it none-the-less contains the Montara neighborhood and the Velma K. Paris Community Center at 64.5 acres. All of these planning areas have sizeable community-level parks coupled with relatively small populations, making the ratio of park-space to persons served higher than minimum recommended standards.

Three additional planning areas offer some community-level park space, but do not meet minimum NRPA standards. These three are North Topeka (76%), Central Topeka (12%), East Topeka (46%) and West Topeka (77%). Most (14) of the studied planning areas, however, have no community-level parks. Full details for community parks and NRPA standards are listed in the composite rankings table on page 30.

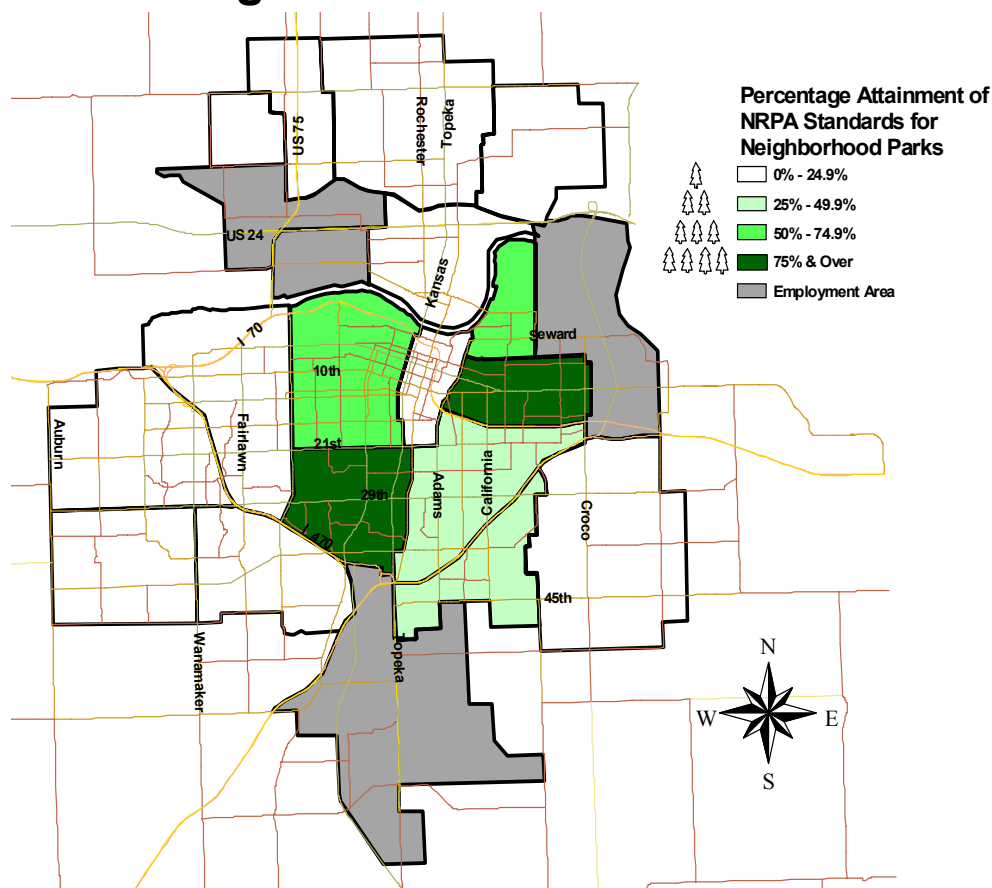


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- 2) **Neighborhood Parks** – The second measure of health is the percentage attainment of NRPA recommendation for neighborhood parks. Like the preceding criteria, the NRPA recommendation for neighborhood-level parks is 5 acres per 1,000 persons. Only two of the planning areas studied meet this standard. East Topeka contains approximately 52 acres of neighborhood parks for a ratio of 9.44 ac/1,000 persons, or 189% of NRPA recommendations. Most of this park space is contained within either Freedom Valley Park (31.8 ac) or Ripley Park (13 ac). South Topeka offers nearly 132 acres of neighborhood park space, for a total of 8.52 ac/1,000 persons, or 170% of NRPA recommendations. This planning area contains a substantial portion of the Shunganunga Trail system and the series of neighborhood parks that lie along the trail.

There are 11 additional planning areas that offer limited neighborhood park space. A credit of five acres of neighborhood park space has been added to those planning areas with community-level parks in order to recognize the potential neighborhood-park function of community parks to the immediate surrounding neighborhood. Five planning areas, predominately suburban in nature and outside the current Topeka corporate limits, have no neighborhood park space. Full details for neighborhood parks and NRPA standards are listed in the composite rankings table on page 30.

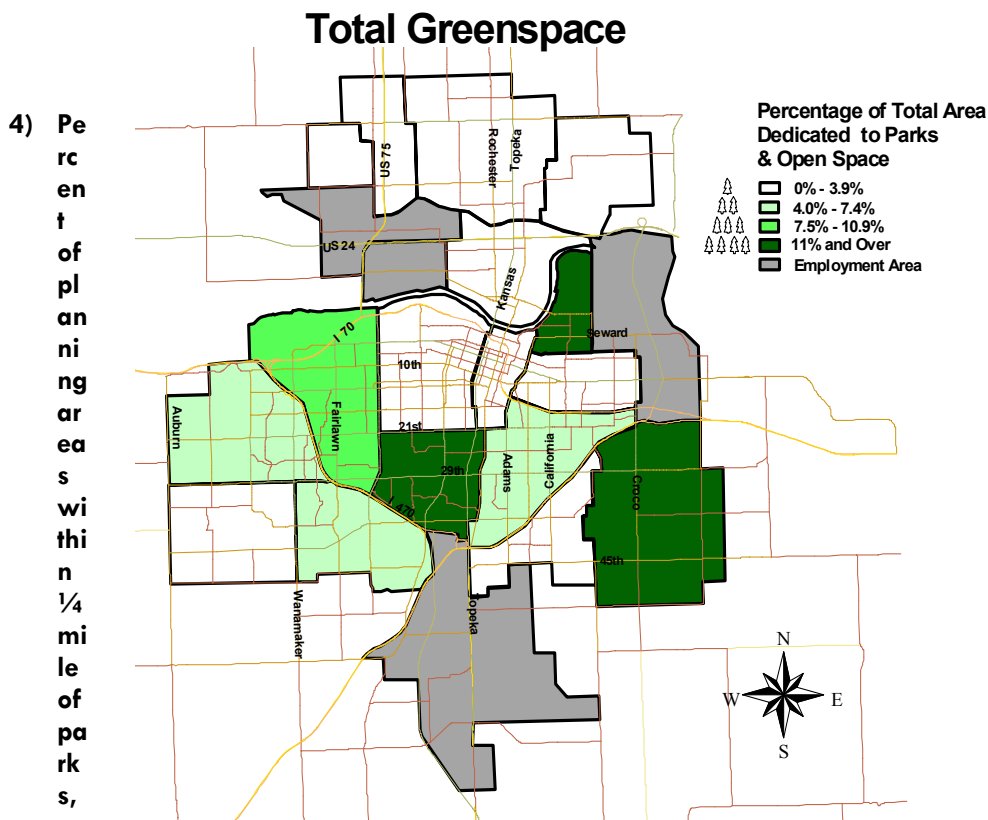
Neighborhood Parks



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- 3) **Percent of Planning Areas Dedicated to Public Greenspace** – Approximately two-thirds ($\frac{2}{3}$) of a quarter-section of land (160 acres) is typically devoted to actual building space. The remaining acreage is reserved for all necessary roads, easements, utilities, and park space. The typical quarter-section of land, developed at urban densities of 3 units per acre contains approximately 1,000 persons, meaning that a minimum of 12 acres should be reserved for park space, including 5-acres for community parks, 5-acres for neighborhood parks, and 2-acres for mini-parks. At a minimum, these types of parks should equate to 7.5% of the entire acreage of the section at large. Where available and appropriate, additional acreage should be reserved for trails, regional and conservation parks, special use parks, and historical or heritage sites. For the purposes of this study, those planning areas with less than 7.5% dedicated parks and open space are deemed either **at-risk** or **intensive care**, while those planning areas meeting this threshold were deemed **out-patient** or **healthy**.

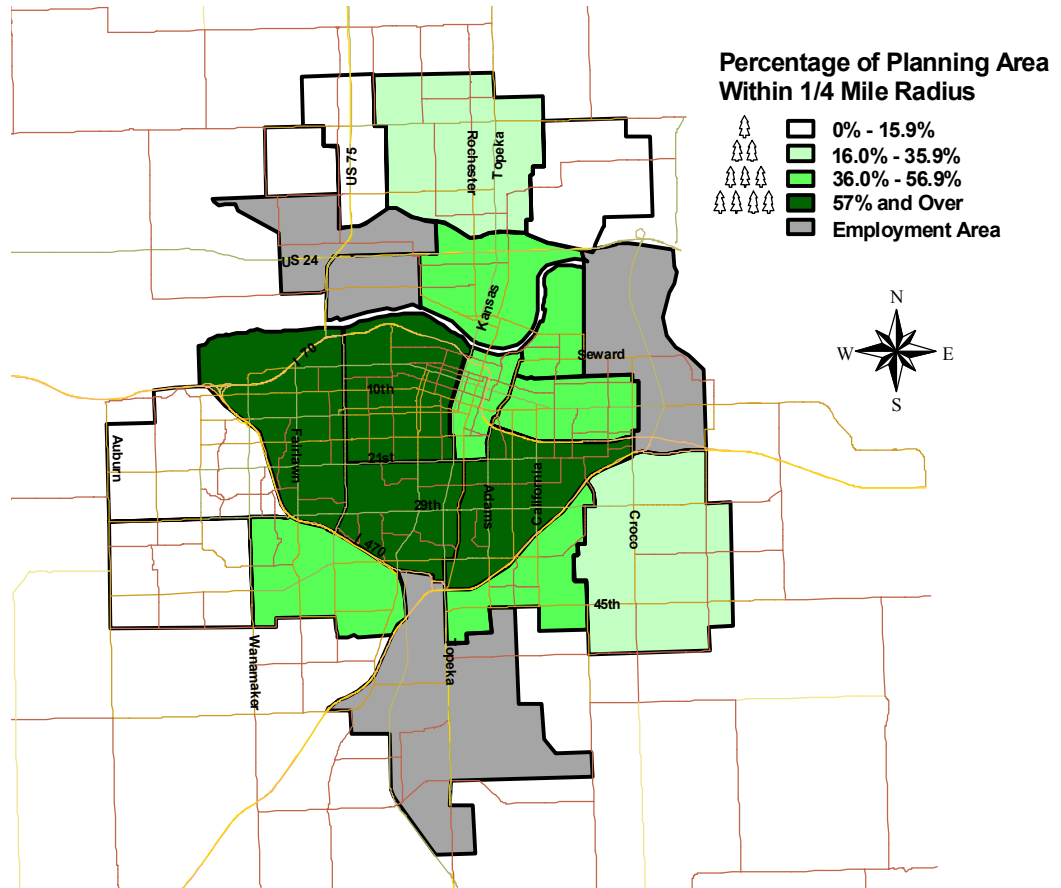
Most planning areas offer at least some park space, but only three meet this 7.5% threshold. The Berryton planning area offers the greatest percentage of total acreage in the form of dedicated park or open space, at 20.5%. This planning area contains Lake Shawnee and the Lake Shawnee Public Golf Course. While the total acreage of these facilities is sizeable, they are the only publicly dedicated parks within this planning area. The second greatest percentage of dedicated park and open space lies in the South Topeka planning area at 11.4%. This area contains an extensive linear park and trail system along the Shunganunga Creek. Thirdly is the West Topeka planning area. Approximately 9.7% of the total acreage of this planning area is dedicated in parks and open space. This planning area contains both Gage Park and McClellan State Park adjacent to the Cedar Crest Governor's Mansion. Full details for the percentage of dedicated park space within each planning area are listed in the composite rankings table on page 30.



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trails, playgrounds, or open space - Several of the planning areas in and around the greater Topeka area meet minimum acreage guidelines suggested by the NRPA for the provision of community and neighborhood-level parks. However, acreage alone does not indicate whether or not the park space is accessible or convenient to neighborhood residents. In order for park space to be useable, it must be near-by, preferably within a 5-minute walk of any residence within the planning area. A quarter-mile distance is generally reflective of a 5-minute walk. Planning areas that offer a park, trail, or school within a ¼ mile radius of 57% or more of all homes are deemed **healthy**.

1/4 Mile Radius to Public Park, School, or Trail



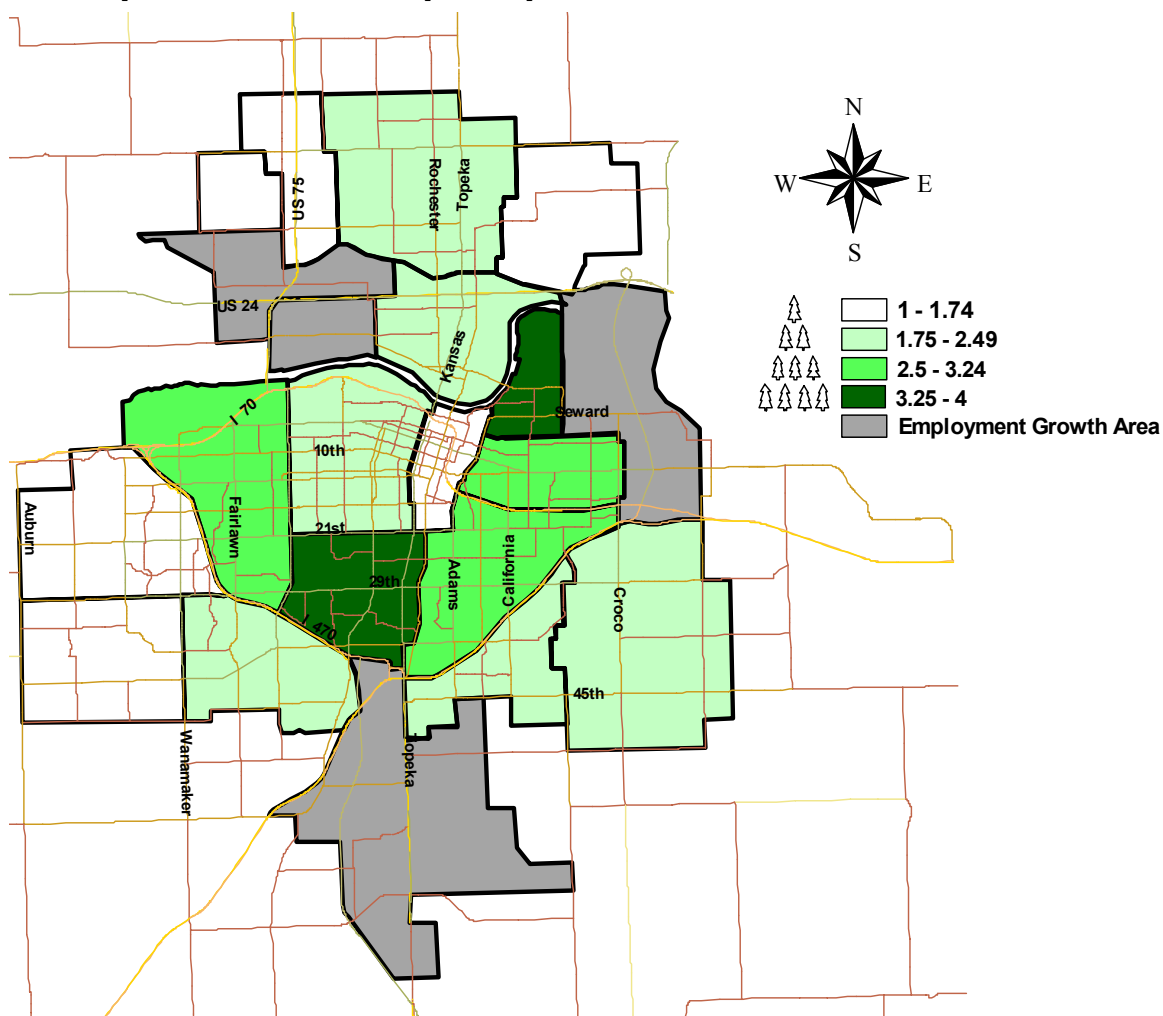
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- 5) **Composite Health Rating** – The following map depicts a composite rating of each of the planning areas identified and studied in this document. Each of the preceding criteria has been assigned four rating levels with a corresponding point value for each level (1. intensive care; 2. outpatient; 3. at risk; and 4. healthy). The individual ratings for each planning area were then averaged to produce an overall health rating. These ratings are classified as follows:

Healthy (3.25 – 4.0) – optimal condition
Out-patient (2.5 – 3.24) - favorable condition
At Risk (1.75 – 2.49) – emerging negative conditions
Intensive Care (1.0-1.74) – seriously underserved

Only one planning area emerged from this assessment with a “healthy” rating, that being South Topeka. This planning area rated in optimal condition for 3 of the individual assessment criteria, and thus produced an overall rating of 3.75. Not surprisingly, those planning areas around the perimeter of the study area produced overall health assessments with the lowest scores, indicating that community and neighborhood parks are in short supply, are generally not accessible to area residents, and very little of the total acreage of the planning area is dedicated or reserved for parks and open spaces.

Composite Parks & Open Spaces Health Assessment



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Composite Health Ratings

Planning Area	Community Parks - % of NRPA Recom.	Health Rating	N'hood Parks - % of NRPA Recom. *	Health Rating	Percent of Planning Area in Parks & Open Space	Health Rating	Percent w/in 1/4 Mile of Park or School	Health Rating	Comp. Rating
1 North US 75	0.00%	1	0.00%	1	0.00%	1	5.67%	1	1.00
2 Rochester Road	563.45%	4	4.17%	1	1.89%	1	17.39%	2	2.00
3 Meridan Road	0.00%	1	0.00%	1	0.00%	1	2.35%	1	1.00
4 Menoken Road	0.00%	1	0.00%	1	0.00%	1	6.77%	1	1.00
5 West US 24	0.00%	1	0.00%	1	0.00%	1	0.00%	1	1.00
6 Lower Silver Lake Road	0.00%	1	0.00%	1	0.00%	1	0.00%	1	1.00
7 North Topeka	76.00%	4	22.66%	1	1.14%	1	43.67%	3	2.25
8 Oakland	164.34%	4	72.92%	3	11.80%	4	48.90%	3	3.50
9 Oakland Expressway	0.00%	1	0.00%	1	0.00%	1	1.70%	1	1.00
10 East Topeka	45.60%	2	183.58%	4	3.83%	1	56.13%	3	2.50
11 Highland Park	183.99%	4	36.31%	2	4.24%	2	70.08%	4	3.00
12 Downtown	0.00%	1	16.00%	1	1.81%	1	54.09%	3	1.50
13 Central Topeka	12.11%	1	51.86%	3	2.55%	1	83.10%	4	2.25
14 West Topeka	77.21%	4	14.20%	1	9.70%	3	69.90%	4	3.00
15 South Topeka	0.00%	1	155.06%	4	11.36%	4	75.68%	4	3.25
16 Southeast Topeka	0.00%	1	30.80%	2	0.27%	1	45.49%	3	1.75
17 Croco Road	0.00%	1	0.00%	1	20.52%	4	31.16%	2	2.00
18 West I-70	0.00%	1	9.15%	1	4.07%	2	8.67%	1	1.25
19 Sherwood	0.00%	1	0.00%	1	0.00%	1	3.94%	1	1.00
20 Southwest Topeka	0.00%	1	19.33%	1	7.23%	2	41.54%	3	1.75
21 South US-75	212.42%	4	21.86%	1	3.00%	1	11.96%	1	1.75
Total	42.39%		35.57%		4.15%		32.02%		

Shaded rows indicate future employment areas.

* 5 acres of neighborhood-level park space has been credited for those areas with a community-level park.

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Planning Area Analyses –

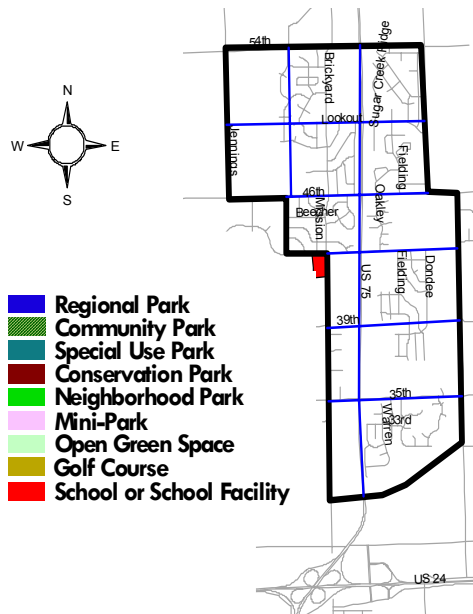
The following section details each planning area identified in Figure 2, and identifies the total acreage and classifications of parks and open space that can be found within each planning area. In this analysis, it is understood that each park can serve more than one purpose, and can be accessed by more than one planning area. For example, Gage Park is classified as a regional park within the West Topeka planning area. Gage Park is equipped with a multitude of services and features that make it a destination for recreation and enjoyment across the Shawnee County area. This park, however, also fulfills a neighborhood function because of its easy walking distance from many neighborhoods within the Central Topeka and West Topeka planning areas. For this reason, 5 acres of neighborhood park space has been added to those planning areas where community or regional parks are also present.

The identification of planning areas and parks classifications should only serve as a guide to help understand the current levels of service provided within various areas of the city and county. It should be anticipated that some degree of overlap in terms of service areas and classifications will occur in this discussion.

