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City Council Agenda

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

December 17, 2013

6:00 PM

Mayor: Larry E. Wolgast

Councilmembers

Karen A. Hiller	District No. 1	Chad Manspeaker	District No. 6
John Campos II	District No. 2	Elaine Schwartz	District No. 7
Sylvia E. Ortiz	District No. 3	Nathan Schmidt	District No. 8
Denise Everhart	District No. 4	Richard Harmon	District No. 9
Michelle De La Isla	District No. 5		

City Manager: Jim Colson

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) consecutive 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.

☐ Back ☐ Print

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. PROCLAMATIONS:

"None scheduled at this time."

2. PRESENTATIONS:

"Historic Preservation Plan"

3. ROLL CALL:

4. CONSENT AGENDA:

A. Board Appointment - Citizen Advisory Council

☐ [ATTACHMENTS](#)

BOARD APPOINTMENT recommending the appointment of Kate Grover to the Citizen Advisory Council for a term ending December 31, 2016. *(Council District No. 1)*

B. Board Appointment - Civil Service Commission

☐ [ATTACHMENTS](#)

BOARD APPOINTMENT recommending the re-appointment of Jessie Thompson to the Civil Service Commission for a term ending January 5, 2018. *(Council District No. 9)*

C. Board Appointment - Downtown Business Improvement District Advisory Board

☐ [ATTACHMENTS](#)

BOARD APPOINTMENT recommending the re-appointment of James Parrish to the Downtown Business Improvement District Advisory Board for a term ending December 31, 2015. *(Downtown Business Improvement District)*

D. Board Appointment - Downtown Business Improvement District Advisory Board

☐ [ATTACHMENTS](#)

BOARD APPOINTMENT recommending the appointment of Danton Hejtmanek to the Downtown Business Improvement District Advisory Board for a term ending December 31, 2015. *(Downtown Business Improvement District)*

E. Committee Appointment - Citizens Government Review Committee

☐ [ATTACHMENTS](#)

COMMITTEE APPOINTMENT of Tina Williams to the Citizens Government Review Committee. *(Council District No. 1)*

F. Committee Appointment - Citizens Government Review Committee

☐ [ATTACHMENTS](#)

COMMITTEE APPOINTMENT of John Nave to the Citizens Government Review Committee. *(Council District No. 4)*

G. Committee Appointment - Citizens Government Review Committee

☐ [ATTACHMENTS](#)

COMMITTEE APPOINTMENT of Jim Reardon to the Citizens Government Review

Committee. (Council District No. 6)

H. Committee Appointment - Citizens Government Review Committee

☐
[ATTACHMENTS](#)

COMMITTEE APPOINTMENT of Maynard Oliverius to the Citizens Government Review Committee. (Council District No. 7)

I. Committee Appointment - Citizens Government Review Committee

☐
[ATTACHMENTS](#)

COMMITTEE APPOINTMENT of Judy Moler to the Citizens Government review Committee. (Council District No. 9)

J. MINUTES of the regular meeting of December 10, 2013

K. APPLICATIONS:

5. UNFINISHED BUSINESS:

A. Project Budget and Ordinance - Shunga Multipurpose Trail Extension Project No. 30127-12

☐
[ATTACHMENTS](#)

A PROJECT BUDGET in the amount of \$1,300,000 and AN ORDINANCE introduced by City Manager Jim Colson, amending and authorizing the project budget for Improvement Project No. 30127-12, which provides for the design and construction to extend the existing Shunga Multipurpose Trail, as more specifically described herein and repealing City of Topeka Ordinance No. 18721. Final Reading. (Council District Nos. 7 and 8)

(Approval would authorize the extension of the Shunga Multipurpose Trail near SW Fairlawn Road and SW 29th Street. The City's portion of the project funding is \$105,000 of General Obligation Bonds, \$970,000 of Kansas Department of Transportation Enhancement Grant funds, and \$225,000 of Shawnee County Parks and Recreation Department funds for a total project budget of \$1,300,000. This project is included in the 2003 and 2005 Capital Improvement Budget.)

B. Ordinance – Repealing Franchise Fee Refund Program

☐
[ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Jim Colson, repealing City of Topeka Code Sections 13.05.070 and 13.05.080, eliminating the gas and electric franchise fee refund program and the water and wastewater utility rate refund program. Final Reading.

(Approval would repeal the current program, enabling staff to restructure it. A restructured program would reduce administrative costs in order to ensure that benefits paid to eligible utility customers will not be reduced.)

C. Ordinance - Historic North Topeka East Neighborhood Plan (CPA13/2)

☐
[ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Jim Colson, pertaining to an amendment to the text and map of the Topeka Comprehensive Plan for the Historic North Topeka Neighborhood Plan. Final Reading. (CPA13/2)

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

(Approval adopts the Historic North Topeka East Neighborhood Plan as an element of the City's Comprehensive Plan and recommends SORT target area improvements.)

6. NEW BUSINESS:

A. Resolution - Franchise Fee Rebate Program

☐
[ATTACHMENTS](#)

A RESOLUTION introduced by City Manager Jim Colson, authorizing the restructure of a program to provide assistance to low-income households with

gas, electric, and water/wastewater utility bills.

(Approval would restructure the Franchise Fee Rebate Program, reducing the administrative costs and improving service delivery to low-income households with gas, electric, water and wastewater bills.)

B. Resolution - Crosswind Commons Community Improvement District - Setting Public Hearing Date

☐ [ATTACHMENTS](#)

A RESOLUTION introduced by City Manager Jim Colson, setting the public hearing to consider the advisability of establishing a Community Improvement District (CID) for Crosswind Commons at SW 12th Street and SW Wanamaker Road, as more specifically described herein.

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

(Approval would set a public hearing date on January 7, 2014, to consider the advisability of creating a Community Improvement District (CID district), in the City Council Chambers located at 214 SE 8th Street.)

C. Applications - Retail Cereal Malt Beverage and Scrap Metal Dealers License

APPROVAL of Retail Cereal Malt Beverage and Scrap Metal Dealers License Applications.

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

(Retail Cereal Malt Beverage License applications and Scrap Metal Dealer applications must be approved by the governing body prior to issuance of the licenses.)

7. ZONING:

A. Ordinance - David H. Stevens; Robert J. Stevens; and MLW, L.L.C. (PUD13/2)

☐ [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Jim Colson, amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code, by providing for certain changes in zoning on property located at 1700 SW Buchanan and 1113-1115 SW 17th Street from “M-1” Two-Family Dwelling District TO “PUD” Planned Unit Development District (“C-1” Commercial uses with residential occupancy, “O&I-2” Office and Institutional District, and “M-1” Two-Family Dwelling District) on 1700 SW Buchanan and 1113-1115 SW 17th Street and a vehicle surface parking lot as a principal use on 1113-1115 SW 17th Street. Final Reading. (PUD13/2) (Council District No. 3)

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

(Approval would allow the properties at 1700 SW Buchanan and 1113-1115 SW 17th Street to develop for mixed use development including C-1 commercial uses with residential occupancy, offices, duplexes, or off-street parking.)

B. Ordinance - Laird Noller Ford/ U.S.D. 501 (PUD13/3)

☐ [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Jim Colson, amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code by providing for certain changes in zoning on property located in the southwest quadrant of SW 21st Street and SW Topeka Boulevard from “C-4” Commercial District and “M-1” Two-Family Dwelling District ALL TO “PUD” Planned Unit Development District (“C-4” Commercial and “C-3” Commercial use groups). Final Reading. (PUD13/3) (Council District No. 3)

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

(Approval would allow expansion of car sales facilities for Laird-Noller Ford vehicle dealership.)

8. FIRST READINGS:

A. Ordinance - Historic Preservation Plan (CPA13/1)

☐ [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Jim Colson, amending the text of the Topeka Comprehensive Metropolitan Plan for the Historic Preservation Element. First Reading. (CPA13/1)

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

(Approval would update the Historic Preservation Element of the Comprehensive Plan which provides direction to the Landmarks Commission and other affected organizations on the preservation and promotion of Topeka's historic assets.)

B. Ordinance - American Medical Response

☐ [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Jim Colson, providing for the renewal of a nonexclusive franchise to American Medical Response to operate an ambulance service within the City of Topeka which replaces the franchise ordinance codified at City Code Appendix B, Article 6 that will expire December 31, 2013. First Reading.

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

(Approval would extend AMR's franchise agreement for one-year.)

C. Ordinance - Establishing a Community Improvement District

☐ [ATTACHMENTS](#)

AN ORDINANCE introduced by City Manager Jim Colson, establishing a community improvement district (CID) located at 12th and Wanamaker Road (Crosswinds Common) levying a CID sales tax of one percent (1%) within the CID, and issuing special obligation bonds. First Reading.

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

(Approval would establish a community improvement district (Crosswind Commons) at 12th and Wanamaker and authorize: (1) the imposition of a 1% sales tax to be imposed on retail sales and services within the district; and (2) the issuance of special obligation bonds to finance the redevelopment.)

9. MISCELLANEOUS:

Council Items of Interest

(Discussion item only between Councilmembers on "items of interest" that they would like to see come forward and discussed in more detail at a later date, or be placed on a future Council agenda for consideration.)

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

-

11. PUBLIC COMMENT:

-

12. ADJOURNMENT:



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 31, 2013

☐ Back ☐ Print

DATE:	December 17, 2013	
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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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 21, 2013

☐ Back ☐ Print

DATE:	December 17, 2013	
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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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 13, 2013

☐ Back ☐ Print

DATE:	December 17, 2013	
CONTACT PERSON:		DOCUMENT #:
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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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 21, 2013

☐ Back ☐ Print

DATE:	December 17, 2013	
CONTACT PERSON:		DOCUMENT #:
SECOND PARTY/SUBJECT:		PROJECT #:
CATEGORY/SUBCATEGORY		
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

"Historic Preservation Plan"

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

October 21, 2013

☐ Back ☐ Print

DATE:	December 17, 2013	
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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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 26, 2013

☐ Back ☐ Print

DATE: December 17, 2013
CONTACT PERSON: Mayor Larry Wolgast **DOCUMENT #:**
SECOND PARTY/SUBJECT: Citizen Advisory Council **PROJECT #:**
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment of Kate Grover to the Citizen Advisory Council for a term ending December 31, 2016. (Council District No. 1)

POLICY ISSUE:

The Citizen Advisory Council makes recommendations to the Housing and Neighborhood Development (HND) on issues such as the HND budget, selecting target areas to receive grant funds and other duties described in their by-laws. Because this council works closely with the housing and neighborhood development programs, members are required to have backgrounds in related industries.

STAFF RECOMMENDATION:

Councilmember Hiller nominates and Mayor Wolgast recommends the appointment of Kate Grover to the Citizen Advisory Council. This position is an at-large position requiring the member come from disciplines such as construction trades, architecture, appraising, real estate sales, public finance, mortgage lending, legal, real estate development, residential property management, commercial banking, construction material suppliers, fund raising, neighborhood planning, zoning, engineering or other disciplines relevant to housing and neighborhood development. Ms. Grover meets this requirement and is also a resident of the City of Topeka. Members are limited to two consecutive terms and this will be her first term.

BACKGROUND:

This is a City-created board requiring that the Council nominate and the Mayor appoint. The Citizen Advisory Council shall consist of one member elected by each certified neighborhood improvement association (NIA) and three at-large members nominated by the Council and appointed by the Mayor.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

Item #6

SOURCE OF FUNDING:

Not applicable

ATTACHMENTS:

[KGrover_application_2013](#)

[KGrover_supplement to app. 2013](#)



CITY OF TOPEKA

Application for Appointment to a Board or Commission

You are seeking an appointment to a public board. Your appointment is subject to approval by the Mayor and City Council and is governed by certain city ordinances and in some instances, state statutes. The information provided in this application will be used to determine if you meet the requirements required by city ordinances and other applicable laws. Please note that the information provided on this application will be subject to the Kansas Open Records Act.

Please state your name:

____ Kate _____ Grover _____
 FIRST MIDDLE LAST SUFFIX

State the name of the board or commission to which you are seeking appointment:

____ Citizens Advisory Council _____

Are you a resident of the City of Topeka: ☒ YES ☐ NO

Please provide your HOME ADDRESS: (necessary for residency requirement)

____ 302 NW The Drive _____ Topeka _____ KS _____ 66606 _____
 STREET CITY STATE ZIP CODE

____ 785-357-4146 _____ 785-845-9971 _____ 785-813-0115 _____
 HOME PHONE CELL PHONE BUSINESS PHONE

____ grover_kate@hotmail.com _____
 E-MAIL

Are you a registered voter: ☒ YES ☐ NO

Are you currently a full or part-time employee of the City of Topeka? ☐ YES ☒ NO

If yes, please advise in which department you work.

Are you or any immediate family member related to any city governmental official or employee?

☐ YES ☒ NO If yes, please advise who and how you are related.

If you are employed please provide the name and address of your employer.

Are you or have you been a party to any civil litigation involving the City of Topeka? ☐ YES ☒ NO

If yes, please explain:

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka? ☐ YES ☒ NO If yes, please explain:

Please state why you are interested in serving on this board or commission:

I am interested in serving on the Citizens Advisory Commission because I am a citizen who is concerned about the neighborhoods in Topeka. Of particular interest to me is neighborhood planning and zoning. I have been involved in the Greater Auburndale Neighborhood Association for the past 10 years and served one term as president of the organization. I have also served on the Sustainability Advisory Council and think there is great opportunity to help create diverse and livable neighborhoods through preplanning and sound development practices.

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking. (You may provide this as an attachment or use the back of this form.)

I have a bachelor's degree in Environmental and Land Use Planning and a master's degree in Public Administration both from the University of Kansas. I currently work in manufacturing in the private sector but did work for the City of Topeka Public Works Department of eleven years. In addition to the Greater Auburndale Neighborhood Association and the Sustainability Advisory Board I have also served in leadership rolls for the Kansas Association for Conservation and Environmental Education (KACEE). I have solid experience in a variety of local, state and federal regulatory programs that lay a good foundation when discussing topics in the construction trades as well as real estate, public finance, neighborhood planning, and engineering. Attached please see my current resume'.

Complete **ONLY** if you are applying for one of these boards: Building and Fire Appeals; Board of Electrical Appeals; Board of Plumbing Appeals; Board of Mechanical Appeals; Sustainability; Planning Commission

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

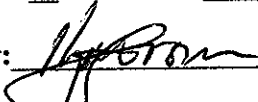
I understand that the information I have provided may be used to determine my suitability to perform the duties required by the position I seek.

By checking this box, I declare under penalty of perjury that I am the person named above, and the information I have provided is true and correct. ☒

Please print your name and then sign below:

Print name: Kate Grover

Signed by:



Date: 11/17/2013

Electronic Signature: ☐

You may submit your signature electronically by checking this box.

Submission instructions: Email your completed form with attachments to Vicki Buening at ybuening@topeka.org or mail to Office of the Mayor, City Hall, 215 SE 7th St., Suite 350 Topeka, KS 66603-3914. For questions, call the Mayor's Office 785-368-3895.

The Mayor and City Council are seeking diversity among appointees. We have provided an optional voluntary self-identification form should you choose to provide that information with your application. (See page 3)
Thank you.

VOLUNTARY SELF IDENTIFICATION

Name: Kate Grover

Race and ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. Definitions of the race and ethnicity categories are as follows:

Put an **X** in the appropriate box.

☐

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

☒

White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

☐

Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

☐

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

☐

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

☐

American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

☐

Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above six races.

KATE GROVER
 302 NW The Drive
 Topeka, Kansas 66606
 (785) 845-9971
 E-mail: grover_kate@hotmail.com

PROFESSIONAL EXPERIENCE

- 03/2006 – Present Hallmark Cards, Inc.**
Topeka and Lawrence, Kansas
Environmental Health and Safety Manager
- Remain current on all regulatory compliance activities relating to manufacturing. Compile data and report on all Federal, State and Local Environmental and Occupational Health and Safety Administration areas of concern
 - Manage programs, train employees and review and update program plans including: Hazard Communication, Confined Space, Hazardous Substances, Respiratory Protection, Personal Protection Equipment, Asbestos, Solid Waste, Spill Response, Air Emissions, Department of Transportation, Stormwater, Wastewater and Stormwater
 - Act as liaison with Federal, State and Local regulatory agencies and emergency personnel
 - Provide leadership in the selection, purchase, handling, use, and storage of materials and chemicals. Determine disposal needs and work toward the reduction of hazardous and non-regulated solid waste
 - Determine industrial hygiene testing needs, provide support during testing and interpret testing results changing manufacturing and material handling processes as needed
 - Consult with area managers, section managers and press operators regarding personal safety in immediate environment when handling inks, solvents, adhesives, and other hazardous and non-regulated chemicals
 - Coordinate sustainability efforts including waste reduction, recycling, water usage, energy consumption etc. and maintain site metrics
- 01/2004 – 03/2006 City of Topeka Water Pollution Control Division**
Topeka, Kansas
Manager, Environmental and Administrative Services
- Managed administrative staff for Division including Accountant I, Office Assistant III (2), Environmental Technician I, and Account Specialist
 - Supervised the Environmental Field Services Group including Supervisor II, Urban Horticulturist (2), Biosolids Operator
 - Administered Stormwater Capital Improvement Projects involving green and gray infrastructure. Developed project scope, selected consultant/contractor, oversaw review and construction of projects, identified, planned and implemented current and future maintenance needs
 - Managed stormwater National Pollutant Discharge Elimination System (NPDES) permit, reporting and programs
 - Coordinated educational efforts with community regarding wastewater treatment and stormwater pollution prevention
 - Acted as neighborhood liaison for Division on projects during all phases
- 01/2002 – 01/2004 City of Topeka Water Pollution Control Division**
Topeka, Kansas
Water Quality Manager
- Developed flood and watershed management policies and guidelines to comply with stormwater master plan and conformance with State of Kansas Water Quality Standards
 - Coordinated with consultants, contractors, and city agencies for compliance with Stormwater NPDES permit requirements
 - Researched methods and equipment for watershed improvements
 - Educated community on wastewater treatment
 - Supported the needs of neighborhoods during the investigation, development and implementation of drainage correction and localized flooding projects
 - Acted as liaison between City and other agencies and organizations engaged in working with water resources

- 01/2001 – 01/2002 City of Topeka Public Works Technical Support Group
Topeka, Kansas
Environmental Systems Analyst**
- Developed and implemented programs and projects related to local water quality
 - Performed research, designed, and developed programs to meet federal and state specifications and departmental needs
 - Served as project manager for water quality projects and grants
 - Analyzed technical data, identified compliance issues and summarized information for reporting and public dissemination
 - Researched and drafted recommended city code changes necessitated by changes in federal and state regulations
- 02/1998 - 12/2000 City of Topeka Public Works Administration
Topeka, Kansas
Environmental Analyst**
- Served as project manager for Wanamaker Water Quality Protection Project
 - Served as project manager for Site Specific Ammonia Permit Limit Study on the Kansas River
 - Managed educational programs and projects related to local water quality
- 09/1994 - 02/1998 City of Topeka Public Works Administration
Topeka, Kansas
Environmental Education Specialist**
- Developed and conducted environmental exhibits, informative presentations and workshops for audiences of varied ages, education, and professional background including the preparation of slides, posters, charts, graphs, brochures, and other visual materials
 - Partnered with organizations and agencies working with water resources locally and statewide
 - Served as the public information officer for issues involving water, wastewater and stormwater

EDUCATION

The University of Kansas, Lawrence, Kansas: Master of Public Administration May 2003.
The University of Kansas, Lawrence, Kansas: BGS, Environment and Land Use Analysis, May 1994.

PROFESSIONAL TRAINING/CERTIFICATIONS

Certified Hazardous Materials Manager (CHMM). OSHA General Industry Safety & Health. Confined Space Entry. Hazardous Waste Operation and Emergency Response (HAZWOPER). Asbestos Planner. Asbestos Inspector. Department of Transportation (DOT) Material Security. Resource Conservation and Recovery Act (RCRA) Material Handling.

ACTIVITIES

Member – Academy of Certified Hazardous Materials Managers. Past President – Greater Auburndale Neighborhood Association (GANA). Member – Kansas Association for Conservation and Environmental Education (KACEE) positions held: President, Past President and Secretary of the Board of Directors. Past Member – City of Topeka Sustainability Advisory Board.

References provided upon request



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Council Action Form

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214 SE 8th Street
Topeka, Kansas 66603

November 26, 2013

☐ Back ☐ Print

DATE: December 17, 2013
CONTACT PERSON: Mayor Larry Wolgast **DOCUMENT #:**
SECOND PARTY/SUBJECT: Civil Service Commission **PROJECT #:**
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of Jessie Thompson to the Civil Service Commission for a term ending January 5, 2018. (Council District No. 9)

POLICY ISSUE:

The Civil Service Commission has control of exams, and the nature of the exams for the Police and Fire Departments. The Commission hears charges against individual officers alleging misconduct, failure to perform duties, offenses of a criminal nature or violations of the Rules and Regulations of the Police and Fire Departments. It also certifies the list of eligible applicants, and prepares an annual report for the City Manager.

STAFF RECOMMENDATION:

Councilmember Harmon nominates and Mayor Wolgast recommends the re-appointment of Jessie Thompson for a term that would end January 5, 2018. Ms. Thompson is not an employee of the City of Topeka and meets the work experience required to serve. She has served on this board since 2005.

BACKGROUND:

This board is created by the City. Council members nominate and the Mayor appoints. To be eligible for appointment as a commissioner, a nominee must not be employed by the City and have at least three years of experience in a responsible position requiring knowledge of the legal issues involved in the hiring, or disciplining of employees. Members serve for a four year term.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable.

ATTACHMENTS:

[JThompson_application_Civil_2013](#)



CITY OF TOPEKA

Application for Appointment to a Board or Commission

You are seeking an appointment to a public board. Your appointment is subject to approval by the Mayor and City Council and is governed by certain city ordinances and in some instances, state statutes. The information provided in this application will be used to determine if you meet the requirements required by city ordinances and other applicable laws. Please note that the information provided on this application will be subject to the Kansas Open Records Act.

Please state your name:

Jessie Mae Thompson
FIRST MIDDLE LAST SUFFIX

State the name of the board or commission to which you are seeking appointment:

City of Topeka Civil Service Commission

Are you a resident of the City of Topeka: ☒ YES ☐ NO

Please provide your HOME ADDRESS: (necessary for residency requirement)

5436 S.W. 12th Terr. Topeka Kansas 66604
STREET CITY STATE ZIP CODE
785-272-0424
HOME PHONE CELL PHONE BUSINESS PHONE
Jessie.mae.b1@people.pc.com
E-MAIL

Are you a registered voter: ☒ YES ☐ NO

Are you currently a full or part-time employee of the City of Topeka? ☐ YES ☒ NO

If yes, please advise in which department you work.

Are you or any immediate family member related to any city governmental official or employee?

☐ YES ☒ NO If yes, please advise who and how you are related.

If you are employed please provide the name and address of your employer.

Are you or have you been a party to any civil litigation involving the City of Topeka? ☐ YES ☒ NO

If yes, please explain:

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka? ☐ YES ☒ NO If yes, please explain:

Please state why you are interested in serving on this board or commission:

I have been on the board since 2003 - June still on board until Jan. 5 - 2014. I have enjoyed working on the board

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking. (You may provide this as an attachment or use the back of this form.)

Completed Topeka High 1956
K.U. 1956-1957

Washburn 1959-1961

2002 - Giving a Dream Humanitarian Award
2003 - City of Topeka Honoree Award

Complete ONLY if you are applying for one of these boards: Building and Fire Appeals; Board of Electrical Appeals, Board of Plumbing Appeals, Board of Mechanical Appeals; Sustainability; Planning Commission

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

1978 - Volunteer of Year Region 7 - For Comm.

I understand that the information I have provided may be used to determine my suitability to perform the duties required by the position I seek.

By checking this box, I declare under penalty of perjury that I am the person named above, and the information I have provided is true and correct. ☒

Please print your name and then sign below:

Print name: *Jessie Mae Thompson*

Signed by: *Jessie Mae Thompson*

Date: *October 26 - 2013*

Electronic Signature: ☐ You may submit your signature electronically by checking this box.

Submission instructions: Email your completed form with attachments to Vicki Buening at vbuening@topeka.org or mail to Office of the Mayor, City Hall, 215 SE 7th St., Suite 350 Topeka, KS 66603-3914. For questions, call the Mayor's Office 785-368-3895.

The Mayor and City Council are seeking diversity among appointees. We have provided an optional voluntary self-identification form should you choose to provide that information with your application. (See page 3) Thank you.

VOLUNTARY SELF IDENTIFICATION

Name: Jessie Mae Thompson

Race and ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. Definitions of the race and ethnicity categories are as follows:

Put an **X** in the appropriate box.

☐

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

☐

White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

☒

Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

☐

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

☐

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

☐

American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

☐

Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above six races.



A Capital City Government Working For You...

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 26, 2013

☐ Back ☐ Print

DATE:	December 17, 2013	
CONTACT PERSON:	Mayor Larry Wolgast	DOCUMENT #:
SECOND PARTY/SUBJECT:	Downtown Business Improvement District Advisory Board	PROJECT #:
CATEGORY/SUBCATEGORY	006 Communication / 005 Other	
CIP PROJECT:	No	
ACTION OF COUNCIL:	JOURNAL #:	PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the re-appointment of James Parrish to the Downtown Business Improvement District Advisory Board for a term ending December 31, 2015. (*Downtown Business Improvement District*)

POLICY ISSUE:

The purpose of the downtown business improvement district advisory board (BID) is to monitor and oversee services provided pursuant to the business improvement district act. The board shall conduct its business in accordance with City Code.

STAFF RECOMMENDATION:

Mayor Wolgast nominates and recommends the re-appointment of James (Jim) Parrish for a term that would end December 31, 2015. Members of the board must be a representative in the downtown business improvement district. Mr. Parrish is President and CEO of Parrish Hotel Corporation and owner of the Jayhawk Tower Office Building located in downtown Topeka at 700 SW Jackson Ave.

BACKGROUND:

This is a statutory board wherein the Mayor nominates and the Council has final approval. The downtown business improvement district advisory board shall consist of nine members representing businesses located in the district. Members serve two year terms and there are no term limits.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Item #8

Not applicable.

ATTACHMENTS:

[JParrish application BID 2013](#)

[JParrish bio 2013](#)



CITY OF TOPEKA

Application for Appointment to a Board or Commission

You are seeking an appointment to a public board. Your appointment is subject to approval by the Mayor and City Council and is governed by certain city ordinances and in some instances, state statutes. The information provided in this application will be used to determine if you meet the requirements required by city ordinances and other applicable laws. Please note that the information provided on this application will be subject to the Kansas Open Records Act.

Please state your name:

James Wesley Parrish Mr.
FIRST MIDDLE LAST SUFFIX

State the name of the board or commission to which you are seeking appointment:

Business Improvement District Advisory Board

Are you a resident of the City of Topeka: ☐ YES ☒ NO

Please provide your HOME ADDRESS: (necessary for residency requirement)

3632 SE Tomahawk Dr. Tecumseh KS 66542
STREET CITY STATE ZIP CODE
785-379-0702 785-233-5411
HOME PHONE CELL PHONE BUSINESS PHONE
jwp@parrishhotels.com
E-MAIL

Are you a registered voter: ☒ YES ☐ NO

Are you currently a full or part-time employee of the City of Topeka? ☐ YES ☒ NO

If yes, please advise in which department you work.

Are you or any immediate family member related to any city governmental official or employee?

☐ YES ☒ NO If yes, please advise who and how you are related.

If you are employed please provide the name and address of your employer.

President and CEO of Parrish Hotel Corporation

Are you or have you been a party to any civil litigation involving the City of Topeka? ☐ YES ☒ NO

If yes, please explain:

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka? ☐ YES ☒ NO If yes, please explain:

Please state why you are interested in serving on this board or commission:

I have been on this board for many years and have been asked to serve again.
The BID is an integral part of the effort to revitalize downtown.

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking. (You may provide this as an attachment or use the back of this form.)

See attached

Complete ONLY if you are applying for one of these boards: Building and Fire Appeals; Board of Electrical Appeals; Board of Plumbing Appeals; Board of Mechanical Appeals; Sustainability; Planning Commission

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

I understand that the information I have provided may be used to determine my suitability to perform the duties required by the position I seek.

By checking this box, I declare under penalty of perjury that I am the person named above, and the information I have provided is true and correct. ☒

Please print your name and then sign below:

Print name: James W. Parrish

Signed by: James W. Parrish

Date: 10.23.13

Electronic Signature: ☒ *You may submit your signature electronically by checking this box.*

Submission instructions: Email your completed form with attachments to Vicki Buening at vbuening@topeka.org or mail to Office of the Mayor, City Hall, 215 SE 7th St., Suite 350 Topeka, KS 66603-3914. For questions, call the Mayor's Office 785-368-3895.

The Mayor and City Council are seeking diversity among appointees. We have provided an optional voluntary self-identification form should you choose to provide that information with your application. (See page 3)
Thank you.

VOLUNTARY SELF IDENTIFICATION

Name: James W. Parrish

Race and ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. Definitions of the race and ethnicity categories are as follows:

Put an **X** in the appropriate box.

☐

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

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White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

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Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

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Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

☐

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

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American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

☐

Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above six races.

B I O G R A P H I C A L S K E T C H

James W. Parrish

February, 2013

James W. Parrish is an attorney in Topeka, Kansas and is president and owner of Parrish Hotel Corporation. He is head of four investment groups that own the Holiday Inn Holidome, the Holiday Inn Express and the Ramada hotels all in Topeka, and the Holiday Inn Express in Concordia, KS. He is president and owner of Parrish Management Corporation, which owns and manages residential and commercial real estate, including the historic Jayhawk Tower Office Complex. His company also manages other residential and commercial real estate including the historic Senate Luxury Suites. Mr. Parrish is administrator for the Kansas Workers Risk for Counties Cooperative, a self-insurance pool providing workers compensation insurance for more than half of the counties in Kansas.

Mr. Parrish was born in Great Bend, Kansas on August 25, 1946. He was graduated from Great Bend High School in 1964, Pratt Community Jr. College in 1967 and Kansas State University in 1970 all with honors. He holds a Bachelor of Science degree in technical journalism. At K-State, he was a member of Phi Delta Theta social fraternity, Phi Kappa Phi and Blue Key honor societies and served as editor of the Kansas State Collegian daily newspaper. He was designated as distinguished military student and distinguished military graduate in the Army ROTC.

Mr. Parrish was graduated cum laude from Washburn University Law School in Topeka where he received his Juris Doctorate in 1973. He has served as legal counsel for the Metropolitan Topeka Airport Authority (MTAA) and Director of Development and General Counsel for ShowBiz Pizza Place, Inc., a subsidiary of Brock Hotel Corporation. He maintained a private law practice until his acquisition of hotel properties in 2002 and continues to represent selected clients.

Mr. Parrish served in the Kansas House of Representatives in 1973 and 1974 and in the Kansas Senate from 1975 until 1980 where he held the position of assistant minority leader. Mr. Parrish was elected in 1985 as state chair of the Kansas Democratic Party where he served until February 1991. Mr. Parrish served as Kansas Securities Commissioner from January 1991 until January 1995.

Mr. Parrish has served on the board of directors and executive committee of the Greater Topeka Chamber of Commerce and served as chair of the Chamber in 2007. He also serves on the board of directors of Go Topeka, Inc. He is a member of the Heartland Visioning Steering Committee and is co-chair of the Infrastructure Foundation. He is a member of the Stormont-Vail Foundation Board of Trustees and the Stormont-Vail HealthCare Board of Directors.

Mr. Parrish is past president of the Topeka Bar Association and serves as a member of its board of directors. He is president-elect of the YMCA of Topeka, having served three years as treasurer. He is past president of Downtown Topeka, Inc. and remains on its executive committee and board of directors. He is past chair of the Capital City Business Improvement District Advisory Board and remains as a member. He was appointed to the board of directors of the MTAA in 1993 and served through 2003 serving four times as chair of MTAA. He is past president of the Topeka Phi Delta Theta Alumni Board. Mr. Parrish holds a real estate brokers license, has held series 22 and series 63 securities licenses and is a licensed airplane pilot.

He was a 2002 recipient of the Dr. Martin Luther King Civil Rights & Political Action Award given by Topeka's Living the Dream organization and was recognized in 2004 as Chamber Volunteer of the Year by the Greater Topeka Chamber of Commerce. In 2009, he was recognized by the Jayhawk Area Council Boy Scouts of America as a Distinguished Citizen and in 2010 was inducted into the Junior Achievement Business Hall of Fame and was Executive of the Year by Sales & Marketing Executives of Topeka.

Mr. Parrish is married to District Court Judge Nancy Parrish. Mrs. Parrish served for nearly 13 years as a state senator from Shawnee County. She was appointed to the state board of tax appeals and later was appointed to serve as Kansas Secretary of Revenue. She currently serves as Chief Judge for the Third Judicial District. Mr. and Mrs. Parrish have been married since January 1970 and have four children: W.T. Moody, 48; Les, 44; Tyler, 32; Monte, 24. They have 14 grandchildren and three great-grandchildren.



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 26, 2013

☐ Back ☐ Print

DATE: December 17, 2013
CONTACT PERSON: Mayor Larry Wolgast DOCUMENT #:
SECOND PARTY/SUBJECT: Downtown Business Improvement District PROJECT #:
Advsiory Board
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the appointment of Danton Hejtmanek to the Downtown Business Improvement District Advisory Board for a term ending December 31, 2015. (*Downtown Business Improvement District*)

POLICY ISSUE:

The purpose of the downtown business improvement district advisory board (BID) is to monitor and oversee services provided pursuant to the business improvement district act. The board shall conduct its business in accordance with City Code.

STAFF RECOMMENDATION:

Mayor Wolgast nominates and recommends the appointment of Danton (Dan) Hejtmanek for a term that would end December 31, 2015. Members of the board must be a representative in the downtown business improvement district. Mr. Hejtmanek will be representing the law firm of Bryan, Lykins, Hejtmanek & Fincher, P.A. at 222 SW 7th in downtown Topeka. This will be Mr. Hejtmanek's first term on the board.

BACKGROUND:

This is a statutory board wherein the Mayor nominates and the Council has final approval. The downtown business improvement district advisory board shall consist of nine members representing businesses located in the district. Members serve two year terms and there are no term limits.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable.

ATTACHMENTS:

[DHejtmanek_application_BID_2013](#)

Item #9



CITY OF TOPEKA

Application for Appointment to a Board or Commission

You are seeking an appointment to a public board. Your appointment is subject to approval by the Mayor and City Council and is governed by certain city ordinances and in some instances, state statutes. The information provided in this application will be used to determine if you meet the requirements required by city ordinances and other applicable laws. Please note that the information provided on this application will be subject to the Kansas Open Records Act.

Please state your name:

Danton C. Hejtmanek
 FIRST MIDDLE LAST SUFFIX

State the name of the board or commission to which you are seeking appointment:

Downtown Business Improvement District Advisory Board

Are you a resident of the City of Topeka: ☒ YES ☐ NO

Please provide your HOME ADDRESS: (necessary for residency requirement)

2800 SW Burlingame Rd Topeka Kansas 66611
 STREET CITY STATE ZIP CODE
 357-4126 230-9248 235-5678
 HOME PHONE CELL PHONE BUSINESS PHONE
 danhejtmanek@ksjustice.com
 E-MAIL

Are you a registered voter: ☒ YES ☐ NO

Are you currently a full or part-time employee of the City of Topeka? ☐ YES ☒ NO

If yes, please advise in which department you work.

Are you or any immediate family member related to any city governmental official or employee?

☐ YES ☒ NO If yes, please advise who and how you are related.

If you are employed please provide the name and address of your employer.

Bryan, Lykins, Hejtmanek & Fincher, P.A. 222 SW 7th Topeka, KS 66603

Are you or have you been a party to any civil litigation involving the City of Topeka? ☐ YES ☒ NO

If yes, please explain:

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka? ☐ YES ☒ NO If yes, please explain:

Please state why you are interested in serving on this board or commission:

As a Topeka citizen and having a business located in the downtown Topeka area, I want to see our downtown a vibrant place where people can go and be proud of as the capital of the state of Kansas.

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking. (You may provide this is an attachment or use the back of this form.)

Washburn University, BBA in Accounting in 1973; Washburn University School of Law, JD in 1975; Past International President of Sertoma, 1998-99; Past President of

Topeka Knife and Fork; Chairman, Sertoma Great Topeka Duck Race, 1995-05; Member, First Presbyterian Church, serving on the Board of Trustees 1987-88, Elder and Chair of the Finance Committee;

Member of Shawnee County Family Planning Advisory Council, 1984-86; East Topeka Senior Center, Legal Counsel to the Board, 2000-03.

Complete ONLY if you are applying for one of these boards: Building and Fire Appeals; Board of Electrical Appeals, Board of Plumbing Appeals, Board of Mechanical Appeals; Sustainability; Planning Commission

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

I understand that the information I have provided may be used to determine my suitability to perform the duties required by the position I seek.

By checking this box, I declare under penalty of perjury that I am the person named above, and the information I have provided is true and correct. ☒

Please print your name and then sign below:

Print name: Danton C. Hejtmanek

Signed by: _____ Date: November 26, 2013

Electronic Signature: ☒ *You may submit your signature electronically by checking this box.*

Submission instructions: Email your completed form with attachments to Vicki Buening at vbuening@topeka.org or mail to Office of the Mayor, City Hall, 215 SE 7th St., Suite 350 Topeka, KS 66603-3914. For questions, call the Mayor's Office 785-368-3895.

The Mayor and City Council are seeking diversity among appointees. We have provided an optional voluntary self-identification form should you choose to provide that information with your application. (See page 3)
Thank you.

VOLUNTARY SELF IDENTIFICATION

Name: Danton C. Hejtmanek

Race and ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. Definitions of the race and ethnicity categories are as follows:

Put an **X** in the appropriate box.

☐

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

☒

White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

☐

Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

☐

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

☐

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

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American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

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Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above six races.



A Capital City Government Working For You...

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

December 9, 2013

☐ Back ☐ Print

DATE:	December 17, 2013	
CONTACT PERSON:	Mary Feighny, Deputy City Attorney; Vicki Buening, Asst. to the Mayor	DOCUMENT #:
SECOND PARTY/SUBJECT:		PROJECT #:
CATEGORY/SUBCATEGORY	006 Communication / 003 Requests	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

COMMITTEE APPOINTMENT of Tina Williams to the Citizens Government Review Committee. (Council District No. 1)

POLICY ISSUE:

Whether to appoint Tina Williams to the Committee which is tasked with studying and reviewing the form of government.

STAFF RECOMMENDATION:

The Mayor recommends approval of the appointment.

BACKGROUND:

City ordinance requires that the governing body appoint five registered voters in the City to study and review the form of government and make recommendations to the governing body within 6 months of appointment.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable

ATTACHMENTS:

[T. Williams Bio](#)

[T. Williams Application](#)

Item #10

Tina L. Williams

215 SW Edgewood Ave.
Topeka, KS 66606
(785) 354-7912
tina.williams1@washburn.edu

Education:

2007: Masters of Science in Curriculum & Instruction with an emphasis in Secondary Teaching English to Student of Other Languages (TESOL), Kansas State University, Manhattan, KS

1995 – Bachelor of Arts in Spanish, Washburn University, Topeka, KS

1991 - 1992 –Semester Language Program-Universidad de las Americas, Puebla, Mexico

Distinctions:

2010 Mentor for US Youth Ambassadors -US State Department Washington D.C. to Paraguay

2006 Member of Rotary International Group Study Professional Exchange to Paraguay

2004 recipient of The Nicolas Richarson Educator of the Year Award

1991 recipient of the Sigma Phi Iota Scholarship Award for Study Abroad

1984- Summer Fine Arts Program, University of Colima, Mexico

Employment:

2006 – Present: International Education-Study Abroad Coordinator & International Student Recruiter, Office of International Programs, Washburn University.

2002 – 2006: Spanish Educator, Seaman High School. Instructed Level 1-5 Advanced Placement Spanish. Increased Spanish enrollment by 3X, led Educational Tours to Spanish speaking countries, and increased awareness and interest in study abroad programs though AFS Intercultural Exchange.

1995 – 2002: Spanish Educator, Topeka West High School. Instructed Spanish I-III, sponsored student organizations, increased Spanish enrollment, led Educational Tours to Spanish speaking countries, and increased awareness and interest in study abroad programs through AFS Intercultural Exchange.

Organizations:

Vice President of MANA de Topeka, Area Team Leader of AFS Intercultural Exchange, Member of Washburn University Diversity Initiative, The Kansas Paraguay Partners – U.S. State Department Partners of the Americas, , Las Comadres para las Americas, Kansas Association of International Educators, Justicia Inc., Kansas World Language Association, American Association of Teachers of Spanish and Portuguese, The University of Kansas Latin American Studies Department, The Kansas State Dual Language Program.

References

Michelle Dela Isa, Mana de Topeka, 785-234-4322

Mike Padilla, Kansas Department of Revenue, 785-368-6472



CITY OF TOPEKA

Application for Appointment to a Board or Commission

You are seeking an appointment to a public board. Your appointment is subject to approval by the Mayor and City Council and is governed by certain city ordinances and in some instances, state statutes. The information provided in this application will be used to determine if you meet the requirements required by city ordinances and other applicable laws. Please note that the information provided on this application will be subject to the Kansas Open Records Act.

Please state your name:

Tina Louise Williams Ms.
FIRST MIDDLE LAST SUFFIX

State the name of the board or commission to which you are seeking appointment:

Citizen's Government Review Committee

Are you a resident of the City of Topeka: ☒ YES ☐ NO

Please provide your HOME ADDRESS: (necessary for residency requirement)

215 SW Edgewood Ave. Topeka KS 66606
STREET CITY STATE ZIP CODE
785-250-7723 785-670-2095
HOME PHONE CELL PHONE BUSINESS PHONE
tina.williams1@washburn.edu
E-MAIL

Are you a registered voter: ☒ YES ☐ NO

Are you currently a full or part-time employee of the City of Topeka? ☐ YES ☒ NO

If yes, please advise in which department you work.

Are you or any immediate family member related to any city governmental official or employee?

☐ YES ☒ NO If yes, please advise who and how you are related.

If you are employed please provide the name and address of your employer.

Washburn University 1700 SW College Ave. Topeka, KS 66621

Are you or have you been a party to any civil litigation involving the City of Topeka? ☐ YES ☒ NO

If yes, please explain:

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka? ☐ YES ☒ NO If yes, please explain:

Please state why you are interested in serving on this board or commission:

Councilmember DeLaisla nominated me as a possible member on this review committee. As a life long member of the community I'm interested in the progress of our city and would like to be a part of positive change.

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking. (You may provide this is an attachment or use the back of this form.)

2007 Masters of Science, Kansas State University, Manhattan, KS

1995 Bachelor of Arts, Washburn University, Topeka, KS

2006 – Present: International Education-Study Abroad Coordinator, Office of International Programs, Washburn University.

Vice President of MANA de Topeka, Member of the WU Diversity Initiative

Complete ONLY if you are applying for one of these boards: Building and Fire Appeals; Board of Electrical Appeals, Board of Plumbing Appeals, Board of Mechanical Appeals; Sustainability; Planning Commission

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

I understand that the information I have provided may be used to determine my suitability to perform the duties required by the position I seek.

By checking this box, I declare under penalty of perjury that I am the person named above, and the information I have provided is true and correct. ☒

Please print your name and then sign below:

Print name: Tina L. Williams

Signed by: _____ Date: 12/05/2013

Electronic Signature: ☒ *You may submit your signature electronically by checking this box.*

Submission instructions: Email your completed form with attachments to Vicki Buening at vbuening@topeka.org or mail to Office of the Mayor, City Hall, 215 SE 7th St., Suite 350 Topeka, KS 66603-3914. For questions, call the Mayor's Office 785-368-3895.

The Mayor and City Council are seeking diversity among appointees. We have provided an optional voluntary self-identification form should you choose to provide that information with your application. (See page 3)
Thank you.

VOLUNTARY SELF IDENTIFICATION

Name: Tina L. Williams

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Put an **X** in the appropriate box.

☒

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

☐

White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

☐

Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

☐

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

☐

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

☐

American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

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A Capital City Government Working For You...

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

December 9, 2013

☐ Back ☐ Print

DATE: December 17, 2013
CONTACT PERSON: Mary Feighny, Deputy City Attorney; Vicki Buening, Asst. to the Mayor
DOCUMENT #:
SECOND PARTY/SUBJECT: **PROJECT #:**
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

COMMITTEE APPOINTMENT of John Nave to the Citizens Government Review Committee. (Council District No. 4)

POLICY ISSUE:

Whether to appoint John Nave to the Committee which is tasked with studying and reviewing the form of city government.

STAFF RECOMMENDATION:

The Mayor recommends approval of the appointment.

BACKGROUND:

City ordinance requires that the governing body appoint five registered voters in the City to study and review the form of government and make recommendations to the governing body within 6 months of appointment.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable

ATTACHMENTS:

[J. Nave Application](#)

Item #11



CITY OF TOPEKA

Application for Appointment to a Board or Commission

You are seeking an appointment to a public board. Your appointment is subject to approval by the Mayor and City Council and is governed by certain city ordinances and in some instances, state statutes. The information provided in this application will be used to determine if you meet the requirements required by city ordinances and other applicable laws. Please note that the information provided on this application will be subject to the Kansas Open Records Act.

Please state your name:

John

Noble

Nave

FIRST

MIDDLE

LAST

SUFFIX

State the name of the board or commission to which you are seeking appointment:

Citizen's Gov't review committee

Are you a resident of the City of Topeka: ☒ YES ☐ NO

Please provide your HOME ADDRESS: (necessary for residency requirement)

2026 SE Turnpike Ave.

Topeka

ks

66605

STREET

CITY

STATE

ZIP CODE

785-266-7526

785-207-7837

HOME PHONE

CELL PHONE

BUSINESS PHONE

noblenave@att.net

E-MAIL

Are you a registered voter: ☒ YES ☐ NO

Are you currently a full or part-time employee of the City of Topeka? ☐ YES ☒ NO

If yes, please advise in which department you work.

Are you or any immediate family member related to any city governmental official or employee?

☐ YES ☒ NO If yes, please advise who and how you are related.

If you are employed please provide the name and address of your employer.

Goodyear Topeka, Hwy 24

Are you or have you been a party to any civil litigation involving the City of Topeka? ☐ YES ☒ NO

If yes, please explain:

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka? ☒ YES ☐ NO If yes, please explain:

kansas tax, making payments

Please state why you are interested in serving on this board or commission:

I helped craft the current city form of government, and would like to help review it and improve or help move the city forward.

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking. (You may provide this as an attachment or use the back of this form.)

Attended Washburn Univ. three years, served on the city council from 2003 to 2007.

LTD board member, Graduate of Leadership Topeka 2001. Served on various boards such as United Way, Golden City Sertoma, Red Cross of Topeka.

Complete ONLY if you are applying for one of these boards: Building and Fire Appeals; Board of Electrical Appeals; Board of Plumbing Appeals; Board of Mechanical Appeals; Sustainability; Planning Commission

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

I understand that the information I have provided may be used to determine my suitability to perform the duties required by the position I seek.

By checking this box, I declare under penalty of perjury that I am the person named above, and the information I have provided is true and correct. ☒

Please print your name and then sign below:

Print name: John N. Nave

Signed by: _____

Date: December 06, 2013

Electronic Signature: ☒

You may submit your signature electronically by checking this box.

Submission instructions: Email your completed form with attachments to Vicki Bucning at vbucning@topeka.org or mail to Office of the Mayor, City Hall, 215 SE 7th St., Suite 350 Topeka, KS 66603-3914. For questions, call the Mayor's Office 785-368-3895.

The Mayor and City Council are seeking diversity among appointees. We have provided an optional voluntary self-identification form should you choose to provide that information with your application. (See page 3)

Thank you.

VOLUNTARY SELF IDENTIFICATION

Name: _____

Race and ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. Definitions of the race and ethnicity categories are as follows:

Put an X in the appropriate box.

☐

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

☐

White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

☒

Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

☐

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

☐

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

☐

American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

☐

Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above six races.



A Capital City Government Working For You...

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

December 9, 2013

☐ Back ☐ Print

DATE:	December 17, 2013	
CONTACT PERSON:	Mary Feighny, Deputy City Attorney; Vicki Buening, Asst. to the Mayor	DOCUMENT #:
SECOND PARTY/SUBJECT:		PROJECT #:
CATEGORY/SUBCATEGORY	006 Communication / 003 Requests	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

COMMITTEE APPOINTMENT of Jim Reardon to the Citizens Government Review Committee.
(Council District No. 6)

POLICY ISSUE:

Whether to appoint Jim Reardon to the Committee which is tasked with studying and reviewing the form of city government.

STAFF RECOMMENDATION:

The Mayor recommends approval of the appointment.

BACKGROUND:

City ordinance requires that the governing body appoint five registered voters in the City to study and review the form of government and make recommendations to the governing body within 6 months of appointment.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

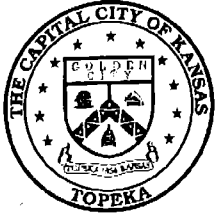
SOURCE OF FUNDING:

Not applicable

ATTACHMENTS:

[J. Reardon Application](#)

Item #12



CITY OF TOPEKA

Application for Appointment to a Board or Commission

You are seeking an appointment to a public board. Your appointment is subject to approval by the Mayor and City Council and is governed by certain city ordinances and in some instances, state statutes. The information provided in this application will be used to determine if you meet the requirements required by city ordinances and other applicable laws. Please note that the information provided on this application will be subject to the Kansas Open Records Act.

Please state your name:

James

FIRST

Norman

MIDDLE

Reardon

LAST

SUFFIX

State the name of the board or commission to which you are seeking appointment:

Form of Government Committee

Are you a resident of the City of Topeka: ☒ YES ☐ NO

Please provide your HOME ADDRESS: (necessary for residency requirement)

1836 SW Oakley

STREET

Topeka

CITY

KS

STATE

66604

ZIP CODE

785-234-6536

HOME PHONE

785-224-8530

CELL PHONE

785-215-8080

BUSINESS PHONE

jreardon@pcmig.com

E-MAIL

Are you a registered voter: ☒ YES ☐ NO

Are you currently a full or part-time employee of the City of Topeka? ☐ YES ☒ NO

If yes, please advise in which department you work.

Are you or any immediate family member related to any city governmental official or employee?

☐ YES ☒ NO If yes, please advise who and how you are related.

If you are employed please provide the name and address of your employer.

Peoples Wealth Management LLC

Are you or have you been a party to any civil litigation involving the City of Topeka? ☐ YES ☒ NO

If yes, please explain:

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka? ☐ YES ☒ NO If yes, please explain:

Please state why you are interested in serving on this board or commission:

I have some experience with previous studies of this issue and I'd like to be service

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking. (You may provide this is an attachment or use the back of this form.)

See attachment

Complete ONLY if you are applying for one of these boards: Building and Fire Appeals; Board of Electrical Appeals, Board of Plumbing Appeals, Board of Mechanical Appeals; Sustainability; Planning Commission

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

I understand that the information I have provided may be used to determine my suitability to perform the duties required by the position I seek.

By checking this box, I declare under penalty of perjury that I am the person named above, and the information I have provided is true and correct. ☒

Please print your name and then sign below:

Print name: James Norman Reardon

Signed by: James Norman Reardon

Date: 12/04/2013

Electronic Signature: ☒ *You may submit your signature electronically by checking this box.*

Submission instructions: Email your completed form with attachments to Vicki Buening at ybuening@topeka.org or mail to Office of the Mayor, City Hall, 215 SE 7th St., Suite 350 Topeka, KS 66603-3914. For questions, call the Mayor's Office 785-368-3895.

The Mayor and City Council are seeking diversity among appointees. We have provided an optional voluntary self-identification form should you choose to provide that information with your application. (See page 3) Thank you.

VOLUNTARY SELF IDENTIFICATION

Name: James Norman Reardon

Race and ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. Definitions of the race and ethnicity categories are as follows:

Put an **X** in the appropriate box.

☐

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

☒

White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

☐

Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

☐

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

☐

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

☐

American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

☐

Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above six races.

PEOPLES WEALTH MANAGEMENT,
LLC

Jim Reardon J.D.,CFP®

RESUME

2013

Current Position

President --Peoples Wealth Management LLC—10 years

Financial Experience

Vice Pres.--Commerce Bank & Trust Investment Division—3 years
Vice Pres—Clayton Financial Services—Registered Investment Advisor 6 ½ yrs
Stockbroker—Beecroft-Cole & Co (Currently Piper Jaffrey)-- 1 ½ years
Financial Planner—Brad T. Miller & Associates—1 year
Host of *Financial Strategies*, a WIBW 580 Radio Talk Show for 5 years.

Credentials

Certified Financial Planner™ (CFP®) since 1987
--Holds licenses in law, real estate, insurance, securities, (Series 7, 63)
Acts as an advisor and expert witness for area law firms
Received the President's Award for *Significant Contributions to the Principals of Financial Planning* from the Greater Kansas City Financial Planning Association in 2006 and 2008.

Seminars & Speaking Engagements

Kansas Medical Society, Kansas Bar Association, Kansas Society of CPAs, Kansas Contractors Association, Hallmark Cards, Kansas University Law School, Kansas Society of Association Executives, Kansas Petroleum Marketers, Kansas Beverage Wholesalers, Kansas State University School of Business, Missouri Society of CPAs, Greater KC Chapter of The Financial Planning Association; Washburn University Law School

Education

Kansas State University Manhattan, KS--B.A. Secondary Ed & English
Washburn University Law School Topeka, KS--Juris Doctor (J.D.)

Boards & Committees

Board Member, 2003-09, Greater Kansas City Financial Planners Association
Member, 2003-04 Professional Issues National Sub-Committee (FPA)
Member 2005-07 National Task Force on Regulation of Financial Planners
Member, 2007 Best Practices for Fiduciary Advisors Task Force (FPA)
Member, 2001-08 Helen Hocker Children's Theatre Advisory Board
Member, 2000-09 Finance Committee-- Kansas Department American Legion
Past Chair: Finance & Endowment Committees—Countryside United Methodist
2006 Member, Kansas Children's Discovery Center Steering Committee
2004-09 Member Washburn University Law School Mentors Program
Chairman 501 School Foundation Investment Advisory Committee -2013
Chairman, Topeka Sports Park Investment Advisory Committee--2013

Public Administration

12 years of service on the Topeka City Council. Twice elected Deputy Mayor by his peers. Recognized by Gov. Bill Graves for *outstanding performance* as Division Director--Kansas Department of Administration—4 ½ years



A Capital City Government Working For You...

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

December 9, 2013

☐ Back ☐ Print

DATE: December 17, 2013

CONTACT PERSON: Mary Feighny, Deputy City Attorney and Vicki Buening, Asst. to the Mayor

DOCUMENT #:

SECOND PARTY/SUBJECT:

PROJECT #:

CATEGORY/SUBCATEGORY 006 Communication / 003 Requests

CIP PROJECT: No

ACTION OF COUNCIL:

JOURNAL #:

PAGE #:

DOCUMENT DESCRIPTION:

COMMITTEE APPOINTMENT of Maynard Oliverius to the Citizens Government Review Committee.
(Council District No. 7)

POLICY ISSUE:

Whether to appoint Maynard Oliverius to the Committee which is tasked with studying and reviewing the form of government of the City.

STAFF RECOMMENDATION:

The Mayor recommends approval of the appointment.

BACKGROUND:

City ordinance requires that the governing body appoint five registered voters to study and review the City's form of government and make recommendations to the governing body within 6 months of appointment.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable.

ATTACHMENTS:

[M. Oliverius Application](#)

Item #13



CITY OF TOPEKA

Application for Appointment to a Board or Commission

You are seeking an appointment to a public board. Your appointment is subject to approval by the Mayor and City Council and is governed by certain city ordinances and in some instances, state statutes. The information provided in this application will be used to determine if you meet the requirements required by city ordinances and other applicable laws. Please note that the information provided on this application will be subject to the Kansas Open Records Act.

Please state your name:

Maynard Franklin Oliverius X
 FIRST MIDDLE LAST SUFFIX

State the name of the board or commission to which you are seeking appointment:

Citizens Government Review Committee

Are you a resident of the City of Topeka: ☒ YES ☐ NO

Please provide your HOME ADDRESS: (necessary for residency requirement)

3922 SW Clarion Park Dr. Topeka KS 66610
 STREET CITY STATE ZIP CODE
 785.273.1986 785.230.1265
 HOME PHONE CELL PHONE BUSINESS PHONE
 mfoliverius@gmail.com
 E-MAIL

Are you a registered voter: ☒ YES ☐ NO

Are you currently a full or part-time employee of the City of Topeka? ☐ YES ☒ NO

If yes, please advise in which department you work.

Are you or any immediate family member related to any city governmental official or employee?

☐ YES ☒ NO If yes, please advise who and how you are related.

If you are employed please provide the name and address of your employer.

Retired

Are you or have you been a party to any civil litigation involving the City of Topeka? ☐ YES ☒ NO

If yes, please explain:

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka? ☐ YES ☒ NO If yes, please explain:

Please state why you are interested in serving on this board or commission:

I see the role as an opportunity to serve the community and join with others to shape the model of future governance.

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking. (You may provide this as an attachment or use the back of this form.)

See attachment

Complete ONLY if you are applying for one of these boards: Building and Fire Appeals; Board of Electrical Appeals, Board of Plumbing Appeals, Board of Mechanical Appeals; Sustainability; Planning Commission

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

I understand that the information I have provided may be used to determine my suitability to perform the duties required by the position I seek.

By checking this box, I declare under penalty of perjury that I am the person named above, and the information I have provided is true and correct. ☒

Please print your name and then sign below:

Print name: Maynard F. Oliverius

Signed by: _____

Date: 11/21/2013

Electronic Signature: ☐ *You may submit your signature electronically by checking this box.*

Submission instructions: Email your completed form with attachments to Vicki Buening at vbuening@topeka.org or mail to Office of the Mayor, City Hall, 215 SE 7th St., Suite 350 Topeka, KS 66603-3914. For questions, call the Mayor's Office 785-368-3895.

The Mayor and City Council are seeking diversity among appointees. We have provided an optional voluntary self-identification form should you choose to provide that information with your application. (See page 3)

Thank you.

VOLUNTARY SELF IDENTIFICATION

Name: _____

Race and ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. Definitions of the race and ethnicity categories are as follows:

Put an **X** in the appropriate box.

☐

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

☐

White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

☐

Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

☐

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

☐

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

☐

American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

☐

Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above six races.

VOLUNTARY SELF IDENTIFICATION

Name: Maynard F. Oliverius

Race and ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. Definitions of the race and ethnicity categories are as follows:

Put an **X** in the appropriate box.

☐

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Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

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Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

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American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

☐

Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above six races.

Resume: Maynard F. Oliverius

Maynard F. Oliverius began his career at Stormont-Vail Healthcare in 1969. He served as President and Chief Executive Officer from 1996 until his retirement in 2012.

A native Kansan, Oliverius received a bachelor's degree in business administration from Fort Hays State University, Hays, Kansas, and a master's degree in hospital and health care administration from the University of Minnesota.

Oliverius serves many boards including the Fort Hays State University Foundation Board, its Executive and Investment Committees. He serves on the Go Topeka Board, the Topeka Community Foundation Board, the Security Benefit Fund Board, The Topeka Country Club Board, and the Stormont-Vail HealthCare Foundation Board.

Oliverius is an active member of his profession having served on the Board of Trustees of the American Hospital Association and was chairman of the Region 6 Policy Board of the American Hospital Association. Oliverius also served on the Kansas Hospital Association Board of Directors and is past Chairman of the Board of Directors. He was the first Chairman of the Board of the Missouri/Kansas Health Alliance representing over 200 hospitals in the two states. He is a past member of Governor Graves Blue Ribbon Committee for a Public Health Improvement Plan, and the Midwest Cancer Alliance Partners Advisory Board.

Oliverius received numerous awards and distinctions throughout his career. He is the recipient of the American College of Health Care Executives Annual Regents Award for Professional Excellence for Leadership in Healthcare in Kansas, the Sales and Marketing Executives of Topeka 2000 Executive of the Year Award, the Baker University Trustee Medallion in recognition of significant contributions to the health care industry, the 1999 Fort Hays State University Alumni Achievement Award, the Kansas Hospital Association Grassroots Champion Award, the Kansas Hospital Association Charles S. Billings Award for distinguished service and outstanding contributions to the health care of Kansans, and the 2009 Junior Achievement Business Hall of Fame.

During his 16 year tenure as President and CEO, Stormont-Vail expanded from 2500 to over 4000 employees including 190 physicians serving NE Kansas from 27 locations. Operating revenues were \$495 million. During this period, Stormont-Vail became nationally recognized as a Top 100 Integrated Health Care System, a verified Trauma Center and recognized as a Magnet organization.

Before joining Stormont-Vail, Oliverius served in the Kansas Army National Guard and is a Vietnam Veteran receiving the Army Commendation Medal. Oliverius is also commercial pilot with multiengine, instrument and flight instructor ratings. Oliverius and his wife Sarah have three grown children.



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

December 9, 2013

☐ Back ☐ Print

DATE: December 17, 2013
CONTACT PERSON: Mary Feighny, Deputy City Attorney; Vicki Buening, Asst. to the Mayor
DOCUMENT #:
SECOND PARTY/SUBJECT: **PROJECT #:**
CATEGORY/SUBCATEGORY 006 Communication / 003 Requests
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

COMMITTEE APPOINTMENT of Judy Moler to the Citizens Government review Committee. (Council District No. 9)

POLICY ISSUE:

Whether to appoint Judy Moler to the Committee which is tasked with studying and reviewing the form of city government.

STAFF RECOMMENDATION:

The Mayor recommends approval of the appointment.

BACKGROUND:

City ordinance requires that the governing body appoint five registered voters in the City to study and review the form of government and make recommendations to the governing body within 6 months of appointment.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable

ATTACHMENTS:

[J. Moler Application](#)

Item #14

Application for Appointment to a Board or Commission

Please state your name:

Page 1 of 3 Application for Appointment to Topeka Board or Commission (Oct/2013)

Are you delinquent in payment of any taxes, fees, fines or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka? ☐ YES ☒ NO If yes, please explain:

Please state why you are interested in serving on this board or commission:

I have worked in local government and have a long-standing interest in the success of the City of Topeka.

Please describe your education, experience and expertise including any honors or awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking. (You may provide this is an attachment or use the back of this form.)

I have worked for the City of Wichita and the Kansas Association of Counties. I served on the Mayor's Commission on the Status of Women in the 1990's

I am an attorney with experience in local government law. In addition, I have knowledge of the forms of government used in other Kansas cities and counties.

Complete ONLY if you are applying for one of these boards: Building and Fire Appeals; Board of Electrical Appeals, Board of Plumbing Appeals, Board of Mechanical Appeals; Sustainability; Planning Commission

List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)

I understand that the information I have provided may be used to determine my suitability to perform the duties required by the position I seek.

By checking this box, I declare under penalty of perjury that I am the person named above, and the information I have provided is true and correct. ☒

Please print your name and then sign below:

Print name: Judith A. Moler

Signed by: Judith A. Moler

Date: 11/24/13

Electronic Signature: ☒ *You may submit your signature electronically by checking this box.*

Submission instructions: Email your completed form with attachments to Vicki Buening at vbuening@topeka.org or mail to Office of the Mayor, City Hall, 215 SE 7th St., Suite 350 Topeka, KS 66603-3914. For questions, call the Mayor's Office 785-368-3895.

The Mayor and City Council are seeking diversity among appointees. We have provided an optional voluntary self-identification form should you choose to provide that information with your application. (See page 3)
Thank you.

VOLUNTARY SELF IDENTIFICATION

Name: Judith A. Moler

Race and ethnic designations as used by the Equal Employment Opportunity Commission do not denote scientific definitions of anthropological origins. Definitions of the race and ethnicity categories are as follows:

Put an **X** in the appropriate box.

☐

Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

☒

White (Not Hispanic or Latino) - A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

☐

Black or African American (Not Hispanic or Latino) - A person having origins in any of the black racial groups of Africa.

☐

Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) - A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

☐

Asian (Not Hispanic or Latino) - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

☐

American Indian or Alaska Native (Not Hispanic or Latino) - A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

☐

Two or More Races (Not Hispanic or Latino) - All persons who identify with more than one of the above six races.



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 21, 2013

☐ Back ☐ Print

DATE:	December 17, 2013	
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



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 21, 2013

☐ Back ☐ Print

DATE:	December 17, 2013	
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



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

December 3, 2013

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DATE: December 17, 2013

CONTACT PERSON: Jeff Hunt **DOCUMENT #:**

SECOND PARTY/SUBJECT: Shunga Trail **PROJECT #:** 30127-12
Extension
Project/Fairlawn Ave
to SW 29th Street

CATEGORY/SUBCATEGORY 020 Resolutions / 004 Public Improvements

CIP PROJECT: Yes

ACTION OF COUNCIL: 12/10/13 First Reading. **JOURNAL #:**

PAGE #:

DOCUMENT DESCRIPTION:

A PROJECT BUDGET in the amount of \$1,300,000 and **AN ORDINANCE** introduced by City Manager Jim Colson, amending and authorizing the project budget for Improvement Project No. 30127-12, which provides for the design and construction to extend the existing Shunga Multipurpose Trail, as more specifically described herein and repealing City of Topeka Ordinance No. 18721. Final Reading. (Council District Nos. 7 and 8)

(Approval would authorize the extension of the Shunga Multipurpose Trail near SW Fairlawn Road and SW 29th Street. The City's portion of the project funding is \$105,000 of General Obligation Bonds, \$970,000 of Kansas Department of Transportation Enhancement Grant funds, and \$225,000 of Shawnee County Parks and Recreation Department funds for a total project budget of \$1,300,000. This project is included in the 2003 and 2005 Capital Improvement Budget.)

POLICY ISSUE:

Approval would extend the Shunga Multipurpose Trail and improve safety and accessibility for pedestrians and bicyclists in the area.

STAFF RECOMMENDATION:

Staff recommends the Council move to approve the revised project budget and adopt the ordinance.

BACKGROUND:

On October 3, 2006, a project budget in the amount of \$554,700 was approved by City Council to extend the Shunga Multipurpose Trail near SW Fairlawn Road and SW 29th Street to be funded by City General Obligation Bonds (\$143,500) and by a Kansas Department of Transportation Grant (\$421,200). Due to

issues with the design consultant going out of business, the project was not constructed at that time.

The Shawnee County Parks & Recreation Department would like to move forward with the construction of this trail extension and is authorized to contribute \$225,000 towards the project. The Kansas Department of Transportation has also increased their funding to \$970,000. The City's share of costs will decrease to \$105,000 with this Revised Project Budget from the originally approved amount of \$143,500.

BUDGETARY IMPACT:

Total Project Budget Cost: \$1,300,000

SOURCE OF FUNDING:

City of Topeka (General Obligation Bonds)	\$ 105,000
Kansas Department of Transportation (Transportation Enhancement Grant)	\$ 970,000
Shawnee County (Parks and Recreation Department)	\$ 225,000

ATTACHMENTS:

[Ordinance](#)

[Revised Project Budget](#)

[Debt Service](#)

[Fact Sheet](#)

[30127-12 Map](#)

[Ordinance No. 18721](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Jim Colson, amending and authorizing the project budget pursuant to § A12-1 of the Topeka Municipal Code for Improvement Project No. 30127-12 which provides for the design and construction to extend the existing Shunga Multipurpose Trail, as more specifically described herein, and repealing City of Topeka Ordinance No. 18721.

WHEREAS THE COUNCIL OF THE CITY OF TOPEKA passed and approved Ordinance No. 18721 on October 3, 2006, which authorized Improvement Project No. 30127-12 which provided for the extension of the Shunga Multipurpose Trail; and

WHEREAS, Ordinance No. 18721 established a project budget of \$564,700.00 to be funded by general obligation bonds in the amount of \$143,500.00 and \$421,200.00 from a Kansas Department of Transportation Grant; and

WHEREAS, the total project budget has increased and Shawnee County has been added as funding source, so the project budget must be amended to reflect these changes.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS, that it finds the following described public improvement to be necessary and in the public interest and does hereby authorize, pursuant to Section A12-1 of the Topeka Municipal Code, Improvement Project No. 30127-102 with a project budget summarized herein and fully set forth on the attachment hereto.

A. GENERAL NATURE OF IMPROVEMENT:

This project is located on the Shunga Trail from Fairlawn Avenue to SW 29th Street. The project will include the development of plans and specifications to extend the existing Shunga Multipurpose Trail westerly and southerly following Shunga Creek on the north side of the Creek from SW Fairlawn Street to the south side of SW 29th Street. This project includes design and construction of a 10-foot wide concrete sidewalk, bridge across the creek, slope stabilization, retaining walls, construction inspection, project administration, and right of way acquisition.

B. ESTIMATED OR PROBABLE COST:

\$1,300,000.00

C. APPORTIONMENT OF COSTS:

Kansas Department of Transportation Transportation Enhancement Grant	\$970,000.00
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Shawnee County Parks and Recreation	\$225,000.00
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City of Topeka General Obligation Bonds and any other legally available funds	<u>\$105,000.00</u>
--	---------------------

TOTAL	\$1,300,000.00
-------	----------------

BE IT FURTHER ORDAINED that Ordinance No. 18721 is hereby repealed.

PASSED and APPROVED by the City Council on _____.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk

PROJECT BUDGET

Project No. 30127-12

Shunga Trail Extension - Fairlawn Ave. to SW 29th Street

LOCATION:

This project is located and starts at the west end of the Shunga Trail at Fairlawn Road and progresses to the west and to south side of SW 29th Street.

DESCRIPTION OF PROJECT:

The project will include the development of plans and specifications to extend the existing Shunga Multipurpose Trail westerly and southerly following Shunga Creek on the north side of the Creek from SW Fairlawn Street to the south side of SW 29th Street. This project includes design and construction of a 10-foot wide concrete sidewalk, bridge across the creek, slope stabilization, retaining walls, construction inspection, project administration, and right of way acquisition. .

SOURCE OF FUNDS:

Kansas Department of Transportation - Transportation Enhancement Grant

Shawnee County Parks and Recreation

City of Topeka - General Obligation Bonds and any other legally available funds.

<u>COST ESTIMATE:</u>	<u>Kansas Department of Transportation</u>	<u>City of Topeka</u>	<u>Shawnee County Parks and Recreation</u>	<u>Total</u>
Construction:	\$970,000.00	\$24,214.00	\$222,000.00	\$1,216,214.00
Design	\$0.00	\$44,157.00	\$0.00	\$44,157.00
Geotech	\$0.00	\$0.00	\$0.00	\$0.00
Utility Adjustments	\$0.00	\$0.00	\$0.00	\$0.00
Project Service Fees:				
Construction Admin & Inspection	\$0.00	\$2,167.35	\$2,000.00	\$4,167.35
Construction Staking	\$0.00	\$0.00	\$0.00	\$0.00
Administrative Fees:				
Legal Dept. Admin.	\$0.00	\$0.00	\$0.00	\$0.00
Engineering Admin.	\$0.00	\$0.00	\$0.00	\$0.00
Right-of Way Acquisition:	\$0.00	\$30,990.00	\$0.00	\$30,990.00
Contingency Amount	\$0.00	\$166.65	\$1,000.00	\$1,166.65
Temporary Note Interest	\$0.00	\$1,271.00	\$0.00	\$1,271.00
Cost of Issuance	\$0.00	\$2,034.00	\$0.00	\$2,034.00
Total:	\$970,000.00	\$105,000.00	\$225,000.00	\$1,300,000.00

PUBLIC HEARING:

PROJECT AUTHORITY:

a. Statutes: _____
b. Ord./Res. No.: _____
c. Improvement District: _____
d. City at Large: _____
e. Method of Assessment: _____

Date: _____

PROJECT ENGINEER:

Jeff Hunt

U:\Jeff Hunt\30127-12 Project Budget

GO Bond Cost of Project

PROJECT NO: 30127-12 Shunga Trail Extension - Fairlawn Ave to SW 29th St

Interest rate	3.25%
Number of Years	20

Cost of Issuance	2.00%
Temp Note interest	1.250%

Principal	\$101,695
Plus Temp Note Interest	\$1,271
Plus Cost of Issuance	\$2,034
Total Project Budget	\$105,000

Annual Debt Service	\$7,222
Annual Debt Service as Percent of Total	6.9%

Total Debt Service (principal and interest)	\$144,436
---	-----------

Difference Project Cost and Total Debt Service	\$39,436
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GO Bonded Indebtedness as of May 2012	\$161,130,000
Heartland Park STAR Bonds	\$9,855,000
College Hill TIF	\$5,605,000
2011 Temporary Notes that Finance Future GO Bond projects	\$15,230,000
Approved, not Included in GO Bond Issue or Temporary Notes--City Projects	\$13,773,365
Approved, not Included in GO Bond Issue or Temporary Notes--Special Assessment Projects	\$9,882,523
Total Indebtedness	<u>\$215,475,888</u>
Plus Project	\$215,580,888

Revision date:	10/4/2013
----------------	-----------

10/4/2013

FACT SHEET

Shunga Multipurpose Trail Extension – Fairlawn Ave. to SW 29th Street

City Improvement Project No. 30127-12

General Nature of Improvements:

The project will include the development of plans and specifications to extend the existing Shunga Multipurpose Trail westerly and southerly following Shunga Creek on the north side of the Creek from SW Fairlawn Street to the south side of SW 29th Street. This project includes design and construction of a 10-foot wide concrete sidewalk, bridge across the creek, slope stabilization, retaining walls, construction inspection, project administration, and right of way acquisition. .

City Project Administration:

City of Topeka, Jeff Hunt, P.E. (368-3842)

Construction Inspection:

City of Topeka

Construction Staking:

Contractor

Design Engineer:

POE and Associates

Cost:

Project Budget - \$ 1,300,000.00

Financing:

Kansas Department of Transportation – Transportation Enhancement Grant

Shawnee County - Parks and Recreation Department

City of Topeka - The city portion of this project will be paid by the City through the sale of General Obligation Bonds.

CIP Year:

2003 and 2005

Council District:

The project is located in Council District 7 and 8.

Project Schedule:

Construction: Spring/Summer 2014

General Notes:

Once this project is complete, Shawnee County will be responsible for all maintenance activities.

Project 30127-12

Shunga Trail Extension



While the City of Topeka, KS makes every effort to maintain and distribute accurate information, NO WARRANTIES AND/OR REPRESENTATIONS OF ANY KIND are made regarding information, data, or services provided. In no event shall the City of Topeka, Kansas be liable in any way to the users of this data. Users of the data shall hold the City of Topeka, Kansas harmless in all matters and accounts arising from the use and/or accuracy of this data map.

Date: 4/16/2013
Created by: dlnh

Source: Esri, DeLorme, USDA, USGS, AEX, GeoEye, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community

Map created for the Novus Agenda system.

(Published in the Topeka Metro News October 11, 2006)

ORDINANCE NO. 18721

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., authorizing Improvement Project No. 30127-12, which provides for the development of plans and specifications to extend the existing Shunga Multipurpose Trail, as more specifically described herein, all pursuant to Section A12-1 of the Code of the City of Topeka.

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

Section 1. That it is hereby deemed advisable and necessary and is also hereby authorized, pursuant to Section A12-1 of the Code of the City of Topeka, that the following public improvement be made:

A. GENERAL NATURE OF IMPROVEMENT:

The project will include the development of plans and specifications to extend the existing Shunga Multipurpose Trail westerly and southerly following Shunga Creek on the north side of the Creek from SW Fairlawn Street to the south side of SW 29th Street. This project includes design and construction of a 10-foot wide concrete sidewalk, bridge across the Creek, slope stabilization, retaining walls, construction inspection, project administration, and right-of-way acquisition.

B. TOTAL PROJECT BUDGET COST:

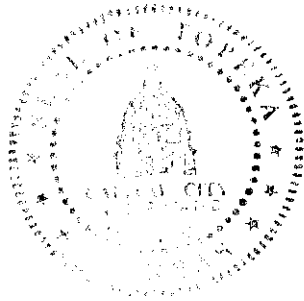
\$564,700.00

C. SOURCE OF FUNDS:

Kansas Department of Transportation Grant	\$421,200.00
General Obligation Bonds and any other lawfully available funds	<u>\$143,500.00</u>
Total	\$564,700.00

Section 2. This Ordinance shall take effect and be in force from and after its passage, approval, and publication in the official city newspaper.

29 PASSED and APPROVED by the City Council October 3, 2006.



35 ATTEST:

William W. Bunten
36 William W. Bunten, Mayor

37
38
39 *Iris E. Walker*
40 Iris E. Walker, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 22, 2013

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DATE:	December 17, 2013		
CONTACT PERSON:	Jeff White, Interim Finance Director	DOCUMENT #:	
SECOND PARTY/SUBJECT:	Repealing Franchise Fee Refund Program	PROJECT #:	
CATEGORY/SUBCATEGORY	013 Ordinances - Codified / 146 Utilities		
CIP PROJECT:	No		
ACTION OF COUNCIL:	First Reading 12-03-13	JOURNAL #:	13
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Jim Colson, repealing City of Topeka Code Sections 13.05.070 and 13.05.080, eliminating the gas and electric franchise fee refund program and the water and wastewater utility rate refund program. Final Reading.

(Approval would repeal the current program, enabling staff to restructure it. A restructured program would reduce administrative costs in order to ensure that benefits paid to eligible utility customers will not be reduced.)

POLICY ISSUE:

Approval would repeal the current program, enabling staff to restructure the Franchise Fee Rebate Program so that administrative costs are reduced. Restructuring the program would result in improved service delivery to low-income households with gas, electric, water and wastewater bills.

STAFF RECOMMENDATION:

Staff recommends the Council move to adopt the ordinance.

BACKGROUND:

Topeka Municipal Code provides for two rebate programs for qualifying users of gas and electric utilities and water and wastewater utilities. The City Council created the programs funded in part by the General Fund (gas and electric) and in part by the Combined Utilities (water and sewer) to offset the increases in base rates and franchise fees on these utilities. Administering these programs in the past created a significant administrative burden.

In 2012, the City spent approximately \$1 to distribute every \$3 in benefits on the gas and electric rebate

Item #18

program. The adopted 2014 Budget relies on a restructuring of the program to reduce administrative costs in order to ensure that benefits paid to eligible utility customers will not be reduced.

The City's revised program will be more cost effective to administer and still address Council goals of helping low-income households pay their major utilities (gas, electric, water, wastewater). The revised program will include a single application process for all utilities. It streamlines application requirements, standardize benefits paid and eliminates burdensome and costly demands on City staff.

In order to ensure that benefits are efficiently delivered to the citizens most in need, the City will contract administration of the program to a third party.

BUDGETARY IMPACT:

Adopting the ordinance would result in an estimated savings of more than \$180,000 in addition to processing and implementation costs. Council and Staff recommend adoption of the restructured program outlined in the resolution following this item.

SOURCE OF FUNDING:

General Fund and Combined Utilities Fund

ATTACHMENTS:

[Ordinance](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Jim Colson, repealing City of Topeka Code § 13.05.070 and § 13.05.080, eliminating the gas and electric franchise fee refund program and the water and wastewater utility rate refund program.

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

Section 1. That section 13.05.070, Utility franchise fee refund program, of The Code of the City of Topeka, Kansas, is hereby repealed.

Utility franchise fee refund program.

~~(a) Established. There is hereby established a utility franchise fee refund program in the city of Topeka. Subject to the terms and conditions established herein, eligible gas and electric utility ratepayers in the city of Topeka may receive a refund of gas and electric franchise fees paid by the ratepayer for property located within the city.~~

~~(b) Eligibility. Commencing for the tax year of 2006 only those ratepayers who fit the income, age, dependents and other requirements of the state of Kansas Homestead Property Tax Refund Law, as amended from time to time, and actually receive a refund from the state of Kansas Homestead Property Tax Refund Program, as provided in K.S.A. 79-4501 et seq. (as amended), may receive franchise fee refunds as provided herein.~~

~~(c) Refund Procedure. Franchise fee refunds shall be issued pursuant to the following procedure:~~

~~(1) Application for a franchise fee refund shall be processed if received by the city on or before November 5th for 2008 and on or before September~~

~~5th for each subsequent year for refunds of franchise fees paid for the preceding calendar year.~~

~~(2) Applications shall be made on a form approved by the city of Topeka director of administrative and financial services and shall be accompanied by the following documents and information:~~

~~(i) Copy of the ratepayer's homestead property tax refund claim form or verification obtained by the city of Topeka director of administrative and financial services for the preceding calendar year for the residence for which gas and electric utility franchise fees have been paid.~~

~~(ii) Proof of payment or approval of a homestead property tax refund for the preceding calendar year for the residence for which gas and electric utility franchise fees have been paid.~~

~~(iii) Proof in a form acceptable to the city of Topeka director of administrative and financial services that franchise fees in the claimed amount have been paid by the ratepayer for the identified residence.~~

~~(3) Upon receipt of the required application, documents and information, the city of Topeka director of administrative and financial services shall, within 30 days, either issue a refund of the claimed franchise fees to the ratepayer or, if the refund application is rejected for any reason, notify the ratepayer of the reason for the rejection.~~

~~(4) A ratepayer whose application is rejected may appeal the rejection to the city of Topeka city manager, whose decision on the matter shall be deemed final and unappealable.~~

52 Section 2. That section 13.05.080, Water and wastewater utility rate refund
53 program, of The Code of the City of Topeka, Kansas, is hereby repealed.

54 ~~**Water and wastewater utility rate refund program.**~~

55 ~~(a) Established. There is hereby established a water and wastewater utility rate~~
56 ~~refund program in the city of Topeka. Subject to the terms and conditions established~~
57 ~~herein, eligible city utility customers, defined as those individuals who receive residential~~
58 ~~water and/or wastewater utility services from the city of Topeka, may receive a refund of~~
59 ~~the increase in the minimum monthly rate for water and wastewater utility rates paid by~~
60 ~~the city utility customer to the city of Topeka. The water and wastewater utility rate~~
61 ~~refund shall be the amount the minimum monthly rate exceeds that in effect for water~~
62 ~~and wastewater on January 1, 2008.~~

63 ~~(b) Eligibility. Commencing January 1, 2012, only those city utility customers~~
64 ~~inside or outside the corporate limits of the city of Topeka who during the prior tax year~~
65 ~~fit the income and other requirements of the State of Kansas Homestead Property Tax~~
66 ~~Refund Law, as amended from time to time, and actually receive a refund from the~~
67 ~~State of Kansas Homestead Property Tax Refund Program, as provided in K.S.A. 79-~~
68 ~~4501, et seq., as amended, may apply for water and wastewater utility refunds as~~
69 ~~provided herein.~~

70 ~~(c) Refund Procedure. Water and wastewater utility rate refunds shall be issued~~
71 ~~pursuant to the following procedure:~~

72 ~~(1) Application for a water and wastewater utility rate refund shall be made~~
73 ~~by September 5th each year for the preceding tax year for which the city~~
74 ~~utility customer paid water and wastewater utility rates to the city of Topeka.~~

~~(2) Applications shall be made on a form approved by the city of Topeka public works director, or his or her designee, and shall be accompanied by the following documents and information:~~

~~(i) Proof that a homestead property tax refund claim form was filed and that a property tax refund was issued for the preceding calendar year.~~

~~(ii) Proof in a form acceptable to the public works director, or his or her designee, that the water and/or wastewater utility services were actually provided by the city of Topeka.~~

~~(3) Approval of Application.~~

~~(i) Upon receipt of the required application, documents and information, the city of Topeka public works director, or his or her designee, shall, within approximately 30 days, either issue a credit in the amount which the increase in the minimum monthly rate for water and wastewater utility rates exceeds those in effect on January 1, 2008, to the city utility customer, or may, in the sole discretion of the public works director, issue a check in the amount of the refund.~~

~~(ii) In the event the city utility customer has any delinquent or unpaid charges, fees, administrative monetary penalties, or other charges to any department or division of the city of Topeka, the amount of the refund will be set off against such outstanding charge, fee, or penalty.~~

~~(4) Rejection of Application.~~

~~(i) If the refund application is rejected for any reason, the public works director, or his or her designee, shall within that same 30-day period notify the city utility customer in writing of the reason for the rejection.~~

~~(ii) A city utility customer whose application is rejected may appeal the rejection in accordance with the appeal provision in Chapter 2.145 TMC.~~

~~(d) Effective Date. This section shall be in effect until September 5, 2016.~~

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

Section 4. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 5. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the City Council on _____.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

December 3, 2013

☐ Back ☐ Print

DATE: December 17, 2013
CONTACT PERSON: Susan Hanzlik/Bill Fiander
DOCUMENT #:
SECOND PARTY/SUBJECT: **PROJECT #:**
CATEGORY/SUBCATEGORY 014 Ordinances – Non-Codified / 009 Planning
CIP PROJECT: No
ACTION OF COUNCIL: 12/10/13 First Reading. **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Jim Colson, pertaining to an amendment to the text and map of the Topeka Comprehensive Plan for the Historic North Topeka Neighborhood Plan. Final Reading. (CPA13/2)

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

(Approval adopts the Historic North Topeka East Neighborhood Plan as an element of the City's Comprehensive Plan and recommends SORT target area improvements.)

POLICY ISSUE:

This amendment is designed to update the Neighborhood Element of the Topeka Comprehensive Plan by including the Historic North Topeka East Neighborhood Plan. The Governing Body has the following options to consider:

- (1) Adopt the recommendation of the Planning Commission by a majority vote (6) of the Governing Body.
- (2) Reject or amend the Planning Commission's recommendation by a two-thirds majority vote (7) of the Governing Body.
- (3) Return such recommendation to the Planning Commission by majority vote (6) of the Governing body with a statement specifying the basis of the decision to approve or deny the request.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to adopt the ordinance.

Item #19

BACKGROUND:

Historic North Topeka East was selected to receive Stages of Resource Targeting (SORT) funds for infrastructure and housing improvements in selected target areas. Prior to determining the projects, the neighborhood plan is updated to identify both the target areas and necessary improvements. Neighborhood residents participated in community meetings and focus group meetings to update this neighborhood-specific plan.

The proposed plan considers existing conditions, vision and goals, future land use recommendations, revitalization themes and implementation strategies.

Key chapters in the Plan include the following:

Neighborhood Profile: Historic North Topeka East was originally included in the 1999 North Topeka Revitalization Plan but much has changed since then. Over 75% of the housing stock is sound or has intermediate deficiencies, 47% of the homes are owner-occupied, and there has been a dramatic decrease in the number of Part 1 crimes (murder, aggravated assault, theft, etc.). The population has declined and the average household income has failed to increase at the same rate as the rest of Topeka.

Vision and Goals: The vision and goals of Historic North Topeka East seek a balance between residential, commercial, entertainment, and cultural facilities. Improving the area for residents, promoting the NOTO, the Riverfront, and the Great Overland Station, and creating a memorable sense of place in Historic North Topeka East are all main themes.

Future Land Use Plan: Nearly all of Historic North Topeka East's future land use will remain the same as is currently zoned. Three changes have been listed to reflect what each of these three parcels is currently being used for. A neighborhood commercial node (C-2) is recommended for the corner of NW. St John and N. Topeka Blvd.

Revitalization Strategy: Two SORT Target Areas are designated for housing and infrastructure improvements. The primary target area is bordered by NW Gordon, NW Morse, NW Harrison and NW Central. The secondary target area is along NW Jackson, NW Van Buren, NW Grant, and NW St. John. Neighborhood-wide strategies include improving traffic circulation, promoting North Crossings, improving the character and image, identifying community building strategies, utilizing parks and open space, and other recommendations.

Implementation: Key action priorities were ranked by the community at the final community meeting. A pedestrian crossing at the Union Pacific Railroad/N. Kansas Ave crossing, wayfinding signs, and rehabbing historic homes were the highest ranked priorities. Infrastructure projects are listed for each of the five potential target areas, although it is realized that funding will be completely expended in the primary and secondary target areas.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable

ATTACHMENTS:

[Historic North Topeka East Neighborhood Plan](#)

[Summary Report](#)

[Planning Commission Minutes 10.21](#)

[Kickoff Meeting Survey Results](#)

[Ordinance](#)

HISTORIC NORTH TOPEKA EAST

Topeka, Kansas



Neighborhood Plan

An Element of the
Topeka Comprehensive Plan
 A Cooperative Effort By:
 The Historic North Topeka East
 Neighborhood Improvement Association
 &
 Topeka Planning Department



ADOPTED:
 Topeka Planning Commission, _____
 Topeka Governing Body, _____

ACKNOWLEDGEMENTS

Historic North Topeka East Neighborhood Improvement Association

Debbie Dunkin, President

Katrina Bayless, Vice-President
Joe Hodgson, Treasurer/Secretary

City of Topeka Mayor

Larry Wolgast

Topeka City Council

John Campos	Michelle De La Isla	Denise Everhart
Richard Harmon	Karen Hiller	Chad Manspeaker
Sylvia Ortiz	Nathan Schmidt	Elaine Schwartz

Topeka Planning Commission

Kevin Beck, Chairman

Richard Beardmore	Dustin Crook
Michelle Cuevas-Stubblefield	Scott Gales, Vice-Chairman
Dennis Haugh	Nicholas Jefferson
Carole Jordan	Mike Lackey

Topeka Planning Department

Bill Fiander, AICP, Director
Dan Warner, AICP, Comprehensive Planning Manager
Susan Hanzlik, CNU-A, Planner I (Project Manager)

TABLE OF CONTENTS

I.	INTRODUCTION.....	4
	PURPOSE.....	1
	PROCESS.....	2
II.	NEIGHBORHOOD PROFILE.....	4
	SETTING AND CHARACTER.....	4
	EXISTING CONDITIONS*	6
	SOCIOECONOMIC TRENDS	9
	PROFILE SUMMARY: NEEDS AND OPPORTUNITIES.....	9
III.	VISION AND GOALS	12
	VISION 2025.....	12
	GOALS & GUIDING PRINCIPLES	12
IV.	FUTURE LAND USE PLAN.....	15
	LAND USE PLAN CATEGORIES.....	15
V.	REVITALIZATION STRATEGY	19
	THEMES.....	19
	TARGET AREA STRATEGIES.....	20
	NEIGHBORHOOD-WIDE STRATEGIES.....	30
	CIRCULATION PLAN	30
	NORTH CROSSINGS	32
	CHARACTER AND IMAGE.....	39
	HOUSING	52
	COMMUNITY BUILDING AND INITIATIVES.....	54
	PARKS.....	55
	OTHER RECOMMENDATIONS.....	58
VI.	IMPLEMENTATION	59
	KEY ACTION PRIORITIES.....	59
	TARGET AREAS	60
	REZONING	63
VII.	APPENDIX A: TABLES AND CHARTS.....	67
VIII.	APPENDIX B: MAPS	71
IX.	APPENDIX C: MEETING SURVEY	79
X.	APPENDIX D: HOUSING & INFRASTRUCTURE SURVEYS.....	82

MAPS

Map 1: Land Use	71
Map 2: Zoning	72
Map 3: Housing Conditions - Historic North Topeka East	73
Map 4: Home Ownership - Historic North Topeka East	74
Map 5: Code Violations - Historic North Topeka East.....	75
Map 6: Major Crimes - Historic North Topeka East	76
Map 7: Infrastructure - Historic North Topeka East.....	77
Map 8: Development Activity 1999-2013 - Historic North Topeka East	78
Map 9: Future Land Use Map	16
Map 10: Pre-1915 Residences	81
Map 11: Target Area Evaluation	23
Map 12: Target Area Concept Map	24
Map 13: Circulation Plan	31
Map 14: Urban Design Framework	40
Map 15: Parks, Utility Infrastructure, and Public Facilities.....	56
Map 16: Proposed Zoning Map	64
Map 17: Primary Target Area.....	65
Map 18: Brick Street, Sidewalk, and Alley Condition Map	66

ILLUSTRATIONS

Illustration 1: Traditional Storefront	44
Illustration 2: Commercial Building Design Guidelines (831 N. Kansas Ave.)	47
Illustration 3: Commercial Building Design Guidelines (816 N. Kansas Ave)	48
Illustration 4: Major Gateway.....	49
Illustration 5: Housing Infill Design Guidelines.....	52
Illustration 6: Sardou Recreation/Nature Park	57

TABLES

Table 1: Land Use.....	67
Table 2: Housing Density.....	67
Table 3: Housing Conditions	68
Table 4: Home Ownership	68
Table 5: Median Residential Property Values	68
Table 6: Quincy Elementary School	68
Table 7: Population and Race.....	69
Table 8: Age.....	69
Table 9: Households	70

I. INTRODUCTION

Background

In the fall of 1996, the North Topeka on the Move Association (NOTOMA) completed the Strategic Action Plan to Revitalize North Topeka. Following this, in 1998 NOTOMA and the City of Topeka partnered on a more comprehensive, resulting in the “Historic North Topeka Revitalization Plan,” adopted by City Council in August, 1999.

1999 Plan Accomplishments

Historic North Topeka is now a booming area of the city and has gone through a major transition since 1999.

The business district, now known as the NOTO Arts District, has grown to 29 shops including restaurants, art galleries, art studios, antique and curiosity shops. Today, as many as 2,300 people attend the First Friday monthly Art Walks. The streetscape and facades along North Kansas Avenue has been improved through programs with the City.

The Great Overland Station Museum, opened in 2004 as a railroad heritage museum, is now also the home to the Kansas Hall of Fame, the historic railroad park, the All Veterans Memorial and Corridor of Flags, and the Annual Railroad Days Festival, an event which attracts over 4,000 visitors to the Station.

Just to the south of the Station, the Shawnee County Parks and Recreation Department has acquired property along the north bank of the Kansas River and intends to establish a Riverfront Park, complete with trails and other recreational activities. The City of Topeka has devoted funds through its Transient Guest Tax to specifically help fund this project.

The Topeka Rescue Mission is expanding its services and doubling its capacity; very shortly the Mission will have space for over 1,000 daily visitors.

Other improvements have been made throughout the neighborhood as well. Business owners have improved the landscaping around their properties, enhancing the aesthetic appeal of the area. Traffic circulation has been improved with the Curtis Flyoff, Sardou Flyoff, and Sardou Bridge improvements. The Garfield Park pool completed major renovations in 2011 and the Neighborhood Improvement Association has been awarded grants that have gone for additional park improvements. And, Curtis Junior High has been placed on the National Register of Historic Places and has been renovated for low- to moderate-income senior housing.

PURPOSE

In 2012, the Historic North Topeka East Neighborhood Improvement Association (NIA) applied to the City of Topeka for Stages of Resources Targeting (**SORT**) funding. In early 2013, the Topeka City Council approved the Historic North Topeka East (**HNTE**) Neighborhood to be one of two designated neighborhoods to receive planning assistance in 2013 and implementation funding in the following two years.

Whereas the previous plan covered the entire North Topeka area, this plan update focuses on the southern area of Historic North Topeka East—from N. Topeka Boulevard east to the Kansas River, and from Garfield Park south to the Kansas River.

The purpose of the Historic North Topeka East Plan Update is to provide long-range guidance and feasible alternatives to the City, its agencies, residents, and private/public interests for the future revitalization of HNTE. It establishes a 10-15 year vision with appropriate strategies and implementation measures for land use, housing, urban design, parks, commercial districts, infrastructure, and circulation. This Plan provides the policy basis from which to identify appropriate zoning, capital improvements, and programs to implement it.

Relation to Other Plans

The Plan is a comprehensive community-based approach to neighborhood planning that constitutes an amendment to the Metropolitan Comprehensive Plan and is regularly monitored, reviewed, and updated as needed. It is intended to balance neighborhood needs with city-wide objectives and be consistent with goals of existing and future elements of the Comprehensive Plan including Downtown, Transportation, Economic Development, and Trails Elements.

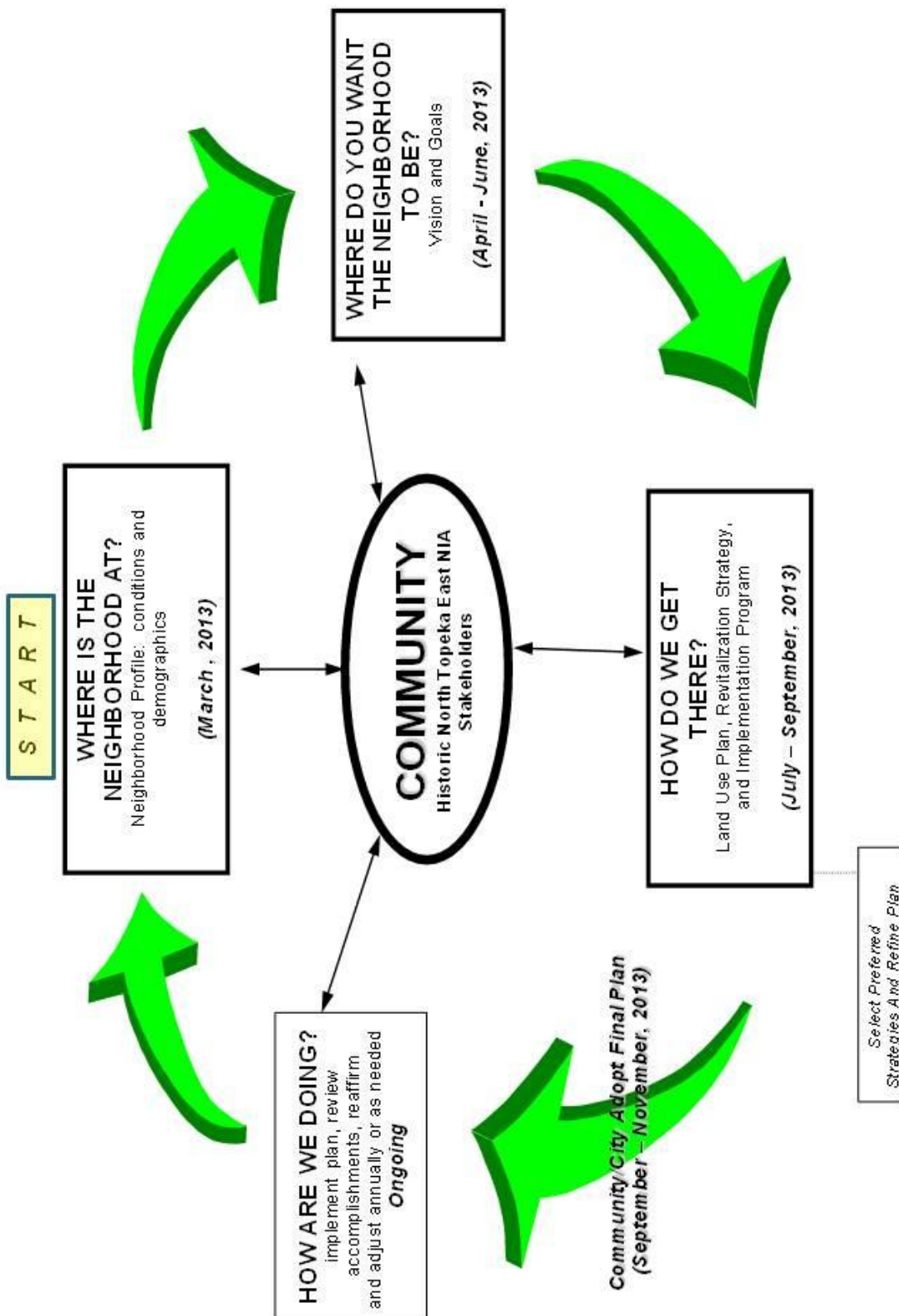
PROCESS

This document has been prepared in collaboration with the Historic North Topeka East NIA, with input from residents, and other stakeholders in the neighborhood as well. Beginning in the spring of 2013, planning staff conducted a property-by-property land use and housing survey of the neighborhood and collected pertinent demographic data. This “state-of-the-neighborhood” information was shared and presented during the kickoff meeting on April 10. The steering committee, comprised of neighborhood volunteers, met five times over the summer and looked in-depth at issues such as goals and guiding principles, land use and zoning, circulation and parks, NOTO and the Riverfront, and selected SORT Target Areas. Updates on the planning process were also given at the May and July NIA meetings. A compass meeting was then held on August 14 to make sure the plan and the steering committee’s recommendations were on the right course.

A summary of the final plan was presented to the community and the Planning Commission at a confirmation/wrap-up meeting held on October 16, 2013 at the Garfield Community Center. A public hearing was held before the Planning Commission on October 28, 2013.

All property owners in the Historic North Topeka East planning area were specifically notified of public meetings twice during the planning process. Attendees of the first public meeting were notified a third time, for the Compass Meeting. Other owners in the potential rezoning areas were notified by mail a third time. A total of 10 meetings in the neighborhood were held with citizens and Planning staff to develop the plan.

Historic North Topeka East Neighborhood Plan



II. NEIGHBORHOOD PROFILE

SETTING AND CHARACTER

Location

Historic North Topeka East is located along the north bank of the Kansas River, approximately one mile from the Capitol in downtown Topeka. The planning area is bound by the Kansas River to the east and south, the old Soldier Creek channel to the north and NE Topeka Boulevard to the west. The planning area comprises approximately 742 acres.

The community is intersected by one major north-south thoroughfare —N. Kansas Avenue — and bordered by another—N. Topeka Boulevard. These connect to the downtown south of the Kansas River by way of two bridges at N. Topeka Boulevard and NE Quincy Street. The community is surrounded by residential land uses to the north and west, with commercial uses and green space dominating the street front along N. Topeka Boulevard.

History

Historic North Topeka can be referred to as a crossroads in the settling of the West. In 1849, three brothers named Joseph, Achan and Louis Pappan moved to what is now North Topeka and began a ferry service across the Kansas River for Oregon Trail travelers. Pappan's Landing rested somewhere in the vicinity between Topeka Boulevard and Harrison Street and was also utilized as a segment by John Brown's followers on the Underground Railroad. The first African-American churches in Topeka were established just north of the river.



Originally called “Eugene” by its founders William Curtis (grandfather of Charles Curtis, Vice President of The United States during the Hoover Administration) and Louis Laurent, the town was laid out on the north side of the Kansas River in 1865, near the landing of the Pappan's Ferry. The first passenger train in Topeka rolled through North Topeka in 1866 when there were only a handful of houses and a few stores. Shortly thereafter in 1867, the area was annexed into the City of Topeka. Once the railroad arrived,

the community began to grow with the construction of a flourmill, hotels, saloons, banks, homes and schools. In 1869, after several previous floating bridges were swept down the river, a permanent structure was built connecting North Kansas Avenue to South Kansas Avenue. After that North Topeka was booming with development, including the construction of the Union Pacific Passenger Depot and Place Hotel built at the southwest corner of Kansas Avenue and Railroad Street in 1872. The following was printed in the North Topeka Times describing North Topeka before the turn of the century:

“A more live and energetic class of businessmen cannot be found in the whole state of Kansas. Broad streets, tastily built houses and a busy thoroughfare present indisputable evidences of present activity and future growth of this ‘city over the river.’”

The community is made up of more than 35 different subdivisions, beginning with Eugene’s Addition in 1867. Lots sizes range from 25’ x 130’ to 25’ x 175’ with the exception of Eugene’s Addition which is typified by 75’ wide lots. The streets in Historic North Topeka typically lie within 60’ wide rights-of-way, except Topeka Boulevard and Kansas Avenue, which are 100’ and 80’, respectively.

The history of the community is filled with frequent floods, the most notable occurring in 1903 and 1951. After the floods of 1903 and again in 1908, a dike system was built to protect North Topeka from future floods and restore confidence in the community. However, in 1951 a major flood once again inundated the community, causing tremendous damage. Many homes were razed or left uninhabitable following the flood and were often replaced by mobile homes as a low-cost alternative to traditional site-built homes. Concurrently, suburban development trends were also accelerating migration from inner city neighborhoods to outlying areas. In an effort to encourage redevelopment, much of the area was



“up-zoned” from its base zoning of single-family and two-family districts, to zoning districts that allowed multiple-family dwellings and highly intensive commercial and industrial uses. The Army Corps of Engineers built a new levee system in the mid-50s to protect the area from flooding and reassure property owners. A decline in population was soon followed by a decline in neighborhood business activity years later when the Kansas Avenue Bridge was rebuilt in the mid-60s and relocated to Quincy Street thus bypassing the traditional business district on Kansas Avenue. Many historic buildings from the turn of the century still exist in Historic North Topeka, although most are in need of rehabilitation.

The Kansas Avenue business district has morphed from supporting construction businesses and bars in the early 2000’s, to the home of the NOTO Arts District today. The 1927-edition of the Union Pacific Depot, moved to the west side of Kansas Avenue in line with the Capital building, has been revitalized as the Great Overland Station Museum. Three structures within the planning area are listed on the National Register of Historic Places: the Great Overland Station, the North Topeka Baptist Church, and Curtis Junior High School. In addition, the Segar Place at 1132 NW Harrison Street is listed as a Topeka Local Landmark.

In 2000, the Historic North Topeka East area was rezoned to reflect the Future Land Use Map of the 1999 Plan. This created a mixed-use district of varying intensities primarily south of Gordon and along Kansas Avenue. Industrial uses—other than those currently grandfathered in—are now

limited to the area south of the railroad tracks and east of the Quincy Bridge. The remaining neighborhood areas are now classified as Low-Density Residential.

EXISTING CONDITIONS*

*** All tables and maps are found in Appendix A and B**

Health

The Neighborhood Element of the Comprehensive Plan establishes a neighborhood health rating system for all the neighborhoods in Topeka. This uses five categories—Poverty Level, Public Safety, Residential Property Values, Single Family Homeownership, and Boarded Houses—to assign a health rating to each Census Tract Block Group. The HNTE planning area falls in two block groups. The block group for the southern half of the planning area covers the area from Morse Street to the Kansas River and was rated an “Intensive Care” neighborhood in 2011, one of only four such areas in the city. The northern half contains parts of two block groups, both which were rated as “At Risk.”

Land Use

The HNTE Planning Area contains 741.8 acres, with 180.8 of those acres being public right-of-way (Table 1). The neighborhood is mostly residential, accounting for 65% of the parcels and 39.3% of the total land area. Most of the residential is single-family; however, the next highest residential land use are homes that have been converted to apartments. Open Space/Recreational land comprises the highest percent of total land area with 53.2%. This is due to the large vacant tracts that border the Kansas River on the east side of the planning area, providing open space and a natural buffer. One interesting example of the accomplishments of the 1999 Plan is shown in the Commercial-Mixed Use category. This category increased 400% since 1999, from 3 parcels to 12 in 2013.

Map 1 shows the existing land uses within HNTE. Commercial and Mixed Use development is predominantly located along North Kansas Avenue, consistent with the future land use plan developed in the 1999 Plan. Industrial uses are mainly located between of Laurent Street and the Kansas River. A major land use change has occurred in the northwest area of the neighborhood with the old Curtis Junior High being converted to senior and affordable housing units. Residential uses fill most of the remaining neighborhood. Previous zoning allowances are still seen throughout the neighborhood in the form of mobile home sites and courts. Circling the neighborhood is an open space and greenway—Garfield Park, old Soldier Creek, and the Kansas River levee.

Zoning

After the 1951 flood in North Topeka, Historic North Topeka East was “up zoned” for industrial and multi-family uses in an attempt to prompt redevelopment. However, a rush of new high intensity land uses did not develop. One of the goals of the 1999 Plan was to “down zone” to bring back neighborhood uses. In 2000, the neighborhood was rezoned based on the future land use map in the 1999 Plan. Now, HNTE is predominantly residential throughout the north half and predominantly mixed use in the southern half. There is still some industrial zoning located along the railroad tracks in the southern portion of the planning area. This and all of the current zoning areas are shown in Map 2 with a breakdown of land uses described in Table 1.

Housing Density

The overall housing density in Historic North Topeka East is fairly high at 6.2 dwelling units per acre for residential purposes. However, due to the open space along the Kansas River and the industrial uses south of Laurent, the overall density drops to 1.7 for all land (Table 2).

Housing Conditions

Residential structures were evaluated on their structural condition by Planning staff in March 2013. This was done through a rubric that ranked minor, intermediate, and major deficiencies based on the severity of the problem and the results are shown in Table 3. Over 75% of the residential structures were Sound or had Intermediate Deficiencies. The other 24.9% showed more severe deficiencies, indicative of deteriorating conditions. These individual results were aggregated by block to show overall trends throughout the neighborhood, shown in Map 3.

Tenure

Historic North Topeka East continues to have a high percentage of renter-occupied housing, as it did when the 1999 Plan was completed. However, in 1999, the entire North Topeka planning area had 59% of all units occupied by renters. Today, 49% of all residential units are renter-occupied, compared to 47% being owner-occupied. Vacant units—for sale, abandoned, or boarded—account for the remaining units as shown in Table 4. This data was aggregated by block to show homeownership trends throughout HNTE (Map 4).

Environment/Public Safety

The City of Topeka's Codes Enforcement Unit provided data on nuisance and housing codes violations in the Historic North Topeka East neighborhood during 2012 (Map 5). These cases include issues such as inoperable vehicles, accumulations of junk and debris on a property, or structural concerns. While there are high violation areas throughout HNTE, the Northwest area of the neighborhood shows a higher instance of violations than the others.

Public safety was measured by the number of Part 1 crimes per block (Map 6). These include crimes such as murder, aggravated assault, rape, theft, burglary, and robbery. In 1999, there were blocks that had up to 11-41 crimes per block. However, there was a large shift in these types of indicator crimes throughout HNTE. During 2012, the highest occurrence of these major crimes were just 6-10 crimes per block, and both of the blocks with this higher value were areas with a higher-than-average concentration of people—the Pioneer Curtis Homes redevelopment and the commercial blocks at Fairchild and Kansas Avenue.

Infrastructure

The original town site of North Topeka was laid out in 1865; much of the area retains the historic feeling from its early history and can use this as an advantage. However, historic infrastructure rarely attracts nostalgic feelings and this, too, is still present in Historic North Topeka East. Blocks near the main thoroughfares have been renovated with repaving, sidewalks, curb and gutter, and storm drain improvements. Blocks in the interior sections of HNTE have not been as fortunate. Many streets lack sidewalks or the sidewalks are in significant disrepair, forcing people to walk in the streets. Streets in the northeast corner of the planning area are as narrow as 15' and rely on ditch drainage to move storm water.

Map 7 illustrates the infrastructure of HNTE, showing both the completeness and the condition. The central blocks around Kansas and Quincy show the best infrastructure in the planning area. All four "corners" show the need for major repairs or replacement.

Development Activity

Much of the development in Historic North Topeka East occurred during the early days of the community with the 1950's showing the last major period of new construction. This was due, in part, to the Flood of 1951. According to the Shawnee County Appraiser's website, 705 properties list the year the building was built. Of these, only 26 (4%) have improvements built after 1960.

HNTE has not seen much development activity since the 1999 Plan was completed (Map 8). There have been many more demolition permits issued since 2000 than new residential construction. One new site built home has been added, through the Infill Housing Program, using both HOME and Neighborhood Stabilization Program funding. In addition to this new site built home, one manufactured home has been added as well.

While single family home construction has been lagging, there has been a substantial investment in affordable housing and senior housing with the completion of the Pioneer Curtis Junior High facility. This renovated historic junior high school and grounds added 59 affordable residential units. It dramatically improved the blocks and brought new households back to the neighborhood.

Property Values

According to information provided by the Shawnee County Appraiser's Office, the median value of single-family homes in HNTE was a little over \$31,000. Multi-Family converted homes were valued slightly higher, at \$33,000. Mobile home sites and courts are valued at the cost of the land, with the mobile home not counting as an improvement, and so were significantly lower than site built homes at \$2,900. Multi-family housing averaged the highest property values, \$332,870, due in part to the high property value of the Pioneer Curtis Junior High project. Additional information can be found in Table 5.

Circulation

A diverse street network provides pedestrian and vehicular circulation in Historic North Topeka East. It is intersected by one principal arterial street (Topeka Boulevard), three minor arterial streets (Quincy, Kansas and Morse) and two collector streets (Tyler and Gordon). The Topeka Boulevard, Kansas Avenue and Sardou Avenue bridges provide access to areas south and east of the Kansas River. HNTE is served by one bus route with three stops located in the planning area.

One major circulation issue raised during the 1999 Plan concerned the railroad tracks that separate the Great Overland Station, Topeka Rescue Mission, and the Riverfront from the rest of HNTE. This line has 75-85 trains per day, frequently stopping traffic and pedestrians. Over the years, there have been several pedestrian fatalities here, with two occurring in 2013 alone.

Two additional circulation issues were raised in the 1999 Plan and have since been addressed—posting “No Trucks” signs around the NOTO area on North Kansas Ave. and improving access to HNTE and Little Russia through the Northeast Curtis and Sardou Fly Offs.



Public Facilities

Historic North Topeka East has six public facilities and areas: Garfield Park and Community Center, Quincy Elementary School, Veterans Park, Fire Station No. 1, and the Charles Curtis Greenway.

The Garfield Community Center provides the main community facility for indoor and outdoor recreation and has park facilities including outdoor grills, playground, picnic areas, a shelter house, and a swimming pool. The swimming pool received significant improvements completed in 2011, featuring a renovated bath house, an open flume slide, a tot slide, a mushroom waterfall, shade structures, spray features, floatable water features, and a diving well.

Quincy Elementary School is located just south of Garfield Park at the north of the planning area. This school serves just over 250 students with data in Table 6 showing the economic indicators of this student population. Quincy Elementary has the fourth highest rate of economically disadvantaged students of all of the schools in USD 501. The state of Kansas averages 48.8% of students that are economically disadvantaged; 93.8% of Quincy students fall in this category. Reading and math scores also fall below the averages for the state and USD 501.

SOCIOECONOMIC TRENDS

***Refer to Appendix A for Socio-Economic Tables (Table 7-Table 9)**

The Historic North Topeka East planning area is located in Census Tract 8 and includes all of Block Groups 3 and 4, and a small part of Block Groups 1 and 2. The socioeconomic data was extrapolated from the 1990, 2000 and 2010 United States Censuses, with tables located in Appendix A. The neighborhood lost 829 people between 1990 and 2010, losing 16% between 1990 and 2000 and 21% between 2000 and 2010. HNTE saw a steady loss of population along all ethnicities. The overall number of total households decreased 33% during this 20 year period, with the most dramatic loss occurring between 2000 and 2010. The total number of female-headed households with children under the age of 18 decreased between 1990 and 2000 by 11% but increased nearly 300% between 2000 and 2010.

The population of nearly all age groups in HNTE declined, with the exception of adults aged 45-54 which continuously increased between 1990 and 2010. Between 1990 and 2000, all age categories decreased except for adults 35-44 and 45-54. From 2000 to 2010, children 10-14 years and 15-19 increased, in addition to adults 45-54. This may show a trend of families with children moving back into the neighborhood.

Economically, the average household income (**AHI**) in HNTE has increased to \$24,300 but is still lagging behind Topeka's AHI. The AHI for HNTE actually increased at a higher rate than Topeka's between 1990 and 2000 but fell even further behind from 2000 to 2010. This could be due in part to the Great Recession and the Housing Crisis in 2007 impacting this community more so than the rest of the Capital City. Regardless, this community is more economically disadvantaged now than it was in 1990.

PROFILE SUMMARY: NEEDS AND OPPORTUNITIES

Historic North Topeka East, once a thriving residential community capable of supporting its own business district, has lost its original character to the effects of several devastating floods and urban-to-suburban migration patterns. The result is a community with vast potential, but in dire

need of re-investment. Many positive changes have occurred since the 1999 Plan, but there is still much more that needs to be addressed. The preceding sections have identified the following opportunities and needs, which are summarized below.

Strengths/Opportunities

- The traditional small town design found in HNTE, if restored to its original character, could be an attractive alternative to suburban living with shopping and entertainment within walking distance from residential areas and the close proximity to downtown.
- The area has retained its original low-density residential character despite being zoned for multiple-family and highly intensive nonresidential uses for the better part of 50 years.
- The area has retained many of its historic residential and commercial buildings, although many are in need of rehabilitation. North Kansas Avenue is the only intact traditional commercial district in Topeka.
- NOTO has become an economic development engine, adding businesses along N. Kansas Avenue and assisting the development of the artistic community. The First Friday art event draws 1,500 visitors to Historic North Topeka on the first Friday of every month.
- The Great Overland Station museum represents a destination anchor for the Kansas Avenue business district.
- The substantial investment going into the renovation of the Great Overland Station could attract people and new investment to the community's historic commercial district on N. Kansas Avenue.
- The large number of vacant lots presents an opportunity for new in-fill housing development.
- Residential blocks in the community boast relatively low crime on average.
- The riverfront offers significant development potential and an opportunity to redefine Topeka's and North Topeka's regional image.

Needs/Constraints

- The low density of population in HNTE, which is due in large part to a preponderance of vacant parcels and non-residential land uses, presents a constraint to developing a critical mass of population that can thrive as a traditional urban community and be better able to support commercial services.
- 25% of all residential structures exhibited major deficiencies.
- 47% of the housing units are owner occupied.
- Mobile homes and vacant lots, which together account for 7% of the parcels in HNTE, are scattered throughout traditional residential neighborhoods with a median property value more than 10 times less than the surrounding homes.
- Three building permits were issued in Historic North Topeka East from 1999 – 2013 in contrast to the 45 demolition permits issued.
- The population in HNTE decreased by 34% from 1990 – 2010.
- 94% of students at Quincy Elementary are economically disadvantaged.
- Declining population, homeownership, and concentration of low income households are a combination signaling potentially devastating economic, educational, and social divestiture in the community.
- Perception that the area is prone to flooding.

Historic North Topeka East is one of the oldest and most diverse areas in Topeka. The area is rich in history and still exhibits many characteristics of its original traditional small town design.

However, the effects of several devastating floods forever altered its original character. Today the areas' hidden qualities remain largely undiscovered, with numerous vacant lots, dilapidated building conditions, and a declining population more dependent on other areas of Topeka for basic services. The residential areas have suffered from the blighting influences of industrial uses and heavy truck and railroad traffic. These factors have eroded any homeowner confidence in the community. With the recent renovation efforts on the Great Overland Station and the activity in NOTO, much attention is once again focused on the area. It is this renewed interest in conjunction with a new neighborhood vision that, if capitalized on, will help to revitalize the historic business district, riverfront area, and surrounding residential areas and to redefine Historic North Topeka East's image as a viable mixed-use community of choice.

III. VISION AND GOALS

VISION 2025

In 2025, a vibrant Historic North Topeka is envisioned with a strong NOTO arts district, a successful Great Overland Station Museum, and a rediscovered riverfront open for community gatherings and recreation. Most of the historic building fronts along N. Kansas Avenue have been restored to their original grandeur, the sidewalks are full of patrons during the evening, and former residential homes have been adaptively re-used for businesses. Nearby residential areas seem fresh with new in-fill housing and homeowners, and former residents have returned to in-town living to retire in the renovated Curtis and Grant school buildings/grounds or raise their families. School enrollment and test scores are steady after reaching their all-time peak several years ago. The just completed I-70 viaduct through Downtown has put Historic North Topeka on the “map,” giving its residents, businesses, and visitors direct Interstate access and identity. No longer is the area’s image viewed with skepticism and doubt – nobody knocks Historic North Topeka anymore because knocking it would be a knock against yourself. Renewed pride and commitment to the area shows in every Topekan.

GOALS & GUIDING PRINCIPLES

The Historic North Topeka Stakeholders Committee identified six primary ingredients to achieving this vision: land use, circulation, Great Overland Station District, housing, community character and design, and infrastructure. These “mini-visions” have been articulated into goal statements for each topic and are supported by “guiding principles”, or instructions, on achieving the goals.

LAND USE

Goal

Establish a predictable pattern of land use that preserves the viability of residential neighborhoods, accommodates services for residents, and promotes a destination-oriented mixed-use center and riverfront.

Guiding Principles

- Identify single-family residential preserves and protect them from encroachment of incompatible land uses.
- Concentrate commercial activity within neighborhood friendly nodes and limit “strip” development not compatible with traditional neighborhood design.
- Condense industrial districts and lessen negative impacts industrial-type uses have upon stable residential, commercial, or “image” areas.
- Allow for the re-imagination of the area surrounding NOTO and the Great Overland Station.
- Develop a system of quality-designed open space that links a variety of uses and users and takes advantage of the riverfront.
- Encourage mobile home development as part of planned unit developments and outside of traditional neighborhood settings.

NOTO/RIVERFRONT

Goal

Develop an urban entertainment, dining, retail, cultural, and living district that utilizes assets of N. Kansas Avenue business district, Great Overland Station, riverfront, and historic buildings.

Guiding Principles

- Encourage a mixed-use urban environment that promotes “in-town” living while limiting creation or expansion of industrial uses.
- Restore historic building fronts and retain integrity of block frontage on N. Kansas.
- Maintain public streetscape improvements that complement the area’s character and entice investment.
- Develop a destination riverfront area that compliments the historic nature of Historic North Topeka.
- Promote a “walkable” setting and pedestrian-oriented development.
- Improve pedestrian connections from N. Kansas Avenue to the Great Overland Station
- Recruit destination-oriented uses and plan for expansion of district beyond N. Kansas Avenue
- Enhance and maintain the NOTO Board to oversee NOTO business promotion.
- Encourage and support a diversity of cultural, recreational, and commercial attractions for young and old, residents and visitors alike.

CIRCULATION

Goal

Provide a safer, greater, and more efficient means of access to, from, and within Historic North Topeka that will connect a diverse mix of land users.

Guiding Principles

- Eliminate heavy truck traffic from the NOTO area and establish alternate heavy truck routes without unreasonably impacting residential areas
- Improve routing of non-local traffic into Historic North Topeka and the NOTO/Riverfront area.
- Develop a recreational trail system that is linked to a regional trail system.
- Improve pedestrian connections and safety.
- Establish bikeway connections to other areas of the City to enable alternate means of transportation.
- Promote destinations to non-residents through wayfinding signage.

HOUSING

Goal

Increase density of population and quality of housing options, both market-rate and affordable, that stabilizes the housing market.

Guiding Principles

- Establish design standards for new in-fill housing and rehabilitation that compliments the historic architectural elements of the neighborhood and maintains affordability.
- Upgrade housing and neighborhood conditions to retain and attract more homeowners.
- Target larger strategic blocks for in-fill housing compatible with the neighborhood and concentrate rehabilitation improvements around them.
- Establish neighborhood networks to help homeowners, especially the elderly, maintain their property
- Promote adaptive reuse of commercial buildings for loft apartments.

CHARACTER

Goal

Communicate a notable image and unique experience of place by building off of physical and cultural heritage.

Guiding Principles

- Ensure that new development is compatible in scale, materials, and character with surrounding buildings.
- Maintain urban form and traditional neighborhood design principles.
- Establish gateways, edges, and streetscapes that reflect a positive first image and compliments the area's historic character.
- Protect and promote historically significant structures, district, views, and places.
- Provide an appropriate setting to "tell the story" of the area's prominence in local history.

PUBLIC FACILITIES

Goal

Upgrade and maintain public facilities to ensure confidence in the future of Historic North Topeka.

Guiding Principles

- Maintain 100-year minimum flood protection from the Kansas River and its tributaries.
- Ensure that proper drainage systems and urban infrastructure is in place.
- Develop and maintain a parks system appropriate to meet the needs of the population in Historic North Topeka

IV. FUTURE LAND USE PLAN

The Historic North Topeka East Future Land Use Plan (see Map 9) graphically illustrates a conceptual guide for future development of the neighborhood that embodies the vision and goals presented in Section III. The map illustrates preferred land use concepts and is explained more fully in the descriptions below. The following land uses, zoning districts, and housing densities are the “maximum recommended” and do not preclude lower-intensity land uses, zoning districts, or housing density levels.

LAND USE PLAN CATEGORIES

Residential – Low Density (Traditional): This category comprises blocks where the highest concentrations of cohesive single-family uses exist without a significant mixing of two/multiple-family or non-residential uses. The “traditional” designation refers to a primarily single-family district consisting of traditional neighborhood design elements, such as higher densities, frame or “stick-built” houses with porches, historic architectural styles, street and alley systems, narrower lot frontages, and a pedestrian friendly environment in proximity to schools, shopping, parks, etc. that predominated neighborhood development prior to World War II. These areas were originally developed as part of a traditional single-family neighborhood and have realistic potential to sustain this as the predominate character. Non-traditional elements such as “ranch-style” lot layouts and mobile homes/parks are not conducive to retaining the integrity of the area’s desired character and should be prohibited. New single-family in-fill development may use attached or “townhouse” design units to achieve a higher density within the Focus Area.

Primary Uses: Single-family dwellings (detached, attached)
 Zoning Districts: R-2 (Single Family)
 Density/Intensity: 5-7 dwelling units/acre

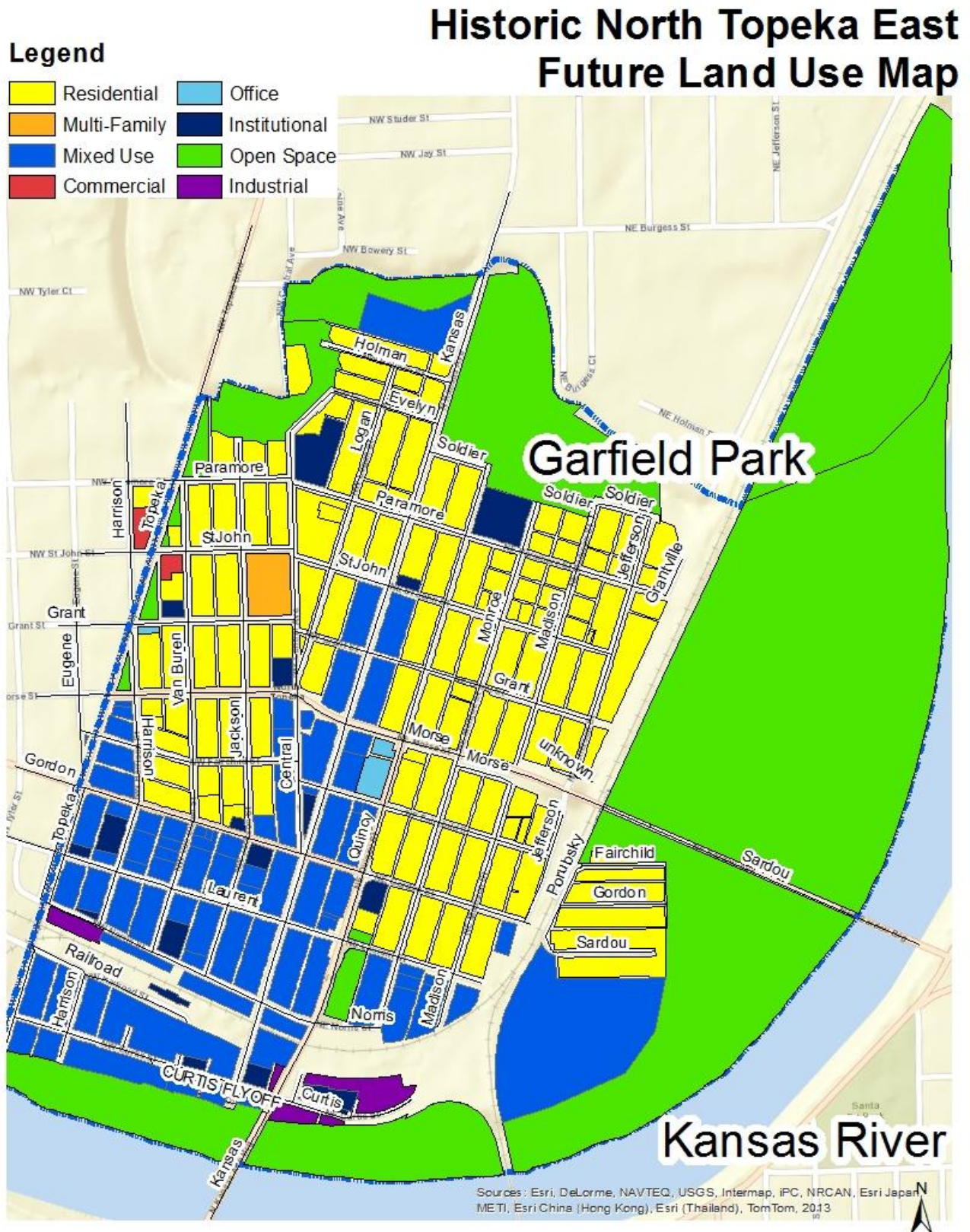
Residential – High Density: This category is applied to exclusively to the redesigned Pioneer Curtis Junior High School. Although this is an interior block, this adaptive reuse preserved a historic building. Any future high density residential developments should occur in the X3 Mixed Use-NOTO district, which allows a higher number of units/acre.

Primary Uses: Multi-family dwellings (5+ units)
 Zoning Districts: Planned Unit Development
 Density/Intensity: 18 dwelling units/acre (net)

Office: This category applies to those offices located throughout North Topeka. Offices looking to locate in North Topeka should be encouraged to use sites along major thoroughfares or in existing Mixed Use areas. Additional expansion of office uses into the residential portion of the neighborhood is discouraged.

Primary Uses: Office
 Zoning Districts: O&I-1, (Office and Institutional)
 Density/Intensity: Low

Map 9: Future Land Use Map



Commercial – Low Intensity: This category allows for limited commercial facilities to serve as convenient services to a residential neighborhood or a limited geographic area of the community. Shops in this district should be useful to the majority of the neighborhood residents, should be economically supportable by the nearby population, and should not draw community-wide patronage. Site and design standards should be high along image corridors.

Primary Uses: Neighborhood Commercial

Zoning Districts: C1

Density/Intensity: Low

Mixed Use – Low Intensity: This district facilitates a compatible mixed use activity center within a traditional residential neighborhood. The district includes a balance of compatible residential, office, civic, and neighborhood commercial retail/service uses of low to moderate intensity that complement and support dense neighborhood residential areas and pedestrian usage with quality urban design.

Primary Uses: Mixed

Zoning Districts: X1; no higher than C-2

Performance Standards: Yes

Density/Intensity: 5-7 units/acre, low

Mixed Use – Medium Intensity: This district facilitates a mixed use area that transitions from a higher intensity industrial use area to lower intensity neighborhood-scale residential areas and includes a balance of compatible residential, office, commercial service, and light industrial uses.

Primary Uses: Mixed

Zoning Districts: X2

Performance Standards: Yes

Density/Intensity: 5-7 units/acre, low

Mixed Use – NOTO: This district facilitates a destination-oriented mixed use district in the area known as the North Crossings area of North Topeka that serves as the northern cultural anchor of downtown. The objectives of the district include:

- Improving the area as a 24-hour destination for positive urban cultural, entertainment, community, and residential experiences that highlight the historic origins of Topeka's waterway and railways;
 - Redeveloping vacant and under-utilized properties through encouraging appropriately scaled in-fill development;
 - Encouraging retention and attraction of businesses, workplaces and residences through adaptive reuse and rehabilitation of existing buildings;
 - Improving the quality of urban design in the area and on individual parcels;
- Primary Uses: Mixed – commercial retail/service and residential, public facilities



Zoning Districts: X3
 Performance Standards: Yes
 Density/Intensity: 8-20 units/acre, medium-high

Industrial: The purpose of this designation is to concentrate industrial-type uses into districts as far removed from viable residential areas as possible. These areas are more conducive to industrial development due to their proximity to the Union Pacific rail lines, existing heavy-industrial uses, and access to routes that bypass residential neighborhoods.

Primary Uses: light, heavy industrial
 Zoning Districts: I-1 (Light Industrial), I-2 (Heavy Industrial)
 Density/Intensity: High

Institutional: This designation applies to a range of land uses that support the neighborhood population's needs. These uses include churches, schools, cultural destinations, and shelters. Quincy Elementary School, The Great Overland Station, and the Topeka Rescue Mission fall into this category.

Primary Uses: institutional
 Zoning Districts: as applicable to surrounding area
 Density/Intensity: Low

Open Space: This category designates several existing green space uses – Garfield Park, Charles Curtis Greenway and Family Cemetery, McKinley Park – as well as several potential new green space uses to accommodate passive and recreational activities as well as community centers and public space. This designation is applied to hard-to-develop, underutilized, or vacant “spaces” needed to preserve focal points, gateways, view sheds, natural drainage systems, trail development, nature preserves and buffering requirements.

Primary Uses: park, open space, trails, floodways
 Zoning Districts: R-2 (Single-Family), OS-1
 Density/Intensity: Very Low



V.REVITALIZATION STRATEGY

THEMES

1. Destination Known: Linkages within a Metropolitan Hub

Historic North Topeka and its environs are reminiscent of a “small town” atmosphere. Of course this is what Mr. Laurent and Mr. Curtis may have had in mind when they laid out the charming town of Eugene. The area was planned and has functioned to be somewhat independent at times from the rest of the Topeka. For revitalization efforts to succeed, Historic North Topeka needs to be viewed more as a destination than as an extension or northern anchor of downtown and therefore, the region as a whole. However, it should not be viewed solely as a destination to visit—it should also be a destination where people want to live.

2. Synergy: Mix, Mass, and Mesh

Successful revitalization of an area occurs where the total becomes greater than the sum of its parts. For example, somebody fixing-up their house stimulates others to fix up their house and pretty soon the entire block is fixed up and everybody on the block receives a greater return on their investment. This so-called synergy is a dynamic of well-planned and targeted investments into a defined area.

By definition, no singular project—such the Great Overland Station or NOTO —can be a true catalyst for an area’s revitalization unless there are two or more elements it is in contact with. In a downtown or mixed-use district, an essential mix of ingredients (employees, residents, customers, tourists, etc.) in sufficient amounts/densities (critical mass) need to be in contact (the mesh) with one another to enable true synergistic effects to take place (Urban Land Institute, 1998). With the NOTO arts district and Great Overland Station laying the foundation for the area’s synergy, it must come in contact more with 1) each other, 2) a transformed riverfront and 3) a revived residential neighborhood to be true catalysts in the area’s revitalization.

3. Standards: Take Pride in Assets

Historic North Topeka conveys an identity that is embodied in its very name. Without promoting, preserving, or taking pride in the historic assets and characteristics that make this area unique, revitalization efforts are sure to fail. It has been noted that there is nothing wrong with Historic North Topeka that can’t be fixed with what is right about Historic North Topeka. Actions that detract from the integrity of its historic character or “small town” appeal will only serve to make revitalization of the area much more difficult. New development should complement, not detract, from existing styles. In addition, new investment will be most encouraged in the long term when standards are in place to retain the area’s unique character.

4. Brownfields to Greenfields: A Rediscovered Waterfront

The nearly 300+ acres between the levee and the railroad tracks is largely comprised of open industrial uses or underutilized open space. An opportunity to return the riverfront to the public for their enjoyment and recreation exists that could provide another point of entry for Topekans and non-Topekans to rediscover their heritage and what makes this community so special. The riverfront is the scene of many historic events and sits at the door front to the city skyline. Re-discovering the waterfront and making it user-friendly to the public will only further a re-defined image for North Topeka and Topeka as a whole.

5. It All Ties Back to the Neighborhood

The first four themes listed in this section can be viewed separately as goals to obtain in and of themselves. However, the blending of this and the application of each to the surrounding community creates a vibrant and lively neighborhood. For example, combining an exciting destination with community pride and a historic focal point and weaving that into the residential fabric of the neighborhood creates a memorable place where people want to live, work, and play. The combination of these five themes plus the integration of the neighborhood and the impetus of the SORT Grant will energize both the community and complete these four supporting themes.



TARGET AREA STRATEGIES

Target Concept and Principles

Neighborhoods make up the fabric of a city, but blocks make up the fabric of a neighborhood. When the fabric is strong, the city or the neighborhood is strong. If the fabric becomes frayed, wears down and tears, the city or neighborhood becomes weak and susceptible to accelerated decay. The most successful strategies in neighborhood revitalization involve the repairing and re-weaving of this fabric. To do this, a neighborhood revitalization strategy must protect key assets or anchors, isolate weaknesses, and re-position them as strengths. The Target Area Concept Map depicts these current features in Historic North Topeka East as defined below:

Anchor – These are rigid points of support that give a neighborhood its identity. They are long-term community investments that draw people to them as destination thereby lending stability to the area and making them desirable for residential investment (e.g., schools, churches, parks, shopping, etc.).

Strength/Potential – These areas are the relatively strongest blocks of a neighborhood that exhibit staying power and/or recent investment. These are also underachieving areas that have the potential to become strengths or anchors given an appropriate stimulus.

Weakness – In general, weaknesses are areas that have the highest concentrations of negative conditions such as low homeownership, vacant/boarded houses, poverty, substandard infrastructure, and high crime. The more concentrated these are, the greater social problems occur and the more entrenched they become. Diluting their concentration gives surrounding areas a greater chance to revitalize on their own.

Spatial relationships play a dynamic role in the overall concept. Spread too thin, anchors or areas of strength will fail to influence beyond their natural reach leaving poorly performing areas little hope of turning around on their own. Conversely, much like a shopping mall where the stores between two anchors will benefit from greater pedestrian traffic, weaker blocks isolated between two closely placed areas of strength will be prone to more investment because they are “attaching” themselves to something more stable and desirable. In a similar fashion, a neighborhood can only be re-woven back together if the new threads (i.e., investment) are attached to something worth attaching itself to for the long-term. If you try to attach new threads to a frayed piece of fabric, you will ultimately and more quickly fail in its purpose to mend.

If the new investment is “public dollars”, the most effective and fair use of such an investment in a neighborhood is to **maximize the impact and transformation of the neighborhood**. Spreading out dollars throughout a neighborhood dilutes its effectiveness and impact. Combining the same amount of dollars for infrastructure and housing investments into a targeted 3-5 block area will give that area a much better chance to transform itself and become a another strength upon which to build. The more areas of strength or fewer areas of weakness for a neighborhood, the better it will be. The keys to this concept are that the targeted area will have an even greater chance to succeed if it can:

- attach itself to an anchor and/or area of strength (protect assets)
- address a significant need or weakness (transform)
- provide a benefit to the greatest number of people possible (can include image)
- leverage private investment to the greatest extent possible (sustainable)

All of those factors should go into selecting the priorities for which “target area” is first, second, third, etc. And if done correctly, the targeted public investment will lead to its highest and best purpose – to re-establish market forces and stabilize property values. Simply put, this means that if you put money into your house you will get that money out at the time of sale. The matrix below rates each proposed target area with the general targeting principles. Ratings are High (3), Medium (2), and Low (1).

	West Central	Pioneer Curtis Jr. High	East Central	Northeast	Little Russia
Attach to Strengths and Protect Assets	High	High	Medium	Medium	Low
Significant Need/Weakness	High (At Risk)	Medium	High (At Risk)	Medium	High (At Risk)
# of People Benefit	High	High	High	Low	Medium
Leverage and Sustainable	High	Medium	Low	High	Low
Total	12	10	9	8	7

Proposed Target Areas

During the planning process, the residents and participants realized that all of the HNTE planning area needed help. From infrastructure upgrades to housing improvements, every street had some need that could be met with the SORT funds. However, as they all realized, there was only a finite amount of funding allocated to their neighborhood. It was necessary to step back and look objectively at the entire neighborhood to see which blocks were most in need and had the most potential. Six rating factors were used to evaluate each block to see which area was most in need:

- Housing Conditions
- Home Ownership (Tenure)
- Code Violations
- Major Part 1 Crimes
- Infrastructure
- Pre-1915 Residential Structures (Appendix C, Map 10)

These rating factors were each mapped at the beginning of the planning process with the results averaged per block, and the maps were overlaid to see which blocks consistently scored low (Map 11). This allowed a pattern to emerge for areas that were in need but, based on their proximity to Anchor Areas and Strength/Potential Areas, had the highest potential for responding to public investment (Map 12).

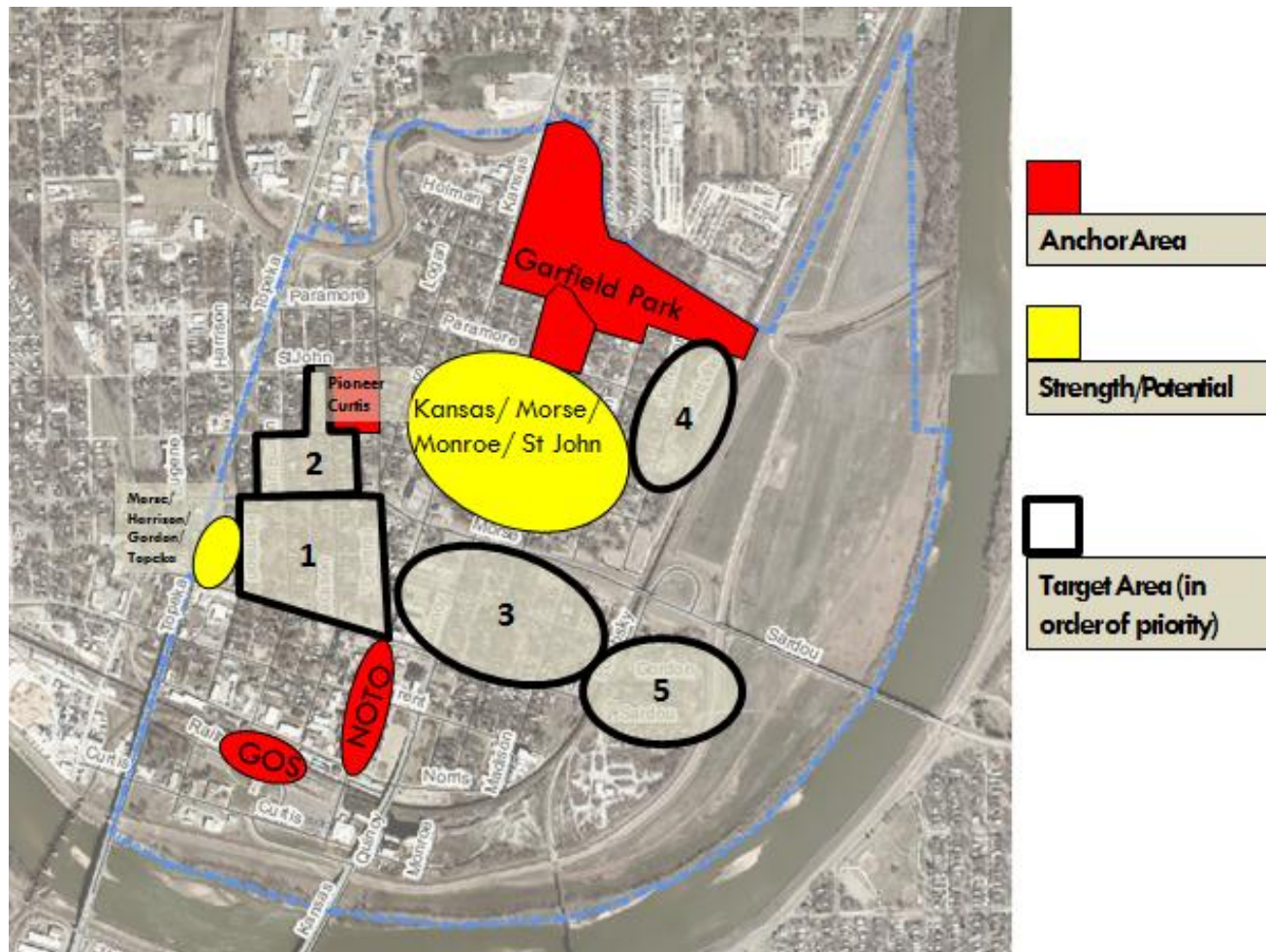
Based on the Target Area Map, the highest priority target area should be the West Central Target Area (**WCTA**). This area is positioned near the blossoming NOTO district and benefits from being on two main east-west thoroughfares. In addition, it is between two relatively stable areas of the community—the Kansas/Morse/Monroe/St. John blocks and the Morse/Harrison/Gordon/Topeka blocks. By focusing SORT improvements in WCTA, the projects will be visible to both residents and visitors to NOTO. This can go a long way in changing the misconceptions about North Topeka and increase the desirability of the entire neighborhood. In addition, there are a relatively high number of homeowners in this area so the influx of public monies will stimulate private investments into additional properties extending beyond the target area.

The secondary target area should be the Pioneer Curtis Junior High Target Area. This area, too, scored high in the needs assessment and will benefit from the stability provided by the Pioneer Curtis Junior High Anchor Area. Although this area lacks the proximity and drive by traffic associated with NOTO, Morse will provide good visibility to enhancements and improvements to this area.

The idea behind targeting is to focus a critical mass of improvements in a concentrated number of blocks so that it stimulates additional investment by adjacent property owners, increases property values, and leaves behind a visible transformation of the area. If the improvements are not visible enough, then the stabilization of that area is marginalized and investments to the area will not be leveraged. Each Target Area may require a different set of strategies for improvement. Ultimately, public funding is limited for improvement and some of the strategies outlined for these areas will not be made in a sufficiently timed manner for the improvements necessary.

Detailed descriptions below describe the proposed Target Areas based on their recommended order of priority. The most significant needs within each Target Area should be adequately addressed before moving on to the next area.

Map 12: Target Area Concept Map



1) West Central Target Area

Pro: Central location; high visibility; old residences; already seeing some benefits from NOTO development

Con: Just a few blocks have immediate needs; the adjacent blocks are low-moderate need

2) Pioneer Curtis Jr. High Target Area

Pro: Already seeing redevelopment; moderate home ownership

Con: Not many old residences

3) East Central Target Area

Pro: Moderate-high need

Con: Moderate exposure; low homeownership; not as much immediate need

4) Little Russia

Pro: High need

Con: Low visibility/localized area; low homeownership; low impact

5) Northeast Target Area

Pro: High need

Con: Limited exposure; low homeownership

1. West Central Target Area

Location

This area lies along NW Gordon, a major thoroughfare leading to NOTO and is a highly visible target area. It is bordered by NW Gordon, NW Morse, NW Harrison, and NW Central. Building conditions for these blocks showed intermediate deterioration but tended to have a moderate amount of homeownership. Improvements here will be apparent both to the residents, neighboring streets, and visitors to the area. A main thought behind applying the SORT funding to a neighborhood is to stimulate private dollars being invested. By locating the primary target area here, it will have a high impact on the surrounding neighborhood through perception and visibility.



Infrastructure

This section of Historic North Topeka East is in need of street, sidewalk, and alley repairs. There are brick streets along NW Jackson St in the 1000 and 1100 blocks that have been patched with asphalt that need to be repaired and returned to good condition. Additionally, there are brick sidewalks along NW Jackson, NW Central, NW Van Buren, NW Harrison, and NW Fairchild that are in need of repair (see Map 18). Curbs along NW Jackson are made of stone but need repair in some sections. Stone curbs should be preserved wherever it is in good conditions. Where stone curbing is required because of deterioration, concrete curbing should be used per City Engineering standards to mirror the existing stone curbing. This plan recommends retaining and protecting the integrity of the existing brick and stone infrastructure in the streets and sidewalks of this Target Area.

The alleys in this target area are graded gravel and are filled with potholes. All alleys here should be concreted to improve circulation, drainage, and image. However, prior to alley reconstruction, the sewer lines in the alleys should be evaluated to determine needed repairs or maintenance.

Housing

Housing improvement strategies should include a combination of:

- Interior and exterior rehabilitation of many existing owner-occupied homes;
 - Exterior rehab of some renter-occupied homes;
 - Conversion of some renter-occupied homes into owner-occupied homes;
 - Demolition of selected vacant, sub-standard homes in combination with the major rehabilitation of adjacent owner-occupied homes or with infill development of owner-occupied homes.
- ✓ This area is bordered by the NOTO Anchor and relatively stable blocks to the west.
 - ✓ The Kickoff Meeting survey showed that the residents of HNTE value the historic structures in their community. There are also a substantial number of intact houses from pre-1920, brick sidewalks, and a brick street, all adding to the historic feel of this target area.



- ✓ Many of the streets in this area are in need of resurfacing and the sidewalks are either non-existent or in need of repair.

Street Improvements/Sidewalks

- NW Central (1000-1100)
- NW Jackson (1000 block)
- NW Harrison (1100 block)
- NW Van Buren (1000 block)

Sidewalks

- NW Fairchild (200-400 blocks)
- NW Van Buren (1000-1100 blocks)
- NW Harrison (1000 block)
- NW Jackson (1100 block)

2. Pioneer Curtis Junior High Target Area

Location This area lies to the north of Morse and is adjacent to the Pioneer Curtis Junior High Anchor Area. It includes the 1200 and 1300 blocks of NW Jackson St, the 1200 block of NW Van Buren St, the 200-400 blocks of NW Grant St, and the 300 block of NW St. John St. This development has significantly improved the old Curtis Junior High block—improvements now need to be made to the streets and housing surrounding Curtis so as to tie it in to the fabric of the neighborhood. Applying SORT funding here will support the private investments made thus far and encourage owners to improve the surrounding properties as well.



Infrastructure

This section of Historic North Topeka East is in need of street, sidewalk, and alley repairs. There are brick streets along NW Jackson St in the 1200 and 1300 blocks that have been patched with asphalt that need to be repaired and returned to good condition. Additionally, there are brick sidewalks along NW Jackson, NW Central, and NW Van Buren that are in need of repair. This plan recommends retaining and protecting the integrity of the existing brick and stone infrastructure in the streets and sidewalks of this Target Area.

The alleys in this target area are graded gravel and are filled with potholes. All alleys here should be concreted to improve circulation, drainage, and image. However, prior to alley reconstruction, the sewer lines in the alleys should be evaluated to determine needed repairs or maintenance.

Housing

Housing improvement strategies should include a combination of:

- Interior and exterior rehabilitation of many existing owner-occupied homes;
- Exterior rehab of some renter-occupied homes;
- Conversion of some renter-occupied homes into owner-occupied homes;
- Demolition of selected vacant, sub-standard homes in combination with the major rehabilitation of adjacent owner-occupied homes or with infill development of owner-occupied homes.

- ✓ Pioneer Curtis Junior High has been renovated; by improving the blocks close to it, it would be possible to build off its' success and to keep the improvements blossoming outward.
- ✓ Some blocks in this area have relatively high owner-occupied housing.
- ✓ This is located on a major street way and would be used by people accessing Pioneer Curtis Junior High—that amount of visibility of improvements here would help in changing the perception and associations with Historic North Topeka East.

Sidewalks

- NW Van Buren (1200 block)
- NW Grant (200-400 blocks)
- NW Jackson (1200-1300 blocks, brick)



3. East Central Target Area

Location

This target area encompasses the blocks north of Gordon, east of Quincy, and south of Morse. There is not as much visibility here than in the first two target areas, as Morse is the only major thoroughfare. Though this is proximal to NOTO and the stabilizing Kansas/Morse/Monroe/St. John blocks to the north, the area does not have its own factor to draw people and attention to projects occurring within. Projects in this target area should be completed after significant progress has been made in the primary and secondary target areas.

Infrastructure

This section of Historic North Topeka East is in need of street, sidewalk, and alley repairs. The 1100 block of NE Jefferson lacks sidewalks, curbs and gutters. Prior to any road reconstruction, the utility infrastructure underneath the road should be evaluated and replaced if necessary. Additionally, there are brick sidewalks along NE Monroe, NE Gordon, and NE Fairchild that are in need of repair. This plan recommends retaining and protecting the integrity of the existing brick infrastructure in the sidewalks of this Target Area only if they fall within the environs of a designated state or national historic property, a Historic District, or a Local Landmark.

The alleys in this target area are graded gravel and are filled with potholes. All alleys here should be concreted to improve circulation, drainage, and image. However, prior to alley reconstruction, the sewer lines in the alleys should be evaluated to determine needed repairs or maintenance.

Housing

Housing improvement strategies should include a combination of:

- Interior and exterior rehabilitation of many existing owner-occupied homes;
- Exterior rehab of some renter-occupied homes;
- Conversion of some renter-occupied homes into owner-occupied homes;
- Demolition of selected vacant, sub-standard homes in combination with the major rehabilitation of adjacent owner-occupied homes or with infill development of owner-occupied homes.

- ✓ These are single family residential blocks but many of the houses show major deterioration and dilapidation.
- ✓ The blocks to the south of the target area have shifted to primarily industrial use.
- ✓ Home ownership is still very low in this area (~18-45%) but has actually improved since 1999.

Street Improvements

- NE Jefferson (1100 blocks)

Sidewalks

- NE Gordon (100-400 blocks)
- NE Fairchild (200-400 blocks)
- NE Madison (1000-1100 blocks)
- NE Monroe (1000-1100 blocks)

4. Little Russia

Location

Little Russia had been isolated from the rest of the HNTE community, with access only by crossing the railroad tracks, until the flyoff was constructed from the Sardou Bridge in 2001. The streets are narrow and Sardou Street dead-ends without a turnaround. Because of the isolated nature of this section of HNTE, combined with the lower visibility and a lower potential impact, it is recommended that improvements to this area begin after the majority of improvements are made in the previous target areas.

Infrastructure

This section of Historic North Topeka East is in need of street, sidewalk, and alley repairs. The 500 block of Fairchild lacks sidewalks, curbs and gutters, and needs repairs on antiquated utilities underneath the road. Prior to any road reconstruction, the old utility piping should be replaced.

The alleys in this target area are graded gravel and are filled with potholes. All alleys here should be concreted to improve circulation, drainage, and image. However, prior to alley reconstruction, the sewer lines in the alleys should be evaluated to determine needed repairs or maintenance.

Housing

Housing improvement strategies should include a combination of:

- Interior and exterior rehabilitation of many existing owner-occupied homes;
- Exterior rehab of some renter-occupied homes;
- Conversion of some renter-occupied homes into owner-occupied homes;
- Demolition of selected vacant, sub-standard homes in combination with the major rehabilitation of adjacent owner-occupied homes or with infill development of owner-occupied homes.

Street Improvements

- NE Fairchild (500 block)

Sidewalks

- NE Gordon (500 block)



5. Northeast Target Area

Location

This target area is encompassed by NE Madison St, NE Grant St, NE Jefferson St, and NE Paramore St. It lacks significant sections of infrastructure, such as sidewalks, standard street widths, and curbs and gutters. It is also located near three strong areas: Garfield Park, Quincy Elementary School, and the Kansas/Morse/Monroe/St. John blocks. However, it is also extremely isolated and removed from major roads. This significantly limits the impact and promotion of projects located in this area. Therefore, major improvements to this area should be considered after completion in the previous target areas.

Infrastructure

This section of Historic North Topeka East is in need of street, sidewalk, and alley repairs. The 1300 through 1500 blocks of NE Jefferson lacks sidewalks, curbs and gutters. Prior to any road reconstruction, the utility infrastructure underneath the road should be evaluated and replaced if necessary.

The alleys in this target area are graded gravel and are filled with potholes. All alleys here should be concreted to improve circulation, drainage, and image. However, prior to alley reconstruction, the sewer lines in the alleys should be evaluated to determine needed repairs or maintenance.

Housing

Housing improvement strategies should include a combination of:

- Interior and exterior rehabilitation of many existing owner-occupied homes;
- Exterior rehab of some renter-occupied homes;
- Conversion of some renter-occupied homes into owner-occupied homes;
- Demolition of selected vacant, sub-standard homes in combination with the major rehabilitation of adjacent owner-occupied homes or with infill development of owner-occupied homes.