It should also be noted that this discussion considers mainly those areas planned for future population growth, as opposed to employment growth. Areas 5, 6, 9, and 21 are anticipated to accommodate the majority of future employment growth in Shawnee County, and as such, will not be centers for added population growth. Given this assumption, this discussion does not propose new community, neighborhood, or mini-park space for these areas, but does recommend the provision of open green-spaces to serve as buffers, and quality-of-life enhancements.

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Planning Area 1: North US Highway 75 –



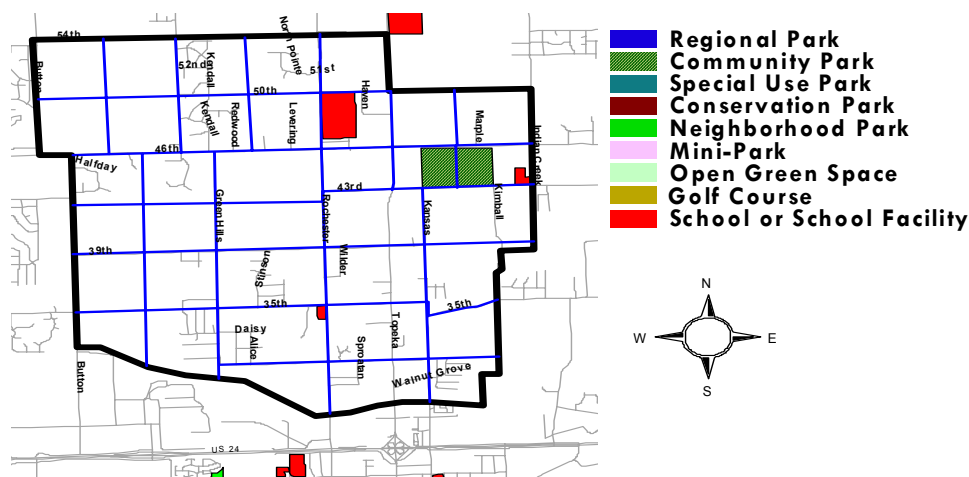
Planning Area 1 lies within Unincorporated Shawnee County, and is generally bounded by N. 54th Street on the north, NW Jennings Road and NW Brickyard Road on the west, NW Button Road on the east, and Soldier Creek on the south. This area is generally urbanized with a population of 2,240 according to the 2000 Census. However, if growth continues at similar densities in the future, the population could be expected to triple within the next 20 to 30 years. Although this area currently lacks any community or neighborhood park, mini-park, or general open space approximately 5.7% of the total land area lies within ¼ mile of an elementary school with a useable playground.

Planning Area: N US 75	Existing Conditions	Existing Surplus/ Deficiency	Projected 2030	Balance Need
Area (Acres)	2,300		-	-
Population	2,240		10,719	8,479
Housing Density (units per acre)	0.63		3.00	-
Neighborhood Parks (Acres)	0	-11	53.60	53.60
Community Parks (Acres)	0	-11	53.60	53.60
Mini-Parks/Open Space (Acres)	0	-4	21.44	21.44

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Planning Area 2: N. Rochester Road – Planning Area 2 also lies within Unincorporated Shawnee County, and is recognized within the draft Future Land Use and Growth Management Plan as a future population growth area. The area is bounded generally by N. 54th Street to the north, Soldier Creek to the South, Button Road on the West, and NE Indian Creek Road on the East. Development of the area is occurring at urban densities, although most of the area remains, as yet, undeveloped. This area contains the Shawnee County North Community Center, which is a 115 acre community park. The park also serves a neighborhood function for those areas immediately surrounding the park. In addition, the park contains several softball diamonds which host league play, thus accommodating a special use purpose. Approximately 10% of the total acreage of the planning area lies within ¼ mile of a park or school.

The population of this area stood at 4,082 according to the 2000 Census. Continued growth at urban densities, however, would raise this population figure to slightly more than 24,000 persons over the next 30 years.

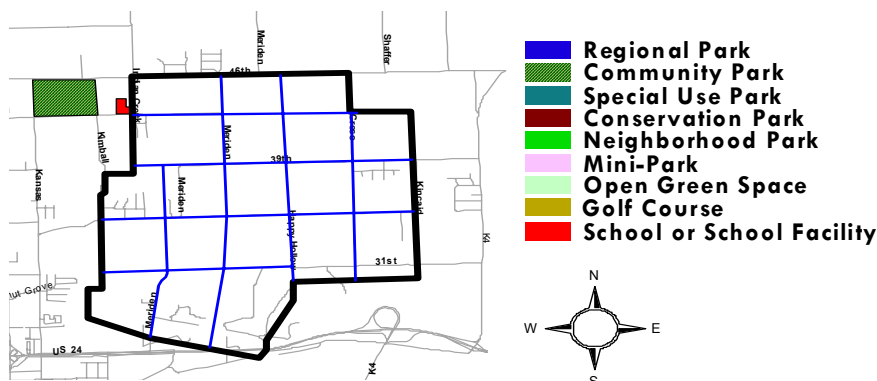


Planning Area: Rochester Road	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	6,103		6,103	-
Population	4,082		28,443	24,361
Housing Density (units per acre)	0.45		3.00	-
Neighborhood Parks (Acres)	0	-20	142.22	142.22
Community Parks (Acres)	115	95	142.22	27.22
Mini-Parks/Open Space (Acres)	0	-8	56.89	56.89

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Planning Area 3: N.E. Meriden Road – Planning Area 3 lies to the northeast of the City of Topeka in Unincorporated Shawnee County. This area is approximately 5.4 square miles in size and is largely undeveloped. The population of this area according to the 2000 Census was 1,578. Expected population growth in this area could reach as high as 4,822 over the next 30 years.

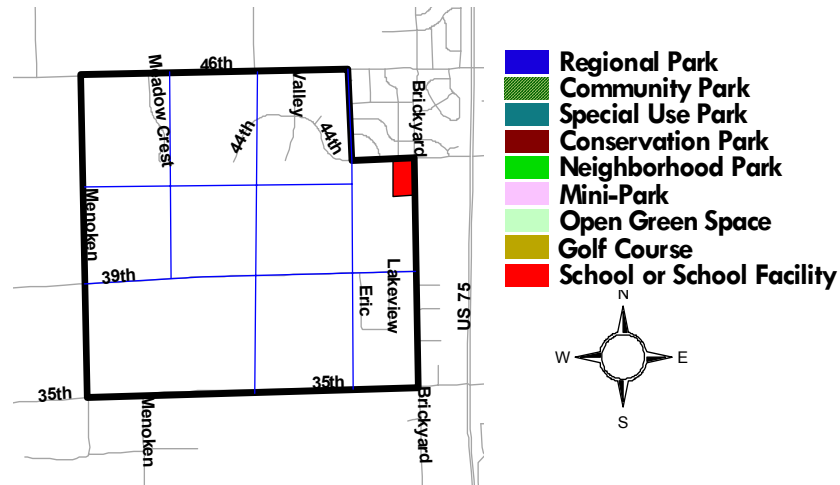
This area is not currently served by any public park or open space, although the Shawnee County North Community Center lies just west of the area boundaries along NW 54th Street. Since this area is not expected to reach high population densities, it is doubtful that this area would require community level park space in the near future. Only 2.4% of the total acreage of this planning area lies within ¼ mile of a park or school.



Planning Area: Meriden Road	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	3,434		-	-
Population	1,578		5,335	3,757
Housing Density (units per acre)	0.30		1.00	-
Neighborhood Parks (Acres)	0	-8	26.67	26.67
Community Parks (Acres)	0	-8	26.67	26.67
Mini-Parks/Open Space (Acres)	0	-3	10.67	10.67

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Planning Area 4: Menoken Road – This Planning Area lies just northwest of the corporate limits of the City of Topeka. The area is bounded by NW 46th Street on the north, NW 35th Street on the south, NW Menoken Road on the west, and NW Brickyard on the east. The area had a population in 2000 of 435 persons, although it is forecast to increase to nearly 8,000 persons over the next 30 years. Although this planning area does not contain any dedicated parks or open space, approximately 6.8% of the total planning area lies within ¼ mile of a school with useable playground.



Planning Area: Menoken Road	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	1,296		-	-
Population	435		6,040	5,605
Housing Density (units per acre)	0.22		3.00	-
Neighborhood Parks (Acres)	0	-2	30.20	30.20
Community Parks (Acres)	0	-2	30.20	30.20
Mini-Parks/Open Space (Acres)	0	-1	12.08	12.08

(Planning Areas 5 and 6 omitted due to their planned nature as employment growth areas vs. residential growth areas.)

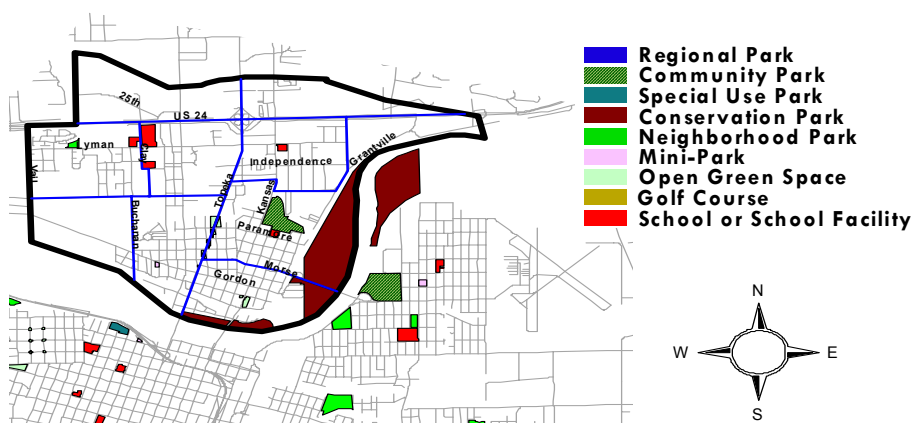
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Planning Area 7: North Topeka – The North Topeka planning area covers a wide variety of residential, commercial, industrial, and mixed use neighborhoods. The area is bounded generally by Soldier Creek on the north, the Kansas River on the south and east, and NW Vail Road on the west. The population of the area was reported at 6,237 according to the 2000 Census. It is estimated that the area could absorb an additional 1,000 new residents over the next two to three decades.

Residents of this planning area are served primarily by Garfield Park, which is a community-level park, consisting of 23.7 acres. This park also doubles as a neighborhood park for those neighborhoods lying east of N. Topeka Boulevard. Meadowood Park is a secondary neighborhood park associated with the Meadowood Mobile Home Park on NW Lyman Road. An additional mini-park (McKinley Park) is located on NW Gordon Street, west of N. Topeka Boulevard.

North Topeka also boasts the Charles Curtis Greenway, named after the Topeka native and US Vice President. The greenway is approximately 10 acres and lies along either side of N. Topeka Boulevard from Gordon Street to the south branch of Soldier Creek. Additional open space (Veteran's Park) lies at the base of the Kansas Avenue Bridge.

As a community-level park, Garfield Park, at 23.7 acres, is nearly adequate to serve the existing population of approximately 6,200 residents within the planning area. However, this area is significantly short of other neighborhood, and mini-park space. Nearly $\frac{1}{2}$ (49.3%) of this planning area lies within $\frac{1}{4}$ mile of a public park or school.



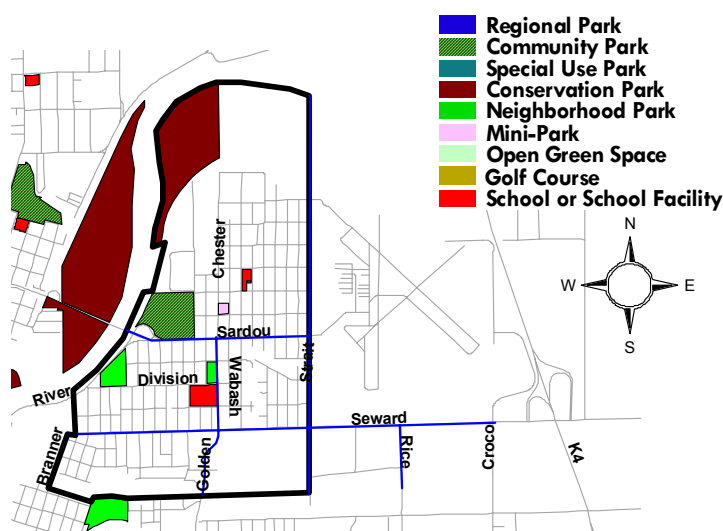
Much attention has been given in recent years to the possibility of creating a river-front park on the north bank of the Kansas River. The city of Topeka currently owns 206 acres of land within the Kansas River levee that could

be developed as regional, community, or neighborhood park space. Since this land is currently undeveloped, it is counted as Conservation Park space for the purposes of this plan.

Planning Area: North Topeka	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	3,310		3,310	-
Population	6,237		7,326	1,089
Housing Density (units per acre)	1.28		1.50	0.22
Neighborhood Parks (Acres)	3.2	-28	36.63	33.43
Community Parks (Acres)	23.7	-7	36.63	12.93
Mini-Parks/Open Space (Acres)	10.67	-2	14.65	3.98

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Planning Area 8: Oakland – The Oakland planning area is one of the most geographically isolated areas within the city of Topeka. The area is bounded on three sides (north, east, and west) by the Kansas River, and on the south by the Burlington Northern-Santa Fe railroad yards.



Oakland is served with a 51-acre community-level park, which is more than adequate to serve an estimated population of 6,243. However, neighborhood park space is lacking, with only 3 acres per 1,000 people (18.7 acres total). NRPA standards recommend of 5 acres of neighborhood parks per 1,000 people. Approximately 28% of the total acreage of this planning area lies within ¼ mile of a park or school. This percentage is substantially greater if Phillip-Billard Airport is excluded from the acreage for this planning area.

Neighborhood parks are fairly evenly distributed geographically, with only the neighborhood lying in the extreme southwest corner of the planning area absent any park space. The other neighborhoods lying to the south of Seward Avenue (delineated by the blue lines in the map at left) are industrial areas with low population densities.

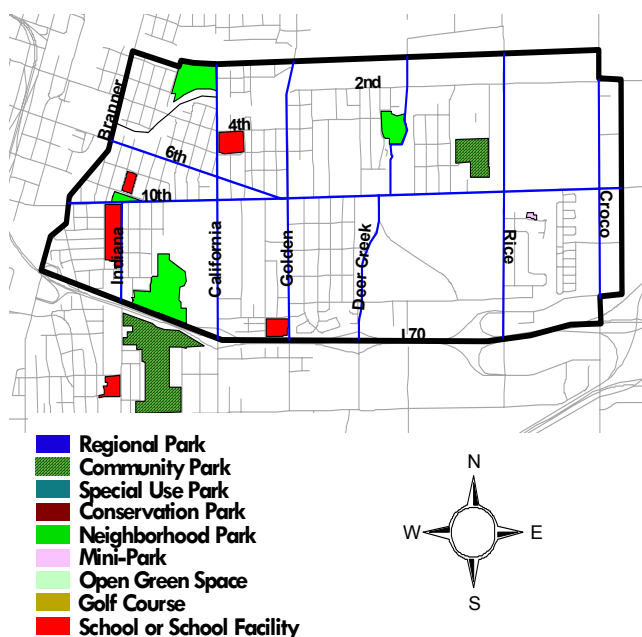
There are approximately 100 acres of additional park space area owned by the City of Topeka, lying along the Kansas River at the north end of the Planning Area, and accessible at the north end of NE Chester Avenue. This area is open to the public for off-road and all-terrain vehicles. It is, is undeveloped and is listed as Conservation Park Space in this plan.

Planning Area: Oakland	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	1,460		1,460	-
Population	6,243		6,247	4
Housing Density (units per acre)	2.90		2.90	0.00
Neighborhood Parks (Acres)	18.7	-13	31.2	12.5
Community Parks (Acres)	51.3	20	31.2	-20.1
Mini-Parks/Open Space (Acres)	1.9	-11	12.5	10.6

(Planning Area 9 is omitted due to its planned nature as an employment growth area vs. residential growth area.)

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Planning Area 10: East Topeka – East Topeka is arguably the most isolated area in the City of Topeka. The area is bordered on the west and north by the Shunganunga Creek, on the South by I-70, and on the west by Croco Road. The physical barriers created by the Creek and I-70 greatly limit the access, particularly pedestrian access, into and out of the area. The area also possesses the lowest income levels of any portion of the City, a factor that further limits the mobility of area residents. Because of this limited mobility, particularly among children who are dependent on walking or bicycling for transportation, the provision of parks within the planning area is of heightened importance.



The area boasts two separate Community Centers to serve the area's 7,252 residents. The Abbott Community Center is located adjacent to Samuel C. Jackson Park, a 3.6 acre neighborhood park, located at the convergence of SE 8th and SE 10th Streets. Rice Community Center is located in Rice Park, which is approximately 16 acres and located one block north and west of SE 6th Street and SE Rice Road. For the purposes of this Plan, Rice Park is considered to be a Community-level park. Although Jackson Park also contains a community center, it is difficult to classify this park as true "community" park because of its limited size. Rather, this plan considers it to be a

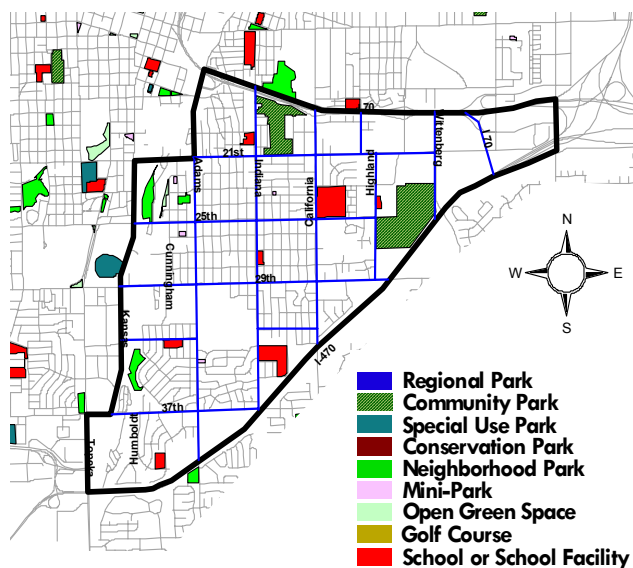
neighborhood-level park with a community recreation center.

There are three additional neighborhood parks in East Topeka (Ripley, Eastboro, and Freedom Valley), each serving individual neighborhoods within the planning area. The Eastgate community, which is at the southeast corner of SE 6th Street and SE Rice Road, is also provided with a 1.8 acre mini-park (Eastgate Park). Slightly more than ½ of this planning area (56.1%) lies within ¼ mile of a public park or school.

Planning Area: East Topeka	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	2,269		2,269	-
Population	7,252		8,370	1,118
Housing Density (units per acre)	2.17		2.50	0.33
Neighborhood Parks(Acres)	52.43	16	41.85	(10.58)
Community Parks (Acres)	16	-20	41.85	25.85
Mini-Parks/Open Space (Acres)	1.8	-13	16.74	14.94

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Planning Area 11: Highland Park – The Highland Park planning area is equipped with a wide variety of parks and open space opportunities for area residents. The area is bounded generally by Kansas Avenue on the west, I-470 on the south and east, and I-70 on the north. The population according to the 2000 Census is approximately 14,990.



Total parks and open space acreage in Highland Park amounts to approximately 295 acres, although 126 acres is consumed by the Shawnee Country Club and is not accessible for public use. Minus this acreage, however, there is approximately 169.22 acres of public parks and open space remaining. The vast majority of this space (138 acres) can be found within two principle parks – Hillcrest and Dornwood. Both of these parks are considered to be Community-level parks, although they both additionally serve neighborhood and conservation park functions.

There are three neighborhood parks within the Highland Park planning area that, combined, provide approximately 24 acres of park space (Highland Crest, Lakewood, and Austin Parks). There are also three mini-parks (Jayhawk, Bently, and Adams Parks) which collectively comprise 4.3 acres of neighborhood playground park space.

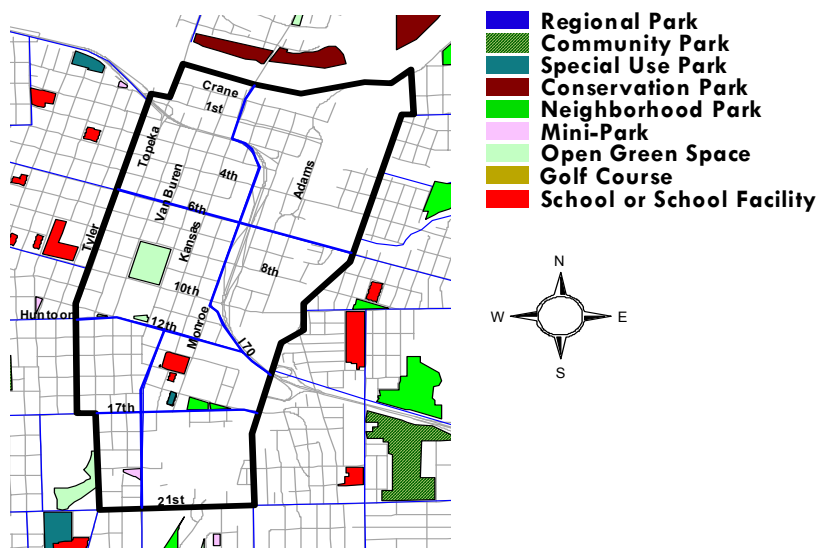
Lakewood, and Austin Parks). There are also three mini-parks (Jayhawk, Bently, and Adams Parks) which collectively comprise 4.3 acres of neighborhood playground park space.