Street Improvements

- NE Jefferson (1300-1500 blocks)
- NE St. John (400 block)
- NE Grant (400 block)

Sidewalks

- NE Madison (1300-1500 blocks)
- NE Paramore (400-500 blocks)

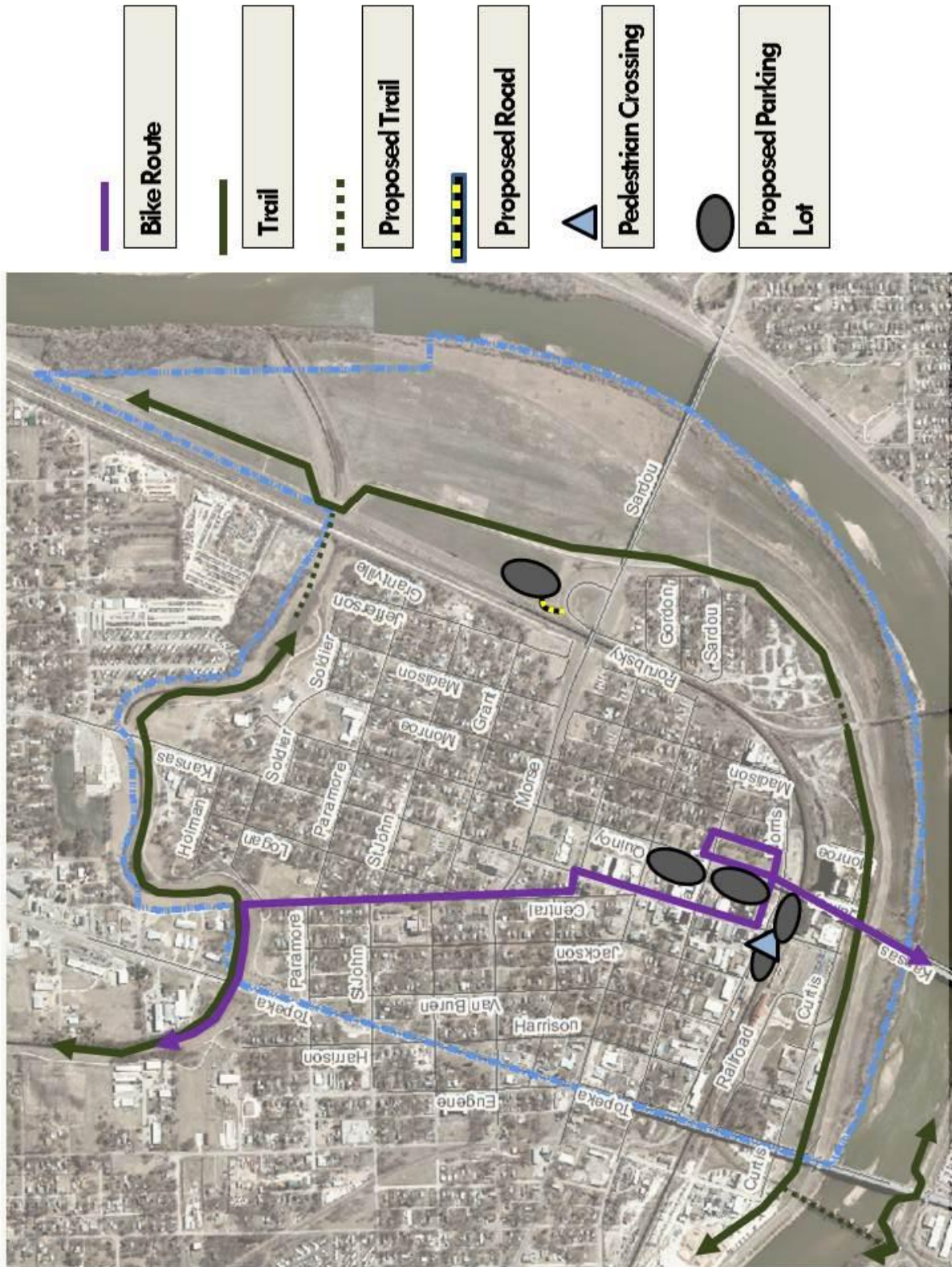
NEIGHBORHOOD-WIDE STRATEGIES

CIRCULATION PLAN

The Plan's goals and guiding principles translate into the following major recommendations for circulation as illustrated on Map 13:

- Specially designed wayfinding signage is needed to help draw attention to the Great Overland Station and NOTO and should be placed at key points directing traffic to and from Gordon Street, N. Kansas Avenue, and the Curtis Flyoff.
- Heavy truck traffic should be minimized in the NOTO/Riverfront area. This traffic has largely diminished due to the decreasing industrial activity in this area. Large trucks that still do come to this area make use of the Curtis Flyoff to avoid traveling through the NOTO area. No heavy truck traffic should be allowed in the 800-900 blocks of N. Kansas Avenue.
- Additional parking should be added to support the growth of the NOTO, Great Overland Station, and Riverfront areas. The existing parking capacity in the N. Kansas Avenue area is comprised of roughly 150 on-street spaces on N. Kansas Avenue and side streets and a 225 space parking lot (if redesigned) at the foot of the Kansas Avenue bridge. Other lots could be added on N. Kansas Avenue or on Norris Street.
- Bikeways and bike paths need to link Historic North Topeka East to the bike and trail network throughout Topeka. The Topeka Bikeways Master Plan shows a route traveling through North Topeka that will be implemented with the Phase 1 funding, awarded in 2013. This route will mostly consist of “sharrows” – on-street pavement markings indicating that the travel lane is a shared lane between cars and bicycles.
- If the railroad abandons the current railroad bridge west of the Topeka Boulevard Bridge, Shawnee County should acquire the bridge as part of the trail network.
- Pedestrian linkages throughout the community need to be developed. Some places in need of improvement are:
 - across the railroad tracks at Norris and Kansas
 - along the levee of the Kansas River
 - connecting Old Solider Creek Trail to the Levee Trail
 - along paths connecting parking lots behind storefronts to the interior of N. Kansas Ave.

Map 13: Circulation Plan



SAFE ROUTES TO SCHOOLS

The Shawnee County Health Agency applied for a Safe Routes to Schools planning grant in 2013. This grant would look at a two-mile radius around Quincy Elementary School which would cover much of the Historic North Topeka East planning area. Several factors weighed into identifying this school as their project area: a high percent of economically disadvantaged students; a high student obesity rate; and Quincy being a low performing school, which is now a USD 501 “School of Interest.” In addition, collaboration between Quincy Elementary and the NOTO Arts District has led to students going to NOTO for art programs, which also supports the need for the Safe Routes planning grant.

This planning grant would be the first step in plans for advancing safety in this area. From this, the goal is to create a master plan for the area and then to apply for funds for infrastructure improvements. These would include crosswalks, signage, and sidewalks.

In 2011, the City of Topeka Planning Department completed a study looking at the impacts on neighborhoods if USD 501 closed elementary schools. This study looked at a range of factors to rank the importance of a local school to a neighborhood.

- Median property values adjacent to the school compared to the neighborhood
- Homeownership adjacent to the school compared to the neighborhood
- Percent of students in the school area attending other schools
- Neighborhood Health ranking
- School building re-use potential

Out of all the elementary schools, Quincy Elementary School would have the greatest negative impact upon its neighborhood if closed.

NORTH CROSSINGS

The mixed-used North Crossings district combines the NOTO Arts District, Great Overland Station site, riverfront, and historic blocks south of Gordon Street between Topeka Boulevard and Quincy Street into a unified theme district based on the area’s prominence in Topeka/national history. These historic “crossings” – Pappan’s Ferry established in 1849 led to Topeka’s founding and eventually helped African-Americans escape into freedom on the Underground Railroad, the crossing of the first train through Topeka in 1865, and the crossing of western settlers along the Oregon Trail – all took place within this geographic setting. Today, it is envisioned that this area can become a new crossings for Topekans and visitors alike to learn about this historic setting while having fun doing it. It provides an identity to be celebrated by invigorating it with a new future while still rooted in its past prominence.

Accommodations should be made for new investment to further invigorate the district if blended appropriately. Four new development ventures are initially envisioned for the entertainment district to facilitate its growth: (1) continue supporting and expanding the NOTO Arts District (2) continue developing the Great Overland Station Museum, (3) a Riverfront Park and (4) a Pedestrian Overpass

NOTO

Any place left primarily to tourists ceases to be a real place and eventually loses its appeal even to tourists

Roberta Brandes Gratz, *The Living City*

Most mid-sized to large cities are reviving obsolete warehouse and commercial districts into “old town” mixed-use restaurant/bar, entertainment, shopping, and living areas. Whether it is Kansas City’s River Quay, Oklahoma City’s Bricktown, or Lincoln’s Haymarket, these areas all try to recreate urban marketplaces festive for tourists and locals alike. They all are intimate places steeped in history that were cut-off from the city’s central business district, but whose buildings remained intact representing opportunities to re-adapt them into new ways of enjoying our urban spaces. Once an attraction is established and commercial uses follow, a residential component is phased in making them true urban marketplaces with 24-hour activity. Topeka’s traditional downtown provides for some opportunity for this, but lacks an intimate setting or “district” that is walkable and cohesive. A district has not yet evolved in Topeka that could attract and retain younger adults that would compare to Lawrence’s downtown, Manhattan’s Aggieville, or Kansas City’s Westport.

In 1999, Topeka’s most adaptable area for such a mixed-use entertainment district was centered on and around the historic 800-900 blocks of N. Kansas Avenue. Since then, this district has been transformed into the NOTO Arts District. Over 200,000 square feet of ground floor space exists within these two blocks of attached buildings with uses including artist studios and galleries, antique shops, restaurants, fine jewelry, plumbing, and window repair. The district was once the hub of community of life in North Topeka—particularly prior to the 1951 flood—where residents came to shop and do business, forming a vibrant north end of Topeka’s Kansas Avenue corridor. Now, it is reaching out to the rest of the Capitol City and beyond as an artistic destination and shopping experience. Since its inception in 2008, NOTO has seen 29 new businesses move into the historic blocks of N. Kansas Avenue, with more being added as spaces are renovated. The historic atmosphere of the area lends itself to pedestrian traffic through the continuous storefronts, the wide sidewalks inviting passersby, the variety of shops, and the inviting streetscape.

The key to the success of any mixed-used district is in its diversity. To truly be sustainable for the long-term, the arts district must position itself to have supportive and complimentary uses expanding the reasons to be there and length of the stay without compromising the original charm and character inherent to what attracted people there in the first place. Below are strategies to continue improving on the advances made in NOTO.

- Restore and maintain historic quality and pedestrian-orientation to buildings/streetscapes. An urban entertainment district works best where people are attracted because the place is “real”. That means keeping building forms, styles, and infrastructure true to their original feel and building off of the peculiarities of the area (see Design Guidelines and Illustration #1). In addition, dwellings that have been identified as homes of past railroad engineers, etc. could be saved and threaded into museum exhibits for the Great Overland Station.
- Seek out “destination” uses such as restaurants, micro-breweries, live entertainment, galleries, or recreational venues that will attract non-residents. Entrepreneurs need to be encouraged to locate businesses here that can be new attractions as well.
- Improve comfort-level. Safety is a major concern for most people not familiar with the area. An atmosphere of safety could be created by improving streetscapes, lighting,

storefronts, and visible security that can improve people's comfort-level. Security patrols or "ambassadors" could be utilized. The best assurance for safety remains in attracting a critical mass of users.

- Encourage adaptive re-use of buildings for residential and artist purposes. N. Kansas Avenue commercial buildings should be encouraged to re-use second/third story space for loft apartments. Likewise, historic non-commercial structures, particularly the residences in the 800 block of Jackson Street, should be preserved if not for housing then workspace, bed and breakfast, or other viable use. Likewise, old advertising signs on buildings could be re-painted. Artist space is almost non-existent in Topeka and the buildings could be pursued for living, work, and gallery space.
- Minimize heavy truck circulation (see Circulation Plan)
- Create a central gathering or civic space
- Provide for physical expansion in the future
- Maintain and encourage non-entertainment employment activity (e.g., smaller industrial businesses) to maintain daytime activity and potential retail customer base.
- Ensure that merchants/businesses do not monopolize convenient on-street parking spaces on N. Kansas Avenue. As success of new businesses grow in the area, parking will become premium. There are currently 150 on-street spaces in the 800-900 blocks of N. Kansas and on cross streets within a ½ block. This number will likely be slightly reduced when streetscape improvements are made. While parking lots are planned for, these on-street spaces will be the first to be filled and should be reserved for customers only with no curb cuts allowed.

GREAT OVERLAND STATION MUSEUM

Railroad Heritage, Inc. led the efforts to preserve and restore Topeka's historic Union Pacific Railroad station with \$3.4 million in federal ISTEA grants combined to \$2.6 million of matching private funds.

Permanent exhibits at the Great Overland Station chronicle the history of Topeka, the four railroads that served Topeka, Fred Harvey and the Harvey House Empire, and the history of the site (e.g. the native Kanza, the Oregon Trail and Charles Curtis). The Fink Exhibit Gallery displays touring and special exhibits that change 3-4 times per year. Hands-on activities for children are found in "Choo-Choo Junction" where kids climb onto the Big Red Caboose, dress in period clothing or create fluorescent art at the Flo-Graphix booth. Children also love the two locomotive simulators and the huge model train display. Trained docents lead tours and freight trains rumbling by add to the visitor experience. The Railroad Park at the Great Overland Station is currently under development (2013) outside the east end of the GOS. The Railroad Park, consisting of the historic Santa Fe depot from Welda, KS and four historic train cars, will extend to North Kansas Avenue, thus providing a more direct physical link for visitors and patrons to travel between the GOS to the NOTO Arts District.



In addition to its function as a museum, the Great Overland Station is the site of dozens of weddings, receptions, prom parties, corporate celebrations and meetings throughout the year. The elegant Grand Waiting Room and historic Dining Room provide unique backdrops for community gatherings inside, while the All Veterans Memorial and Corridor of Fifty Flags create a memorable scene for special outdoor events. The annual Topeka Railroad Festival is held at the Station each year in August, and patriotic events commemorate Memorial Day and Veterans Day.

Although, the building itself is physically separated from the entertainment district by two rail lines, it is a destination attraction that can act as an entertainment anchor for the district if better linked both visually and physically. Visitors from all 50 states and more than 40 foreign countries have found their way to the Great Overland Station—however, visitorship needs to increase. With the development of the Railroad Park at the Great Overland Station, new and returning visitors are projected to increase. Continued growth of the NOTO Arts District can have a positive impact on visitorship at the Great Overland Station as more people are drawn to the area, and museum visitors can create demand for services on N. Kansas Avenue. The synergy of retail and restaurant business in NOTO combined with a museum that offers exhibits and children's activities has great potential that can ultimately lead to increased success for the entire area. The area south of the Station is more appropriately linked to future efforts to redevelop the riverfront (see Riverfront).

THE RIVERFRONT

The area generally south of the Great Overland Station between the Kansas Avenue and Topeka Boulevard bridges comprises the Kansas riverfront on the north bank. In this area on the north side of Curtis Street, the Topeka Rescue Mission operates its Family and Children building on the northwest corner of N. Kansas Avenue and Curtis Streets and operates its main facility on the northeast side of that intersection. The Union Pacific Railroad retains ownership of the area where its control tower is situated, the old Gamble Robinson building, as well as the right-of-way for its tracks. On the south side of the tracks, this extends on as far as the fence between the UP tracks and the Great Overland Station. Of the remaining properties in this area, five are each individually owned. Railroad Heritage, Inc. controls the remainder of the property north of Curtis Street.

On the south side of Curtis Street, a fly-off from the Kansas Avenue Bridge down to Curtis Street was built by the City of Topeka in 2006 to provide vehicular and pedestrian access to the bridge. The remaining land on the south side of Curtis Street has been acquired by Shawnee County Parks and Recreation for development as the Riverfront Park.

Design plans for the Riverfront Park envision an Oregon Trail theme with a gradually-rising walkway to the top of the levee, broad trail along the top of the levee with “Prairie Schooner” features for seating and outdoor interpretive exhibits, a water feature and an amphitheater. Funding for the riverfront park has been provided by a dedicated ½ cent transient guest tax which has thus far been used to develop the design plan for the park and to acquire the property. This funding source will sunset in 2015 unless renewed. It is not expected to provide enough funding by that time to fully implement all the features of the riverfront park, but a start can be made. This landscaped urban green space would provide an ideal setting for family and community events spilling out from the Great Overland Station to the north as well as an ideal picnic or recreation area for NOTO patrons.

Vehicular access – Vehicular access to the area has been improved through the construction of the Curtis Flyoff. Direct access to NOTO is limited and occurs only at N. Kansas Avenue; users of this crossing are subject to frequent delays caused by the two active rail lines located between the Great Overland Station and NOTO. Another access route exists from Tyler Street and Curtis Avenue—however, this, too has an at-grade rail crossing on the same lines as the N. Kansas Avenue crossing.

Topeka Rescue Mission – Another 2.8 acres are owned by the Topeka Rescue Mission to operate the city's major homeless programs for men women, and children. Their main facility houses 100-110 men per night. It's sister facility across N. Kansas Avenue, the Hope Center, has beds for 150 women and children, with many more staying on cots throughout the facility. The Mission recently purchased the Bailey Building on the east side of the Kansas Avenue bridge—when this facility is renovated, it will hold up to 120 people per night, house a new kitchen facility, a clinic, and adult education classes.

The Great Overland Station Museum, beautiful skyline and Capitol views looking back across the Kansas River, and its frontage on the waterfront, all make this an ideal location to plan for future “greenfield” development.



It is proposed that a major urban park be established south of the Great Overland Station to the waterfront. It could be a logical extension for festivals and events held in conjunction with the Great Overland Station's programming (e.g., Railroad Days). As circulation in this district is improved, the riverfront park would be an ideal green space setting for city and regional events to take place and to make the river a new destination for Downtown. Access to an improved levee-walk with lighting, benches, etc., outdoor skating rinks, an amphitheater for outdoor music and stage productions, and sites commemorating historical events is also envisioned.

The Riverfront Park concept has been a project years in the making. At the Historic North Topeka East Kickoff Planning Meeting, this was the only item listed in the 1999 Plan that received an "F" grade (Appendix C). However, the City has been working over the last several years to implement this part of the 1999 North Topeka Plan. Dedicated City Transient Guest Tax dollars have been used to acquire many of the properties needed to make this into a feature destination. When this tax expires in 2014, in addition to properties already acquired, there will be approximately \$500,000 reserved for this park.

Unfortunately, due to the consolidation of the City and Shawnee County Parks and Recreation Department, buildings on the Riverfront Park project site are now in use. The Shawnee County Parks Department is unable to vacate these buildings until new facilities are constructed. This, combined with the budget cuts in the 2014 County budget, makes the future timeline for the completion of Riverfront Park uncertain.

Extension of the bed tax or other possible funding alternatives (e.g. sales tax) needs to be seriously considered to "finish" the City's first Riverfront Park.

BIKE AND PEDESTRIAN OVERPASS

In order for the N. Kansas Avenue entertainment district to be positively impacted by the Great Overland Station Museum and vice a versa, an overpass spanning the railroad tracks along Kansas Avenue is recommended to facilitate an unimpeded flow of bike and pedestrian traffic (see Map 13 for location).

This overpass would serve a two-fold purpose: 1) safe access between the entertainment district and riverfront district, and 2) a view platform. The safe access of pedestrians, persons with disabilities, and bicyclists who want to cross the tracks would be ensured with a ramp and pathway crossing the tracks. Station Museum patrons could park north of the tracks off of Norris without having to worry about getting stuck waiting for a train to clear. Likewise, those that do cross over the bridge would be treated to an ideal viewing experience from a secure platform where they could not only see the trains go by, but also feel them as they rumble underneath them. This sensory experience can be another part of the overall attraction to the Great Overland Station. This structure should be high enough for train clearance (25'), be architecturally compatible to the Station, and designed for natural surveillance to eliminate any hiding spots and to ensure a safe, welcoming atmosphere. Elevator access is not preferred due to the increased construction and maintenance costs, and capacity limitations, but should at least be explored during the design phase.

Two options are present regarding the exact siting of the structure—adjacent to the street, or in the right-of-way resulting in closing this portion of N. Kansas Avenue to vehicular traffic. With either option, sufficient ground would be needed to ensure the access ramps are ADA compliant.

Currently, the intersection of N. Kansas Ave and the Union Pacific railroad tracks is an at-grade crossing with flashing lights and automatic gates. This is an active rail line, with 80 trains estimated per day. Traffic is frequently stopped at this location as trains cross and the train whistles echo throughout North Crossings and the Historic North Topeka East neighborhood (current Federal Railroad Administration regulations require four horn blasts prior to a train entering a public at-grade crossing.) There have been two pedestrian fatalities at this intersection in 2013, in addition to fatalities in years past. Limited parking in the district—combined with the close proximity of attractions in the district and an increasing number of visitors—will require greater connectivity between NOTO and the Great Overland Station/Riverfront area.

It is the recommendation of this plan that the City should partner with the Union Pacific and stakeholders in North Crossings to implement improvements to the N. Kansas Avenue at-grade crossing while promoting a walkable and bike-friendly district uniquely tailored to meet the needs of the users. This may include safety studies and their implementation, funding for a bike/pedestrian bridge or linkages, increased parking in proximity to bike/ped linkages, and integrating art/architecture into any bridge structure. Design options for a bridge, regardless of its location, must include stakeholder and community input so that the structure is a destination itself because of its design, a point of pride with the community, and blends well within the historic character of the area. Below is an example of the Freight House pedestrian bridge in Kansas City that exemplifies these qualities.



NORTH CROSSINGS MASTER PLAN

Even just looking at the last decade, much has changed in the North Crossings area. The area has transformed from industrial uses to a shopping and cultural destination. The key stakeholders in the North Crossings—NOTO, the Great Overland Station, the City of Topeka, Shawnee County Parks and Recreation, the Topeka Rescue Mission, and the Riverfront Authority—all have plans of expanding their operations in the near future. Additionally, the Riverfront Park is poised to become a reality and the Riverfront Authority has hired a consultant to, among other things,

encourage high quality public and private development along the River. All of these activities are bringing more visitors and more development pressure to the North Crossings area. The coordination of these activities and appropriate support facilities are essential to the continuing success of this location. This Plan recommends the creation of a more detailed North Crossings Master Plan to describe the future of this area, including the following goals:

- Traffic and pedestrian circulation patterns
- Ensure the safety and the perception of safety through design elements (CPTED, lighting, etc.)
- Utilize wayfinding signage to capitalize and enhance the synergy of NOTO, the Great Overland Station, and the Riverfront
- Expand the area's capacity by installing new surface parking lots with sensitive design elements (landscaping, buffering, attractive lighting)
- In addition to function and form, include artistic or historic elements in infrastructure
- Expand and enhance the current park and green space facilities
- Collaborate with the Union Pacific Railroad on the repurposing of industrial properties under their ownership to uses that enhance the district
- Improve secondary routes into the district, including the Laurent-Quincy-Norris loop designated as a bike route on the Topeka Bikeways Master Plan

CHARACTER AND IMAGE

The kind of culture that can maintain reasonable human commitments takes centuries to create but only a few generations to destroy.

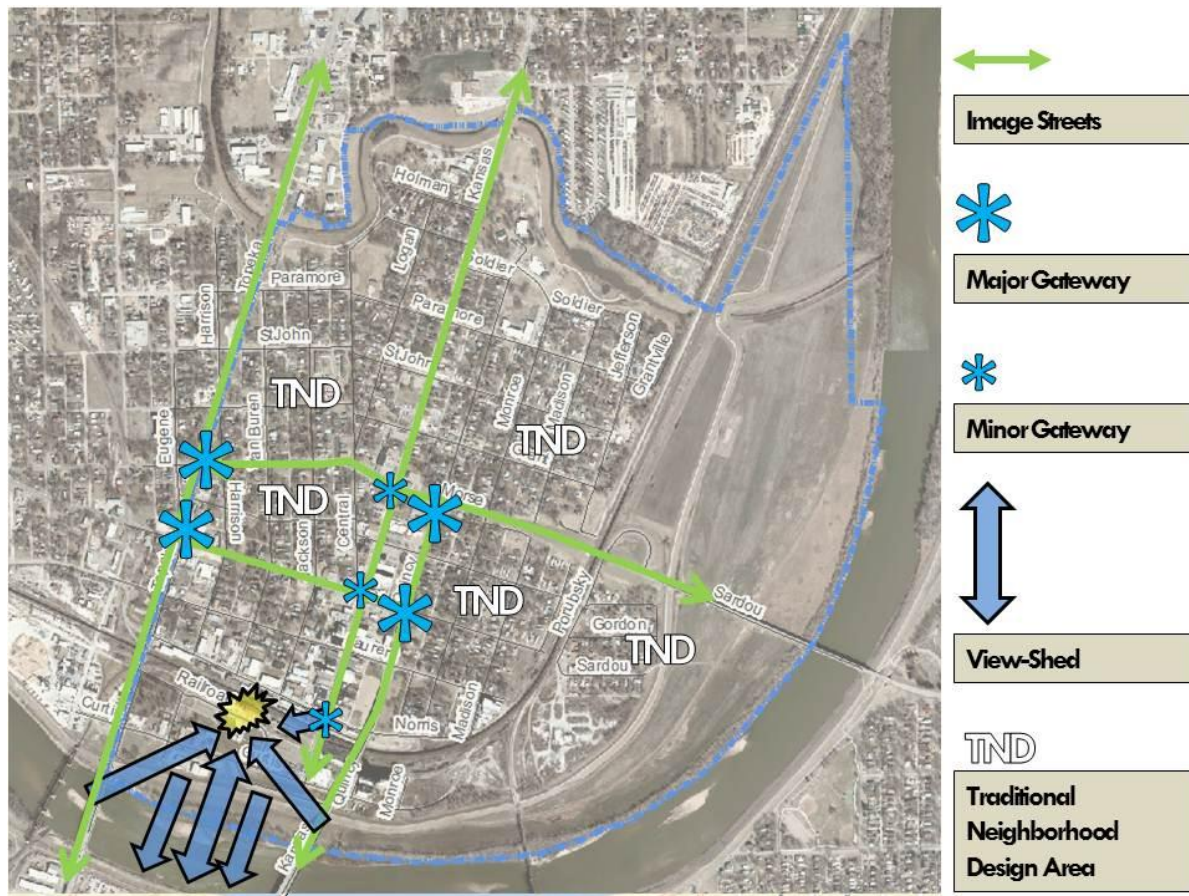
James Q. Wilson, *The Moral Sense*

The enormous appeal and potential of Historic North Topeka East lies within preserving and restoring the period building styles and intimate street settings of traditional neighborhoods that predated post-World War II development. This generation of North Topeka has become stewards to this legacy and finds itself faced with the question of "how?" Surveys show that much of this legacy has been lost already to deterioration and neglect. With many of the buildings evoking turn-of-the-century attributes, ways to protect the area from further loss of character need to be pursued. Value, in both property and community, is lost when these elements are not maintained. Education is essential to recapturing these neglected treasures, as well as maintaining existing and creating new treasures. Good design does not have to cost any more than less sensitive design. Understanding what constitutes appropriate design for the area will empower the community to pass this legacy on to the next generation.

URBAN DESIGN FRAMEWORK

Why do some places affect us so mysteriously and forcefully while others don't? The urban design framework describes an "anatomy" of place and how spatial elements can be enhanced to function together for successful revitalization (Map 14). It describes elements of our everyday environments that can alter the quality and perception of an area. Urban design "clues" for the Planning Area are broken down into traditional neighborhood design, districts, edges, views, landmarks, streetscapes, and paths.

Map 14: Urban Design Framework



1. Traditional Neighborhood Design

Traditional Neighborhood Design (**TND**) elements are reminiscent of small towns or villages that capture a real sense of community. Historic North Topeka East is blessed with many of these same elements of a traditional neighborhood since it was originally laid out as a small town itself. Identifying, promoting, and expressing these elements are a major factor in reviving this “new” image and returning market stability to property values. Some of the more relevant components to TND include the following:

- Size and density – A complete, walkable neighborhood unit is best accommodated in an area of 40-160 acres at an average density of 5+ units per acre. This provides for a critical mass of people in close proximity to daily services and activities.
- Internal balance of housing, jobs, and services – Traditional neighborhoods were developed around a full range of daily activities. They provided places for people to live, work, and play.
- Identifiable neighborhood center – A civic focus and informal gathering place for residents/users of the area fosters community socializing, celebrations, and identity.
- Streets for both people and cars – Neighborhood streets are public places meant to comfortably accommodate all forms of transportation, including pedestrians and bicyclists.

- Human-scaled building types – Small lot platting, variety of building articulations fronting the street at eye-level, and front porches that promote social interaction are types of “human-scaled” elements that generate a cohesive urban pattern.

2. Districts

Districts are classified as smaller sub-areas of a Planning Area or neighborhood that represent a cohesive grouping of like uses and character that may have physically or mentally-defined boundaries. Crossing over district boundaries should be noticeable and are typically marked by changes in land use. Districts for the Neighborhood include Residential, Mixed Use, NOTO, and the Riverfront.

3. Edges

Edges refer to a neighborhood’s appearance at its boundaries or exterior. These are the most visibly-prominent areas of the neighborhood because they typically border heavily traveled streets and convey a continual impression of a neighborhood. Edges can be broken down into gateways and image streets/areas:

- Gateways – Gateways are a district’s “front door” into the community. They greet one’s entry into a district and give the first impression of an area. They can be designed at pedestrian or vehicle-scales and can include prominent buildings as well as landscape, signage, or focal point treatments. Major gateways are the key entry points into Historic North Topeka which occur at Quincy/Laurent, Quincy/Morse, Topeka/Gordon, and Topeka/Paramore. Secondary gateways occur at Kansas/Morse, Kansas/Gordon, Quincy/Laurent, and Topeka/Morse.
- Image Streets/Areas – Since streets are public spaces, the more frequently used streets act as further image identifiers of a place. The same can be said for non-street public spaces as well. In Historic North Topeka, key image streets include Topeka Boulevard, N. Kansas Avenue, Quincy Street, Gordon Street, and Morse Street. In addition, areas that will be more frequently used or draw more attention of people include the area around the Great Overland Station, the riverfront (particularly as seen from the bridges), and the Garfield Park/Quincy Elementary School area.

4. Views/Landmarks

Views of visually arresting landscapes, be it a single structure, group of buildings, or natural formations, can be a transforming experience that prompts a highly positive connection to a certain place. Historic North Topeka offers several prized view-sheds that, if protected and capitalized upon, can open up new “windows” to previously obscured landmarks offering completely new experiences of place. These view-sheds include:

- View to Capitol dome – Van Buren Street looking south of Gordon; Great Overland Station looking south
- View to Great Overland Station (see picture) – Alley between Van Buren and Jackson looking south of Gordon; Norris Street/Kansas Avenue looking west; Topeka Boulevard and Kansas Avenue bridges looking northeast and northwest, respectively; Curtis Street looking north between Jackson and Van Buren
- View to Kansas River – Topeka Boulevard and Kansas Avenue bridges looking northeast and northwest, respectively; top of levee looking south, east, and west; elevated view looking south of Great Overland Station

- View to Downtown skyline – Most north-south streets looking south between Topeka Boulevard and Kansas Avenue; top of the levee

5. Streetscapes

The area between the building walls and the street can be defined as the streetscape. With buildings traditionally parallel to the street, a streetscape is the building fronts and the street together. The character or quality of a streetscape is dependent upon the quality of the street, the buildings that front it, and the combined effect of the two. (Sec. F – Design Guidelines)

Urban Design Recommendations:

Traditional Neighborhood Design (TND) elements can be translated into performance measurements that will benchmark how well the neighborhood is doing in reestablishing itself as a traditional neighborhood:

- The number of dwelling units needs to increase by 100 units. While the Pioneer Curtis Junior High project added 59 units, and two new homes have gone into HNTE, there were 47 demolition permits issued since 1999.
- Allow people to live, work and play in the same proximity. Mixed Use zoning has been applied to 15.8% of the land in the planning area and allows for this to develop.
- Develop a community-gathering place in conjunction with the Great Overland Station and NOTO
- Establish building design guidelines for residential and commercial in-fill development (see Design Guidelines under V, Character and Image)

Other key urban design strategies that will take advantage of Historic North Topeka East's inherent qualities include:

- Focus revised "historic" neighborhood signage and landscape elements at major gateways and reflect higher quality development at all gateway points complimenting historic character of area.
- As a priority, focus major rehabilitation efforts and new in-fill development along image streets/areas while removing blighting influences.
- Encourage the "greening" of current brownfields that define Historic North Topeka edges, images

6. Paths - (see Section V, Circulation Plan)

HISTORIC PRESERVATION

Historic North Topeka East has been a community since 1865 and historic architecture can be seen throughout its streets. Many of the houses were constructed prior to 1915 (Map 10) and the 800 and 900 blocks of N Kansas Ave. were included in the 2012 Downtown Topeka Historic Resources Survey. With the increased opportunities associated with Historic Tourism as well as HNTE's historic resources in the Great Overland Station and NOTO, several opportunities exist to preserve this neighborhood's historic charm.

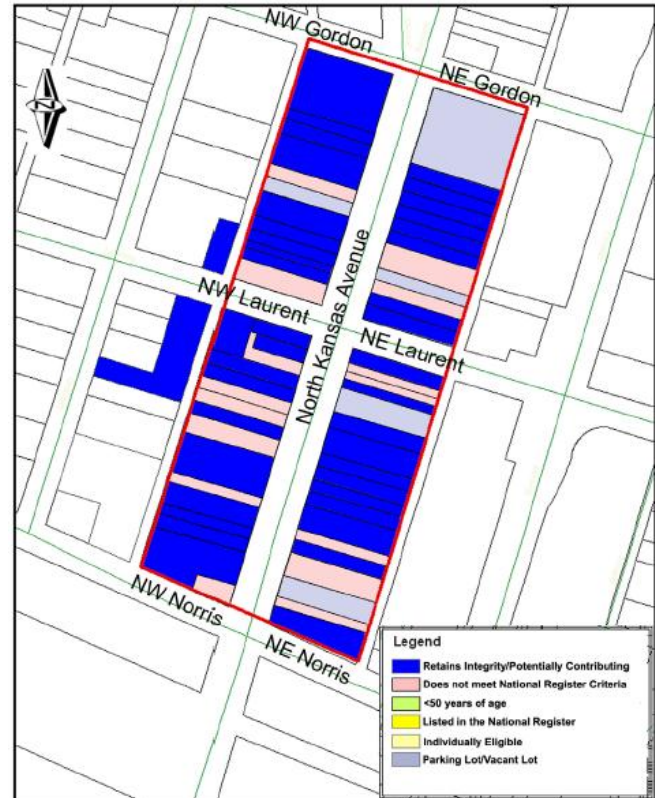
2012 Downtown Topeka Historic Resources Survey

A survey was recently completed through the Planning Department in 2012 by Rosin Preservation LLC (with funding from the State Historic Preservation Office) of properties along North and South Kansas Ave that comprise the historic commercial corridor. This was done to create a comprehensive inventory to identify buildings that should be preserved and historic districts that could be established. The survey identified 40 properties along N. Kansas Ave that either retained their historic integrity or were potentially contributing to the historic environment. The 800-900 blocks of N. Kansas Avenue, the heart of the NOTO arts district, was found to have

sufficient integrity to warrant a state/national historic district. Any successfully listed properties or districts would qualify for financial incentives such as state and federal historic tax credits. Further consideration of a district should be pursued in collaboration with the property owners as this is the most significantly intact grouping of historic commercial buildings remaining in Topeka.

Neighborhood Conservation District

The Neighborhood Conservation District (**NCD**) is a zoning overlay district that could be thought of as “Historic District-Lite.” While it still looks at protecting the properties within it, it mainly focuses on preventing incompatible new construction or development. It can be tailored to the specific needs and can focus on preserving particular aspects of the neighborhood. As this is tailored to the neighborhood’s desires, it could be specified for new construction or extended to substantial additions to existing buildings as well. This can be specified for selected blocks that retain historic attributes or character or to larger areas as well. There is an extensive amount of latitude and flexibility with this preservation tool that could greatly benefit the Historic North Topeka East planning area.



DESIGN GUIDELINES

COMMERCIAL AND MIXED USE:

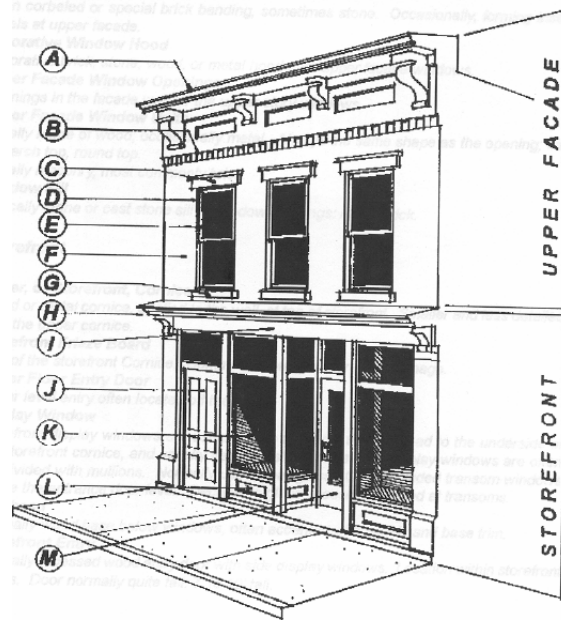
Commercial and mixed-use buildings of historic character and sufficient integrity are primarily found in the 800, 900, and 1000 blocks of N. Kansas Avenue. The Great Overland Station, listed on the National Register, should also be looked at as a model for new and renovated commercial/mixed-use buildings. These and other commercial buildings within the planning area that have potential for local or national listing should adhere to basic guidelines below for rehabilitation as demonstrated by Illustration 2, and Illustration 3.

1. Street Facades and Rehabilitation

- Original facades, including windows and openings, should be retained.
- Encourage removal of applied siding treatments, metal fasciae and canopies wherever possible.
- Repair damage from siding treatments and rejuvenate upper facades hidden by treatments. Siding treatments often tend to preserve the façade in good condition. If architectural elements (e.g., upper and lower cornices) have been removed or damaged, reconstruct/restore original elements.
- Maintain or reconstruct large storefront windows. Original storefront windows usually begin at 18”-24” above the ground and extend to the underside of the second floor.

- NEVER paint unpainted brick or sandblast brick to remove paint. If painted, colors should visually relate to building elements and neighboring facades (i.e., earth-tones). Placement of colors should be based on the existing hierarchy of detail: base and major/minor trim colors. Base color is the upper wall surface and storefront piers.

Illustration 1: Traditional Storefront



- A. Upper Cornice
- B. Brick Decoration
- C. Window Hood
- D. Window Openings
- E. Window Units
Always the same shape as window openings.
- F. Masonry Wall
- G. Window Sill
- H. Storefront Cornice
- I. Storefront Frieze Board
Common location for sign
- J. Upper Floor Entry Door
- K. Display Window
Normally clear glass separated from window transom w/ mullions. Extends to underside of 2nd floor.
- L. Bulkhead
Normally wood based below windows, accented w/ panels and base trim.
- M. Storefront Entry
Typically recessed door with side display windows.

- New windows should fit the size and shape of their original openings. Mirrored or smoked-glass windows should not be used since they are not original materials and detract from the district's character.
- Maintain original decorative stone details, window hoods, cornice brackets and woodwork whenever possible.
- Awnings or canopies should be of traditional design, preferably cloth, and not unusually large or awkward in shape. Avoid excessive signage on awnings, back-lit awnings, and round awnings.
- Keep the size of signs modest and locate them at the storefront cornice line; they may overhang the public right-of-way if they do not obscure architectural details or dominate the building. Avoid plastic materials on the exterior of signs since this is not a traditional material. A well designed and maintained building is as much of an advertisement for a business as the sign itself.
- Avoid permanent fences visible from street frontages or public areas that are chain-link or wire. Barbed wire should not be permitted in a non-industrial district.

2. New Construction

- All building designs should be compatible with the major elements of historic architecture along the N. Kansas Avenue mixed-use district and the Great Overland Station: red brick buildings with limestone or grey concrete trim are desirable.

- Buildings should be set back from the street uniformly to present a continuous façade line along the street, except that minor recesses, projections for entries, and similar elements may be acceptable.
- Human scale elements along the street front should be included within the building's design.
- The desired height of buildings should not exceed forty (40) feet.
- The street grid system and views of the Union Pacific Depot and Capital need to be preserved.
- Parking lots should have CPTED ("crime prevention through environmental design")-approved design elements, interior landscaping, and be located behind buildings in the interior of blocks, or side yards to the maximum extent feasible.
- Mechanical or electrical equipment should be hidden or screened from street level view.
- Design guidelines for commercial and mixed-use structures should at a minimum be applied to the NOTO District with consideration given to "expansion" or "riverfront" areas for new construction.

3. Streetscapes

Streetscape guidelines would apply to N. Kansas Avenue (500-1000), gateways and other "image" streets identified under the Urban Design Framework. Some major recommendations for the 800-900 blocks of N. Kansas Avenue include:

- Pedestrian Bump-outs – Located at intersections and mid-block crossing to shorten pedestrian crossing distances, slow traffic, and visually deter heavy truck traffic. These bump-outs should include space for raised landscaped planters that are slightly setback from the curb at intersections and mid-block crossing.
- Overhead Gateway Signage – Located at Gordon and Norris for gateway affect and to deter heavy truck traffic.
- Sidewalks – The possibility exists for the 10' wide sidewalks to be extended up to 18' to provide for outdoor display, dining, planter, and/or street furniture space. New sidewalk concrete should be laid with brick paver trim and brick paver treatments at intersections, crosswalks, and any extensions of the sidewalk.
- Shade Trees – Shade tree plantings should be spaced from intersection to intersection judiciously so that storefronts are not obscured to any great extent, but that a pleasant walking environment is provided; at a minimum, intersections and mid-block crossings should have multiple plantings.
- Lighting – Existing street lights are spaced at a 100' interval. Since the fluted poles retain a desired character, they should remain to provide vehicular light. Pedestrian lighting that is historically compatible could either be spaced mid-point between the street lights or attached to the street lights with an arm bracket overhanging the sidewalk. In addition, metal placards or signs could be placed on light poles at pedestrian level scale with the district name on them. Interchangeable canvas banners could be placed higher up on the street light poles announcing different events.
- Street Furniture – Benches and trash receptacles should be historically compatible to building architecture and placed at appropriate intervals along the sidewalk. They should also be of a durable construction to minimize vandalism.

CPTED Guidelines

Safe Streets and the Police Department can help the neighborhood determine which property configurations discourage criminal activity. These methods, known as CPTED (Crime Prevention Through Environmental Design) follow four basic principles: access control, surveillance, territorial reinforcement, and maintenance.

Access control:

- This involves designing streets, sidewalks, building entrances, and neighborhood gateways to clearly indicate transitions from the public environment to semi-private and private areas.

Surveillance:

- A design principle that maximizes the visibility of people, parking areas, vehicles, and site activities. Strategies involve the strategic placement of windows, doors, walkways, parking lots, and vehicular routes.

Territorial reinforcement:

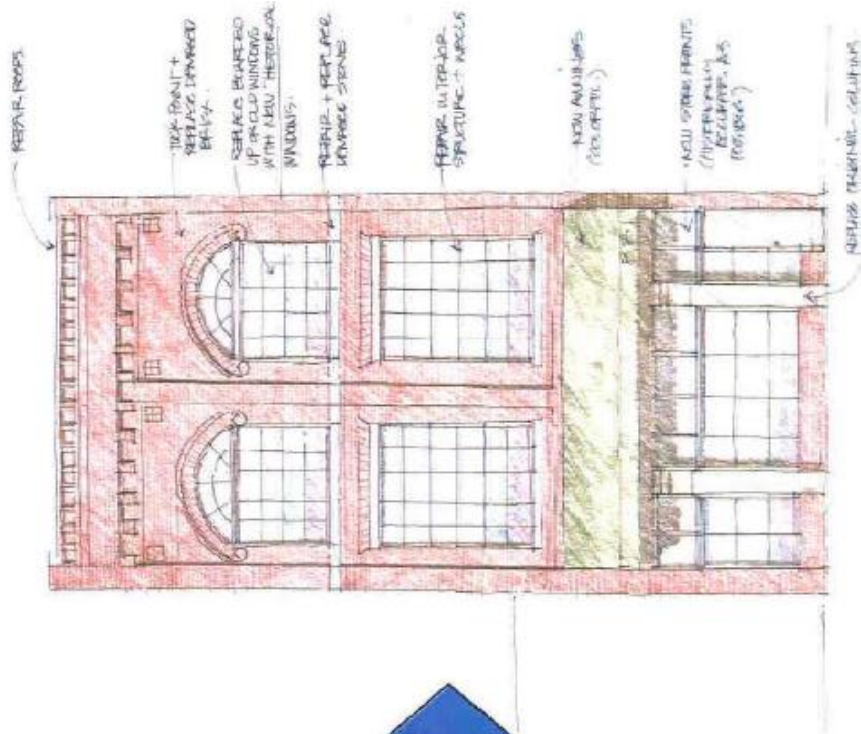
- Sidewalks, landscaping, and porches help distinguish between public and private areas. This helps users display signs of “ownership” that send “hands off” messages to would-be offenders.

Maintenance:

- This addresses management and maintenance of space. Proper upkeep (mowing grass, trimming trees and landscaping, picking up trash, repairing broken windows and light fixtures, and painting over graffiti)
- Helps signal that a location or facility is well cared for and therefore would be inhospitable to a criminal
- It also signals that an owner, manager, or neighbor is watching out for the property and could spot illegal behavior.

www.ncpc.org

Illustration 2: Commercial Building Design Guidelines (831 N. Kansas Ave.)



AFTER



BEFORE

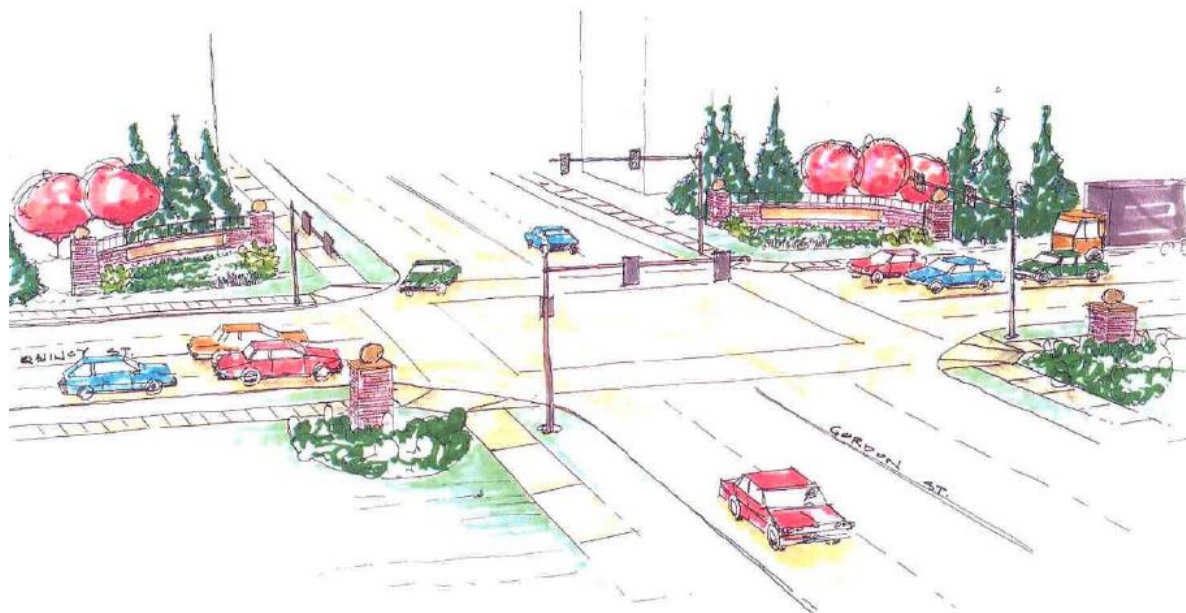
Illustration 3: Commercial Building Design Guidelines (816 N. Kansas Ave)

BEFORE



AFTER



Illustration 4: Major Gateway**RESIDENTIAL**

Historic North Topeka East exhibits many residential architectural styles prevalent at the turn of the century and pre-1930 era. The design of houses was dictated by the narrow lots, resulting densities, and materials available. The key to understanding and applying design guidelines lies in assessing the existing inventory and establishing key design standards that will fit within a traditional neighborhood.

Here are three examples of traditional architectural styles found throughout the neighborhood:

Folk Victorian (1870-1910)

- Gable-front-and-wing subtype without Victorian detailing
- Cross gable roofing with steep pitch
- Can be 1 or 2 stories
- Wooden posts atop brick piers supporting porch that is length of wing
- Bay window with 1-over-1 double hung sash
- Common in Southern states
- Gable-fronts are prominent in Little Russia

**Craftsman (1905-1930)**

- Bungalow with low-pitched front-gable roof
- Decorative brackets support overhanging eaves; roof rafters usually exposed
- One-and-a-half story
- Full or partial width porch supported by wood post sitting atop brick piers extending to ground
- Wood clad with horizontal shingles
- Center entry and rear garage



Queen Anne (1890-1910)

- Very late variant of Queen Anne style
- Two-story gable façade with cross-gable roof
- Horizontal wood clapboards with fish-scale shingling
- Pediment marking entry over full length porch
- Wood posts atop painted brick piers extending to ground
- Balustrade provides railing for porch

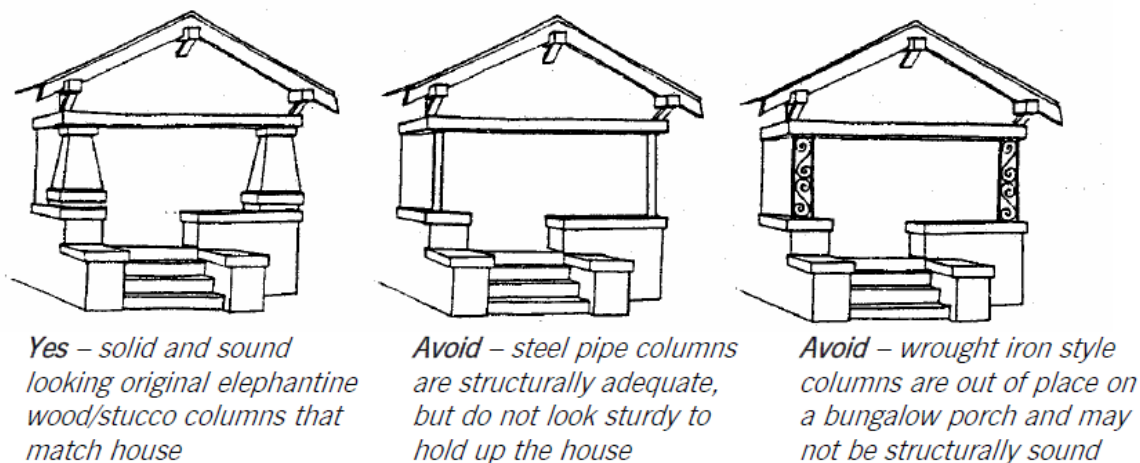


Various other styles throughout the neighborhood include Gothic Revival, Dutch Colonial Revival, Italianate, Homestead, and other minimal traditional styles. Together, these provide context for guiding renovations of existing traditional-style homes and construction of new in-fill dwellings. Several basic design elements should be followed in order to maintain a neighborhood's character:

1. Massing and Form

Massing generally refers to how a given amount of space is reflected in a building's design. For example, the space could be a rectangular box with no porch and a flat roof, OR two smaller boxes of uneven height and a full length covered front porch with front-gable roof. The form would determine how the building is positioned on the lot. This is typically dictated by lot design and setbacks from property lines. In order to retain the area's character, several guidelines should be followed in Historic North Topeka related to massing and form:

- The height, width, and general proportions of a building should generally conform to other buildings in the neighborhood. That would include a building frontage narrower than its depth with a visible main front from street, elevation of floor above ground, and a proportional front porch.
- The ratio of wall surface to openings should be consistent with traditional buildings in the neighborhood. This includes width and height of window and door openings. Enclosure or re-positioning of original window placements should be avoided. Size and proportion of window space to façade should be kept consistent with neighborhood
- Buildings should be of vertical or non-directional appearance so that horizontal lines are minimized. Flat wall surfaces, particularly frontages, should be avoided.
- The slope, massing, and configuration of the original roof should be maintained. Roof pitch should be kept within range of predominate building style. Low gable, domed, A-frame, and shed-vaulted roof shape are not preferred.
- Additions to traditional dwellings should be complimentary and subservient to the main structure.
- Front doors should be accentuated and painted/stained.
- Garages should be built in the rear yard behind the residence or to the side in proportion to the main structure. Attached/detached garages should be consistent with the character of the block and meet CPTED principles (see page 46)
- Historic details – balconies, covered porches, decorative shingles, bracketed eaves, columns, balustrades, arches, turrets, etc. – should be in proportion with the building and considered on contemporary designs only where appropriate.

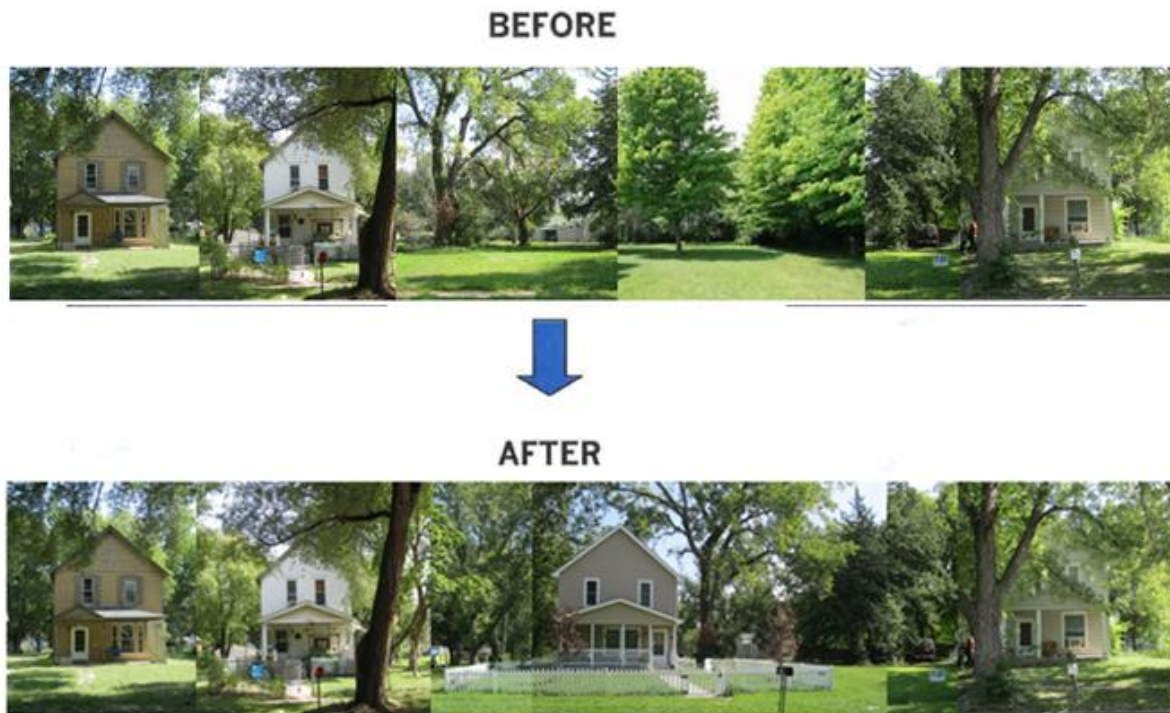


2. Materials

- The use of natural materials or those that take on the appearances of nature materials are strongly advised. The front and side facades are the most visible sides and should be protected. Appropriate facade materials – brick, wood siding, stucco, and cut stone (if original) – should be used.
- Wood siding, trim, and detailing should be painted, stained, or otherwise protected if intact and restored if deteriorated or missing whenever possible.
- Avoid metal or plastic window frames. Dark tinted, smoked, or reflective glass should not be used since they are not original and diminishes the district's character.
- Roof materials should consist of wood shingles, composition shingles, slate, clay, or other similar materials deemed appropriate. Roll roofing, built up tar and gravel, or plastic roofing materials are typically not appropriate unless a roof is not visible from public areas.
- Exceptions to these guidelines may be deemed appropriate if a new house is manufactured off-site, but meets the massing and form guidelines above.
- Attached single-family housing, or townhouse design, may be appropriate if within an acceptable area according to the land use plan or adjacent to image or arterial streets. Mid-block attached housing should be discouraged.

Design guidelines for residential structures should at a minimum, be applied to identified blocks with sufficient historical integrity (e.g., primarily >50 yrs. old) within the Target Area. If desired by the community, the area may be expanded to adjacent residential blocks of the Planning Area. An example of what infill housing would look like following these guidelines is depicted in Illustration 5.

Illustration 5: Housing Infill Design Guidelines



HOUSING

A neighborhood is in many ways defined by its housing. The housing portion of this revitalization strategy is designed to change the perception of the Historic North Topeka housing market to residents and non-residents alike by improving the supply of existing housing and creating a greater demand for market-rate housing.

Housing Rehabilitation – Community perception of the housing market affects the confidence of local residents in investing in the neighborhood. When a market is perceived to be in a declining state or when property values/rents cannot adequately support new investment, maintenance of properties is deferred and disinvestment begins. Activities therefore should be geared towards improving the existing housing stock in the community. With 43.8% of the residential properties in the community exhibiting either major or intermediate deficiencies (see Table 3) the need for a more targeted rehabilitation program is apparent. The following strategies could help achieve this objective:

- Identify strategic blocks to concentrate rehabilitation efforts: Map 12, the Target Area Concept Map illustrates the location of blocks that present new housing opportunities through the SORT program. These blocks and the blocks surrounding them should be targeted for more concentrated rehabilitation efforts within the community. This should be coordinated with the in-fill housing activities discussed below and in the implementation section.

In the aftermath of the 1951 flood, the demand for housing in Historic North Topeka East was declining and disinvestment in the housing stock began. In an effort to encourage redevelopment in the area, many traditional residential blocks were rezoned to multiple-family and industrial zoning districts, which permitted the use of mobile homes. As older, dilapidated houses were razed, they were often replaced with mobile homes as a low-cost alternative to the larger site-built homes in the community. This practice resulted in an incompatible land use arrangement and further discouraged homeowner investment of the existing frame houses. With the adoption of the Comprehensive Zoning Regulations in 1992, mobile homes were no longer permitted in the zoning districts found in HNTE. However they continue to exist in the neighborhood as legal non-conforming uses. No new mobile home sites should be approved.

There are programs available to help qualified individuals purchase, repair, or rehab their homes. The following programs are administered with federal funds through the Housing and Neighborhood Development (HND) of the City of Topeka on an income-eligible basis for low/moderate income households.

- **Housing Rehabilitation** - This HND program is intended for both low-income owner and renter-occupied properties in need of interior and exterior repairs within selected target areas. Additional funding is geared towards owner-occupied units. Funds may also be provided to assist with lead-paint controls and weatherproofing. The assistance, however, may be available to properties that have documented historic significance and are in need of exterior repairs.
- **Emergency Repairs** - Emergency home repair assistance (primarily repairs that are of an immediate health or safety nature) can be provided for low income owner- occupants throughout the neighborhood. This assistance is intended for higher cost, major emergency repairs. Minor maintenance and repairs remain the primary responsibility of the homeowner.
- **Accessibility Modifications** - This assistance is available to income-qualified persons with disabilities throughout the City, whether they are owner-occupants or tenants. This assistance is intended to provide access into and out of the home. The priority is to build exterior ramps, widen doorways, and provide thresholds.
- **KDOC Affordable Housing** - Project is a cooperative venture with the Kansas Department of Corrections, in which KDOC provides women inmates, tools and equipment to form two (2) crews for the rehabilitation of affordable housing units and Low-Mod Income Area infrastructure sidewalk improvements.
- **TOTO-II** - Assistance is provided as a 2nd mortgage, deferred loan subsidizing the purchase and rehab costs of a home for families at or below 80% of median income. While the program is available Citywide, it is structured to encourage home purchases in at-risk and intensive care areas. Homeownership and debt counseling assistance are provided by **Housing and Credit Counseling Inc.** Lending institutions participate by managing the maintenance escrow.
- **Neighborhood Revitalization Program** - The City offers a 10-year 95% property tax rebate for improvements that increase the value of the property by more than 10%. The rebate period can be extended up to 15 years for historic landmark properties.

Improvements must be consistent with the adopted design guidelines for the neighborhood. The City's Planning Department administers the program.

COMMUNITY BUILDING AND INITIATIVES

Community building and initiatives are essential to revitalizing a neighborhood. Residents have the innate knowledge of what needs to be fixed in their neighborhood—these grassroots programs allow this knowledge to become organized so that action can be taken to address problems. By seeing the change they can accomplish within their own community, residents can become empowered and strong in knowing that they can shape the future of their neighborhood. Some principles of community building include:

- Build on community strengths
- Support families and children
- Foster broad community participation
- Forge partnerships through collaboration

Collaboration is essential. For programs to succeed and for the residents of Historic North Topeka East to become fully engaged, there needs to be collaboration and cooperation between all the stakeholders. Many groups have interest in improving the community and have the skills to achieve this. Below are a few community building concepts, though the list is by no means exhaustive.

NEIGHBORS-HELPING-NEIGHBORS

The “broken window” theory states that the presence of even the slightest traces of neglected property, such as broken windows, can cause a ripple effect in which other adjacent property owners lose confidence in the neighborhood or where criminals begin to prey upon areas that “don’t care.”

This could be addressed through volunteer neighbors-helping-neighbors programs, where the community comes together to help the elderly, disadvantaged, or those otherwise unable to maintain their property on their own. Organizing a group and neighborhood contact to coordinate a program such as this would help address minor code violations and other maintenance issues that bring down the appearance of the neighborhood. This idea was brought forward by the community during the first public meeting and was voted as an issue that the community wants to address.

COMMUNITY GARDENS

One way of addressing vacant properties and rebuilding community spirit is to reuse vacant properties as community gardens. Community gardens can be developed within city park space or as a temporary use for the property when larger park projects are being phased in. Not only do community gardens provide a social aspect for the neighborhood but they also provide access to healthy food and healthy choices. They also increase the number of neighbors keeping an eye on their neighborhood and watching out for each other. Neighboring cities have created programs that lease community garden space to non-profit groups who donate produce to local food pantries. Whether a formal process such as this is explored, or just a neighborhood hobby project that allows neighbors and youth to come together, a community garden concept should be explored as a viable option for reducing the number of vacant lots and increasing the number of eyes on the community.

FARMERS MARKET

Another avenue for community building in Historic North Topeka East would be to explore a farmers market on a trial basis in order to acclimate both vendors and customers to the North Crossings environment. This could be established at minimal cost with no dislocation of existing businesses on public properties within Historic North Topeka East and have good access from Topeka Boulevard or Kansas Avenue south of the river. An exciting potential exists to develop an extensive market site south of the tracks which would be highly visible from the two bridges.

PARKS

Existing	Size (ac.)	Type	Recommendations
1. Garfield Park	23.7	Community- active and passive	Connect Solider Creek Trail to Levee Trail. Maintain and upgrade as premier community park in North Topeka.
2. Charles Curtis Greenway	5.8	Linear - passive	Acquire properties as opportunities arise and complete greenway as buffer on heavily traveled image corridor
3. Veterans Park East	2.0	Special use – passive and active	Could be offered in land swap for business relocation for future park space. Save NE corner of Quincy/Laurent for gateway effect.
4. Veterans Park West	0.4	Special use – passive	Redesign to provide parking and potential Farmers Market space. Veterans Park can be consolidated with WW I-II monuments in a more prominent and worthy setting.
5. Levee Trail	1.7 miles (0.4 miles between bridges)	Linear recreational –	An urban trail has been established on top of the Kansas River levee. Future improvements to the trail between the Kansas and Topeka Blvd Bridges could include lighting, benches, and turnouts to support higher usage for strolling, viewing, and gathering. It is part of Topeka's regional trail system.

Proposed	Size (ac.)	Type	Recommendation
6. Neighborhood Park - Primary Target Area	1-3	Neighborhood Park – passive	Would provide recreational opportunities in a local park where neighborhood families could walk to without having to cross major arterial streets.
7. Riverfront Park south of Great Overland Station	14-20	Regional	Brownfield to greenfield project that would establish regional gathering place for events related to Great Overland Station. Could include levee trail, historic landmarks, and outdoor facilities for music, ice skating, etc. Would require industrial business relocation and improved vehicular and pedestrian access.
8. Sardou Recreation/ Nature Trail Park	98.0	Special Use/ Open Space	Replace farming use to support kite flying, model airplane, and/or athletic field use. Explore use of creek inlet for canoe launch area. Preserve natural vegetation and habitat area along river.
9. Kansas River Open Space	84.0	Open Space – passive	Grow back to natural state of vegetation and habitat; add possible nature trail.

Map 15: Parks and Public Facilities

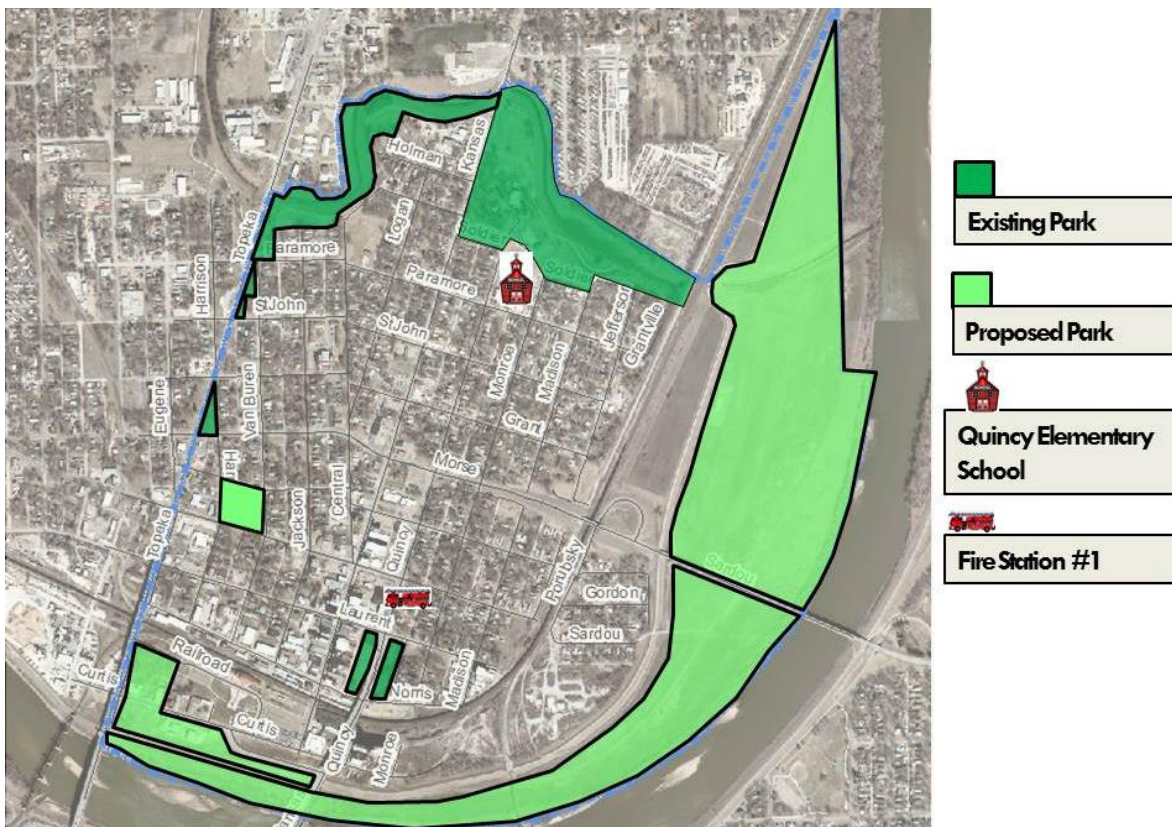
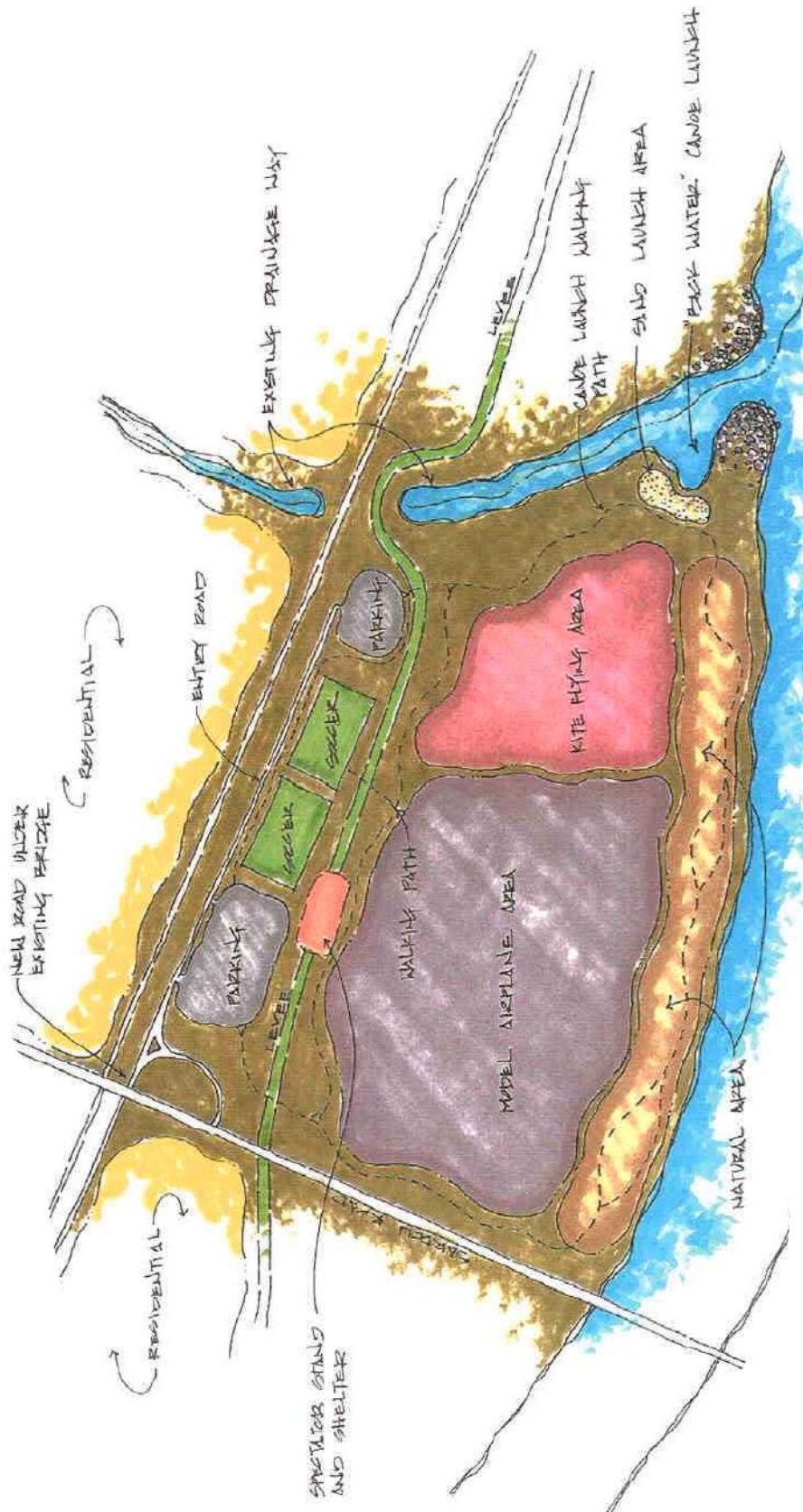


Illustration 6: Sardou Recreation/Nature Park



OTHER RECOMMENDATIONS

- **Sidewalks, Curb, and Gutter** – All blocks within the planning area should be completed for sidewalks and curb/gutter work. Some areas of the neighborhood are devoid of these basic urban infrastructure services and have no way to revitalize the housing development on those blocks without these basic services. Some blocks border on slum conditions and are impassible for pedestrians because of the lack of curbs/gutters.
- **Brick Street and Sidewalk Policy** – In 2011, the City of Topeka adopted a “Brick Street, Alley, and Sidewalk Policy” to identify and preserve brick features within the city. It requires that anyone who disturbs an existing exposed brick street repairs it with like materials and patterns. NW Jackson St is identified within this policy as a brick street designated for preservation. Brick sidewalks that require repair in areas longer than 15’ can be replaced with concrete unless preservation is recommended in Neighborhood Plan.

This Plan recommends that brick streets and stone curbs be preserved and maintained throughout the Historic North Topeka East neighborhood. Brick streets that have been patched with asphalt should have the patches redone with brick. Brick sidewalks falling within the environs of a designated state or national historic property, a Historic District, or a Local Landmark should remain and be repaired with brick.

- **Storm Sewer Improvements** – The Fairchild Pump Station in Little Russia was built in 1927 but is currently offline. It was identified to be abandoned by the Army Corp of Engineers’ Kansas River Levee study. Any improvements needed will be designed and implemented by the Army Corps of Engineers.
- **Kansas River Levee** – The Army Corps of Engineers completed a 3-year Feasibility Study that looked at the need to provide a minimum of 100-year flood protection for all the Topeka levee units. The project is moving forward to the design phase. The North Topeka Unit protects the Planning Area from River flooding and needs upgrading to provide a high level of flood protection.
- **Central Avenue Cul-de-sac** – This empty cul-de-sac provides an opportunity to tie the vibrancy of NOTO into the neighborhood setting. The opportunities for reimagining the interior aesthetics of the cul-de-sac are profound. Civic art created by NOTO artists could rise prominently from the center of this traffic feature, welcoming travelers both to NOTO and to the Historic North Topeka East neighborhood. Landscaping could further accentuate this feature. This is also a prominent crossing for the Bikeways Master Plan that traverses through Historic North Topeka East, adding even more to the multitude of viewers who would see this display.

VI. IMPLEMENTATION

"Be not afraid of growing slowly, be afraid only of standing still."

-Chinese Proverb

After completing the planning process, action and implementation are essential. After identifying goals and target areas, the next logical step is taking action to achieve those goals. The implementation section of a plan identifies specific steps to be taken and by whom, and places a timeline on completing these steps. This allows for progress of the community's vision to be tracked and evaluated. This section should be used by all stakeholders to guide their decision-making in implementing the priorities of the Plan.

KEY ACTION PRIORITIES

The meetings with the Steering Committee brought up ideas for implementing specific strategies and actions in this Plan. The community was surveyed at the final meeting to determine their priorities for action. The actions below are organized based on the rankings received at that meeting and are not necessarily inclusive of all potential actions, but a checklist of some of the more significant actions that should be taken.

1. Do These First

- Union Pacific Railroad/N. Kansas Ave. Pedestrian Crossing
- Wayfinding signs
- Rehab historic housing

2. Do These Next

- Pave/repair alleys
- Repair/construct new sidewalks with a preference for stamped concrete
- Start/complete the Riverfront Park
- Incorporate NOTO art into the neighborhood along main roads

3. Do These After the Above Has Been Completed or Stalled Out

- Reconstruct/repair streets
- Brick street repair
- Infill housing
- Neighborhood park in the west central neighborhood (N. Topeka Blvd and Morse)
- Community garden

TARGET AREAS

The tables below show the cost and timing of infrastructure improvements for the proposed target areas and other infrastructure recommendations of the plan. By combining several major actions within a concentrated area of a neighborhood, a greater cumulative impact can be realized than if they were dispersed throughout the larger planning area. In this manner, it is intended that multiple target areas can be worked on in various stages of completion. Once the first area is “finished”, the majority of the public investment can then be shifted to the second area, then the third, etc.

Important Note: The priorities and costs estimates for infrastructure and housing rehabilitation projects in the neighborhood are provided for *informational purposes only* and should not be relied upon for future costs or as actual bids for future projects. Increases in material costs, overhead and labor can change greatly in a short period of time. Funding is subject to availability as provided by federal grants and the governing body, and allocations change annually. The housing costs in the following tables represent subsidies from City Consolidated Plan funding (CDBG/HOME) and are intended to leverage private dollars. Costs for infrastructure and parks reflect City of Topeka capital costs from sources typically found within the City’s Capital Improvement Program (CIP), unless otherwise indicated. Cost assumptions are detailed at the bottom of this section.

West Central Target Area

Total Street Reconstruction	Cost	Source	1-3 Years	3-5 Years	5+ Years
NW Central (1000-1100)	\$312,525	GO Bonds, ½ Cent Sales Tax			
NW Van Buren (1000 block)	\$311,744	GO Bonds, ½ Cent Sales Tax			
NW Jackson (1000 block)	\$228,412	GO Bonds, ½ Cent Sales Tax			
Mill and Overlay					
NW Harrison (1100 block)	\$42,140	GO Bonds, ½ Cent Sales Tax			
Sidewalks					
NW Fairchild (200-400 blocks)					
Concrete	\$83,065	GO Bonds			
NW Van Buren (1000 block)					
Concrete	\$12,934	GO Bonds			
NW Jackson (1100 block)					
Concrete	\$4,301	GO Bonds			
NW Van Buren (1100 block)					
Concrete	\$25,186	GO Bonds			
NW Harrison (1000 block)					
Concrete	\$29,798	GO Bonds			
Alleys					
Van Buren/Jackson (2 blocks)	\$160,000	GO Bonds			
Jackson/Central (2 blocks)	\$160,000	GO Bonds			
Morse/Harrison	\$80,000	GO Bonds			
Morse/Central	\$80,000	GO Bonds			
Neighborhood Park					
Morse and Harrison	\$200,000	CDBG, GO Bonds			
Housing Rehabilitation					
Primary and Secondary Areas	\$509,000	CDBG, HOME			
TOTAL	\$2,239,105				

Pioneer Curtis Jr. High Target Area

Sidewalks	Cost	Source	1-3 Years	3-5 Years	5+ Years
NW Van Buren (1200 block)					
Concrete	\$37,752	GO Bonds			
NW Jackson (1200-1300)					
Concrete	\$32,593	GO Bonds			
NW Grant (200-400 blocks)					
Concrete	\$75,933	GO Bonds			
Alleys					
Van Buren/Jackson (2 blocks)	\$160,000	GO Bonds			
Jackson/Central	\$80,000	GO Bonds			
Housing Rehabilitation					
Primary and Secondary Areas	\$509,000	CDBG, HOME			
TOTAL	\$895,278				

East Central Target Area

Total Street Reconstruction	Cost	Source	1-3 Years	3-5 Years	5+ Years
NE Jefferson (1100 block)	\$239,324	GO Bonds			
Sidewalks					
NE Fairchild (200-400 blocks)					
Concrete	\$75,673	GO Bonds			
NE Gordon (100-400 blocks)					
Concrete	\$145,851	GO Bonds			
NE Madison (1000-1100 blocks)					
Concrete	\$27,603	GO Bonds			
NE Monroe (1000-1100 blocks)					
Concrete	\$68,776	GO Bonds			
Alleys					

Quincy/Monroe (2 Blocks)	\$160,000	GO Bonds			
Monroe/Madison	\$160,000	GO Bonds			
Madison/Jefferson	\$160,000	GO Bonds			
Housing Rehabilitation					
Primary and Secondary Areas	\$509,000	CDBG, HOME			
TOTAL	\$1,546,227				

Northeast Target Area

Total Street Reconstruction	Cost	Source	1-3 Years	3-5 Years	5+ Years
NE Jefferson (1300-1500 blocks)					
1300 Block	\$162,298	GO Bonds, ½ Cent Sales Tax			
1400-1500 Blocks	\$621,085	GO Bonds			
NE St. John (400 block)	\$144,952	GO Bonds			
NE Grant (400 block)	\$188,941	GO Bonds			
Sidewalks					
NE Madison (1300-1500 blocks)					
Concrete	\$96,000	GO Bonds			
NE Paramore (400-500 blocks)					
Concrete	\$55,453	GO Bonds			
Alleys					
Madison/Jefferson (3 blocks)	\$240,000	CDBG, GO Bonds			
Housing Rehabilitation					
Primary and Secondary Areas	\$509,000	CDBG, HOME			
TOTAL	\$2,017,729				

Little Russia

Total Street Reconstruction	Cost	Source	1-3 Years	3-5 Years	5+ Years
NE Fairchild (500 block)	\$421,500	GO Bonds			
Sidewalks					
NE Gordon (500 block)					
Concrete	\$11,878	GO Bonds			
Alleys					
Fairchild/Gordon	\$80,000	GO Bonds			
Gordon/Sardou	\$80,000	GO Bonds			
Housing Rehabilitation					
Primary and Secondary Areas	\$509,000	CDBG, HOME			
TOTAL	\$1,102,378				

Projects Outside of Target Areas

Project	Cost	Source	1-3 Years	3-5 Years	5+ Years
Bike/Pedestrian Bridge at N. Kansas Ave and RR	\$2,500,000	UPRR, KDOT, CIP			
North Crossings Master Plan	\$30,000	MTPO			
Wayfinding Signage	\$20,000	Transient Guest Tax, CDBG			
Riverfront Park	\$2,000,000	Transient Guest Tax, ½ Cent Sales Tax			
TOTAL	\$4,550,000				

Assumptions (costs are approximate)

- Alleys (not including sewer costs) = \$80,000/block
- Sidewalks (concrete) = \$32 per linear foot; one side of the street
- Sidewalks (brick) = \$90 per linear foot; one side of the street

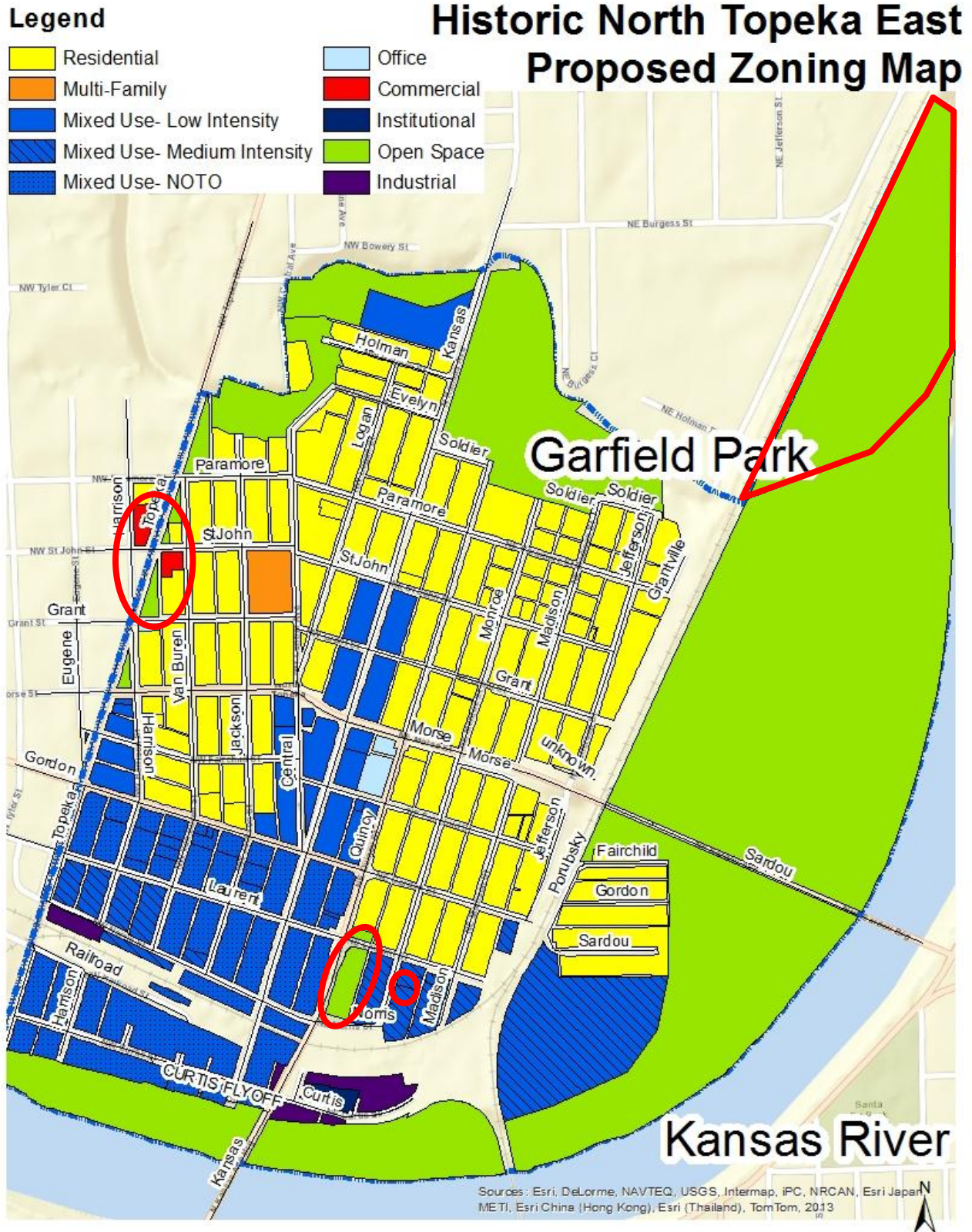
REZONING

There are a few areas within Historic North Topeka East where the current zoning is inconsistent with the Future Land Use Plan. For example, East Veteran's Park is currently zoned X2 but is used as Open Space. The same is true for the open space north of Old Soldier Creek between the railroad tracks and the River—it is zoned I-2 but is used as Open Space.

A neighborhood commercial node is appropriate at the intersection of N. Topeka Blvd and NW St. John. To accomplish this, the vacant parcels on the southeast and northwest sides of this intersection should be rezoned to C-1 Commercial, as supported by the Planning Objectives in the Comprehensive Plan and recommended in the Historic North Topeka East Future Land Use Plan. A rezoning should be initiated by the Planning Commission to reflect as such (See Map 18 for the Proposed Zoning Map).

Veterans Park East, at Quincy and Monroe, and the parcel east of the railroad tracks and north of Old Soldier Creek should be rezoned as Open Space to reflect their current use. The greenway along N. Topeka Blvd should be extended southward. Finally, all of the parcels in the Mixed Use district south of Gordon and east of Quincy should be Mixed Use- Medium Intensity. The lone R-4 parcel should be rezoned to this classification.

Map 16: Proposed Zoning Map

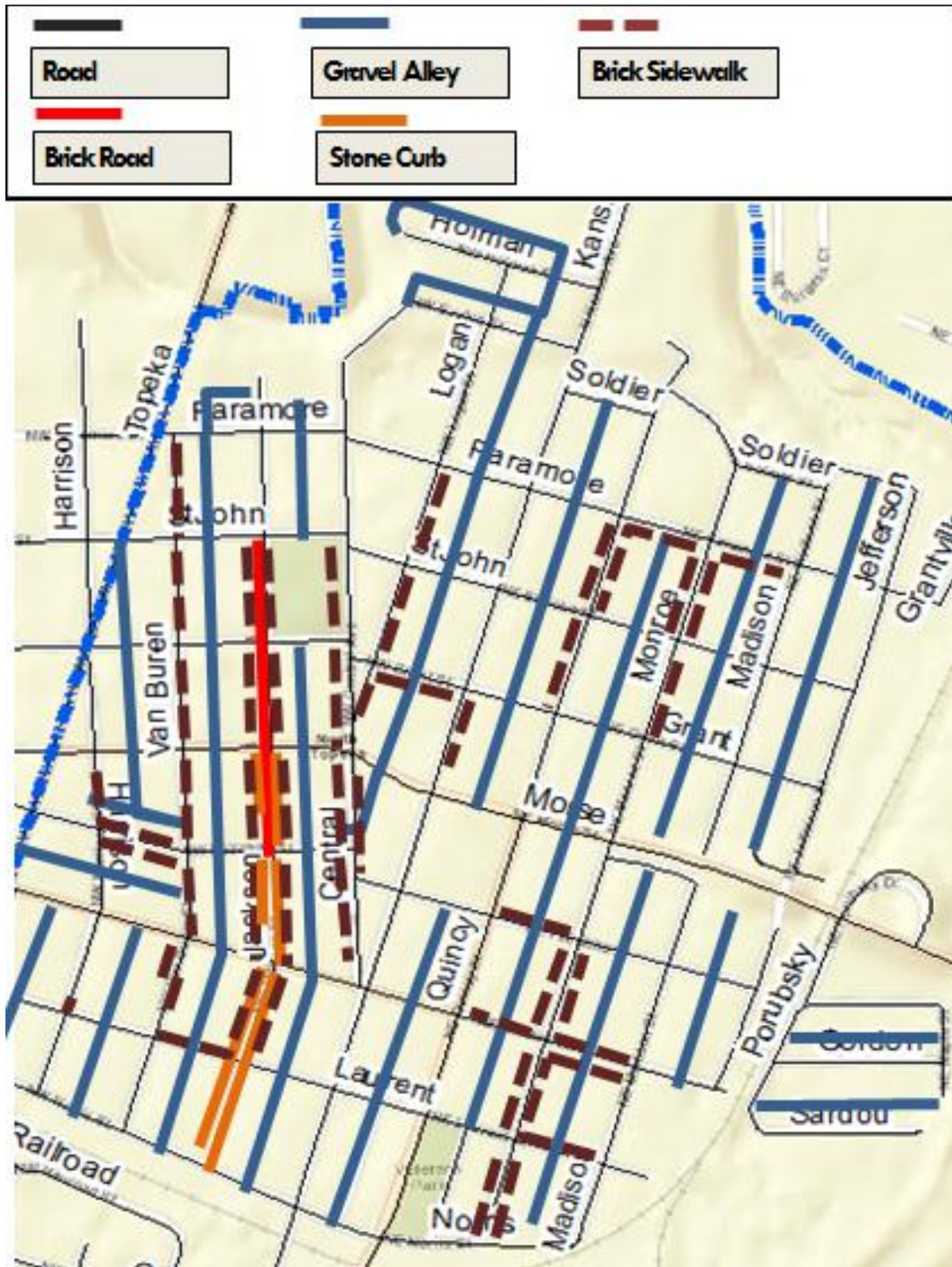


Map 17: Primary Target Area



* Based on a rating of "deteriorated" during the building survey

Map 18: Brick Street, Sidewalk, and Alley Condition Map



VII. APPENDIX A: TABLES AND CHARTS

Table 1: Land Use – Historic North Topeka East

Land Use	Parcels	% Total	Acres	% Total Area
Commercial	82	7.5%	25.8	4.6%
Commercial - Mixed Use	12	1.1%	2.8	0.5%
Industrial	42	3.8%	24.1	4.3%
Institutional	16	1.5%	12.9	2.3%
Mobile Home Court	15	1.4%	5.0	0.9%
Mobile Home Site	24	2.2%	4.5	0.8%
Office	5	0.5%	3.9	0.7%
Open Space/Recreational	12	1.1%	298.5	53.2%
Residential - Single-Family	674	61.4%	129.6	23.1%
Residential - Multi-Family	5	0.5%	4.5	0.8%
Residential - Two-Family	2	0.2%	0.6	0.1%
Residential - Multi-Family (c)	31	2.8%	6.7	1.2%
Parking/Utilities	7	0.6%	3.4	0.6%
Vacant	170	15.5%	38.1	6.8%
Total	1,097	100.0%	560.4	100.0%
Subtotal				560.4
Public Right of Way				180.8
Total Area				741.8

Table 2: Housing Density - Historic North Topeka East

Housing	# Units	% Total	Total Acres	Units/Acre
Single-Family	674	71.55%	129.6	5.2
Multi-Family	118	12.53%	4.5	26.2
Two-Family	4	0.42%	0.6	6.7
Multi-Family (c)	83	8.81%	6.7	12.4
Mobile Home Court	39	4.14%	5	7.8
Mobile Home Site	24	2.55%	4.5	5.3
Net Density (Residential)	942	100.00%	150.9	6.2
Net Density (All)	942		560.4	1.7
Gross Density (w/ ROW)	942		741.8	1.3

Table 3: Housing Conditions - Historic North Topeka East

Housing Conditions (properties)		Total—752
Sound	422	56.19%
Intermediate Deficiencies	143	18.91%
Deteriorating	187	24.90%

Table 4: Home Ownership - Historic North Topeka East

Housing Ownership		Total—752
Owner-Occupied Units	353	46.94%
Renter-Occupied Units	365	48.54%
Vacant Units	34	4.52%

Table 5: Median Residential Property Values - Historic North Topeka East

Median Appraised Property Values (2013)

Single-Family	\$31,695
Multi-Family	\$332,870
Two-Family	\$47,195
Multi-Family (c)	\$33,149
Mobile Home Court	\$13,600
Mobile Home Site	\$2,970

Table 6: Quincy Elementary School

Category	State of Kansas			District 501			Quincy School		
	State 2003	State 2012	Change	District 2003	District 2012	Change	Quincy 2003	Quincy 2012	Change
Economically Disadvantaged Students	37.5%	48.8%	11.3%	58.8%	76.5%	17.7%	85.1%	93.8%	8.7%
Attendance	94.8%	95.2%	0.4%	92.3%	95.1%	2.8%	93.2%	95.2%	2.0%
ELL Students	5.1%	10.3%	5.2%	2.7%	8.2%	5.5%	22.0%	36.3%	14.3%
Reading-- % @ Prof and Above	65.7%	87.7%	22.0%	65.7%	70.1%	4.4%	50.0%	58.1%	8.1%
Math-- % @ Prof and Above	53.9%	86.1%	32.2%	53.9%	70.6%	16.7%	65.6%	68.6%	3.0%

Table 7: Population and Race - Historic North Topeka East

	2010	2000	% Change 2000-2010	1990	% Change 1990-2000
Population	1595	2028	-21%	2424	-16%
Gender					
Female	744	1026	-28%	1247	-18%
Male	851	1002	-15%	1177	-15%
Race					
White	1209	1802	-33%	2140	-16%
Black	97	52	87%	114	-54%
Other	116	79	46%	170	-53%
Hispanic Origin	337	146	131%	179	88%
Non-Hispanic Origin	1258	1882	-33%	2245	-44%
Employed	897	1370	-35%	576.73	138%
Unemployed	698	624	12%	1847	-66%

Table 8: Age - Historic North Topeka East

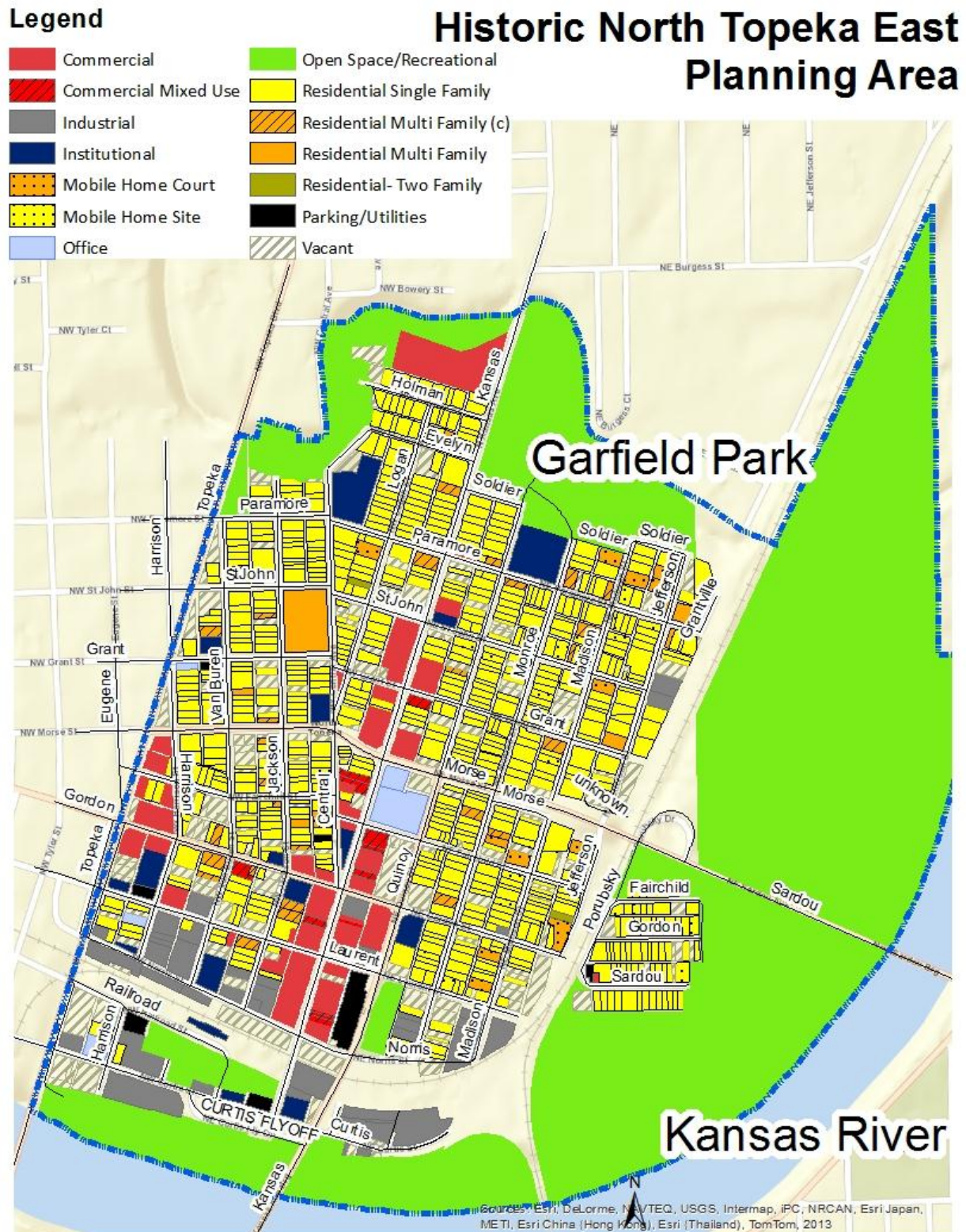
Age	2010	2000	% Change 2000-2010	1990	% Change 1990-2000
Under 5 years	60	147	-58.8%	217	-32.6%
5 to 9 years	86	133	-34.8%	177	-25.1%
10 to 14 years	133	99	34.1%	115	-13.6%
15 to 19 years	130	118	10.5%	161	-27.0%
20 to 24 years	134	142	-5.7%	163	-13.1%
25 to 34 years	176	274	-35.9%	347	-21.0%
35 to 44 years	129	342	-62.3%	327	4.5%
45 to 54 years	294	266	10.3%	245	8.6%
55 to 59 years	88	98	-9.8%	99	-0.6%
60 and Over	365	410	-11.0%	573	-28.3%
Total Persons	1595	2028		2424	

Table 9: Households - Historic North Topeka East

	2010	2000	%Change 2000-2010	1990	% Change 1990-2000
Households	646	868	-25.58%	971	-10.59%
Families	394	478	-17.56%	614	-22.09%
Female-Headed (no husband)	142	105	35.68%	191	-45.20%
w/child <18	202	51	294.87%	106	-51.88%
	2010	2000	%Change 2000-2010	1990	% Change 1990-2000
Topeka Avg. Household Median Income	\$40,342	\$35,928	12.29%	\$26,774	34.19%
HNTE Avg. Household Median Income	\$24,396	\$25,286	-4.51%	\$18,023	41.74%
HNTE's %MHI	60.5%	70.4%		67.3%	
Housing Units	900	972	-7.36%	1084	-10.33%

VIII. APPENDIX B: MAPS

Map 1: Land Use

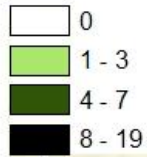


Map 5: Code Violations - Historic North Topeka East

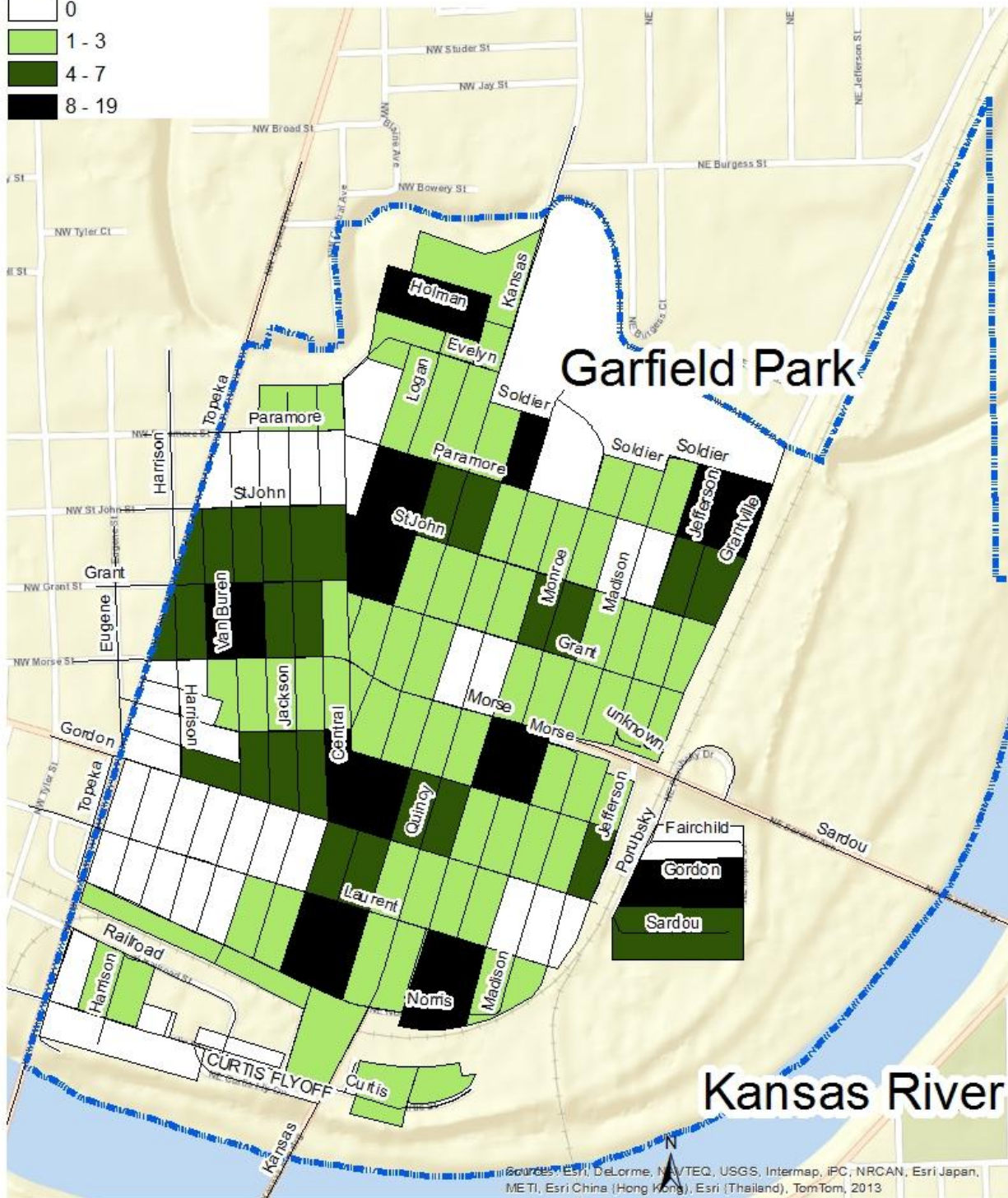
Legend

Code Violations

Number of Code Violations



Historic North Topeka East Planning Area

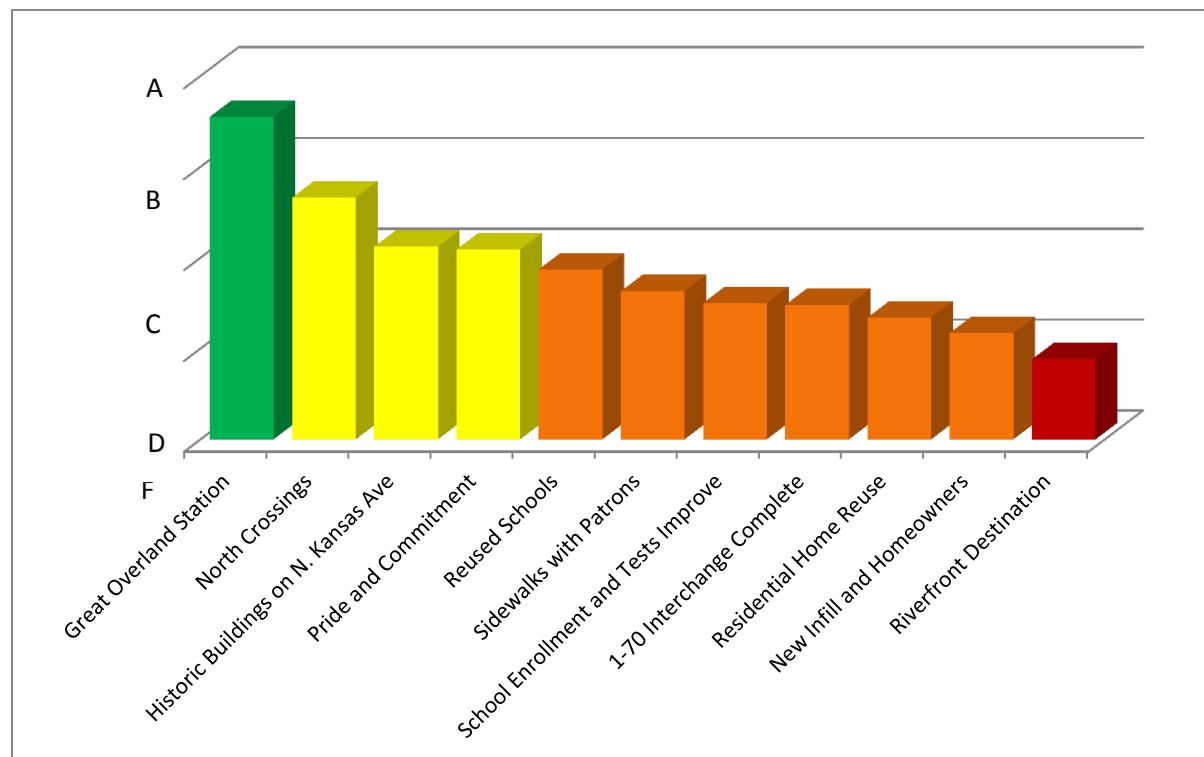


IX. APPENDIX C: MEETING SURVEY

At the Historic North Topeka East Kickoff Meeting, participants were asked to complete two surveys regarding the 1999 Historic North Topeka Revitalization Plan—one grading the Plan’s Vision Statement and one prioritizing the Plan’s Goals. We received 33 surveys and the results show a wide range of how different people view the same neighborhood.

The Vision Statement from the 1999 Plan was broken down into 11 statements and participants were asked to grade each statement on a scale from “A” to “F” or mark the statement as “Done!” A grade of an “A” was the highest grade and an “F” was a failing grade. The results were tallied and are shown on the next page. The Great Overland Station was the highest score and earned the only “B.” This may not seem like a high grade, but in comparison, there was only one “F” in the class as well—development of the Riverfront park area. This shows that in general, participants recognized some progress has been made in the other nine statements, as they were graded with “C’s” and “D’s.”

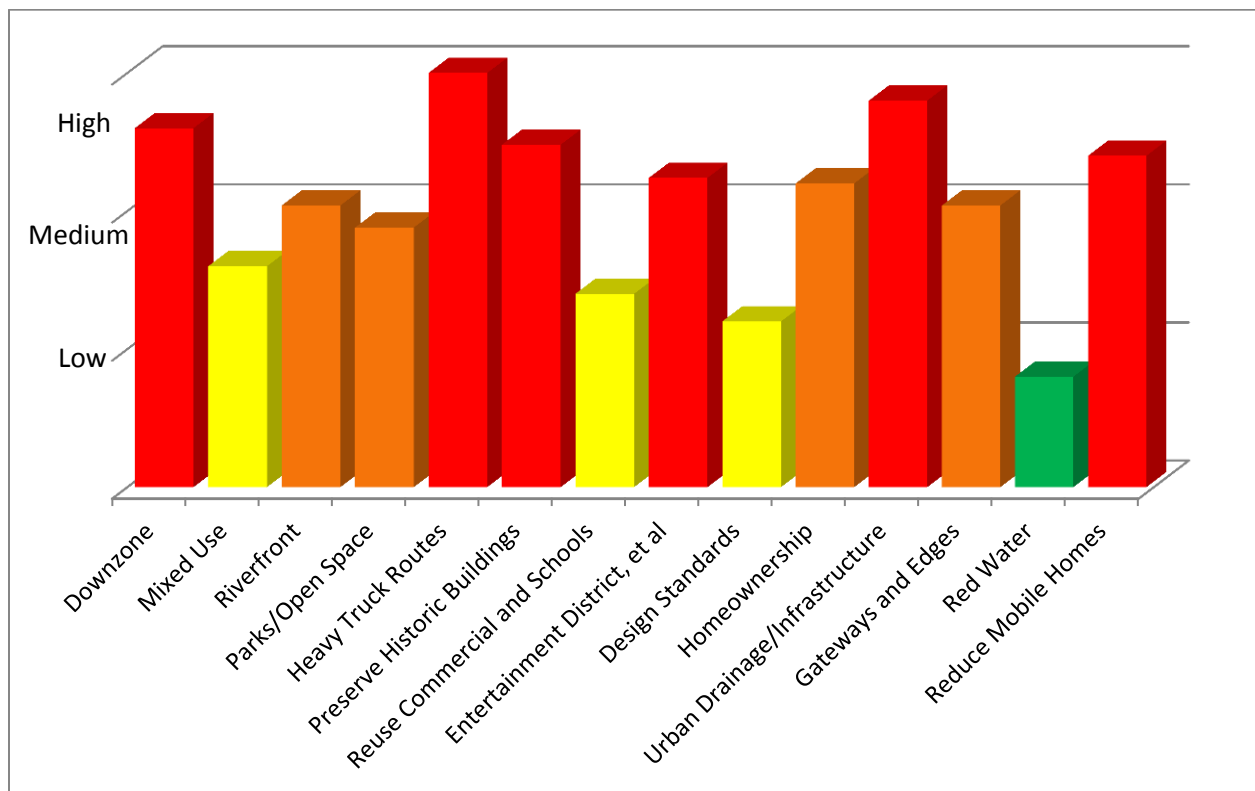
Grade	Statements
A	None
B	Great Overland Station
C	North Crossings; Historic Buildings on N. Kansas; Pride and Commitment
D	Reused Schools; Sidewalks with Patrons; School Enrollment and Tests; I-70 Interchange; Residential Home Reuse; New Infill and Homeowners
F	Riverfront



The “Recipe for Success” was based on the Goals and Objectives section of the 1999 Plan. Key themes or elements were pulled from this section and listed as the “Ingredients for Success.” Participants were then asked to rank these ingredients according to the Priority they felt should be given. Priority 1 was the highest priority level and Priority 3 was the lowest. There was also the option of marking the ingredient as “Already Done!”

Priority	Ingredients
Done!	Red Water
High	Heavy Truck Routes; Urban Drainage/Infrastructure; Downzone; Preserve Historic Buildings; Reduce Mobile Homes; Entertainment District, et al
Medium	Homeownership; Riverfront; Gateways and Edges; Parks/Open Space
Low	Mixed Use; Reuse Commercial and Schools; Design Standards

One interesting theme that came out of this activity regarded ingredients that have already been completed. Ingredients such as Heavy Truck Routes, Downzoning, and Mixed Use were implemented based on the 1999 Plan. However, the majority of participants did not rank these as “Done.” This could mean that they want to see continued progress in these areas or that they do not want to lose the gains made.



X. APPENDIX D: HOUSING & INFRASTRUCTURE SURVEYS

Criteria Used to Evaluate Housing Structural Defects

Minor Defects – deficiencies corrected during the course of regular maintenance.

- Missing shrubbery or bare spots on lawn, trash and garbage accumulation
- Deteriorated or lacking window screens.
- Weathered paint, minor painting needed.
- Wear on or light damage to steps, window and door sills, frames and porches.
- Weathering of mortar and small amounts of loose, missing material between bricks.
- Cracked window panes, loose putty.
- Handrails deteriorated or missing.
- Missing splash blocks at foot of down spouts.
- Lacking porch lights.

Intermediate Defects – deficiencies serious enough to require more extensive repair than required by regular maintenance.

- Gutters or drain spouts rotten or parts missing.
- Sagging, cracked, rotted or missing roofing, overhang or lattice work.
- Foundation or bearing walls cracked or sagging or with loose, missing material.
- Erosion of landscape due to improper drainage, abandoned vehicle, cracked or uneven sidewalks.
- Deteriorated fencing with loose or missing material.
- Rotted, cracked or sagging porches, columns, door frames and stairways.
- Cracked or missing material from chimney.
- Broken or missing window panes and/or rotted window sills.
- Peeling or cracked paint, complete paint job needed.
- Damaged or missing air vents in foundation.

Major Defects – condition of structural components which can be corrected only by major repairs.

- Holes, open cracks, rotted or missing material in foundations, walls, roofing, porches, columns, etc.
- Sagging or leaning of any portion of house indicating insufficient load bearing capacity: foundation, walls, porches, chimneys.
- Defective conditions caused by storms, fires, floods or land settlements.
- Inadequate or poor quality material used in permanent construction.
- Inadequate conversion for use involved.
- Major deteriorated or dilapidated out building or garage.
- Evidence of a lack of, or inadequate indoor plumbing such as no roof vents.

<u>Category</u>	<u>Definition</u>
<u>Buildings/Properties</u>	
<i>Minor Deficiencies (Sound)</i>	No major defects and no more than 1 intermediate defect and less than 4 minor defects. (3 points)
<i>Intermediate Deficiencies</i>	No major defects with 2 or more intermediate defects; no major defects with 1 intermediate defect and 4 or more minor defects. (2 points)
<i>Major Deficiencies</i>	1 to 4 (5+ is dilapidated) major defects in combination with intermediate or minor defects. (1 point)
<u>Blocks</u>	
<i>Sound</i>	Average 3.0 – 2.5 points per block
<i>Minor Deterioration</i>	Average 2.49 – 2.0 points per block
<i>Intermediate Deterioration</i>	Average 1.99 – 1.5 points per block
<i>Significant Deterioration</i>	Average less than 1.5 points per block

Infrastructure Rating System

Criteria used for Evaluation:

Sidewalks:

- 3= No defects in sidewalk
- 2= Minor defects- partially overgrown with weeds and grass or broken, cracked (< 25% disrepair/substandard)
- 1= Intermediate defects- Completely missing segments within that block area, broken and cracked segments, completely overgrown with weeds and grass (> 25% disrepair)
- 0= Major defects- No sidewalks

Curbs and Gutters

- 3= No defects in curbs and gutters
- 2= Minor defects- Covered up by weeds (< 25 % disrepair/substandard); not draining (standing debris)
- 1= Intermediate defects- Broken, cracked, missing segments of curbing (> 25 % disrepair)
- 0= Major defects- None existent; drainage ditches

Streets:

- 3= No defects- concrete or asphalt, even, draining
- 2= Minor defects- uneven concrete/asphalt and/or significant pot holes, cracks, broken pavement (<25% disrepair/substandard)
- 1= Intermediate defects- uneven concrete/asphalt and/or significant pot holes, cracks, broken pavement (> 25% disrepair/substandard)
- 0= Major- gravel or dirt; road incomplete or dead-ends; street one-lane and does not allow cars to pass; or any combination of these.

Alleys:

- 3= No defects- gravel or concrete/asphalt, even, draining
- 2= Minor defects- gravel and uneven concrete; alleys not platted (i.e. less cost to improve)
- 1= Intermediate- dirt and even; draining
- 0= Major- Dirt and uneven; or not draining; platted alleys, but never built

Block Averages

- No defects- 2.25 - 3
- Minor repairs/maintenance issues- 1.5 – 2.25
- Intermediate repairs- 0.75 – 1.5
- Major repairs/total construction or replacement- < 0.75

CITY OF TOPEKA PLANNING DEPARTMENT

SUMMARY REPORT

Re: CPA13/2 – Historic North Topeka East Neighborhood Plan

Planning Process

Historic North Topeka East was awarded a Stages of Resource Targeting (SORT) grant in 2013 to improve infrastructure and housing in designated target areas. Prior to determining infrastructure needs and target areas, the neighborhood plan needed to be updated. A total of 10 neighborhood meetings, NIA meeting updates, and steering committee meetings were held during the Historic North Topeka East planning process.

The Plan

The plan includes six chapters and four appendices. Each chapter is summarized below.

Chapter 1 – Introduction

This chapter establishes the purpose of the Historic North Topeka East Plan and describes the process used. It discusses accomplishments since the 1999 North Topeka Revitalization Plan was completed, including: the NOTO Arts District, the Great Overland Station Museum, land acquired for the Riverfront Park, the Topeka Rescue Mission expansion

Chapter 2 – Neighborhood Profile

The background information for the Plan is contained in this chapter: setting and character, existing conditions, socioeconomic trends, and a needs and opportunities profile summary. Some main points include:

1. Over 75% of the housing stock is sound or has intermediate deficiencies.
2. 47% of the homes are owner-occupied; 49% are rentals; 4% are vacant
3. There has been a dramatic decrease in the number of Part 1 crimes (murder, aggravated assault, theft, etc.)
4. The population has declined
5. Average household income has failed to increase at the same rate as the rest of Topeka.



Chapter 3 – Vision and Goals

This chapter looks to define what the Historic North Topeka East community wants to accomplish over the next 10 years by defining their vision and the goals to achieve it. The goals within the Plan are:

1. Establish a predictable pattern of land use that preserves the viability of residential neighborhoods, accommodates services for residents, and promotes a destination-oriented mixed-use center and riverfront.
2. Develop an urban entertainment, dining, retail, cultural, and living district that utilizes assets of N. Kansas Avenue business district, Great Overland Station, riverfront, and historic buildings.
3. Provide a safer, greater, and more efficient means of access to, from, and within Historic North Topeka that will connect a diverse mix of land users.
4. Increase density of population and quality of housing options, both market-rate and affordable, that stabilizes the housing market.
5. Communicate a notable image and unique experience of place by building off of physical and cultural heritage.
6. Upgrade and maintain public facilities to ensure confidence in the future of Historic North Topeka.

Chapter 4 – Future Land Use Plan

Nearly all of Historic North Topeka East’s future land use will remain the same as is currently zoned. Three changes have been listed to reflect what each of these three parcels is currently being used for. A neighborhood commercial node (C-2) is recommended for the corner of NW. St John and N. Topeka Blvd.

Chapter 5 – Revitalization Strategy

Two SORT Target Areas are designated for housing and infrastructure improvements. The primary target area is bordered by NW Gordon, NW Morse, NW Harrison and NW Central. The secondary target area is along NW Jackson, NW Van Buren, NW Grant, and NW St. John. Neighborhood-wide strategies include improving traffic circulation, promoting North Crossings, improving the character and image, identifying community building strategies, utilizing parks and open space, and other recommendations.

Chapter 6 – Implementation

Key action priorities were ranked by the community at the final community meeting. A pedestrian crossing at the Union Pacific Railroad/N. Kansas Ave crossing, wayfinding signs, and rehabbing historic homes were the highest ranked priorities. Infrastructure projects are listed for each of the five potential target areas, although it is realized that funding will be completely expended in the primary and secondary target areas. Potential target area projects include:

Additional Considerations

The plan contains recommendations on projects in all five potential target areas, in addition to four projects outside of the target areas. Projects in the target area include:

1. Repaving streets and sidewalks
2. Paving alleys
3. Housing rehabilitation

Projects outside of the target areas but still playing a large part in the improvement and advancement of Historic North Topeka East are:

1. Bike/pedestrian bridge at Union Pacific Railroad and N. Kansas Ave
2. North Crossings Master Plan
3. Wayfinding Signage
4. Riverfront Park

Recommendation

The Topeka Planning Commission met to hold the Public Hearing on the Historic North Topeka East Neighborhood Plan on November 25th. The Planning Commission voted unanimously to recommend **APPROVAL** of the Historic North Topeka East Neighborhood Plan as an element of the City's overall Comprehensive Plan to the Governing Body.

Staff recommends **APPROVAL** of the Historic North Topeka East Neighborhood Plan.

**Minutes of the
Topeka Planning Commission
Monday, October 21, 2013**

CPA 13/2 by the City of Topeka to amend the text and map of the City of Topeka's Comprehensive Plan updating the Neighborhood Element for Historic North Topeka East. The area affected by the amendment is roughly bound by Old Soldier Creek and Garfield Park to the north, the Kansas River to the south and to the east, and North Topeka Blvd to the west. **(Hanzlik).**

Bill Fiander introduced Susan Hanzlik, Planner I, to the Topeka Planning Commission. Mr. Fiander explained the presentation is an introductory work session.

Susan Hanzlik explained that the work on the Comprehensive Plan began with a neighborhood kick off meeting in August, 2013. Ms. Hanzlik explained all neighbors were invited to participate in the process. Ms. Hanzlik presented the Historic North Topeka East Comprehensive Plan.

Richard Beardmore asked what the timeframe was for major crimes identified in the plan. Ms. Hanzlik stated it was for the year of 2012.

Mr. Fiander explained the target area was designated by the City Council for investment, which is done every three years. Mr. Fiander explained this is the reason the neighborhood plan was selected to be updated.

Mr. Fiander explained that the plan implementation section was not reviewed, with cost estimates, as that is to be determined with the meetings. Mr. Fiander stated that information will be sent in the near future.

Dennis Haugh asked how the city enforces or implements the designs adopted in a plan. Mr. Fiander explained through incentives. Mr. Fiander stated that tax rebates require the design guidelines are met. Mr. Fiander explained an additional tool is through Neighborhood Conservation Districts, which are zoning overlays. Mr. Fiander stated the policy in the plan is intended to be enforced through the rebate and potential Neighborhood Conservation District applications or historic district overlays. Mr. Fiander added that the Planning Department works with the Housing and Neighborhood Development Department to meet the guidelines when using city funds and programs.

Mr. Beardmore asked who participated in the meetings and steering committee. Ms. Hanzlik explained there were various home and business owners who participated and over thirty people attended at the first meeting and thirteen at the last meeting. Ms. Hanzlik explained there were notices

sent to all property owners for each meeting.

Mr. Fiander explained that the neighborhood lacked a Neighborhood Improvement Association and struggled to organize ten years ago. Mr. Fiander stated there is new organization, new businesses and people are getting involved and interested. Mr. Fiander stated the plan update may assist with the investments made in the NOTO district and hope that residents will take ownership and organize.

HISTORIC NORTH TOPEKA EAST MEETING SURVEY

At the Historic North Topeka East Kickoff Meeting, participants were asked to complete two surveys regarding the 1999 Historic North Topeka Revitalization Plan—one grading the Plan’s Vision Statement and one prioritizing the Plan’s Goals. The results from both surveys show a wide range of how different people view the same neighborhood. While there were some general trends, it is clear that there are 33 different opinions about how Historic North Topeka East has progressed in the last 14 years. The results from the surveys are listed below and a copy of the surveys is attached at the end of this document for reference.

THE RESULTS:

VISION STATEMENT

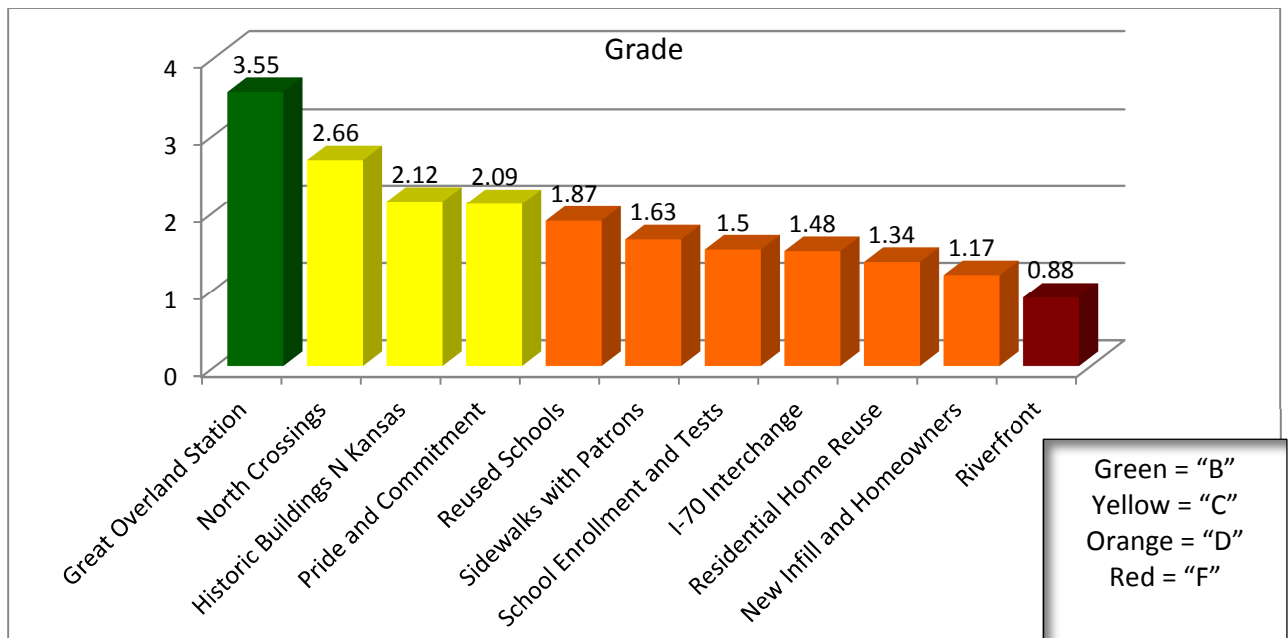
The Vision Statement from the 1999 Plan was broken down into 11 statements and participants were asked to grade each statement on a scale from “A” to “F” or mark the statement as “Done!” A grade of an “A” was the highest grade and an “F” was a failing grade.

Grade	Statements
A	None
B	Great Overland Station
C	North Crossings; Historic Buildings on N. Kansas; Pride and Commitment
D	Reused Schools; Sidewalks with Patrons; School Enrollment and Tests; I-70 Interchange; Residential Home Reuse; New Infill and Homeowners
F	Riverfront

The results were tallied and are shown below in Figure 1. The Great Overland Station was the highest score and earned the only “B.” This may not seem like a high grade, but in comparison, there was only one “F” in the class as well—development of the Riverfront park area. This shows that in general, participants recognized some progress has been made in the other nine statements, as they were graded with “C’s” and “D’s.”

HISTORIC NORTH TOPEKA EAST MEETING SURVEY

Figure 1: Vision Statement Report Card Grades



RECIPE FOR SUCCESS

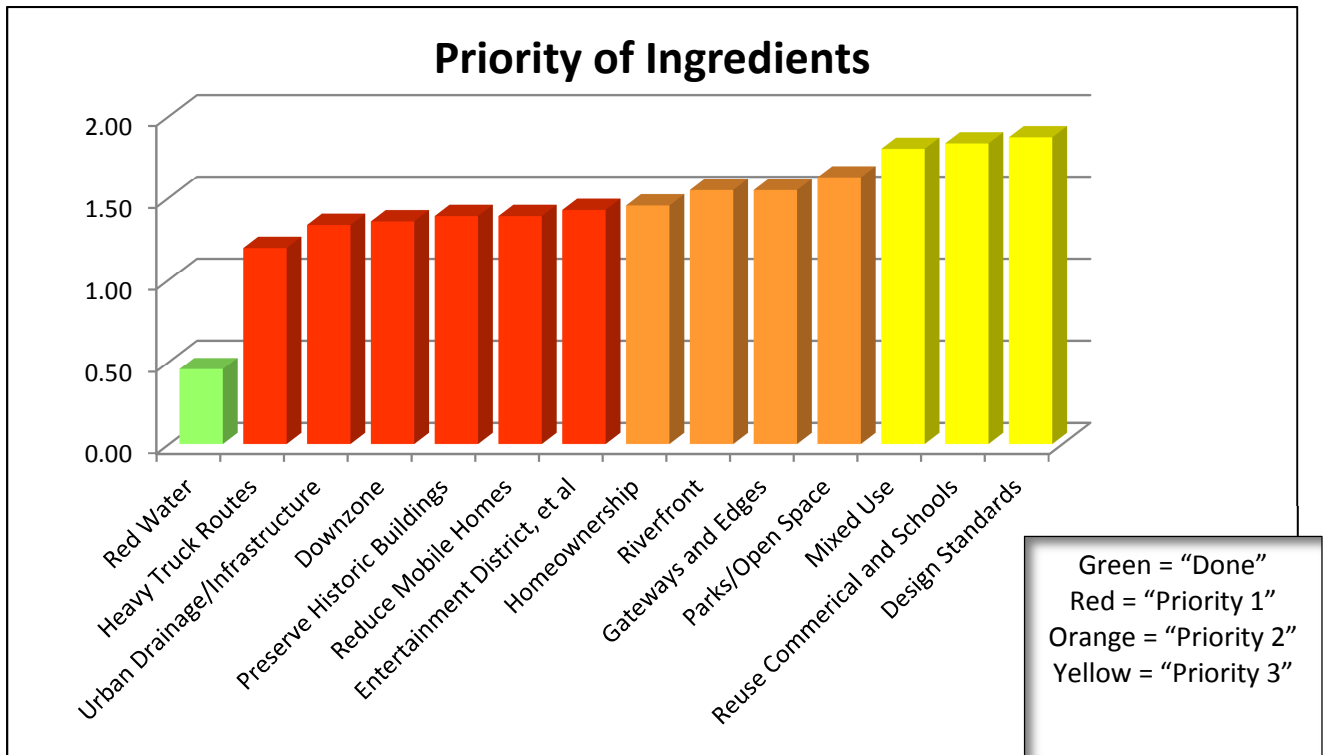
The Recipe for Success was based on the Goals and Objectives section of the 1999 Plan. Key themes or elements were pulled from this section and listed as the "Ingredients for Success." Participants were then asked to rank these ingredients according to the Priority they felt should be given. Priority 1 was the highest priority level and Priority 3 was the lowest. There was also the option of marking the ingredient as "Already Done!"

Priority	Ingredients
Done!	Red Water
1	Heavy Truck Routes; Urban Drainage/Infrastructure; Downzone; Preserve Historic Buildings; Reduce Mobile Homes; Entertainment District, et al
2	Homeownership; Riverfront; Gateways and Edges; Parks/Open Space
3	Mixed Use; Reuse Commercial and Schools; Design Standards

HISTORIC NORTH TOPEKA EAST MEETING SURVEY

One interesting theme that came out of this activity regarded ingredients that have already been completed. Ingredients such as Heavy Truck Routes, Downzoning, and Mixed Use were implemented based on the 1999 Plan. However, the majority of participants did not rank these as “Done.” This could mean that they want to see continued progress in these areas or that they do not want to lose the gains made.

Figure 2: Recipe for Success Priorities



HISTORIC NORTH TOPEKA EAST MEETING SURVEY

In addition to the 14 listed ingredients, participants were also asked for suggestions on what the list was missing and to write in their own ideas. Not everyone assigned a priority to the additional suggestions so their averages are not weighted the same as the main 14 ingredients. However, they show good examples of new goals that could be established through this planning process.

Suggestion	Number of Votes	Average
Upscale/Unique Restaurants	1	1.00
Schmidt Lumber Building and Grounds	1	1.00
Police the Streets	1	1.00
North Topeka Dog Park	1	1.00
More Small, Local Businesses to Meet the Needs of Residents	1	1.00
Pedestrian Connections and Safety/Sidewalks in Little Russia	14	1.14
Assist Homeowners in Housing Maintenance	2	1.50
Children's Parks	20	1.70
Housing Incentives/Encourage Former Residents to Move Back	17	1.76
Help Elderly Homeowners Maintain Properties	1	2.00
RV Park on the Riverfront	5	2.20

HISTORIC NORTH TOPEKA EAST VISION STATEMENT REPORT CARD



For the 1999 Historic North Topeka Revitalization Plan, the community developed this vision statement describing what they hoped to see in 2015. Has there been progress? What has been accomplished? Rate each statement below.

	Pass		Fail			Done!
	A	B	C	D	F	
In 2015, a vibrant Historic North Topeka is envisioned with a strong North Crossings mixed-use entertainment district,	☐	☐	☐	☐	☐	☐
a successful Great Overland Station Railroad Museum,	☐	☐	☐	☐	☐	☐
and rediscovered riverfront for the public's enjoyment.	☐	☐	☐	☐	☐	☐
Most of the historic building fronts along N. Kansas Avenue have been restored to their original grandeur,	☐	☐	☐	☐	☐	☐
the sidewalks are full of patrons during the evening,	☐	☐	☐	☐	☐	☐
and former residential homes have been adaptively re-used for businesses.	☐	☐	☐	☐	☐	☐
Nearby residential areas seem fresh with new in-fill housing and homeowners,	☐	☐	☐	☐	☐	☐
and former residents have returned to in-town living to retire in the renovated Curtis and Grant school buildings/grounds or raise their families.	☐	☐	☐	☐	☐	☐
School enrollment and test scores are steady after reaching their all-time peak several years ago.	☐	☐	☐	☐	☐	☐
The I-70 interchange has put Historic North Topeka on the "map" giving its residents, businesses, and visitors direct access and identity.	☐	☐	☐	☐	☐	☐
No longer is the area's image viewed with skepticism and doubt – nobody knocks Historic North Topeka anymore because knocking it would be a knock against yourself. Renewed pride and commitment to the area shows in every Topekan.	☐	☐	☐	☐	☐	☐

HISTORIC NORTH TOPEKA EAST

RECIPE FOR SUCCESS



The 1999 Historic North Topeka Revitalization Plan identified many ingredients for a successful Historic North Topeka. Below are 14 key ingredients. What no longer needs to be listed? What other ingredients need to be added? Rate these ingredients to create a recipe for a blue ribbon winning neighborhood!

Ingredients	Priority (choose one)			
	1	2	3	Already
a. Downzone to protect single-family areas	☐	☐	☐	☐
b. Allow mixed use development for living and working together	☐	☐	☐	☐
c. Take advantage of the Riverfront for quality-designed park space	☐	☐	☐	☐
d. Improve parks, open space, greenways and trails linked to the regional trail system	☐	☐	☐	☐
e. Establish heavy truck routes away from the entertainment district	☐	☐	☐	☐
f. Preserve historic buildings and restore building facades	☐	☐	☐	☐
g. Adaptively reuse commercial and school buildings as apartments	☐	☐	☐	☐
h. Establish an entertainment district, the Riverfront, and the Great Overland Station as regional destinations	☐	☐	☐	☐
i. Enact design standards for infill housing that compliments historic architecture	☐	☐	☐	☐
j. Increase homeownership	☐	☐	☐	☐
k. Ensure proper urban drainage and street infrastructure	☐	☐	☐	☐
l. Establish gateways, edges and streetscapes that reflect a positive first image	☐	☐	☐	☐
m. Eliminate "red water"	☐	☐	☐	☐
n. Reduce the number of mobile homes and replace with site-built housing	☐	☐	☐	☐
o.	☐	☐	☐	☐
p.	☐	☐	☐	☐

**HISTORIC NORTH TOPEKA EAST
RECIPE FOR SUCCESS**



q.	☐	☐	☐	☐
r.	☐	☐	☐	☐
s.	☐	☐	☐	☐

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Jim Colson, pertaining to an amendment to the text and map of the Topeka Comprehensive Plan for the Historic North Topeka Neighborhood Plan. (CPA 13/2)

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

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

Section 2. Section 18.05.020 of the Topeka Municipal Code lists the elements that may be included in the Comprehensive Metropolitan Plan, and specifies that the Plan may include neighborhood plans for all geographic sub-areas of Topeka.

Section 3. The Historic North Topeka East Neighborhood Plan, a copy of which is attached hereto as Attachment A and incorporated by reference as if fully set forth herein, provides long-range guidance for the future growth and development of the area generally bounded by Old Soldier Creek and Garfield Park to the north, the Kansas River to the south and the east, and North Topeka Blvd to the west. The Neighborhood Plan sets forth a ten (10) year vision with goals and strategies relating to land use, commercial and image corridors, housing, parks, infrastructure, public safety, and community organization in a comprehensive manner that recognizes the desire to increase the livability of the Historic North Topeka East Neighborhood.

Section 4. The Topeka Comprehensive Metropolitan Plan is hereby amended by the addition of the Historic North Topeka East Neighborhood Plan as a separate Plan Element.

Section 5. 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,

_____, 2013.

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified

Not To Be Codified

X



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

December 12, 2013

☐ Back ☐ Print

DATE: December 17, 2013
CONTACT PERSON: Jeff White **DOCUMENT #:**
SECOND PARTY/SUBJECT: Franchise Fee Rebate Program **PROJECT #:**
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Jim Colson, authorizing the restructure of a program to provide assistance to low-income households with gas, electric, and water/wastewater utility bills.

(Approval would restructure the Franchise Fee Rebate Program, reducing the administrative costs and improving service delivery to low-income households with gas, electric, water and wastewater bills.)

POLICY ISSUE:

Approval would restructure the Franchise Fee Rebate Program and improve service delivery to low-income households with gas, electric, water and wastewater bills.

STAFF RECOMMENDATION:

Staff recommends the Council move to approve the resolution.

BACKGROUND:

Topeka Municipal Code provides for two rebate programs for qualifying users of gas and electric utilities and water and wastewater utilities. The City Council created the programs, funded in part by the General Fund (gas and electric) and in part by the Combined Utilities (water and sewer) to offset the increases in base rates and franchise fees on these utilities. Administering these programs in the past created a significant administrative burden. In 2012 the City spent approximately \$1 to distribute every \$3 in benefits on the gas and electric rebate program. The 2014 Adopted Budget relies on a restructuring of the program to reduce administrative costs in order to ensure that benefits paid to eligible utility customers will not be reduced.

The revised program will include a single application process for all utilities. It streamlines application requirements, standardize benefits paid and eliminate burdensome and costly demands on City staff. In order to ensure that benefits are efficiently delivered to the citizens most in need, the City will contract

administration of the program to a third party

BUDGETARY IMPACT:

Between the General Fund and Combined Utilities the program will cost an estimated \$180,000 to allocate, including \$20,000 for administrative costs to a third party.

SOURCE OF FUNDING:

General Fund and Combined Utilities Fund

ATTACHMENTS:

[Resolution](#)

[City of Topeka Summary](#)

[CRC Summary](#)

[2014 Application Packet](#)

[FAQs](#)

1 RESOLUTION NO. _____
2

3 A RESOLUTION introduced by City Manager Jim Colson, authorizing the restructure
4 of a program to provide assistance to low-income households with
5 gas, electric, and water/wastewater utility bills.
6

7 WHEREAS, the City Council acknowledges that there are City of Topeka utility
8 customers who need assistance to pay utility bills; and

9 WHEREAS, the City has operated a program pursuant to Topeka Municipal Code
10 section 13.05.070 whereby eligible utility customers could receive a refund of gas and
11 electric franchise fees; and

12 WHEREAS, the City also operated a program pursuant to Topeka Municipal Code
13 section 13.05.080 whereby eligible utility customers could receive a refund of a portion of
14 water and wastewater utility fees; and

15 WHEREAS, significant staff time was required to administer both programs; and

16 WHEREAS, the 2014 adopted budget relies on restructuring the program to reduce
17 administrative costs so that benefits to eligible utility customers do not have to be reduced;
18 and

19 WHEREAS, it is more cost-effective for the City to retain a third party to administer
20 a program that accomplishes the Council's objective of assisting eligible utility customers
21 with their gas, electric, and water/wastewater utility bills.

22 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
23 TOPEKA, KANSAS, that:

24 1. The City Council authorizes the City Manager to restructure the current utility
25 increase offset program so that administrative costs are reduced and the Council goal of
26 assisting low-income households is achieved.

31 (b) developing a single application process for all utilities and standardizing
32 benefits;

33 (c) monitoring and processing payments to the utilities on the applicant's behalf;
34 and

35 (d) providing monthly reports to the Finance Department, including a breakdown of
36 rebates by utility and the number of households served.

37 ADOPTED and APPROVED by the City Council _____

38 CITY OF TOPEKA, KANSAS

39
40
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43

Larry E. Wolgast, Mayor

45 ATTEST:

46
47
48
49
50 Brenda Younger, City Clerk



CITY OF TOPEKA

Financial Services Department
215 SE 7th Street
Topeka, Kansas 66603
Tel.: (785) 368-3970

www.topeka.org

City of Topeka

Franchise Fee Utility Rebate Program

The City of Topeka is proposing a change in the administrative process of the Franchise Fee Utility Rebate program (previously referenced as the Refund program). The program criteria would remain the same as in previous years; however the rebate amount is a calculated average and would be a flat amount per utility. The City's revised program would be more cost-effective to administer, and would still address Council goals of helping low-income households pay their major utilities (gas, electric, water, wastewater).

History: Topeka Municipal Code provides for two rebate programs for qualifying users of gas and electric utilities and water and wastewater utilities. The City Council created the programs, funded in part by the General Fund (gas and electric) and in part by the Combined Utilities (water and sewer) to offset the increases in base rates and franchise fees on these utilities.

Proposed 2014 Budget talks revealed that the City was spending approximately \$1 to distribute every \$3 in benefits on the gas and electric rebate program. The 2014 Adopted Budget, however, relies on a restructuring of the program to reduce administrative costs in order to ensure that benefits paid to eligible utility customers will not be reduced.

Challenges: The administration of the program is expensive and time consuming.

Purpose: The purpose of the program is offset increases in base costs and franchise fees for investor- and City-owned utilities by providing assistance to low-income senior citizens, the disabled, and families with a dependent child under 18. The City's revised program will be more cost effective to administer and still address Council goals of helping low-income households to pay their major utilities (gas, electric, water, wastewater).

Approach: The revised program includes a single application process for all utilities. It streamlines application requirements, standardizes benefits paid and eliminates burdensome and costly demands on City staff. In order to ensure that benefits are efficiently delivered to the citizens most in need, the City will contract administration of the program to the Community Resources Council (CRC). The City expects to serve approximately 1,000 households under the program and plans to distribute \$160,000 in total rebates.

Qualifications: When meeting the criteria similar to prior years' programs, households will be eligible for a rebate on utility costs impacting their households.

To meet the criteria applicants must:

1. be a city resident (homeowner or renter) for electric and gas rebates; and
2. have a household income less than \$32,400; and
3. be born before January 1, 1957, *or* be blind or totally and permanently disabled, *or* have a dependent child living at home under the age of 18.

Flat Rebate Per Household by Utility (Based on Previous Averages): The program will provide standardized rebates by utility for eligible applicants. Each qualifying household can qualify for up to \$175 in rebates for 2014:

Kansas Gas	\$25
Westar	\$50
Topeka Water Utility	\$60
Topeka Wastewater Utility	\$40
Maximum 2014 Rebate Per Household	\$175

Rebates will be paid directly to the applicable utility company on behalf of the applicant. There will be no funds directly paid to the applicant.

Process: The City will contract with Community Resource Council (CRC) for administration of the program. CRC will provide all administration of this program, including eligibility, monitoring and processing of payments and rebate. After CRC verifies an applicant's eligibility, the qualified applicant will have a single opportunity per calendar year to present a bill from all or any of the qualifying utilities to receive the rebate per utility identified. CRC will make rebates directly to the applicable utility company on behalf of the applicant. There will be no funds directly paid to the applicant.

For quality control, CRC will provide monthly reports to the City's finance department, including a breakdown of rebates by utility and how many households are being served. Staff will report on the operation of the program during the FY15 budget process. This process will in large part mirror the previous rebate programs, but will extensively reduce the administration cost for the City.

The rebate program will be January 1 to June 1, 2014.

Rebate Program Cost Breakdown: The funding for the program is:

Combined Utility	\$100,000
General Fund	80,000
Contract with CRC	<u>(20,000)</u>
Available for Rebates	\$160,000



Community Resources Council

455 SE Golf Park BLVD.

Topeka, KS 66605

785-233-1365 ♦ Fax 785-233-1905

www.crcnet.org

City of Topeka's Franchise Fee Rebate Program

The City of Topeka is contracting with Community Resource Council (CRC) for the administration of the Franchise Fee Rebate program. CRC will provide all administration of this program, including eligibility, monitoring and processing of payments and refunds. After CRC verifies an applicant's eligibility, the qualified applicant will have a single opportunity per calendar year to present a bill from all or any of the qualifying utilities to receive the rebate per utility identified.

CRC will make rebates directly to the applicable utility company on behalf of the applicant. There will be no funds directly paid to the applicant. A list of qualified applicants will be provided to the City's Water Division for a credit to be applied to the applicant's account.

CRC will provide monthly reports to the City's Finance department, including a breakdown of rebates by utility and how many households have been served.

Application:

Applications will be accepted from January 1 – June 1, 2014. This program will remain open until funding is exhausted or June 1, 2014. Applications will be available at the CRC, the City of Topeka website, the Topeka and Shawnee County Public Library, Shawnee County Clerk's Office, Jayhawk Area Agency on Aging (JAAA) and Community Action.

Applicants shall bring or mail the completed application form and all supporting documentation prior to June 1, 2014 to:

Community Resource Council (CRC)
455 SE Golf Park Blvd.
Topeka, KS 66605

For more information, call CRC at 785-233-1365 or see the frequently asked questions at www.crcnet.org

Qualifications:

1. Must be a city resident (homeowner or renter) for electric and gas rebates; and
2. Have a household income less than \$32,400; and
3. Must be born before January 1, 1957, *or* be blind or totally and permanently disabled, *or* have a dependent child living at home under the age of 18.

Qualifying applicants will be entered into the MAACLink data system. Partnering locations of Jayhawk Area Agency on Aging (JAAA) and Community Action will be utilized during tax processing

months. Applicants will be required to sign specific release forms that allow CRC to input information into the MAACLink data system and to pay the qualifying utility vendors.

Applicants who receive the Franchise Fee Rebate **WILL NOT** be precluded from receiving other utility assistance within Shawnee County Kansas. A communique will go out to all MAACLink Agency Executive Directors & staffs explaining the City's Franchise Fee Rebate program.

Verification of Eligibility: Applicants will be required to show CRC proof of address and income in order to meet the residency and income requirements. Examples of eligible documents to provide proof of address and income include a personal identification card, driver's license or a 2013 Federal Tax Return.

Applicants seeking to qualify under the disability criteria must provide an SSDI card.

Applicants qualifying due to age must show identification reflecting date of birth.

A parent qualifying under the criteria for dependent children will need to show identification and list all names of children in the household with their Social Security numbers and birthdates.

Qualified applicants shall produce a recent utility bill from Kansas Gas, Westar and/or the City Water Division will receive the rebate amounts for each utility they use.

Flat Rebate Per Household by Utility:

Kansas Gas	\$25
Westar	\$50
Topeka Water Utility	\$60
Topeka Wastewater Utility	\$40
Maximum 2014 Rebate Per Household	\$175

Rebates will be paid directly to the applicable utility company on behalf of the applicant. There will be no funds directly paid to the applicant.

CRC is pleased to partner with the City of Topeka and other agencies in order to administer the Franchise Fee Rebate program.

Sincerely,

G.R. Laughlin

G.R. Laughlin
Interim Executive Director
Community Resources Council

FRANCHISE FEE REBATE PROGRAM INSTRUCTIONS

To qualify for the City of Topeka Franchise Fee Rebate program, you must:

1. Must be a city resident (homeowner or renter) for electric and gas rebates; and
2. Have a household income less than \$32,400; and
3. Must be born before January 1, 1957, *or* be blind or totally and permanently disabled, *or* have a dependent child living at home under the age of 18.

If you meet all the requirements listed above, follow these steps to apply for your rebate/credit:

- Obtain a *Franchise Fee Rebate Program Application* form. This form is available at the following locations:
 - Community Resource Council (CRC), 455 SE Golf Park Blvd
 - Jayhawk Area Agency on Aging, 2910 SW Topeka Boulevard
 - Shawnee County Clerk's Office, 200 SE 7th Street, Room 107
 - Topeka & Shawnee County Public Library, 1515 SW 10th Avenue
 - Community Action,
 - City of Topeka website at www.topeka.org
- Complete and sign the application. Attach the **required** supporting documentation to the completed application form:
 - Provide proof of address and income in order to meet the residency and income requirements. *Examples include:* a personal identification card, driver's license and either a 2013 Federal Tax Return.
 - Criteria Proof
 - Applicants seeking to qualify under the disability criteria must provide an SSDI card.
 - Applicants qualifying due to age will show identification reflecting date of birth.
 - A parent qualifying under the criteria for dependent children will need to show identification and list all names of children in the household with their Social Security numbers and birthdates.
 - Provide a recent utility bill from Kansas Gas, Westar and/or the City Water Division.

Bring or mail your completed application forms and all supporting documentation, **prior to 5:00 p.m. on June 1, 2014.**

Community Resource Council (CRC)
455 SE Golf Park Blvd.
Topeka, Kansas 66605

Questions can be directed to: CRC at 785-233-1365

UTILITY FRANCHISE FEE REBATE PROGRAM APPLICATION FOR CLAIM YEAR 2013

Applicant Name: _____

Applicant Residence: _____

** (for claim year 2013) **

STREET

CITY

STATE

Did you move

Applicant Telephone: _____ **during claim year?** _____ **YES** (if YES see next line) _____ **NO**

Previous address: _____

** (If you lived at more than one address during the claim year 2013) **

By my signature below, I hereby affirm that I have paid the franchise fees for which I am requesting a rebate for electric and/or gas for my personal residence and a credit on water/wastewater (sewer) utilities for my residential property. I also understand that by signing this application, I agree to specifically hold the administrative program and its employees, officers and agents harmless from any and all claims and liability relating to these programs.

Applicant's Signature: _____ **Date** _____

The following documentation must accompany this claim form:

Applicants will be required to show proof of address and income in order to meet the residency and income requirements. Examples of eligible documents to provide proof of address and income include a personal identification card, driver's license or a 2013 Federal Tax Return.

Applicants seeking to qualify under the disability criteria must provide an SSDI card.

Applicants qualifying due to age will show identification reflecting date of birth.

A parent qualifying under the criteria for dependent children will need to show identification and list all names of children in the household with their Social Security numbers and birthdates.

Qualified applicants shall produce a recent utility bill from Kansas Gas, Westar and/or the City Water Division will receive the rebate amounts for each utility they use.

Applications will be accepted from January 1 – June 1, 2014. This program will remain open until funds are exhausted or June 1, 2014.

This claim form and all supporting documentation should be delivered by hand or mailed to:

Community Resources Council
455 SE Golf Park Blvd.
Topeka, Kansas 66605



FRANCHISE FEE REBATE PROGRAM

Frequently Asked Questions (FAQs)

1. Who can apply for the Franchise Fee Rebate Program?

- Must be a city resident (homeowner or renter) for electric and gas rebates.

2. What are the rebates for the various utility franchise fees?

- **Flat Rebate Per Household by Utility (Based on Previous Averages):** The program will provide standardized rebates by utility for eligible applicants. Each qualifying household can qualify for up to \$175 in rebates for 2014:

Kansas Gas	\$25
Westar	\$50
Topeka Water Utility	\$60
Topeka Wastewater Utility	\$40
Maximum 2014 Rebate Per Household	\$175

- Rebates will be paid directly to the applicable utility company on behalf of the applicant. There will be no funds directly paid to the applicant.

3. Where do I get an application form?

- Community Resource Council (CRC) will be administering the program for the City of Topeka.
- Call CRC at 785-233-1365
- Visit CRC's website at www.crcnet.org
- Application forms are also available from the following agencies:
 - Jayhawk Area Agency on Aging
 - Topeka & Shawnee County Public Library
 - Shawnee County Clerk's Office
 - City of Topeka website
 - Community Action

4. What do we mean by a "complete" application?

- Application must be filled out and signed by applicant.

Applicants must:

- provide proof of address and income in order to meet the residency and income requirements.

Examples include: a personal identification card, driver's license or a 2013 Federal Tax Return.

Applications must provide proof of criteria in the following ways:

- Criteria Proof
 - Applicants seeking to qualify under the disability criteria must provide an SSDI card.
 - Applicants qualifying due to age will show identification reflecting date of birth.
 - A parent qualifying under the criteria for dependent children will need to show identification and list all names of children in the household with their Social Security numbers and birthdates.
- Provide a recent utility bill from Kansas Gas, Westar and/or the City Water Division.

5. What do you mean by “claim year”?

- The claim year is the prior year. If you are applying for a rebate in 2014, the Franchise Fee Rebate Program claim year will be for utility franchise fees paid in 2013.

6. How long does it take to process my application?

- Upon receipt of a complete application the application will be processed and a rebate check will be sent to the applicable utility company (Kansas Gas and Westar). CRC will send a list to the City's Water Division of all applicants eligible for a water account credit. Posting to accounts may take up to 2 weeks.

7. What is the application deadline for these programs?

- Applications will be accepted from January 1 – June 1, 2014. This program will remain open until funding is exhausted or June 1, 2014.

8. I owe money on my City water account. Will I still receive a credit on my account?

- The rebate will be applied as a credit to your account. If you closed your utility account and have no delinquent or unpaid charges to the City of Topeka, then a check may be issued.

9. What if I have moved during the claim year?

- Provide your previous address on the space provided on the front page of the application.
- Provide copies of previous and current utility bills.

10. **My relative has a City utility account, but I pay the bills on their behalf. Will I receive the Water and Wastewater Utility Rebate since I pay the bills on that account?**
 - No. The customer name indicated on the City utility account (the individual who established the account) is the only individual who can apply for this Rebate.
11. **The rebate states it is for water and wastewater. I only have wastewater service provided by the City. Can I apply for a rebate for just wastewater?**
 - Yes, just simply select the Wastewater option on the application form.
12. **Will this affect MAACLink eligibility?**
 - No. Applicants who receive the Franchise Fee Rebate **WILL NOT** be precluded from receiving other utility assistance within Shawnee County Kansas. A communique will go out to all MAACLink Agency Executive Directors & staffs explaining the City's Franchise Fee Rebate program.
13. **Where can I learn more about these programs?**
 - Contact CRC at 785-233-1365 or visit their website at www.crcnet.org
 - Or the City's Web site at www.topeka.org
14. **I don't have a computer so I prefer to talk with someone about these programs. Who do I contact?**
 - Call CRC at 785-233-1635 and a representative will be happy to assist you with any questions you may have.



A Capital City Government Working For You...

www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

December 9, 2013

☐ Back ☐ Print

DATE: December 17, 2013
CONTACT PERSON: Jeff White, Interim Finance Director
DOCUMENT #:
SECOND PARTY/SUBJECT: PROJECT #:
CATEGORY/SUBCATEGORY 020 Resolutions / 005 Miscellaneous
CIP PROJECT: No
ACTION OF COUNCIL: JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

A RESOLUTION introduced by City Manager Jim Colson, setting the public hearing to consider the advisability of establishing a Community Improvement District (CID) for Crosswind Commons at SW 12th Street and SW Wanamaker Road, as more specifically described herein.

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

(Approval would set a public hearing date on January 7, 2014, to consider the advisability of creating a Community Improvement District (CID district), in the City Council Chambers located at 214 SE 8th Street.)