Planning Area: Highland Park	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	3,997		3,997	-
Population	14,990		16,218	1,228
Housing Density (units per acre)	2.54		2.75	0.21
Neighborhood Parks (Acres)	24	-51	81.09	57.09
Community Parks (Acres)	138	63	81.09	(56.91)
Mini-Parks/Open Space (Acres)	7.27	-23	32.44	25.17

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Planning Area 12: Downtown – This planning area encompasses the central business district (CBD), several residential neighborhoods, and several industrial areas that lie to the north and east of the CBD. Although the permanent resident population of the area is fairly low (2,988), the daytime working population is substantial at over 30,000 people. This is by far the densest population area in the City of Topeka during daytime hours.

Downtown is served by only a few areas of open green-space for the benefit of the permanent and daytime populations. Included in this inventory is the State Capitol Building, which provides 15 acres of passive green-space. There are only a few other alternatives for people to enjoy open space. Sertoma Park (1 acre) is located on the southern edge of the State Judicial Building, while Huntoon Park offers only ¼ acre of green space at the intersection of SW Topeka Blvd., SW 12th Street, and SW Huntoon Street.



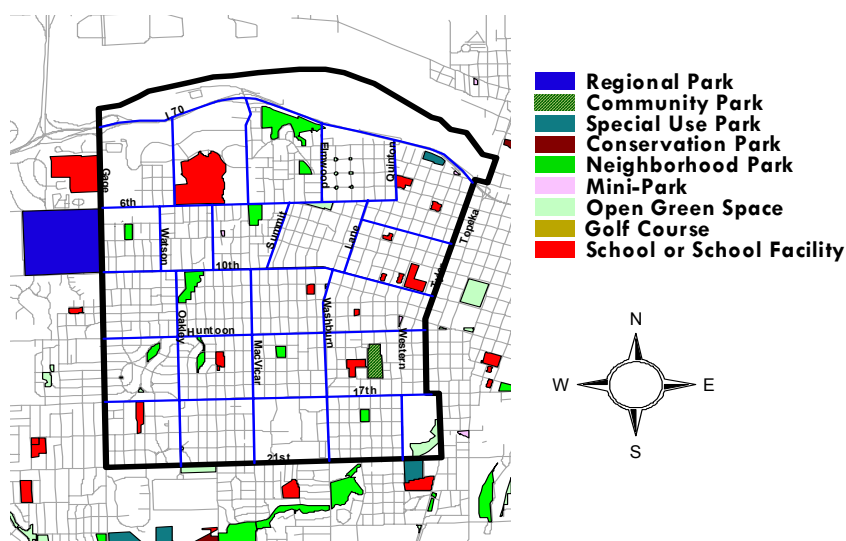
Recently completed is a special use park at the site of the former Monroe Elementary School. This site is owned and operated by the National Parks Service as a National Historic Site, commemorating the Brown V. Board of Education desegregation decision. Lying just to the east of this site is Cushinberry Park (4.8 acres), which is classified as a neighborhood park.

Planning Area: Downtown	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	1,382		1,382	-
Population	2,988		4,588	1,600
Housing Density (units per acre)	1.47		2.25	0.78
Neighborhood Parks (Acres)	4.8	-10	22.94	18.14
Community Parks (Acres)	0	-15	22.94	22.94
Mini-Parks/Open Space (Acres)	20.25	14	9.18	(11.07)

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Planning Area 13: Central Topeka – The Central Topeka planning area offers a number of neighborhood and community parks, mini-parks, and green spaces that are unique assets to the area. Collectively, Central Topeka offers a total of 110 acres of all types of parks and open spaces. These parks serve a population of 26,926, which is the densest population of all planning areas considered in this plan.

Central Topeka is served by the 16.3 acre Central Park Community Center. This park functions very well at the neighborhood level, providing playgrounds, open fields and picnic areas, as well as scenic passive recreational areas within easy walking distance of the surrounding neighborhood. If, however, Central Park is considered a community-level park, it would be considered undersized (0.61 acres per 1,000 persons).



There are several other true neighborhood-level parks scattered throughout Central Topeka that collectively comprise approximately 67.6 acres. A cursory glance at a map of these parks indicates that there is a series of parks that follow, or contribute to Martin Creek. These parks include Westboro, Collins, Washburn, Children's, Willow,

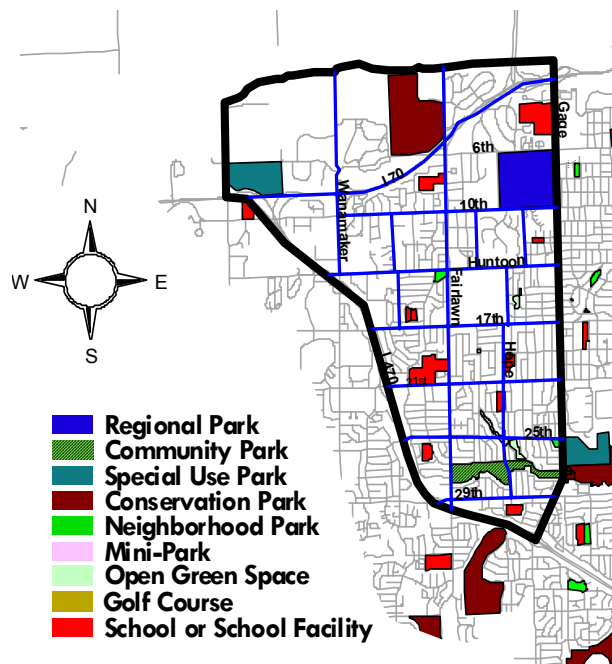
Edgeood, and Auburndale parks. This series of parks underscores the importance of water in establishing our parks and open space system. All of these parks are, or at one time were under the 100-year or 500-year flood plains. Since these parks were dedicated in sizes that are meaningful and useable as parks, they greatly enhance the quality of life in the surrounding neighborhoods.

Central Topeka also offers several scenic open-spaces that are unique to this area of Topeka. The Potwin traffic circles are examples of types of open space that greatly contribute to the ambience and character of a neighborhood. The Westboro neighborhood also has similar open spaces that guide and control traffic. Not only do these features serve as calming devices to ensure that traffic proceeds at a reasonable speed through the neighborhood, the mature gardens and trees planted provide an aesthetic enhancement to the experience of driving or walking through these neighborhoods. These open spaces should serve as models for future development.

Planning Area: Central Topeka	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	4,322		4,322	-
Population	26,926		27,103	177
Housing Density (units per acre)	4.22		4.25	0.03
Neighborhood Parks (Acres)	67.6	-67	135.51	67.91
Community Parks (Acres)	16.3	-118	135.51	119.21
Mini-Parks/Open Space (Acres)	21	-33	54.21	33.21

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Planning Area 14: West Topeka – West Topeka has one of the highest concentrations of parks and open spaces (428.5 acres) among all planning areas in Topeka and Shawnee County. Combined with a relatively low population (16,838) for an area of this size, residents of West Topeka enjoy a very high ratio of parks per 1,000 persons (25.45/1,000). However, the vast majority of these parks are consumed within a small number of dedicated recreation areas.



Foremost among the parks in West Topeka is Gage Park. Classified as a regional park, Gage Park is 160 acres that once stood a good distance west of the Topeka city limits. Gage Park is a multi-purpose park, offering specialized uses, such as the World Famous Topeka Zoo, active recreational facilities, such as the Blaisdell Family Aquatic Center, and passive recreational areas such the Reinisch Rose Garden.

Crestview Park also lies within the southern portion of this planning area. At 65 acres, Crestview Park is the western starting point for the Shunga Trail system, and again, emphasizes the significance of water and streams in the development of our parks and open space system in Topeka.

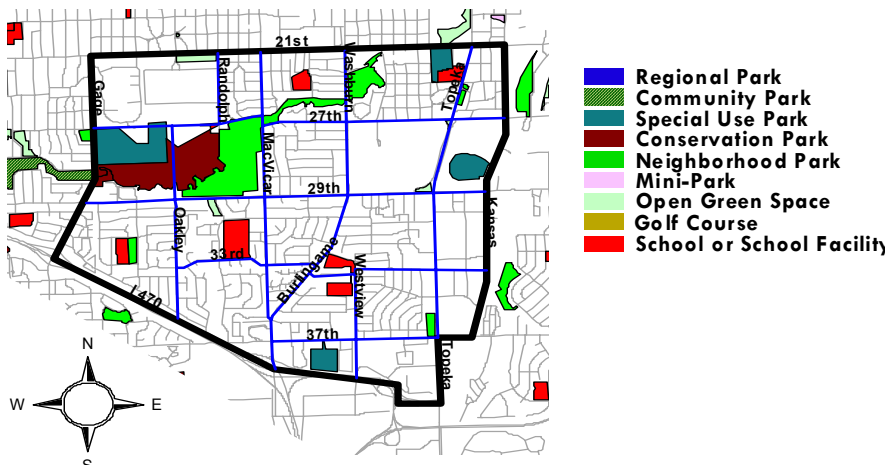
Lying at the northern end of the planning area are two conservation and special use parks. The Kansas History Museum offers several acres of natural areas with trails and outdoor historical exhibits that attracts users from across the region. Further to the east lies Cedar Crest and McClellan State Park, which together make up the Governor's Mansion and surrounding grounds. McClellan State Park offers approximately 175 acres of diverse natural habitat areas, ranging from prairie to wetlands to woodlands. The trail system within this park draws walkers, joggers and mountain bikers from across the region.

Hillsdale and Seabrook Parks are the only true neighborhood-level parks in West Topeka. While these parks are adequate to serve their immediate surrounding neighborhoods, they are not sufficient to serve the entire planning area. In addition to these neighborhood-level parks, West Topeka does have a few mini-parks and open green spaces. Edgewater Park is a tributary to the Shunganunga Creek, and as such has very little useable park space. The park does have a playground, but is classified as open green space for this plan. Ward Parkway is also established along a creek, and offers an open field for useable park space. However, since this park is largely undeveloped, it, too, is classified as general open green space for this plan.

Planning Area: West Topeka	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	5,275		5,275	-
Population	16,838		17,512	674
Housing Density (units per acre)	2.16		2.25	0.09
Neighborhood Parks (Acres)	9.2	-75	87.56	78.36
Community Parks (Acres)	65	-19	87.56	22.56
Mini-Parks/Open Space (Acres)	19.55	-14	35.02	15.47

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Planning Area 15: South Topeka – This planning area boasts a very high ratio of park acreage per person. With an area-wide population of 15,468 and a total of 484.45 acres of parks and open space, South Topeka provides a total of 31.32 acres per 1,000 persons. Approximately 123.25 acres of this total, however, is the Topeka Country Club Golf Course, and is not open to the public. Even with the removal of this acreage from the inventory for this area, however, South Topeka still boasts a total of 23.35 acres per 1,000 persons.



South Topeka offers a wide variety of special use and neighborhood-parks, as well as several open green spaces that provide meaningful aesthetic enhancements to major traffic corridors. The Shunganunga Creek is the foundation of the largest park system in the area. Felker Park, is a 62

acre special use park featuring a major softball, soccer and tennis complex. Wells Park and the Frank J. Warren natural areas, both conservation parks, are adjacent to Felker, and offer several woodland, grassland, and wetland habitats. Further to the east is the Big Shunga Park and MacDonald Field, a regional baseball facility. These four parks (Felker, Wells, Warren, and Big Shunga) together offer nearly 300 acres of parkland. Additionally, the Shunganunga Trail system travels through these parks and extends eastward through Crestwood Park, and Shunga Glenn Park. Also included in the inventory is Quinton Heights Hill. Although owned by USD 501, it is a favorite spot for sledding during the winter months, and is widely considered to be a public park area.

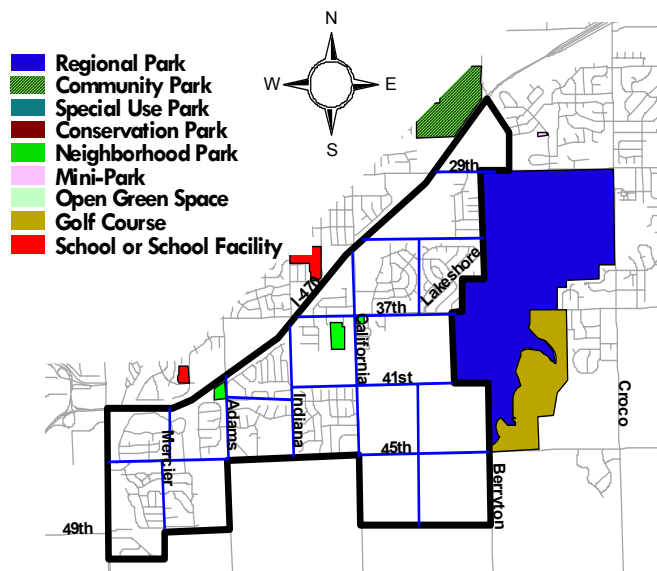
Lacking in South Topeka is a community-level park and community center that offers diverse recreational resources to area residents. Although Felker Park, Reuger Softball Complex, and Major Palm Park are all special use parks that attract users on a community-wide, or even regional basis, their use is singular in nature and does not offer the diversity of programs typical of a true community-level park.

The total acreage for parks in this area is substantial and exceeds the recommendations of the NRPA for park space per 1,000 residents. However, most park space in this area is concentrated, and is not readily accessible to all residents of South Topeka. Greater attention and efforts should be paid toward developing additional neighborhood park space, particularly south of SW 29th Street, and east of SW Oakley.

Planning Area: South Topeka	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	3,185		3,185	-
Population	15,468		16,448	980
Housing Density (units per acre)	3.29		3.50	0.21
Neighborhood Parks (Acres)	131.8	54	82.24	(49.56)
Community Parks (Acres)	0	-77	82.24	82.24
Mini-Parks/Open Space (Acres)	10.25	-21	32.90	22.65

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Planning Area 16: Southeast Topeka – Southeast Topeka offers three neighborhood parks, totaling 23.1 acres. While the total acreage is considered adequate to serve the existing population of 3,803 (6 acres/1,000 persons), this acreage is concentrated into only three parks that are not completely accessible to all area residents. The majority of total park space is occupied by Mathews Park at 14.4 acres. Mathews Park is located near the intersection of SE 37th and SE California Streets. Although some playground equipment has been placed on the property, it does not possess any street frontage and is therefore largely hidden from public view, making its use and enjoyment problematic.



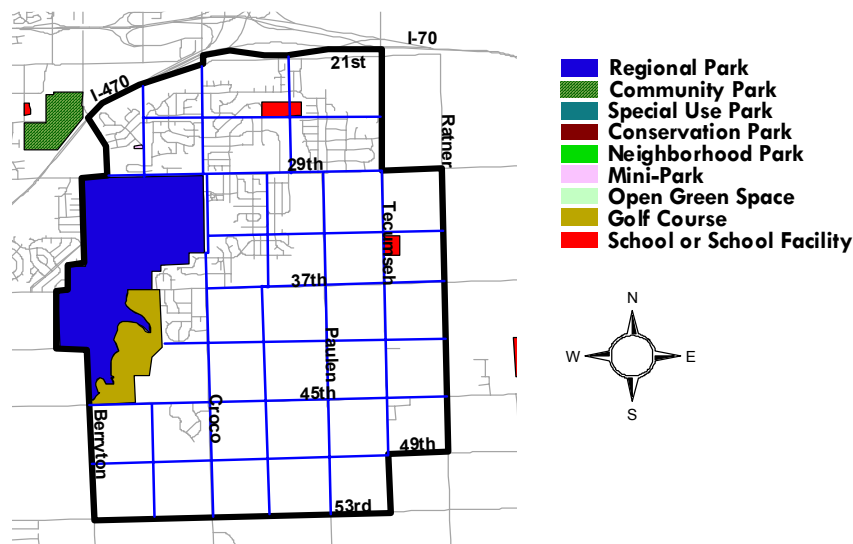
Additionally, the population of this planning area is growing. The existing park space serving this area is not readily accessible to the majority of developed areas or those areas likely to be developed in the near future. New park space will be required as new residential subdivisions are developed.

However, the proximity of Lake Shawnee to this planning area presents a unique opportunity to combine future community recreational facilities with the Berryton planning area adjacent to the east. Other than Lake Shawnee itself, there are no other physical barriers that separate the two planning areas. It is therefore conceivable that the two areas could share a common community park facility, perhaps located at Lake Shawnee.

Planning Area: Southeast Topeka	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	2,760		2,760	-
Population	5,563		8,145	2,582
Housing Density (units per acre)	1.37		2.00	0.63
Neighborhood Parks (Acres)	23.1	-5	40.72	17.62
Community Parks (Acres)	0	-28	40.72	40.72
Mini-Parks/Open Space (Acres)	0	-11	16.29	16.29

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Planning Area 17: Croco Road – The Croco Road Planning Area is bordered generally by I-70 on the north, SE Ratner Road on the east, Berryton Road and the west shore of Lake Shawnee on the west, and SE 53rd Street on the south. Located within this planning area is Lake Shawnee, a 766 acre regional park facility. Lake Shawnee offers a wide variety of recreational opportunities for both active and passive activities. Some facilities available within the park include baseball and softball complexes, disc golf, boathouse for rowing, marina, paddle-boating, heated fishing dock, camping, several shelter houses and picnic areas, swimming area, as well as ramps for a variety of water sports such as water-skiing, sailing, and windsurfing.



Adjacent to Lake Shawnee is the Lake Shawnee golf course, a 244 acre 18 hole course that draws players from all of northeast Kansas.

However, lacking from the planning area is a network of smaller neighborhood parks. Only one park exists outside the Lake Shawnee regional park facility, this being two tennis courts located within the Aquarian Acres Subdivision.

Although Lake Shawnee is available to residents of this planning area and all residents of Shawnee County, it is not always accessible for children or those who do not utilize motorized means of transportation. For those neighborhoods east of Lake Shawnee, approximately 133 acres of neighborhood park space will be essential in the coming years.

Planning Area: Croco Road	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	7,267		7,267	-
Population	6,073		26,806	20,733
Housing Density (units per acre)	0.54		2.50	1.96
Neighborhood Parks (Acres)	1.41	-29	134.03	132.62
Community Parks (Acres)	0	-30	134.03	134.03
Mini-Parks/Open Space (Acres)	0.3	-12	53.61	53.31

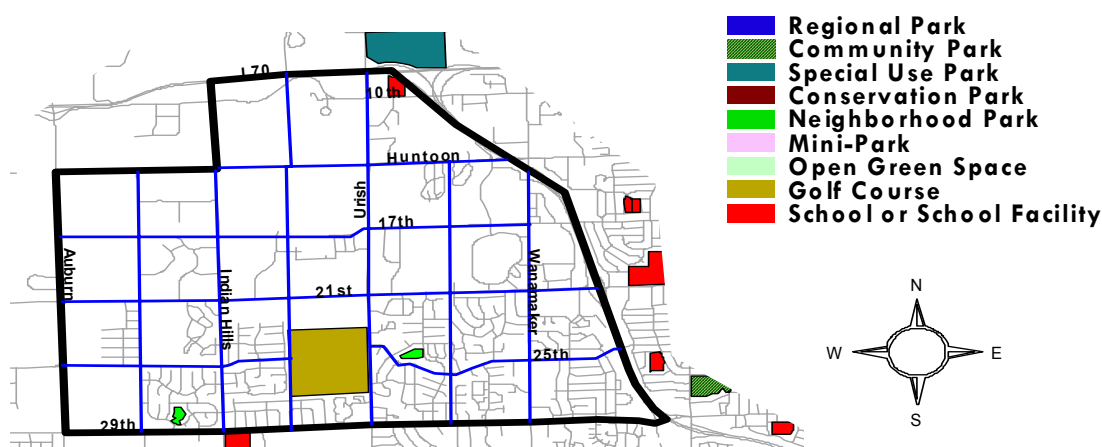
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Planning Area 18: West I-70 – This planning area is one of the most rapidly growing areas of Shawnee County, yet is severely lacking in all types of public park space. The area is bounded generally by I-70 on the north, SW 29th Street on the south, SW Auburn Road on the west, and I-470 on the east.

Only two neighborhood-level parks are provided within the boundaries of this planning area. The population of this planning area now stands at over 10,600 meaning there is a ratio of public park space per 1,000 residents of less than ½ acre. There is also capacity and potential for an additional 10,000 residents within this planning area.

One potential location for a neighborhood or community-level park is the southwest corner of the intersection of SW 21st Street and SW Urish Road. This 93-acre parcel is already owned by the City of Topeka. Located at the northeast corner of this property is a fire station, while the Topeka Public Golf Course lies adjacent to the south.

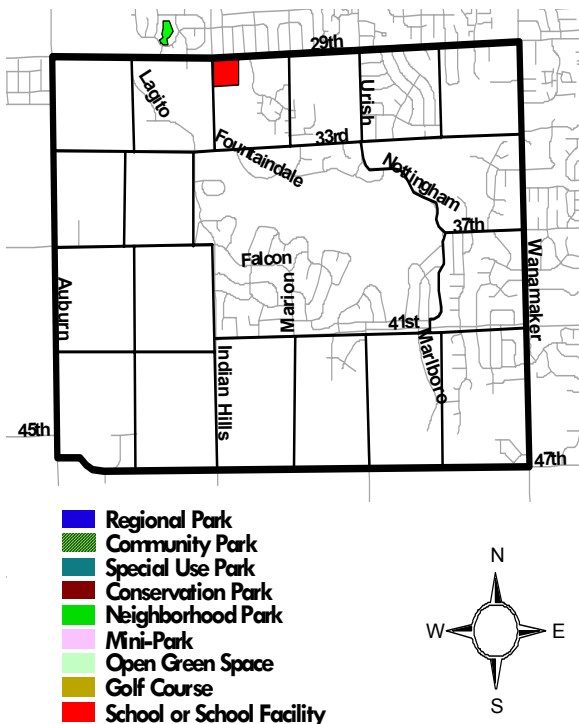
This site offers several unique advantages for the location of a community-level park. It is of adequate size to serve the existing population of the area and offers extremely good visibility and accessibility for the surrounding public. Additionally, the presence of a fire station on the property would provide 24-hour surveillance for the property, thus reducing potential vandalism.