POLICY ISSUE:

Whether to set a public hearing on January 7, 2014, to hear public comment with regard to whether the City will establish a community improvement district at SW 12th and Wanamaker.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

The owners of property at 12th and Wanamaker have petitioned the governing body to establish a community improvement district pursuant to K.S.A. 12-6a26. Applicants are requesting that the City impose a 1% sales tax on retail purchases of property and services within the district and issue special obligation bonds which will be used to pay for the redevelopment of the property.

BUDGETARY IMPACT:

A community improvement district is a self-supporting economic development tool. The CID levies an incremental sales tax on businesses within the district. The state collects the incremental sales tax, remitting

item #21

it to the City for reimbursement of qualified CID project costs as certified by the project developer. The City's only budgetary impact is the administration of the monies.

SOURCE OF FUNDING:

Special Obligation bonds

ATTACHMENTS:

[Resolution](#)

[Map](#)

[CID Procedures](#)

[CID Policy - Final](#)

(Published in the Topeka Metro News _____ & _____)

RESOLUTION NO. _____

A RESOLUTION introduced by Jim Colson, City Manager, setting the public hearing to consider the advisability of establishing a Community Improvement District (CID) for Crosswind Commons at 12th and Wanamaker Road, as more specifically described herein.

WHEREAS, K.S.A. 12-6a26 *et seq.*, as amended establishes the Community Improvement District Act (the “Act”) for economic development and any other purpose for which public money may be expended; and

WHEREAS, cities are authorized to create a community improvement district (CID) to assist with the financing of eligible projects provided cities comply with the procedures set forth in the Act; and

WHEREAS, the City received a petition from the owners of record of more than 55% of the land within the proposed CID district and the owners collectively owning more than 55% by assessed value of the land area within the proposed CID district generally described as Crosswind Commons at 12th and Wanamaker Road and legally described in Section B herein; and

WHEREAS, in order to assist in the redevelopment of this commercial retail area, the City desires to consider the establishment of a CID as requested by Petitioners and in accordance with the Act; and

WHEREAS, K.S.A. 12-6a29 provides that any city proposing to establish a CID must adopt a resolution stating that the city is considering the establishment of a CID and include in such resolution notice that a public hearing will be held to consider the establishment of the CID.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TOPEKA, that a public hearing shall be held to consider the advisability of creating a Community Improvement District ("CID district"), in the City Council Chambers of City Hall, 214 SE 8th Street, on January 7, 2014 at 6:00 p.m.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council shall meet for the purpose of holding a public hearing in the City Council Chambers of City Hall, 214 E. 8th Street, at 6:00 p.m. on January 7, 2014 to consider the advisability of creating a Community Improvement District, more specifically described as follows:

A. GENERAL NATURE OF IMPROVEMENT:

The general nature of the proposed project (Project) to be constructed within the community improvement district (District) is to promote the development of a new 13.26 acre commercial retail development. The Project may be more particularly described as the construction, maintenance, and procurement of certain improvements, costs and services within the District, including, but not limited to, land acquisition, infrastructure related items, sidewalks, parking lots, drainage improvements, buildings, tenant improvements, utilities, landscaping, lighting, signage, soft costs of the Project and the City's and the Petitioner's administrative costs in establishing and maintaining the District and any other items permitted to be financed with the District under the Act.

B. PROPOSED IMPROVEMENT DISTRICT:

Tract 1: MDR Subdivision, Block A, Lot 1, Blk A Lot 1 MDR Sub, Also LT 1, Blk A MDR Sub #2, Section 32, Township 11, Range 15, City of Topeka, Shawnee County, Kansas

Tract 2: Vitt Acres, Lot 5, N 105' of Lot 5, Vitt Acres, Also Blk A, Lt 1, Ruth Sub, Section 32, Township 11, Range 15, City of Topeka, Shawnee County, Kansas

C. ESTIMATED OR PROBABLE COST:

\$22,600,000

D. PROPOSED METHOD OF FINANCING:

The proposed method of financing is through a CID sales tax and issuance of special obligation bonds. The proposed amount of the CID sales tax to be levied is one percent (1%) which shall be levied upon all sales of tangible personal property at retail or services taxable within the CID district pursuant to the Kansas Retailers' Sales Tax Act. The special obligation bonds shall be payable solely from a pledge of the CID sales tax and shall not be a general obligation of the City.

The hearing may be adjourned from time to time and until the Governing Body shall have made findings by resolution as to the advisability of establishing a Community Improvement District, levying a 1% sales tax within the District, and issuing special obligation bonds. All persons desiring to be heard with reference to the creation of the District shall be heard at this hearing.

Upon adoption of this Resolution, a copy shall be mailed by certified mail, return receipt requested, to each owner within the proposed District at least 10 days prior to the date of the public hearing. The City Clerk shall publish this resolution at least once each week for two consecutive weeks in the official city newspaper with the second publication occurring at least seven days prior to the date fixed for the public hearing.

ADOPTED and APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk

EXHIBIT A
DISTRICT MAP



**CITY OF TOPEKA
COMMUNITY IMPROVEMENT DISTRICT ("CID") PROCEDURES**

Effective Date: 11-9-11

Sections:

- I POLICY APPLICABILITY**
- II DEFINITIONS**
- III APPLICATION PROCESS**
- IV DISTRICT ESTABLISHMENT**
- V METHOD OF PROJECT FINANCING**
- VI BOND FINANCING GUIDELINES**

I. POLICY APPLICABILITY.

The following procedures are established under the authority of the City Manager and are intended to provide guidance in establishing a Community Improvement District ("CID" or "District") in accordance with the Governing Body CID Policy as approved by Resolution No. 8392 on October 25, 2011. The CID Policy is incorporated herein by reference. These procedures may be waived by the City Manager, if such waiver is in the best interest of the City and does not conflict with any statutory or procedural requirement of state law. If any part of this procedure conflicts with state law, the latter shall control.

II. DEFINITIONS.

The terms used in these Procedures shall have the same meaning as set forth in Section III of the CID Policy.

III. APPLICATION PROCESS.

A. CID Application. An applicant shall make application for a CID by filing with the City Clerk one (1) original written application on a form provided by the City, in addition to an electronic copy of the application. The applicant shall also submit the petition required by the Act.

B. Fees.

1. Application Fee. A non-refundable application fee in the amount of \$1,500.00, made payable to the City of Topeka, shall accompany the CID Application.

2. Reimbursement. Applicant shall pay the following costs by either paying the third party directly or by reimbursing the City prior to the City incurring the cost:

a. All costs necessary to comply with state law, including but not limited to: costs of all legal publication notices, resolutions, ordinances, and proceedings relating to the issuance of bonds;

b. City bond counsel, the City's financial advisor, and any other third party professional retained by the City to review and evaluate the petition.

3. CID Administrative Fee if District is Approved. An annual administrative fee of 1% of the annual CID revenue generated within the District shall be charged to reimburse City for services rendered in the administration and supervision of the Project. Such CID Administration Fee shall be paid from the Project Fund. The CID Administrative Fee is an eligible cost for reimbursement if there are sufficient funds. In no event shall the total fee, including the initial application fee and the CID Administrative Fee, but excluding the costs in Section III(B)(2), exceed 5% of the total Project cost.

4. Amendments. The City Manager may establish City fees, for amendments and modifications to the District financing documents that occur throughout the term. In addition, the applicant shall be responsible for all City Consultant fees associated with any such amendment request.

5. State Fee. In addition to the CID Administrative Fee, if a CID sales tax is utilized, the Kansas Dept of Revenue may retain 2% of the CID sales tax up to a maximum of \$60,000.00 per state fiscal year, in the state CID sales tax administration fund to defray the expenses of the state in administration and enforcement.

C. Preliminary Review and Pre-Application Meeting. Prior to submittal of a formal application, an applicant is encouraged to meet with the Review Committee to discuss a proposed project and possible CID financing. These discussions are preliminary and are not binding on the applicant, the Review Committee, or the Governing Body. If the City utilizes any consultants to assist with the preliminary evaluation, the applicant shall be responsible to pay the associated costs, provided the City has first notified the applicant of such request and received their consent.

IV. DISTRICT ESTABLISHMENT.

A. Petition. A CID shall be established by petition filed with the City Clerk. The Petition must meet all requirements of the Act, the CID Policy and these Procedures and must be submitted in sufficient time for staff to follow established procedures for publication; to perform site plan review; and to analyze the merits and feasibility of the proposed CID. The City reserves the right to request any additional information to supplement the Petition.

B. Petition Participation.

1. An applicant seeking to finance all or a portion of the CID eligible expenses with a CID special assessment must obtain the signatures of 100% of the property owners of all land area within the District.
2. An applicant seeking to finance CID eligible expenses in whole or in part by a CID sales tax must obtain the signatures of 100% of the property owners of the land area within the proposed District.

C. Public Hearing (Sales Tax Only). If a CID sales tax is requested for all or part of the project, the Governing Body shall adopt a resolution calling for a public hearing on the creation of the District and imposition of a CID sales tax. The resolution shall be published once per week for two (2) consecutive weeks with the last publication at least seven (7) days prior to the hearing and also sent by certified mail to all owners at least ten (10) days prior to the hearing.

For Districts financed by special assessments only and for which a petition signed by 100% of the property owners is submitted, no notice or public hearing is required for Governing Body action.

D. Governing Body Action. The Governing Body will not consider a CID until a complete application is submitted and reviewed by the Review Committee, fees are paid, and a recommended Development Agreement is available. Following the public hearing, if required, the Governing Body by majority vote may establish the District by ordinance.

1. The ordinance shall authorize the Project, approve the estimated cost of Project, include a legal description of the District (with map), approve the method of financing including the levying of a CID sales tax (if applicable), and approve the maximum amount and method of assessment, if applicable. The ordinance shall become effective upon publication once in the official city newspaper. The ordinance shall also be recorded with the Register of Deeds.
2. Governing Body establishment of a CID does not constitute approval of a site plan, zoning, or other land development approval. Establishment of a CID is an entirely separate process. CID projects are still required to obtain the necessary development and regulatory approvals.

V. METHOD OF PROJECT FINANCING.

A. Certificate of Completion.

1. As noted in the Policy, Projects may be financed by a variety of methods. Before payment will be made to applicant, the City must issue a

Certificate of Completion. Multiple Certificates of Completion may be issued for projects with approved phases.

2. The request for Certificate of Completion shall include an affidavit of the applicant certifying:

- a. Project improvement is an approved CID eligible cost and identify its priority for reimbursement, if any;
- b. Project was constructed in accordance with all applicable laws and codes;
- c. Cost was incurred for authorized project improvements;
- d. Cost has not previously been submitted for reimbursement;
- e. Cost reflects the actual cost expended; and
- f. Applicant has no outstanding or anticipated liens for work constructed.

B. Reimbursement.

1. If pay as you go financing is used, the applicant shall submit to the Director of Finance copies of all invoices supporting its request for reimbursement, accompanied by a Certificate of Completion. Invoices must be submitted quarterly and such submission must occur at least thirty (30) days prior to any quarterly disbursement period or applicant shall have to wait until the next quarterly disbursement period.

2. The Director of Finance shall attempt to determine the eligibility of the cost within thirty (30) days of the submittal. If the Director determines the nature or amount of the request for reimbursement is outside the scope of the Act or the Development Agreement, Developer may appeal this decision in accordance with the procedure in Chapter 2.145 of the Topeka Municipal Code. Any reimbursement payment shall be stayed pending a determination by the hearing officer.

3. Requests for reimbursement shall be denied unless submitted before the Project is closed or within thirty (30) days thereafter.

4. CID revenues shall be paid in the following order:

- a. First, the CID administrative fee.
- b. Second, cost of preparation and publication of notices of

hearings, resolutions, ordinances and other proceedings relating to the creation or administration of the District or the issuance of bonds.

c. Third, the Petitioner's other costs as defined in Section III(B) of the CID Policy.

C. Special Assessments.

1. If special assessments shall be levied to finance all or any part of the Project cost, the City must follow the procedures set out in K.S.A. 12-6a01 *et seq.* except that no assessments may be levied against the City at large. In addition, if the source of financing includes payment from a pledge of revenue received from the CID sales tax or any other funds appropriated by the City for purpose of paying Project costs, including the principal and interest of bonds, then the ordinance levying the assessments may state that the annual installments of such assessment for any year may be reduced or eliminated to the extent that, prior to the date the City certifies the City tax levy to the County, the City has received sufficient funds from the above described sources to pay the debt service on any bonds issued for the Project costs, which would have been paid by such installment.

2. The City is not required to refund any prepayment of assessments after such prepayment is made to the City. Any prepayment must be paid in full prior to the issuance of bonds, or after the issuance of bonds by paying all of the installments which have been levied and also the unlevied installments with interest on the latter at the rate provided in the bonds from the date of the bonds to the time of maturity of the last installment in compliance with K.S.A. 10-115, and amendments thereto.

D. CID Sales Tax.

1. A CID sales tax may be levied in any increment of .10% or .25% not to exceed 2%, which amount is in addition to the aggregate amount of the retailers' sales tax contained in K.S.A. 12-187 through 12-197. The revenue from the CID sales tax may be pledged to pay the bonds issued for the Project or to reimburse the cost of the Project through pay-as-you go financing.

2. If CID bonds are issued, the CID sales tax shall expire no later than the date the bonds mature. If pay-as-you-go financing is used, the CID sales tax shall expire on a date approved by the City, but no later than 22 years from the date the state director of taxation begins collecting such tax or when the Project bonds or pay-as-you-go costs have been paid.

3. Procedure:

a. Upon adoption of a CID sales tax, the City shall send a certified copy of the resolution or ordinance authorizing the levy of the CID sales tax to the Kansas Director of Taxation. Notice must be received ninety (90) days before the first day of the quarter in which the CID sales tax will commence. Thereafter, the Kansas Director of Taxation shall commence collection of the CID sales tax in the District at the same time and in the same manner for the collection of the state retailers' sales tax. The full remittance shall be deposited in the state treasury.

b. The state may retain 2% of all CID sales taxes collected up to \$60,000 per state fiscal year for deposit in the state CID sales tax administration fund to defray the state costs of administration and enforcement (the "state fee").

c. The state shall no less than quarterly remit to the City the CID sales tax receipts collected less the state fee, if any. The amount shall be deposited in the City CID Project fund. Such fund shall be created for each District.

d. Within 15 days of written request of the City, the state will provide the City with a copy of any retailers' sales and use tax return filed with the state in connection with a District for which sales or use tax revenues are intended to be used to finance Project costs. Such returns and the information contained therein shall be kept confidential, but may be used for purposes of allocating and depositing such revenues in connection with the bonds used to finance Project costs.

E. Appeals. No suit to set aside assessments or otherwise question the validity of the proceedings for the District establishment or Project authorization shall be brought 30 days after publication of the resolution or ordinance creating the District. No suit to set aside the CID sales tax may be brought 30 days from the publication of the ordinance or resolution declaring the intent to impose the CID sales tax. No protest petition pertaining to the issuance of full faith and credit bonds may be brought 60 days following the date of public hearing to create or modify the District.

VI. BOND FINANCING GUIDELINES.

If CID bonds are issued for the project, the following guidelines shall be applied:

A. The maximum maturity for Bonds is 22 years.

B. For feasibility, it is recommended that Bonds be issued in a minimum amount of \$ 1,000,000. This amount may be adjusted upon recommendation of the Review Committee and approval of the Governing Body.

C. CID Bonds issued under this Policy must include security for the bonds of a sufficient amount, and in a form approved by the City's bond counsel and financial advisor, to minimize any risk of default.

D. Bonds issued under this Policy must be sold to qualified investors (as defined by the Securities and Exchange Commission Regulation D) in accordance with the minimum denominations as provided herein.

E. Bonds must initially be offered in denominations of \$100,000 or greater. These denominations may be stepped down (upon consultation with the City's bond counsel and financial advisor) when one of the following are met:

1. the Project being bond financed is substantially leased;
2. the estimated revenue stream yields significant debt service coverage on the bonds;
3. construction of the Project being bond financed is 100% complete;
4. the repayment term is less than or equal to 60% of the maximum permitted repayment term; or
5. waiver by the City Manager.

F. If a negotiated sale of the bonds is utilized, the City will generally select the underwriter(s) needed to structure, price, and sell the bonds. Exceptions to this process may be approved by the City Manager upon consultation with the City's bond counsel and financial advisor.

G. All pricing for negotiated sales will be performed with direct involvement by City staff and the City's financial advisor. Any savings generated as a result of discounts or premiums will be used for the benefit of the District.

CITY OF TOPEKA



Daniel R. Stanley, Interim City Manager

CITY OF TOPEKA COMMUNITY IMPROVEMENT DISTRICT ("CID") POLICY

Effective Date: October 25, 2011

Sections:

- I. OBJECTIVES
 - II. SCOPE
 - III. DEFINITIONS
 - IV. PROVISIONS
 - V. PROCEDURES
 - VI. STATUTORY AMENDMENTS
 - VII. EFFECTIVE DATE
 - VIII. RESPONSIBILITY FOR ENFORCEMENT
-

I. OBJECTIVES.

The proper use of a Community Improvement District (CID) should promote, stimulate and develop the general and economic welfare of and quality of life in the City of Topeka. A CID involves public financing of all or a portion of a "Project" as defined in the Community Improvement District Act ("Act") within a prescribed area (the District). A CID Project should provide public benefit such as strengthening economic development and employment opportunities; enhancing tourism; upgrading older real estate through redevelopment or rehabilitation; or promoting sustainability. Public financing is achieved by levying and collecting special assessments and/or a CID sales tax upon property in the District.

II. SCOPE.

An applicant may petition the City to utilize CID financing to fund Projects eligible under the Act. The authority and decision to approve a petition establishing a CID for a Project is within the sole discretion of the Governing Body. However, Projects in which the anticipated costs are less than \$1 million dollars will not be considered. The Governing Body is under no obligation to approve any petitioned Project. This Policy is intended to provide a guide in considering applications. The Governing Body reserves the right to deviate from this Policy when it believes it is in the City's best interest.

III. DEFINITIONS.

- A. "CID Sales Tax" means a retailers' sales tax over and above the aggregate amount of the retailers' sales tax contained in K.S.A. 12-187 through 12-197, and amendments thereto, on the selling of tangible personal property at retail or rendering or furnishing services taxable pursuant to the provisions of the Kansas retailer's sales tax act, within a District, in any increment of .10% or .25% not to exceed 2% as authorized

by the Act, pledging such revenue to pay the bonds issued for the Project or to reimburse the cost of the Project pursuant to pay-as-you-go financing.

- B. “Cost” means the definition set out in K.S.A. 12-6a27, as amended. The City, on a case by case basis, may consider costs incurred within 12 months prior to District establishment, provided the costs were incurred after July 1, 2009. The City reserves the right to exclude otherwise eligible costs under the Act. . The approved project costs shall be described in detail in a Development Agreement.
- C. “Owner” means the owner or owners of record, whether resident or not, of real property within the District. The applicant shall be an owner.
- D. “Pay-As-You-Go” means a method of financing in which the costs of a Project are financed privately, and the approved costs of such Project are reimbursed after Project completion as monies are deposited in the District fund.
- E. “Project” may include any item eligible under the Act, as described in K.S.A. 12-6a27, as amended, but the City reserves the right to exclude otherwise eligible Projects under the Act; determine eligible and ineligible projects; and determine the amount of funding for a Project on a case by case basis. These terms and approvals shall be set out in a Development Agreement.
- F. “Review Committee” includes the Deputy City Manager, Director of Finance, Director of Public Works, Director of Planning, Director of Development Coordination, and the City Attorney, or their designees. The Committee may also include City staff and individuals designated by the City Manager, including but not limited to the City’s bond counsel and City financial advisor.

IV. PROVISIONS.

A. Criteria. The Governing Body shall consider establishment of a CID when it determines it is in the best interest of the City and provided the Project meets one or more of the following criteria:

1. Creates facilities which promote the cultural, historical, or artistic elements of the City and enhance tourism and quality of life.
2. Attracts unique commercial, office, industrial, and/or mixed use development which will enhance the economic climate of the City and diversify the economic base.
3. Substantially promotes economic development, investment or reinvestment in the community.

4. Encourages retail projects that enhance the retail base by either attracting new sales or capturing sales moving to other markets.
5. Provides for the construction of facilities that promote tourism or enhance the quality of life within the City.
6. Upgrades older real estate through redevelopment and/ or rehabilitation.

B. Applicant Responsibility. The application process shall include an application form and the petition required by the Act. As part of the process, the applicant shall complete the following prior to submission of the petition to the Governing Body:

1. Provide evidence in a form satisfactory to the City of the applicant's financial ability to complete the proposed project in a timely manner.
2. Provide documentation substantiating the applicant's sources of funding, including the amount/percentage of equity funding.
3. Submit a financial analysis demonstrating that the projected revenue is sufficient to pay the costs of the project, including bond debt service. The Review Committee may secure an independent feasibility study, the costs of which shall be borne by the applicant.
4. Pay all required fees and comply with all procedural requirements of the Act and the City's CID Policy.
5. Execute a Development Agreement contemporaneous with presentation of the CID petition to the governing body.

C. Review Committee Consideration. The Review Committee shall review each application and petition and make a recommendation to the Governing Body. In determining whether to recommend approval of a CID petition and the method of financing, the Review Committee may consider all of the following:

1. Whether creation of a CID meets one or more of the criteria set forth in Section IV(A);
2. The total development costs and investment, including estimated Project costs for which public financing is sought;

3. Sources of funding, including the amount of equity funding in comparison to public financing;
4. Experience and financial stability of Developer;
5. Whether tenants for the Project are in place and the nature and quality of the tenants;
6. Financial viability of the Project, including potential competition;
7. The amount and purpose of the funding request, including the percentage of funding for capital costs; operational costs; and public costs;
8. If bonds are requested, the projected debt service coverage from projected revenues; any additional security pledged by the Developer; and the marketability of the bonds; and
9. Whatever other factors or considerations the Review Committee believes the Governing Body would find relevant to its decision.

D. Governing Body Review. The Governing Body shall review the financial viability of each CID and shall use this information in determining whether to grant the Petition and, if granted, the appropriate term of the CID, which may be less than the duration allowed by the Act.

1. In the event pay-as-you-go financing is utilized, the CID sales tax shall expire on a date approved by the City, but no later than twenty-two (22) years from the date the state director of taxation begins collecting such tax or when the pay-as-you-go costs have been paid.
2. CID Bonds issued to finance the Project shall mature on a date approved by the City, but no later than twenty-two (22) years from date of issue, unless otherwise provided by law.
3. In no event shall any CID sales tax extend later than the date the bonds issued to finance such project or refunding bonds issued for the Project mature.

E. Financing.

1. Source of Funds. The cost of all or a portion of any authorized CID Project may be financed by any or all of the following sources:

- a. Pay-As-You-Go financing based either on a special assessment or a CID sales tax within the District, or both;
- b. Special Obligation Bond financing payable wholly through special assessments within the CID;
- c. Special Obligation Bond financing payable in part through special assessments within the CID and in part through a CID sales tax;
- d. General Obligations Bonds;
- e. Any other funds appropriated by the City; or
- f. A combination of the foregoing methods.

2. Development Agreement. If after review of the application, the Review Committee determines to recommend approval of the CID to the Governing Body, the Applicant shall supply an executed Development Agreement (the "Development Agreement") which shall be presented to the Governing Body for consideration contemporaneous with the Petition. The Development Agreement shall address the recommended method of financing, approved Project(s) and approved Costs; the feasibility of the Project, the steps to be taken to minimize the risk of default; and any other terms the Committee deems appropriate.

3. Bonds. The City encourages the use of private financing ("Pay-As-You-Go") with reimbursement to the applicant for eligible, approved costs associated with a CID Project, but the City may consider the issuance of Bonds. Any determination to issue Bonds is within the sole discretion of the Governing Body.

- a. CID Bonds. The City may issue special obligation notes or bonds ("CID Bonds") (collectively, "Bonds") to finance one or more Projects. In no event shall special assessments be levied against the City. The City will not provide credit enhancements for CID Bonds; however, credit enhancement provided by an applicant will be viewed favorably.
- b. G.O. Bonds. The City discourages the use of full faith and credit notes or bonds (G.O. Bonds) to finance a Project

under this Act, but may consider such action for that portion of a CID Project that is exclusively for public improvements.

Prior to the issuance of any Bonds, the applicant must receive a Certificate of Completion from the City. In addition, the applicant must agree to certain disclosures required by the City and the Bond underwriters and ensure that if necessary, such disclosure requirements are included in all subsequent tenant leases and land sales within the District.

4. **Project Funds.** A separate fund shall be created for each District and such fund shall be identified by a suitable title (the "Fund"). CID sales tax receipts, special assessments paid to the City under this Act, the proceeds from the sale of Bonds, and any other moneys appropriated by the Governing Body for the purpose of paying Project Costs, including the principal and interest on the bonds issued pursuant to this Act shall be credited to such Fund.

a. The Fund shall be solely used to pay the Costs of the Project either through the issuance of Bonds or Pay-As-You-Go financing, and shall be limited to approved costs included in the ordinance authorizing the Project or in the Development Agreement.

b. Reimbursement of approved Costs may only be made after a Certificate of Completion has been issued by the City.

c. In the event moneys remain in the Fund after the expiration of the CID sales tax, such moneys shall continue to be used solely to pay the Cost of the Project. Upon payment of all Project Costs and principal and interest on any bonds issued for such District, the City has the authority to terminate the CID and spend any moneys remaining in such Fund for the purposes for which local sales tax receipts may be spent.

5. **Fees.** When submitting its application the applicant shall pay a non-refundable application fee to cover City expenses associated with reviewing and processing the CID request. The City shall also require the applicant to reimburse all costs incurred by the City for additional legal, financial and/or planning consultants, for direct out-of-pocket expenses, and for other costs relating to services rendered for the City to review, evaluate, process and consider the petition for a CID. If bonds are requested and subsequently approved by the City the applicant shall also be responsible for all costs of issuance associated therewith. The applicant shall also be responsible for paying an annual administrative fee to cover the cost of monitoring and administering

the CID. Fee amounts shall be set out in the CID Procedures as described in Section

V. PROCEDURES.

City staff shall develop procedures for processing CID applications and filing CID petitions, in addition to such other matters such as the establishment of fees. Such procedures shall be approved, and amended as appropriate, by the City Manager.

VI. STATUTORY AMENDMENTS; CONFLICT WITH STATE LAW.

Any amendment to the Act or any statute cited herein or used as a source of authority for development of the City's CID Policy shall apply without the need to modify or amend this Policy. If any part of this policy conflicts with state law, the latter shall control.

VII. EFFECTIVE DATE.

This CID Policy shall take effect upon passage by the City Council.

VIII. RESPONSIBILITY FOR ENFORCEMENT.

The City Manager shall be responsible for the enforcement of this Policy.



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 21, 2013

☐ Back ☐ Print

DATE: December 17, 2013
CONTACT PERSON: Brenda Younger **DOCUMENT #:**
SECOND PARTY/SUBJECT: Applications **PROJECT #:**
CATEGORY/SUBCATEGORY 006 Communication / 005 Other
CIP PROJECT: No
ACTION OF COUNCIL: **JOURNAL #:**
PAGE #:

DOCUMENT DESCRIPTION:

APPROVAL of Retail Cereal Malt Beverage and Scrap Metal Dealers License Applications.

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

(Retail Cereal Malt Beverage License applications and Scrap Metal Dealer applications must be approved by the governing body prior to issuance of the licenses.)

POLICY ISSUE:

Approval helps ensure businesses are in compliance with City regulations.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the license application(s) as presented.

BACKGROUND:

Pursuant to K.S.A. 41-2702 as amended, license applications for retail cereal malt beverage must be approved by the governing body prior to issuance of the license.

Pursuant to TMC 5.170.040 and L.2011, Ch. 86, Section 2, Scrap Metal Dealer applications have to be approved by the governing body prior to issuance of registration.

BUDGETARY IMPACT:

Budgetary impact is based on the number of licenses issued.

SOURCE OF FUNDING:

City Clerk's Operating Budget

ATTACHMENTS:

No Attachments Available

Item #22



A Capital City Government Working For You...

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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

December 3, 2013

☐ Back ☐ Print

DATE:	December 17, 2013		
CONTACT PERSON:	Bill Fiander/Bill Hoover	DOCUMENT #:	PUD13/2
SECOND PARTY/SUBJECT:	David H. Stevens; Robert J. Stevens; and MLW LLC	PROJECT #:	
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 007 Zoning		
CIP PROJECT:	No		
ACTION OF COUNCIL:	12/10/13 First Reading.	JOURNAL #:	
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Jim Colson, amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code, by providing for certain changes in zoning on property located at 1700 SW Buchanan and 1113-1115 SW 17th Street from “M-1” Two-Family Dwelling District TO “PUD” Planned Unit Development District (“C-1” Commercial uses with residential occupancy, “O&I-2” Office and Institutional District, and “M-1” Two-Family Dwelling District) on 1700 SW Buchanan and 1113-1115 SW 17th Street and a vehicle surface parking lot as a principal use on 1113-1115 SW 17th Street. Final Reading.
(PUD13/2) (Council District No. 3)

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

(Approval would allow the properties at 1700 SW Buchanan and 1113-1115 SW 17th Street to develop for mixed use development including C-1 commercial uses with residential occupancy, offices, duplexes, or off-street parking.)

POLICY ISSUE:

As a condition of the Planned Unit Development, the request is in conformance to the Chesney Park Neighborhood Plan by limiting strip commercial characteristics along 17th Street and requiring new construction to be consistent with the plan's design guidelines. The Governing Body has the following options to consider:

- (1) Adopt the recommendation of the Planning Commission by a majority vote (6) of the Governing Body. Item #23
- (2) Override the recommendation of the Planning Commission by a two-thirds majority voted (7) of the

Governing Body.

(3) Return the recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's decision to approve or disapprove by a majority vote (6) of the Governing Body.

STAFF RECOMMENDATION:

Staff is recommending the Governing Body move to adopt the ordinance.

BACKGROUND:

Phase 1 of the proposal located near 1700 SW Buchanan, allows for access off of SW Buchanan only; signage will be limited to an 18 square foot monument and an 18 square foot wall sign. Any commercial use (C-1) must close by 8:00 p.m.

Phase 2 of the proposal located near 1113-1115 SW 17th Street allows for a vehicle surface parking lot and other principal uses. Access from the existing 17th Street driveway will be permitted if developed as residential. If the property is developed as commercial with residential or office uses, the location of the driveway on 17th Street will be determined at the time of site development and approved by the City Engineer. Signage will be limited to an 18 square foot monument sign and an 18 square foot wall sign. Any commercial (C-1) uses must close by 8:00 p.m.

The Planning Commission and the Topeka Planning Department recommends approval.

BUDGETARY IMPACT:

There would be no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable

ATTACHMENTS:

[Ordinance](#)

[Summary Report](#)

[Staff Report](#)

[PUD plan revised per PC approval](#)

[8-19-13 PC minutes](#)

[9-16-13 PC minutes](#)

[11-18-13 PC Minutes](#)

[Aerial Map](#)

[Zoning Map](#)

[Citizen Participation report](#)

[Design Guidelines along Image Corridors](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Jim Colson, amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), by providing for certain changes in zoning on property located at 1700 SW Buchanan and 1113-1115 SW 17th Street from “M-1” Two-Family Dwelling District TO “PUD” Planned Unit Development District (“C-1” Commercial uses with residential occupancy, “O&I-2” Office and Institutional District, “M-1” Two-Family Dwelling District on 1700 SW Buchanan and 1113-1115 SW 17th Street and a vehicle surface parking lot as a principal use on 1113-1115 SW 17th Street. (PUD13/2) (Council District No. 3)

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

Section 1. That the “District Map” referred to and made a part of the Zoning Ordinance by Section 18.50.050 of the Topeka Municipal Code (TMC), be and the same is hereby amended, by reclassifying the following described property:

1700 SW BUCHANAN STREET

THE WEST 57 FEET OF LOTS 618, 620, 622 AND 624 AND THE WEST 57 FEET OF THE NORTH HALF OF LOT 626 ON BUCHANAN STREET, FORMERLY LINCOLN STREET, BLOCK 4, MARTIN & DENNIS' SUBDIVISION, AN ADDITION TO THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS. LESS THE FOLLOWING DESCRIBED TRACT: PART OF LOTS 618, 620 AND 622 ON BUCHANAN STREET, FORMERLY LINCOLN STREET, BLOCK 4, MARTIN AND DENNIS' SUBDIVISION IN THE CITY OF TOPEKA, SHAWNEE COUNTY KANSAS, DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF LOT 618; THENCE SOUTH ALONG THE WEST LINE OF LOTS 618, 620 AND 622 TO A POINT 97.51 FEET SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 12 SOUTH, RANGE 15 EAST OF THE 6TH P.M.; THENCE NORTHERLY TO A POINT ON THE NORTH LINE, 10.14 FEET EAST OF THE NORTHWEST CORNER OF LOT 618; THENCE WEST TO THE PLACE OF BEGINNING.

1113 SW 17TH STREET

THE EAST 41 FEET OF LOT 618, 620, 622, 624 AND THE EAST 41 FEET OF THE NORTH 1/2 OF LOT 626, ON BUCHANAN STREET FORMERLY LINCOLN STREET, (BLOCK 4), IN MARTIN AND DENNIS SUBDIVISION, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.

1115 SW 17TH STREET

THE EAST 48 FEET OF THE WEST 105 FEET OF LOTS 618, 620, 622, AND 624 AND THE EAST 48 FEET OF THE WEST 105 FEET OF THE NORTH 1/2 OF LOT 626, ON BUCHANAN STREET, FORMERLY LINCOLN STREET, (BLOCK 4), IN MARTIN AND DENNIS SUBDIVISION, IN THE CITY OF TOPEKA, SHAWNEE COUNTY,

PUD13/2

KANSAS.

Section 2. The development of the site is from “M-1” Two-Family Dwelling District TO “PUD” Planned Unit Development District (“C-1” Commercial uses with residential occupancy, “O&I-2” Office and Institutional District, “M-1” Two-Family Dwelling District on 1700 SW Buchanan and 1113-1115 SW 17th Street and a vehicle surface parking lot as a principal use on 1113-1115 SW 17th Street.)

Subject to:

1. Use and compliance of the site in accordance with the recorded Master Planned Unit Development Plan for Stevens 17th Street.

Section 3. The Master PUD Plan shall be recorded with the Shawnee County Register of Deeds in accordance with Section 18.190.060(b) of the Topeka Municipal Code (TMC). Following the recording of the Master PUD Plan and prior to any building and/or land development on the site, a site development plan shall be submitted for review and administrative approval by the Planning Director.

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

Section 5. This Ordinance Number shall be fixed upon the “District Map”.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED by the Governing Body of the City of Topeka,
_____, 2013.

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk

PUD13/2

To Be Codified _____

Not To Be Codified X

CITY OF TOPEKA PLANNING DEPARTMENT

SUMMARY REPORT

Re: PUD13/2 Stevens 17th Street Planned Unit Development Plan

The proposal is a request on properties located at 1700 SW Buchanan and 1113-1115 SW 17th Street to amend the zoning classification from “M-1” Two-Family Dwelling District to “PUD” Planned Unit Development (“C-1” Commercial District uses with a residential occupancy requirement, “O&I-2” Office and Institutional District uses, and “M-1” Two Family Dwelling District uses on all properties, and a vehicle surface parking lot as a principal use on the properties at 1113-1115 SW 17th Street only.)

- **Phase I:** (1700 SW Buchanan) – Allows neighborhood commercial uses (“C-1” District) with a residential occupancy requirement, “O&I-2” Office and Institutional District without a residential occupancy requirement, residential uses only (“M-1” Two Family Dwelling District) or a combination of these uses; Access will be provided off of SW Buchanan only; signage will be limited to an 18 sq. ft. monument and an 18 sq. ft. wall sign. Any “C-1” use must close by 8:00 pm.
- **Phase II:** (1113-1115 SW 17th Street) – Allows neighborhood commercial uses (“C-1” District) with a residential occupancy requirement, “O&I-2” Office and Institutional District without a residential occupancy requirement, residential uses only (“M-1” Two Family Dwelling District) or a combination of these uses. A vehicle surface parking lot as a principal uses will also be allowed. Access from the existing 17th Street driveway will be permitted if developed as residential only. If the property is developed as commercial with residential or office uses, the location of the driveway on to 17th will be determined at the time of site development as approved by the City Engineer. Signage will be limited to an 18 sq. ft. monument sign and an 18 sq. ft. wall sign. Any “C-1” use must close by 8:00 pm.

As conditioned on the Planned Unit Development (PUD), the request is in conformance to the neighborhood plan. The PUD requires any new principal buildings conform to the Chesney Park Neighborhood Plan’s recommendations for “Design Guidelines along Image Corridors”. The Planning Commission recommended the proposal be approved by a vote of 7-0-1 at the November 18, 2013, public hearing. The Planning Department recommended the proposal be approved, as referenced in the attached staff report.

As there are no outstanding issues, the Planning Department requests the Governing Body move to approve the Ordinance and adopt the zone change.

November 18, 2013
Agenda Item # E-1

ZONING REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

CASE NO: PUD13/2
(Stevens 17th Street PUD)

by: David H. Stevens, Robert J. Stevens, & MLW LLC

The request was first heard by the Planning Commission at its August 19, 2013 public hearing and was deferred at the request of the applicant. The public hearing was continued to the Planning Commission's September 16th meeting. The Planning Commission further continued the public hearing to its November 18, 2013 meeting to allow staff to work with the applicants and develop some alternatives to the PUD as originally proposed. The PUD plan, as proposed herein, recommends a new alternative that is agreed upon by planning staff and the applicants. The staff report has been revised accordingly and the zone change request was re-advertised in the Metro News. All property owners within 200 ft. and NIAs within ½ mile were re-sent property owner notices indicating the zone change revisions.

PROPOSAL: Zone change from “M-1” Two-Family Dwelling District **TO** “PUD” Planned Unit Development (“C-1” Commercial District uses with a residential occupancy component, “O&I-2” Office and Institutional District uses, and “M-1” Two Family Dwelling District uses on all properties, and a vehicle surface parking lot as a principal use on the properties at 1113-1115 SW 17th Street only.)

LOCATION: 1700 SW Buchanan and 1113-1115 SW 17th Street



PRESENT USE: A commercial building (1700 SW Buchanan) that was constructed in 1920 and has been renovated and re-used for residential on the inside. The properties at 1113-1115 SW 17th Street are vacant. The total area comprises approximately 0.35 acres. The applicants are currently living in the existing building as a residence with a home occupation permit for online sales for gun sales and service.

PROPOSED USE: The proposed uses are broken down into two phases on the PUD as outlined below:

- **Phase I:** (1700 SW Buchanan) – Would allow commercial uses (“C-1” District) with a residential occupancy requirement, “O&I-2” Office and Institutional District without a residential occupancy requirement, residential uses only (“M-1” Two Family Dwelling District) or a combination of these uses; Access will be provided off of SW Buchanan only; signage will be limited to an 18 sq. ft. monument and an 18 sq. ft. wall sign.

November 18, 2013
Agenda Item # E-1

- **Phase II:** (1113-1115 SW 17th Street) – Would allow commercial uses (“C-1” District) with a residential occupancy requirement, “O&I-2” Office and Institutional District without a residential occupancy requirement, residential uses only (“M-1” Two Family Dwelling District) or a combination of these uses. A vehicle surface parking lot as a principal uses will also be allowed. Access from the existing 17th Street driveway will be permitted if developed as residential only. If the property is developed as commercial with residential or office uses, the location of the driveway on to 17th will be determined at the time of site development as approved by the City Engineer. Signage will be limited to an 18 sq. ft. monument sign and an 18 sq. ft. wall sign.

CHARACTER OF NEIGHBORHOOD: The subject property is located directly to the west of an existing commercial node located at the intersection of SW Clay (local street) and SW 17th Street (minor arterial) in an area comprised of predominately residential uses, except for the American Red Cross office (constructed 1969) one block to the west. The subject properties are considered a transitional area between the higher intensity commercial and lower intensity residential.

ZONING CLASSIFICATION AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North:	“R-2” Single-Family Dwelling District	Single-family residences
South:	“R-2” Single-Family Dwelling District	Single-family residences
East:	“C-2” Commercial District	Sign company
West:	“M-1” Two-Family Dwelling District	Single-family residences

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION: The existing building at 1700 SW Buchanan was constructed in 1920 and has historically been used for various commercial uses, including an automobile service station. The property has been zoned “M-1” Two-Family Dwelling District since at least 1992 with the most recent City-wide comprehensive zoning code update. The existing commercial building was used most recently as a single-family dwelling in 2009. The properties at 1113-1115 SW 17th Street were used as single-family residential until 2012 when these two residences were demolished.

SUITABILITY OF PROPERTY FOR USES TO WHICH IT HAS BEEN RESTRICTED: The subject property is still suitable as presently restricted for residential uses since it was most recently used for residential, is bounded on all but one side by single-family residential properties, and is located along a primarily residential street at a “transition area” between commercial and residential uses. The subject property is along a corridor intended for residential infill development. The zoning code does provide for PUDs to be used in some circumstances on smaller properties (< 1 acre) that transition from non-residential to residential and are located on the edge of neighborhood commercial areas, such as this. These Transition PUDs are intended to allow infill development that is compatible within the adjacent residential neighborhoods by addressing design standards, such as, signage, access, building orientation, landscaping buffers, setbacks, uses, and fencing. These standards are typically applied to Transition

November 18, 2013
Agenda Item # E-1

PUDs because of the nature of the location of the *Transition Area*, typically next to or within a residential setting. As recommended, staff believes the proposed PUD will allow for an appropriate re-use of the existing commercial building for live-work uses and some flexibility for the redevelopment of the vacant properties fronting SW 17th Street that will be consistent with design guidelines as recommended for new development along image corridors in the Chesney Park Neighborhood Plan (Pg. 53).

CONFORMANCE TO COMPREHENSIVE PLAN: The subject property is located within an area identified as *Office/Residential – Transition* in the Chesney Park Neighborhood Plan (2008). The plan recognizes certain areas as *Transition Areas* due to underlying zoning and land uses, presence of vacant land, and blighted structures. These *Transition Areas* are intended to allow for some flexibility of uses and provide for compatible infill development. The neighborhood plan indicates that development within these designated *Transition Areas* should apply appropriate design standards for new development along image corridors (pg. 53). The PUD will comply with these requirements for new principal buildings, as noted on the PUD.

The PUD proposes that the existing building will be intensified, as it is already being adaptively re-used as a residence. Adaptive re-use of the property is significant since this structure directly contributes to the character of the neighborhood. The Chesney Park Plan specifically calls it out as a model of successful adaptive residential re-use. The neighborhood plan indicates this property is an “anchor” for the neighborhood. Its continued re-use will directly contribute to the goal of the plan which is to, “*identify, preserve, and enhance community assets to improve neighborhood identity, foster pride, and encourage investment.*” As recommended by staff, a mixed – use PUD for neighborhood commercial uses with a residential component where the commercial use closes by 8:00 pm will likely be in conformance to the Chesney Park Neighborhood Plan as it aligns with home occupation limits for residential. The PUD would also allow for duplex or office uses in the future for both Phases I and II.

Staff still believes there are some “C-1” Commercial District uses that are not in conformance to that goal of the plan which recommends that, “*New retail be concentrated at existing commercial nodes south of SW 21st and north of SW 17th and strip commercialization be prohibited along the neighborhood edges*”. The “C-1” District may need to be re-calibrated because of the changes in market and neighborhood expectations over the years. Some of the permitted uses that are allowed in “C-1” have tended to become large-scale, community commercial uses serving a broader area than one neighborhood and are no longer intended only for pedestrians and short, local traffic trips. However, the intent of the “Design Standards along Image Corridors” in the neighborhood plan is to prevent the kind of strip commercialization typically found along arterial streets. The requirement that any “C-1” use will have a residential component will also prevent any stand-alone commercial retail centers, which are characteristic in areas of strip commercialization. The PUD will also require a new parking lot within Phase II be landscaped and setback at least 15 ft. from the property line, which is the average building setback along the block.

THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: Staff believes as recommended in the PUD, reclassification of the subject property should not have a detrimental effect on nearby properties with the appropriate considerations being addressed in regards to use, signage, hours of operation for commercial uses, landscaping, fencing, setbacks, and building design.

November 18, 2013
Agenda Item # E-1

GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE OWNER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNER: Denial of the application would restrict the properties for only the residential uses that are allowed in "M-1" and not permit the property to develop for anything other than residential. This may also leave the existing commercial building vacant and unoccupied in the future, unless used for residential only or for residential with a home occupation permit. A building lying vacant for a significant amount of time could potentially cause harm to the neighborhood if it is not maintained. Staff believes with the design standards as indicated in PUD, a live-work use will not harm the public health, safety, and welfare since the PUD will allow the existing building to be used and maintained for both residential uses, limited retail uses with a residential component, or an office building.

AVAILABILITY OF PUBLIC SERVICES: All essential public utilities, services and facilities are presently available to this area.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS:

Minimum Lot Area: **Compliant** – 0.35 acres – Transition PUDs are allowed on properties less than 1 acre pursuant with TMC 18.190.040(a)(2) of the PUD regulations.

Setbacks: **Compliant** – Stipulated on PUD plan.

Platting: **Compliant** – Platted as Lots 618, 620, 622, 624, and the north ½ half of Lots 628, Martin and Dennis Subdivision.

CONCERNS OF STAFF AND REVIEWING AGENCIES: This request was submitted to all applicable reviewing agency staff for consideration and comment. If a parking lot is developed with Phase II, the City Engineer will need to review a drainage report addressing storm water quantity at the site development stage prior to the issuance of a parking lot permit. Storm water quality review is not required by the City of Topeka for this site since the site was already 1/3 developed and less than 1 acre.

ADDITIONAL FACTORS:

1. Citizen Participation Process: The applicant conducted a neighborhood information meeting on July 25, 2013 at the Central Park Community Center. All neighborhoods within ½ mile and property owners within 300 ft. were notified of the original neighborhood information meeting (Central Park, Chesney Park, College Hill, Tennessee Town, and Quinton Heights). The NIAs in ½ mile were re-notified of the zone change revisions.
3. Flood Hazard Area: N/A
4. Airport Hazard Area: N/A
5. Historic Properties: N/A

STAFF RECOMMENDATION: Based on the above findings and analysis, planning staff recommends **APPROVAL**, subject to:

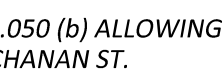
1. Use and development of the site in accordance with the **Master Planned Unit Development Plan for Stevens 17th Street.**

November 18, 2013
Agenda Item # E-1

2. Adding note #5 under Utility Notes: *“If Phase II is developed for a vehicle surface parking lot, a stormwater report addressing only drainage quantity shall be submitted for review and approval by the City Engineer prior to the issuance of a parking lot permit.”*
3. Including “. . . or a Vehicle surface parking lot as a principal use” under Anticipated Development Schedule Phase II also.

Prepared By:
Annie Driver, AICP,
Planner II

DATE _____ TIME _____



Sh. 1 of 1

MY COMMISSION EXPIRES: _____

PUD 13/2

**Minutes of the
Topeka Planning Commission
Monday, August 19, 2013**

PUD 13/2 Stevens 17th Street Retail Planned Unit Development by David H. Stevens & Robert J. Stevens and MLW, LLC requesting to amend the District Zoning Classification from “M-1” Multiple Family Dwelling District **TO** “PUD” Planned Unit Development (“C-1” Commercial District and “M-1” Multiple Family Dwelling use group) on properties at 1113-1115 SW 17th Street and 1700 SW Buchanan Street. **(Driver)**

Discussion by members: Annie Driver summarized the staff report for the case. Mrs. Driver explained Staff recommends approval.

Richard Beardmore asked what the thought was on #4 to restrict the kind of businesses allowed. Ms. Driver explained it was based on the Home Occupation Permit (HMOC) guidelines, which the applicant currently operates under and uses are in line with the neighborhood plan.

Dennis Haugh asked if the building is in compliance with zoning. Ms. Driver explained it is.

Mr. Beardmore asked if the property was zoned R-1. Ms. Driver confirmed.

Michelle Cuevas-Stubblefield asked if pharmacy and drug stores are excluded but a sporting good/gun shop is permissible. Mr. Gales added the question of what was the process to determine appropriate businesses. Bill Hoover explained pharmacies are drive thru sites and this is not a site that drive-thru would work.

Dustin Crook asked if this is a sporting-goods store that will sell guns or a gun store. Ms. Driver confirmed. Mr. Crook stated the goal of the Chesney Park Neighborhood Plan was to rebuild the neighborhood character and restore confidence in family safety. Mr. Crook explained the recommended land uses within the plan for offices/residential. Mr. Crook asked how turning a model into a gun shop is following that plan.

Bill Fiander explained this is a transition area of the plan. Mr. Fiander stated what the building looks like is what is in the plan but the particular use of the building is not the intent of the plan. Mr. Fiander explained that the gun shop would meet the use of a sporting goods store. Mr. Fiander questioned whether a sporting goods store is not more of a community-wide commercial use instead of neighborhood scale. Mr. Fiander explained a PUD could be tailored to meet the needs of the site and

neighborhood. Mr. Fiander stated that within these conditions, it has merit.

Mr. Crook stated the plan indicates office use, which is low density, and that a gun shop in the middle of a residential neighborhood does not meet that criteria.

Mark Boyd, Schmidt, Beck and Boyd Engineering, appeared, on behalf of the applicant, to answer any questions regarding the proposal.

Mr. Boyd stated this case is important because of the essence of small business. Mr. Boyd stated the building was initially a gas station in the 1920s and has changed a few times over the decades, mostly falling to despair. Mr. Boyd stated the applicant is saving and preserving the building. Mr. Boyd stated the applicant is seeking a very select cliental, not the typical retail sporting goods customers. Mr. Boyd asked the Planning Commission to not focus on the gun shop but that it is a retail sporting-goods shop.

Mr. Boyd stated he was confused why there were uses excluded, yet it was later explained that the uses were being added, not removed. Mr. Boyd stated the case is unique. There are two owners, one to operate the business and the other owns the lot that will be used for parking. Mr. Boyd stated it is better to have an occupant with controlled uses.

Mr. Boyd stated the applicant has agreed to most of the requests but the access to 17th Street. Mr. Boyd stated the applicant has gone to a huge expense of demolishing buildings to make the lots yet is not able to have the access he wants. Mr. Boyd described the area and the need for parking in the area. Mr. Boyd explained it is the owner of the lots who is not in agreement to the staff recommendations but Mr. Stevens is.

Mr. Boyd reminded the Planning Commission that Neighborhood Plans do not always play out the way they are written. Mr. Boyd stated he wasn't sure what could be done to move forward.

Mr. Boyd asked for clarification as to why the 17th Street access is being restricted and how the alley will serve as appropriate access for two way traffic. Mr. Boyd stated in an ideal situation, access to 17th Street should be restricted. Mr. Boyd stated, however, in this instance, the property would be better served to leave it unrestricted.

Mr. Boyd asked the Planning Commission to leave the case in the site plan review phase. Mr. Boyd stated he is unsure of how 17th Street will develop and to restrict plans today would be overly burdensome. Mr. Boyd explained the development of 17th and Washburn and how it may

further develop. Mr. Boyd explained he hoped the Planning Commission understood how important the access is.

Mike Lackey asked the distance of second entrance. Mr. Boyd stated 127 feet from center line of Buchanan and 52 feet from alley.

Mr. Gales asked if the client has agreed to all conditions from Planning Staff with exception of six, seven, eight and nine. Mr. Boyd confirmed. Mr. Boyd stated he is concerned with the wording of "shall" in item number four. Mr. Gales asked for clarification of hours of operation.

Mr. Crook stated there is a concern with headlights in windows, which may be the reason for the hours of operation.

Mr. Klausman asked if retail is allowed or not. Ms. Driver confirmed and stated restaurants limited to 50 people are allowed in C-1 zoning.

Mr. Fiander clarified the list of items explain what could not be allowed in the location.

Mr. Gales asked what establishes the hours of operation. Mr. Fiander explained C-1 does not restrict the hours.

Mr. Klausman asked why there are suggested hour restrictions when there are not in C-1 zoning. Mr. Klausman referred to the 37th and Burlingame re-zoning case and stated it was similar. Mr. Fiander explained this is a transition area and a PUD, which is different.

Mr. Gales asked if the traffic changes later in the day or if it would be that supports that timeframe.

Mr. Fiander stated the proposed PUD standards were in line with Home Occupation Permits, which are limited to certain conditions and hours. Mr. Fiander stated the Home Occupation Guidelines were used to guide the PUD. Mr. Fiander reminded that this is a residential property currently.

Mr. Lackey asked what hours the businesses on corner of NE corner of Clay and 17th Street have. Mr. Fiander stated he was not sure. Mr. Boyd stated there are a few vacant buildings on the other corners that are zoned C-2.

Mr. Crook asked if it was zoned residential when purchased. Mr. Boyd deferred to the property owner.

Dave Stevens, applicant, confirmed. Mr. Stevens explained the property was in an estate and was not zoned appropriately. Mr. Stevens was told

that the attorney handling the estate would have it rezoned appropriately. Mr. Stevens stated it was never done.

Mr. Stevens provided a history of the property, including the improvement.

Mr. Stevens explained the business clientele as law enforcement, elite clients and gun enthusiasts.

Mr. Gales asked if the gun-smithing requires licensing or approvals. Robert Stevens, co-applicant, explained he is a machinist and has been approved for the Federal Firearms license and is a licensed gunsmith. Mr. Stevens explained he is certified and holds a security clearance. Mr. Stevens explained his clients are serious sportsman and law enforcement.

Mr. Gales asked if the business that is proposed is permissible in the sporting goods classification.

Mr. Fiander confirmed and explained that there have been many Home Occupation licenses approved for firearm sales and repair in private homes.

Ms. Cuevas-Stubblefield asked if a private citizen can walk in a purchase a gun. Mr. Stevens stated yes and he would like it. Mr. Stevens added that his business will provide training to those customers who purchase a weapon.

Ms. Cuevas-Stubblefield asked what considerations have been put into place to address safety concerns for the neighborhood.

Mr. Stevens explained his security measures.

Mr. Jefferson asked what inventory would be on hand. Mr. Stevens stated it would be less than 30 weapons. Mr. Stevens explained the equipment is very expensive. Mr. Jefferson asked if would be more special orders than inventory. Mr. Stevens stated that it is his hopes to address specific needs.

Mr. Jefferson asked if there are stats of what the likelihood of break-ins of gun-shops in neighborhood. Mr. Stevens stated he will be by appointment only.

Richard Beardmore asked if the access issue was a deal breaker. Mr. Stevens stated the other property owner has a problem with it because it interferes with the other business.

Mr. Stevens stated the Chesney Park NIA is in favor of the proposed.

Proponents:

No one spoke in favor of the proposal.

Opponents:

Robert Fitzgerald, neighbor of the area, spoke in opposition of the proposal. Mr. Fitzgerald stated he is a member of NIA, stated he was not in attendance of a meeting in which the NIA endorsed support of the proposed.

Mr. Fitzgerald stated he cannot support the change of zoning of returning to commercial. Chesney is a family friendly neighborhood that is in transition. Mr. Fitzgerald doesn't want to define the neighborhood with a gun shop. Mr. Fitzgerald stated that what happens to the property defines the neighborhood.

Mr. Fitzgerald spoke regarding the issues of commercial properties having lights shone in the neighbor's windows. Mr. Fitzgerald stated this is a hardship to the neighborhood yet no hardship to the applicant. It is a self-imposed hardship when the property was purchased as residential and is now being changed to something else.

Mr. Fitzgerald addressed the parking lots. Mr. Fitzgerald stated that there are two residential lots that can meet the master plan of Chesney for infill development. Mr. Fitzgerald stated this is a lost opportunity to building single family homes.

Mr. Fitzgerald stated there should be light commercial zoning with restricted parking. Mr. Fitzgerald requested the Planning Commission deny the request for the zoning change.

Dennis Haugh asked if Mr. Fitzgerald would support parking lots being built instead of the business going in.

Mr. Fitzgerald stated it would be in support of intended use of the land. Mr. Fiander stated if new homes were built on the property, there would be flexibility.

Mr. Crook asked if Mr. Fitzgerald could explain the hardship.

Mr. Fitzgerald stated that because the owners purchased it as a home, it is self-imposed hardship.

Mr. Klausman asked if the applicant had a Home Occupation Permit, what would the difference be.

Mr. Fiander explained someone would have to live on the property; there is no storage, and no retail sales.

Mr. Beardmore asked if it is Mr. Fitzgerald's perception that the store would bring problems to the neighborhood. Mr. Fitzgerald stated it is sending the wrong message to the neighborhood. Mr. Fitzgerald would support a Home Occupation permit, but not the retail.

Mr. Gales asked Mr. Fitzgerald if he would oppose a deli being at the location. Mr. Fitzgerald stated he would oppose based on the information received at the Planning Commission and the challenges faced by the neighborhood under a commercial zoning. Mr. Fitzgerald stated this is an anchor property in a transitional area.

Mr. D. Stevens clarified that he paid \$35,000 for the property and \$45,000 in improvements on the property.

David McDonald, owner of properties in the neighborhood spoke in opposition of the proposed. Mr. McDonald stated the neighborhood is safe and many question that. Mr. McDonald stated he would disclose that the property is a gun shop. Mr. McDonald stated there is interest to move into the community but a business that sells guns will cause concerns in the community. .

Mr. Klausman asked if the community would have benefitted from a coffee shop. Mr. McDonald stated any additional commercial properties are not needed in the Chesney neighborhood.

Mr. R. Stevens commented that he ran his business and never had any problems. When he rented the property out, there was a damaging break-in.

Mr. Crook stated he does not see a benefit to the neighboring properties in allowing this property to become a commercial property nor would it present a hardship to an owner. Mr. Crook stated that he is opposed to supporting the request.

Mr. Lackey stated it is inappropriate to close access to a property when the access granted is another property owner. Mr. Lackey stated he would support granting the access to 17th Street. Mr. Lackey added the alley is not appropriate access.

Mr. Lackey added that nearly forty-five percent of the neighborhood is surrounded by commercial property. Mr. Lackey suggested a low-density zoning.

Mr. Crook stated that he doesn't understand how the zoning change supports the neighborhood plan to revitalize the residential aspect yet would approve a commercial property. Mr. Crook asked if the Planning Commission is abandoning the plan to approve this.

Mr. Fiander stated he did not believe the Plan is being abandoned. Mr. Fiander stated he wrote the Neighborhood Plan and is sensitive to following those plans. Mr. Fiander stated the direction for this property was from light commercial on 17th Street.

Mr. Fiander explained the commercial node is most appropriate at 17th and Clay, which is where it is at. Mr. Fiander stated that there were two residents on 17th Street with one drive. Mr. Fiander stated that now the department is asking for a transition area in keeping with the plan to blend that area with residential purposes. Mr. Fiander stated this is the main reason for recommending against the driveway. Mr. Fiander explained the recommended access along 17th Street is keeping with the established character for 17th Street and used the American Red Cross driveway as an example. At least 30% of the landscaped frontage would be lost if the drive was put in for a parking lot.

Mr. Fiander stated this is difficult for staff but PC should consider that this is a commercial use, not a gun shop. Mr. Fiander added that when considering the driveway, consider if it is appropriate. Mr. Fiander stated this case has presented a challenge when initially brought to the Planning Department.

Nicholas Jefferson stated there was a neighborhood info meeting that two people attended and only two people are here tonight to attest to the case. Mr. Jefferson stated this presents a struggle.

Mr. Lackey stated there is an issue with the two owners of the properties and phase II might be development of houses. If that was the case, wouldn't the drive would be allowed. Mr. Lackey asked if there is an issue with Inverse condemnation.

Mr. Fiander stated there needed to be a drive to access previous house on an interior lot. Mr. Fiander stated ideally there should be cross access between the two properties. Mr. Fiander also stated the alley could be widened.

The PC took a break to allow for the Communications staff to change the recording tape.

Ms. Cuevas-Stubblefield asked if the engineering decisions would change the characteristics.

Mr. Fiander responded there could be allowance or to mandate cross access. Mr. Fiander stated it could have definite effect of the characteristic.

Mr. Gales asked for clarification of the density that is allowed for occupancy or number of units for residents. Mr. Fiander stated the minimum lot size is fairly small. Mr. Gales stated this is not a single family property

Mr. Fiander stated it is single family and two family lots.

Mr. Beardmore asked for clarification of the map in the packet. Mr. Fiander explained it is from the Chesney Neighborhood Plan. Mr. Fiander stated it is for the existing land use, not zoning.

Mr. Gales asked for clarification what a yes vote or no vote means.

Mr. Fiander explained this case would be forwarded to the City Council, regardless of the vote. Ms. Feighny explained that it is yes to approve. Mary Feighny stated it a recommendation of disapproval would be forwarded to City Council. Mr. Fiander explained the voting requirements.

Mr. Gales stated the property owner have not agreed to the conditions set forth by Planning Staff.

Mr. Klausman asked the applicant could get the property owner engaged in conversation regarding the conditions they do not agree with.

Mr. Boyd suggested deferring the proposed to engage the owner and pursue engineering decisions. Mr. Boyd asked to defer the item or continuance at this time.

Ms. Feighny stated the Planning Commission could move to defer for 30 days to afford owners to disc

Mr. Haugh stated he will be absent.

Bret Klausman moves to defer the case until September 16, 2013, seconded by Mike Lackey. **APPROVAL. (8-0-1, Kevin Beck abstained from the vote)**

**Minutes of the
Topeka Planning Commission
Monday, September 16, 2013**

PUD 13/2 Stevens 17th Street Retail Planned Unit Development by David H. Stevens & Robert J. Stevens and MLW, LLC requesting to amend the District Zoning Classification from “M-1” Multiple Family Dwelling District **TO** “PUD” Planned Unit Development (“C-1” Commercial District and “M-1” Multiple Family Dwelling use group) on properties at 1113-1115 SW 17th Street and 1700 SW Buchanan Street. **(Driver)**

Kevin Beck left the room.

Discussion by members: Annie Driver summarized the revised staff report for the case. Mrs. Driver explained Staff recommends approval of a PUD, excluding sporting goods sales, pharmacy/drug stores and retail liquor stores that would be allowed in C-1 “Commercial” use group.

Dustin Crook stated that the applicant submitted the application for rezoning to open a sporting goods store. Mr. Crook asked if the staff recommendations are to approve the application for the commercial uses but exclude for the sporting goods store. Mrs. Driver confirmed. Mr. Crook asked what the purpose of approving the other commercial uses of the PUD. Mrs. Driver explained that the limited commercial uses being recommended by staff for an approval are suitable for the transition area designated in the neighborhood plan. Mrs. Driver added that the area is appropriate for limited commercial uses but only those that are community friendly.

Mr. Crook stated the plan indicates the intent to avoid strip commercialization on 17th Street but with staff recommendations, this property will be commercialized if approved. Mrs. Driver confirmed.

Mike Lackey asked if there were any changes regarding the access of the business. Mrs. Driver stated item number seven has been updated to possibly allow some cross access between the two properties in the future. Mrs. Driver stated that would have to be accomplished during the site review stage.

Mr. Crook asked if the signed petition received from Chesney Park residents was taken into account when making the staff recommendations. Mrs. Driver stated the petition was received on September 16, 2013 and it was not.

Scott Gales stated the Planning Commission had closed the public

hearing regarding this matter during the previous meeting. Mr. Gales asked if there was allowance for response or is anyone allowed to speak during this meeting. Mr. Hoover stated the applicant or his representative should be allowed to respond but the decision lies with the Chairman. Mr. Gales stated he would allow the applicant or applicant's representative to speak regarding the matter.

Mark Boyd, Schmidt, Beck and Boyd Engineering, appeared, on behalf of the applicant, to answer any questions regarding the proposal.

Mr. Boyd explained that thirty days of waiting on the issue has caused the issue to move backwards. Mr. Boyd stated that since the Planning Staff has re-evaluated the proposal and changed the recommendation of the particular use the applicant requested, it has presented challenges for the client. Mr. Boyd stated that in viewing the recommended conditions, there is a need for clarification to the Planning Commission as to what the client is in agreement with.

Mr. Boyd stated that excluding sporting goods stores in condition two is not agreeable. Mr. Boyd stated that the Planning Commission recently approved a rezoning for a retail store that sells firearms within the confines of a school district, so he does not understand the difference. Mr. Boyd stated the applicant is not in agreement with this condition.

Mr. Boyd stated that he is concerned with item number three. Mr. Boyd stated he is concerned with why the issue becomes a major amendment if there are any changes to the exterior of the building. Mr. Boyd stated there is a 5% threshold for increasing square footage in any other PUD submitted, yet this case has zero tolerance. Mr. Boyd stated he, nor the owner, are in agreement with that condition.

Mr. Boyd stated he is not in agreement with recommendations 6-9, which address the access on 17th Street. Mr. Boyd stated that the access to 17th should not be restricted, especially with the separate parcel that has a different owner. Mr. Boyd explained the applicant is in agreement with closing one access. However, Mr. Boyd explained that restricting the other owner's access completely is not agreeable. Mr. Boyd suggested that the condition be changed to allow for one access to be determined during site review plan.

Mr. Boyd stated that staff has referred to the Chesney Park Neighborhood Plan for the decision. Mr. Boyd stated that he was a member of the Planning Commission at the time the plan was adopted. Mr. Boyd stated there was no plan to restrict commercial business on 17th Street when adopting the plan. Mr. Boyd stated that when viewing the future land use map, this parcel is identified as a transitional parcel for a PUD and it does

not indicate what the use should be. Mr. Boyd stated this is a commercial node, and is adjacent to the other commercial nodes. Mr. Boyd stated the denial of this proposal is picking and choosing what are appropriate uses without justification.

Mr. Boyd stated there is no way of knowing how a petition is being presented to the individuals who signed it. Mr. Boyd stated that petitions should be presented through the Planning Department to ensure that those eligible to sign get a thorough understanding of what is happening. Mr. Boyd stated that allowing a petition to stand in the way of a decision by the Commission is unprofessional.

Mr. Lackey asked if there was any further discussion regarding the access on 17th Street. Mr. Boyd stated there really wasn't any additional discussion. Mr. Boyd stated the main discussion focused on the use of the commercial property. Mr. Boyd stated that Mr. Fiander explained the morning after the August hearing was that he was unable to support the proposed. Mr. Boyd stated that when two owners are involved, both should have access and the access point should not be used as leverage.

Mr. Lackey stated he agreed.

Mr. Boyd stated he felt the restriction of access was used as leverage to achieve other things.

Mr. Crook asked if Mr. Boyd is requesting that the Planning Commission not consider the petition.

Mr. Lackey asked if the petition stated why. Mr. Lackey asked what the opposition is in the petition.

Mr. Crook stated that the signed petition is in opposition to strip commercialization. Mr. Crook stated that it is obvious that those who signed the document do not want commercialization along 17th Street.

Mr. Lackey stated that the property is in a transitional area though.

Mr. Crook stated that it does not change the fact that the residents are opposed to the application.

Mr. Lackey stated he questions how the petition was presented to the residents. Mr. Lackey stated there isn't anyone who knows how it was done or checked signatures.

Richard Beardmore stated that he wasn't sure if the signatures were property owners or residents.

Mr. Crook asked Mr. Boyd if the Planning Commission should not consider the petition due to the inability to verify how the signatures were obtained. Mr. Boyd confirmed.

Mr. Beardmore asked if the applicant is requesting to withdraw the application based on the staff recommendations with conditions that are not agreeable.

Mr. Boyd stated he wanted to see what the Planning Commission decides and will re-evaluate if need be. Mr. Boyd stated he is standing firm on the requested PUD. Mr. Boyd stated these issues goes back to negotiations of good faith. Mr. Boyd stated that if the use of this property was truly negotiated, the applicant may have made changes. Mr. Boyd stated there wasn't really any discussion about the access.

Brett Klausman asked why the sporting goods store was specifically excluded or withdrawn from staff recommendations. Mr. Klausman asked if it was due to gun sales or traffic patterns. Mrs. Driver explained that due to traffic patterns, it is not appropriate for the transitional node. Mr. Klausman asked if a hair salon would be appropriate and would have less traffic than sporting goods stores. Mr. Klausman stated that the limitations sounded like it was geared more towards the use than any other reason.

Mr. Gales asked how long have those particular uses been zoned for C-1 use. Mr. Hoover stated approximately thirty years. Mr. Hoover explained not much has changed in the code on commercial land uses in the past ten to fifteen years.

Mr. Crook asked if the applicant purchased the property as a residential property. Mr. Boyd confirmed. Mr. Lackey asked if the property was previously zoned as commercial. Mr. Hoover explained the building was once used as a gas station.

Mrs. Driver stated the property was M-1 since 1992. Mr. Boyd corrected and stated it was changed in 1998.

Mr. Beardmore stated that in his discussion, people refer to this building as a light-commercial property.

Dennis Haugh asked if someone could live in the building and have gun sales. Mrs. Driver stated that through a Home Occupation Permit, this could happen but they would not have retail or walk-in customers, just internet sales. Mrs. Driver added that the owner would have to live at the property also.

Michelle Cuevas-Stubblefield asked if the building was being occupied as a residence.

Robert Stevens, owner, explained he currently resides at 1700 SW Buchanan and operates under a home occupation permit as a gunsmith and conducts online sales of firearms.

Mr. Stevens stated he doesn't understand the decision to change the use of the building to exclude a sporting goods store and feels it is discriminatory. Mr. Stevens asked to be judged on merit and have the same opportunity as others to exist. Mr. Stevens stated he is the only line of defense in illegal gun sales, person-to-person gun sales and gun-show loopholes. Mr. Stevens stated that the Planning Staff changed their recommendation due to their fear and apprehension of a sporting goods store and how it would reflect negatively on the neighborhood.

Mr. Stevens stated that he suggested to putting the logo up, instead of advertising on a sign that says he sells guns and do appointments only to make the proposed work. Mr. Stevens stated when standing on the property, looking around, everything in the vicinity is commercial except one residential property.

Mr. Crook asked if the properties behind the proposed are residential. Mr. Stevens confirmed. Mr. Crook asked if the area is predominately residential. Mr. Stevens agreed.

Mr. Crook stated he is an Iraq war veteran and appreciates firearm sales. However, Mr. Crook stated that he does not agree with gun sales in a predominately residential neighborhood.

Mr. Stevens stated he understood and just wants the opportunity to conduct his business. Mr. Stevens explained the property was not purchased with the intent of using as residential. Mr. Stevens explained that the property was bought through an estate sale and it was assumed to be commercial. Mr. Stevens explained that the property was used as an office and rented to others for that purpose. Mr. Stevens explained he had viewed other properties as prospective locations but once this property became available, he felt it was appropriate. Mr. Stevens stated he received 100% support from the NIA and stated that Anne Marshall supported him and was going to be in attendance at the Planning Commission. Mr. Stevens stated that the minutes of the NIA meeting will reflect a unanimous vote to support the business.

Mr. Gales asked how far the proposed is from the pawn shop located at 17th and Washburn. Mr. Stevens stated approximately four blocks. Mr. Stevens testified he was almost assaulted in that area recently during a

walk.

Mr. Klausman asked how firearms fall into sporting goods category or how that is defined. Mr. Klausman asked if one were to advertise by logo, can that fit into another designation. Mr. Hoover explained there is not a specific classification for firearms, so the best description the City of Topeka has is sporting goods. Mr. Hoover explained the designation covers the sale of archery, football helmets or gear for a college team.

Mr. Klausman asked if collectible sporting cards would fit into that category. Mr. Hoover stated the collectibles are not considered sporting goods. Mrs. Driver stated that sporting goods are larger operations, such as Dicks Sporting Goods.

Mr. Klausman asked what is to stop Mr. Stevens from opening the shop as a specialized dealer of a specialized product. Mr. Hoover stated the zoning is the issue. Mr. Hoover the advantage of the PUD rezone allows a zoning district to be custom tailored. Mr. Hoover stated this case starts with a C-1 zoning district. Mr. Hoover stated that it is customary to delete or add uses when doing a PUD rezone.

Mr. Lackey stated the Planning Commission did not do this with the recent approval of the rezoning on 37th and Burlingame when the applicant wanted to put a liquor store at the location proposed. Mr. Hoover explained that case was not a PUD, but a regular rezoning application. Mr. Lackey stated the issues with that case pivoted on the use of the property being for a liquor store. Mr. Lackey stated that if the application was for a Dairy Queen, there probably wouldn't be the same discussion. Mr. Crook stated he would oppose a Dairy Queen at that location due to the traffic and the nuisance to the neighborhood.

Michelle Cuevas-Stubblefield asked how the Dairy Queen and sporting goods store further west on 17th Street compared to the proposed. Mrs. Driver stated the properties Ms. Cuevas-Stubblefield questioned are zoned C-2, Commercial, and have been for a long time.

Mary Feighny suggested to Mr. Gales that anyone else wishing to speak should be allowed since the applicant spoke.

Proponents:

No one spoke in favor of the proposal.

Opponents:

Robert Fitzgerald, resident of the area, spoke in opposition of the proposal. Mr. Fitzgerald stated that he is sympathetic to Mr. Stevens' situation and has visited with him. Mr. Fitzgerald stated he is still in

opposition of the proposed as it exists. Mr. Fitzgerald offered to discuss the petition and how it was presented to the neighborhood. Mr. Fitzgerald explained that he asked the Planning Staff if a petition would be considered and was told it would as long as it was presented by September 16, 2013. Mr. Fitzgerald stated that is when he submitted the petition. Mr. Fitzgerald apologized for not turning it in sooner, if it would have been helpful, but he was following the instruction he received.

Mr. Fitzgerald explained that the Planning Commission should consider the petition as it would be no different than a commissioner speaking to a constituent and taking into considering their thoughts when making a decision. Mr. Fitzgerald stated he is an attorney in the community and he would not state false accusations before the governing body.

Mr. Fitzgerald stated there are over fifty signatures on the petition. Mr. Fitzgerald stated the language in the petition and discussions explained the change regarding three parcels to a commercial zoning. Mr. Fitzgerald explained that he spoke to the neighbors and most were shocked to learn that a gun shop was going in the proposed location. Mr. Fitzgerald stated that he learned in his discussions with neighbors that many are legal owners of weapons and have them in their home but are opposed to a gun shop in the area. Mr. Fitzgerald stated that he explained that parking lots are unlikely to become residential lots again. Mr. Fitzgerald stated that once residential lots are available, there are organizations that are willing to rehabilitate the property and build new homes. Mr. Fitzgerald explained the properties at 1816 and 1820 Fillmore are Habitat for Humanity project homes. Mr. Fitzgerald suggests that properties, such as 1115 and 1117 SW 17th Street could be considered the same as long as they remain residentially zoned. Mr. Fitzgerald stated that once a property is rezoned as commercial, the neighborhood loses the opportunity to have new homes in the area.

Mr. Fitzgerald's time expired. Mr. Crook moved to give Mr. Fitzgerald two more minutes to speak, Mr. Beardmore seconded.

Mr. Fitzgerald continued that the Chesney Park Plan prohibited strip commercialization. Mr. Fitzgerald stated the proposed is strip commercialization. Mr. Fitzgerald stated that changing the property is changing three parcels and will have an affect on the neighborhood.

Mr. Fitzgerald stated the signatures were accompanied with addresses and phone numbers and are easily verifiable. Mr. Fitzgerald express concern with the comment that some of the properties were rentals. Mr. Fitzgerald stated there are residents, not only owners, on the petition and their concern should be weighed in the decision. Mr. Fitzgerald explained he understands the Protest Petition process.

Mr. Klausman asked if Mr. Fitzgerald is a resident of the neighborhood. Mr. Fitzgerald confirmed with his address. Mr. Klausman asked Mr. Fitzgerald how he felt about the applicant operating a gun store from the home currently. Mr. Fitzgerald explained that he understood that Mr. Stevens lives at the property and there isn't anything he can do to oppose that. Mr. Fitzgerald stated he had conversations with individuals that confirmed Mr. Stevens lives there and is there a good portion of the time. Mr. Fitzgerald stated that he understands that if the property was commercial, the property would be vacant after 8:00 p.m. and would be until opening the next day. Mr. Fitzgerald added that the potential that a firearms dealer is not being there at night poses great concern.

Mr. Haugh asked how members of the Neighborhood Association supported the proposed yet there are residents who have signed the petition in opposition. Mr. Haugh asked how many members of the neighborhood are members of the association. Mr. Fitzgerald stated he has attended many of those meetings and as long as someone goes to the meetings they are a member of the association. Mr. Fitzgerald stated he spoke with Anne Marshall and she stated there were ten or fewer members in attendance the night the proposed was presented. Mr. Fitzgerald stated he was told no one in attendance opposed the proposal. Mr. Fitzgerald added that he was not in attendance at the meeting in which the applicant presented this. Mr. Fitzgerald stated that in speaking with Ms. Marshall, she did not recall a vote just that no one spoke in opposition of supporting Mr. Stevens request.

Mr. Lackey asked since the NIA had an opportunity to hear from the applicant, why didn't people attend to hear everything the applicant had to present. Mr. Fitzgerald stated he went out in the community and solicited the feedback. Mr. Fitzgerald stated their concern could be about 1700 SW Buchanan or the nature of the business. Mr. Lackey stated it could be because residents only heard one side of the story. Mr. Fitzgerald stated the point is that there is one side requesting the rezoning and the other is those that oppose the change. Mr. Fitzgerald stated that the clear point is that there is a reason the residents oppose the change. Mr. Lackey stated that there would be more stock in his petition if we knew the residents had heard both sides of the issue.

Ms. Cuevas-Stubblefield asked if both sides were represented at the NIA meeting and when presenting the petition to the neighbors. Mr. Fitzgerald stated his side was not represented at the NIA meeting.

Testimony

Ann Marshall, President of Chesney Park NIA. Ms. Marshall stated

there are 525-550 residences in the neighborhood. Ms. Marshall stated the NIA was approached about the proposed by Mr. Stevens. Ms. Marshall stated she cannot remember specifically how many members were present at the meeting. Ms. Marshall stated Mr. Stevens presented the information and what the use was for the property and was eager to work with the NIA to make his change. Ms. Marshall explained there was no one in opposition at the time so the NIA stated they would support the change. Ms. Marshall stated she wasn't sure that there was vote but rather a consensus that the NIA would support the change of usage for the property. Ms. Marshall stated Mr. Stevens has been very active and the NIA welcomes that.

Dave Stevens, resident of neighborhood and father of applicant. Mr. Stevens stated there were signs in the neighborhood advertising the proposed zoning change. Mr. Stevens explained that he bought the property through an estate sale and bought the property with the intention of using it as an office. Mr. Stevens explained that he rented the property as a residence and had problems with the renter. Mr. Stevens stated that he is pro-business and a life-long Topekan who want opportunities for persons to start a business.

Mr. Klausman asked if it is common to carve out uses for a PUD and if Mr. Hoover could provide an example. Mr. Hoover confirmed and stated there is a case upcoming that will be in the same situation. Mr. Hoover stated it is a home that is zoned O&I but will seek a PUD with one C-2 use. Mr. Hoover stated there will be limits placed on the use the applicant is requesting. Mr. Hoover explained that there were uses that were deleted from the recent Walmart case. Mr. Hoover explained one example was the deletion of an auto-body repair business in C-4 and Mr. Hoover stated it was removed in the Walmart case.

Mr. Gales asked if there is a recommendation from the Planning Staff with some modifications from the staff report from the August hearing. Mr. Gales explained that the applicant's representative stated the applicant is not in agreement with the conditions presented at the current hearing.

Mr. Klausman asked Ms. Feighny what options the Planning Commission has in regard to this matter. Ms. Feighny explained the Planning Commission may approve the PUD subject to (and list the conditions) and then forwarded to the City Council with a recommendation. Ms. Feighny explained the City Council can modify the recommendation also. Ms. Feighny explained that if nothing is approved, the proposed would go to the City Council as a disapproval of the application.

Mr. Lackey asked if the Planning Commission can move to approve the applicant and exclude the items that the applicant does not agree to.

Mr. Klausman stated he is in favor of passing the PUD without the limit of uses. Mr. Klausman stated he is concerned with the access to 17th Street but believe it makes sense to leave it in.

Mr. Gales stated he agrees with Mr. Klausman but is leery about being selective about what C-1 uses they agree to or not. Mr. Gales suggested that the Planning Commission be consistent with the zoning uses and not being selective of the specific uses. Mr. Gales stated that there are more problems when picking and choosing the uses. Mr. Gales stated there is a history of commercial uses and he understands people not wanting a specific use. Mr. Gales explained he appreciates the diligence the Planning Staff has put into the recommendations and suggests the Planning Commission should consider looking forward in the code to review the re-zoning of properties in small districts.

Mr. Crook stated that it is significant to consider the fifty signatures of the petition that do not support the re-zoning of the proposed property. Mr. Crook asked if the commissioners are respecting the wishes of a portion of the neighbors in the area. Mr. Crook asked if the Commissioners are serving the community.

Mr. Gales stated he agrees but the Planning Commission should be considering the zoning of the property, whether commercial or another zoning district. Mr. Gales stated the Commission needs to be careful in picking the uses of the proposed.

Nicholas Jefferson asked if C-1 zoning is approved, what would prevent a larger sporting goods store from building on the three parcels of the proposed in the future. Mr. Gales explained that the property will still be required to go through the design requirements.

Mr. Hoover explained that the proposed two parcels are for vehicle surface parking. Mr. Hoover stated there have been a few petitions in the past dealing with parking resolving issues of not having enough parking. Mr. Hoover stated vehicle surface parking is a transitional use because it is used mostly during the day. Mr. Gales asked if on-street parking is allowed on this road. Mr. Hoover stated on-street parking is permissible on Clay and Buchanan.

Mr. Gales asked if commercially zoned properties have cut-back parking, for example Huntoon and Oakley. Mr. Hoover confirmed. Mr. Gales explained this is an exception due to the nature of the neighborhood.

Mr. Beardmore stated he is disappointed that staff has presented a recommendation that the applicant does not agree with. Mr. Beardmore

stated they are receiving conflicting information regarding the NIA meeting and the petition, regarding how it was presented. Mr. Beardmore stated the area will not be a high traffic area with the proposed use. Mr. Beardmore stated a sandwich shop would have more traffic. Mr. Beardmore stated he feels as though staff's recommendations are picking and choosing the use of the property. Mr. Beardmore stated he felt as though staff has not worked with the applicant enough to come to an agreement. Mr. Beardmore stated it is difficult to decide what to do and maybe there is another option.

Mr. Klausman stated that it is important to keep in mind that the case will be forwarded to City Council. Mr. Klausman stated that moving it forward will allow City Council the opportunity to review the decision.

Mr. Gales stated the Planning Commission should feel obligated to prepare the best recommendation before forwarding to City Council. Mr. Klausman agreed.

Bret Klausman moved to approve the proposed with staff recommendations with the exception of condition number two. The motion failed to receive a second. **Motion failed.**

Mr. Gales asked if a motion is disapproved, what the limitations of the applicant are. Ms. Feighny stated the recommendation to disapprove would be forwarded to City Council. Mr. Gales asked if the applicant is limited to the time when they may reapply. Mr. Hoover stated it is twelve months. Ms. Feighny added that the time limit can be waived by the Planning Commission. Mr. Hoover cited the City Codebook with the limitations.

Ms. Feighny explained a "yes" vote means that the application is disapproved and will invoke a twelve month waiting period for the applicant. Mr. Klausman asked if the neighbor could apply. Ms. Feighny stated the twelve months is for the applicant.

Dustin Crook moved to disapprove the proposed PUD, seconded by Nicholas Jefferson. **The motion to disapprove failed. Commissioners (2-6-1, Kevin Beck abstained from the vote)**

Scott Gales moved to defer the case until November 18, 2013 Planning Commission Meeting, seconded by Dennis Haugh. **APPROVAL. (8-0-1, Kevin Beck abstained from the vote)**

Kevin Beck entered the room.

**Minutes of the
Topeka Planning Commission
Monday, November 18, 2013**

PUD 13/2 Stevens 17th Street Planned Unit Development by David H. Stevens & Robert J. Stevens and MLW, LLC requesting to amend the District Zoning Classification from “M-1” Multiple Family Dwelling District **TO** “PUD” Planned Unit Development (“C-1” Commercial District uses with a residential component, “O&I-2” Office & Institutional District use group, and “M-1” Multiple Family Dwelling District use group) on properties located at 1700 SW Buchanan Street and 1113-1115 SW 17th Street and a vehicle surface parking lot as principal use on the property at 1113-1115 SW 17th Street only. **(Driver) PUBLIC HEARING CONTINUED FROM September 16, 2013.**

Kevin Beck left the room.

Discussion by members: Bill Fiander introduced the staff report and explained what has changed and what is now proposed based on the agreement of the applicant and the Planning Department. Mr. Fiander stated the case was heard in public hearings on August 19th and September 16th, 2013. Mr. Fiander explained the previous staff recommendations were made based on two key issues: research that indicated that gun shops and gunsmith shops are allowed in higher intensity zoning districts and the use and the consistency of use with the neighborhood plan. Mr. Fiander stated the extra time has allowed staff to review and separate the two issues. Separate from this case, Mr. Fiander stated that the Planning Department is preparing to calibrate the zoning districts and the uses allowed. Staff recommendations for this case address consistency with the neighborhood plan.

Annie Driver summarized the staff report for the case.

Proponents:

Mark Boyd, Schmidt Beck and Boyd, Engineering, PA, spoke in favor of the proposal. Mr. Boyd stated there are considerably fewer conditions on the proposed than previously set. Mr. Boyd thanked the Planning Department for thinking outside the box. Mr. Boyd stated that the applicant agrees with the conditions.

Michelle Cuevas-Stubblefield asked for clarification on phase two regarding the requirement of having either an office with residential or just residential. Mr. Boyd confirmed. Ms. Cuevas-Stubblefield asked if the vehicle surface is for vehicle parking only. Mr. Boyd stated if developed as an office, it can stand alone with other design elements with the landscape buffer and access to be addressed at the time of site plan review. Mr. Boyd stated that if the property was to be developed as a “C-1”, the residential component, with live in condition, would be required. Mr. Boyd stated if it is “C-1” or office space

use, the access issue will be reviewed during the site plan review. Mr. Boyd added that if the property is developed as a two-family property, the access is still viable on 17th Street.

Mike Lackey asked if the applicant agrees to prolong addressing the issues. Mr. Boyd confirmed and stated it makes sense to address the issues when determining the design elements. Mr. Boyd stated it is difficult to guess what the future will bring.

Mr. Lackey stated he agreed.

Tom Bennaka, President of Chesney Park Neighborhood Improvement Association, spoke in favor of the proposal. Mr. Bennaka stated there are a lot of vacant lots in the neighborhood and the Neighborhood Improvement Association has worked to revitalize the neighborhood. Mr. Bennaka stated this is a great opportunity and looks forward to Mr. Stevens being a part of the revitalization. Mr. Bennaka added that the applicant has been involved with the Neighborhood Improvement Association.

Ms. Cuevas-Stubblefield asked if the Chesney Park Neighborhood Improvement Association will still support the proposed if the property becomes a surface parking lot. Mr. Bennaka stated the Neighborhood Improvement Association were notified that there was a chance that the property could become a surface parking lot. Mr. Bennaka stated that they are looking forward to getting cars off the streets and having the building occupied. Mr. Bennaka stated he supports any neighborhood revitalization and improvement.

Opponents:

No one spoke in opposition of the proposal.

Dennis Haugh asked if the residential component requires an apartment or dwelling if they run the business. Ms. Driver stated residential occupancy.

Mr. Haugh if the business would close if the renter leaves. Mr. Fiander stated it becomes a reasonable factor of whether it is intentionally vacant or temporarily vacant.

Nicholas Jefferson asked if there could be situation with a store below and a resident on upper level. Mr. Fiander confirmed and stated a resident could be in the rear of the building. Mr. Fiander stated there is a situation similar down the block.

Richard Beardmore moved to approve the proposal as written, seconded by Mike Lackey. **APPROVAL. (7-0-1, Kevin Beck abstained, Dustin Crook was absent.)**
Kevin Beck returned to the room.



**PUD13/2 By: David H. Stevens; Robert J. Stevens;
MLW LLC**



City of Topeka Planning Department



**PUD13/2 By: David H. Stevens; Robert J. Stevens;
MLW LLC**



City of Topeka Planning Department

PUD13/2

Date: July 29, 2013
To: City of Topeka Planning Department
From: Schmidt, Beck, & Boyd Engineering, LLC
Mark A. Boyd
Re: Steven's 17th St. Retail PUD
Neighborhood Meeting Minutes

To whom it may concern:

On July 25 at 6:00 P.M., we held a publicized meeting for the above referenced rezoning case. There were 2 people from the neighborhood that were present during the meeting. An attendance sheet is attached for names and addresses.

We introduced the project and explained why we were asking for a rezoning and specifically a planned unit development. The conditions of the PUD were briefly covered and then opened for questions or comments.

Of the two people present, one has lived in the neighborhood for 63 years. Her primary concern was to ensure that the property would be operated in a safe and legal manner. Both residents were concerned with the high level of crime in the area and did not want to see any more criminal activity brought into the area due to products being retailed, including firearms.

The owner was present to explain the nature of the business and how they wish to operate. They went into detail of the specific target consumer they wish to serve, that being the serious sportsman and law enforcement personnel.

It was further explained that the property was being rezoned for any permitted use within the "C-1" Neighborhood Commercial, as well as those additional uses addressed on the PUD.

Respectfully submitted,

Mark A. Boyd
Schmidt, Beck & Boyd Engineering, LLC

(PUD13/2 – David H. Stevens, Robert J. Stevens, and MLW LLC)

Address

[illegible]

Images 1-3 in the previous page are infill design examples that are appropriate for most areas of the neighborhood. Image 1 is an infill housing unit located in the Tennessee Town neighborhood; notice the side-entry garage. Image 2, also within the Tennessee Town neighborhood, has a traditional housing design and is appropriate within the Chesney Park neighborhood, while a house with a front-entrance garage such as found in Image 3 would be appropriate for a block without alleys. Image 4 is a Cornerstone duplex in the Ward Meade neighborhood that embodies most of the appropriate design features for a low-density neighborhood despite not having a raised foundation.

Images 5 & 6 are of apartment units in the Old Town and Tennessee Town neighborhoods respectively, and each design would be appropriate within Chesney Park. Image 7 is a quad-plex with a very traditional architectural character. Image 8 is another affordable multiple-family apartment structure that would be appropriate within the Chesney Park neighborhood.

Design Guidelines for Image Corridors - These guidelines particularly apply to areas along SW 17th Street and SW Washburn Avenue where higher-intensity residential/office/commercial land uses might possibly front image corridors and back-up to established single-family areas of historic character. These guidelines will not only establish these areas as a transition between high and low-intensity land uses, but they will also prevent "strip" characteristics that are commonly found along arterial streets and areas of suburban development, which would not be appropriate adjacent to areas with traditional neighborhood development.

- All buildings should be residential in appearance, or at least match the characteristics of traditional neighborhood development that is evident in parts of the area (reference the images below for examples).
- Monolithic structures with long, unbroken wall planes, surfaces, and roof planes are discouraged. Pitched roofs are preferred for single buildings. Traditional materials are also encouraged such as stone, brick, and siding spaced similar to nearby homes.
- Multiple story buildings should step-down in height the closer they get to the single-family residential neighborhood and should not be higher than two to three stories (42') at the front or rear setback line.
- Buildings should minimize front setbacks from the street based upon the existing setbacks of other buildings within the block in order to retain a cohesive street edge.
- Buildings should be placed as close to the street edge as possible while still allowing adequate space for sidewalks and pedestrian activity.
- Parking lots should not dominate street frontages and should be placed behind or to the side of the principle structure.



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

December 3, 2013

☐ Back ☐ Print

DATE:	December 17, 2013		
CONTACT PERSON:	Bill Fiander/Bill Hoover	DOCUMENT #:	PUD13/3
SECOND PARTY/SUBJECT:	Laird Noller Ford/USD 501	PROJECT #:	NA
CATEGORY/SUBCATEGORY	014 Ordinances – Non-Codified / 007 Zoning		
CIP PROJECT:	No		
ACTION OF COUNCIL:	12/10/13 First Reading.	JOURNAL #:	
		PAGE #:	

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Jim Colson, amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code by providing for certain changes in zoning on property located in the southwest quadrant of SW 21st Street and SW Topeka Boulevard from “C-4” Commercial District and “M-1” Two-Family Dwelling District ALL TO “PUD” Planned Unit Development District (“C-4” Commercial and “C-3” Commercial use groups). Final Reading. (PUD13/3) (Council District No. 3)

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

(Approval would allow expansion of car sales facilities for Laird-Noller Ford vehicle dealership.)

POLICY ISSUE:

The Governing Body has the following options to consider:

- (1) Adopt the recommendation of the Planning Commission by a majority vote (6) of the Governing Body,
- (2) Override the recommendation of the Planning Commission by a two-thirds majority vote (7) of the Governing Body.
- (3) Return the recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's decision to approve or disapprove by a majority vote (6) of the Governing Body.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to adopt the ordinance.

Item #24

BACKGROUND:

Laird Noller Ford is also requesting a variance of 10 feet from the front yard setback along SW Topeka Boulevard on the northern parcel so the existing sales and administration building can be remodeled and expanded with the front face of the building expansion having a 15-foot setback in lieu of the standard 25-foot setback.

Any sales of vehicles having a gross vehicle weight rating of 12,000 pounds would be conducted on the northern parcel or the truck sales lot located on the east side of SW Topeka Boulevard, as these are "C-4" Commercial uses. As proposed, the southern parcel would only need "C-3" Commercial uses since only automobiles (or trucks under 12,000 pounds gross vehicle weight rating) would be sold on this parcel.

A neighborhood information meeting (NIM) was held for this petition on October 29, 2013. About 50 neighboring property owners within 500 feet of the site and two NIA's were notified. No property owners attended the meeting; however, representatives for Laird Noller Ford and the City Planner attended.

The Planning Department recommended conditional approval of the PUD. One of the key recommendations was that the southern parcel provide a 6-foot wide residential buffer along its western and southern property lines and a 20-foot wide landscaped area along its eastern property line fronting SW Topeka Boulevard. These are standard requirements in the City's landscape regulations and staff believed they were important so the proposed PUD rezoning could transition down from the more intensive northern parcel to the nearby residential parcels to the south in order to meet transition requirements of the comprehensive plan. The applicant requested that the Planning Commission support reducing or eliminating the 20-foot landscaped area since the balance of the dealership properties had no landscaping along Topeka streets.

The Planning Commission recommended the petition be approved on November 18, 2013.

BUDGETARY IMPACT:

There would be no budgetary impact to the City.

SOURCE OF FUNDING:

Not applicable

ATTACHMENTS:

[Ordinance](#)

[Summary Report](#)

[staff report](#)

[Aerial Photo](#)

[Zoning Map](#)

[Site Plan](#)

[NIM data](#)

[11-18-13 PC Minutes](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Jim Colson, amending the “District Map” referred to and made a part of the Zoning Ordinances by Section 18.50.050 of the Topeka Municipal Code (TMC), by providing for certain changes in zoning on property located in the southwest quadrant of SW 21st Street and SW Topeka Boulevard from “C-4” Commercial District and “M-1” Two-Family Dwelling District **ALL TO** “PUD” Planned Unit Development District (“C-4” Commercial and “C-3” Commercial use groups). **(PUD13/3) (Council District No. 3)**

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

Section 1. That the “District Map” referred to and made a part of the Zoning Ordinance by Section 18.50.050 of the Topeka Municipal Code (TMC), be and the same is hereby amended, by reclassifying the following described property:

A TRACT OF LAND BEING ALL OF All of lots 0 through 25 on SW 21st Street, lots 4 through 26 on 22nd Street, lots 10 through 26 on 23rd Street, lots 757 through 809 on SW Topeka Boulevard, including vacated 22nd Street and vacated alleys adjacent to said lots, all in Ladies Addition, less any right of way taken for street purposes.

And,

Beginning at a point on the North line of said Lot 811 in said Ladies Addition, at a point 15.00 feet West of, measured perpendicular to the West line of SW Topeka Boulevard; thence South 13° 05' 43" West, parallel with the West line of said SW Topeka Boulevard a distance of 206.98 feet; thence South 88° 10' 25" West on the South line of said Lot 826 and it's extension a distance of 326.63 feet to the center of Tyler Street; thence North 00° 56' 33" West on the center of said Tyler Street a distance of 200.02 feet; thence North 88° 10' 25" East on the North line of said Lots 811, 812 and there extensions a distance of 376.84 feet to the point of beginning.

All in the Northwest Quarter of Section 7, Township 12 South, Range 16 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas and

CONTAINING 8.07 ACRES, MORE OR LESS.

Section 2. The development of the site is from “C-4” Commercial District and “M-1” Two-Family Dwelling District **ALL TO** “PUD” Planned Unit Development District (“C-4”

Commercial and "C-3" Commercial use groups).

Subject to:

1. Use and compliance of the site in accordance with the recorded Master Planned Unit Development Plan for Laird Noller PUD.

Section 3. The Master PUD Plan for Laird Noller shall be recorded with the Shawnee County Register of Deeds in accordance with Section 18.190.060(b) of the Topeka Municipal Code (TMC). Following the recording of the Master PUD Plan and prior to any building and/or land development on the site, a site development plan shall be submitted for review and administrative approval by the Planning Director.

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

Section 5. This Ordinance Number shall be fixed upon the "District Map".

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED by the Governing Body of the City of Topeka,
_____, 2013.

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified _____

Not To Be Codified X

CITY OF TOPEKA PLANNING DEPARTMENT

SUMMARY REPORT

Re: PUD13/3 by: Laird Noller Ford / United School District #501

This is a request to rezone 8.07 acres in the SW quadrant of SW 21st Street and SW Topeka Boulevard. The site is comprised of two parcels, with the northern parcel being the 6.46 acres where the Laird Noller Ford dealership is located and the vacant southern parcel being 1.61 acres that is owned by USD #501. Laird Noller Ford has the southern parcel under purchase contract and desires to construct an automobile sales lot on it. The southern parcel currently has "M-1" Two Family Zoning and is proposed for PUD Zoning with "C-3" Commercial uses for the automotive sales lot and the northern parcel has "C-4" Commercial Zoning and is proposed for PUD Zoning with "C-4" Commercial uses.

Laird Noller Ford is also requesting a variance of 10 feet from the front yard setback along SW Topeka Boulevard on the northern parcel so the existing sales/administration building can be remodeled and expanded with the front face of the building expansion having a 15-foot setback in lieu of the standard 25-foot setback. Any sales of vehicles having a gross vehicle weight rating of 12,000 pounds would be done on the northern parcel or the truck sales lot located on the east side of SW Topeka Boulevard, as these are "C-4" Commercial uses. As proposed, the southern parcel would only need "C-3" Commercial uses since only automobiles (or trucks under 12,000 pounds gross vehicle weight rating) would be sold on this parcel.

A neighborhood information meeting (NIM) was held for this petition on October 29, 2013. About 50 neighboring property owners within 500 feet of the site and two NIA's were notified but no one showed up besides representatives for Laird Noller Ford and one City Planner.

The Planning Department recommended conditional approval of this PUD, as referenced in the attached staff report. One of staff's key recommendations was that the southern parcel provide a 6-foot wide residential buffer along its western and southern property lines and a 20-foot wide landscaped area along its eastern property line fronting SW Topeka Boulevard. These are standard requirements in the City's landscape regulations and staff believed they were important so the proposed PUD rezoning could transition down from the more intensive northern parcel to the nearby residential parcels to the south in order to meet transition requirements of the comprehensive plan. The applicant requested that the Planning Commission support reducing or eliminating the 20-foot landscaped area since the balance of the dealership properties had no landscaping along Topeka streets. The Planning Commission

recommended the petition be approved with the 20-foot landscaped area by a vote of 5-2-1 at its November 18, 2013 meeting, as referenced in the attached minutes. (Most of the Planning Commission's discussion was whether the 20-foot landscaped area should be reduced or eliminated not whether the PUD should be approved.)

As there are no outstanding issues, the Planning Department requests the Governing Body move to approve this Conditional Use Permit.

November 18, 2013
Agenda Item #E-2

ZONING REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

CASE NO: PUD13/3 Laird Noller PUD

by: Laird Noller Ford and USD 501

PROPOSAL: A request to amend the District Zoning Classification from “C-4” Commercial District and “M-1” Two-Family District all to “PUD” Planned Unit Development District (with a “C-4” Commercial use group on the northern “C-4” Commercial area and a “C-3 Commercial use group on the southern “M-1” Two-Family area.

LOCATION: In the southwest quadrant of SW 21st Street and SW Topeka Boulevard.

PRESENT USE: The subject property is 8.07 acres in size and the existing Ford dealership occupies the northern 6.46 acres (Section “A” on the PUD Master Plan) and a vacant lot, owned by USD 501, is on the southern 1.61 acres (Section “B” on the PUD Master Plan).

PROPOSED USE: The entire site would be used for the Laird Noller Ford dealership with the vacant lot to the south being purchased by Laird Noller Ford for use as an auto sales lot, which is a permitted use in the “C-3” Commercial District. Any sales of vehicles having a gross vehicle weight rating of 12,000 pounds or higher would be done on the northern portion of the site or on the truck sales lot at the SE corner of SW 21st Street and SW Topeka Boulevard, as these are “C-4” permitted uses.

This rezoning is in a PUD format since a planned building remodeling and addition of the existing sales/administration building on Section “A” would expand the building’s new front face further to the east and it would not be able to meet the 25-foot front yard setback along SW Topeka Boulevard. A variance of 10 feet for this has been requested in the PUD Master Plan, so the building could be located a minimum of 15 feet from the SW Topeka Boulevard right-of-way. Otherwise, nothing is really changing zoning-wise on Section “A”, since it is currently zoned “C-4” Commercial District and being proposed for a PUD with “C-4” Commercial District uses.

BACKGROUND/EXISTING CONDITIONS: Section “A” has been zoned for commercial uses for over 50 years. Section “B” has been zoned “M-1” Two-Family Residential as far back as the extent of the City’s zoning records.

CHARACTER OF NEIGHBORHOOD: This site is located in a neighborhood where a variety of uses come together. South of SW 24th Street is basically a single-family neighborhood. However, north of SW 24th Street it is predominantly commercial uses with some institutional and occasional residential uses along SW Topeka Boulevard. Directly east of Section “B” along the east side of SW Topeka Boulevard are four single-family homes and further east are more single-family homes along SW Harrison Street and the west side of SW Van Buren Street.

November 18, 2013
Agenda Item #E-2

ZONING CLASSIFICATION AND USE OF SURROUNDING PROPERTIES:

	ZONING CLASSIFICATION	PRESENT LAND USE
North:	"C-4" Commercial District	Harley Davidson dealership
South:	"M-1" Two-Family Residential District	Pre-school and school administrative facilities
East:	"C-4" Commercial District	Laird Noller Ford truck sales lot
	"PUD" with "C-3" Commercial Uses	Vacant but approved for auto sales lot
	"M-1" Two-Family Residential District	Single-family homes
West:	"M-1" Two-Family Residential District	Vacant USD 501 land with some parking lots

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION: Noller Auto Sales has been on most of Section "A" for over 50 years while Section "B" has been vacant and likely used as accessory recreational land for Quinton Heights Elementary School when it had classes for elementary students.

SUITABILITY OF PROPERTY FOR USES TO WHICH IT HAS BEEN RESTRICTED: The site's present classification is still consistent with the established pattern of zoning and land uses in the area. However Section "B" which is really the key element of this rezoning, is not very conducive to single-family or two-family homes since a large auto dealership is to the north, a major arterial roadway to the east, and school administrative facilities with a preschool to the south and southwest. The proposed auto sales lot with landscape buffers along its eastern, southern and western property lines will help transition the existing Ford dealership on Section "A" with the less intensive land uses to the east, south, and west. This new auto sales lot would not allow the sale of vehicles having a gross vehicle weight rating of 12,000 pounds or higher as currently allowed on Section "A".

CONFORMANCE TO COMPREHENSIVE PLAN: Section "A" is designated "Mixed Use Zone" and Section "B" is designated "City Residential" on the Future Land Use Map. In both these zones commercial uses are allowed in nodes where arterial roadways intersect (SW 21st Street and SW Topeka Boulevard). This proposal is considered to be consistent with the Comprehensive Plan provided it can effectively transition down in the level of intensity.

THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: The proposed amendment would permit Section "B" to develop consistent with the established larger overall pattern of zoning and land uses in the area but would extend the commercial uses further to the south. Staff believes the proposed changes should not have any significant negative impacts on nearby less intensive properties if:

- Section "B" has landscape residential buffers of 6 feet wide along its southern and western property lines and a general landscaped area of 20 feet wide along its eastern property lines, as required by the City landscape regulations. A 6-foot high fence or hedge is required as part of the two 6-foot wide residential buffers
- No auto service facilities are constructed on Section "B".

November 18, 2013
Agenda Item #E-2

These recommendations will minimize any impacts on single-family homes located directly across SW Topeka Boulevard; office/institutional type uses to the southeast, south and southwest; and single-family homes located about 700 feet to the west.

THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE OWNER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNER: No detrimental results are anticipated if staff's recommendations are implemented since the perimeter landscaping and elimination of the auto service facility on Section "B" should make it reasonably compatible with the lower intensity uses to the east, south and west. Thus, as recommended by staff there would appear to be no particular gain to the public health, safety, and welfare by maintaining the present restrictions.

AVAILABILITY OF PUBLIC SERVICES: All essential public utilities, services and facilities are presently available to this property and will not be overburdened by this proposal.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS:

Application: Complete.

Minimum Lot Area: Compliant.

Setbacks: Compliant.

Platting: Section "B" would be replatted prior to purchase by Laird Noller Ford and issuance of any building permits. Currently Section "B" is platted (Ladies Subdivision) but the perimeter lot lines of the area being purchased do not align with the existing lot lines within Ladies Subdivision. Additionally, Laird Noller Ford representatives have indicated they would like to vacate SW 23rd Street, between SW Topeka Boulevard and SW Tyler Street, and SW Tyler Street, between SW 21st Street and SW 23rd Street, and replace it with a private, paved access road with maintenance by the property owners. These proposed changes, if approved, would also be included on the replat.

CONCERNS OF STAFF AND REVIEWING AGENCIES: This request has been submitted to all applicable reviewing agency staff for consideration and comment. The outside reviewing staff had no concerns related to the proposed zoning changes for this project other than those that will be addressed during the replat, site plan, and building permit reviews.

ADDITIONAL FACTORS:

1. Citizen Participation Process: Neighboring residents within 500 feet of the site were notified and the Neighborhood Information Meeting was held at 6:00 PM on October 29, 2013, at 525 SW 21st Street (Laird Noller Ford meeting room). However, no one showed up outside of the applicant's representatives and a City planner.
2. Neighborhood Improvement Association: Not applicable.

November 18, 2013
Agenda Item #E-2

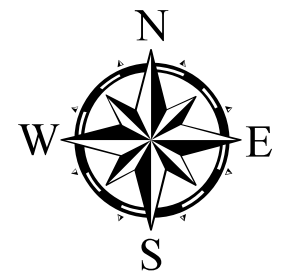
3. Capitol Plaza Area: Not applicable.
4. Flood Hazard Area: Not applicable.
5. Airport Hazard Area: Not applicable.

STAFF RECOMMENDATION:

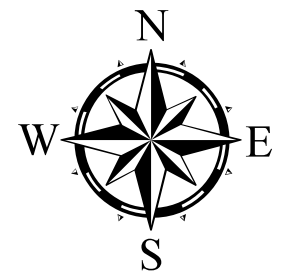
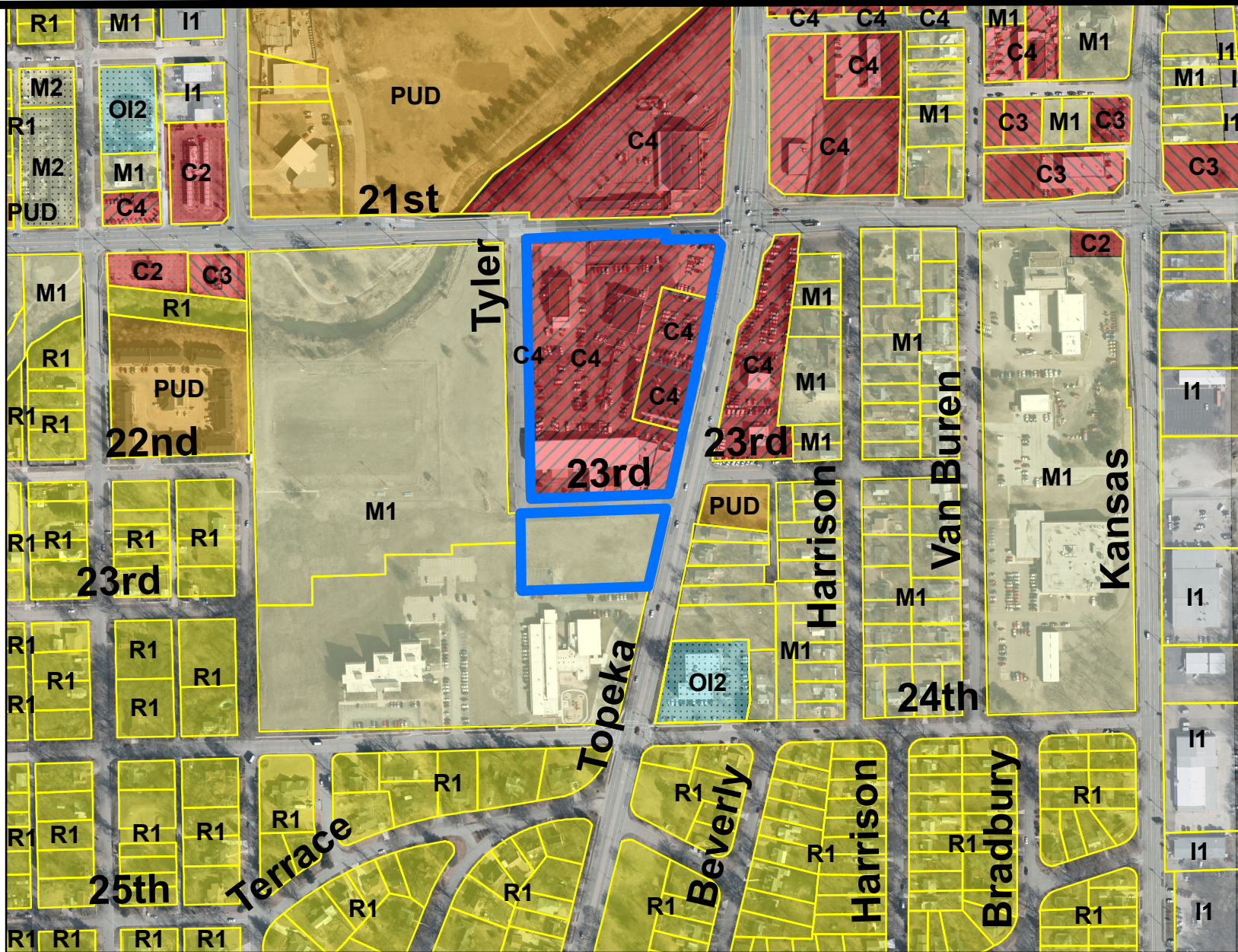
Based upon the above findings and analysis Planning Staff recommends **APPROVAL** of the proposal subject to the following conditions:

1. Use and development of the site in substantial accordance with the recorded PUD Master Plan of the Laird Noller Planned Unit Development.
2. Modify the PUD Master Plan to show a 6-foot wide residential landscaped buffer along the southerly 6 feet of Section “B”, per Section 18.235.060(d)(1) TMC and a 20-foot wide landscaped area along the easterly 20 feet of Section “B”, per Section 18.235.060(d)(2)(ii) TMC.
3. Modify the Project Performance Objectives for Section “A” to clarify that sales and service of trucks over 12,000 pounds gross vehicle weight rating are also permitted.
4. In the Project Performance Objectives for Section “B” remove “service facility” as a proposed use.
5. The auto sales area shall be permitted and paved prior to using Section “B” for the display or storage of motor vehicles.

Prepared by: Bill Hoover, AICP
Planner III



PUD13/3 Laird Noller

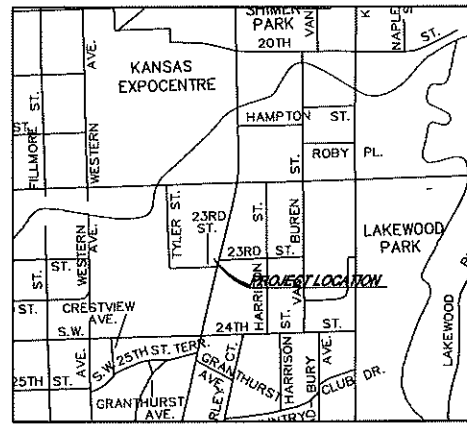


PUD13/3 Laird Noller

LAIRD NOLLER PLANNED UNIT DEVELOPMENT MASTER PLAN

SECTION 7, TOWNSHIP 12 S, RANGE 16 E

BOOK _____ PAGE _____
DATE _____ TIME _____



VICINITY MAP
NO SCALE

PUD DESCRIPTION

All of lots 0 through 25 on SW 21st Street, lots 4 through 26 on 22nd Street, lots 10 through 26 on 23rd Street, lots 757 through 809 on SW Topeka Boulevard, including vacated 22nd Street and vacated alleys adjacent to said lots, all in Ladies Addition, less any right of way taken for street purposes.

And,

Beginning at a point on the North line of said Lot 811 in said Ladies Addition, at a point 15.00 feet West of, measured perpendicular to the West line of SW Topeka Boulevard; thence South 13° 05' 43" West, parallel with the West line of said SW Topeka Boulevard a distance of 206.98 feet; thence South 88° 10' 25" West on the South line of said Lot 826 and its extension a distance of 326.63 feet to the center of Tyler Street; thence North 00° 56' 33" West on the center of said Tyler Street a distance of 200.02 feet; thence North 88° 10' 25" East on the North line of said Lots 811, 812 and there extensions a distance of 376.84 feet to the point of beginning.

All in the Northwest Quarter of Section 7, Township 12 South, Range 16 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas

PROJECT PERFORMANCE OBJECTIVES:

SECTION A:

The development is intended as a motor vehicle sales and service facility, as outlined in the Permitted Uses of the C-4 Commercial District, including the sales and service of trucks having a gross vehicle weight of 12,000 pounds.

SECTION B:

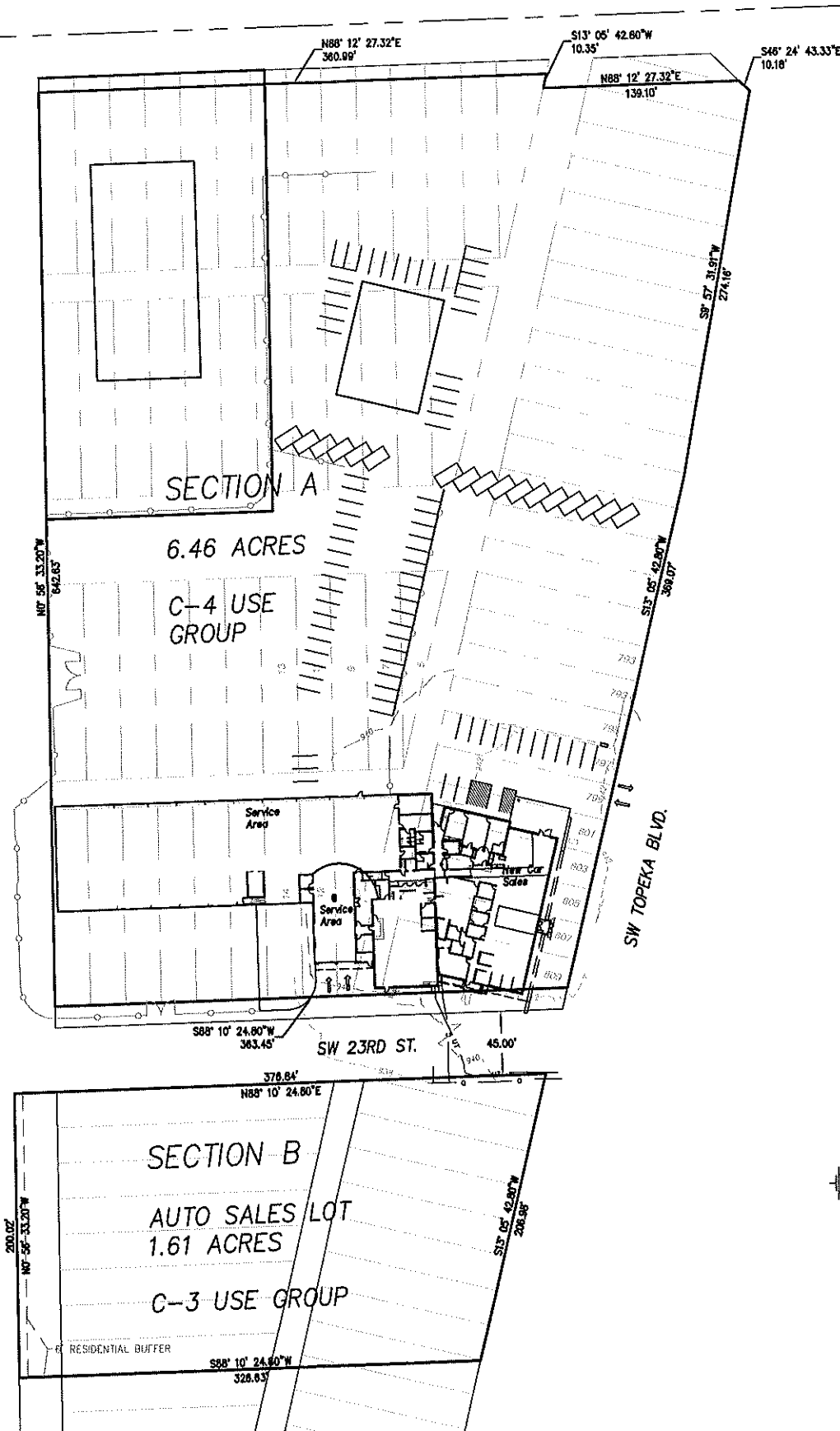
The development is intended as a motor vehicle sales and service facility, as outlined in the Permitted Uses of the C-3 Commercial District, excluding the sales and service of trucks having a gross vehicle weight of over 12,000 pounds.

BUILDING AND STRUCTURAL NOTES:

1. The minimum front set back for the sales and administration building along SW Topeka Boulevard shall be modified to 15 feet.
2. The existing sales and administration building is planned on being remodeled and expanded upon completion of this PUD Rezoning.
4. All dumpster areas shall be screened with a material that complements the principal building's exterior finish.

GENERAL NOTES:

1. Pursuant to Topeka Municipal Code 18.190.060(b), the applicant must record the Master PUD Plan with the Shawnee County Register of Deeds within sixty (60) days upon approval of City Council. Failure by the applicant to record the plan within the prescribed time period or provide the Planning Department fifteen (15) copies of the recorded plan within ninety (90) days of the date of action by City Council shall deem the zoning petition null and void.
2. All applicable use group regulations shall apply, unless stated otherwise.
3. No building permits shall be issued until a PUD Site Development Plan has been reviewed by City staff and approved by the Planning Director to address the following: Building footprint and location, setbacks, landscaping, internal pedestrian walkways, external lighting, drainage and internal circulation, fencing, signage, suggested CPTED measures, building materials and architectural features, etc.
4. Building layouts and traffic circulation areas shown on the PUD Master Plan are for initial conceptual purposes only and will likely be moderately reconfigured during the site plan review process.
5. The property shall be platted prior to any vertical construction on the site. Drainage review shall accompany the Plat.
6. Lighting shall be pointed towards the site interior and limited to three foot-candles at the property lines along public rights-of-way and residential (school) properties.



CERTIFICATION OF MASTER PUD PLAN APPROVAL

Bill Flander, AICP, Planning Director

Date _____

Be it remembered that on this _____ day of _____, A.D., 2013, before me, the undersigned, a notary public in and for said County and State came Bill Flander, who is personally known to me to be the same person who executed the within instrument of writing, and such person duly acknowledged the execution of the same.

In Witness Whereof, I hereby set my hand and affix my notarial seal the day and year last written above.

Commission Expires: _____

Notary Public

This Planned Unit Development (PUD) Master Plan has been reviewed and approved in accordance with the provisions of Chapter 18.190 of the Comprehensive Zoning Regulations of the City of Topeka, Kansas, and may be amended only as prescribed in TMC 18.190.070 and as set forth on this document or as may subsequently be approved and recorded.

OWNER'S CERTIFICATE: The owner and all successors in title agree to comply with the conditions and restrictions as set forth on the PUD Master Plan.

IN TESTIMONY WHEREOF:

The Owner, Gary Bennett, President, CEO of Laird Noller Dealership has caused these presents to be signed this _____ day of _____, 2013.

Gary Bennett, President
CEO of Laird Noller Dealership

Be it remembered that on this _____ day of _____, A.D., 2013, before me, a notary public in and for said County and State came Gary Bennett, President, CEO of Laird Noller Dealership, Owner of the above described property.

I hereby set my hand and affix my notarial seal the day and year last written above.

Commission Expires: _____

Notary Public

OWNER'S CERTIFICATE: The owner and all successors in title agree to comply with the conditions and restrictions as set forth on the PUD Master Plan.

IN TESTIMONY WHEREOF:

The Owner, Janal Johnson, USD 501 Board of Education President has caused these presents to be signed this _____ day of _____, 2013.

Janal Johnson,
USD 501 Board of Education President

Be it remembered that on this _____ day of _____, A.D., 2013, before me, a notary public in and for said County and State came Janal Johnson, USD 501 Board of Education President, Owner of the above described property.

I hereby set my hand and affix my notarial seal the day and year last written above.

Commission Expires: _____

Notary Public

DATE:
Oct 22, 2013

SCALE IN FEET
50 0 50 100

October 16, 2013

NOTICE OF NEIGHBORHOOD INFORMATION MEETING

Based upon the action requested below, the City of Topeka is requiring the listed developer to hold a neighborhood information meeting prior to the Planning Commission public hearing:

Tuesday, October 29, 2013 at 6:00 PM

525 SW 21st Street – Laird Noller building at SE corner of Tyler and 21st
(see attached map)

You have been identified as an owner of record within (500') of the project boundary or a City-registered neighborhood organization within ½ mile. The public is invited to attend this meeting to find out more details from the developer and have an opportunity to ask questions about their proposed development as described below.

Project Information

Action Requested: Rezoning to “PUD” Planned Unit Development with “C-4” Commercial uses for the existing Ford dealership area and “C-3” Commercial uses for the vacant 1.65-acre tract to the south (Case #PUD13/3)

Name of Owner: Laird Noller for the existing dealership area and USD 501 on the vacant 1.65-acre tract to the south with Laird Noller as the contracted purchaser of it.

Name of Applicant's representative: Kevin Holland, Cook, Flatt, & Strobel Engineers -
kholland@cfse.com

Location of Development: Approximately 8 acres at the southwest intersection of SW Topeka Boulevard and SW 21st Street and north of Quinton Heights Education Center

Existing Zoning: “C-4” Commercial District (existing dealership) and “M-1” Two-Family Dwelling District (vacant 1.65-acre to the south of the existing dealership).

Comprehensive Plan Designation: *Mixed Use Area and Urban Suburban Low Density Residential*

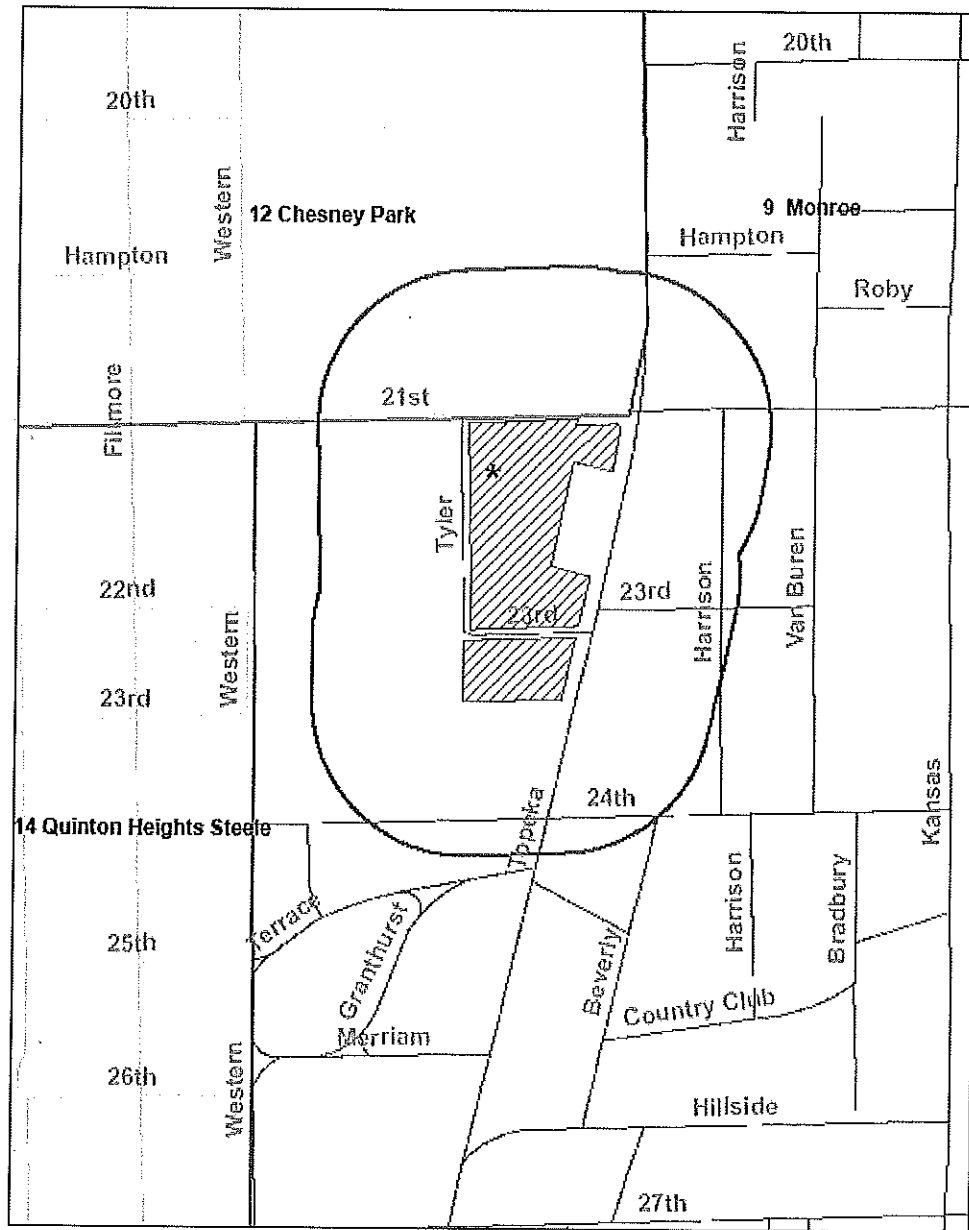
Scope of Project: Continue to use the developed property as an auto dealership and use the vacant 1.65-acre tract to the south as an auto sales lot.

Council District: District #3 – Sylvia Ortiz

Planning Commission Public Hearing: November 18th at 6:00 pm (City Council Chambers)
Tentative

If unable to attend, questions may be submitted prior to the meeting to be included in the developer's report to the City. Questions or comments should be sent to:

City of Topeka Planning Department
ATTN: Bill Hoover, Planner III
620 SE Madison, 3rd Floor Unit 11, Topeka, KS 66607
(785)368-3728 or bhoover@topeka.org



PUD13/3 LAIRD NOLLER PUD

NEIGHBORHOOD INFORMATION MEETING - SUMMARY

Notice of this meeting was sent out to two NIA's, one City Council Member, and 50 neighboring property owners within 500 feet of the proposed PUD boundaries.

It was held at 6:00 PM on Tuesday, October 29, 2013, at 525 SW 21st Street in a meeting room at the Laird Noller Ford facility. At 6:25 PM the meeting was adjourned as no one attended besides representatives for Laird Noller Ford and one City Planner.

**Minutes of the
Topeka Planning Commission
Monday, November 18, 2013**

PUD 13/3 by Laird Noller Ford and USD 501 requesting to amend the District Zoning Classification from “C-4” Commercial District and “M-1” Two-Family Dwelling District all to PUD with “C-4” Commercial District uses on the existing auto dealership land and “C-3” Commercial District uses on the vacant property to the south, all located in the southwest quadrant of SW Topeka Boulevard and SW 21st Street. **(Hoover)**

Richard Beardmore remained out of the room.

Discussion by members: Bill Hoover summarized the staff report for the case. Mr. Hoover stated that the applicant held a Neighborhood Information Meeting on October 29th but none of the invited neighbors, within 500 feet of the property, attended.

Dennis Haugh asked if there were lighting restrictions in Section B. Mr. Hoover stated the lighting brightness is limited to three foot candles and must be shielded. Mr. Hoover stated the requirement would cover all four property lines.

Mr. Lackey asked for clarification of what is on the east property line. Mr. Hoover stated there is a 20- foot landscaped area required along the right of way of a property being platted. Mr. Hoover explained the property would require a plat prior to development. Mr. Lackey asked how high the landscaping would be. Mr. Hoover explained it is open but requires to be 20 foot wide and landscaping is to be emphasized between the building and the right of way. Mr. Lackey stated he could not understand blocking the view of the parking lot from Topeka Boulevard with landscaping. Mr. Hoover explained that the landscaping plan would be reviewed during the site plan review which includes review of appropriateness of the height of the landscaping.

Kevin Beck stated the 20 foot is often used to block the headlights but does not see that being an issue with this case.

Nicholas Jefferson asked why there was a restriction on the trucks in Section B. Mr. Hoover explained that campers and larger trucks are allowable in “C-4” use but not in “C-3”. Mr. Hoover explained that Section B will act as a transition area between the school property and residential uses to the south and the “C-4” uses to the North. Mr. Hoover explained the “C-3” is less intensive.

Mr. Lackey asked if the larger trucks could be sold on the existing lot on the southeast corner of 21st and Topeka Boulevard. Mr. Hoover confirmed. Scott Gales asked if there is a record of built structures on the Section B property. Mr. Hoover stated there is no record of buildings or zoning other than "M-1".

Proponents:

Kevin Holland, Cook, Flatt & Strobel Engineers, spoke in favor of the proposal. Mr. Holland stated Gary Bennett, President of Laird Noller Ford, was available in the audience for questions. Mr. Holland explained that the expansion is to use the empty lot that was vacated by the Quinton Heights Elementary School. Mr. Holland stated the client is cautious with the vegetation issue and the applicant wants to ensure the automobiles are visible and would appreciate a waiver of the 20 foot landscaped area, if given.

Mr. Beck asked if the client is opposed with the 20 foot green space buffer behind the curb. Mr. Holland stated the applicant is not but the buffer does not blend with the other property. Mr. Holland stated the property, and the property across Topeka Boulevard, are paved up to the back of the curb without the green space. Mr. Holland stated the applicant would take the option of paving up to the back of the curb, if given the opportunity.

Michelle Cuevas-Stubblefield asked if there is a concern with landscaping for the buffer on south side of building. Mr. Holland stated there isn't.

Mr. Jefferson asked if the lot would be drained to the west. Mr. Holland stated there is existing storm sewer on Topeka Boulevard. Mr. Holland stated it depended on the detention needs of the lot. Mr. Holland explained that if the lot is a full-surface lot, an underground detention system may be required.

Mr. Beck asked if the applicant has reviewed all of the five stipulations and agree to them. Mr. Holland stated the applicant reviewed them and accepts.

Opponents:

No one spoke in opposition of the proposal.

Mr. Haugh stated he would recommend maintaining the green-space in front of the lot to the east. Mr. Beck stated that Mr. Holland attested that the properties surrounding the proposed are paved from the back of the curb. Mr. Haugh stated that due to the property being a transition area, a low growing, plant materials would be appropriate.

Mr. Beck asked if the 20 foot green space was necessary. Mr. Haugh stated it could vary.

Mr. Lackey stated he didn't see a reason to not allow paving all of the property.

Bill Fiander stated the requirement of the 20 foot setback is a code requirement. Mr. Fiander stated that historically it only applies to newly-platted plans. Mr. Fiander stated the Planning Department work with the applicants to meet the requirements. Mr. Fiander continued that where a new lot that has not been built, and transitions into residential, the 20 foot green space is expected. A waiver on the green space more appropriately comes with redevelopment projects. Mr. Fiander stated that if the applicant cannot meet the requirement, the staff works with the applicant to reach a solution.

Mr. Lackey stated there was a circular drive on the east side of the Quinton Heights property. Mr. Lackey asked how much green space the school had. Mr. Fiander stated it was a lot but was unsure of the specific amount. Mr. Lackey stated the required 20 feet of green space is excessive.

Mike Lackey proposed approval of the proposed with the exception of 20 foot green space requirement, and allow staff and applicant to negotiate a more reasonable number. Nicholas Jefferson seconded. **DISAPPROVED (3-4-1, Kevin Beck, Michelle Cuevas-Stubblefield, Scott Gales and Dennis Haugh voted "no", Richard Beardmore abstained, Dustin Crook was absent.)**

Kevin Beck stated he voted against the motion because he felt the 20 feet was excessive but he felt the acceptable distance need to be determined what is acceptable.

Mr. Haugh stated if measured from the back of the curb, not the property line. Mr. Fiander clarified it is 20 feet from the property line to the parking area.

Mr. Beck asked Mr. Holland what is an acceptable amount of green space to the owner. Mr. Holland stated 20 feet if measured from the back of the curb.

Mr. Fiander asked if there is a sidewalk. Mr. Holland stated there is not. Mr. Fiander stated a sidewalk would be required. Mr. Holland asked for a six foot buffer from curb if it required a sidewalk, which would address the landscape issue. Mr. Fiander explained he is unable to negotiate those terms as that is a matter for Development Services. Mr. Fiander stated the sidewalk is required by City Engineering standards.

Mike Lackey asked what the sidewalk would connect to since there is no sidewalk in existence to the south of the property.

Mr. Holland stated there is a sidewalk on the property currently. Mr. Holland stated assuming the property line is one foot from the sidewalk; this would cause the cars to be set back significantly from the sidewalk. Mr. Holland asked if a six foot setback off sidewalk would be agreeable for the front landscaped area.

Mr. Beck stated it is something to consider.

Scott Gales moved to approve the proposal as recommended by staff, seconded by Dennis Haugh. **APPROVAL. (5-2-1, Kevin Beck and Mike Lackey voted “no”, Richard Beardmore abstained, Dustin Crook was absent.)**
Richard Beardmore returned to the room.



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www.topeka.org

Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 19, 2013

☐ Back ☐ Print

DATE: December 17, 2013

CONTACT PERSON: Bill Fiander **DOCUMENT #:** CPA13/1

SECOND PARTY/SUBJECT: Historic Preservation Plan Element **PROJECT #:**

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

CIP PROJECT: No

ACTION OF COUNCIL: **JOURNAL #:**

PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Jim Colson, amending the text of the Topeka Comprehensive Metropolitan Plan for the Historic Preservation Element. First Reading. (CPA13/1)

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

(Approval would update the Historic Preservation Element of the Comprehensive Plan which provides direction to the Landmarks Commission and other affected organizations on the preservation and promotion of Topeka's historic assets.)

POLICY ISSUE:

The Historic Preservation Element of the Comprehensive Metropolitan Plan provides a policy framework and recommended actions to guide the Topeka Landmarks Commission and other affected City agencies and organizations in preserving and promoting Topeka's architectural and cultural elements. It emphasizes historic preservation values be threaded through city programs and initiatives to achieve long-term preservation of neighborhoods and greater economic impact for the city.

STAFF RECOMMENDATION:

The Topeka Landmarks Commission recommended the City of Topeka Historic Preservation Plan be **APPROVED**, by a vote of 7-0-0 as referenced in their attached minutes dated October 29, 2013.

The Topeka Planning Commission recommended the City of Topeka Historic Preservation Plan be **APPROVED**, by a vote of 8-0-0 as referenced in their attached minutes dated November 18, 2013.

BACKGROUND:

The Historic Preservation Plan was originally adopted as an element of the Topeka comprehensive Item #25

metropolitan plan in 2000. This plan formally established the responsibilities of the Topeka and Shawnee County Landmarks Commission, the legal rationales and processes for design reviews for historic structures, and identified goals for future action.

The 2013 Historic Preservation Plan is a major update to the original plan and identifies a menu of items to guide the work program of the Landmarks Commission over the next 5-10 years. The Plan emphasizes non-regulatory approaches to integrate historic preservation into neighborhood maintenance, downtown revitalization, and heritage tourism.

The planning process was begun in January 2013, and involved a total of 15 public meetings, and an additional 22 personal meeting with stakeholders and operators of individual historic sites within the city of Topeka. The proposed Plan has received the unanimous support of the Topeka Landmarks Commission, and the Topeka Planning Commission.

For more detailed background information, please see the Summary Report.

BUDGETARY IMPACT:

There is no direct financial impact to the City of Topeka. Implementation of certain policies contained within would need to be included in future budgets as desired.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

[Summary Report](#)

[Table of Contents](#)

[Chapter 1 - Executive Summary](#)

[Chapter 2 - Preservation Approach](#)

[Chapter 3 - Historic Preservation Program](#)

[Chapter 4 - Heritage Tourism](#)

[Chapter 5 - Special Places](#)

[Planning Commission Minutes 9-23-13](#)

[Landmarks Commission Minutes 10-10-13](#)

[Landmarks Commission Minutes 10-29-13](#)

[11-18-13 PC Minutes](#)

[List of Meetings and Consultations](#)

[Ordinance](#)

CITY OF TOPEKA PLANNING DEPARTMENT

SUMMARY REPORT

Re: CPA13/1 - City of Topeka Historic Preservation Plan

Introduction

Over the winter and spring of 2013, the City of Topeka Planning Department undertook preparation of a historic preservation plan as part of an ongoing process of updating elements of the city's comprehensive plan. The work was led by Heritage Strategies, LLC, a preservation planning consultant based in Pennsylvania. Funding for the plan included a \$23,100 grant from the State Historic Preservation Office, \$9,500 from the Historic Preservation Fund (transient guest tax), \$6,000 in staff salaries, and \$1,000 in volunteer hours. The Plan examines historic preservation within Topeka and the role that historic resources play in the city's economy and quality of life. Topeka is one of seventeen Certified Local Governments under the Kansas Historical Society's Certified Local Government Program.

Planning Process

Topeka's preservation plan was prepared in four stages including 1) project initiation, 2) existing conditions assessment, 3) outline of strategies and recommendations, and 4) preparation of the draft and final plans. At each stage in the process stakeholders and the general public were engaged to provide information, discuss issues, and suggest potential actions.

An Advisory Committee was assembled to provide guidance at each stage of the project. Key to the planning process was the creation of three focus groups that provided input on specific subjects determined to be central to the plan's success:

- downtown investment,
- neighborhood revitalization, and
- role of historic preservation in community identity

Public workshops were conducted at each stage during which facilitated discussion encouraged public input. Throughout the course of the project individual meetings were held to obtain input and support from key stakeholders, including business leaders, elected officials, and representatives of non-profit organizations. The Planning and Landmarks Commissions monitored the planning process.

To date, the consultant held 15 public meetings and 22 personal meetings (over 300 personal contacts). The plan was heard jointly by the Planning Commission and Landmarks Commission at a public hearing on September 23rd. The Landmarks

Commission subsequently reviewed the plan twice in October at public meetings on October 10th and October 29th with a recommendation of approval to the Planning Commission who also recommended approval to the Governing Body at their November 18th public hearing.



The Plan

The plan includes 5 chapters and an appendix. Each chapter is summarized below.

Chapter 1 – Executive Summary

This chapter establishes the major priorities for action in this plan and describes the planning process for the plan. The 5 areas of **major priorities** for action are:

1. Encourage and facilitate private sector investment in downtown historic buildings to help make the city's Kansas Avenue project a success.
2. Complete historic resource inventories or surveys of the entire city to fully understand the nature, scope, extent, and condition of Topeka's historic assets.
3. Use a coordinated city-wide heritage tourism initiative to increase awareness of Topeka's historic character and contribute to the city's economic vitality.
4. Focus upon neighborhood preservation and revitalization as central to Topeka's outstanding quality of life.
5. Incorporate historic preservation principles and values into the wide range of programs and initiatives undertaken by city agencies.



Chapter 2 – Preservation Approach

The overall vision, concept, and goals for the Plan are outlined in Chapter 2. The preservation plan's approach is as broad as possible in considering what the historic resources are, the roles they play in the community, and the ways in which they can be recognized, preserved, and enhanced. The plan highlights the central role that historic buildings and neighborhoods play in Topeka's quality of life. In short, it views the entire city as a historically significant landscape and focuses upon the historic attributes of community character city-wide and neighborhood-by-neighborhood as valued by most residents.

The **goals** outlined for the Plan are:

1. Make historic preservation central to Topeka's quality of life.
2. Use the private sector and self-interest as engines for historic preservation and revitalization.
3. Heighten public appreciation of Topeka's heritage through storytelling and other means.
4. Make heritage development a core strategy in Topeka's economic development plan.
5. Fully integrate historic preservation into city programs and processes.
6. Make full use of the programs available for community revitalization and enhancement.

Chapter 3 – Historic Preservation Program

This chapter reviews Topeka’s local historic preservation program as it has been authorized through the city’s Landmarks Ordinance. It outlines recommendations for strengthening the preservation program through the role of the Landmarks Commission and by engaging residents. It puts forth a menu for the Landmarks Commission to consider as their work program over the next 5-10 years. Some of the **preservation program recommendations** include:

1. Encourage the preparation of National Register nominations for buildings and districts city-wide.
2. Actively promote the use of federal and state rehabilitation tax credits by business, developers, and homeowners.
3. Prepare and annual Endangered Properties List based on recommendations from the public.
4. Continue to fund economic development related to heritage tourism through a dedicated allocation or transfers from the Transient Guest Tax.
5. Consider establishing a low interest revolving loan program as an incentive for small to medium sized projects involving the rehabilitation of historic buildings, façade improvement, and related initiatives.

Chapter 4 – Heritage Tourism

The essence of Heritage Tourism is telling Topeka’s stories to attract visitors and inspire residents. While the economic goals associated with heritage tourism are focused primarily upon visitors, the interpretive presentation created through a heritage tourism initiative can have a significant impact on residents’ pride as well. Through the planning process, heritage tourism was viewed as an untapped element in the city’s economic development strategy. The recommendations for **heritage tourism** include:

1. Develop a city-wide interpretive plan that engages a broad array of interpretive partners.
2. Coordinate with regional and national partners.
3. Designate Downtown Topeka as a central interpretive destination in the city-wide interpretive presentation.

Chapter 5 – Special Places

Focusing especially upon Topeka’s neighborhoods (and Downtown), the chapter looks at how city programs and initiatives not typically associated with historic preservation affect historic resources and historic community character (e.g., code enforcement). **Special Places recommendations** include:

1. Describes past historic resource surveys and identifies new neighborhoods that are priorities for survey and assessment.
2. Continue the development of neighborhood-specific design guidelines



as components of neighborhood plans to guide treatment decisions for the maintenance and rehabilitation of historic housing and for the design of new infill housing.

3. Consider early intervention strategies to prevent demolition-by-neglect of historic resources.
4. Monitor the city's capital improvement projects for potential impacts on historic landscape and streetscape features in neighborhoods.



Additional Considerations

Kansas environs law was repealed on July 1st. Going forward, the Landmarks Commission will be focused less on project review and more on advocacy. The recommendations in the plan help form the work program for the Landmarks Commission for this new way of doing business. The Plan emphasizes non-regulatory approaches.

In addition, the plan goes beyond a traditional Historic Preservation Plan by including recommendations that require leadership and action from stakeholders other than the City or the Landmarks Commission. For instance, the Plan recommends developing a city-wide interpretive plan to heighten Heritage Tourism in Topeka. Completing a city-wide interpretive plan will rely on historic interpretive sites and marketing organizations like Visit Topeka and Downtown Topeka, Inc.

Recommendation

The Planning Commission voted unanimously to recommend **APPROVAL** of the Historic Preservation Plan as an element of the City's overall Comprehensive Plan. Staff recommends adoption of the ordinance.

HISTORIC PRESERVATION PLAN

CITY OF TOPEKA

Topeka, Kansas

An Element of the Topeka Comprehensive Plan, 2015

Adopted (Date to be added)

**Prepared for the
Department of Planning
City of Topeka**

**Prepared by
Heritage Strategies, LLC
Birchrunville, Pennsylvania**

September, 2013

This Historic Preservation Plan has been funded primarily through a Historic Preservation Fund grant administered by the Kansas Historic Society with funds provided by the federal government's Certified Local Government Program as administered through the National Park Service. Additional funds have been provided by the City of Topeka.

Table of Contents

CHAPTER 1 ▪ EXECUTIVE SUMMARY	1-1
Priorities for Action	1-2
Organization of the Plan	1-4
The Planning Process.....	1-5
Conclusion	1-6
CHAPTER 2 ▪ PRESERVATION APPROACH	2-1
Vision Statement.....	2-2
Goals for the Historic Preservation Plan	2-2
Preservation Principles.....	2-8
CHAPTER 3 ▪ HISTORIC PRESERVATION PROGRAM	3-1
Strengthening the Historic Preservation Program	3-2
Creating Local Historic Districts.....	3-8
Coordinating Historic Preservation City-wide.....	3-10
Treatment of Historic Properties	3-11
Networking with Leadership Organizations.....	3-13
Communications and Outreach	3-14
CHAPTER 4 ▪ HERITAGE TOURISM— TELLING TOPEKA'S STORIES TO ATTRACT VISITORS AND INSPIRE RESIDENTS	4-1
Creating a City-wide Interpretive Presentation	4-2
Visitor Experience	4-11
Organization and Management	4-12
CHAPTER 5 ▪ SPECIAL PLACES	5-1
Neighborhoods- Preserving Topeka's Greatest Assets	5-2
Making Downtown a Vital Place	5-11
Building Maintenance and Demolition-by-Neglect.....	5-19

APPENDICES

- A. Topeka's Preservation Context and Background
 - National Historic Preservation Program
 - Kansas Historic Preservation Program - The Kansas Historical Society
 - Historic Topeka
- B. Historic Landmarks Ordinance
- C. Properties Listed On the National Register
- D. Topeka Landmarks Registry
- E. Neighborhood Surveys
- F. References

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CHAPTER 1 ■ EXECUTIVE SUMMARY

The Historic Preservation Plan for the City of Topeka examines historic preservation within the city and the role that historic assets play in the city's economy and quality of life. The plan is an element of Topeka's comprehensive plan and builds upon the goals and strategies of other comprehensive plan elements that have been developed and refined in recent years. The Historic Preservation Plan was prepared following a review of the existing condition of the city's historic assets, a review of community programs and initiatives, and consultation with a wide variety of stakeholders representing differing perspectives and interests.

Topeka is a historic city. It was prominent in the founding of Kansas and has developed over the past one hundred and fifty-eight years as a center of the state's political, social, and economic life. Today it remains a vital and unique place. Topeka's historic buildings, neighborhoods, and landscapes are essential features of the city's character. They help make the city an outstanding place to live and work. They contribute to the city's economy and their preservation and appropriate treatment is in the best interest of Topeka's residents. The following vision statement has been created for the preservation plan:

Topeka is the Capital City of Kansas. We are proud of our state and work hard to showcase its heritage. Our neighborhoods and commercial centers exemplify what is best about Kansas towns—livable communities steeped in character and tied to the land. We value our shared history and welcome our statewide neighbors and visitors from across the nation to enjoy our quality of life.

This preservation plan identifies the many ways in which Topeka's historic assets contribute to the city's well being. It is a comprehensive document that outlines how historic preservation interests are embedded in city and community initiatives and how the city, stakeholders, and residents can use historic preservation principals and resources in support of their broader objectives. Six goals were identified for the plan:

1. Make historic preservation central to Topeka's quality of life.
2. Use the private sector and self-interest as engines for historic preservation and revitalization.

CHAPTER 1

3. Heighten public appreciation of Topeka's heritage through storytelling and other means.
4. Make heritage development a core strategy in Topeka's economic development plan.
5. Fully integrate historic preservation into city programs and processes.
6. Make full use of the programs available for community revitalization and enhancement.

Priorities for Action

Work on the Historic Preservation Plan identified five areas of activity as priorities in achieving the goals outlined above and in Chapter 2, *Preservation Approach*.

- **Encourage and facilitate private sector investment in downtown historic buildings to help make the city's Kansas Avenue project a success.** The City of Topeka is implementing a downtown streetscape infrastructure improvement and enhancement project that has received broad private sector support and investment. The goal of the project is to enhance Downtown Topeka as the center of community identity, social and cultural life, and economic activity.

Downtown's historic commercial buildings play a central role in the plan through their character by providing outstanding places for restaurants, shopping, and other activities that attract residents and visitors. Private sector investment by small businesses is essential to the project and can be supported through city and other stakeholder activities. Bringing residential uses to downtown has been an objective of the city to support downtown as a living place.

The preservation plan outlines a series of recommendations to support this initiative. Chapter 3 recommends action to facilitate the availability of federal and state investment tax credits to small businesses for the rehabilitation of historic downtown buildings. Preservation Program Recommendation 3.4 advocates outreach to businesses. Preservation Program Recommendation 3.19 advocates the creation of downtown National Register historic districts that would simplify use of tax credits for individual businesses.

Chapter 5 includes a series of recommendations supporting downtown investment under the section *Making Downtown a Vital Place*. It highlights existing city and stakeholders' initiatives and outlines additional actions to achieve success.

- **Complete historic resource inventories or surveys of the entire city to fully understand the nature, scope, extent, and condition of Topeka's historic assets.** Topeka is a large city and has a wide variety of historic assets that contribute to its character and significance beyond those that have been officially designated. The city has undertaken a number

EXECUTIVE SUMMARY



Downtown Topeka

of historic resources inventories or surveys, but they are incomplete and some are old and need to be reassessed.

Preservation Program Recommendation 3.1 in Chapter 3 states that surveying Topeka's historic assets city-wide is a priority project of the Landmarks Commission. Chapter 5 outlines specific priorities for the surveying of neighborhoods and how surveys are related to the city's neighborhood plans.

- **Use a coordinated city-wide heritage tourism initiative to increase awareness of Topeka's historic character and contribute to the city's economic vitality.** Heritage tourism is a means through which Topeka's history and most prominent publicly accessible historic sites may be promoted, raising the profile of the city's history among residents and contributing to the city's economy. Heritage tourism attracts visitors and gives visitors coming to the city for other reasons something additional to do, encouraging them to stay longer and to make return visits.

Chapter 4 outlines recommendations for a comprehensive city-wide interpretive presentation featuring Topeka's historic interpretive attractions and linking them through self-guided interpretation along trails and at public sites. Heritage Tourism Recommendation 4.1 describes preparation of a city-wide interpretive plan. Subsequent recommendations in Chapter 4 highlight a range of coordinated implementation steps. Heritage tourism supports historic preservation goals.

- **Focus upon neighborhood preservation and revitalization as central to Topeka's outstanding quality of life.** Topeka is a city of historic neighborhoods. Neighborhoods are the focus of significant grassroots

CHAPTER 1

activity by residents seeking to enhance neighborhood character, increase property values, and improve local quality of life. The preservation and enhancement of the historic assets in Topeka's neighborhoods will help achieve these grassroots goals.

Preservation Program Recommendations 3.16 and 3.17 encourage the Landmarks Commission to engage with and support neighborhood initiatives as a primary means through which to encourage grassroots historic preservation city-wide. The Chapter 5 section titled *Neighborhoods – Conserving Topeka's Greatest Assets* supports city planning and revitalization initiatives for neighborhoods and identifies recommendations through which the city can include historic preservation as part of its revitalization strategy.

- **Incorporate historic preservation principles and values into the wide range of programs and initiatives undertaken by city agencies.** Throughout the historic preservation plan, recommendations and supporting text describe how the wide range of city programs and initiatives affect historic assets and how city agencies can work together to support historic preservation and use preservation principles to achieve community objectives.

Chapter 5, *Special Places*, focuses upon city programs related to neighborhood revitalization, downtown investment, and building maintenance. Special Places Recommendations 5.1 and 5.2 recognize the important role that neighborhood planning plays in the city's historic preservation program.

Special Places Recommendations 5.7 and 5.9 recognize that the city's neighborhood revitalization programs are important vehicles for strengthening historic character. Recommendations 5.10 through 5.12 provide guidelines and recommendations to help achieve this end.

Special Places Recommendation 5.27 and 5.28 encourage a team approach among city agencies to address problematic building maintenance and code violations that impact historic assets and neighborhood character.

Organization of the Plan

Topeka's Historic Preservation Plan is organized into five chapters. Appendices A through F at the back of the plan provide background and supporting information.

Chapter 1, *Executive Summary*, provides an overview of the preservation plan and highlights its priority actions.

Chapter 2, *Preservation Approach*, establishes a foundation for the strategies and recommendations presented in the plan to guide implementation and further development of the plan in the future. It discusses the plan's six goals and notes where those goals are addressed in the plan.

EXECUTIVE SUMMARY

Chapter 3, *Historic Preservation Program*, reviews Topeka's local historic preservation program as it has been authorized through the city's Historic Preservation Ordinance. It outlines recommendations for strengthening the preservation program through the role of the Landmarks Commission and by engaging residents.

Chapter 4, *Heritage Tourism – Telling Topeka's Stories to Attract Visitors and Inspire Residents*, describes how heritage tourism should be an integral part of Topeka's historic preservation program to highlight the significance of history and historic assets to Topeka's character and identity, contribute to the economic vitality of the city, and enhance quality of life for residents.

Chapter 5, *Special Places*, identifies ways in which the city's many programs and initiatives can contribute to and benefit from a historic preservation perspective. It looks at how city programs and initiatives not typically associated with historic preservation affect historic assets and historic community character and how city agencies can work together to coordinate their activities in a way that enhances community character. Chapter 5 focuses especially on Topeka's neighborhoods, its special places. The chapter refers to Appendix E, Neighborhood Priorities, which provides information on neighborhoods that the city has determined are priorities for survey and programming with respect to the recognition, preservation, and treatment of their historic assets.

Appendix A, *Topeka's Preservation Context*, at the end of the Historic Preservation Plan outlines preservation programs at the federal, state, and local levels and describes how they coordinate to encourage historic preservation initiatives at the local, grassroots level. The appendix includes a review of Topeka's historic assets and how historic assets have been recognized through surveys and inventories and through local, state, and federal designation.

The Planning Process

This preservation plan was prepared in four stages including 1) project initiation, 2) existing conditions assessment, 3) outline of strategies and recommendations, and 4) preparation of the draft and final plans. At each stage in the process stakeholders and the general public were engaged to provide information, discuss issues, and suggest potential actions. Many of the participants in the planning process are acknowledged at the beginning of this plan following the Table of Contents.

An Advisory Committee was assembled to review the status of the project and provide guidance at each stage of the work. Three separate focus groups were created to provide input on specific subjects that were determined to be key to the plan's success:

- downtown investment,
- neighborhood revitalization, and
- the role of historic preservation in community identity.