Planning Area: West I-70	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	4,929		4,929	-
Population	10,599		18,182	7,583
Housing Density (units per acre)	1.46		2.50	1.04
Neighborhood Parks (Acres)	9.15	-44	90.91	81.76
Community Parks (Acres)	0	-53	90.91	90.91
Mini-Parks/Open Space (Acres)	0	-21	36.36	36.36

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Planning Area 19: Sherwood – The neighborhoods surrounding Lake Sherwood are entirely without the benefit of public park space. Within this planning area, there is a homeowners association that does provide private recreational space in the form of a swimming beach on Lake Sherwood. However, in terms of open space for a casual game of softball or frisbee, no public space exists within this planning area.



The population of this planning area is approximately 5,600 and is the most rapidly developing area within Shawnee County and is expected to reach a population of 15,000 within the next 10-20 years. Consideration should also be given to the development of a community-level park to provide year-round organized recreational opportunities for area residents.

One location to consider for the placement of either neighborhood or community park space is a series of parcels of land directly below the Lake Sherwood Dam. This is a very scenic area that incorporates the headwaters of the Shunganunga Creek flowing from Lake Sherwood. The largest of these parcels is currently owned by Shawnee County and is used for the Lake Sherwood sewage treatment plant. However, if added to additional adjoining properties, enough acreage exists to develop a park 30-40

acres in size.

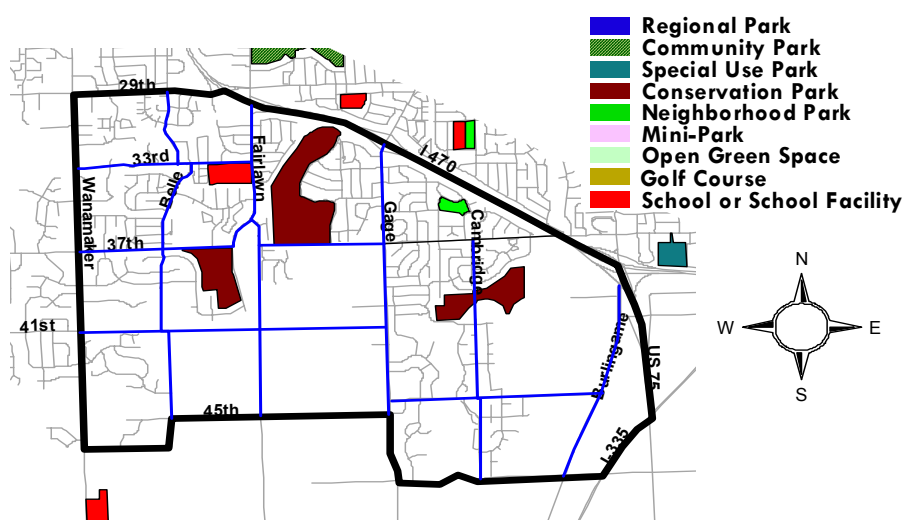
Planning Area: Sherwood	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	4,168		4,168	-
Population	5,595		15,375	9,780
Housing Density (units per acre)	0.86		2.50	1.64
Neighborhood Parks (Acres)	0	-28	76.87	76.87
Community Parks (Acres)	0	-28	76.87	76.87
Mini-Parks/Open Space (Acres)	0	-11	30.75	30.75

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Planning Area 20: Southwest Topeka – Southwest Topeka possesses a variety of parks for area residents. In all, the area boasts 200 acres of total park space, plus approximately 54 acres in the Colley Creek Golf Course. Most public park space is consumed by two separate conservation parks. Burnetts Mound, or Skyline Park, is a 104-acre park that contains the County's highest elevation and offers spectacular views of the entire city.

An additional conservation park is the Welton Grove natural area. The south branch of the Shunganunga Creek flows through this area and offers a wide variety of forest, wetland, and grassland habitats, as well as an extensive trail system for public enjoyment and education. Opportunities to expand this park exist to the south and east of the park, extending to the intersection of SW 44th Street and SW Burlingame Road.

Only one neighborhood park exists within this planning area. Horne Park is an 8.7-acre facility that offers playground and open field space for residents primarily north and east of SW 37th Street and SW Gage Boulevard.



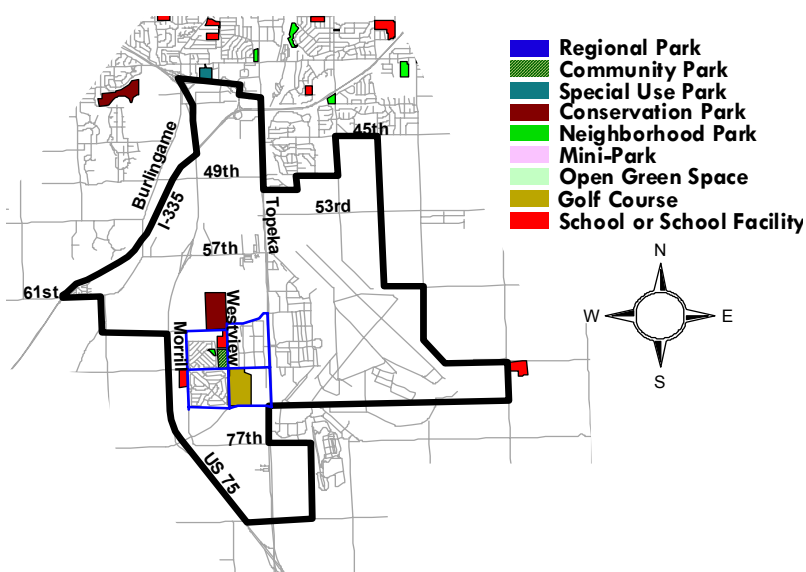
The population of this area is approximately 5,563 according to the 2000 census. An additional 2,700 people could be expected within the next 10-20 years.

Planning Area: Southwest Topeka	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	3,761		3,761	-
Population	5,563		8,324	2,761
Housing Density (units per acre)	1.00		1.50	0.50
Neighborhood Parks (Acres)	5	-23	41.62	36.62
Community Parks (Acres)	0	-28	41.62	41.62
Mini-Parks/Open Space (Acres)	0	-11	16.65	16.65

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Planning Area 21: South US 75 – This planning area is considered a future employment growth area by the Land Use and Growth Management element of the comprehensive plan. The Montara neighborhood with a population of approximately 6,100, lies within this area.

Shawnee County operates the Paris Community Center within this planning area. This park is approximately 64.5 acres in size and offers a variety of field activities such as baseball, softball, football, and soccer. Although this facility is listed as a community-level park by this plan, its acreage could also be considered useable as neighborhood park space as well.



Grant Bradbury Park is another large acreage in the planning area that is owned by the City of Topeka. The park is largely undeveloped and is therefore listed as a conservation park by this plan. No specific plans are underway to improve this area.

The Montara Homeowners Association owns and operates a small neighborhood park within the Montara neighborhood. This park is approximately 2.65 acres in size, and provides useable playground space for the immediate surrounding neighborhoods.

Shawnee County also owns and operates the Forbes Golf Course, a nine-hole course that is approximately 76 acres in size.

Because this area is considered a future employment growth area by the economic development plan as well as the future land use and growth management plan, no additional park space should be required to service the existing population. However, as employment in the area increases, some areas of open space should be considered as buffers between existing residential areas, and other incompatible land uses.

Planning Area: South US 75	Existing Conditions	Existing Surplus/Deficiency	Projected 2030	Balance Need
Area (Acres)	8,548		3,761	(4,787.00)
Population	6,073		6,500	427
Housing Density (units per acre)	0.48		0.50	0.02
Neighborhood Parks (Acres)	2.65	-28	32.50	29.85
Community Parks (Acres)	64.5	34	32.50	(32.00)
Mini-Parks/Open Space (Acres)	0	-12	13.00	13.00

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Regional Summary Analysis:

Neighborhood Parks - There is a shortage of all types of park-space across all planning areas identified for this study. With respect to neighborhood park space, approximately 371 acres are presently scattered throughout the areas studied. Combined, however, this total falls approximately 357 acres short of NRPA recommendations. If increases in population during the next 30 years rise to expected levels, an additional 785 acres of neighborhood-level park space will be required.

In general, existing urbanized areas fare better than presently or recently developed suburban areas. Recent trends in park-land dedication have focused on large acreages of park-space, intended for use primarily as community-park or conservation park space. While these types of parks are necessary and beneficial to the public, they are not a substitute for the basic building block of a comprehensive park and open space system, which is the neighborhood park. Neighborhood parks must continue to be dedicated throughout all areas of the city and its immediate surrounding areas to afford all residents easy and unfettered access to public recreational space.

Community Park Space – Topeka's current system of community parks was largely framed by a 1960 report entitled "**Master Plan Report: Parks Recreation Areas, and Open Spaces.**" This document identified the future needs for community park space and recommended the creation of a series of parks and community centers scattered throughout the city of Topeka. Hillcrest, Crestview, Rice, Abbott, Garfield, and Central Park Community Centers are all direct results of this planning document.

As a result, Topeka and its surrounding urbanizing areas possess more total acreage in community parks space (490 acres), as opposed to neighborhood park space (367 acres), though this total still falls short compared of NRPA standards. The combined acreage of community-level parks among all planning areas comprises approximately 35% of NRPA recommendations. Furthermore, should populations rise to expected levels over the next 30 years, an additional 666 acres of community park space will be necessary. These parks are primarily needed in the still-developing portions of the county, just outside the Topeka city boundary. However, some additional acreage is also needed to supplement existing parks within this boundary.

Mini-Park/Open Space – As with community and neighborhood park space, mini-parks and open space areas are short of NRPA recommended levels. Currently, among all planning areas, there is a deficiency of 278 acres below NRPA standards. Because of their limited size and specialized purpose within residential neighborhoods, mini-parks should be the most prevalent type of park within the greater parks and open space system. However, there are currently only 13 acres divided among 12 separate mini-parks throughout all identified planning areas. If population increases as expected over the next 30 years, an additional 450 acres of mini-park space will be necessary.

Regional Parks – The Topeka metro area boasts two regional parks totaling just over 925 acres. The vast majority of this space (767 acres) lies within the Lake Shawnee recreational area, owned and managed by the Shawnee County Parks and Recreation Department. The remaining acreage (160) lies within Gage Park, which is owned by the City of Topeka. While these facilities are excellent assets to the greater Topeka area and all of Northeast Kansas, together they are over 1,250 acres short of the NRPA standard of 15 acres per 1,000 persons. Moreover, if population increases as expected over the next 30 years, an additional 2,542 acres of regional park space will be necessary.

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All Areas	Existing Conditions	Existing Surplus/ Deficiency	Projected 2030	Balance Need
Area (Acres)	78,480		3,761	(74,719.00)
Population	145,581		231,279	85,698
Housing Density (units per acre)	1.26		2.00	0.74
Neighborhood Parks/Acres	371.38	-357	1156.40	785.02
Community Parks/Acres	490.23	-238	1156.40	666.17
Mini-Parks/Open Space/Acres	13	-278	462.56	449.56
Regional Parks	926.86	-1,257	3469.19	2,542.33

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New Parks Proposals – Immediate Opportunities

This section of the Parks and Open Space Plan is intended to provide some ideas and direction toward the dedication of new parks and recreation areas. The recommendations listed in this section should not be interpreted as a conclusive list of all possibilities for new parks. This is not a complete, exhaustive list and does not completely reflect the immediate needs for all park space of the surrounding community. Rather, the proposals identified in this section reflect immediate opportunities for new park development, and are based on current, albeit limited, knowledge about the parcels themselves in terms of the geographical and geological characteristics of the properties, their potential for park development, and the peripheral growth and development in the immediate vicinity of these areas.

Further discussion and analysis should occur before action is taken to acquire and dedicate any of the following areas as public park land.

- I. **Menninger State Park** – The area considered by this plan for dedication is located north of and adjacent to the former Menninger campus. The area consists of approximately 80 acres and connects to McClellan State Park and Cedar Crest.

The area consists entirely of undeveloped forest lands among rolling hills overlooking the Kansas River. Since the area is undeveloped, it is prime habitat for populations of deer, bobcat, and other woodland mammals.

Proposed Menninger State Park



The property has recently been obtained by the Kansas Department of Wildlife and Parks for the purpose of conversion to a state park. Proposed in conjunction with this park is the improvement of an existing road that will provide access to the Kansas River, and the construction of a boat ramp that will enable greater access to the

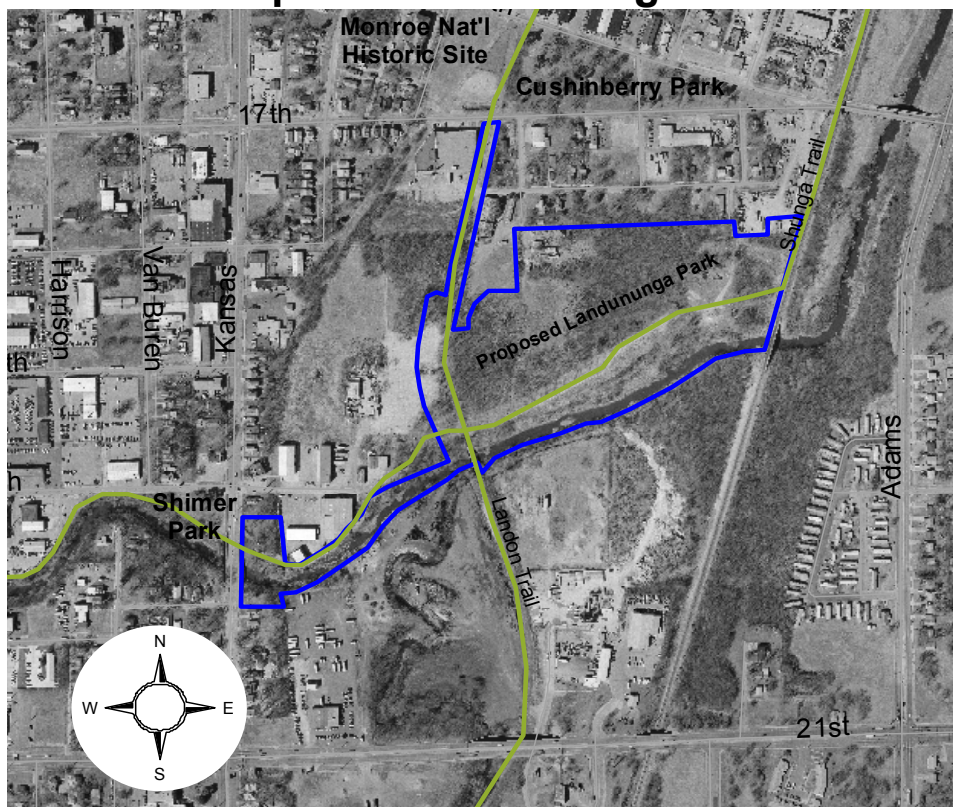
river for fishing and boating. Also proposed is the improvement of several nature trails that currently meander through the property.

Although this park will be owned and operated by the State of Kansas, it will be immediately available to all residents of Topeka, and should be considered as conservation park space for the purposes of this Plan. It is conceivable that additional properties extending west along the Kansas River may become available that could provide a connection between McClellan State Park and the State Historical Museum.

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- II. **Landununga Park** – Cross Roads Park is the name dubbed for that area surrounding the intersection of the Landon, Freedom, and Shunga Trails. The property consists of several parcels totaling approximately 30 acres and extends from roughly SE 18th Street on the north, the Landon Trail on the west, the north bank of the Shunganunga Creek on the south., and the BNSF Railroad lines on the east.

Proposed Landununga Park



While the majority of this site is undeveloped, there are a few former industrial sites that may be eligible for federal brownfields clean-up grants to help restore these parcels to a useable state.

This sites proximity to the Monroe National Historic Monument lends additional value to the concept of a park at this location. Although Cushmanberry Park lies directly east of the Monument, its size is limited, and functions more as scenic open space than useable park space.

The intersection of the Landon, Freedom, and Shunga Trails is also a critical junction in the overall trails plan for Topeka and Shawnee County.

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- III. **Downtown Riverfront** – The Kansas River offers many significant opportunities for the development of parks and open space on both sides of the river as it winds through downtown Topeka. Studies are currently underway, involving the Army Corps of Engineers and local civic leaders, to create a riverfront park to compliment and continue the efforts of the Great Overland Station Railroad Museum and Veteran's Park. The proposed riverfront park is envisioned to occupy a stretch of land between the Kansas Avenue and Topeka Blvd. bridges, south of NW Curtis Street to the water's edge of the Kansas River. A significant portion of this land is within the Kansas River levee. A number of uses and design proposals are being studied by the Corps of Engineers for feasibility and cost, including breaks in the levee system, to be replaced with floodgates, to allow at-grade access to the water's edge and other park improvements within the levee system. A weir is also being considered that could allow construction of a baseball stadium or other permanent improvements within the current river levee.

Proposed Riverfront Park with Conceptual Baseball Stadium



The idea of utilizing the Kansas River and its banks for recreational purposes has been well documented in previous and current planning documents. Suggestions for utilization of these areas as parks has most recently been proposed within the North Topeka Redevelopment Plan, the Downtown Topeka Revitalization Plan, and the Topeka-Shawnee County Historic Preservation Plan.

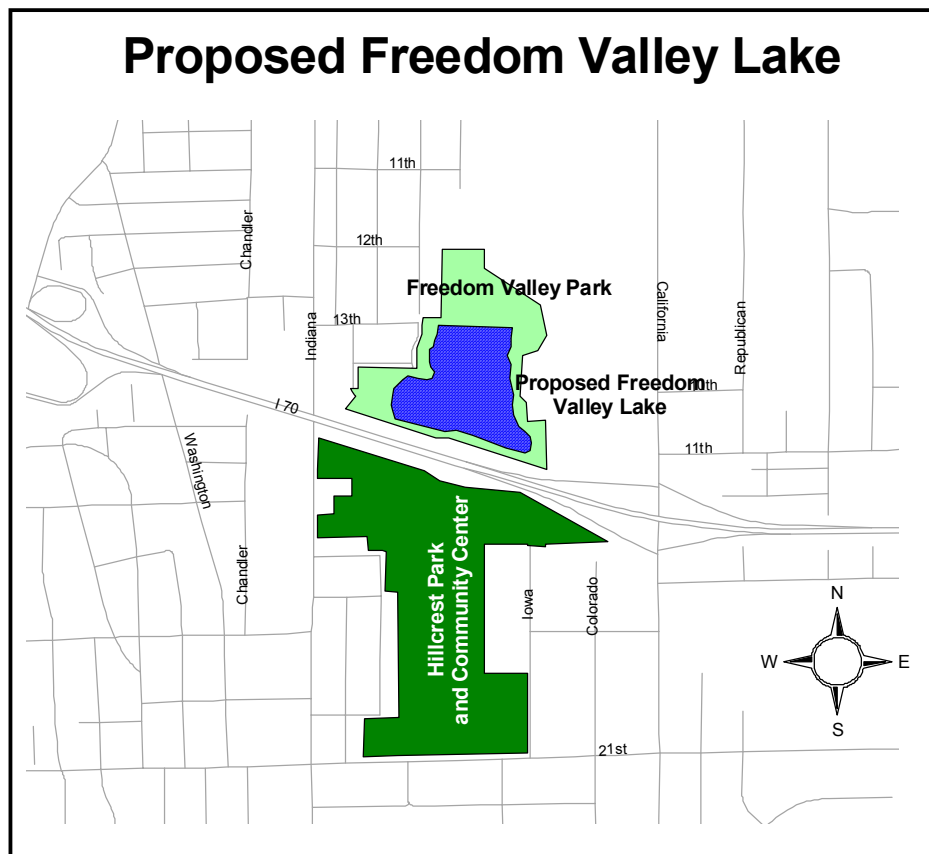
In addition to the area between the Kansas Avenue and Topeka Boulevard bridges, additional park and open space opportunities exist north of the Sardou Bridge on both sides of the river. All of this land is currently owned by the City of Topeka, and could be developed for myriad uses, including nature areas, soccer fields, and other low impact uses that would not be significantly damaged by periodic flooding within the Kansas River levee system.

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- IV. **Freedom Valley Lake** – Freedom Valley Park is located just east of SE Indiana Street on the north side of I-70. The Park is approximately 32 acres in size, and is northern half of a large undeveloped open space that is bisected by I-70. Located to the south of I-70 is Hillcrest Park.

Freedom Valley Park is improved with a circuit trail system, a play-ground and several picnic tables and grills. The most prominent feature in the park, however, is a water retention dam at the park's northern end. Because this park is subject to flooding during periods of heavy rains, much of this park is not dependable for useable open and recreational space.

Therefore, the concept of converting the park into a fishing lake is proposed by this plan. Although complete engineering and hydrology studies must be completed, it appears conceivable that the water *retention* dam could be converted to a water *detention* dam to permanently hold water and form a lake. The lake could then be stocked with fish to provide recreational fishing opportunities to area residents.



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- V. **Welton Grove Park Expansion** – Welton Grove Park is an existing natural area located in southwest Topeka. The park provides a variety of woodland, wetland, and grassland habitats for a variety of wildlife, and is also improved with a primitive trail that meanders through the woods.

The park is almost entirely located within the 100 year flood-plain of the South Branch of the Shunganunga Creek. However, there is substantially more acreage to the south and east of the park that also lies within this flood plain. Much of this acreage has been jeopardized in recent years by excavation and removal of top soil from nearby fields.

Since the entirety of the creek basin lies within the 100 year flood-plain, it is suggested by this plan that Welton grove Park be expanded to include an additional 144 acres lying west of the South Branch of the Shunganunga Creek, south to SW 45th Street. Expansion of the park in this area will protect the watershed from encroaching development and misuse of adjacent lands, as well as assure continued habitat for the areas wildlife populations.

In addition, the Topeka-Shawnee County Regional Trails Plan has planned a trail extension through this area adjacent to the South Branch of the Shunganunga Creek. The proposed park expansion would serve the double purpose of securing the needed right-of-way for this trail.



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- VI. **Shawnee County Fairgrounds** – In 1980, faced with the desire to construct an arena and convention center, Shawnee County voters elected to convert the Mid-America Fairgrounds into the Kansas Expocentre. This property is bounded by SW Western Avenue, SW Topeka Boulevard, SW 21st Street and SW 17th Street.

As the Mid-America Fairgrounds, this site hosted the Kansas State Fair, the Shawnee County Fair, several exhibition halls, grandstands with stock-car racing, and livestock facilities. However, Topeka and Shawnee County lacked an arena to host large civic and athletic events. Voters decided to convert the fairgrounds in favor of a multi-purpose arena, exposition center, and conference facility. Arrangements were made, however, to keep a livestock arena on the property.

As events within each facility at the Kansas Expocentre continue to grow, the close proximity of each facility has become problematic. Parking is a primary concern, especially when multiple events on the Expocentre grounds are scheduled. Therefore, it is proposed that a traditional “fairgrounds” type park be developed to accommodate the specific needs of livestock judging and equestrian events. Such a facility could be dedicated anywhere within Shawnee County, but for reasons of convenience and space requirements, the facility would likely be located outside the corporate limits of the City of Topeka.

One possible location for such a facility is the northwest corner of SW 21st Street and SW Hodges Road. This site is 120 acres in size and is currently owned by Shawnee County. This property was previously the site of a sanitary landfill, but has been closed and completely re-claimed to a natural vegetative state. This site's former use as a landfill greatly limits its future use and development. However, limited development of the site, particularly for recreational uses, is possible. The new facility would offer its users substantially more room than currently available on Expocentre grounds. In addition, the site enjoys excellent access from Interstate 70, SW Auburn Road, and K-4 Highway.

- VII. **Van Buren Pedestrian Plaza** – An outdoor pedestrian mall along SW Van Buren Street, between SW 6th and SW 8th Streets is proposed for construction in early 2006. The design for the mall will incorporate useable street right-of-way with pedestrian-oriented landscaping and accoutrements along either side of Van Buren Street for the two-block length of the mall. The mall will have the ability to be closed to street traffic for major events and festivals. A small off-street park will also be constructed at the southeast corner of SW 7th and Van Buren Streets to incorporate more permanent passive greenspace to the mall design. This park is tentatively designed to incorporate a decorative fountain and small amphitheatre.

- VIII. **Westridge Community Park** – The city of Topeka presently owns an 80-acre parcel of land located at the southwest corner of SW 21st Street and SW Urish Road. This parcel is adjacent to, and directly north of the Topeka Public Golf Course, and is presently unimproved. The property lies within the **West I-70** planning area which is currently lacking in publicly dedicated park space at all levels. At 80 acres, this site is appropriately sized for a community-level park, would provide residents of this planning area a total of 7.5-acres per 1,000 persons, a figure above NRPA recommendations for community-level parks. As a community-level park, the site would enjoy appropriate access along both a major and minor arterial roadway, creating excellent visibility within the park. At the extreme northwest corner of this property is a City of Topeka operated fire station. The presence of this station within the park would provide 24-hour surveillance, further enhancing the safety of park users.

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- IX. **Additional Parks** – There will be, of course, a multitude of additional opportunities and needs for the dedication and development of parks in Topeka and Shawnee County during the foreseeable future. In some cases, the consideration of these parks will be driven by the demand of a growing population in a given geographical area. In other cases, the need will be driven by the desire for additional or improved facilities.

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Classification and Standards – The following table establishes a framework for the development and utilization of new and existing parks in Topeka and Shawnee County. This set of standards is nationally recognized and has been adopted by the National Recreation and Park Association and the National Academy for Park and Recreation Administration, as published in **Park, Recreation, Open Space and Greenway Guidelines**, 1996.

Parks and Open Space Classifications

Classification	General Description	Location Criteria	Size Criteria	Area/1000 Persons
Mini-Park	Used to address limited, isolated, or unique recreational needs.	Less than ¼ mile distance in a residential setting.	Between 2500 sq. ft. and one acre in size.	2 acres
Neighborhood Park	Neighborhood parks remain the basic unit of the park system and serve as the recreational and social focus of the neighborhood. Focus is on informal active and passive recreation.	¼ to ½ mile distance and uninterrupted by major road-ways or other physical barriers.	5 acres is considered minimum size. 5 to 10 acres is optimal.	5 acres
Greenways/ Linear Parks	Greenways serve as connectors between recreational destinations or other points of interest. They are usually designed for both active and passive recreational purposes.	Most often located along streams or major road-ways and usually contain walking or bicycling trails as alternative means of transportation.	Unlimited length, but should be wide enough to safely contain a multi-use trail and buffered green-space.	N/A
Community Parks	Serves broader purposes than neighborhood parks. Focus is on meeting community-based recreational needs, and preserving unique landscapes and open-spaces.	Determined by the quality and suitability of the site. Usually serves two or more neighborhoods and ½ to 1/3 mile distance.	As needed to accommodate desired uses. Usually between 30 and 50 acres.	5 acres
Regional Parks	Regional parks serve a broader purpose than community parks and are used when community and neighborhood parks are not adequate to serve the needs of the community. Focus is on meeting community-based recreational needs, as well as preserving unique landscapes and open spaces.	Determined by the quality and suitability of the site. Usually serves the entire community.	As needed to accommodate desired uses. Usually a minimum of 50 acres, with 75 or more being optimal.	15 acres
Conservation Parks	These are lands set aside for preservation of significant natural resources, remnant landscapes, open-spaces and aesthetic buffering. Focus should be given toward preserving habitat systems.	Resource availability and opportunity.	Variable.	N/A
Special Use Parks	Covers a broad range of parks and recreational facilities oriented toward single-purpose use.	Variable, dependent on specific use.	Variable	N/A
Private Park/ Recreation Facility	Parks and recreation facilities that are privately owned yet contribute to the public park and recreation system.	Variable, dependent on specific use.	Variable	N/A

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Mini-Parks – General Description: Mini-Parks is the smallest park classification and is used to address limited or isolated recreational needs. Examples include:

- Concentrated or limited populations.
- Isolated development areas.
- Unique recreational opportunities.

In a residential setting, vest-pocket parks serve the same general purpose as mini-parks and tot-lots of the past. They are intended to address unique recreational needs, such as:

- Landscaped public use area in an industrial/commercial area.
- Scenic overlooks.
- A play area adjacent to the downtown shopping district.
- Gateways into specific neighborhoods or special districts.

Although the past classification mini-park was often oriented toward active recreation, the new classification vest-pocket park has a broader application that includes both active and passive uses. Examples of passive uses include picnic areas, arbors, and sitting areas.

Location Criteria: Although demographics and population density play a role in location, the justification for a mini-park lies more in servicing a specific recreational need or taking advantages of a unique opportunity. Given the potential variety of mini-park activities and locations, service area will vary. In a residential setting, however, the service area is usually less than ¼ mile in radius. Accessibility by way of interconnecting trails, sidewalks, or low volume residential streets increases opportunities and therefore is an important consideration.

Size Criteria: Typically, mini-parks are between 2,500 square feet and one (1) acre in size. However, park areas that are less than five (5) acres would technically be considered a mini-park. Anything larger would be considered a neighborhood park.

Site Selection Criteria/Guidelines: Servicing a specific recreational need, ease of access from the surrounding area, and linkages to the community are key concerns when selecting a site.

The site itself should exhibit the physical characteristics appropriate for its intended uses. It should have well-drained and suitable soils. The desirable amount of topographical change and vegetation is dependent upon intended uses. Usually, these sites are fairly level. Vegetation (natural or planted) should be used to enhance its aesthetic qualities rather than impede development. Ideally, it should also be adjacent to other park system components, such as greenways or trails.

Development Parameters/Recreation Activity Menus: Mini-parks should be developed according to the needs of its intended users. Usually, the intended users of a mini-park are surrounding residents within a neighborhood, or visitors to a specific area or district. Although these parks often include elements similar to neighborhood parks, there are no specific criteria to guide development of facilities within mini-parks. Given their limited size, they are typically not intended for programmed activities.

Parking for mini-parks is not typically required. Site lighting should be limited for safety and security purposes only.

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Neighborhood Parks – General Description: Neighborhood parks remain the basic unit of the park system and serve as the recreational and social focus of the neighborhood. They should be developed for both active and passive recreation activities geared specifically for those living within the service area. Accommodating a wide variety of age and user groups, including children, adults, the elderly, and special populations, is important. Creating a sense of place by bringing together the unique character of the site with that of the neighborhood is vital to successful design.

Location Criteria: A neighborhood park should be centrally located within its service area, which encompasses a ¼ to ½ mile radius uninterrupted by major roadways or other physical barriers. These distances might vary depending on development diversity. The site should be accessible from throughout the service area by way of interconnecting trails, sidewalks, or low-volume residential streets. Ease of access and walking distance are critical factors in locating a neighborhood park. A person's propensity to use a neighborhood park is greatly reduced if they perceive it to be difficult to access or not within a reasonable walking distance.

Size Criteria: Demographic profiles and population density within the park's service area are the primary determinants of a neighborhood park's size. Generally, five acres is accepted as the minimum size necessary to provide space for a menu of recreational activities. Seven to ten acres is considered optimal.

Site Selection Criteria/Guidelines: Ease of access from the surrounding neighborhood, central location, and linkages to greenways and trails are the key concerns when selecting a site. The site itself should exhibit the physical characteristics appropriate for both active and passive recreational uses. Since one of the primary reasons people go to a park is to experience a pleasant outdoor environment, the site should exhibit some innate aesthetic qualities. "Left-over" parcels of land that are unsuitable for development are generally undesirable for neighborhood parks and should be avoided. Additionally, it is more cost effective to select a site with inherent aesthetic qualities than trying to create them through extensive site development. Given the importance of location, neighborhood parks should be selected before a subdivision is platted and acquired as part of the development process.

The site should have well-drained and suitable soils and level topography. Ideally, it should be connected to other park system components such as natural resource areas, lakes, ponds, and trails. Land within a flood plain should only be considered if the facilities are constructed above the 100-year flood elevation. Although a minimum park size of five acres is recommended, the actual size should be based on the land needed to accommodate desired uses.

Development Parameters/Recreation Menus: Since each neighborhood in the community is unique, neighborhood input should be used to determine the development programs for the park. The guidelines presented here should be used as a framework to guide the program development and ensure consistency with other park system components. They should not be used as an impediment to creative design outcomes.

Development of a neighborhood park should seek to achieve a balance between active and passive-park uses. Active recreational facilities are intended to be used in an informal and unstructured manner. With the exception of limited use as practice fields, neighborhood parks are not intended to be used for programmed activities that result in overuse, noise, parking problems, and congestion.

A menu of potential active recreation facilities includes play structures, court games, "informal" play-field or open-space, tennis courts, volleyball courts, shuffleboard courts, horseshoe area, ice-skating rinks or ponds, and swimming pools. Facilities for passive recreation activities include internal trails, picnic areas, general open space, and "People-watching" areas. As a general rule,

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active recreational facilities should consume roughly 50% of the park's acreage. The remaining 50% should be used for passive activities, reserve, ornamentation, and conservation as appropriate. Developing appealing park atmosphere should be considered an important design element.

The site should accommodate 7 to 10 parking spaces for those who choose or need to drive to the park. Park lighting should be used for security and safety, with very limited lighting on facilities.

Linear Parks, Trails and Greenways – General Description: Linear Parks and Greenways serve a number of important functions:

- They tie park components together to form a cohesive park, recreations, and open space system.
- They emphasize harmony with the natural environment.
- They allow for uninterrupted and safe pedestrian movement between parks and throughout the community.
- They provide people with a resource-based outdoor recreational opportunity and experience.
- They can enhance property values.

In many respects, linear parks and conservation areas have much in common. Both preserve natural resources and mediate between larger habitat areas, open-space, and corridors for wildlife. The primary distinction between the two is that linear parks and greenways emphasize use (trails) to a greater extent than conservation areas.

Location Criteria: Land availability and opportunity are the primary factors determining location for linear parks and greenways. "Natural" greenways generally follow suitable natural resource areas such as streams, valleys, or undisturbed forest or grasslands. "Man-made" greenways are corridors that are built as part of development projects or during renovation of old development areas. Man-made greenways include riverfronts, abandoned railroad beds, old industrial sites, safe utility easements, collector parkway rights-of-way, etc. Some boulevards and many parkways can also be considered man-made greenways if they exhibit a park-like quality and provide off-street trail opportunities. Since greenways are the preferred way to get people from their homes and into parks, adjacency to development areas and parks is important. The location of greenways is integral to the trail system plan and in some cases, they can also be considered light traffic facilities.

Corridor Width Criteria: As with location, resource availability and opportunity are the primary factors determining the width of greenway corridors. Although corridor width can be as little as 25 feet, within a residential area, 50 feet is considered minimum. Widths of 200 or more are considered optimal.

Site Selection Criteria/Guidelines: Resource availability in conjunction with the trail system plan is the primary determinants when it comes to selecting land for greenways. Natural corridors are most desirable, but man-made corridors can also be very appealing if designed properly.

Development Parameters/Recreation Activities Menu: Greenways can be developed for a variety of different modes of recreational travel. Most notably are hiking, walking, jogging, bicycling, and in-line skating. They can also be developed for cross-country skiing and horseback riding. Canoeing/kayaking is another possibility where the greenway includes a navigable creek or stream. In some areas, where topography and space allow, picnic areas and small playgrounds can also be accommodated.

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Community Park - General Description: Community parks are larger in size and serve a broader purpose than neighborhood parks. Their focus is on meeting the recreation needs of several neighborhoods or large sections of the community, as well as preserving unique landscapes and open spaces. They allow for group activities and offer other recreational opportunities not feasible – nor perhaps desirable – at the neighborhood level. As with neighborhood parks, they should be developed for both passive and active recreational activities.

Location Criteria: A community park should serve two or more neighborhoods. Although its service area should be 0.5 to 3.0 miles in radius, the quality of the natural resource base should play a significant role in site selection. The site should be serviced by arterial and collector streets and be easily accessible from throughout the service area by means of interconnecting trails. While community parks should be strategically sited throughout the community, their locations can be significantly impacted by other types of parks. Most notable among these are schools, natural resource areas, and larger regional parks – each of which may provide some of the same recreational opportunities provided in community parks. The level of service these other parks provide should be used, in part, as justification for or against a community park in a specific area.

Size Criteria: Demographic profiles, population density, resource availability, and recreation demand within a service area are the prime determinants of a community park's size. Although an optimal size for a community park is between 20 and 50 acres, its actual size should be based on the land area needed to accommodate desired uses.

Site Selection Criteria/Guidelines: The site's natural character should play a very significant role in site selection, with emphasis on sites that preserve unique landscapes within the community and/or provide recreational opportunities not otherwise available. Ease of access from throughout the service area, geographic centrality, and relationship to other park areas are also key concerns in site selection.

The site should exhibit physical characteristics appropriate for both active and passive recreation use. It should have suitable soils, positive drainage, varying topography, and a variety of vegetation. Where feasible, it should be adjacent to natural resource areas and greenways. These linkages tend to expand the recreational opportunities within the community and enhance one's perception of surrounding open space.

Depending upon their individual character and use, lakes, ponds, and rivers may be associated with either community parks or natural resource areas. Although largely a matter of semantics, Community Parks and Conservation Parks differ in that the former is generally more developed for recreational uses than the latter. Land within a flood plain should only be considered if the facilities are above the 100 year flood elevation. Land below that elevation would typically fall within the Conservation Park classification.

Development Parameters/Recreation Activities Menu: Neighborhood and community input should be a primary focus on the development of community parks. As with a neighborhood park, the guidelines presented here should be used as a framework to guide program development and ensure consistency with other park system components. They should not be used as an impediment to creative and unique design outcomes.

As stated, community parks are typically developed for both active and passive uses. Although active recreation facilities are intended to be used in an informal and unstructured manner, reserved and programmed use is compatible and acceptable. However, community parks are not intended to be used extensively for programmed adult athletic use and tournaments.

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A menu of potential active recreation facilities includes large play structures and/or creative play attractions, game courts, informal ball fields, tennis courts, volleyball courts, shuffleboard courts, horseshoe areas, ice skating rinks or ponds, swimming pools or beaches, archery ranges, and disc golf courses. Passive activity facilities include extensive internal trails, individual and group picnic/sitting areas, general open space and unique landscape features, nature trails, and ornamental gardens. Facilities for cultural activities, such as plays and concerts in the park are also appropriate. The distribution of land area between active and passive recreation, reserve, ornamentation, conservation, and cultural areas is determined on a site-by-site basis.

Parking should be provided as necessary to accommodate user access. Park lighting should be used for security, safety, and lighting facilities as appropriate.

Regional Parks – General Description: Regional parks serve a broader purpose than community and neighborhood parks and are intended to serve the entire community plus the surrounding region. These parks draw visitors from a radius of up to 50 miles and are viewed as recreational destinations. Focus is on meeting recreational needs that, due to volume of users or specific demands on individual facilities, cannot be accommodated through the use of community parks. Additional focus is given to the preservation of unique landscapes and open spaces.

Location Criteria: A Regional Park should serve the entire community plus the surrounding region. Although its service area is considered to be up to 50 miles, the quality of the natural resource base and the ability of the site to adequately support the intended uses should be the primary focus when determining site selection. Because the site is intended to be major regional draw for recreational uses, the site should be accessible from arterial streets or other significant roadways. An easy connection to a major highway system is preferred. The site should also be easily accessible by means of the city's interconnecting trail system.

Size Criteria: Resource availability, geographic centrality, and recreation demand within the service area are primary determinants for a regional park's size. Minimum size considerations for a regional park should be 50 acres. In most cases, however, regional parks will be in excess of 100 acres, with some parks being several hundred acres in size.

Site Selection Criteria/Guidelines: The site's natural character should play the major role in determining specific site selection. Because a regional park will most likely be used for multiple purposes and have a number of facilities developed for various uses, careful consideration should be given to the specific site requirements for each individual use planned within the park.

Ease of access to the park is considered an important factor in determining the location of the park, but does not necessarily need to be geographically centered within the community.

The site should exhibit the physical characteristics appropriate for both active and passive recreation use. Where feasibly, the park should be located adjacent to, or should include natural resource areas and greenways that connect to other components of the park system.

Land within a flood plain should only be considered when facilities are built above the 100-year flood elevation. Land below that elevation would typically fall within the Conservation park classification.

Development Parameters/Recreation Activities Menu: Facilities and activities developed within a regional park should be reflective of the use and demand for these facilities, both within the community, and also the surrounding region. Because a regional park is intended as a "recreation destination" drawing visitors to the community, aesthetic appeal of the park is of heightened importance. As with neighborhood and community parks, the guidelines presented within this plan

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should be used as a framework to guide the program development and ensure consistency with other park system components. They should not be used as an impediment to creative and unique design outcomes.

Regional parks are typically developed for both active and passive recreation uses. Active recreation facilities, such as playing fields and game courts, should be built to standards suitable for programmed use and tournament play.

A menu of potential active recreation facilities includes play structures and/or creative play attractions, game courts, informal ball fields for youth play, tennis courts, sand volleyball courts, shuffleboard courts, horseshoe areas, ice-skating rinks or ponds, swimming pools or beaches, archery ranges, golf or disc golf courses, boating facilities, baseball and softball fields, and playing fields for soccer, field hockey, lacrosse, rugby, cricket, polo, or equestrian events.

Passive activity facilities include extensive internal trails (that connect to the community trail system), individual and group picnic sites, general open-space and landscaped features, ornamental and botanical gardens, arboretums, fishing areas, and nature study areas. Facilities for cultural activities, such as amphitheaters for plays and concerts, are also appropriate. The distribution of land between active and passive recreation activities is determined on a site-by-site basis.

Parking should be adequate to accommodate users of all facilities. Park lighting should be used for security and safety, and lighting of facilities as appropriate.

Conservation Parks – General Description: Conservation Parks are lands set aside for preservation of significant natural resources, remnant landscapes, open-space, and visual/aesthetic buffering. These lands consist of:

- Individual sites exhibiting natural resources.
- Lands that are unsuitable for development but offer natural resource potential. (examples include land with steep slopes and natural vegetation, floodways and ravines, surface water management areas such as man-made lakes and ponds), and utility easements.)
- Protected lands, such as wetlands/lowlands and shorelines along waterways, lakes, and ponds.

Location Criteria: Resource availability and opportunity are the primary factors determining location of conservation parks. However, due to the fragile nature of many of our natural resources, acquisition of these areas should be planned in anticipation of future development threats to these lands.

Size Criteria: As with location, resource availability and opportunity are the primary factors determining size. The practical limit of acreage set aside under this classification lies in resource quality, availability, community development considerations, and acquisition costs. Through an array of creative real estate strategies, many acres can be preserved as community open lands. Often blighted lands such as abandoned waterfront sites, industrial sites, quarries, and abandoned landfills have potential to be converted from community liabilities to community open-space land resources. Reclaimed wetlands and wetland banks fall into this category.