The focus groups met at the existing conditions and the outline of strategies and recommendations stages to provide guidance and input.

CHAPTER 1

Public workshops were conducted at each stage in the process during which a presentation was made and facilitated discussion was undertaken to receive public input. Throughout the course of the project individual meetings were held to solicit input from the representatives of key stakeholders and to obtain their support. The staff and planning team met with the city Planning Commission and Landmarks Commission at several of their regular meetings to report findings and recommendations and to receive guidance.

Conclusion

Topeka is a community with strong historic character and a wide range of significant historic assets. The strengthening of historic preservation within Topeka is in the community's self-interest and will enhance the quality of life for residents. Topeka's historic preservation program supports and encourages grassroots initiative and is based primarily upon the preservation and enhancement of neighborhoods by the residents themselves. While the city has a number of outstanding and nationally significant historic landmarks, its deepest strength is found in the many homes, community buildings, and streetscapes that make the city a great place to live. It is hoped that this Historic Preservation Plan will help residents coordinate their actions to preserve and enhance their community for the benefit of present and future generations.



Streetscape characteristic of Historic Topeka

CHAPTER 2 ■ PRESERVATION APPROACH

The overall vision, concept, and goals for the Historic Preservation Plan are outlined in Chapter 2, establishing a foundation for the strategies and recommendations presented in the following chapters. This conceptual framework should guide the implementation and further development of the preservation plan by the many partners that share its interests. Going forward, conditions will change, new partners will emerge, and new opportunities will present themselves. The approach outlined here should guide ongoing response and adaptation to both the actions included in the plan and to new ideas yet to be developed.

The preservation approach is to be as broad as possible in considering what historic assets are, the roles they play in the community, and the ways in which they can be recognized, preserved, and enhanced. Topeka's Historic Preservation Plan highlights the central role that historic buildings and neighborhoods play in the city's quality of life. It recognizes the landscape as the context in which individual resources exist and how assets are inter-related. In short, we view the entire city as significant and focus upon the historic attributes of community character city-wide and neighborhood-by-neighborhood as valued by most residents.

Such a broad-based approach leads to the potential use of a wide range of tools in the plan's implementation and the enlistment of a wide range of partners with sympathetic and overlapping interests. The plan emphasizes good planning but de-emphasizes regulatory approaches. We will succeed best when we are all pulling in the same direction as a result of our mutual self-interest. So this plan emphasizes engaging the private sector—residents, businesses, and organizations—and making it easier for everyone to do the right thing in terms of enhancing historic assets and strengthening community character.

Central to this idea is making sure that historic preservation is incorporated into and supports the city's long term economic development strategy. The plan supports proactive economic development initiatives in attracting new business and industry to Topeka. The plan recognizes that community character is an important factor in attracting new businesses and retaining existing businesses. Topeka's well educated and high quality work force values the community attributes and quality of life found here.

The plan emphasizes good planning but de-emphasizes regulatory approaches.

Central to this idea is making sure that historic preservation is incorporated into and supports the city's long term economic development strategy.

CHAPTER 2

But Topeka's historic resources are affected by other city programs and initiatives as well.

While the preservation plan emphasizes the interests of residents and the private sector, it uses the city's broad range of activities to help achieve its goals. Topeka has a well developed historic preservation program that works in concert with state and federal programs managed through the Kansas Historical Society. But Topeka's historic resources are affected by other city programs and initiatives as well.

Through the experience and input of a wide range of citizens participating in the preservation planning process through focus groups, workshops and individual consultations, the preservation plan identifies city programs and initiatives—beyond the historic preservation program—that impact historic resources and historic character and outlines how they may be adapted to help meet the plan's goals. In this regard, the preservation plan is closely coordinated with other elements of the city's Comprehensive Plan and supports private sector and non-profit initiatives that bring economic vitality and cultural richness to Topeka.

Vision Statement

With these thoughts in mind, the following vision statement has been created for the preservation plan:

Topeka is the Capital City of Kansas. We are proud of our state and work hard to showcase its heritage. Our neighborhoods and commercial centers exemplify what is best about Kansas towns—livable communities steeped in character and tied to the land. We value our shared history and welcome our statewide neighbors and visitors from across the nation to enjoy our quality of life.

The preservation plan is closely coordinated with other elements of the city's Comprehensive Plan and supports private sector and non-profit initiatives that bring economic vitality and cultural richness to Topeka.

The vision statement for this plan mirrors the city's vision statement and emphasizes Topeka as a livable community and model for the state. In the process of developing the preservation plan, a great deal of discussion centered upon community identity. Participants felt that Topeka could better embrace its role as state capital in representing statewide character, welcoming fellow citizens, and presenting itself to visitors. The plan's vision statement addresses this intent and sets the stage for the following goals upon which the plan's recommended actions are based.

Goals for the Historic Preservation Plan

Six goals were identified that together broadly express a full range of ways in which historic preservation can be incorporated into planning for Topeka's future:

1. Make historic preservation central to Topeka's quality of life.
2. Use the private sector and self-interest as engines for historic preservation and revitalization.
3. Heighten public appreciation of Topeka's heritage through storytelling and other means.

PRESERVATION APPROACH

4. Make heritage development a core strategy in Topeka's economic development plan.
5. Fully integrate historic preservation into city programs and processes.
6. Make full use of the programs available for community revitalization and enhancement.

How each of these goals is represented in the strategies and recommendations presented in Chapters 3 through 5 is discussed below.

Goal 1: Make historic preservation central to Topeka's quality of life.

The preservation approach outlined above makes the basic point that historic buildings and landscapes are central to the quality of life valued and enjoyed by Topeka's residents. This is most clearly evident in the importance of neighborhoods and neighborhood character in Topeka.

Historically, Topeka has grown from the center—Kansas Avenue—outward with successive waves of new development adding new residential neighborhoods over the decades. Each new neighborhood is an expression of the character of its time, a physical record of the city's historical development. This pattern continues today. The livability of these neighborhoods is Topeka's strength in terms of the quality of the buildings, the visual appeal of the streetscape, and ways in which buildings and landscapes work together.

Preserving this historic compact pattern of growth and recycling denser neighborhoods also promotes a sustainable fiscal model for the city. The ability to preserve a built environment while re-using existing infrastructure investments is vital to advancing smart growth principles central to the City's Land Use and Growth Management Element of the Comprehensive Plan.



Even Topeka's more modest neighborhoods have great charm.

CHAPTER 2

Recognizing, preserving, and enhancing the elements that contribute to neighborhood and community character is the chief aim of this preservation plan. Because so much of the community's character is historic in nature, responding in a knowing and sensitive way to character-defining features will help preserve Topeka's historic assets, its historically significant buildings and landscapes. Historic preservation is central to Topeka's quality of life.

Topeka is investing in the revitalization of its downtown corridor—Kansas Avenue—because of the widespread recognition that a vital downtown used by residents is the hallmark of a healthy, thriving city. Historic buildings are the key assets that make downtown an attractive setting for businesses and an appealing place for residents to gather.

The preservation plan highlights the role of historic assets in Topeka's quality of life and outlines strategies to facilitate and support initiatives taking advantage of this fact. *Chapter 3, Historic Preservation Program* and *Chapter 5, Special Places* in particular outline strategies and recommendations to enhance the quality of life of residents through the preservation and appropriate treatment of Topeka's historic assets, especially in the city's neighborhoods. The plan recognizes the things that are being done right, suggests ways in which initiatives might be strengthened, and addresses issues and challenges that have been of concern.

Goal 2: Use the private sector and self-interest as engines for historic preservation and revitalization.

Most historic assets in Topeka are privately owned and contribute to the historic character of their respective neighborhoods or commercial areas. Historic preservation is most successful when property owners appreciate the historic character of their properties and treat them appropriately. To this end, communication and outreach are an important part of the preservation plan to engage property owners and provide them with information that will help them preserve and appropriately treat their historic resources. *Chapter 3, Historic Preservation Program* takes the lead in engaging residents and property owners in the preservation plan and encourage the appropriate treatment of privately owned historic properties.

Beyond the normal activities of maintenance and use of historic properties, the preservation plan seeks to encourage private initiative in the revitalization of historic buildings, neighborhoods, and commercial areas.

As outlined in Chapter 5 related to downtown revitalization, the City of Topeka and partnering organizations such as Downtown Topeka, Inc., NOTO, and the Greater Topeka Chamber of Commerce collaborate in soliciting businesses and property owners in the adaptive reuse of historic buildings. The city coordinates and streamlines its development services and other programs to encourage and support private investment.

As also discussed in Chapter 5, the city's neighborhood revitalization programs are aimed at creating an environment that attracts new homeowners and encourages existing homeowners to maintain and improve their properties. Chapter 4 on heritage tourism outlines initiatives and incentives to support the

PRESERVATION APPROACH



Privately rehabilitated commercial building in Downtown Topeka.

non-profit sector in the preservation and interpretation of historic assets. Through these and other means, the preservation plan emphasizes using the private sector as an engine for historic preservation and revitalization to the maximum extent possible.

Goal 3: Heighten public appreciation of Topeka’s heritage through storytelling and other means.

In order to be successful, we must make sure that residents, businesses, and community leaders are aware of the central role that historic assets play in Topeka’s character, economic prosperity, and quality of life.

Chapter 3, Historic Preservation Program addresses ways in which historic preservation interests can engage residents, businesses, and other Topeka organizations to raise the profile of historic resources and communicate their importance to the city’s character. *Chapter 4, Heritage Tourism- Telling Topeka’s Stories to Attract Visitors and Inspire Residents* addresses telling the city’s stories through coordination of a city-wide interpretive presentation.

Storytelling is one way to engage residents and make them aware of the history and significance of the place in which they live. By knowing more about their city and their neighborhoods and by associating those stories with real places, residents will better appreciate why historic preservation is meaningful and important and will be more liable to incorporate historic preservation goals and techniques in their own initiatives.

Presenting Topeka’s stories to visitors and creating a high quality visitor experience are part of a heritage tourism strategy that supports economic development while simultaneously enhancing quality of life for residents.

CHAPTER 2

Visitors like to go to places where local residents gather. Attracting visitors and making them feel welcome enhance the city's reputation in direct support of Topeka's role as state capital. It raises public appreciation of the city's heritage and the state's heritage as well. By setting an example, Topeka can be a statewide model and support historic preservation and community spirit throughout Kansas.

Goal 4: Have heritage development be a core strategy in the city's economic revitalization plan.

As mentioned above in the introduction to this chapter, making sure that historic preservation is incorporated into Topeka's long term economic development strategy is central to the idea of a broad-based preservation plan. Historic assets contribute directly to economic development through heritage tourism, as mentioned above, by attracting visitors and by giving visitors something to do when they come for other reasons.

More broadly, community character is an important factor in attracting new businesses and retaining existing businesses. The central role that historic assets play in Topeka's character and quality of life is directly related to how the city will be viewed by existing and prospective primary employers. The impressive degree to which large local employers are contributing to the enhancement of downtown Topeka as a public-private investment is testimony to this point.

Historic preservation must be recognized as part of a city-wide economic development strategy. As noted earlier, the ability to preserve a built environment while re-using existing infrastructure investments is vital to advancing smart growth principles central to the City's Land Use and Growth Management Element of the Comprehensive Plan.



Streetscape in Downtown Topeka.

PRESERVATION APPROACH

This preservation plan identifies many ways in which historic preservation contributes to Topeka's economic vitality and well being. Investment in downtown, enhancement of neighborhoods, and heritage tourism are key areas of activity. This must continue going forward.

Goal 5: Fully integrate historic preservation into city programs and processes.

Topeka has a wealth of historic building and landscape assets that contribute to the character of the community and its neighborhoods. While the city's official historic preservation program is well developed and well managed, it focuses primarily upon a limited number of officially designated landmarks and upon a few designated historic districts, where residents have readily embraced preservation programming.

To address preservation issues in the broader city beyond the officially designated areas and to reach as wide an audience as possible, historic preservation initiatives must extend beyond the official historic preservation program and be a core principle in all of the city's activities. Historic preservation is an important element in the city's vision of "a vibrant community where people choose to live, work, learn, and play and of which Kansans are proud."

During focus groups and workshops as part of the planning process for this preservation plan, participants enumerated the activities of city government that impact neighborhoods and historic assets. The city's operational and capital budgets detail the magnitude of the public sector investment in community infrastructure and processes of change. City departments that affect historic resources include:

- City Council,
- City Manager,
- Mayor,
- Code Enforcement,
- Communications,
- Development Services,
- Engineering,
- Forestry,
- Housing and Neighborhood Development,
- Planning, and
- Public Works.

With input from citizens and with the leadership of city staff, the Historic Preservation Plan identifies how historic preservation may be integrated into related city services, programs and processes and city activities may be coordinated to support preservation and community goals. *Chapter 3, Historic Preservation Program* discusses the city's official historic preservation program and, along with Chapter 4, seeks ways to engage residents and broaden its scope. Chapter 5 focuses upon neighborhoods and downtown to identify how key related city departments and processes may be integrated into the preservation vision.

Historic preservation initiatives must extend beyond the official historic preservation program and be a core principle in all of the city's activities.

CHAPTER 2

Goal 6: Make full use of the programs available for community revitalization and enhancement.

One positive outcome of the planning process associated with the preparation of this Historic Preservation Plan has been to solidify the conversations being held between various interest groups into a single document focused upon the role of historic preservation in community life. Goal 6 simply says that the preservation plan should make full use of available programs that support community revitalization and enhancement.

The preservation plan has provided the opportunity to enumerate the various programs available and to assess the extent to which they are being used effectively to the benefit of the city and its residents. The State of Kansas in partnership with the federal government offers excellent programs to encourage historic preservation at the grassroots level both through city government and through private investment. State and federal programs are described broadly in Appendix A, and specific recommendations for Topeka's preservation program are included in Chapter 3.

Beyond the preservation program, Topeka takes advantage of a variety of other programs offered by the federal government through the Department of Housing and Urban Development that have helped the city revitalize struggling neighborhoods. Over the past decade, these programs have had a remarkable and clearly measurable positive effect on the city. State and federal transportation programs are also an important factor in Topeka's urban development and enhancement. The redesign of Interstate 70, now in the planning stages, will have a tremendous effect on Downtown Topeka and the city as a whole. The Freedom's Frontier National Heritage Area and National Park Service are examples of important regional and national programs in which Topeka and its partners can participate to enhance historic preservation and local quality of life. These and other programs provide opportunities for Topeka and are noted throughout the preservation plan.

Preservation Principles

All of the strategies, recommendations, and actions included in Topeka's Historic Preservation Plan should be informed and guided by the principles of historic preservation that have been developed and honed by practitioners in the field over the years.

Preservation is a practical discipline that can accommodate growth and change while continuing to preserve the characteristics that make a place special. The principles that have been developed in the field of historic preservation in general recognize the importance of preserving authentic historic fabric to the maximum extent possible. Building uses come and go, but once lost, original historic fabric can never be reclaimed. The maintenance and preservation of original historic fabric, features, materials, and design elements, therefore, is central to a sound preservation approach. A key objective of Topeka's Historic Preservation Plan is to encourage and promote the preservation and maintenance of historic building and landscape fabric in as many ways as possible.

PRESERVATION APPROACH



Kansas State Capitol – Topeka’s most prominent historic building.

The principles of historic preservation are embodied in the topic of Preservation Treatments and in *The Secretary of the Interior’s Standards for the Treatment of Historic Properties*, both of which are discussed below. The principles and thinking they convey should guide the actions undertaken as a result of this preservation plan. The extent to which the plan’s strategies and actions succeed in implementing these principles in real projects within the community and help to make them widely known and appreciated should be the measure by which the strategies and actions are evaluated.

Preservation Treatments

The historic preservation field uses a variety of terms to describe the treatments that may be applied to historic building and landscape assets. Although sometimes these terms are used loosely in discussion, they have specific meanings that are important to distinguish. The four key preservation treatments include: Preservation, Rehabilitation, Restoration, and Reconstruction (National Park Service, Secretary of the Interior’s Standards for the Treatment of Historic Properties 2013).

Of these four terms, *Preservation* requires retention of the greatest amount of historic fabric, features, and materials. *Rehabilitation* acknowledges the need to alter or add to a property to meet continuing or new uses while retaining historic character. *Restoration* allows for an accurate depiction of the property’s appearance at a particular time in its history. *Reconstruction* establishes a framework for re-creating vanished historic elements with new materials. Preservation and Rehabilitation are the most appropriate and applicable treatments for most historic buildings and landscapes in Topeka.

CHAPTER 2

Preservation

Preservation is defined as the process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize features, generally focuses on the ongoing maintenance and repair of historic materials and features. Removals, extensive replacement, alterations, and new additions are not appropriate. Preservation stresses protection, repair, and maintenance, and should be the baseline treatment for all historic resources.

Rehabilitation

Rehabilitation is defined as the process of creating a compatible use in a historic property through carefully planned minimal alterations and compatible additions. Often referred to as adaptive reuse, rehabilitation protects and preserves the historic features, materials, elements, and spatial relationships that convey historical, cultural, and architectural values. In this context, new, expanded, or upgraded facilities should be designed to avoid impacts to historic elements. They should also be constructed of compatible materials. Retention of original historic fabric should be the primary consideration in undertaking a program of rehabilitation and adaptive reuse. Rehabilitation is perhaps the most important and widely used treatment in communities that are revitalizing and adapting to new uses.

Restoration

Restoration refers to returning a resource to its appearance at a specific previous period of its history. Restoration is the process of accurately depicting the form, features, and character of a property as it appeared at a particular time by means of removal of features from other periods in its history and the reconstruction of missing features from the restoration period. In this context, historic plans, documents, and photographs should be used to guide the work. Limited and sensitive upgrading of mechanical, electrical, and plumbing systems, as well as code-related work to make a property functional, are all appropriate within a restoration project.

Reconstruction

Reconstruction is defined as the process of accurately depicting the form, features, and character of a non-surviving historic property using new construction for the purpose of replicating its appearance at a specific period of time and in its original location. A reconstruction is a new resource made to replace an historic resource that has been lost. Reconstruction is a rarely used preservation treatment applicable primarily in educational and interpretive contexts.

Secretary of the Interior's Standards for the Treatment of Historic Properties

The philosophy that guides the implementation of recommendations included in the Historic Preservation Plan is based on a set of federal guidelines entitled *The Secretary of the Interior's Standards for the Treatment of Historic Properties*, commonly called the "Secretary of the Interior's Standards" or simply the "Standards." The *Secretary of the Interior's Standards* were established under authorization of the National Historic Preservation Act of 1966 to provide

PRESERVATION APPROACH

professional national standards and guidelines for the treatment of historic resources.

An individual set of standards was developed for each of the four preservation treatments described above. All federally funded and permitted activities affecting historic resources are evaluated with respect to these standards. The *Standards for Rehabilitation*, however, are most applicable to most projects undertaken by property owners affecting historic resources in Topeka.

In the language of community planners, *The Secretary of the Interior's Standards* are a list of “best practices” for historic preservation. They are a touchstone for all activities affecting historic buildings and landscapes and help ensure that important issues about the care of historic buildings and landscapes are not forgotten in the process of making decisions about other issues. When the *Standards* are used in the context of a new construction project involving an historic building, they provide a starting point for the discussion of proposed changes to the building’s historic character and fabric. They were developed to ensure that policies toward historic resources were applied uniformly, even if the end result may be different in every case.

All preservation activities, whether they are publicly or privately funded, can be informed and enhanced by understanding the *Secretary of the Interior's Standards*. Because the *Standards* outline a sensitive approach for assessing changes to historic properties, they are often included in preservation plans, ordinances, and regulations that govern activities affecting local historic districts. These *Standards* articulate basic principles that are fundamental to historic preservation. Although they have been modified over the years to



Fine residence in a historic neighborhood.

CHAPTER 2

accommodate changing views of historical significance and treatment options, their basic message has remained the same.

The durability of the *Standards* is testimony not only to their soundness, but also to the flexibility of their language. They provide a philosophy and approach to problem solving for those involved in managing the treatment of historic buildings, rather than a set of solutions to specific design issues. Following a balanced, reasonable, and disciplined process is often more important than the exact nature of the treatment option that is chosen. Instead of predetermining an outcome in favor of retaining or recreating historic features, the *Standards* help ensure that the critical issues are considered.

The language of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* is codified in 36 CFR Part 68 (the Code of Federal Regulations, Title 36, *Parks, Forests and Public Property*, Chapter 1 *National Park Service, Department of the Interior*, Part 68). A related federal regulation, 36 CFR Part 67, addresses the use of the *Standards* in the certification of projects receiving federal rehabilitation tax credits.

The *Standards* are published by the U.S. Department of the Interior, National Park Service, and are available online, including definitions for the four preservation treatments discussed above (National Park Service, Secretary of the Interior's Standards for the Treatment of Historic Properties 2013).

The Secretary of the Interior's Standards for Rehabilitation are particularly useful in consideration of the appropriate maintenance of historic buildings; the alteration of older buildings as necessary for reuse, safety, and accessibility; and the construction of new buildings in an historic context. The ten standards that



Historic landscape – a neighborhood park.

PRESERVATION APPROACH

comprise the *Standards for Rehabilitation* are quoted below followed by a brief discussion of the implications of each. Additional discussion of the *Standards for Rehabilitation* may also be found online (National Park Service, Secretary of the Interior's Standards for the Treatment of Historic Properties, Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings 2013).

STANDARD 1 – *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

Standard 1 recommends compatible use in the context of adaptive reuse and changes to historic buildings and landscapes. This standard encourages property owners to find uses that retain and enhance historic character, not detract from it. The work involved in reuse projects should be carefully planned to minimize impacts on historic features, materials, and spaces. The destruction of character-defining features should be avoided.

STANDARD 2 – *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

Standard 2 recommends the retention and preservation of character-defining features. It emphasizes the importance of preserving integrity and as much existing historic fabric as possible. Alterations that repair or modify existing historic fabric are preferable to those that require total removal.

STANDARD 3 – *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

Standard 3 focuses on authenticity and discourages the conjectural restoration of an entire property, feature, or design. It also discourages combining and/or grafting historic features and elements from different properties, and constructing new buildings that appear to be historic. Literal restoration to an historic appearance should only be undertaken when detailed documentation is available and when the significance of the resource warrants restoration. Reconstruction of lost features should not be attempted without adequate documentation.

STANDARD 4 – *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

Standard 4 recognizes that buildings change, and that many of these changes contribute to a building's historical significance. Understanding a building's history and development is just as important as understanding its original design, appearance, and function. This point should be kept in mind when considering treatments for buildings that have undergone many changes.

Most historic buildings contain a visual record of their own evolution. This evolution can be identified, and changes that are significant to the history of the building should be retained. The opportunity to compare multiple periods of

CHAPTER 2



Detail of a commercial building in Downtown Topeka.

time in the same building lends interest to the structure and helps communicate changes that have occurred within the larger landscape and community context.

STANDARD 5 – *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

Standard 5 recommends preserving the distinctive historic components of a building or landscape that represent its historic character. Workmanship, materials, methods of construction, floor plans, and both ornate and typical details should be identified prior to undertaking work.

STANDARD 6 – *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

Standard 6 encourages property owners to repair historic character-defining features instead of replacing them when historic features are deteriorated or missing. In cases where deterioration makes replacement necessary, new features should closely match historic conditions in all respects. Before any features are altered or removed, property owners are urged to document existing conditions with photography and notes. These records assist future choices that are appropriate to the property's historic character.

STANDARD 7 – *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

PRESERVATION APPROACH



Rehabilitated commercial buildings in North Topeka.

Standard 7 warns against using chemical and physical treatments that can permanently damage historic features. Many commercially available treatments are irreversibly damaging. Sandblasting and harsh chemical cleaning, in particular, are extremely harmful to wood and masonry surfaces because they destroy the material's basic physical properties and speed deterioration.

STANDARD 8 – *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

Standard 8 addresses the importance of below-ground prehistoric and historic features. This issue is of most importance when a construction project involves excavation. An assessment of a site's archeological potential prior to work is recommended. If archeological resources are present, some type of mitigation should be considered. Solutions should be developed that minimize the need for excavation of previously unexcavated sites.

STANDARD 9 – *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

STANDARD 10 – *New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

Standards 9 and 10 are linked by issues of the compatibility and reversibility of additions, alterations, and new construction. Both standards are intended to

CHAPTER 2

1) minimize the damage to historic fabric caused by building additions, and
2) ensure that new work will be different from, but compatible with, existing historic conditions. Following these standards will help to protect a building's historic integrity.

In conclusion, the basis for the *Standards* is the premise that historic resources are more than objects of aesthetic merit; they are repositories of historical information. It is important to reiterate that the *Standards* provide a framework for evaluating preservation activities and emphasize preservation of historic fabric, honesty of historical expression, and reversibility. All decisions should be made on a case-by-case basis. The level of craftsmanship, detailing, and quality of materials should be appropriate to the significance of the resource.

Summary

Topeka's Historic Preservation Plan takes a broad view of the role of historic resources in creating community character and making Topeka a vibrant, prosperous, and desirable place to live. It seeks to engage residents and the private sector in recognizing preservation's benefits and embracing preservation initiatives. Guided by the five goals outlined above and informed by the preservation principles presented in the *Secretary of the Interior's Standards*, the following chapters of the preservation plan create a comprehensive framework of strategies and actions through which the city and its partners work together to make historic preservation a central component of the city's future development.

CHAPTER 3 ▪ HISTORIC PRESERVATION PROGRAM

The City of Topeka has an active historic preservation program that has been an important part of the city's planning for many years. Topeka is designated as a Certified Local Government (CLG) under the federal and state CLG program administered by the Kansas Historical Society, recognition that the city's historic preservation program meets state and national criteria for preservation planning. Through the CLG program, Topeka networks with the Kansas Historic Society and is eligible to receive technical assistance and access to special grant funding.

As this preservation plan was being developed, the city was in the process of updating its Historic Landmarks Ordinance, Chapters 2.60 and 18.255 of the Topeka Municipal Code. Chapter 2.60 creates the Landmark Commission and describes its duties. Chapter 18.255 is the city's Historic Landmarks Ordinance through which historic landmarks and historic districts are designated and recognized through historic overlay zoning.

Chapter 3 of the preservation plan outlines recommendations for strengthening the city's historic preservation program through the role of the Landmarks Commission and use of the historic overlay district as authorized in the updated ordinance. The plan seeks to achieve wider public participation in the city's preservation program to the benefit of residents and property owners, and to broaden recognition of the large number of historic assets within the city and how they contribute to the city's quality of life.

Chapter 3 addresses all six of the preservation plan's goals as presented in *Chapter 2, Preservation Approach*. The chapter's recommendations are organized under five broad strategies, each of which is addressed below:

- Strengthen Topeka's existing historic preservation program by creatively and effectively implementing provisions of the Historic Preservation Ordinance;
- Focus on widening public participation through the benefits derived by creating local historic districts;
- Broaden the approach to historic preservation by recognizing the role historic assets play city-wide and how they are impacted through city programs;

CHAPTER 3

- Focus on ways to improve the treatment of historic properties by property owners city-wide; and
- Network with professional and leadership organizations within the city and at the state and national levels.

Strengthening the Historic Preservation Program

Topeka's historic preservation program is authorized and described in the Historic Landmarks Ordinance that was being updated concurrently with the preparation of this preservation plan. The ordinance states that the Topeka Landmarks Commission "shall advise the city council on historic assets and safeguard the architectural and cultural heritage of the community through the preservation of historic landmarks and local historic districts." The commission may carry out its duties through the:

- Identification, documentation and designation of historic landmarks and local historic districts;
- Development and implementation of a historic preservation plan;
- Administration of ordinances governing the designation, alteration and removal of historic landmarks;
- Assistance with educational and incentive programs;
- Economic development and tourism, and
- Coordination of public and private historic preservation activities.

Additional detail is provided in the section of the ordinance describing the functions of the Landmarks Commission. Relevant aspects of that section are highlighted in the recommendations provided below with the purpose of describing how they may be prioritized and addressed. The Landmarks Commission works closely with the city's Planning Department, which provides staff assistance to the Commission.

In performing its duties of advising the City Council on historic assets and "coordination of public and private historic preservation activities," the Landmarks Commission should identify, assess, and monitor the wide range of historic assets across the city. It should identify issues and threats and seek solutions that preserve the city's historic assets for future generations. The commission should take strong, measured steps to raise Topeka's historic preservation program's profile and increase its benefits to neighborhoods, businesses, and residents.

The principal challenge with respect to the historic preservation program is the large number of potential historic landmarks and local historic districts in Topeka in comparison to the number that have actually been designated.

The principal challenge with respect to the historic preservation program is the large number of potential historic landmarks and local historic districts in Topeka in comparison to the number that have actually been designated. Topeka has far fewer National Register listed properties and districts, buildings listed in the city's Landmarks Registry, and local historic districts than it could have.

One result is that few property owners have been able to take advantage of state and federal rehabilitation tax credits that are available for projects involving historic buildings. This is unfortunate because the state tax credit program in particular, available to homeowners as well as businesses, is one of

HISTORIC PRESERVATION PROGRAM



The Charles Curtis House, a Topeka Landmark.

the best programs in the nation. A goal of the city's historic preservation program is to encourage broader participation so that the benefits of the state tax credits can be enjoyed by a larger number of property owners.

The recommendations below seek to increase public participation in the city's preservation program in part by increasing the number of designated landmarks and local historic districts. Promoting the benefits of local historic districts is particularly important and is addressed in a separate section below.

Beyond the designation of landmarks and local historic districts, the Landmarks Commission needs to recognize and address the large number of historic assets that will never receive designation. This can be accomplished largely through communication, education, technical assistance, and incentives tailored to engage private property owners. It will also be achieved through coordination with, and the administration of, other city programs that affect historic assets.

Recommendations to strengthen the city's historic preservation program are outlined below. Recommendations on economic development and heritage tourism are included in Chapter 4. A number of recommendations specifically related to city programs are included in Chapter 5.

Preservation Program Recommendation 3.1 – Undertake a long-term program of **surveying historic assets** throughout the city as a priority project of the Landmarks Commission. By fully documenting its historic assets, the Landmarks Commission and city can recognize their significance in city programs and promote their preservation and appropriate treatment to property owners and neighborhoods. Documentation is a critical first step. A number of neighborhoods in Topeka have been surveyed, but others have not. Some of the city's previous surveys need to be reassessed.

Beyond the designation of landmarks and local historic districts, the Landmarks Commission needs to recognize and address the large number of historic assets that will never receive designation.

CHAPTER 3

Coordinate the survey process with the Kansas Historical Society in such a way that the information gathered may be entered into the Kansas Historic Resources Inventory and made available online. Several of the city's surveys were completed before the online database was created and are not yet incorporated into it.

Include survey information in the city's GIS database. Use the neighborhood plans developed by the city's Planning Department to help organize and structure the surveys. Prepare a historical overview for each neighborhood plan that sets the context for its survey. Include the results of the surveys in each new and updated neighborhood plan.

Explore the possibility of using an expedited system of field recordation with the Kansas Historical Society in which photographs and site information is entered directly into forms and databases by surveyors in the field using computer tablets or laptops. Such a system makes the survey of the large number of properties in neighborhoods and historic districts easier. Consider using groups of neighborhood or student volunteers under professional guidance to conduct the surveys. Use a combination of city and grant monies to fund the long-term survey program.

Preservation Program Recommendation 3.2 – Encourage the preparation of **National Register nominations** for buildings and districts city-wide. Apply the city's grant programs to support the preparation of nominations when appropriate.

The listing of buildings and districts to the National Register of Historic Places and Register of Kansas Historic Places is an honorary professional recognition but can also have important benefits in providing protection from federal and state actions and incentives through federal and state rehabilitation tax credits (see Appendix A).

Prioritize determinations of eligibility and the listing of historic assets in Downtown Topeka to facilitate investment by businesses and property owners (see Chapter 5). Promote the listing of historic districts by neighborhoods in conjunction with the designation of local historic districts as discussed later in this chapter.

Preservation Program Recommendation 3.3 – Encourage the designation of **historic landmarks** as authorized in the Historic Landmarks Ordinance. Reach out to property owners whose historic assets seem particularly appropriate for designation as historic landmarks. Develop programming and incentives that are tailored to landmark properties.

Preservation Program Recommendation 3.4 – Actively promote the use of federal and state **rehabilitation tax credits** by businesses, developers, and homeowners. Collaborate with Downtown Topeka, Inc., the Greater Topeka Chamber of Commerce, the Kansas Historical Society, and others in promoting the benefits of rehabilitation tax credits through outreach and workshops. Develop and publicize information to businesses and homeowners. Help make the process easy.

HISTORIC PRESERVATION PROGRAM

Preservation Program Recommendation 3.5 – Work with City Council and city agencies to use **Community Development Block Grant** funds strategically for public improvements that support qualified historic rehabilitation and adaptive reuse projects that are in the community interest.

Preservation Program Recommendation 3.6 – Develop a **conservation easement** donation program as authorized in the Historic Landmarks Ordinance. The easement program should be led by the Landmarks Commission and administered by the Planning Department’s historic preservation staff.

The conservation easement program can be comprised of two parts, façade easements and land conservation easements. Façade easements are donated by building owners and provide protection of the facades of designated historic buildings. Land conservation easements are donated by property owners and provide protection for natural and historic landscapes.

The conservation easement program will provide another form of preservation incentive to property owners, who can take the value of their donations as a tax credit. As outlined in the Historic Landmarks Ordinance, the city will hold the easement. The value of each donation is established through a certified appraisal.

Preservation Program Recommendation 3.7 – Continue to implement and streamline the **design review process** in issuing certificates of appropriateness for changes to designated historic landmarks and projects within local historic districts as outlined in the Historic Landmarks Ordinance. Work to make the guidelines clear and the process efficient. Organize the process to be helpful and supportive so that property owners will be encouraged to have their properties designated.

Preservation Program Recommendation 3.8 – Conduct an annual review of historic landmarks, local historic districts, and historic assets in Topeka as called for in the Historic Preservation Ordinance. Document the review in an **annual report** to the Mayor and City Council. Publicize the annual report to help raise public awareness about historic preservation and the conditions and issues related to the city’s historic assets.

Preservation Program Recommendation 3.9 – In conjunction with the annual report, prepare an annual **Endangered Properties List** based upon recommendations from the public. Create a public process through which nominations are gathered and assessed by a panel of qualified individuals. Publicize the list with an event to help raise public awareness about historic preservation and the work of the Landmarks Commission. Give priority for grants, loans, and other city incentives to properties on the Endangered Properties List.

Preservation Program Recommendation 3.10 – Continue to promote the city’s **Neighborhood Revitalization Program** that offers tax rebates to property owners who make improvements to their properties within the city’s neighborhood Revitalization Area. The Landmarks Commission should

CHAPTER 3



Most of Topeka's historic buildings will never receive an official designation.

monitor the program and seek ways to broaden its use. Improvements should be consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*.

Preservation Plan Recommendation 3.11 – Continue to **fund economic development related to heritage tourism** through a dedicated allocation or transfers from the Transient Guest Tax. In 2013, the heritage tourism portion of the transfers included \$94,000 for Great Overland Station and this year's approximately \$60,000 to the Historic Preservation Fund for a total allocation of approximately \$154,000. Increase the dedicated allocation if possible.

Transfers from the Transient Guest Tax should be used as an incentive program specifically for heritage tourism related initiatives (see Chapter 4) in support of historic preservation goals. The Landmarks Commission should manage the incentive programs with administrative support from Planning Department staff. Consider establishing the following incentive programs on a yearly basis:

- **Capital Improvement Grants** as a matching grant program for non-profit or municipal historic preservation projects that are open to the public and participate in the city-wide heritage tourism program. Great Overland Station has been a recipient of such support in recent years. Continue the grant program for the development of other qualified historic attractions such as Constitution Hall and Jayhawk Theater.
- **Interpretive Program Grants** as a grant program for interpretive enhancements and programming in accordance with the city's heritage tourism program (see Chapter 4). Projects should be

HISTORIC PRESERVATION PROGRAM

collaborative endeavors of the city's historic interpretive attractions and include projects such as interpretive exhibits coordinating themes and stories between attractions, outdoor exhibits and public art along routes linking attractions, and living history performances during events.

Preservation Plan Recommendation 3.12 – Establish **incentive programs for historic preservation** as called for in the Historic Landmarks Ordinance. Work with City Council to identify a potential funding source for the incentive program. The Landmarks Commission should manage the incentive programs with administrative support from Planning Department staff. Consider establishing the following incentive programs on a yearly basis:

- **Historic Landmark Grants** as a matching grant program available to properties that are designated as Historic Landmarks as authorized by Topeka's Historic Landmarks Ordinance. Potential projects could be for preservation maintenance, rehabilitation, adaptive reuse, or planning.
- **Save Our Heritage Grant Program** as a matching grant program for threatened historic commercial or residential buildings with the intent of placing them back into productive use. Priority should go to emergency situations where a building is facing immediate deterioration and its stabilization and rehabilitation would not take place without additional incentive and support. The potential economic contribution of the property to its vicinity and the potential impact of the property in terms of stabilizing or enhancing the economic viability of its neighborhood should be key considerations in the award of grants.

Preservation Program Recommendation 3.13 – Refine and further develop the **façade improvement program** for historic buildings in the downtown district consisting of technical assistance and matching grants (or forgivable loans, when appropriate). Implement the façade improvement program through Downtown Topeka, Inc. with design review and approval by the Landmarks Commission. Fund the program through the city's public/private downtown investment initiative.

Preservation Program Recommendation 3.14 – Consider establishing a low interest **revolving loan program** as an incentive for small to medium sized projects involving the rehabilitation of historic buildings, façade improvements, and related initiatives. The loan program should have a non-profit, commercial, and economic development focus. Ask local banks to support establishment of an initial fund to be matched by the city that can then be rotated to qualifying projects on a periodic basis.

Preservation Program Recommendation 3.15 – Consider initiating a **Residential Rehabilitation Program** using the city's federal housing funds. The program should take the money currently used for demolitions and infill and instead use it to renovate and rehabilitate vacant or deteriorated

CHAPTER 3

residences to their original character for homeownership. Use the program as a revitalization tool for Target Area Neighborhoods identified through the city's SORT program.

Combine the rehabilitation program with the city's tax rebate program (Neighborhood Revitalization Program) and state rehabilitation tax credit program to further assist qualified property owners and enhance the program's effectiveness. Projects should be undertaken in accordance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*.

Creating Local Historic Districts

In addition to undertaking a long-term program of surveying historic assets, discussed above, a primary focus of the Landmarks Commission should be to encourage neighborhoods to establish local historic districts as authorized by the Historic Landmarks Ordinance. The creation of local historic districts is the most effective way to engage broad segments of the public, promote the benefits of historic preservation, and achieve the designation of a significant number of historic assets.

Local historic districts have a proven track record nationwide of strengthening neighborhood character and increasing property values. Neighborhoods that collaborate in enhancing their properties in accordance with common design criteria attract new residents that are dedicated to and invest in their properties. Historic districts are desirable and attractive places to live. In addition, residential properties located in historic districts that are listed on the Kansas or National Registers are eligible for use of the state rehabilitation tax credit. The state rehabilitation tax credit program offers a state income tax credit equal to 25 percent of qualified rehabilitation expenditures for projects costing over \$5,000.

In seeking to create new local historic districts, the Landmarks Commission should undertake a long-term initiative to cultivate and support Neighborhood Associations (NAs) and Neighborhood Improvement Associations (NIAs). The commission should work with the city's Planning Department to weave historic preservation principles and practices into neighborhood planning, to highlight the importance of historic preservation to neighborhood character, and to encourage the appropriate treatment of historic assets. The benefits and successes of established local historic districts should be publicized to other neighborhoods.

The creation of local historic districts that effectively guide the enhancement of neighborhood character and the preservation and appropriate treatment of historic assets is a key strategy for Topeka's historic preservation program.

Preservation Program Recommendation 3.16 – Actively engage **existing National Register and local historic districts** to support their initiatives and find ways to visibly incentivize and reward their activities. Consult with local Neighborhood Association leaders to assess their priorities and coordinate

HISTORIC PRESERVATION PROGRAM

support. Work with city departments to provide needed services and support. Publicize their achievements.

Preservation Program Recommendation 3.17 – Work with NAs, NIAs, and local advocates to encourage the creation of **new National Register and local historic districts**. Outline benefits, especially increased property values, the potential to use state tax credits, and access to grants and other programs.

Support NAs and NIAs in revitalization and enhancement initiatives related to historic preservation. Develop targeted preservation programs to **engage NAs and NIAs**. Use the historic neighborhood surveys discussed in Preservation Program Recommendation 3.1 above to lay the groundwork for neighborhoods becoming National Register and local historic districts.

Preservation Program Recommendation 3.18 – Consult with the Planning Department in the preparation of new and updated **neighborhood plans** for NAs and NIAs. Use neighborhood plans to focus attention upon the historic character of existing neighborhoods, identify character defining features, and identify preservation issues. Review historical overviews, incorporate historic asset surveys, and provide input on neighborhood-specific design guidelines to be included in the plans.

Preservation Program Recommendation 3.19 – Support the development of a multiple property document and National Register districts in **Downtown Topeka** as outlined Chapter 5. Support the inclusion of historic preservation principles and criteria in the design guidelines for the Downtown District. Support Downtown Topeka, Inc. in attracting investors for the rehabilitation of historic downtown buildings.



Most Topeka neighborhoods are potential historic districts.

CHAPTER 3

Preservation Program Recommendation 3.20 – Encourage neighborhoods to create **neighborhood conservation districts** in accordance with the city’s conservation district ordinance. Identify neighborhoods with interest in conservation districts and explore how to best bring them to fruition. Consult with the Planning Department on the development of customized conservation district guidelines for specific neighborhoods and process for their implementation.

Coordinating Historic Preservation City-wide

Among other duties, the Historic Landmarks Ordinance gives the Landmarks Commission the responsibility to

- Advise City Council on historic assets;
- Coordinate public and private historic preservation activities;
- Prepare and adopt a historic preservation plan as a component of the city’s Comprehensive Plan; and
- Recommend programs and legislation to City Council to encourage historic preservation.

In this regard, the Landmarks Commission should take on the role of being aware of historic preservation activities throughout the city and of assessing impacts on the city’s historic assets from public and private actions. The commission’s observations and assessments should be summarized in the annual report to the Mayor and City Council discussed in Preservation Program Recommendation 3.8 above.

The Landmarks Commission should be active in encouraging historic preservation perspectives in all of the city’s endeavors.

To fulfill these responsibilities, Landmark Commission members should maintain an awareness of city programs that are being implemented that may impact historic assets and an awareness of issues that are being addressed at public meetings that may impact historic assets. Many of the city’s activities, programs, and decisions impact historic buildings, neighborhoods, and other assets. The Landmarks Commission should be active in encouraging historic preservation perspectives in all of the city’s endeavors.

Preservation Program Recommendation 3.21 – Monitor city programs to assess their impact and effectiveness with respect to the preservation and the treatment of historic assets. Focus particularly upon downtown, neighborhood, capital improvement, heritage tourism, and economic development services and programming. Include assessments in the annual report to the Mayor and City Council discussed in Preservation Program Recommendation 3.8 above.

Preservation Program Recommendation 3.22 – Monitor City Council, Planning Commission, and Board of Zoning Appeals meetings and issues. **Advise City Council** and these other bodies on issues affecting historic preservation and community character.

Preservation Program Recommendation 3.23 – Consult with the Planning Department on **comprehensive plan and area planning initiatives**. Keep abreast of planning activities. Provide input with respect to historic preservation issues.

HISTORIC PRESERVATION PROGRAM

Preservation Program Recommendation 3.24 – Forge constructive working relationships with the **Housing and Neighborhood Development Department** and **Code Enforcement Unit**. Encourage and support initiatives and programs that preserve and rehabilitate the historic assets in neighborhoods throughout the city.

Treatment of Historic Properties

The most effective way to achieve the city's historic preservation goals is to raise awareness among homeowners and the general public about the appropriate treatment of historic buildings and landscapes and to encourage and support private sector activities that implement appropriate treatments.

The Historic Landmarks Ordinance assigns the Landmarks Commission the responsibility to provide assistance with educational and incentive programs and to render advice and provide guidance with respect to any proposed work on a historic asset.

The Landmarks Commission should provide leadership in promoting preservation philosophy city-wide and helping to make preservation easy for homeowners. It should provide information, guidance, and technical assistance to the private sector to encourage best practices. Recommendations include:

Preservation Program Recommendation 3.25 – Prepare a comprehensive set of **design, maintenance, and treatment guidelines** for Topeka's historic buildings. The Historic Preservation Ordinance specifically notes adoption and implementation of design guidelines for historic landmarks and local historic districts as among the functions of the Landmarks Commission.

The guidelines should be applicable not only to designated landmarks and districts but to potential landmarks and districts as well. They will be useful in the appropriate treatment of historic assets throughout the city.

As stated in the definitions section of the Historic Landmarks Ordinance, the design guidelines should be based upon the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*. The appropriate maintenance of historic buildings and building fabric is a critical topic to be addressed in the design guidelines and is central to appropriate treatment and best practices.

The document should include guidelines for the:

- Maintenance and treatment of historic building materials such as wood, brick, stone, metals, stucco, concrete, etc;
- Treatment of historic building features and systems such as roofs, walls, doors, windows, porches, steps, stormwater systems, etc;
- Energy efficiency;
- Proposed changes to historic building features;
- Additions to historic buildings; and
- New construction in a historic context.

The Landmarks Commission should provide leadership in promoting preservation philosophy city-wide and helping to make preservation easy for homeowners.

CHAPTER 3



Design guidelines help homeowners appropriately maintain their historic homes by providing information on the care of historic building fabric.

The design guidelines should be made available to property owners, designers, developers, city staff, and others undertaking projects involving historic assets and in historic areas throughout the city. They should be used by owners and designers undertaking projects involving designated landmarks and districts subject to Landmark Commission review for certificates of appropriateness. They should be used by the commission to guide its decision-making.

Beyond Landmark Commission reviews, the design, maintenance, and treatment guidelines should be an informative, useful, user-friendly document for the owners of historic buildings throughout the city. They should be promoted for use by NAs and NIAs and may be referenced in neighborhood conservation district ordinances. The design guidelines included as part of neighborhood revitalization plans prepared by the Planning Department may reference and build upon the city-wide design guidelines with neighborhood-specific information and guidance.

Preservation Program Recommendation 3.26 – Maintain an **online reference library** of preservation related information for property owners. Include summaries, explanations, and PDFs of materials related to the appropriate treatment of historic building fabric and links to sites where additional information and guidance is available, such as National Park Service *Preservation Briefs* and information offered by the National Center for Preservation Technology and Training, Association for Preservation Technology, and others. Consult with the staff of the Kansas Historical Society and National Park Service in assembling the reference library information and links.

HISTORIC PRESERVATION PROGRAM

Preservation Program Recommendation 3.27 – Offer **technical assistance programs** to interested homeowners working with historic buildings. Coordinate specifically with NAs and NIAs in providing technical assistance programs and services to neighborhood residents. Conduct homeowner workshops where qualified craftsmen demonstrate how to maintain and repair historic fabric.

Organize an annual historic homeowner trade show where private sector craftsmen display their services and work and where preservation related products can be shown and demonstrated. Coordinate a design assistance center through which homeowners can obtain advice from historic preservation professionals on appropriate design changes to historic buildings.

Preservation Program Recommendation 3.28 – Provide technical assistance to property owners and investors unfamiliar with the use of **state and federal rehabilitation tax credits** in the form of information, encouragement, and general guidance. Prepare a list of qualified private sector consultants capable of advising investors and assisting with the rehabilitation tax credit process.

Preservation Program Recommendation 3.29 – Organize **training programs for contractors** and craftsmen in working with historic building fabric. Work with trade unions to provide certificates for individuals completing training courses. Maintain a **list of qualified contractors** and craftsmen working with historic buildings and trades.

Networking with Leadership Organizations

The Historic Landmarks Ordinance states that the Landmarks Commission should carry out its duties in part through the coordination of public and private historic preservation activities. In order to undertake this responsibility, the Commission must maintain contact with organizations throughout the city. Communication and outreach is the subject of next section in this chapter, but aside from outreach to the general public, Landmark Commission members should network with those involved in historic preservation activities on an ongoing basis.

Preservation Program Recommendation 3.30 – The Landmarks Commission should maintain **relationships with leadership organizations** in Topeka. Commission members should stay informed by attending meetings and events and by interacting with representatives of other organizations.

The Commission should make sure it understands and appreciates the mission and interests of the variety of public and private organizations involved in Topeka. It should promote the value and benefits of historic assets to the interests and activities of other organizations where possible and appropriate.

Preservation Program Recommendation 3.31 – Cultivate relationships with **Neighborhood Associations** and Neighborhood Improvement Associations

CHAPTER 3

as suggested in recommendation 3.17 above. Attend meetings, stay abreast of issues, be a resource, and offer advice and support whenever possible.

Preservation Program Recommendation 3.32 – Coordinate with and support local and regional **historical attractions**. Understand and provide support for their initiatives. Support heritage tourism as an economic development and community revitalization strategy. Use history and interpretation to promote public interest in preservation. (See Chapter 4, *Heritage Tourism*.)

Preservation Program Recommendation 3.33 – Explore new potential **sources of funding and incentives** to support historic preservation and related initiatives. The Historic Landmarks Ordinance specifically directs that the Commission apply for or suggest sources of funds for preservation, acquisition, and restoration activities.

Network with other organizations in Topeka about needed funding for initiatives that relate to historic preservation. Identify priority projects that support the Landmark Commission’s mission. Coordinate with, support, assist, and provide leadership in developing and implementing fundraising strategies and initiatives.

Consult with the Kansas Historical Society and other Kansas CLG communities. Undertake research and attend national conferences on historic preservation and community planning. Keep informed about programs, techniques, and funding sources being used in other places. Consider federal, state, local, foundation, business, and other potential funding sources.

Preservation Program Recommendation 3.34 – Affiliate with state, regional, and national **preservation organizations** including the Kansas Historical Society, Kansas Preservation Alliance, Freedom’s Frontier National Heritage Area, National Alliance of Preservation Commissions, Preservation Action, and the National Trust for Historic Preservation. Participate in their programs and network with their members. Network with other CLG and Main Street communities in Kansas to support their activities and find out what works.

Communications and Outreach

Outreach to the broader Topeka community is necessary to raise the profile of the city’s historic assets and communicate their importance to the city’s character, economic prosperity, and quality of life. Residents, businesses, and community organizations should be engaged in as many ways as possible to promote appreciation of the city’s historic assets and to build support for preservation and community enhancement initiatives.

A key question with respect to public perception is how residents and visitors view Topeka’s *identity*. What comes to mind when residents think about their city? What do they like; what are they proud of; and how do they convey their sense of the city to visitors from away? Topeka’s identity sets the tone for how we think about who we are, what we value, and how we will shape our future. It

HISTORIC PRESERVATION PROGRAM

is important in building community pride and in communicating to visitors and prospective businesses that Topeka is an attractive place in which to live and work.

In building awareness about the important role that the city's historic assets play, we must recognize that some residents may not have an interest in history or historic preservation per se. Preservation should be framed in the broader context of community character with its community benefits clearly conveyed. Framing historic preservation in the context of community character, prosperity, and well being is a way to help communicate the preservation message to a broader audience in a meaningful way.

Leading organizations involved in presenting Topeka to residents and visitors have overlapping missions, interests, and capabilities and include:

- *Go Topeka Economic Partnership* and *Greater Topeka Chamber of Commerce* – implement an economic development strategy on behalf of the City of Topeka and Shawnee County and provide leadership within the business community. Go Topeka focuses upon attracting primary jobs as well as the retention and expansion of existing businesses. Topeka's quality of life is an important consideration in its marketing.
- *Heartland Visioning* – brings together community partners to implement a dynamic, creative vision for the future of Topeka and Shawnee County. Through consensus building, strategic planning, coordinated communications, and implementation initiatives, Heartland Visioning plays an important role in bringing partners together for the betterment of the community.
- *Downtown Topeka, Inc.* – leads the initiative to invest in Downtown Topeka and transform it into a vital and interesting center of activity and community pride – everyone's neighborhood. Great cities have great city centers. Downtown Topeka's historic character is a primary selling point in recruiting businesses and marketing to residents and visitors.
- *Washburn University* – is one of Topeka's leading institutions and is an important part of the city's heritage. As the university continues to grow and develop, it has a strong interest in the character and quality of the community in attracting students, parents, faculty, and alumni. Washburn is a strong supporter of community-wide initiatives.
- *Visit Topeka, Inc.* – presents the city to visitors and markets Topeka to organizations seeking convention and event venues. Topeka's image, identity, and character are important to their messaging, and high quality visitor experience is key to their reputation. Visit Topeka represents the city's hotel and service industry, which has a central role in hospitality and conveying a high quality visitor experience.
- *Kansas Expocentre* – is Topeka's convention and events center. Located near Downtown Topeka, the Expocentre plays an important role in attracting visitors, supporting the local economy, and conveying the

Preservation should be framed in the broader context of community character with its community benefits clearly conveyed.

CHAPTER 3

city's appeal. The Expocentre's venues, Topeka's image and identity, and the quality of the visitor experience are important factors in attracting quality events and repeat visitors.

- *Shawnee County Historical Society* – operates the historic Richie House in Topeka as an interpretive site and educational resource. The Society has played a leadership role in public history in Topeka and publishes bulletins on the history, culture, and heritage of Topeka and Shawnee County that are valuable information and research documents.
- *Freedom's Frontier National Heritage Area* – coordinates regional interpretation of Bleeding Kansas and related themes and presents the region to a national audience.
- *National Park Service* – operates the Brown v. Board of Education National Historic Site, coordinates presentation of the site to a national audience, and provides technical assistance to local interpretive sites.
- *Topeka & Shawnee County Public Library* – provides a unique place for the research of stories, information, and connections to people and organizations throughout the nation. Collaboration with the community further enhances their shared connections with organizations with overlapping interests and missions to achieve a stronger community.
- *Topeka's Visitor Attractions* – are places that directly represent the city's quality and character to residents and visitors and provide something for visitors to do when they are here. Many of the city's attractions are historic. How they present themselves and communicate the city's overall message is important in creating a positive visitor experience.

City-wide partners presenting Topeka should incorporate historic preservation and community character as an aspect of the city's quality of life either directly or indirectly into their presentations.

The recommendations below suggest that city-wide partners presenting Topeka incorporate historic preservation and community character as an aspect of the city's quality of life either directly or indirectly into their presentations. Historic preservation interests need to collaborate with these and other leading organizations in reaching consensus on identity, messaging, and communications such that each organization can participate in a coordinated and mutually supportive initiative. Communication should be low key, interesting, and fun: a passive initiative to evoke Topeka's identity, build awareness, and help shape how we think about our city.

Preservation Program 3.35 –Create a **city-wide graphic identity** that reflects historic preservation and community character. Messaging would be used by each organization in a coordinated way. The identity could be one that is currently used, an adaptation of an existing identity, or a new one.

Each organization should endeavor to incorporate the city-wide identity into its own graphics and messaging to the extent possible in order to convey a unified presentation to both residents and visitors. Recognition of Topeka's unique status as the capital of Kansas is important. Incorporate the city's wayfinding plan into the city-wide identity and presentation.

HISTORIC PRESERVATION PROGRAM



Wayfinding is an important component of identity and communications.

Preservation Program 3.36 – Within the city-wide identity, create a **communications plan for historic preservation** embracing the various ways in which historic preservation is visible in the life of the city. Include Visit Topeka, Downtown Topeka Inc., the city-wide interpretive presentation, historic attractions, Planning Department, Housing and Neighborhood Development Department, and other historic preservation partners.

Preservation Program 3.37 – Publish an illustrated **history of Topeka** based upon the city-wide interpretive plan (see Chapter 4, Heritage Tourism Recommendation 4.1) that can be offered for sale to residents and visitors. Digitize existing histories written about the city to facilitate their publishing and availability. Continue to prepare detailed and professional historical publications on thematic subjects and special topics.

Preservation Program 3.38 – Coordinate **websites and social media** presentations between leading organizations city-wide to communicate a common identity, set of themes, and messaging. Coordinate historic preservation and interpretive messaging with this endeavor.

Preservation Program 3.39 – Within the **City of Topeka** communications plan, include outreach and programming about historic preservation and community character with respect to Planning, Housing and Neighborhood Development, Code Enforcement, and Public Works Department programs and activities. Portray how the city's historic assets contribute to quality of life and economic prosperity. Prepare a special **Landmarks Commission newsletter** that can be issued digitally to residents on a periodic basis and posted on the city's website. Consider organizing community-wide conferences for neighborhoods.

CHAPTER 3

Preservation Program 3.40 – Organize partners city-wide in presenting **events, lectures, newspaper articles, and publications** on Topeka history on a coordinated, periodic basis. Build on the existing programming and publications offered by partners. Explore how existing offerings can be better coordinated to keep heritage information and opportunities in the public eye. Identify overlaps and gaps in terms of timing and types of offerings. Create a yearly calendar as a coordination tool.

Preservation Program 3.41 – In a partnership between the Landmarks Commission and Shawnee County Historical Society, develop a **speakers' bureau** that could provide qualified speakers on topics related to Topeka's heritage to local conferences, tourism groups, community groups, schools, neighborhood organizations, and others.

Preservation Program 3.42 – Include outreach to **Neighborhood Associations** and Neighborhood Improvement Associations in the overall communications plan.

Preservation Program 3.43 – Encourage and support programming and interpretation for school groups and youth organizations at the city's interpretive attractions and historic sites as a means of **engaging young people** in the overall communications strategy for historic preservation.

Develop a coordinated approach to school learning standards in which interpretive sites with different stories and organizational capabilities can collaborate to engage schools with coordinated programming. Consult with the local school district and youth organizations to identify programs they conduct beyond the school curriculum with which the city's heritage attractions could participate.

CHAPTER 4 ▪ HERITAGE TOURISM- TELLING TOPEKA'S STORIES TO ATTRACT VISITORS AND INSPIRE RESIDENTS

Heritage tourism should be an integral part of Topeka's historic preservation program. Heritage tourism's role is to highlight the significance of history and historic assets to Topeka's character and identity, contribute to the economic vitality of the city, and enhance quality of life for residents.

Heritage tourism has two audiences, visitors and residents. While the economic goals associated with heritage tourism are focused primarily upon visitors, the interpretive presentation created through a heritage tourism initiative can have a significant impact upon residents as well.

Interpretation is a means through which residents can be exposed to Topeka's heritage. It creates awareness about the themes and stories that tell the city's history and relates those themes and stories to authentic places. Through interpretation, residents will learn about Topeka's special places and develop awareness and respect for the city's historic assets. Heritage tourism is therefore a significant way to reach out to Topeka's residents and build long-term support for the city's historic preservation program. Heritage tourism will help build community pride.

Heritage tourism contributes to Topeka's economic vitality. The city's historical attractions draw visitors and give those coming to the city for other reasons something more to do. Heritage tourism supports the convention and event businesses led by the Kansas Expocentre and enriches the experiences of those staying in the city's hotels, encouraging them to stay longer and to return.

Interpretive sites are only one part of heritage tourism's draw. Visitors who appreciate historic sites also appreciate communities that value their historic character. Heritage visitors want to experience authentic places. They want to learn about the city's history and combine their visits to interpretive sites with interesting dining and shopping opportunities in historic commercial areas. Heritage visitors want a complete experience, expect high quality, and are willing to spend more than other types of visitors. They like to linger in the restaurants and other places where residents tend to gather. In this respect, the city's downtown investment initiative, bringing alive the historic district along

Heritage tourism's role is to highlight the significance of history and historic assets to Topeka's character and identity, contribute to the economic vitality of the city, and enhance quality of life for residents.

Heritage visitors want to experience authentic places.

CHAPTER 4

Kansas Avenue between 6th and 10th Streets, is an important part of a comprehensive heritage tourism strategy.

In addition to direct spending, heritage tourism enhances and promotes the city's image and identity. An engaging interpretive program, a vital historic downtown center, residents who value their city's character, a place that visitors like to be – these attributes can be positive factors in the city's larger economic strategy of attracting new businesses, helping existing businesses grow, and increasing the number of primary jobs within the region.

In addition to direct spending, heritage tourism enhances and promotes the city's image and identity.

Heritage tourism supports three of the goals identified in the historic preservation plan's *Preservation Approach*. Goal 1, "Make historic preservation central to Topeka's quality of life," is achieved through the enhancements associated with a comprehensive city-wide interpretive program as well as through the heritage development associated with such projects as the downtown investment initiative.

Goal 3, "Heighten public appreciation of Topeka's heritage through storytelling and other means," is achieved through the awareness engendered by the interpretive program and through the promotion associated with it that residents will see.

Goal 4, "Have heritage development be a core strategy in the city's economic development plan," is achieved by attracting heritage visitors and encouraging them to stay longer and by enhancing the city's image, identity, and quality of life, supporting Topeka as a great location for new and existing businesses.

As one aspect of Topeka's overall historic preservation program, this plan does not provide a complete prescription for a heritage tourism initiative. It does, however, outline what an initiative might look like and provides guidance under three strategic components: a city-wide interpretive presentation, visitor experience, and organization and management.

Creating a City-wide Interpretive Presentation

Topeka has a fascinating history closely associated with the broad, central historical themes of the region, the state, and the nation. The city has a strong set of anchor interpretive attractions, historic sites, and public places that can be woven together to create a distinctive interpretive presentation and visitor experience.

A comprehensive city-wide interpretive presentation can be created through the coordination and cooperation of a wide variety of partners. Key partners include historic interpretive sites with professional staff, who can guide development of the interpretive experience, and organizations with marketing responsibilities, such as Visit Topeka and Downtown Topeka, who promote the experience to visitors and residents.

It is suggested that Topeka's interpretive presentation be closely coordinated with the Freedom's Frontier National Heritage Area, which can help market the presentation regionally and nationally. Topeka should endeavor to become a

HERITAGE TOURISM- TELLING TOPEKA’S STORIES TO ATTRACT VISITORS AND INSPIRE RESIDENTS



Great Overland Station

key partner with the heritage area and a regional anchor for its themes and stories.

In a city-wide interpretive presentation, existing historic interpretive sites serve as anchors and destinations to which visitors can be directed. To be recognized as an anchor site, an attraction should have certain capabilities and amenities to serve the visiting public. Each anchor attraction should:

- Be open to the public and have regular hours of operation that can be coordinated with other attractions. Some emerging sites may need assistance with this requirement.
- Have onsite exhibits and programming that is directly related to the themes and storylines developed in a city-wide interpretive plan. Some level of interior interpretive presentation should be required.
- Have basic visitor amenities including parking, rest rooms, visitor information, and provisions or alternatives for universal access.
- Have onsite staffing, preferably professional interpreters or at minimum trained volunteers.
- Preferably have an onsite meeting facility or gathering space where programming can be offered in a classroom setting (preferable, but not necessarily required).

This interpretive presentation is related only to Topeka’s history and heritage. It does not include other excellent attractions within the city such as the Kansas Children’s Discovery Center, Topeka Zoological Park, Combat Air Museum, or others that are not directly interpreting the city’s heritage. These other

CHAPTER 4



Constitution Hall

attractions should be strongly supported and promoted in the city's marketing but are not part of the heritage interpretation.

Participating sites with interpretive programming should work together to create a coordinated presentation of Topeka's history and heritage with each site presenting the aspects of that history to which it relates and coordinating with the stories told at other partnering sites. Historic interpretive attractions in Topeka with public programming that might serve as anchor sites include:

- *Brown v. Board of Education National Historic Site* – Tells the story of the landmark civil rights case for which it is named and the local and national context that transformed our nation.
- *Charles Curtis House Museum* – Charles Curtis was a national political leader in the early twentieth century, serving as a U.S. Congressman, Senator, and Vice-President running with Herbert Hoover. He is notable as the first Native American to serve in high national office.
- *Constitution Hall* – Located in the heart of Downtown Topeka, Constitution Hall is in the process of restoration to enable the building to tell the story of the Topeka Constitution and its role as the Free State Capitol.
- *Great Overland Station* – A magnificent railroad station of the Union Pacific line, Great Overland Station has recently completed a high quality restoration and tells the story of the railroad's role as an anchor of Topeka's economy and as a force in the opening and settlement of the west.

HERITAGE TOURISM- TELLING TOPEKA'S STORIES TO ATTRACT VISITORS AND INSPIRE RESIDENTS



The Historic Richie Houses

- *Historic Richie Houses* – The homes of John and Hale Richie tell the story of Topeka's free-state history through the experiences of those who lived it.
- *Kansas Museum of History* – The story of Kansas from prehistoric times to the present is told in this high-quality state museum. The location is home to the Kansas Historical Society, of which the museum is a part, as well as the State Archives and State Historic Preservation Office.
- *Kansas State Capitol* – In the final stages of restoration, the Kansas State Capitol is one of the most magnificent public buildings in the nation and gives living testimony to the history that has and is being made in Kansas through its architecture and visitors center.
- *Old Prairie Town* – Located in Historic Ward-Meade Park, Old Prairie Town uses an assemblage of historic buildings to tell the story of life in early Kansas.

While anchor interpretive sites serve as destinations within a city-wide interpretive presentation, an extensive network of self-guided interpretive installations is the real backbone of the presentation that reaches out and engages visitors and residents. Self-guided interpretive installations can be installed in publicly accessible locations such as the interpretive sites, parks, sidewalk areas, around public buildings, and in landscapes associated with private sites that have agreed to participate in the interpretive program.

The streetscapes along Kansas Avenue in Downtown Topeka and North Topeka are excellent examples of locations where outdoor, self-guided interpretation can be installed. The grounds of the State Capitol, proposed Riverfront Park, and

An extensive network of self-guided interpretive installations is the backbone of the presentation

CHAPTER 4

Topeka Cemetery are examples of other public places where outdoor interpretation can be installed. Historic neighborhoods could also participate if they desire.

Outdoor interpretation can be installed along trails and routes such as Topeka's bikeways to create an interpretive experience and should be used to establish linkages and recommended touring routes between sites. The outdoor exhibits should use a common city-wide graphic format based upon the city's graphic identity discussed in Chapter 3. Public art with some degree of interpretive content is a highly desirable form of exhibit. Interpretation should be well coordinated using themes and stories outlined in a city-wide interpretive plan. *No privately owned historic site should be included in the interpretive presentation without the explicit written permission of the owners.*

The Brown v. Board of Education National Historic Site has recently spearheaded an interpretive presentation titled *From Brown to Brown: Topeka's Civil Rights Story* featuring sixteen of the city's historic interpretive attractions and historic sites. The presentation includes a brochure and map and self-guided outdoor wayside exhibits using National Park Service exhibit carriers and graphic formats. Outdoor interpretive exhibits are also being planned as part of the Kansas Avenue streetscape project in Downtown Topeka. Both of these initiatives are exactly the kinds of partnerships and interpretive initiatives envisioned in this plan. It is suggested that they be coordinated and further developed over time.

The following recommendations provide guidance for creating a city-wide interpretive presentation that will promote heritage tourism, reinforce the city's identity, and raise public awareness about the central role of the city's historic assets in its quality of life.

Heritage Tourism Recommendation 4.1 – Develop a **city-wide interpretive plan** that engages a broad array of interpretive partners. Identify interpretive themes and subjects that characterize the city's history. Work with local attractions to determine how the stories each site presents represent the city-wide interpretive themes. Identify the role that each site is willing and able to play in a coordinated city-wide interpretive presentation. Create visitor itineraries, routes, and tours that link interpretive sites and attractions. Outline how the interpretive presentation can begin to be implemented in the short-term and further developed and enriched in phases in over time.

The city-wide interpretive plan will determine how best to present an overview of the city's history to which residents and visitors can relate, identifying key themes and storylines. It will provide a context for how each individual interpretive site fits into the city's history, and it will identify how individual interpretive sites will work together to coordinate their stories, programs, and messaging.

Development of the city-wide interpretive plan should be led by professional interpreters from the city's leading historic sites. Qualified consultants could be used to guide the planning. It should include the following elements:

HERITAGE TOURISM- TELLING TOPEKA'S STORIES TO ATTRACT VISITORS AND INSPIRE RESIDENTS

1. Introduction: Outline the background and purpose of the plan.
2. Themes and Storylines: Identify Topeka's key historic themes and storylines for interpretation as developed by the city's interpretive partners. Every active interpretive attraction should be able to find its place within the thematic structure. Coordinate with themes and storylines associated with Freedom's Frontier National Heritage Area.
3. Overview of Existing Interpretation: Prepare an overview summarizing current interpretive programming and conditions offered by partners. Identify (a) each existing participating interpretive site/attraction, (b) organization and contact information, (c) days and hours open to the public, (d) staffing summary, (e) available facilities, (f) theme(s) to which each site relates, and (g) summary of programs currently offered.

Organize the overview to outline the interests and capabilities of the various participating sites. Begin with the larger sites that have professional staff and are fully open to the public and work toward the smaller sites that may be operated solely by volunteers and open only by appointment.

4. Orientation to the City-wide Interpretive Presentation: Outline how the city-wide presentation will be introduced to residents and visitors and how visitors will be oriented. The orientation should include an overview of themes and storylines, where they are presented, and suggested routes and itineraries.



Brown v. Board of Education National Historic Site

CHAPTER 4

Consider using websites, interpretive maps and brochures, and introductory exhibits at leading interpretive sites and in key public spaces.

Consult with partners and determine how best to phase-in coordinated interpretation that presents the city-wide context and sets the stage for detailed interpretation at individual sites and attractions. Exhibits should provide orientation information and direct visitors to participating local interpretive sites. Use the county's graphic identity and formatting for exhibits and publications.

5. Interpretation at Sites and Attractions: Outline how individual interpretive sites and attractions will participate in the city-wide presentation. Identify the key storylines that each participating site will present and how sites will work together to tailor their interpretation as part of the broader storylines.

Identify which storylines are visitor-ready and which have gaps and need further development. Determine how support can be provided to assist sites in their presentations. Determine how participating sites can be provided with introductory exhibits providing city-wide context and relating sites to larger storylines.

6. Interpretation at Self-guided Sites: Identify potential publicly accessible sites and private partners that might be interested in and appropriate for self-guided interpretive exhibits as part of the city-wide presentation. Consider public parks, public buildings, trails, bikeways, and streetscapes. Use self-guided interpretation to create linkages between sites.

Develop an exhibit format that can be used for installation of self-guided exhibits using the city's graphic identity and coordinated with city-wide themes and storylines. Develop a maintenance protocol for self-guided exhibits at partnering locations.

7. Implementation: Prioritize the ideas and actions outlined above. Begin with those that are fundable and most likely to achieve results. Identify resources to support coordinated implementation over time.

Heritage Tourism Recommendation 4.2 – Coordinate with **regional and national partners**, especially Freedom's Frontier National Heritage Area, the Kansas Historical Society, and the National Park Service. Collaborate actively in their planning and programming. Coordinate with other communities and sites that interpret themes related to those of Topeka, especially those associated with Freedom's Frontier. Become a regional and statewide leader in the presentation of Kansas history.

Become a regional and statewide leader in the presentation of Kansas history.

HERITAGE TOURISM- TELLING TOPEKA'S STORIES TO ATTRACT VISITORS AND INSPIRE RESIDENTS



John Steuart Curry painting of John Brown at the Kansas State Capitol

Heritage Tourism Recommendation 4.3 – Use the city's existing **interpretive attractions and historic sites** as anchors and destinations within the city-wide interpretive plan as discussed Recommendation 4.1 above. Engage the professional interpretive staff of anchor sites as leaders in the development of the interpretive plan. Actively support the development and enhancement of anchor sites and the visitor experiences they offer. Establish criteria for sites to meet in the programs they offer, how programs coordinate with other those of other sites, and how sites participate in the city-wide presentation.

Heritage Tourism Recommendation 4.4 – Create a network of **self-guided outdoor interpretive exhibits** at partnering sites, along streetscapes, in public parks, and in other publicly accessible places as noted in Recommendation 4.1 above. Build upon the recently developed *From Brown to Brown* outdoor interpretive initiative focusing on Topeka's civil rights story and include additional themes and storylines in accordance with the city-wide interpretive plan.

Create a city-wide outdoor interpretive program through which interested partners can install interpretive waysides and kiosks on their publicly accessible properties as part of the city-wide interpretive presentation. Partnering sites should agree to provide matching funds for design and installation and to maintain the sites and interpretive exhibits. Coordinate the interpretation of each site within the overall city-wide presentation.

Develop a set of interpretive exhibit carriers such as waysides and kiosks and graphic formats that can be used for the self-guided outdoor exhibits. Coordinate formats with the city's graphic identity as discussed in Chapter 3. Consider using National Park Service standards as in the *From Brown to*

CHAPTER 4

Brown installations and/or developing customized standards, perhaps using the designs developed for the Kansas Avenue streetscape improvements (see Recommendation 4.5 below).

Heritage Tourism Recommendation 4.5 – Designate **Downtown Topeka** as a central interpretive destination in the city-wide interpretive presentation. Install orientation exhibits for the city-wide interpretive presentation along Kansas Avenue. Use the interpretive enhancements proposed in the Kansas Avenue investment initiative between 6th and 10th Streets as a model for the self-guided interpretive presentation. Include outdoor interpretation of public buildings such as the Old Federal Building and historic state government buildings.

Support the development and promotion of downtown anchor attractions including Constitution Hall, Great Overland Station, Jayhawk Theater, and State Capitol. Collaborate with each attraction in determining and promoting their roles in downtown as a destination. Provide visibility and support for Constitution Hall and the Jayhawk Theater as they seek funding for implementation. Include the interpretive presentation in promotion of Downtown Topeka.

Heritage Tourism Recommendation 4.6 – Use Topeka’s system of **trails and bikeways** to link historic sites and tell stories through outdoor exhibits and digital media. Identify themes and stories that can be told along each of the city’s trails and bikeways. Include interpretive enhancements in the development of trails and bikeways. Make these public routes a central component of the city-wide interpretive plan.



Historic building associated with the Kansas Museum of History

HERITAGE TOURISM- TELLING TOPEKA’S STORIES TO ATTRACT VISITORS AND INSPIRE RESIDENTS

Heritage Tourism Recommendation 4.7 – Support the city-wide interpretive presentation with a **family of brochures and interpretive guides** using Topeka’s graphic identity. Include a high-quality **fold-out map** with interpretive context and that helps visitors find their way through the city. Use the *From Brown to Brown* and Freedom’s Frontier National Heritage Area interpretive maps as potential models. Topeka has several previous versions of interpretive maps, no longer publicly offered, that may also be used as guides. Make the map and brochures available online.

Heritage Tourism Recommendation 4.8 – Include **public art** as a distinctive form of interpretive element within the city-wide interpretive plan.

Heritage Tourism Recommendation 4.9 – Develop **digital interpretive presentations** for iPad and other tablet formats to be accessed over the internet from historic sites throughout the city. Digital interpretation can be used to enhance outdoor exhibits and/or provide interpretation where outdoor exhibits cannot be installed or are not desirable. The media content should be rich and exciting. Development of digital interpretive media could be a longer term goal of the interpretive plan.

Heritage Tourism Recommendation 4.10 – Encourage **Neighborhood Associations** and Neighborhood Improvement Associations to participate as partners in the city-wide interpretive presentation by interpreting the their neighborhoods and public spaces.

Heritage Tourism Recommendation 4.11 – Use **events** offered by the various interpretive partners as an integral part of the city-wide interpretive presentation.

Visitor Experience

In order to present Topeka in a coordinated way and provide the complete experience that heritage visitors are seeking, the city’s tourism partners should work together to coordinate visitor information, wayfinding, and services.

Heritage Tourism Recommendation 4.12 – Through Visit Topeka and the Topeka Tourism Alliance, assess the overall **visitor experience** in Topeka and outline priorities and initiatives for its enhancement. Work closely with Visit Topeka and the Chamber of Commerce to incorporate heritage tourism as a focus of the city’s tourism and economic development strategy.

Heritage Tourism Recommendation 4.13 –. Make **heritage tourism** an integral part of the communications plan for Visit Topeka that promotes tourism and area attractions for residents and visitors alike. This should include website development, social media, visitor guides, interpretive maps, and other media. Provide complete visitor information online. Link to the social media formats and websites of partners and sponsors.

Heritage Tourism Recommendation 4.14 – Develop a **website** specifically for Topeka’s interpretive presentation, perhaps through the Topeka Tourism Alliance. Provide visitor information, presentation of the city’s interpretive themes and storylines, interpretive content, and information on interpretive

CHAPTER 4



Old Prairie Town at Historic Ward-Meade Park

sites. Use the website to provide access to the digital interpretative media (see Recommendation 4.9 above) and additional interpretive content. Link to **social media** formats and to the websites of partners and sponsors.

Heritage Tourism Recommendation 4.15 – Expand the existing **wayfinding network** to link sites within the city-wide interpretive presentation.

Heritage Tourism Recommendation 4.16 – In addition to its role as a central interpretive destination (see Recommendation 4.5 above), designate **Downtown Topeka** as the location where historically oriented **visitor services** may be found. Under the leadership of Downtown Topeka, Inc., focus on attracting restaurants and shops located in historic buildings providing services to visitors and residents. Activate Downtown Topeka through marketing and events as the city’s cultural and social center.

Heritage Tourism Recommendation 4.17 – Engage the city’s **hotels and restaurants** as contact points for visitors with respect to the interpretive presentation. Make visitor information available at hotels and restaurants. Provide periodic hospitality training for front-line personnel so they are able to provide information and recommendations to visitors.

The Topeka Tourism Alliance could be enhanced and used to lead the initiative.