Site Selection Criteria/Guidelines: Resource quality is the primary determinant when selecting a site for a conservation park. Sites that exhibit unique natural resources or remnant landscapes of the region should be of the highest priority. How they can be integrated into the park system is an important challenge and requires creative policy and design. Many of these areas serve as recreation connectors and habitat corridors.

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Outlots and undevelopable or protected lands should be selected on the basis of enhancing the character of the community, buffering, and providing linkages with other park components protecting natural ecosystems and processes.

Development Parameters/Recreation Activity Menu: Although conservation areas are resource based rather than user based, they can provide some active and passive recreational opportunities. Active recreational opportunities would include trails for mountain biking, off-road running, and cross-country skiing. Orienteering is also an acceptable active recreational opportunity. Passive recreational uses would include nature trails for viewing and studying. Conservation parks can also function as greenways. Development should be kept to a level that preserves the integrity of the resource.

Special Use Park - General Description: The Special Use classification covers a broad range of parks and recreation facilities oriented toward single-purpose use. Special uses generally fall into three categories:

- **Historic/Cultural/Social Sites** - unique local resources offering historical, educational, and cultural opportunities. Examples include historic downtown areas, performing arts centers, arboretums, ornamental gardens, fine-arts facilities and museums, public buildings, and amphitheaters.
- **Recreation Facilities** – specialized or single-purpose facilities. Examples include community centers, senior centers, community theaters, hockey and basketball arenas, marinas, golf courses, and aquatic parks. Frequently, community buildings are located in neighborhood of community parks.
- **Outdoor recreation Facilities** – examples include tennis centers, softball complexes and sports stadiums.

Location Criteria: Recreation needs, community interests, the type of facility, and land availability are the primary factors influencing location. Special use facilities should be viewed as strategically located community-wide facilities rather than as serving well-defined neighborhoods or areas. The site should be easily accessible from arterial or collector streets where feasible. Whenever possible, the site should also be accessible via a community trail system.

Size Criteria: Facility space requirements are the primary determinants of site size. As an example, a golf course may require 150 acres, whereas a community center with parking may fit on 10 or 15 acres.

Site Selection Criteria/Guidelines: Where feasible, a geographically central site is optimal. Given the variety of potential uses, no specific standards are defined for site selection. As with all park types, the site itself should exhibit the physical characteristics appropriate for its use.

Development Parameters/Recreation Activities Menu: Since each special use facility is unique, community input through surveys and focus meetings should be the primary determinant for each program. However, since special use parks may include cultural, historical or archaeological sites, special care must be given to preserve the physical integrity of the resource. In some cases, community demands should defer to the technical expertise of professionals trained in preservation of such unique resources.

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Private Park/Recreation Facility – General Description: The Private Park/Recreation Facility is a classification that recognizes the contribution of private providers to the community park and recreation system. It also encourages greater cooperation between the private and public sector toward meeting growing park and recreation needs. The characteristics of Private parks and Recreation Facilities are as follows:

- Private Parks such as swimming pools, tennis courts, and club houses are generally within a residential area developed for the exclusive use of residents and are maintained through a neighborhood association or membership dues. They are not, however, a complete substitute for public recreation space.
- Private Recreation Facilities are for-profit enterprises, such as health and fitness clubs, golf courses, water parks, amusement parks, and sports facilities.

In either case, they can be entirely private (i.e. for the exclusive use of residents or members) or a public-private venture (i.e. local residents receive special rates and privileges). In many instances, private facilities can fill certain voids, which the public sector cannot. This frees up limited public resources to meet high priority needs for land and facilities.

The contribution that Private parks and Recreation Facilities make in meeting community park and recreation needs must be determined on a case-by-case basis.

Location Criteria: For the most part, the location of private parks and recreation facilities will be determined by a developer or private enterprise – with the City often negotiating the final location at the time of development. Where planning efforts coincide, attempts should be made to coordinate the needs of the private party with that of the greater community. This allows for the greatest degree of service to the community in the most cost-effective manner. Service areas for private parks depend on the type of use.

Size Criteria: The optimal size of a private park or recreational facility is dependent upon its intended use. The size criteria established for other park classifications should be used as appropriate. Given the inherent variability, there are no established site size standards for private recreation facilities.

Site Selection Criteria/Guidelines: Again, intended use will determine site selection. The criteria established for other park classifications should be used to determine how a private park should function. The key factor is that the site should exhibit the physical characteristics necessary for the intended uses.

Development Parameters/Recreation Menu: For private parks and recreation areas, the criteria established for other park classifications should be used to determine how a site is developed. Establishing clearly defined joint-use agreements between the city and a private party is critical to making a public-private partnership workable. This is particularly important with respect to development fees, user charges, and programming policies.

(Published in the Topeka Metro News _____)

ORDINANCE NO _____.

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr. pertaining to an amendment to the text and map of the Topeka Comprehensive Metropolitan Plan. (CPA 09/02)

BE IT ORDAINED by the Governing Body of Topeka, Kansas, on this ____ day of _____, 2009, as follows:

Section 1. The Comprehensive Metropolitan Plan for the City of Topeka may be adopted by Governing Body upon the recommendation of the Topeka Planning Commission.

Section 2. Section 110-72 of the Topeka City Code lists the elements that may be included in the Comprehensive Metropolitan Plan, and specifies that the Plan may include plans for parks and open spaces in all sub-areas of Topeka.

Section 3. The Governing Body approved Ordinance No. 18408 on March 23, 2005 making the City of Topeka Parks and Open Space Plan an element of the Topeka Comprehensive Metropolitan Plan.

Section 4. Exhibits A, B, and C amend the Topeka Parks and Open Space Plan by establishing parkland fee districts for the purpose of guiding where parkland improvement funds shall be collected and expended to accommodate the future population of the city.

Section 5. The City of Topeka Parks and Open Space Plan of the Comprehensive Metropolitan Plan is hereby amended by the addition of the attached exhibits.

Section 6. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

PASSED and APPROVED by the Governing Body_____.

Norton N. Bonaparte, Jr. City Manager

ATTEST:

Brenda Younger, City Clerk

APPROVED AS TO FORM AND LEGALITY

DATE _____ BY _____

TO BE CODIFIED _____

NOT TO BE CODIFIED _____

"Exhibit C"

Composite Parks & Open Spaces Health Assessment (Parkland Fee Districts)

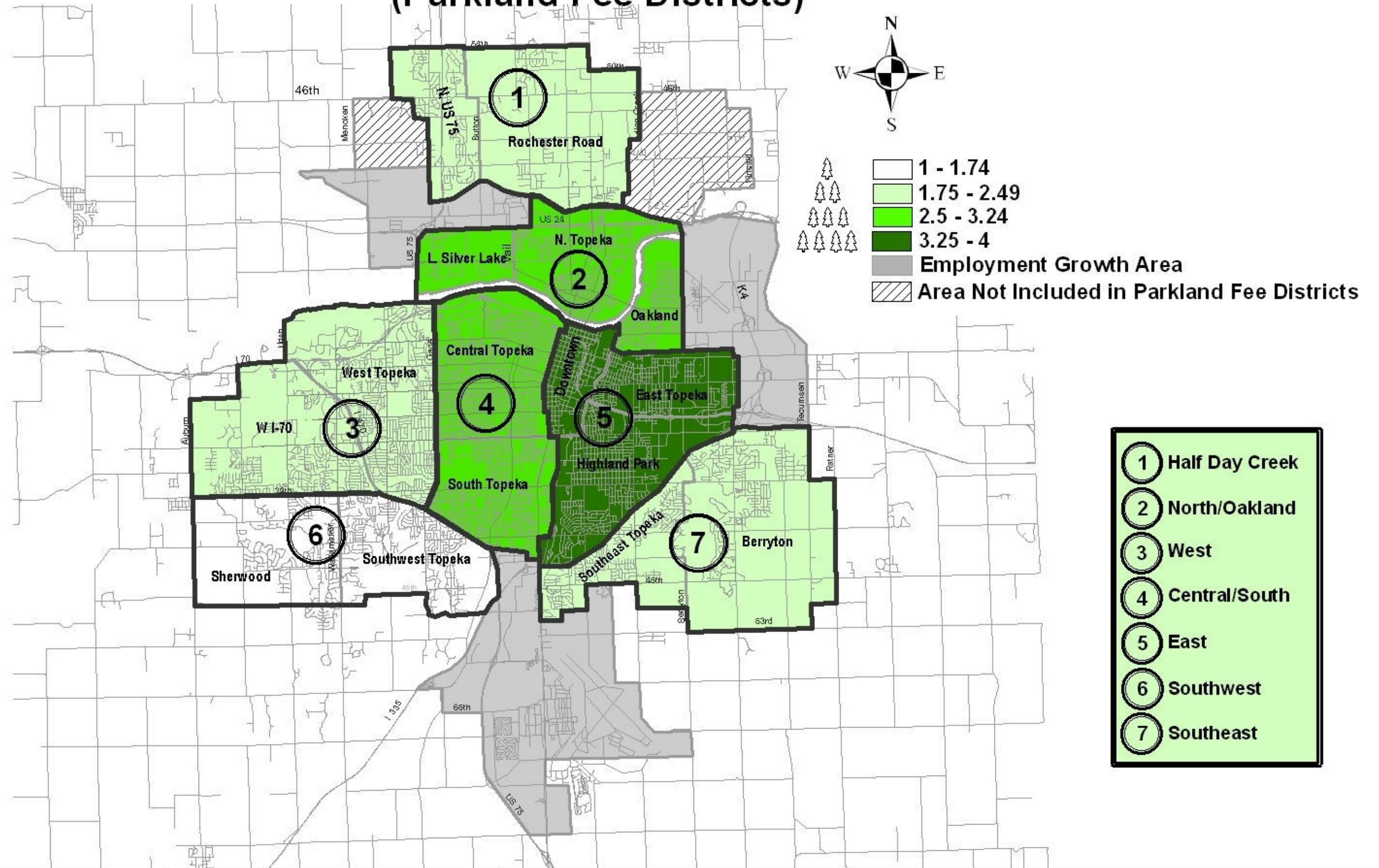


EXHIBIT "A"

Amendment #1 (CPA09/1)

[Note: This is the proposed amendment to the "City of Topeka Parks and Open Space Plan – an element of the Topeka Comprehensive Plan, 2025." It would be inserted as page 66 or the last page of the Plan. The Plan can be found at the Planning Department's web page under Plans.]

Parkland Fee Districts

The City's parkland development fee, established in 2003 (Ordinance #18065), helps to implement the City of Topeka Parks and Open Space Plan by charging a fee when new housing units are built within the city or at the time new subdivisions are approved outside the city limits within the 3-mile ETJ. The fee is used to help acquire and improve future parkland or improve existing parkland that will serve the added population as a result of new housing or subdivisions.

To create a geographic nexus between the fee and providing adequate parkland facilities, **parkland fee districts** are set forth in this plan so that the fees shall be invested in the same district as they are collected. The parkland fee districts were created by consolidating 17 residential "planning areas" already established in the City of Topeka Parks and Open Space Plan into 7 larger planning areas:

- | | |
|--------------------------|---|
| 1. Half Day Creek | (North US 75/Rochster Road) |
| 2. North/Oakland | (North Topeka/Oakland/Lower Silver Lake Road) |
| 3. West | (West Topeka/West I-70) |
| 4. Central South | (Central Topeka/South Topeka) |
| 5. East | (East Topeka/Highland Park/Downtown) |
| 6. Southwest | (Sherwood/Southwest Topeka) |
| 7. Southeast | (Southeast Topeka/Berryton) |

A parks and open space health assessment was also applied to the 7 new consolidated planning areas in the same manner as it was applied to the 17 smaller planning areas found in the plan. The reason for creating larger "fee" districts was so that the actual acquisition or improvement of parkland could be realized in a more timely manner and thereby, strengthen the nexus between when the fees were collected and when they were used. Since the fee is required to be spent in the same district as it was collected, fewer districts equate to a larger pot of money for each district and therefore a shorter waiting period for putting an improvement project together.

In addition, the health ratings should be used to determine the level of fee charged within the district so that those "greener" areas pay less than those areas that are less "green" (i.e., fewer parkland facilities).

The corresponding table and map illustrate the health ratings of the consolidated parkland fee districts.

Consolidated Parks District Health Ratings

EXHIBIT "B"

Planning Area	Combined Park Region	Existing Population	Community Parks Total Acres Per 1000	% of NRPD Standards	Neighborhood Parks Total Acres Per 1000	% of NRPD Standards	Total Parks Total Acres Per 1000	% of Total Area	Planning Area Acres Within 1/4 Mile	Percent w/in 1/4 mile	Rating
North/Oakland											
7 North Topeka	1	6,237	23,70	76.00%	8.20	1.13	37.57	11.4%	3309.75	1445.37	43.67%
8 Oakland	1	6,243	51.30	164.34%	23.70	3.65	172.3	11.80%	1460.00	713.94	48.90%
6 Lower Silver Lake R	1	216	0.00	0.00%	0.00	0.00	0	0.00%	1424.37	0.00	0.00%
		12,696	75.00	118.15%	31.90	2.51	209.9	3.39%	6194.12	2159.31	34.86%
Central/South											
13 Central Topeka	2	26,926	16.30	12.11%	72.60	2.59	111.1	2.57%	4322.49	3591.99	83.10%
15 South Topeka	2	15,468	0.00	0.00%	131.80	7.75	361.2	11.34%	3185.24	2410.59	75.68%
		42,394	16.30	7.69%	204.40	4.82	472.3	6.29%	7507.73	6002.58	79.95%
East											
10 East Topeka	3	7,252	16.53	45.60%	73.43	9.18	86.76	3.82%	2268.62	1273.38	56.13%
11 Highland Park	3	14,990	137.90	183.99%	29.05	1.82	169.2	4.23%	3997.14	2801.20	70.08%
12 Downtown	3	2,988	0.00	0.00%	4.80	0.80	25.05	1.81%	1382.36	747.72	54.09%
		25,230	154	122.42%	107.28	4.25	281	3.67%	7648.12	4822.29	63.05%
Southwest											
19 Sherwood	4	5,595	0.00	0.00%	0.00	0.00	0	0.00%	4167.69	164.21	3.94%
20 Southwest Topeka	4	5,563	0.00	0.00%	8.70	0.97	199.3	5.30%	3760.75	1524.61	40.54%
		11,158	-	0.00%	8.70	0.78	199.3	2.51%	7928.44	1688.82	21.30%
Southeast											
16 Southeast Topeka	5	5,563	0.00	0.00%	28.90	1.93	28.9	1.05%	2760.83	1255.90	45.49%
17 Berryton	5	6,073	0.00	0.00%	0.00	0.00	101.1	13.91%	7266.79	2264.33	31.16%
		11,636	-	0.00%	28.90	2.48	1040	10.37%	10027.62	3520.23	35.11%
Half Day Creek											
1 North US 75	6	2,240	0.00	0.00%	0.00	0.00	0	0.00%	2299.21	130.37	5.67%
2 Rochester Road	6	4,082	115.00	563.45%	5.00	0.21	115	1.88%	6102.88	1061.29	17.39%
		6,322	115.00	363.81%	5.00	0.79	115	1.37%	8402.09	1191.66	14.18%
West											
14 West Topeka	7	16,838	65.00	77.21%	14.20	0.71	511.8	9.70%	5275.51	3687.58	69.90%
18 West I-70	7	10,599	0.00	0.00%	9.15	0.46	169.6	3.44%	4929.43	427.38	8.67%
		27,437	65.00	47.38%	23.35	0.85	681.3	6.68%	10204.94	4114.96	40.32%

Scale:
1 - 1.74 Intensive Care
1.75 - 2.49 At Risk
2.5 - 3.24 Out Patient
3.25 - 4 Healthy

Community Park Rating	N'hood Park Rating	Total Park Rating	1/4 mile Distance Rating	Average Rating
4	3	1	2	2.50
1	4	2	4	2.75
4	4	2	4	3.50
1	1	1	2	1.25
1	2	3	2	2.00
4	1	1	1	1.75
2	1	2	3	2.00

1 North/Oakland
2 Central
3 East
4 Southwest
5 Southeast
6 Half Day Creek
7 West

Out Patient
Out Patient
Healthy
Intensive Care
At Risk
At Risk
At Risk

**Minutes of the
Topeka Planning Commission
July 20, 2009**

A. Roll call

Present: Doug Bassett, Richard Beardmore, Mark Boyd - Chair, Jim Brown, John Federico, Michelle Hoferer - Vice-Chair, Fred Martinez and Lee Williams **(6)**
Absent: Doug Bassett, Howard Blackmon and Fred Martinez **(3)**
Staff Present: David Thurbon-Director, Bill Fiander-Deputy Planning Director, Dean Diediker-Planner II, Annie Driver-Planner I and Loreena Munoz-Office Specialist.

- 1. Parkland Development Fees** – Bill Fiander summarized F-1a and b together. Discussion is for both items as well. Voting is separate for each item.

Discussion by members:

Mr. Fiander stated currently there are seventeen districts. Each district should equate to a certain number of parks and open space. He explained how parkland fees are collected. He said having seventeen areas is too much so we are proposing consolidating into seven areas. He said, looking at the map, the greener the more parks/open space in that area. The amendment includes consolidation for the purpose of collecting and spending the parkland fee funds. The fees will be spent in the area they are collected, which is spelled out in the next item. The southwest part of town is the area lacking parkland. The areas in more need of parkland will pay a higher fee than those that aren't.

Mr. Fiander said this change is to increase the fee and reflect current development costs. He said the fee would go up from 225.00 to 300.00 per lot. . He said this also links the collections to be spent in the area they were collected. The greener the area the less the fee. This fee applies to all homes on undeveloped lots, not just subdivisions. Fee is for added population only. A benefit district to pay for a park does not have to pay parkland fees. For those in the 3 mile area the fee has to be paid before recording of the final plat. If there are more than 30 lots involved they can make a payment plan with the city attorney's office. The Parkland fee for parks adjacent to streets with assessment fees would be negotiated with the parks department. He said there is a provision written in that states if any of the fees aren't spent in 5 years, the fees have to be returned to the owner, as long as city council doesn't pass a resolution saying they have a purpose for those funds. We can't hang on to the funds forever. They need to be spent for the purpose they were collected for.

Mark Boyd asked who tracks the funds of spent/unspent? David Thurbon stated Planning and the Finance Department work together to track the funds. Lee Williams asked if the city council decides where to spend the money and on what? Mr. Thurbon replied yes within the district it is collected.

Mr. Boyd said if this is not approved it does not go on to council? Mr. Thurbon replied yes, it has to be approved by you before moving on to council.

Jim Brown asked if the developer pays this fee when the plat is filed? Mr. Thurbon replied it is his choice. He can pay up front or with a building permit, which is what they usually do.

Mr. Brown said the building permit isn't issued until the parkland fee is paid? Mr. Thurbon said that is correct. Mr. Thurbon said the fund needs to be built up so we can get out and purchase property to get park land while property values are low. He said we would like to purchase the land prior to development. He said parks and recreation will do a priority listing of existing that needs to be improved and potential property to be purchased for future parks. Mr. Brown said in a 5 year period they want to build a park? Mr. Thurbon replied yes or maintain/upgrade an existing.

Michelle Hoferer asked what will happen if the county takes over the parks and recreation department? What would happen to the funds? Would they have to administer as specified here? Mr. Thurbon said that is a complicated question. Lawyers would have to figure that out. It will have to be dealt with if it happens. Ms. Hoferer said she is worried if the merger happens that the funds won't be spent in the district they are collected.

Richard Beardmore said in the ordinance page 8, line 166 it states utilities may be needed at the parks, shouldn't water be in there as well? Mr. Thurbon said he doesn't understand why that was left out and this could be added.

Mr. Boyd asked if there is ability to abate the fees? Mr. Fiander replied no. He said the core area is required to pay less. He said in the in the highly developed areas the fees are less but we don't expect we will collect many fees in these areas. Mr. Boyd asked if they could they go to city council to get the fee waived? Mr. Thurbon said the city council doesn't have authority to waive building permit fees but I am not sure with these fees. Mr. Boyd said a person trying to redevelopment in the core will be charged the parkland fee to build a new house. Mr. Fiander said the commission could make a policy choice to say areas that fall above average with parkland don't have to pay the fee. Mr. Fiander said this is the reason we have the refund blurb. Mr. Boyd said the only problem is it will take five years for a refund if the funds aren't put to use. Mr. Fiander stated we should have Braxton Copley in on any changes because he wrote this. Mr. Thurbon said he would need some time to discuss these suggestions with Mr. Copley. Ms. Hoferer suggested approving item a and continue b so Mr. Copley can be consulted with. Mr. Boyd suggested a condition to exempt some from the parkland fee as an incentive for infill or redevelopment being built.

Mr. Federico said it needs to be spelled out to allow the council some flexibility to exempt some infill type development from paying the fee.

Ms. Hoferer said there are parts of town that have some parkland and need infill as well. She said she doesn't want to attach the exemption to a specific area or level. Mr. Boyd said he believes staff and Mr. Copley will come up with correct wording for this.

Mr. Thurbon said the applicant must demonstrate to council incentives are needed to help their development. Mr. Fiander said he remembers Mr. Copley stated it has to be given evenly and fairly to all. Mr. Thurbon said if it is determined illegal by Mr. Braxton we would have to bring it back to you.

- a. **CPA09/02 an amendment to the Parks and Open Space Plan** an element of the Comprehensive Plan 2025 of the City of Topeka, Kansas to establish the location and purpose of parkland fee districts.

Michelle Hoferer moved approval, seconded by John Federico. **APPROVAL. (6-0-0)**

- b. **ASR09/1 an amendment to the Subdivision Regulations** regarding parkland development fees and street assessments for parks.

Michelle Hoferer moved to continue to the August 17, 2009 Planning Commission meeting, seconded by Jim Brown. **CONTINUED to the August 17, 2009 Planning Commission meeting. (6-0-0)**

B. Adjournment @ 8:45



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 6, 2009

+ Back Print

DATE: October 20, 2009
CONTACT PERSON: Nicole Malott
SECOND PARTY/SUBJECT: Well Water Meters / Charges
CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 146 Utilities
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., concerning wastewater rates and charges, amending City of Topeka Code Section 146-341 and specifically repealing said original section. Final Reading.

(Approval would update city code to reflect current practice of the Wastewater Utility which does not specifically address wastewater charges for customers on well water supply.)

POLICY ISSUE:

Approval would update City Code to reflect the current practice of the Wastewater Utility.

STAFF RECOMMENDATION:

Approval of proposed Ordinance.

BACKGROUND:

Current City Code does not specifically address wastewater charges for customers on well water supply. Additional language is being added for clarity.

BUDGETARY IMPACT:

There is no budgetary cost associated with this change.

SOURCE OF FUNDING:

N/A

ATTACHMENTS:

[Ordinance](#)

Changes shown in double underline and ~~double strikethrough~~.

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., concerning wastewater rates and charges, amending City of Topeka Code § 146-341 and specifically repealing said original section.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 146-341, Connection fees and monthly rates/charges established, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Connection fees and monthly rates/charges established.

(a) Rates and charges for customers inside/outside the city operating under the terms of this division for sewer maintenance, sewage transportation, and sewage treatment shall be as now or hereafter established by ordinance of the city and such rates shall be sufficient to pay costs and expenses of the following three (3) general classifications:

- (1) Sewage disposal and treatment; and
- (2) Sewage transportation; and
- (3) Sewer operation and maintenance.

All such rates shall be reviewed at least every five (5) years or more frequently at the discretion of the city, except rates for sewage disposal and treatment which rates shall be reviewed, altered, or amended as other rates within the city limits.

(b) At the discretion of the city manager or city council, the connection fees listed in this section may be waived for economic development projects which, due to their unusual nature or magnitude, offer extraordinary benefits to the community. The

Changes shown in double underline and ~~double strikethrough~~.

city manager may waive up to twenty-five percent (25%) of the fees. City council approval shall be required for approval for any waiver in excess of twenty-five percent (25%).

(c) The public works director shall determine the system connection fee for each consumer making application for a new service connection. The system connection fee shall be paid prior to connection as part of the application process. Such system connection fees shall be based on the system's value, total capacity, and associated water meter size. Applications for sewer connections for which there is no associated water service application shall have a sewer connection fee which is calculated on the basis of projected flows from other sources approximating the water service size. System connection fees are in addition to other rates, charges, deposits, or fees established by law. The system connection fees for all classifications and meter sizes shall be paid prior to connection. These fees shall include all materials and labor by city personnel.

The system connection fees for meters larger than eight (8) inches shall be determined by the public works director based on projected flows.

(d) The following are established as the monthly sewer rates and charges to be paid to the city for discharging wastewater into the sanitary sewer system for bills rendered on or after ~~January 1, 2004~~ May 1, 2008:

(1) *Residential and multifamily residences.*

(a) City water system supply. The rate shall be based on a calculated average water volume determined in accordance with Topeka City Code §§ 146-137 and 146-142 for water used in the months of

Changes shown in double underline and ~~double strikethrough~~.

December, January, and February. The average water volume determined by this method shall be referred to as the three (3) month winter average. The three (3) month winter average water volume shall be recalculated each year following the three (3) month winter period and shall be in effect for the following twelve (12) month period. For a customer who has not established an average, the charge shall be the average of the residential three (3) month winter average for the applicable meter reading route.

(b) Well water supply. For customers whose potable water supply is through means of a well, the charge shall be the average of the residential three (3) month winter average for the applicable meter reading route. Alternatively, the owner or other interested party, at his or her own expense, shall install and maintain a water meter satisfactory to the public works director. If a meter is installed at the property, sewer rates and charges shall be calculated based on the three (3) month winter average consumption as measured at the meter. Access to such meter shall be given to the ~~water department employees~~ public works director for the purpose of reading, inspecting, testing or repair of such meter at any measurable time.

(2) *Commercial and industrial.* The volume shall be based on the lesser of water volumes determined in accordance with Topeka City Code section 146-137 or actual metered sewer discharges. Credit shall be given for those metered flows which do not enter the sewer collection system. Those customers who discharge wastewater with a biological oxygen demand in excess

Changes shown in double underline and ~~double strikethrough~~.

of three hundred (300) milligrams per liter and/or suspended solids in excess of three hundred (300) milligrams per liter will be assessed the excess strength charge in accordance with the schedule of rates and charges in this subsection.

(3) *Schedule of rates and charges.*

TABLE INSET:

	May 1, 2008	Jan. 1, 2009	Jan. 1, 2010	Jan. 1, 2011
a. Inside city (per 1,000 gallons)				
Domestic strength wastewater:				
First 1,500 gallons (minimum)	\$14.85	\$14.85	\$14.85	\$14.85
Over 1,500 gallons, per Mgal	3.43	3.57	3.71	3.86
Excess strength charges (a):				
BOD, per mg/l per Mgal	0.001921	0.001998	0.002078	0.002161
Suspended solids, per mg/l per Mgal	0.001219	0.001268	0.001318	0.001371
b. Outside city:				
Domestic strength wastewater:				
First 1,500 gallons (minimum)	\$26.00	\$26.00	\$26.00	\$26.00
Over 1,500 gallons, per Mgal	6.00	6.25	6.50	6.75
Excess strength charges (a):				
BOD, per mg/l per Mgal	0.003362	0.003497	0.003637	0.003782
Suspended solids, per mg/l per Mgal	0.002133	0.002219	0.002307	0.002399

(4) *Adjustment of bills.* The monthly rate and charge on a bill may be adjusted administratively by the water pollution control division to the actual or estimated volume or strength provided a significant change from normal conditions of discharge of waste or strength during the billing period can be demonstrated. In no event shall an adjusted monthly charge be less than the minimum rate as established in this section.

Changes shown in double underline and ~~double strikethrough~~.

(5) *Implementation.* Rates and charges shall become effective with bills rendered on or after the effective dates shown in the schedule of rates and charges.

Section 2. That original § 146-341 of The Code of the City of Topeka, Kansas, is hereby specifically repealed.

Section 3. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

PASSED AND APPROVED by the City Council _____.

CITY OF TOPEKA, KANSAS

William W. Bunten, Mayor

ATTEST:

Brenda Younger, City Clerk



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 8, 2009

+ Back Print

DATE: October 20, 2009
CONTACT PERSON: Mike McGee
SECOND PARTY/SUBJECT: St. Gregory LLC /
Accessible Curb Ramp
CATEGORY/SUBCATEGORY 007 Contracts and Amendments / 012 Hold Harmless
CIP PROJECT: No
ACTION OF COUNCIL:
DOCUMENT #:
PROJECT #:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

A TEMPORARY ENCROACHMENT AGREEMENT between the City of Topeka and St. Gregory, L.L.C., granting consent by the City for a public improvement in the City's right-of-way.

(Approval would allow for the construction of an accessible ramp, landings, railings and planters in the City's right-of-way adjacent to the property located at 635 SW Harrison Street.)

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

None.

SOURCE OF FUNDING:

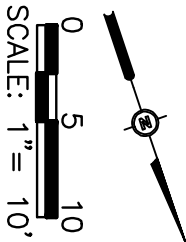
Not Applicable.

ATTACHMENTS:

[Exhibit A](#)

[Contract](#)

EXHIBIT DRAWING



Attachment number 1
Page 1 of 1

S.W. HARRISON ST.

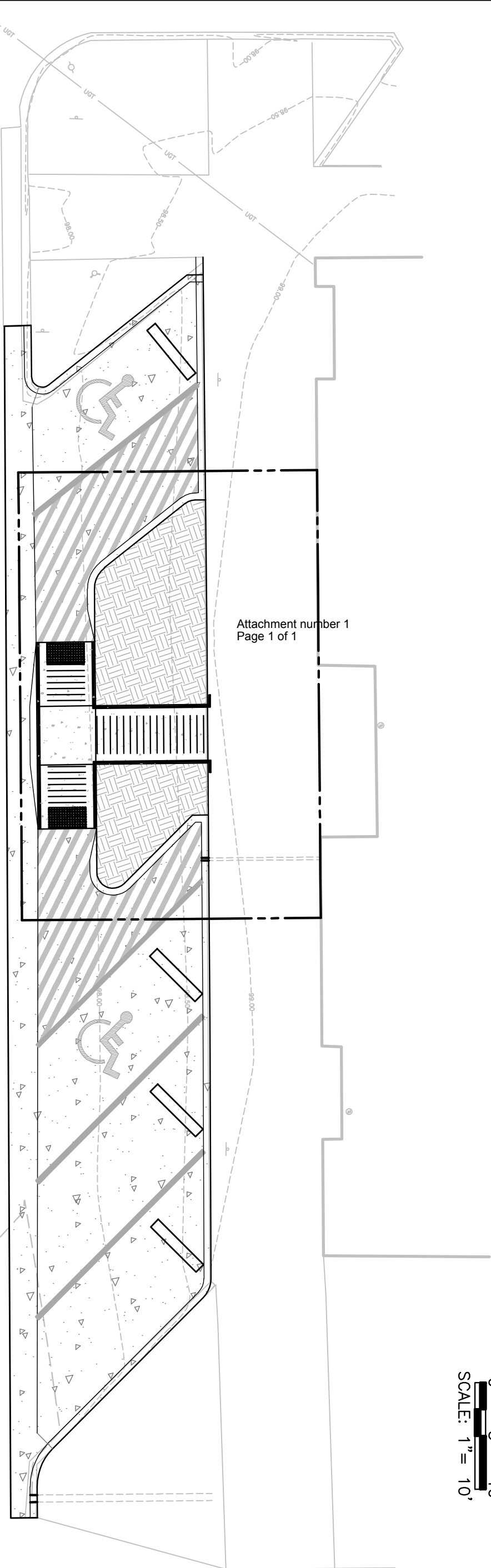


EXHIBIT DRAWING
Disability Rights Center of KS
635 S.W. Harrison Topeka, Kansas

BARTLETT & WEST

1200 SW EXECUTIVE DRIVE
TOPEKA, KANSAS 66616
PHONE 785-272-2252

DESIGNED BY:
RJB

DRAWN BY:
LJM

APPROVED BY:
JGL

PROJ NO:
16518.000

SCALE:
AS NOTED

DATE:
AUG. 2009

SHEET NUMBER

1

OF 1

CITY OF TOPEKA CONTRACT NO. _____

AGREEMENT

THIS AGREEMENT entered into this _____ day of _____, 2009, by and between the City of Topeka, a duly organized municipal corporation hereinafter referred to as "City" and St. Gregory LLC, hereinafter referred to as "Owner."

WHEREAS, Owner desires to construct certain improvements adjacent to the property located at Lot 209, Lots 209-211-213-215 on Harrison and 212, 214 & 216 ON Topeka and 1/2 ADJ V AC ALLEY Section 31 Township 11 Range 16, commonly known as 635 SW Harrison Street, which will benefit the public including an accessible ramp in City's right-of-way to provide convenient access for Owner's customers, visitors and clients; and

WHEREAS, City is agreeable to permit the construction of certain public improvements; and

WHEREAS, the parties wish to enter into an Agreement to allow for the construction of public improvements in the City's right-of-way adjacent to Owner's premises.

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

1. City hereby grants permission to Owner to permit the construction of certain public improvements including an accessible ramp, landings, railings and planters more specifically on Exhibit A, attached hereto and incorporated herein, in City's right-of-way and further permit the encroachment of said public improvements into City's right-of-way. Said permitted encroachment is depicted in Exhibit A and more specifically described as follows:

A TRACT OF LAND COINCIDENT WITH THE EAST LINE OF
LOTS 215, 213 AND 211 ON HARRISON STREET, IN THE
ORIGINAL TOWN, CITY OF TOPEKA, SHAWNEE COUNTY,

KANSAS, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 215; THENCE ON AN ASSUMED NORTH AZIMUTH OF 17 DEGREES 59 MINUTES 53 SECONDS, 20.00 FEET ALONG THE EAST LINE OF SAID LOT 215 TO THE POINT OF BEGINNING; THENCE ON AN AZIMUTH OF 17 DEGREES 59 MINUTES 53 SECONDS, 42.00 FEET ALONG THE EAST LINE OF SAID LOTS 215, 213 AND 211; THENCE ON AN AZIMUTH OF 107 DEGREES 59 MINUTES 53 SECONDS 28.00 FEET; THENCE ON AN AZIMUTH OF 197 DEGREES 59 MINUTES 53 SECONDS, 42.00 FEET; THENCE ON AN AZIMUTH OF 287 DEGREES 59 MINUTES 53 SECONDS, 28.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 1,176 SQUARE FEET, MORE OR LESS.

2. The public improvements shall be constructed in accordance with Exhibit A, the City of Topeka Technical Specifications maintained by the City engineer, as well as all other applicable City codes and ordinances.
3. Owner shall be responsible for all repair, upkeep and maintenance of the public improvements constructed in City's right-of-way.
4. Owner understands and agrees that if Owner fails to make a repair after City has provided Owner with written notice, City shall have the right to make any necessary repairs and Owner shall be responsible for all costs incurred by City specifically including, but not limited to, labor, materials, and supplies.
5. Owner agrees to save, exculpate, indemnify and hold City and its authorized representatives harmless from all reasonable costs, liabilities, damages, expenses, suits, judgments and claims of any kind caused by Owner's development and actual use of the City's right-of-way for public improvements or the Owner's negligent performance of or failure to perform obligations under this Agreement.

6. It is understood by the parties hereto that the permission granted by City herein shall in no way be deemed a relinquishment of title to the right-of-way and Owner shall not acquire title or any easement interest by either adverse possession or prescription.

7. It is further understood and agreed by the parties that should Owner remove the public improvements, City's permission of this encroachment shall be null and void and no other encroachment shall be permitted.

8. City specifically understands and agrees that the permission to maintain the public improvements pursuant to this Agreement may be revoked by the City Council at its discretion. Further, if the permission granted herein is revoked by the City Council, Owner shall have the responsibility to restore the curb and gutter to its original location in accordance with the City of Topeka Technical Specifications for original construction or reconstruction of curbs and gutters of City and to backfill, with earth, the parking area behind the curb.

9. This Agreement is a covenant that will run with the land and is binding upon all heirs, assigns, successors and transferees of Owner and that this Agreement is to be filed and recorded with the Register of Deeds Office, Shawnee County, Kansas.

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

CITY OF TOPEKA, KANSAS

Norton N. Bonaparte, Jr., City Manager

ATTEST:

Brenda Younger, City Clerk

APPROVED AS TO FORM AND LEGALITY

DATE _____ BY _____

STATE OF KANSAS)
)ss:
SHAWNEE COUNTY)

BE IT REMEMBERED, that on this _____ day of _____, 2009, before me
a Notary Public in and for the County and State aforesaid, personally appeared Norton N.
Bonaparte, Jr., City Manager, and Brenda Younger, City Clerk, to me personally known,
being by me duly sworn, did say that they are the officers of the City of Topeka, the
Municipality that executed the foregoing instrument, and that the seal affixed to the
foregoing instrument is the seal of said Municipality, and that said instrument was signed,
sealed and delivered in the name and on behalf of said Municipality and they acknowledge
said instrument to be the free and voluntary act and deed of said Municipality.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal
the day and year last above written.

Notary Public

My Commission Expires: _____

OWNER

Athar Kazmi
Athar Kazmi

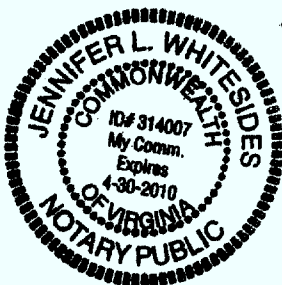
STATE OF VIRGINIA)
)ss:
COUNTY OF Fairfax)

The foregoing instrument was acknowledged before me this 14th day of October, 2009, by Athar Kazmi of St. Gregory LLC, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, acting for and on behalf of said limited liability company in the capacity of President (president, CEO, et c.).

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

Jennifer L. Whitesides
Notary Public

My Appointment Expires: April 30, 2010





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www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 6, 2009

+ Back Print

DATE: October 20, 2009
CONTACT PERSON: JIM LANGFORD/KEJ **DOCUMENT #:**
SECOND PARTY/SUBJECT: WEEKLY EXPENDITURES **PROJECT #:**
CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., allowing and approving City expenditures for the period of September 28, 2009, through October 4, 2009, and enumerating said expenditures therein. First and Final Reading.

POLICY ISSUE:

Approve and allow weekly payments of valid operating expenditures, pursuant to Resolution No. 7607.

STAFF RECOMMENDATION:

Adopt as presented.

BACKGROUND:

Pursuant to Resolution No. 7607, adopted on April 12, 2005, which provides authorization to pay for certain expenditures prior to approval by the Council in an expenditure ordinance, the expenditures being authorized by this ordinance have been previously paid, in accordance with established procedures and policies for such payments.

BUDGETARY IMPACT:

Approves expenditures for the period September 28, 2009 through October 4, 2009, in the amount of \$1,107,556.81.

SOURCE OF FUNDING:

Appropriated funds and fees-for-service revenues of various City departments.

ATTACHMENTS:

[Ordinance](#)

[Expenditures](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Norton N. Bonaparte Jr., allowing and approving City expenditures for the period of September 28, 2009, through October 4, 2009, and enumerating said expenditures herein.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. All expenditures made or authorized to be made by issuance of checks or electronic transfers as enumerated herein, are in accordance with City of Topeka Resolution No. 7607.

Section 2. The claims and expenditures listed in Exhibit A, which is on file in the City Council Office and the City Clerk's Office and incorporated herein by said reference, are hereby allowed and approved for payment.

<u>Section 3.</u>	Total for 112 vendor checks written in this period	\$154,473.06
	Total vendor checks voided in this period (net)	(854.25)
	Total electronic transfers to vendors in this period	953,938.00
	Total net payroll to employees this period	000,000.00
	Total payroll related electronic transfers this period	<u>000,000.00</u>
	Total for expenditures in this period	<u>\$1,107,556.81</u>

Section 4. This ordinance shall take effect and be in force after its passage, approval and publication in the official city newspaper.

PASSED and APPROVED by the City Council _____.