Organization and Management

Topeka’s heritage tourism program and city-wide interpretive plan can be organized, implemented, and managed by existing organizations. The Topeka Tourism Alliance, an entity within Visit Topeka, is currently underdeveloped and could be enhanced and used to lead the initiative. The city’s larger interpretive attractions have the management and interpretive experience to execute an effective collaborative program.

HERITAGE TOURISM- TELLING TOPEKA'S STORIES TO ATTRACT VISITORS AND INSPIRE RESIDENTS



Visit Topeka, Inc. on Kansas Avenue, Downtown

Among the key issues to be addressed, however, is the identification of stable sources of funding for both product development and the ongoing operations of individual organizations. This plan proposes that more can be achieved through cooperation and partnerships, showing tangible results and real community benefits, than can be achieved by each of the organizations alone.

Heritage Tourism Recommendation 4.18 – Use the **Topeka Tourism Alliance** as the organizing entity in development and implementation of the interpretive plan. Provide a full-time staff person through Visit Topeka to manage the program and work with anchor attractions and historic sites. Devote a specified portion of the Visit Topeka annual budget to product development and promotion of heritage tourism. Closely coordinate the city-wide interpretive program with other Topeka tourism priorities.

Heritage Tourism Recommendation 4.19 – Continue to devote a portion of the **Transient Guest Tax** revenue as source of funding to promote and support tourism in Topeka. Make heritage tourism an important part of the city's tourism and economic development program. Continue to provide funding for the development of tourism product (anchor attractions, interpretive sites) as well as promotion that enhances visitor experience. See Chapter 3, Preservation Program Recommendation 3.11 on Landmarks Commission incentive programs for funding recommendations that include Capital Improvement Grants for interpretive sites and Interpretive Program Grants.

Heritage Tourism Recommendation 4.20 – Through the Topeka Tourism Alliance, develop a **collaborative approach to funding** in support of anchor interpretive attractions and historic sites. Consider both operational funding

CHAPTER 4

and capital improvements. Work together to share resources and cultivate potential funders.



Kansas State Capitol in the final stages of an extensive restoration

CHAPTER 5 ■ SPECIAL PLACES

Topeka's Historic Preservation Plan recognizes that many of the buildings and other assets that contribute to the city's historic character will not necessarily become designated as landmarks and that the preservation plan must take a broad view to embrace the wide range of historically significant assets city-wide.

Chapter 3 looks at broadening the city's formal historic preservation program to include a larger number of historic assets. Chapter 5 takes the opposite approach and identifies ways in which other city programs and initiatives can contribute to, and benefit from, a historic preservation perspective. Central to this idea is recognizing how historic assets contribute to the special places within our community regardless of historic designations.

Chapter 5 addresses specific aspects of Goals 1 and 5 as outlined in Chapter 2, *Preservation Approach*. Goal 1 is about making sure historic preservation is understood to be central to Topeka's quality of life; Goal 5 is about integrating historic preservation into city programs and processes.

Topeka's quality of life is in large part dependent upon how we treat the special places in which we live and work. If we understand the character of those places, we can work with it to strengthen and enhance the elements that contribute to that character. In Topeka, community character can be best understood by looking at neighborhoods. Neighborhoods are Topeka's special places and its greatest assets.

Downtown Topeka is everyone's neighborhood. It is the center and the symbol of the city's health and vitality. Great cities have great city centers. As Kansas' state capital, Topeka is in a unique position and has a responsibility to present itself in a manner worthy of Kansans state-wide, welcoming our neighbors from every corner of the state and visitors from across the nation. Kansas heritage and character are central to this special place.

Strategies for strengthening neighborhoods and for investment in downtown Topeka are outlined below along with recommendations for how they might be achieved. Many of the recommendations involve city programs and processes, and will require collaboration and a team approach between different city agencies toward a common purpose. That purpose is a vital, healthy city, and historic preservation plays an important part in achieving it.

The preservation plan must take a broad view to embrace the wide range of historically significant assets city-wide.

In Topeka, community character can be best understood by looking at neighborhoods.

CHAPTER 5



During the planning process that led to the writing of this preservation plan, the impacts of city agencies and programs beyond planning and historic preservation were widely discussed. Ideas and recommendations that go beyond the scope of the historic preservation plan were put forth. Not all of those ideas and recommendations are included in this preservation plan document because they go beyond its intended scope.

For instance, this plan discusses how historic preservation contributes to downtown revitalization and investment, but the full scope of the city's downtown investment initiative is centered in the city's comprehensive plan and related actions. This preservation plan clearly states the importance of downtown investment to the preservation of historic assets within the downtown districts and how they are critical to the downtown initiative's success. A similar point is made about neighborhood revitalization. While this preservation plan is as broad as possible in its scope, some ideas are rightly left to other components of the city's comprehensive plan. This preservation plan coordinates with and supports those components.

Neighborhoods – Conserving Topeka's Greatest Assets

Topeka is a city of neighborhoods. Much of Topeka's appeal as a place to live can be attributed to the character and appeal of its neighborhoods. They are comfortable, spacious, walkable, family-friendly, and of high quality. They are also affordable; even the city's more modest neighborhoods are very appealing and not very different in character from more affluent areas. Topeka's neighborhoods convey a strong sense of community— classic American neighborhoods and good places to live and raise children.

SPECIAL PLACES

From a design perspective, Topeka's neighborhoods have a clear structure and are comprised of blocks with interesting, well-built residences; streetscapes with front lawns, sidewalks, and mature canopy trees; public parks; and occasional small commercial centers. Historically, the neighborhoods radiate outward from the downtown business and industrial center. Each neighborhood has distinctive characteristics related to the period in which it was developed and the people for which it was designed. Many residents do not consider their neighborhood features historic, but they are. Many of the city's historic preservation goals can be achieved by addressing the health, vitality, appropriate treatment of neighborhoods.

The City of Topeka has a strong set of neighborhood programs spread across its Planning, Housing and Neighborhood Development, Public Works, and Police Departments. Grassroots-organized Neighborhood Associations and Neighborhood Improvement Associations are the vehicles through which city programs connect to and are affected by local residents. The policies these city programs reflect and the degree to which they are well coordinated and well implemented has an important impact upon the physical appearance, health, and economic viability of Topeka's neighborhoods.

Beyond the impact that the city programs are capable of having, the behavior of the private sector, both businesses and residents, is most important in affecting the long-term character of neighborhoods. Inadvertent behavior over time can result in changes that strengthen or weaken neighborhoods, with direct impacts upon appearance, safety, property values, and economic viability. Private sector behavior can be positively influenced through education; incentives; and other public, non-profit, and private grassroots activities.

The preservation plan organizes recommendations for preserving the historic resources within neighborhoods around three broad strategies:

- Continuing planning for neighborhood revitalization;
- Using Topeka's neighborhood revitalization programs as a means to preserve and enhance community character; and
- Emphasizing the importance of historic building and landscape assets as an element of community character in neighborhood revitalization programs.

Planning for Neighborhood Revitalization

Over the past decade, Topeka has developed an excellent set of individualized neighborhood plans that are used to direct city programs and resources toward revitalization. The plans are prepared by the Planning Department on a rotating schedule as staff time permits and involve extensive input from local residents. Much of the focus has been upon neighborhoods that qualify for federal assistance and have designated Neighborhood Improvement Associations (NIAs).

The scope and quality of the neighborhood plans has improved with experience, and the plans prepared in recent years have been of exceptional quality. The plans document existing conditions within each neighborhood, identify areas of

Many of the city's historic preservation goals can be achieved by addressing the health, vitality, appropriate treatment of neighborhoods.

CHAPTER 5

The neighborhood plans are an effective planning tool that directly supports the role of historic preservation in neighborhood revitalization.

potential action, and prioritize actions to be undertaken. The neighborhood plans provide an action plan for city revitalization programs implemented through Housing and Neighborhood Development and other city departments. Recent plans include design guidelines that promote understanding of the character of historic residences within each particular neighborhood. The neighborhood plans are an effective planning tool that directly supports the role of historic preservation in neighborhood revitalization.

In addition to neighborhood plans, every three to four years, the city's Planning Department undertakes a Neighborhood Health Map Update using benchmarks and vital signs that help identify trends, progress made, and challenges remaining in the revitalization of transitional neighborhoods with NIAs. The Neighborhood Health Map Update is the primary means through which the city and stakeholders can understand the progress being made in neighborhood revitalization and how resources might be redirected to be as effective as possible.

Special Places Recommendation 5.1 – Continue to prepare and update **neighborhood plans** for all neighborhoods. Continue to use neighborhood plans as the guide for coordinated implementation of the city's neighborhood revitalization programs.

Special Places Recommendation 5.2 – Continue development of neighborhood-specific **design guidelines** as components of neighborhood plans to guide treatment decisions for the maintenance and rehabilitation of historic housing and for the design of new infill housing. Use the design guidelines to identify the historic housing types and character defining



SPECIAL PLACES

features of buildings within a neighborhood. Emphasize the retaining, maintenance, and repair of historic building fabric in neighborhood plan design guidelines and obtain the input of the Landmarks Commission in their development.

Special Places Recommendation 5.3 – Use **neighborhood conservation districts** as developed through the Planning Department as a means through which Neighborhood Associations and Neighborhood Improvement Associations may guide change in a manner that supports and enhances neighborhood character.

Special Places Recommendation 5.4 – Encourage the **recognition of historic attributes** as a component of neighborhood character in the development of conservation districts and in the treatment of neighborhood landscapes. Use the Secretary of the Interior’s *Guidelines for the Treatment of Cultural Landscapes* as a methodology for the analysis of character defining features in neighborhoods and as a philosophical basis for their treatment (National Park Service 2013). Analysis of landscape characteristics should include:

- Spatial organization and land patterns,
- Views and vistas,
- Topography,
- Natural systems and features,
- Water features,
- Vegetation,
- Circulation,
- Buildings and structures,
- Small-scale features, and
- Special considerations.

Special Places Recommendation 5.5 – Continue to prepare **Neighborhood Health Map Updates** on a regular basis. Underscore the role of historic preservation as an element of neighborhood character in healthy neighborhoods wherever possible.

Surveying Assets and Neighborhoods

A priority recommendation of *Chapter 3, Historic Preservation Program*, is for the Landmarks Commission to focus upon completing historic resource inventories or surveys of historic assets throughout the city. The completion of surveys is the first step in understanding the nature and extent of the presence of historic assets within Topeka’s neighborhoods, its special places.

Surveys will help the city and residents identify areas within neighborhoods that might be eligible to become National Register or local historic districts. Whether or not they actually become designated, the city and residents should consider such locations priority areas for initiatives, incentives, and appropriate treatment to preserve and enhance historic assets and historic character. They should be recognized as priority areas for historic preservation.

Topeka has completed a number of historic resource inventories or surveys of neighborhoods. More recent surveys are included in the Kansas Historic Resource Inventory online database maintained by the Kansas Historical Society.

A priority recommendation of *Chapter 3, Historic Preservation Program*, is for the Landmarks Commission to focus upon completing historic resource inventories or surveys of historic assets throughout the city.

CHAPTER 5



The surveys indicate which properties within a neighborhood are historically significant and which are not. Recommendations are made as to which areas are potentially eligible as historic districts. A number of older surveys undertaken have not yet been included in the online database. Some of these earlier surveys need to be reassessed.

Neighborhoods that have been surveyed in Topeka include:

- Potwin Place (1980) – has been surveyed and listed on the National Register;
- Holliday Park (2002) – has been surveyed and listed on the National Register;
- North Topeka (2002) – multiple individual properties are eligible;
- Collins Park (2002) – the entire survey area has been identified with the potential for nomination as a historic district;
- Original Town (2003) – seven areas have been identified with the potential for nomination of individual properties;
- Ward Meade (2003) – five areas have been recommended for nomination as historic districts and six additional areas have been identified with the potential for nomination as historic districts;
- Monroe (2004) – six areas have been identified with the potential for nomination as historic districts;
- Old Town (2005) – six areas have been identified with the potential for nomination as historic districts;

SPECIAL PLACES



- College Avenue (2006) – has been surveyed and listed on the National Register; and
- Downtown Topeka (including North Topeka) (2012) – three areas have been recommended for nomination as historic districts.

Topeka's Planning Department has identified the following neighborhoods as among those that are priorities for additional survey and assessment:

- Kenwood;
- Knollwood;
- Auburndale;
- Elmhurst;
- Tennessee Town;
- Valley Park;
- Westwood Place;
- College Hill; and
- Westboro.

Knollwood and Valley Park are Post World War II neighborhoods that are only recently being considered for their historical significance. Appendix E of this preservation plan, *Neighborhood Surveys*, describes these and other neighborhoods and findings of historic resource inventories that have been undertaken to date.

CHAPTER 5

Special Places Recommendation 5.6 – Assess the status of historic resource inventories or **surveys** of Topeka’s neighborhoods and commercial and industrial areas city-wide. Undertake surveys as an ongoing initiative to identify historic assets and areas that are potentially eligible as National Register and local historic districts. Undertake this action independent of the preparation of neighborhood plans but use the information obtained to inform neighborhood planning and revitalization initiatives city-wide.

Preserving Community Character Through Neighborhood Revitalization Programs

The City of Topeka has a comprehensive set of neighborhood revitalization programs focused on improving the quality of life for residents, mostly in lower income neighborhoods. Managed primarily through the city’s Housing and Neighborhood Development Department, most of these programs take advantage of federal grants available through Housing and Urban Development. The programs enhance affordable living, neighborhood livability, and the appearance of the community, and they help safeguard life, health and property. In addition, the various housing programs and projects help build a positive city image, beautify neighborhoods, and generate investment interest in Topeka’s housing market.

The city’s overall neighborhood revitalization program is outlined in the Neighborhood Wellness Strategy, Section 3 of the Neighborhood Element of the Topeka Comprehensive Plan 2025. The Wellness Strategy specifically recognizes historic preservation as a priority activity in neighborhood development (City of Topeka, Neighborhood Wellness Strategy 2012:32).

The limited resources available to the city for neighborhood revitalization are focused upon neighborhoods through a competitive process in which the neighborhoods demonstrate need and capacity of local residents to be engaged. The Neighborhood Health Map Updates help demonstrate need, and neighborhood plans outline an action plan for implementation.

Every two years, the city accepts applications from interested NIAs for designation as a Target Area Neighborhood through its Stages of Resource Targeting (SORT). Two neighborhoods are selected through the application process, and for the next two years the city focuses its resources from a variety of available housing and infrastructure programs upon areas within those neighborhoods. The goal is to have a measurable effect upon those areas of the neighborhoods and to spur revitalization and investment in adjacent areas.

These city neighborhood revitalization programs are important to the preservation and appropriate treatment of historic residences throughout Topeka. City-wide, Topeka’s network of Neighborhood Associations (NAs) and Neighborhood Improvement Associations (NIAs) are the means through which grassroots initiatives are expressed and supported, neighborhood by neighborhood. The city currently has in place programming for the support of NAs and NIAs, yet there is great variation in the organization and effectiveness of these vital entities. The City of Topeka continues to strengthen and refine its efforts to help make NAs and NIAs effective grassroots community organizations.

These city neighborhood revitalization programs are important to the preservation and appropriate treatment of historic residences throughout Topeka.

SPECIAL PLACES



Special Places Recommendation 5.7 – Support implementation of the Neighborhood Element of the Topeka Comprehensive Plan as outlined in the **Neighborhood Wellness Strategy**.

Special Places Recommendation 5.8 – Facilitate **coordination** between Planning, Housing and Neighborhood Development, and Code Enforcement in implementation of SORT and related programs. Monitor coordination of programs being implemented under SORT to maximize effectiveness and meet goals and community expectations.

Special Places Recommendation 5.9 – Identify an **executive representative** for Neighborhood Relations within City government whose responsibility is to coordinate City programs affecting neighborhood revitalization across all City departments. This person should provide more effective direct communication between neighborhoods and City staff, increase internal communication between relevant departments and divisions, and ensure projects are executed efficiently and effectively.

Special Places Recommendation 5.10 – Support the work of Planning and Housing and Neighborhood Development in **strengthening NAs and NIAs** at the grassroots level in neighborhood revitalization and enhancement.

The Importance of Historic Assets in Community Character

The city's neighborhood plans and Neighborhood Wellness Strategy recognize the role of historic preservation and community character in healthy neighborhoods. Section 1 of the comprehensive plan's Neighborhood Element, The State of Neighborhoods, identifies historic character as a key asset, stating:

A large number of historically significant structures, particularly if the renovation of some of those structures has already begun, can be a unique

CHAPTER 5

neighborhood attribute. This allows a neighborhood to distinguish itself by creating a singular identity that can be used as a tool to market the neighborhood (City of Topeka, The State of Neighborhoods 2012:10).

City departments should continue to increase their recognition of historic preservation as an of element community character. Program elements should increasingly provide information on the appropriate treatment of historic buildings and landscape features in strengthening and enhancing community character.

City departments should continue to increase their recognition of historic preservation as an of element community character.

Special Places Recommendation 5.11 – Use the ***Secretary of the Interior’s Standards for the Treatment of Historic Properties*** to guide treatment decisions in the rehabilitation of historic residences through the Housing Development Program, Community Housing Development Organization initiatives, and other similar city-coordinated programs (National Park Service 2013). Involve Planning staff when needed to assist in integrating appropriate treatment into planning decisions.

Special Places Recommendation 5.12 – Conduct periodic **workshops** to train city Planning, Housing and Neighborhood Development, and Code Enforcement staff in the principles associated with the *Secretary of the Interior’s Standards* so they are better prepared to make decisions using those principles in the field. Include overviews of the historical development of Topeka neighborhoods, historic building types, and the identification and treatment of character defining features.

Special Places Recommendation 5.13 – Use the **design guidelines** included in the city’s neighborhood plans for the placement, form, character, and appearance of publicly-funded infill development. Tie the design guidelines



SPECIAL PLACES

to the economic incentives of the neighborhood revitalization program for private development. The purpose of the guidelines is to reinforce historic neighborhood development patterns and overall community character.

Special Places Recommendation 5.14 – Recognize the importance of mature street trees to the appealing character of historic neighborhoods. The role of the city’s **Forestry Program** in maintaining existing street trees and planting new replacement trees should be supported. Best practices for the urban landscape environment should be followed.

Special Places Recommendation 5.15 – The **Brick Streets and Sidewalks Policy**, preserving and restoring the city’s brick streets, brick sidewalks, and granite curbs in locations where they are still present, should be followed by all city departments maintaining and undertaking work where historic materials may be disturbed. Update the brick street policy to reflect changes in the state environs law.

Special Places Recommendation 5.16 – Monitor the city’s **capital improvements projects** for potential impacts on historic landscape and streetscape features in neighborhoods. Review procedures for complying with **Section 106** of the *National Historic Preservation Act* with respect to projects using federal funds, including transportation projects undertaken by Engineering and Public Works, and HUD funded projects administered by Housing and Neighborhood Development.

Making Downtown a Vital Place

Planning for investment in Downtown Topeka is a larger initiative of the city’s Comprehensive Plan. The Historic Preservation Plan supports this initiative and encourages it to be broad in scope and a central focus of the city’s endeavors.

Historic preservation plays a role in the vitality and economic viability of downtown in several important ways. First, historic buildings are central to the character of Kansas Avenue. Finding uses for these buildings and emphasizing their appealing qualities will help activate the street and establish the unique identity of Downtown Topeka and the businesses that occupy those buildings.

Second, downtown is a destination. It is a special place where residents and visitors should seek unique experiences and recollections – creating memorable customs, buying special items, encountering one another in beautiful, exciting places, providing an important place for important happenings. Such a special place can only be found through a combination of layers of historic fabric enhanced by new construction and excellent design in the public realm, all supporting a thriving commercial environment.

Finally, downtown provides the central place to tell and celebrate Topeka’s story. Historic buildings are an important vehicle through which the city’s story can be told.

The success of the downtown investment initiative is essential to the mission of this preservation plan. By establishing Downtown Topeka as the center of the

Historic preservation plays a role in the vitality and economic viability of downtown in several important ways.

The success of the downtown investment initiative is essential to the mission of this preservation plan.

CHAPTER 5



city's economic and cultural identity, appreciation of the role of the city's historic assets in community life will be strengthened. Through this appreciation, the preservation and appropriate treatment of historic buildings and landscapes will receive broad public recognition and support.

The preservation plan includes recommendations for historic preservation in Downtown Topeka through two broad strategies:

- Supporting planning and implementation of investment initiatives in Downtown Topeka; and
- Facilitating the rehabilitation and adaptive reuse of historic buildings as a core component of the downtown investment initiative.

Planning and Implementation in Downtown Topeka

Several recent planning studies provide a foundation for new investment in Downtown Topeka and are guiding its implementation. *The South Kansas Avenue Streetscape Plan* establishes a vision for downtown and outlines components and design principles that will help bring the streetscape alive for residents and visitors. Planning for the Kansas Avenue Phase 1 design and construction project from 6th through 10th Avenues further elaborates upon the streetscape plan and is the basis for implementation.

The Downtown Topeka investment initiative is particularly notable as a significant public/private partnership. City capital funds are being used for engineering and street infrastructure improvements while streetscape enhancements are being funded through private sector donations. The degree to which business leaders have stepped forward to support the project

The Downtown Topeka investment initiative is particularly notable as a significant public/private partnership.

SPECIAL PLACES



financially demonstrates their understanding of the importance of the project to the city's overall economic development strategy. Great cities have great city centers. A vibrant, healthy downtown demonstrates the quality of life that helps attract new business to the city.

Continued city leadership is needed to fully implement the potential for Downtown Topeka over time. The support of the Greater Topeka Chamber of Commerce and large businesses located downtown is essential for its success. Small businesses are essential to enliven the streetscape; attracting small businesses and helping them succeed is central to the initiative.

Downtown Topeka, Inc. (DTI) is orchestrating business recruitment, coordinating maintenance and enhancements, and activating the streetscape through promotion and events. DTI administers the Downtown Business Improvement District that is a central organizational and funding mechanism for ongoing operations of the downtown initiative.

Non-profit and other organizations such as Heartland Visioning, the North Topeka Arts District (NOTO), Constitution Hall, and Jayhawk Theater bring partners together and make downtown come alive.

Planning and implementation for a vital downtown should continue and is in the interest of Topeka's Historic Preservation Plan in the rehabilitation and reuse of historic buildings. Over the medium to long term, planning for the entire length of Kansas Avenue, linking the Capitol area to North Topeka, is in the interest of the city, businesses, and residents. Plans for the redesign of Interstate I-70 and for a future riverfront park will support and help spur investment in the Kansas Avenue corridor.

CHAPTER 5

Special Places Recommendation 5.17 – Make downtown investment a **priority focus** of the City of Topeka and other stakeholders deriving value for all city residents. Commit the necessary resources to planning, programming, business recruitment, marketing, and implementation to ensure success.

Special Places Recommendation 5.18 – Implement ***The South Kansas Avenue Streetscape Plan*** and the ongoing Kansas Avenue Phase 1 design and construction project from 6th through 10th Avenues.

Use a **citywide interpretive plan** as the basis for design and implementation of the planned interpretive enhancements for the Kansas Avenue Phase 1 Project (see Chapter 4, Heritage Tourism). Connect downtown interpretation to a city-wide interpretive presentation including the city's anchor attractions. Create designs for interpretive kiosks, carriers, and other interpretive elements to be applicable city-wide.

Special Places Recommendation 5.19 – Implement and maintain the complete **wayfinding plan** for Topeka focusing especially on downtown. Assess the existing plan for gaps and additional enhancement to be planned and implemented. Coordinate the wayfinding system with the planned interpretive enhancements for downtown. Add historic downtown interpretive attractions that are not yet part of the system, such as NOTO and Constitution Hall.

Establishing a high quality wayfinding system is essential in helping the visitors that downtown needs to attract find their way and have a satisfactory visitor experience. The wayfinding system is also important in establishing a graphic identity for Downtown Topeka to which visitors can relate.

Special Places Recommendation 5.20 – Revise the city's zoning map to implement the **Downtown District** included in Topeka's zoning ordinance. The zoning ordinance was amended to include the Downtown District and D1, D2, and D3 zoning classifications, but the zoning map was never revised to implement the district throughout the city's downtown core. The Downtown District and its historic preservation and design provisions are key to the long term goal of making Downtown Topeka a center of the city's economic and cultural identity.

Special Places Recommendation 5.21 – Revise the city's zoning map to implement the “D” **Downtown Districts** included in Topeka's zoning ordinance. The zoning ordinance was amended to include the D1, D2, and D3 zoning classifications, but the zoning map was never revised to implement the district throughout the city's downtown core.

The Downtown Districts' design guidelines are key to the long term goal of making Downtown Topeka a center of the city's economic and cultural identity. Formalize and further develop the **Downtown Topeka Urban Design Guidelines** applicable to the Downtown District through the zoning ordinance with the goal of making them a more central part of the downtown redevelopment process.

SPECIAL PLACES



Make the Secretary of the Interior's Standards for the Treatment of Historic Properties the basis for treatment of historic buildings within the downtown districts. This will allow zoning and historic district reviews to be seamless and consistent, if applicable. Consider having the Landmarks Commission determine compliance with design guidelines with respect to historic preservation issues.

Special Places Recommendation 5.22 – Building on the significant work already undertaken, further develop the design principles, planning elements, and palette of materials to be used in downtown projects by extending the conceptual design envisioned in *The South Kansas Avenue Streetscape Plan* and Kansas Avenue Phase 1 design and construction project to other areas of Kansas Avenue, the downtown districts, and North Topeka.

Special Places Recommendation 5.23 – Update the 2000 *Downtown Topeka Redevelopment Plan* to include more recent planning and design developments.

Special Places Recommendation 5.24 – Use the **Main Street Four-Point Approach** of organization, promotion, design, and economic restructuring in implementing the vision for Downtown Topeka. Downtown stakeholders have taken substantial measures to embrace this approach. As the entity responsible for implementation, provide Downtown Topeka, Inc. with the resources needed for successfully activating business and streetscape activity. Incorporate historic preservation and adaptive reuse as central components of that vision.

CHAPTER 5

In planning for a Main Street approach, network with other Kansas Main Street communities to find out what has worked for them. In September, 2012, the state Main Street program administered through the Department of Commerce was discontinued. Kansas Main Street communities, however, are exploring how to reorganize and reconstitute the program in coordination with the National Main Street Program. Consider affiliating with these communities and joining in a new statewide initiative that will support Downtown Topeka's goals.

Under the Main Street program,

- **Organization** establishes consensus and cooperation by building partnerships among the various stakeholders within the downtown district. Downtown Topeka, Inc. is performing this role with support from the Greater Topeka Chamber of Commerce, Heartland Visioning, the city, and others. By getting stakeholders working toward common goals, DTI and its partners provide effective, ongoing management and advocacy for Topeka's downtown investment initiative.
- **Promotion** creates a positive image that rekindles community pride and improves consumer and investor confidence in downtown. Advertising, retail promotions, special events, and marketing campaigns help sell the image and promise of Downtown Topeka to the community. Promotions communicate Downtown Topeka's unique characteristics, business establishments, and activities to residents, shoppers, investors, potential business and property owners, and visitors.
- **Design** involves creating a high quality environment for workers, residents, and visitors, taking advantage of the visual character of Downtown Topeka: public and private buildings, storefronts, signs, public spaces, parking areas, street furniture, public art, landscaping, merchandising, window displays, and promotional materials. The ongoing Kansas Avenue project implements this concept and will convey a positive message about the downtown district and what it has to offer.

Design activities also include instilling good maintenance practices in the downtown district, enhancing the district's physical appearance through the rehabilitation of historic buildings, encouraging appropriate new construction, developing sensitive design management systems, educating business and property owners about design quality, and long-term planning.

- **Economic restructuring** strengthens Downtown Topeka's existing economic assets while diversifying its economic base. This is accomplished by retaining and expanding successful businesses to provide a balanced commercial mix, sharpening the competitiveness and merchandising skills of business owners, and attracting new businesses that the market can support. Converting

SPECIAL PLACES

unused or underused commercial space into economically productive property helps boost the profitability of the district. The goal is to build a downtown district that responds to the interests and needs of Topeka's residents and visitors (National Main Street Center 2013).

Facilitating Adaptive Reuse in Downtown Topeka

The city and community stakeholders should encourage and facilitate the adaptive reuse of historic buildings in Downtown Topeka by making private sector investment attractive, easy, and rewarding.

Potential investors from inside the city may not be familiar with the rehabilitation of historic buildings and need to have confidence that the rehabilitation process is not overly complex and costly. Investors from outside the city, who may have experience working with historic buildings, need to know that the city and other stakeholders understand the rehabilitation process and have developed protocols to facilitate investment.

The use of federal and state rehabilitation tax credits is key to making many adaptive reuse projects financially viable and an attractive investment (see Appendix A). The city and its partners can take concrete steps to take advantage of federal and state incentives to achieve public policy goals through private sector investment to the benefit of city businesses and residents.

Special Places Recommendation 5.25 – Encourage and facilitate the **adaptive reuse** of historic buildings in Downtown Topeka through private sector investment. Make downtown's historic character and historic buildings the centerpiece of the downtown investment strategy by making it an attraction for residents and visitors.

Encourage and facilitate the adaptive reuse of historic buildings in Downtown Topeka by making private sector investment attractive, easy, and rewarding.



CHAPTER 5

Recruit small businesses, especially restaurants, in street level commercial spaces. Encourage the adaptive reuse of the upper floors of historic buildings in Downtown Topeka for residential use. Coordinate city governmental departments in facilitation of the adaptive reuse policy.

Special Places Recommendation 5.26 – Facilitate the listing of historic buildings along Kansas Avenue downtown and in North Topeka on the National Register of Historic Places and Register of Historic Kansas Places in order to make **federal and state rehabilitation tax credits** available to private sector investors.

The preference is to implement recommendations of the *Downtown Topeka Historic Resources Survey* in nominating the three potential historic districts along Kansas Avenue on the national and state registers (Rosin Preservation, LLC 2012).

As an alternative and with guidance from the Kansas Historical Society, prepare a ‘multiple property document’ supporting the listing of historic buildings identified in the *Downtown Topeka Historic Resources Survey* on the national and state registers. Once approved, the multiple property document would simplify the process of completing the nomination process for individual property owners and investors.

Special Places Recommendation 5.27 – Work with local banks on special terms for **loan packages** for qualified investors to encourage the rehabilitation and adaptive reuse of historic buildings in Downtown Topeka.

Special Places Recommendation 5.28 – Continue current **protocols for building permit review** processes for historic buildings in Downtown Topeka. The current protocols bring together representatives from Development Services, Planning, the Fire Department, and other city offices as a redevelopment review team to work directly with property owners and developers on a case-by-case basis.

The team meets with owners and developers onsite early in the planning process to identify and address building code compliance issues. The team works with owners and their architects throughout the design process to find solutions to code compliance issues that adapt to building conditions and the Secretary of the Interior’s *Standards* while protecting public safety.

Topeka has adopted the *Uniform Code for Building Conservation* for use with existing buildings and historic structures, which provides the team with flexibility in developing code mitigation strategies for existing buildings (International Conference of Building Officials 1997).

Special Places Recommendation 5.29 – Refine and further develop the **façade improvement program** for historic buildings in the downtown district consisting of technical assistance and matching grants (or forgivable loans, when appropriate). Implement the façade improvement program through Downtown Topeka, Inc. with design review and approval by the Landmarks Commission.

SPECIAL PLACES



Building Maintenance and Demolition-by-Neglect

Poorly maintained buildings leading to building deterioration and demolition-by-neglect is a problem citywide. It is one of the most serious problems in neighborhoods struggling to revitalize but is also an issue downtown and for isolated buildings in well-established neighborhoods (for example, the Sumner School). The poor maintenance of many rental properties and vacant buildings is a significant component of this problem.

The city's Code Enforcement Unit responds to a large number of citizen complaints of deteriorating buildings each year. Legal processes are not always supportive of neighborhood and city needs in helping to quickly resolve code violations. Buildings are too often allowed to deteriorate, endangering the public and depressing neighborhood property values. Demolition is frequently seen as the desired outcome when, with swifter action, repairs could have more easily been undertaken, saving buildings and preventing building loss that destabilizes neighborhoods.

Poor building maintenance endangers not only the property in question but discourages investment in adjacent and nearby properties, spreading blight down streets and threatening the economic viability of neighborhoods. Poorly maintained buildings depress property values for the entire neighborhood and make it economically difficult for home owners to invest when they are unable to recoup their investment through increased property values.

Poor maintenance leads to the deterioration of building fabric that can make it significantly more expensive to repair over time. This is especially the case for the city's many wood framed buildings, where leaking roofs and peeling paint can lead to serious structural deterioration. Demolition-by-neglect occurs when

Poor building maintenance endangers not only the property in question but discourages investment in adjacent and nearby properties, spreading blight down streets and threatening the economic viability of neighborhoods.

CHAPTER 5

the cost of repairs and rehabilitation begins to exceed the value of the property and owners allow the buildings to deteriorate and become a danger to the public. Routine maintenance is essential for all buildings and is the responsibility of property owners. Routine, low cost maintenance can prevent the need for expensive repairs later.

Building loss through demolition-by-neglect accelerates the decline of neighborhoods and commercial centers, creating gaps in the neighborhood fabric and discouraging investment. In Downtown and North Topeka, the loss of historic buildings negatively affects the character of the commercial streetscape, the very attribute investors are seeking to attract customers and build their business ventures. Diminished character severely inhibits the ability of the downtown core to attract and support the business investment needed to sustain revitalization.

Addressing poor building maintenance and demolition-by-neglect is not easy. It requires strong leadership and consistently administered policies. It requires cooperation across city departments with appreciation of the desired outcome. Policies must be clear, fair, and flexible, yet strong. They must be simple to implement, and consistently applied. One of the greatest obstacles is sometimes the lack of support in enforcement by the judicial system, when cases go that far. Communication with judges should be clear. They should understand that the city's system is fair and workable and that the negative impacts on neighboring residents caused by violators are detrimental to the community and are unacceptable.

Addressing Poor Building Maintenance and Demolition-by-Neglect City-wide.

The following set of recommendations are intended to preserve historic buildings and historic neighborhood character by addressing issues caused by poor building maintenance and demolition-by-neglect by serious offenders, especially with respect to rental properties and vacant buildings. They require emphasis on reasonable minimum standards for maintenance, support for the code enforcement system, and consequences for serious violators.

Title 8 of the Topeka Municipal Code addresses Health and Sanitation, and Division 3 of that title addresses Property Maintenance. Section 8.70, Standards, requires that exteriors be kept weather tight and in sound condition and good repair. Modest fines are imposed for violations that are not addressed.

Section 8.75, Unsafe Structures, addresses more serious building conditions that may be unsafe or which have a blighting influence on properties in the area. At present, this code is too often used to affect the demolition of threatened buildings rather than their repair.

The purpose of the following set of recommendations is to re-orient the city's code enforcement process to emphasize early intervention with respect to threatened buildings and prevent the need for demolition. The recommendations require close cooperation between the Code Enforcement Unit, a division of the Police Department, and the city's Planning and Housing and Neighborhood Development Departments. Complementary recommendations to promote improved building maintenance are included in

The purpose of the following set of recommendations is to re-orient the city's code enforcement process to emphasize early intervention with respect to threatened buildings and prevent the need for demolition.

SPECIAL PLACES



other chapters of this plan, such as the development of maintenance guidelines and homeowner workshops in Chapter 3.

Special Places Recommendation 5.30 – Review protocols for addressing problematic building maintenance and preventing demolition-by-neglect city-wide as an inter-departmental initiative. Identify ways to strengthen enforcement measures for the basic maintenance, appearance, and securing of poorly maintained, vacant, and underutilized buildings. Emphasize effective action before building issues become critical.

Refocus and strengthen the city’s Property Maintenance and Unsafe Structures codes and processes to emphasize **early intervention** in preventing demolition-by-neglect and neighborhood blight. Have the Code Enforcement Unit collaborate with the city’s Planning and Housing and Neighborhood Development departments in identifying threatened structures and structures causing “a blight to adjoining properties and the neighborhood.”

Section 8.75.060 of the Unsafe Structures code empowers the city to “cause such structures to be repaired or improved” and for related costs to be recouped through a lien against the subject property. Use this authority to establish a clear, effective process through which the city intervenes directly to implement stabilization and maintenance measures necessary to prevent deterioration that might lead to building loss or neighborhood blight.

Use the Unsafe Structures code to stabilize threatened and blighted buildings and avoid the need for demolition. Establish clear criteria for the definition of “blight to adjoining properties and the neighborhood” to

CHAPTER 5

benefit and support struggling neighborhoods. Revise the emphasis within the code's language accordingly.

Special Places Recommendation 5.31 – Make the Code Enforcement Unit a central part of the **team approach** to revitalizing neighborhoods. Underscore the important role it plays in preserving neighborhood character, stabilizing property values, and protecting public safety. Coordinate the work of the Code Enforcement Unit with that of other city departments, especially Planning and Housing and Neighborhood Development. Adapt policies and procedures to support the goals outlined in neighborhood plans. Provide the Code Enforcement Unit with the resources and support it needs to be effective.

Special Places Recommendation 5.32 – Explore ideas that might support the city's efforts to address circumstances surrounding poor building maintenance and demolition-by-neglect such as the following.

- Consider adopting the **International Property Maintenance Code** as the basis for property maintenance standards in Topeka. Adapt aspects of the code to specific conditions in Topeka as appropriate.
- Consider establishing a **rental license program** to register and inspect rental properties in single family and two-family residential zoning districts to ensure that properties comply with minimum city maintenance standards as established by code. Model the program on that established by the City of Lawrence. Obtaining a rental license would be the responsibility of the property owner, be obtained on a yearly basis, and include a minimal yearly fee. Apply fees to code enforcement activities. Inspections of rental properties and rental units would be undertaken every three years by the city's Code Enforcement Unit.
- Consider establishing a yearly **vacancy fee** to apply to properties that remain vacant over an established period of time. Apply the fees collected to code enforcement activities.
- Consider using **permit fees for demolition** as a means to discourage the demolition of buildings and to contribute to funding that helps prevent the need for demolition. Make permit fees for the demolition of a building equivalent to the annual property tax due for the property on which the building being demolished is located. Fees may be prorated if multiple buildings are located on a property. Assign revenues collected through demolition permit fees to early intervention funding as outlined in Recommendation 5.30 above.

**Minutes of the
Topeka Planning Commission
Monday, September 23, 2013**

A. Roll call

Present: Richard Beardmore, Kevin Beck –Chairman, Dustin Crook, Michelle Cuevas-Stubblefield, Scott Gales, and Mike Lackey **(6)**

Absent: Dennis Haugh, Nicholas Jefferson, Brett Klausman **(3)**

Staff Present: Bill Fiander – Planning Director, Dan Warner – Planner III, Tim Paris-Planner II, Mary Feighny – Legal, and Chris Wickline – Office Specialist

B. Approval of minutes – August 26, 2013

Kevin Beck submitted a change to page 4, paragraph 3, deleting the phrase “is done”. Mike Lackey moved to approve with change, seconded by Richard Beardmore. **APPROVAL. (6-0-0, Dennis Haugh, Nicholas Jefferson and Brett Klausman was absent)**

C. Public Hearing

- 1. CPA13/1 by the City of Topeka** to amend the City of Topeka’s Comprehensive Plan updating the Historic Preservation Plan.

Peter Benton of Heritage Strategies gave the presentation of the Historic Preservation Plan.

Murl Reidel stated that is difficult to determine what we have in regards to historic landmarks. Mr. Reidel asked what other cities are doing to deal with that. Mr. Benton stated it needs to be done fast and in a fashion that is stream-lined. Mr. Benton states that other cities, such as Philadelphia, develop a process where the historic preservation is done by student interns. Mr. Benton explained this is accomplished quickly and recorded on laptops in the field. Mr. Benton stated this makes the information quick and easily accessible.

Lisa Sardmeyer, of the Topeka Cemetery, asked what is in the survey. Mr. Benton explained that the state has a survey form which is to be used. Mr. Benton explained survey items include the style of homes are questioned and the condition or integrity of the structure. Mr. Benton advised that the form must be filled out accurately.

Richard Beardmore asked what determines a historic preservation once the survey data is collected. Mr. Benton explained the survey provides background documentation for the neighborhood plans. Mr. Benton explained the plan adds another layer of historic preservation to the neighborhood plans and it will assist in mapping through the GIS program. Mr. Benton explained the process is extremely informative and can positively influence decisions regarding neighborhood revitalization programs. Mr. Benton added the surveys will provide information for the survey database also.

Mr. Beardmore asked if a building is considered historic because of age or does it take a special event, such as riding a horse and dying in battle. Mr. Benton stated the districts

are considered by a whole for significance, mostly for architectural quality. Mr. Benton explained historic qualities that contribute to the significance.

Scott Gales asked if the layering was based off an autonomous system or can the county tax information program/website be used to display the historic information. Mr. Gales explained by using the county website, the public could access the information and widely use the information to determine qualifications or historic indicators. Mr. Gales added the Shawnee County appraiser's website is used and understandable to many citizens or architects. Mr. Benton stated the more the information is public and available, the better it is.

Peter Grier supported Mr. Gales comment and added that the website is a resource that many frequently visit to find out information regarding a property. Mr. Grier stated that if the layer could be added, it would be easily accessible in a form that many are used to viewing. Mr. Gales added that there is some updating that would need to be done but in lieu of starting from scratch, this idea is a thorough system that could be added to.

Mr. Benton explained once the surveys are digitized into the GIS system, they may work back into the assessment system. Mr. Grier explained that if people were looking for historic information they would go to the historical society. However, Mr. Grier stated that when people are looking for the information regarding a property, they look at the appraiser's website. Mr. Benton stated there is access to the surveys through the Kansas Historical Society system. Mr. Grier stated he it is more likely that a citizen will visit the appraiser's website in lieu of the historic website.

Zac Snethen stated that the Shawnee County Appraiser website is known by most citizens. Mr. Gales added that it is the most visited county website. Mr. Gales stated that seeing the historic overlay being there may add value to the information on the appraiser's site. Mr. Benton stated the idea was not included in the plan but could be added. Mr. Snethen added there is an educational aspect and there should be a narrative on the website to explain what the resources are for properties identified.

Mr. Snethen stated the root of the area's problems include lack of maintenance or preventative intervention. Mr. Snethen asked Mr. Benton to explain the stabilization or mothballing when there is not a potential economic viability to a building. Mr. Benton explained it is essential for building to be stabilized. Mr. Benton suggested describing how to stabilize a building in the design guidelines. Mr. Benton explained that maintenance is 80% of a design guidelines and how the maintenance standards are important. Mr. Benton explained the protocol of mothballing buildings.

Mr. Snethen explained there are instances that demolition is essential, for example when a building is too far gone or strategic demolition. Mr. Snethen stated a building should not be demolished to just solve problems but should be a tool if needed. Mr. Benton stated the plan should assist in avoiding demolishing buildings because they are too far gone. Mr. Benton stated he could not think of a strategic reason that is justified in demolishing a historic building. Mr. Benton explained alternatives to demolition for strategic reasons. Mr. Benton stated it is important to provide early prevention.

Mr. Snethen asked if land banking or land trust is recommended. Mr. Benton stated he did not go into that in the plan but it has been used in other areas and models.

Mr. Reidel asked what a conservation easement donation program is. Mr. Benton explained that is a program that overtakes façade easement projects. Mr. Benton explained that Topeka is authorized to accept easements. Mr. Benton stated that the easement is appraised and the donor will receive a tax credit for the donation. Mr. Benton explained the value of the tax credit is divided between the donor and the recipient. Mr. Benton explained the cash received would go into a fund. Mr. Benton explained he wasn't sure if it would benefit Topeka but is definitely worth the consideration. Mr. Benton explained this helps the private sector to raise funds to maintain historic buildings.

Michelle Cuevas-Stubblefield asked what Mr. Benton meant regarding the missing advocacy organizations and how they are needed. Mr. Benton explained that smaller cities have and need the programs. Mr. Benton explained the abilities of the advocacy organizations and how the organizations can speak up when a building needs maintenance or is up for demolition. Mr. Benton stated the city is currently relying on citizens to advocate. Mr. Benton stated most advocacy organizations are volunteer citizens.

Mr. Benton explained the draft is in Final Draft form and there are some components to be added. Mr. Benton stated it is not totally complete but near to completion.

Bill Fiander explained the draft plan is available on the City of Topeka Website. Mr. Fiander explained the plan is open for public hearing and recommended that the Landmarks Commission carefully review the document and provide feedback to the Topeka Planning Commission. Mr. Fiander suggested the public hearing remain open until at least November, 2013. Mr. Fiander extended gratitude to Heritage Strategies for their work on the plan.

Scott Gales moved to leave the public hearing open until November 25, 2013 Richard Beardmore seconded. **APPROVAL. (6-0-0, Dennis Haugh, Nicholas Jefferson and Brett Klausman was absent)**

D. Other Items/Communications – Bill Fiander stated there were none.

E. Adjournment @ 7:18 pm

MINUTES OF THE TOPEKA LANDMARKS COMMISSION
Thursday, October 10, 2013
620 SE MADISON STREET – HOLLIDAY CONFERENCE ROOM

I. Roll Call:

- **Members Present:** Amber Bonnett, Bryan Caskey Grant Sourk , Leon Graves, Lonnie Martin, Murl Riedel, Zach Snethen, Mark Tyree, (8)
- **Members Absent:** Chair Pete Gierer (1)
- **Staff Present:** Tim Paris

II. Approval of September 12, 2013 Minutes – Murl Riedel moved approval of the minutes of the meeting of the September 12, 2013 Topeka Landmarks Commission. Leon seconded the motion. The minutes were **APPROVED** by a vote of **6-0-0**. Zach Snethen and Grant Sourk were not present for the vote.

III. Presentation and Discussion of the Historic North Topeka east Neighborhood Plan – Tim Paris introduced the proposed design guidelines of the Historic North Topeka East Neighborhood Plan, informing the Commission that this was the first occurrence of neighborhood design guidelines being presented to the Commission for their review and comment. Mr. Paris then introduced Dan Warner, who is the Comprehensive Planning Manager for the neighborhood plan. Murl Riedel asked who was responsible for the proposed design guidelines. Mr. Warner explained that the update of the plan was in response to the selection of the North Topeka East NIA through the Department of Housing and Neighborhood Developments SORT Program, which allocates federal funding for significant housing and infrastructure improvements. Mr. Warner further reported that the design guidelines, as presented, were largely used in the original neighborhood plan for the area, and were not created specifically for this plan update. However, Mr. Warner noted that the proposed design guidelines had been extensively discussed with the NIA, and with other residents living within the neighborhood through the process of public involvement. Mr. Paris advised the Commission that the presentation of the guidelines was not for their approval, but only for their edification and comment. Zach Snethen commented that the guidelines looked well prepared and well-illustrated. Mr. Paris told the Commission that the guidelines were not strictly based on the Secretary of the Interior's Standards for the Treatment of Historic Properties since they do not pertain to any recognized or potential historic district. However, Mr. Paris noted that there was probably a considerable amount of consistency within the guidelines with those Standards.

IV. Review and Discussion of the DRAFT City of Topeka Historic Preservation Plan – Tim Paris began the discussion and review of the draft of the City of Topeka's Historic Preservation Plan, inquiring as to the Commission's preference in methodology for discussion. Zach Snethen offered that Chapter 3 was clearly the most prevalent to the work of the Landmarks Commission, and in shaping the nature of the City's historic preservation program. Mr. Paris agreed, and suggested that most of the time in review should be concentrated on this Chapter of the Plan, but also pointed out that it was necessary for the Commission to become familiar with the rest of the document, as well, since the Commission's approval was requisite before it would be considered by the Topeka Planning Commission. Murl Riedel noted that he was hoping for a list of priorities for action to be listed within the plan, so that the City would have a better understanding of what to implement first. Mr. Paris referred the Commission to the Executive Summary of the Document contained in Chapter one. Within this chapter, there is a section detailing the priorities for action, with each priority detailing the specific recommendations contained further into the document that enabled the implementation of that priority. Specific to the second priority, which detailed the importance of conducting historic resource inventories and surveys, Leon Graves noted that this priority would maintain the momentum requisite to any preservation program,

and would also serve to maintain a high quantity of work to support that program. Mr. Riedel also suggested that this priority would maintain a continual awareness of the overall preservation program, and would serve to highlight areas for action when new high-value resources were identified. On the 3rd and 5th priorities identified in Chapter 1, considering the application of a city-wide application of historic tourism initiatives, and the adoption of city-wide preservation principles and values in the course of programs and initiatives undertaken by the City of Topeka, Mark Tyree suggested that these priorities might be difficult to achieve.

In Chapter 2, Murl Riedel suggested that language be added to Goal #5 on page 2-7 of the draft, concerning the addition of the Topeka City Council, the Mayor of the City, and the City Manager as City departments that affect historic resources. Mr. Paris concurred, and suggested that to accommodate those additions, the language could be altered to reflect “city departments and city officials.”

Zach Snethen questioned the value of listing the Secretary’s Standards for Rehabilitation verbatim in the document. Mr. Paris replied that he appreciated the Standards being listed within the Plan for the public’s edification, so that there is no question what the Standards are, or how they relate to the establishment of subsequent design guidelines. Mr. Paris stated that very few people accurately know what the Standards are, and that having them listed and explained within the Plan pre-emptively eliminates any confusion or debate about them. Leon Graves added his approval for their inclusion within the Plan for this reason.

During the discussion of Chapter 3, Murl Riedel acknowledged that its intent in strengthening the historic preservation in Topeka was a key element in broadening public interaction between the City and its residents. With regard to Recommendation 3.6, Mr. Paris admitted that he was personally unfamiliar with the function of conservation easements, but that its presence within the Plan was a positive, since it offered the potential for its recommended use in the future. Zach Snethen reported that he was familiar with a conservation easement system employed in the City of Philadelphia, and it was administered very effectively by a Land Bank that had been established to acquire and rehabilitate historic buildings.

Further discussion ensued on each recommendation through page 3-10, with general agreement and support for the rationales and explanations offered for each recommendation. Special attention was focused on the incentives programs listed under Recommendation 3.12, with Murl Riedel and Zach Snethen commenting that those programs could become essential to saving or preventing the decline of designated Historic Landmarks or other listed properties. Upon completing the discussion of the creation of local historic districts, there was consensus among the Commissioners to continue the review and discussion at a later special meeting of the Commission. That meeting was scheduled for Tuesday evening, October 29, 2013 at 5:30 p.m., to be held in the Holliday Conference Room of the Holliday Building, 620 SE Madison Street. Mr. Paris stressed to the Commission that a recommendation on the Historic Preservation Plan was necessary from the Landmarks Commission to the Topeka Planning Commission for their November 18th meeting.

- V. Update on Historic Preservation Ordinance** – Mr. Paris informed the Commission that the historic preservation ordinance had been APPROVED by the Topeka Planning Commission, and has been forwarded to the Governing Body for their consideration and approval. Mr. Paris said that the date for their consideration of the ordinance had been set for first reading on October 14, 2013, with Second Reading scheduled for October 21st.

- VI. There being no further business, the meeting was adjourned at 7:30 p.m.**

MINUTES OF THE TOPEKA LANDMARKS COMMISSION
Tuesday, October 29, 2013
620 SE MADISON STREET – HOLLIDAY CONFERENCE ROOM

I. Roll Call:

- **Members Present:** Amber Bonnett, Bryan Caskey, Grant Sourk , Leon Graves, Murl Riedel, Zach Snethen, Mark Tyree, (7)
- **Members Absent:** Chair Pete Gierer, Lonnie Martin (2)
- **Staff Present:** Tim Paris, Dan Warner

II. Review and Discussion of the DRAFT City of Topeka Historic Preservation Plan – Tim Paris began the discussion and review of the remaining chapters of the draft Historic Preservation Plan, reminding Commissioners that their previous review of the document had proceeded halfway through Chapter 3, leaving the remainder of that chapter, and all of Chapters 4 and 5 to cover prior to their recommendation. Mr. Paris also reminded the Commission that Chapter 3 pertained more specifically to the actions and mission of the Landmarks Commission than other chapters, and advised that more scrutiny be applied to this chapter. Zach Snethen mentioned, with regard to the recommendations contained in Chapter 3, that most seemed more long-term in focus, and were not intended to be immediate items for action. With regard to Recommendation 3.26, which references the maintenance of an on-line reference library for matters related to historic preservation, Amber Bonnett suggested that such a system could be developed in conjunction with the Topeka and Shawnee County Public Library and the Topeka Room. Murl Riedel also recommended that the Topeka and Shawnee County Public Library be added to the section in Chapter 3 concerning Communications and Outreach, as an organization involved in presenting Topeka to residents and visitors that have overlapping interests, missions, and capabilities (p 3-16).

Beginning the reviews of Chapters 4 and 5, Mr. Paris reiterated to the Commission that the entirety of the draft Historic Preservation Plan differed from the current adopted Plan due to the requisite involvement of other City Departments and outside entities for successful adoption and implementation. Mr. Paris said this change was clearly visible in Chapter 4 – Heritage Tourism, which recommends the involvement and coordination of Visit Topeka, Inc. Downtown Topeka, Inc., the National Parks Service, the Great Overland Station, the Shawnee County Historical Society, and the Topeka Tourism Alliance, among other individual historic sites. Murl Riedel offered that the recommended city-wide interpretive plan was very broad, and obviously required the involvement and participation of other entities, both within the City government, and other interested parties, as well. No specific changes or comments with regard to specific recommendations were offered by the Commission for Chapter 4.

Mr. Paris initiated the discussion on Chapter 5, indicating that the successful implementation of this chapter on the revitalization neighborhoods and Downtown Topeka was largely dependent on the City, as a whole, and broader re-development plans currently being implemented. In this context, Mr. Paris summarized the chapter by characterizing its intent for the Landmarks Commission and Planning Staff to remain involved in the collective planning processes for both neighborhoods and Downtown, and to be available as resource, reflecting the interests of historic preservation, when called upon an involved with the development of all respective plans. Mr. Paris also disclosed the request to add the Westwood Place neighborhood as a Post WWI neighborhood recommended for survey on page 5-5 in the draft document. Bryan Caskey

said that he found the Plan to be well written and direct, but perhaps too comprehensive, placing an unrealistic expectation on the City and the Landmarks Commission for the Plan's implementation. Murl Riedel acknowledged this concern, but responded that the Plan should be considered more as a menu of suggested actions, from which the City and the Landmarks Commission can choose their activities on an annual basis. Mr. Paris agreed with this assessment, and offered that the Commission would soon be asked with outlining their work program for 2014, and that the activities and objectives for that work program should be reflected within the Preservation Plan.

Murl Riedel moved to recommend APPROVAL of the draft Historic Preservation Plan to the Topeka Planning Commission. This motion was seconded by Grant Sourk, and was APPROVED by a vote of 7-0-0.

- III. **Update on Historic Preservation Ordinance** – Mr. Paris informed the Commission that consideration of the historic preservation ordinance before the Topeka City Council had been postponed due to suggested revisions by a City Council member. Planning Director Bill Fiander had requested that those suggested revisions be further discussed by the City's legal department and Staff before their return for consideration by the Council.
- IV. **There being no further business, the meeting was adjourned at 7:30 p.m.**

**Minutes of the
Topeka Planning Commission
Monday, November 18, 2013**

CPA 13/1 by City of Topeka to amend the City of Topeka's Comprehensive Plan updating the Historic Preservation Plan. **(Paris) PUBLIC HEARING CONTINUED FROM September 24, 2013.**

Discussion by members: Bill Fiander introduced the case. Mr. Fiander explained the Topeka Planning Commission heard the case, jointly with the Topeka Landmarks Commission, at a public hearing on September 23, 2013. Mr. Fiander stated there have been 15 public meetings, 22 personal meetings with stakeholders and over 300 contacts from the meetings. Mr. Fiander stated the public hearing was televised from the Holliday Conference room and viewable on the City of Topeka website. Mr. Fiander stated the Topeka Landmarks Commission reviewed the document in October during two meetings and provided recommendations to the Planning Commission.

Mr. Fiander stated that the plan has a large number of recommendations and have been prioritized in the executive summary, chapter one. Mr. Fiander explained the traditional goals and objectives in chapter two. Mr. Fiander stated chapter three contains the approach to preservation.

Mr. Fiander stated the Historic Preservation is the Landmarks Commissions work program for the next one to five years. Mr. Fiander explained that the State of Kansas has repealed the state environs law in July, 2013. Mr. Fiander stated that reviewing environs was a major role for the Topeka Landmarks Commission. Mr. Fiander stated the Topeka Landmarks Commissions role will change with the plan.

Mr. Fiander stated that chapter four of the plan covers heritage tourism and making historic preservation a part of the economic development program. Mr. Fiander stated this could attract visitors and inspire residents. Mr. Fiander stated the stakeholders emphasized the desire of knowing the story of Topeka and the assets.

Mr. Fiander stated chapter five identifies special places and where surveys have been accomplished or should be done.

Tim Paris summarized the staff report for the case. Mr. Paris stated the Topeka Landmarks Commission voted to recommend approval of the plan (7-0-0). Mr. Paris stated there are three recommended changes from the Topeka Landmarks Commission to the proposed plan.

Mr. Paris stated the first suggested change is to chapter one, goal five, to add the City Council, the City Manager, and the Mayor as entities that affect the

operational capacity and programing for preservation activities. Mr. Paris stated there is currently no reference to policymakers and the Topeka Landmarks Commission felt it was appropriate to list them.

Mr. Paris stated the second change is to chapter 3, recommendation 3.31 to include the addition of the Topeka/Shawnee County Public Library as a leading organization involved in presenting Topeka to residents and visitors that have overlapping missions, interests and capabilities.

Mr. Paris stated the third recommendation is to chapter 5, page 5-5 to include the addition of Westwood Place Addition as a post WWII neighborhood that should be considered for survey. Mr. Paris explained the idea was conveyed to the Topeka Landmarks Commission and they supported it. Mr. Paris clarified this is the neighborhood north of 21st, across from Kansas Neurological Institute. Mr. Paris stated the neighborhood represents a period of development in Topeka's history.

Mr. Paris stated pictures have been added to the Historic Preservation Plan that were not previously included in the draft.

Richard Beardmore asked if the Topeka Landmarks Commission works with GoTopeka, JEDO, or the Chamber of Commerce to make income producing venues as part of the Topeka Historic Landscape. Mr. Paris stated historically they have not but it is a recommendation of the Historic Preservation Plan to extend the relationship between those entities.

Scott Gales stated he attend events during the planning process and was very impressed.

Kevin Beck asked if the proposed changes are moving forward or something the Planning Commission should consider. Mr. Fiander stated the Planning Commission could include the three recommendations in the motion. Mr. Fiander added the intention was to include them.

Mr. Beardmore asked about the Westwood neighborhood was WWI or WWII. Mr. Paris explained there is some pre-WWII but significantly post-WWII. Mr. Beardmore stated the memo stated WWI. Mr. Paris stated it was an error on his behalf.

Mike Lackey asked if the Kenwood area bungalows are post WWII . Mr. Paris stated the Kenwood is not post WWII, but identified as an area that should be surveyed. Mr. Lackey added that the neighborhood was featured as an example of post-WWII architecture.

Proponents:

No one spoke in favor of the proposal.

Opponents:

No one spoke in opposition of the proposal.

Scott Gales moved to approve the proposal as written, seconded by Dennis Haugh.
APPROVAL. (8-0-0, Dustin Crook was absent.)

City of Topeka Historic Preservation Plan

List of Meetings and Consultations

Heritage Strategies. LLC
September 26, 2013

Initial Visit – January 27 - 31

Planning Staff Initial Meeting and Tours – 1/28-30/13
Planning Commission Meeting – 1/28/13, 5:30 pm
Steering Committee Meeting – 1/29/13, 12:30 pm
Public Workshop – 1/29/13, 6:00-8:00 pm
Planning Staff – 1/30/13
Katrina Ringler, Kansas Historical Society – 1/30/13
David Smith & David Schafer, Brown v Board NHS – 1/30/13
William Beteta, Heartland Visioning – 1/30/13
Karen Hiller, City Council – 1/30/13

Phone Consultations – February 12-18

Jeffrey Alderman, Visit Topeka
Fred Conboy & Julie McPike, Freedom's Frontier NHA
Katrina Ringler, Kansas Historical Society
Chris Meinhardt, Constitution Hall
Vince Fry, Downtown Topeka, Inc.
Andrea Burton, KHS/Capitol Visitor Center

Vision and Goals Visit – March 5 - 8

Downtown Focus Group – 3/6/13, 9:30-11:00 am
Christy Davis & Jeff Carson – 3/6/13, 12:00 pm
Neighborhood Focus Group – 3/6/13, 1:30-3:00 pm
Community Identity Focus Group – 3/6/13, 3:30-5:00 pm
Jayhawk Theater Tour – 3/7/13, 12:00 pm
Steering Committee Workshop – 3/7/13, 1:30-3:30 pm
Public Workshop – 3/7/13, 6:00-8:00 pm

Recommendations Visit – May 6 - 10

Planning Staff – 5/7/13, 9:00 am
Jerry Farley, Washburn University – 5/7/13, 10:30 am
Vince Fry Presentation, Library – 5/7/13, 11:30 am
Jim Colson, City of Topeka – 5/7/13, 2:00 pm
Fran Hug, City of Topeka – 5/7/13, 3:30 pm
City Council Meeting – 5/7/13, 6:00 pm

Steering Committee Meeting – 5/8/13, 10:00 am
Christy Davis -5/8/13, 12:30 pm
Downtown Focus Group – 5/8/13, 2:00 pm
Tour of the State Capitol – 5/8/13, 4:00 pm
Public Workshop – 5/8/13, 6:00-8:00 pm

Heritage Strategies
List of Meetings and Consultations
Page 2

Karen Hiller & Jeff Carson – 5/8/13, 8:00 pm

Beth Fager, Overland Station – 5/9/13, 9:30 am

Planning Staff – 5/9/13, 11 am

William Beteta, Heartland Visioning – 5/9/13, 12:00 pm

Neighborhood Focus Group – 5/9/13, 2:00-4:00 pm

Landmarks Commission Meeting – 5/9/13, 5:30 pm

Final Visit – September 23 - 24

Planning Commission/Landmarks Commission Public Workshop – 9/23/13, 5:30 pm

Karen Hiller, City Council – 9/23/13, 7:30 pm

Katrina Ringler, Kansas Historical Society – 9/24/13, 10:00 am

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Jim Colson, City Manager, pertaining to an amendment to the Topeka Comprehensive Metropolitan Plan for the Historic Preservation Element (CPA 13/1)

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

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

Section 2. Section 18.05.020 of the Topeka Municipal Code lists the elements that may be included in the Comprehensive Metropolitan Plan, and specifies that the Plan may include a preservation plan element.

Section 3. The City of Topeka Historic Preservation Plan, a copy of which is attached hereto as Attachment A and incorporated by reference as if fully set forth herein, provides long-range guidance and recommendations for future policies and actions in matters pertaining to the preservation of Topeka's architectural and cultural history, and recommendations on the incorporation of Topeka's history into new development projects, and into specific economic development strategies.

Section 4. The Topeka Comprehensive Metropolitan Plan is hereby amended by the addition of the City of Topeka Historic Preservation Plan as a separate Plan Element.

Section 5. 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,
_____, 2013.

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk

To Be Codified	<u> </u>
Not To Be Codified	<u> X </u>



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

November 25, 2013

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DATE: December 17, 2013
CONTACT PERSON: Mary Feighny, Deputy City Attorney
DOCUMENT #:
SECOND PARTY/SUBJECT: American Medical Response
PROJECT #:
CATEGORY/SUBCATEGORY 013 Ordinances - Codified / 160 Franchises
CIP PROJECT: No
ACTION OF COUNCIL:
JOURNAL #:
PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Jim Colson, providing for the renewal of a nonexclusive franchise to American Medical Response to operate an ambulance service within the City of Topeka which replaces the franchise ordinance codified at City Code Appendix B, Article 6 that will expire December 31, 2013. First Reading.

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

(Approval would extend AMR's franchise agreement for one-year.)

POLICY ISSUE:

Whether to extend AMR's franchise agreement for another year so that AMR can provide ambulance services to City residents.

STAFF RECOMMENDATION:

Staff recommends the Governing Body adopt the ordinance.

BACKGROUND:

Shawnee County contracts with AMR to provide ambulance services. One of the contract requirements is that AMR enter into a franchise agreement with the City. AMR's current franchise ends on December 31, 2013.

BUDGETARY IMPACT:

Minimal impact. The City receives an annual business license fee of \$25 and \$14 per ambulance. Item #26
Currently, there are 26 ambulances licensed with the City of Topeka.

The total amount of license fees collected annually is \$389.

SOURCE OF FUNDING:

Not Applicable

ATTACHMENTS:

[Ordinance](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by City Manager Jim Colson, providing for the renewal of a nonexclusive franchise to American Medical Response to operate an ambulance service within the City of Topeka which replaces the franchise ordinance codified at City Code Appendix B, Article XI that will expire December 31, 2013.

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

Section 1. Authority.

This Franchise Ordinance is passed and approved by the Council of the City of Topeka, Kansas, and enacted pursuant to K.S.A. 12-2001 and the authority found and provided for in Chapter 5.25 TMC.

Section 2. Satisfactory qualifications.

The Council of the City of Topeka, Kansas, has considered the legal, character, financial, and other qualifications of the applicant and has found Medevac MidAmerica, Inc., doing business as American Medical Response, hereinafter "AMR," to be qualified in all respects to own, maintain and operate an ambulance service in the City of Topeka, Kansas hereinafter "City." The Council of the City of Topeka finds that public convenience will be promoted and public necessity requires such ambulance service under the terms and provisions of Chapter 5.25 TMC.

Section 3. Service.

The maintenance and operation of an ambulance service by AMR in the City shall be in accordance with these terms and conditions and performance standards set forth in the current ambulance service contract entered into by AMR and the Board of County Commissioners of Shawnee County, Kansas. Said contract is identified as Shawnee

County Contract C428-2005, as amended by C293-2010. In addition, AMR agrees to provide to the city manager of the City copies of documents which are required to be filed pursuant to Shawnee County Contract C248-2005, as amended by C293-2010.

Section 4. Franchise grant.

Pursuant to the provisions of TMC 5.25.040, a nonexclusive franchise is granted to AMR, to own, maintain, and operate an ambulance service within the City. Said nonexclusive franchise is granted through and including December 31, ~~2013~~2014, and shall vest all rights, privileges and immunities of an ambulance service franchise with AMR; however, said nonexclusive franchise shall be subject to and conditioned upon all of the terms, duties and obligations found in the laws of the State of Kansas, Chapter 5.25 TMC, and this Franchise Ordinance.

Section 5. Payments to the City.

Consideration for the rights, privileges, and immunities granted to AMR includes the benefits to be derived by the citizens of the City of Topeka from the maintenance and operation of an ambulance service under the terms and conditions of this Franchise Ordinance. The following licensing fees shall be paid by AMR to the City of Topeka:

a. On the effective date of this Franchise Ordinance, the ambulance service license fees prescribed by TMC 5.10.040(b).

b. On the first working day recognized by the City, after January 1 of each year within the term of this Franchise Ordinance and while AMR is operating an ambulance service pursuant to such Franchise Ordinance, the annual registration fee for each vehicle in operation in the City as set forth in TMC 5.10.040(c) as presently provided or hereafter amended.

53 All fee payments made hereunder shall be made to the city treasurer.

54 **Section 6. Insurance.**

55 AMR shall upon the effective date of this Franchise Ordinance file with the city clerk an
56 insurance policy as required by TMC 5.25.140 and the same shall be approved as to
57 form by the city attorney's office. During the term of this Franchise Ordinance and the
58 time AMR is providing service AMR shall maintain paid insurance coverage according to
59 TMC 5.25.140.

60 **Section 7. Written acceptance.**

61 AMR shall file with the city clerk its written acceptance of the provisions of the Franchise
62 Ordinance within sixty (60) days after the effective date of this Franchise Ordinance as
63 determined by K.S.A. 12-2001.

64 **Section 8. Remedies of City.**

65 Nothing herein shall limit or preclude the City from seeking remedies at law or equity in
66 a court of competent jurisdiction for any violation by AMR of the laws of the State of
67 Kansas or any ordinance of the City.

68 **Section 9. Forfeiture.**

69 Any material and substantial fraud, misrepresentation or default of the terms, duties and
70 obligations imposed upon AMR by the laws of the State of Kansas, Chapter 5.25 TMC
71 or by this Franchise Ordinance shall constitute grounds for forfeiture of this
72 nonexclusive Franchise Ordinance. The City shall notify AMR in writing of any allegation
73 of a material and substantial fraud, misrepresentation or default and shall hold a public
74 hearing before the Council of the City of Topeka on the merits of such allegations. Said
75 public hearing shall be held within thirty (30) days after the notification to AMR and shall

be adjudicative in character but shall not bar the rights of any parties to pursue judicial review. Within ten (10) days following the conclusion of such hearing, the Council of the City of Topeka shall act with respect to such forfeiture and shall submit a written statement to AMR. This Franchise Ordinance shall not be forfeited unless the Council of the City of Topeka finds that there has been a material and substantial fraud, misrepresentation or default on the part of AMR so as to justify a forfeiture. In such case a notice of forfeiture shall be provided to AMR. In the event this Franchise Ordinance is forfeited, AMR shall, within one hundred eighty (180) days of its receipt of notice of forfeiture, cease operation of an ambulance service hereunder.

Section 10. Surrender.

If, during the term of this Franchise Ordinance, AMR does not earn a fair rate of return upon the value of property used and useful in providing such ambulance service for a period of six (6) months; and it is determined by AMR that it would not be practical, possible or in the public interest to cure the deficiency by an increase in rates and/or a reduction in service; and AMR has complied with all applicable procedures as prescribed by the Board of County Commissioners of Shawnee County, Kansas including the giving of notice of surrender to the City; then AMR upon one hundred eighty (180) days written notice to the city clerk may elect to surrender this Franchise Ordinance and cease operation of the ambulance service hereunder. Fair rate of return means receipt of revenues for patient charges and public funds, if any, to include the sum of operating costs, depreciation reserves, growth and development costs and management fees.

99 **Section 11. Transfer.**

100 All the rights and obligations of AMR, pursuant to this Franchise Ordinance, may with
101 written approval of the Council of the City of Topeka, be transferred to a person meeting
102 the requirements for an ambulance service, as determined by the laws and regulations
103 of the State and the City at the time of the contemplated transfer. Any such transferee
104 shall, without limitation, assume all the duties and obligations of AMR and AMR shall be
105 released of all future rights, duties, and obligations arising from this Franchise
106 Ordinance.

107 **Section 12. Hold harmless.**

108 AMR shall hold the City harmless for all liability, damages, costs and expenses of every
109 kind for the payment of which the City may become liable to any person by reason of
110 the rights and privileges herein granted and, if any action either at law or in equity, be
111 brought against the City for damages or for any cost to the City for any fault of AMR, its
112 servants, agents, or employees, in the operation of its ambulance service, AMR shall
113 pay all costs, damages and expenses including costs of defense for which the City may
114 be held liable.

115 **Section 13. Effective date.**

116 This Franchise Ordinance shall take effect and be in force on January 1, 2014 after its
117 approval and publication in the official City newspaper in the manner prescribed by law,
118 and shall be binding upon AMR upon the filing of its written acceptance as required by
119 Section 7.

PASSED AND APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk



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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

December 9, 2013

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DATE:	December 17, 2013	
CONTACT PERSON:	Jeff White, Interim Finance Director	DOCUMENT #:
SECOND PARTY/SUBJECT:	12th and Wanamaker	PROJECT #:
CATEGORY/SUBCATEGORY	013 Ordinances - Codified / 042 Community Development	
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

AN ORDINANCE introduced by City Manager Jim Colson, establishing a community improvement district (CID) located at 12th and Wanamaker Road (Crosswinds Common) levying a CID sales tax of one percent (1%) within the CID, and issuing special obligation bonds. First Reading.

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

(Approval would establish a community improvement district (Crosswind Commons) at 12th and Wanamaker and authorize: (1) the imposition of a 1% sales tax to be imposed on retail sales and services within the district; and (2) the issuance of special obligation bonds to finance the redevelopment.)

POLICY ISSUE:

Whether to facilitate the redevelopment of 12th and Wanamaker by establishing a community improvement district, imposing a 1% sales tax within the district, and issuing special obligation bonds.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to adopt the ordinance.

BACKGROUND:

State law authorizes a city to facilitate economic development by establishing a district and imposing sales tax on retail purchases and services within the district. The developer proposes a 1% sales tax for a period of 22 years and requests issuance of special obligation bonds to finance the development. The bonds would be paid solely from a pledge of the sales tax and would not be a general obligation of the City.

BUDGETARY IMPACT:

Item #27

The CID would impose an incremental sales tax within the district, the proceeds of which would be used to

reimburse qualified developer cost. The City's budgetary obligation is limited to the actual collections of CID sales tax. Staff will present a full committee report as part of the public hearing on the CID.

SOURCE OF FUNDING:

Sales tax collected within the CID.

ATTACHMENTS:

[Ordinance](#)

[Map of the District](#)

[Site Plan](#)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Jim Colson, City Manager, establishing a community improvement district (CID) located at 12th and Wanamaker Road (Crosswinds Common) levying a CID sales tax of one percent (1%) within the CID, and issuing special obligation bonds.

WHEREAS, pursuant to the Community Improvement District Act, K.S.A. 12-6a26 through 12-6a36, as amended (the "Act") cities are authorized to establish Community Improvement Districts ("CID") for economic development purposes; and

WHEREAS, on or about November 6, 2013, the City received a petition from the owners of record of more than 55% of the land within a proposed CID district ("District") generally described as Crosswind Commons at 12th and Wanamaker Road and the persons collectively owning more than 55% by assessed value of the land area within the proposed District; and

WHEREAS, pursuant to Resolution No. _____ adopted on December 17, 2013, the City has provided notice that it would hold a public hearing on January 7, 2014 to consider establishing a District and make findings necessary therefore; and

WHEREAS, the Governing Body conducted a public hearing on January 7, 2014 to consider establishing the proposed District, all in accordance with the Act; and

WHEREAS, the Act provides that upon the conclusion of the public hearing the Governing Body may authorize the District and project therein.

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

Section 1. The general nature of the project is to provide construction, improvements and maintenance to the properties located within the District. Proposed improvements include construction, maintenance, and procurement of certain

improvements, costs and services within the District, including, but not limited to, land acquisition, infrastructure related items, sidewalks, parking lots, drainage improvements, buildings, tenant improvements, utilities, landscaping, lighting, signage, soft costs of the Project and the City's and the Petitioner's administrative costs in establishing and maintaining the District and any other items permitted to be financed with the District under the Act.

Section 2. The Governing Body finds the District furthers economic development within the City and further finds it advisable and in the City's best interest to establish the District and authorize the project as proposed, subject to a Development Agreement approved by the City Manager.

Section 3. The estimated cost of the proposed project within the District is approximately \$22,600,000.

Section 4. The legal description of the District includes two tracts as described herein:

Tract 1: MDR Subdivision, Block A, Lot 1, Blk A Lot 1 MDR Sub, Also LT 1, Blk A MDR Sub #2, Section 32, Township 11, Range 15, City of Topeka, Shawnee County, Kansas

Tract 2: Vitt Acres, Lot 5, N 105' of Lot 5, Vitt Acres, Also Blk A, Lt 1, Ruth Sub, Section 32, Township 11, Range 15, City of Topeka, Shawnee County, Kansas

Section 5. A map of the District is attached as Exhibit A.

Section 6. The method of financing the project is through a CID sales tax and issuance of special obligation bonds. The proposed amount of the CID sales tax to be levied is one percent (1%) which shall be levied upon all sales of tangible personal property at retail or services taxable within the CID district pursuant to the Kansas

Retailers' Sales Tax Act. The special obligation bonds shall be payable solely from a pledge of the CID sales tax and shall not be a general obligation of the City.

Section 7. The City authorizes and hereby levies a one percent (1%) CID sales tax as described in Section 6. The City shall also issue special obligation bonds as described in Section 6.

Section 8. Upon establishment of this District and prior to the expenditure of any CID revenues the City and Petitioner shall enter into a Development Agreement setting forth the terms and conditions for implementation of the District. If the parties fail to enter into such Development Agreement within thirty (30) days of establishing the District, the City shall commence action to repeal this ordinance establishing the CID.

Section 9. This ordinance shall be in full force and effect from and after its passage by a majority of the Governing Body and publication once in the official City newspaper.

Section 10. After publication, the City Clerk is hereby directed to file a copy of this ordinance with the Shawnee County Register of Deeds.

Section 11. The City Clerk is directed to provide the Kansas Department of Revenue with a certified copy of this ordinance notifying the Department of the establishment of the District and the levy of the CID sales tax.

PASSED AND APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

Larry E. Wolgast, Mayor

ATTEST:

Brenda Younger, City Clerk

EXHIBIT A
DISTRICT MAP





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Council Action Form

Council Chambers
214 SE 8th Street
Topeka, Kansas 66603

October 21, 2013

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DATE:	December 17, 2013	
CONTACT PERSON:		DOCUMENT #:
SECOND PARTY/SUBJECT:		PROJECT #:
CATEGORY/SUBCATEGORY		
CIP PROJECT:	No	
ACTION OF COUNCIL:		JOURNAL #:
		PAGE #:

DOCUMENT DESCRIPTION:

(Discussion item only between Councilmembers on "items of interest" that they would like to see come forward and discussed in more detail at a later date, or be placed on a future Council agenda for consideration.)

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

October 21, 2013

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DATE:	December 17, 2013	
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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Council Action Form

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Topeka, Kansas 66603

October 21, 2013

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DATE:	December 17, 2013	
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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Topeka, Kansas 66603

October 21, 2013

☐ Back ☐ Print

DATE:	December 17, 2013	
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