ATTEST:

William W. Bunten, Mayor

Brenda Younger, City Clerk

PREPARED 10/05/2009, 11:24:49
PROGRAM: GM350LSPCL
City of Topeka

A/P CHECKS BY PERIOD AND YEAR
FROM 09/28/2009 TO 10/04/2009

PAGE 1

CHECK DATE	CHECK NUMBER	VENDOR NAME	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	*ALL*
ACCOUNT #									TRN AMOUNT
10/01/2009	666450	BENTWOOD PLACE APARTMENTS	10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		445.00
904-6330-561.47-15									445.00
10/01/2009	666451	BREAKTHROUGH HOUSE INC	10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		179.00
904-6330-561.47-15									179.00
10/01/2009	666464	CULLISS, BRIAN	10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		344.00
904-6330-561.47-15									344.00
10/01/2009	666471	GATES, BRIAN	10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		347.00
904-6330-561.47-15									347.00
10/01/2009	666452	BRITTANY PLACE	10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		498.00
904-6330-561.47-15									498.00
10/01/2009	666454	BROOKWOOD TERRACE APARTMENTS	10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		3,538.00
904-6330-561.47-15									283.00
904-6330-561.47-15									410.00
904-6330-561.47-15									410.00
904-6330-561.47-15									445.00
904-6330-561.47-15									410.00
904-6330-561.47-15									153.00
904-6330-561.47-15									304.00
904-6330-561.47-15									410.00
904-6330-561.47-15									283.00
904-6330-561.47-15									430.00
10/01/2009	666453	BROOKWOOD TERRACE APARTMENTS	10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		.00
904-6330-561.47-15									.00
10/02/2009	666545	CENTRAL POWER SYSTEMS & SERVIC	07/18/2005	REG-B KELLY 8/15-19/05	F23118		09/2009		625.00
614-0435-510.22-08									625.00
10/02/2009	666546	CONFIDENTIAL-HIPAA REG	09/16/2009	PARTIAL RESTITUTION	HIPPA REG		09/2009		100.00
101-0000-227.83-00									100.00
10/02/2009	666547	CONFIDENTIAL-HIPAA REG	09/22/2009	MUNI COURT OVERPMT (BOND)	HIPPA REG		09/2009		500.00
530-0000-227.00-00									500.00
10/01/2009	666456	COLONY ONE	10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		341.00
904-6330-561.47-15									341.00
10/02/2009	666544	BURK, CORA	09/30/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		09/2009		401.00
904-6330-561.47-15									401.00
10/02/2009	666549	COREFIRST BANK & TRUST	09/17/2009	FUEL/RESPONSE TEAM TRNG	F36284		09/2009		2,355.70
101-1820-520.23-00									84.61
101-1820-520.23-00									60.00
101-1820-520.23-00									60.00

RECEIVED
CITY CLERK

2009 OCT -6 P 12:32

TOPEKA, KANSAS

PREPARED 10/05/2009, 11:24:49 PROGRAM: GN350LSPCL City of Topeka				A/P CHECKS BY PERIOD AND YEAR FROM 09/28/2009 TO 10/04/2009				PAGE 2	
CHECK DATE	CHECK NUMBER	VENDOR NAME	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	BANK CODE	*ALL*
ACCOUNT #									CHECK AMOUNT
101-1820-520.23-00			09/17/2009	PARKING/ANDERSON, WALNOHA	F36284	F36284	09/2009		38.50
101-1820-520.23-00			09/17/2009	HOTEL/ANDERSON, WALNOHA	F36284	F36284	09/2009		1,378.44
101-1820-520.23-00			09/17/2009	RENTAL CAR FUEL/KSMITH	F36284	F36284	09/2009		27.95
561-1081-520.23-12			09/17/2009	HOTEL/YOUSE	F36284	F36284	09/2009		545.20
101-1810-520.44-00			09/17/2009	FOOD/PROMOTION BOARD	F36284	F36284	09/2009		80.59
101-1810-520.41-00			09/17/2009	KITCHEN ITEMS	F36284	F36284	09/2009		80.41
10/02/2009	666548	COREFIRST BANK & TRUST		1310466					.00
101-1810-520.41-00			09/17/2009	KITCHEN ITEMS	F36284	F36284	09/2009		.00
10/01/2009	666457	COREFIRST BANK & TRUST		1309331					9,305.00
230-6125-510.34-71			09/23/2009	CLOSING-1734 SW CLAY ST	MEYERS KAYLENE	F36315	09/2009		9,305.00
10/01/2009	666460	CORNERSTONE OF TOPEKA INC		5008807					4,725.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		475.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		206.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		390.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		550.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		271.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		272.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		455.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		365.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		450.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		238.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		71.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		416.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		416.00
750-6565-560.28-90			10/01/2009	626 SW POLK # 3	SHELTER & CARE		10/2009		150.00
10/01/2009	666459	CORNERSTONE OF TOPEKA INC		5008807					.00
750-6565-560.28-90			10/01/2009	626 SW POLK # 3	SHELTER & CARE		10/2009		.00
10/01/2009	666458	CORNERSTONE OF TOPEKA INC		5008807					.00
750-6565-560.28-90			10/01/2009	626 SW POLK # 3	SHELTER & CARE		10/2009		.00
10/01/2009	666461	CORONADO APARTMENTS LLC		5004960					485.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		485.00
10/01/2009	666463	CUEVAS, EMILIO		5103083					41.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		41.00
10/01/2009	666519	RODENBAUGH, DANIEL		5001703					220.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		220.00
10/01/2009	666532	VANHOUSE, DANIEL W		5004523					1,184.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		634.00
904-6330-561.47-15			10/01/2009	SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		550.00
10/02/2009	666550	CONFIDENTIAL-HIPAA REG		13					100.00
101-0000-227.83-00			09/16/2009	PARTIAL RESTITUTION	HIPPA REG		09/2009		100.00

PREPARED 10/05/2009, 11:24:49				A/P CHECKS BY PERIOD AND YEAR				PAGE		4	
PROGRAM: GM350LSPCL				FROM 09/28/2009 TO 10/04/2009				BANK CODE		*ALL*	
City of Topeka				VENDOR #				PO #		PER/YEAR	
CHECK DATE	CHECK NUMBER	VENDOR NAME	TRN DATE	DESCRIPTION	INVOICE	PO #	PER/YEAR	TRN AMOUNT	CHECK AMOUNT		
ACCOUNT #											
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	219.00			
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	176.00			
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	395.00			
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	450.00			
10/01/2009	666474	HD GERLACH REALTY		5003329	SHELTER & CARE		10/2009	.00			
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	.00			
10/02/2009	666554	HELPING HANDS HUMANE SOCIETY I		1081529				23,049.62			
101-1820-520.22-00		10/01/2009		OCTOBER 2009				23,049.62			
10/02/2009	666555	HEWLETT-PACKARD FINANCIAL SERV		1000097				8,216.25			
613-0710-510.28-01		08/22/2009		9/14-10/13/09	600211981	547063	10/2009	1,568.14			
613-0710-510.28-01		08/22/2009		9/13-10/12/09	600211982	548189	10/2009	6,648.11			
10/01/2009	666476	HILLSDALE APARTMENTS LLC		5001619	SHELTER & CARE		10/2009	461.00			
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	461.00			
10/01/2009	666477	J & V PROPERTIES LLC		5003020	SHELTER & CARE		10/2009	765.00			
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	765.00			
10/02/2009	666556	CONFIDENTIAL-HIPAA REG		13	HIPPA REG		09/2009	100.00			
530-0000-227.00-00		09/22/2009		MUNI COURT OVERPMT (BOND)				100.00			
10/01/2009	666512	POORE, JAY		5007846	SHELTER & CARE		10/2009	625.00			
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	625.00			
10/02/2009	666557	CONFIDENTIAL-HIPAA REG		13	HIPPA REG		09/2009	75.20			
101-0000-227.83-00		09/16/2009		PARTIAL RESTITUTION				75.20			
10/02/2009	666558	CONFIDENTIAL-HIPAA REG		13	HIPPA REG		09/2009	25.00			
101-0000-227.83-00		09/15/2009		PARTIAL RESTITUTION				25.00			
10/02/2009	666559	CONFIDENTIAL-HIPAA REG		13	HIPPA REG		09/2009	30.00			
101-0000-227.83-00		09/16/2009		PARTIAL RESTITUTION				30.00			
10/02/2009	666560	KANSAS GAS SERVICE INC		1114963				223.50			
101-3046-510.20-02		09/17/2009		ENGINEERING	144746127 SEP09		09/2009	38.92			
101-3070-510.20-02		09/17/2009		FACILITY SERV PD PROPERTY	100310109 SEP09		09/2009	110.13			
291-3131-530.20-02		09/17/2009		STREET	144746273 SEP09		09/2009	36.38			
101-3110-520.20-02		09/15/2009		TRAFFIC OPERATIONS	144745291 SEP09		09/2009	38.07			
10/01/2009	666499	CONFIDENTIAL-HIPAA REG		6666000	SHELTER & CARE		10/2009	39.00			
904-6330-561.47-15		10/01/2009		SHELTER & CARE				39.00			
10/01/2009	666498	CONFIDENTIAL-HIPAA REG		6666000	SHELTER & CARE		10/2009	108.00			
904-6330-561.47-15		10/01/2009		SHELTER & CARE				108.00			
10/01/2009	666497	CONFIDENTIAL-HIPAA REG		6666000	SHELTER & CARE		10/2009	57.00			
904-6330-561.47-15		10/01/2009		SHELTER & CARE				57.00			

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904-6330-561.47-15								40.00		
10/01/2009	666495	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		45.00		
904-6330-561.47-15								45.00		
10/01/2009	666494	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		45.00		
904-6330-561.47-15								45.00		
10/01/2009	666493	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		82.00		
904-6330-561.47-15								82.00		
10/01/2009	666492	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		32.00		
904-6330-561.47-15								32.00		
10/01/2009	666491	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		53.00		
904-6330-561.47-15								53.00		
10/01/2009	666490	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		82.00		
904-6330-561.47-15								82.00		
10/01/2009	666489	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		55.00		
904-6330-561.47-15								55.00		
10/01/2009	666488	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		118.00		
904-6330-561.47-15								118.00		
10/01/2009	666487	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		121.00		
904-6330-561.47-15								121.00		
10/01/2009	666486	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		42.00		
904-6330-561.47-15								42.00		
10/01/2009	666485	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		105.00		
904-6330-561.47-15								105.00		
10/01/2009	666484	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		90.00		
904-6330-561.47-15								90.00		
10/01/2009	666483	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		68.00		
904-6330-561.47-15								68.00		
10/01/2009	666482	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		59.00		
904-6330-561.47-15								59.00		
10/01/2009	666481	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		35.00		
904-6330-561.47-15								35.00		
10/01/2009	666480	CONFIDENTIAL-HIPAA REG	6666000	SHELTER & CARE		10/2009		82.00		
904-6330-561.47-15								82.00		

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10/01/2009	666479	CONFIDENTIAL-HIPAA REG	10/01/2009	6666000 SHELTER & CARE	SHELTER & CARE		10/2009	35.00	35.00		
904-6330-561.47-15								35.00			
10/02/2009	666561	CONFIDENTIAL-HIPAA REG	09/21/2009	13 MUNI COURT OVERPMT (BOND)	HIPPA REG		09/2009	152.00	152.00		
530-0000-227.00-00								152.00			
10/02/2009	666562	CONFIDENTIAL-HIPAA REG	09/15/2009	13 PARTIAL RESTITUTION	HIPPA REG		09/2009	25.00	25.00		
101-0000-227.83-00								25.00			
10/01/2009	666506	MCGINLEY, KELSEY	10/01/2009	5008952 SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	322.00	322.00		
904-6330-561.47-15								322.00			
10/01/2009	666500	KEY ASSOCIATES	10/01/2009	5304601 SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	425.00	425.00		
904-6330-561.47-15								425.00			
10/02/2009	666563	KEY EQUIPMENT & SUPPLY CO	09/09/2009	1301195 AUTO & TRUCK MAINT. ITEMS	210433	555144	09/2009	3,446.31	3,446.31		
614-0435-510.99-99								3,446.31			
10/02/2009	666564	CONFIDENTIAL-HIPAA REG	09/21/2009	13 MUNI COURT OVERPMT (BOND)	HIPPA REG		09/2009	70.00	70.00		
530-0000-227.00-00								70.00			
10/02/2009	666565	CONFIDENTIAL-HIPAA REG	09/16/2009	13 FINAL RESTITUTION	HIPPA REG		09/2009	6.46	6.46		
101-0000-227.83-00								6.46			
10/02/2009	666566	CONFIDENTIAL-HIPAA REG	09/15/2009	13 PARTIAL RESTITUTION	HIPPA REG		09/2009	50.00	50.00		
101-0000-227.83-00								50.00			
10/02/2009	666567	CONFIDENTIAL-HIPAA REG	09/22/2009	13 MUNI COURT OVERPMT (BOND)	HIPPA REG		09/2009	100.00	100.00		
530-0000-227.00-00								100.00			
10/02/2009	666568	CONFIDENTIAL-HIPAA REG	09/15/2009	13 PARTIAL RESTITUTION	HIPPA REG		09/2009	100.00	100.00		
101-0000-227.83-00								100.00			
10/02/2009	666569	CONFIDENTIAL-HIPAA REG	09/16/2009	13 PARTIAL RESTITUTION	HIPPA REG		09/2009	100.00	100.00		
101-0000-227.83-00								100.00			
10/01/2009	666509	PETERSEN, LONNIE	10/01/2009	5800234 SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	1,142.00	1,142.00		
904-6330-561.47-15								376.00			
904-6330-561.47-15								337.00			
904-6330-561.47-15								429.00			
10/01/2009	666455	CLINTSMAN-THOMS, LOU ANN	10/01/2009	5002820 SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	474.00	474.00		
904-6330-561.47-15								474.00			
10/01/2009	666504	MACVICAR 21 APARTMENTS	10/01/2009	5001566 SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	891.00	891.00		
904-6330-561.47-15								101.00			
904-6330-561.47-15								395.00			
904-6330-561.47-15								395.00			
10/02/2009	666570	MARIA L RODRIGUEZ	09/28/2009	88 OVERPAYMENT REFUND	RODRIGUEZ MARIA		09/2009	206.83	206.83		
621-0000-221.10-10								206.83			

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ACCOUNT #	TRN DATE	DESCRIPTION						
10/01/2009	666502	LENTZ, MARILYN	5004324	SHELTER & CARE LANDLORDS		10/2009	386.00	386.00
904-6330-561.47-15		10/01/2009						
10/01/2009	666507	OGDEN, MARTIN	5001334	SHELTER & CARE LANDLORDS		10/2009	276.00	276.00
904-6330-561.47-15		10/01/2009						
10/01/2009	666503	LUELEN, MICHAEL DEAN	5001432	SHELTER & CARE LANDLORDS		10/2009	323.00	323.00
904-6330-561.47-15		10/01/2009						
10/01/2009	666478	KANATZAR, MITCHELL K	5003470	SHELTER & CARE LANDLORDS		10/2009	307.00	307.00
904-6330-561.47-15		10/01/2009						
10/01/2009	666508	PARKLANE PROPERTIES LLC	5001042	SHELTER & CARE LANDLORDS		10/2009	450.00	450.00
904-6330-561.47-15		10/01/2009						
10/01/2009	666466	DELAPP, PATRICK	5115147	SHELTER & CARE LANDLORDS		10/2009	495.00	495.00
904-6330-561.47-15		10/01/2009						
10/01/2009	666515	RASMUSSEN, PAUL	5003201	SHELTER & CARE LANDLORDS		10/2009	670.00	670.00
904-6330-561.47-15		10/01/2009						
10/01/2009	666510	PIONEER CURTIS HOMES	5003008	SHELTER & CARE LANDLORDS		10/2009	542.00	542.00
904-6330-561.47-15		10/01/2009						
10/01/2009	666511	PIONEER OLDE TOWN APARTMENTS	5007705	SHELTER & CARE LANDLORDS		10/2009	1,069.00	1,069.00
904-6330-561.47-15		10/01/2009						
10/01/2009	666514	RAK INVESTMENTS LLC	5000795	SHELTER & CARE LANDLORDS		10/2009	4,661.00	4,661.00
904-6330-561.47-15		10/01/2009						
10/01/2009	666516	RENTAL MANAGEMENT SOLUTIONS LL	5002094	SHELTER & CARE LANDLORDS		10/2009	871.00	871.00
904-6330-561.47-15		10/01/2009						
10/01/2009	666517	RENTAL MANAGEMENT SOLUTIONS LL	5002094	SHELTER & CARE LANDLORDS		10/2009	114.00	114.00
904-6330-561.47-15		10/01/2009						
10/01/2009	666518	RENTAL MANAGEMENT SOLUTIONS LL	5002094	SHELTER & CARE LANDLORDS		10/2009	512.00	512.00
904-6330-561.47-15		10/01/2009						

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ACCOUNT #		TRN DATE							
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	245.00	
10/01/2009 666543		WOLFE, RICHARD						300.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	300.00	
10/01/2009 666517		RIDGEWOOD ESTATES						1,266.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	638.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	628.00	
10/02/2009 666571		CONFIDENTIAL-HIPAA REG						34.00	
101-0000-227.83-00		09/15/2009		PARTIAL RESTITUTION	HIPAA REG		09/2009	34.00	
10/01/2009 666501		KNOETTGEN, ROBERT R						408.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	408.00	
10/01/2009 666520		SANTE FE PLACE APARTMENTS						630.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	460.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	170.00	
10/02/2009 666572		CONFIDENTIAL-HIPAA REG						25.00	
101-0000-227.83-00		09/16/2009		PARTIAL RESTITUTION	HIPAA REG		09/2009	25.00	
10/01/2009 666522		SHAWNEE LAKE APARTMENTS LP						399.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	399.00	
10/01/2009 666525		SOMERSET MANAGEMENT COMPANY LL						5,041.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	517.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	405.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	425.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	505.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	425.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	425.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	206.00	
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904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	136.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	425.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	326.00	
750-6565-560.28-90		10/01/2009		1125 SW POLK #3	SHELTER & CARE		10/2009	200.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	311.00	
10/01/2009 666524		SOMERSET MANAGEMENT COMPANY LL						.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	.00	
10/01/2009 666523		SOMERSET MANAGEMENT COMPANY LL						.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	.00	
10/01/2009 666526		SOUTHBROOK APARTMENTS						237.00	
904-6330-561.47-15		10/01/2009		SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009	237.00	

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904-6330-561.47-15											
10/01/2009	666529	ST GREGORY LLC	10/01/2009	5005820 SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		2,237.00	2,237.00	
904-6330-561.47-15											
904-6330-561.47-15									229.00	229.00	
904-6330-561.47-15									171.00	171.00	
904-6330-561.47-15									223.00	223.00	
904-6330-561.47-15									266.00	266.00	
904-6330-561.47-15									146.00	146.00	
904-6330-561.47-15									236.00	236.00	
904-6330-561.47-15									308.00	308.00	
904-6330-561.47-15									233.00	233.00	
904-6330-561.47-15									425.00	425.00	
10/01/2009	666528	ST GREGORY LLC	10/01/2009	5005820 SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		.00	.00	
904-6330-561.47-15											
10/02/2009	666573	CONFIDENTIAL-HIPAA REG	09/21/2009	13 MUNI COURT OVERPMT (BOND)	HIPPA REG		09/2009		75.00	75.00	
530-0000-227.00-00											
10/01/2009	666449	BENAKA, THOMAS R	10/01/2009	5800376 SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		599.00	599.00	
904-6330-561.47-15											
10/01/2009	666531	TOPEKA RENTALS LLC	10/01/2009	5004908 SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		284.00	284.00	
904-6330-561.47-15											
10/02/2009	666574	CONFIDENTIAL-HIPAA REG	09/15/2009	13 FINAL RESTITUTION	HIPPA REG		09/2009		5.59	5.59	
101-0000-227.83-00											
10/01/2009	666533	WCW ENTERPRISES INC	10/01/2009	5006322 SHELTER + CARE LANDLORDS	SHELTER & CARE		10/2009		273.00	273.00	
904-6330-561.47-15											
10/02/2009	666577	WESTAR ENERGY	09/17/2009	1110646 ENGINEERING	0165524685AUG09		09/2009		49,329.73	49,329.73	
101-3046-510.20-01									312.95	312.95	
101-3070-510.20-01									15,677.06	15,677.06	
101-3070-510.20-01									7,832.45	7,832.45	
101-3070-510.20-01									14,539.14	14,539.14	
614-0435-510.20-01									2,040.58	2,040.58	
101-3070-510.20-30									1,020.29	1,020.29	
101-3070-510.20-30									1,020.29	1,020.29	
101-3070-510.20-30									6,886.97	6,886.97	
10/02/2009	666576	WESTAR ENERGY	09/17/2009	1110646 LEC/FLEET/COUNTY	9673824013AUG09		09/2009		.00	.00	
101-3070-510.20-30											
10/02/2009	666575	CONFIDENTIAL-HIPAA REG	09/17/2009	13 PARTIAL RESTITUTION	HIPPA REG		09/2009		25.00	25.00	
101-0000-227.83-00											
10/01/2009	666542	CONFIDENTIAL-HIPAA REG	10/01/2009	6666001 SHELTER & CARE	SHELTER & CARE		10/2009		3,539.00	3,539.00	
904-6330-561.47-15									45.00	45.00	

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ACCOUNT #									TRN AMOUNT
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904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		48.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		11.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		27.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		57.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		56.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		60.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		89.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		50.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		55.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		42.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		165.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		58.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		2.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		34.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		18.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		91.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		37.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		35.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		54.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		108.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		56.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		51.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		55.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		44.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		68.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		83.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		43.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		13.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		33.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		50.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		260.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		82.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		1.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		58.00
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904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		38.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		150.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		21.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		50.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		44.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		60.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		90.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		105.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		49.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		480.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		69.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		121.00
10/01/2009 666541		CONFIDENTIAL-HIPAA REG		6666001					.00
904-6330-561.47-15		10/01/2009		SHELTER & CARE	SHELTER & CARE		10/2009		.00

PREPARED 10/05/2009, 11:24:49				A/P CHECKS BY PERIOD AND YEAR				PAGE	11
PROGRAM: GM350LSPCL				FROM 09/28/2009 TO 10/04/2009				BANK CODE	
City of Topeka				INVOICE				*ALL*	
CHECK DATE	CHECK NUMBER	VENDOR NAME	TRN DATE	DESCRIPTION	VENDOR #	INVOICE	PO #	PER/YEAR	TRN AMOUNT
ACCOUNT #									CHECK AMOUNT
10/01/2009	666540	CONFIDENTIAL-HIPAA REG	10/01/2009	SHELTER & CARE	6666001	SHELTER & CARE		10/2009	.00
904-6330-561.47-15									.00
10/01/2009	666539	CONFIDENTIAL-HIPAA REG	10/01/2009	SHELTER & CARE	6666001	SHELTER & CARE		10/2009	.00
904-6330-561.47-15									.00
10/01/2009	666538	CONFIDENTIAL-HIPAA REG	10/01/2009	SHELTER & CARE	6666001	SHELTER & CARE		10/2009	.00
904-6330-561.47-15									.00
10/01/2009	666537	CONFIDENTIAL-HIPAA REG	10/01/2009	SHELTER & CARE	6666001	SHELTER & CARE		10/2009	.00
904-6330-561.47-15									.00
10/01/2009	666536	CONFIDENTIAL-HIPAA REG	10/01/2009	SHELTER & CARE	6666001	SHELTER & CARE		10/2009	.00
904-6330-561.47-15									.00
10/01/2009	666535	CONFIDENTIAL-HIPAA REG	10/01/2009	SHELTER & CARE	6666001	SHELTER & CARE		10/2009	.00
904-6330-561.47-15									.00
10/01/2009	666534	CONFIDENTIAL-HIPAA REG	10/01/2009	SHELTER & CARE	6666001	SHELTER & CARE		10/2009	.00
904-6330-561.47-15									.00
10/01/2009	666462	COX, WILLIAM	10/01/2009	SHELTER + CARE LANDLORDS	5003447	SHELTER & CARE		10/2009	750.00
904-6330-561.47-15									750.00
10/02/2009	666578	WOOD VALLEY RACQUET CLUB & FIT	10/07/2009	OCTOBER 2009 SERVICES	1300367	555525 10	555525	10/2009	2,916.67
265-4166-540.22-10									2,916.67
NUMBER OF CHECKS- 112								DATE RANGE TOTAL *	154,473.06 *



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

September 15, 2009

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DATE: October 20, 2009

CONTACT PERSON:

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

No Attachments Available



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No Attachments Available