

ORDINANCE NO. 3825

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS, ESTABLISHING A REINVESTMENT HOUSING INCENTIVE DISTRICT WITHIN THE CITY AND ADOPTING A PLAN FOR THE DEVELOPMENT OF HOUSING AND PUBLIC FACILITIES IN SUCH DISTRICT, AND MAKING CERTAIN FINDINGS IN CONJUNCTION THEREWITH (15TH AVENUE DEVELOPMENT)

WHEREAS, K.S.A. 12-5241 *et seq.* (the “Act”) authorizes any city incorporated in accordance with the laws of the state of Kansas (the “State”) to designate reinvestment housing incentive districts within such city and,

WHEREAS, prior to such designation the governing body of such city shall conduct a housing needs analysis to determine what, if any, housing needs exist within its community; and

WHEREAS, after conducting such analysis, the governing body of such city may adopt a resolution making certain findings regarding the establishment of a reinvestment housing incentive district and providing the legal description of property to be contained therein; and

WHEREAS, after publishing such resolution, the governing body of such city shall send a copy thereof to the Secretary of Commerce of the State (the “Secretary”) requesting that the Secretary agree with the finding contained in such resolution; and

WHEREAS, if the Secretary agrees with such findings, such city may proceed with the establishment of a reinvestment housing incentive district within such city and adopt a plan for the development or redevelopment of housing and public facilities in the proposed district; and

WHEREAS, the City of Dodge City, Kansas (the “City”) has an estimated population of 27,340, is located in Ford County, Kansas, which has an estimated population of 33,848, and therefore constitutes a city as said term is defined in the Act; and

WHEREAS, the Governing Body of the City has performed a Housing Needs Analysis dated 2022 (the “Needs Analysis”), a copy of which is on file in the office of the City Clerk; and

WHEREAS, the Governing Body of the City has heretofore adopted Resolution No. 2023-40 which made certain findings relating to the need for financial incentives relating to the construction of quality housing within the City, declared it advisable to establish a Reinvestment Housing Incentive District pursuant to the Act and authorized the

submission of such Resolution and a Housing Needs Analysis to the Kansas Department of Commerce in accordance with the provisions of the Act; and

WHEREAS, the Secretary of the Kansas Department of Commerce, pursuant to a letter dated December 13, 2024 authorized the City to proceed with the establishment of a Reinvestment Housing Incentive District pursuant to the Act (the "District"); and,

WHEREAS, the City has caused to be prepared a plan for the development or redevelopment of housing and public facilities in the proposed District in accordance with the provisions of the Act (the "Plan"); and,

WHEREAS, the Plan includes:

1. The legal description and map required by subsection (a) of K.S.A. 12-5244;
2. The existing assessed valuation of the real estate in the proposed District, listing the land and improvement values separately;
3. A list of the names and addresses of the owners of record of all real estate parcels within the proposed District;
4. A description of the housing and public facilities project or projects that are proposed to be constructed or improved in the proposed District, and the location thereof;
5. A listing of the names, addresses and specific interests in real estate in the proposed District of the developers responsible for development of the housing and public facilities in the proposed District;
6. The contractual assurances, if any, the Governing Body has received from such developer or developers, guaranteeing the financial feasibility of specific housing tax incentive projects in the proposed District;
7. A comprehensive analysis of the feasibility of providing housing tax incentives in the proposed District as provided in the Act, set forth the boundaries of the proposed District, provided a summary of the proposed Plan, called a public hearing concerning the establishment of the proposed District for December 16, 2024 and provided for notice of such public hearing as provided in the Act; and,

WHEREAS, the Governing Body of the City has heretofore adopted Resolution No. 2024-21 which made a finding that the City is considering the establishment of the proposed District and adopting the proposed Plan pursuant to the Act, set forth the boundaries of the proposed District, provides a summary of the proposed Plan, called a public hearing concerning the establishment of the proposed District for December 16, 2024 and provided for notice of such public hearing as provided in the Act; and,

WHEREAS, a public hearing was held on December 16, 2024, after due published and delivered notice in accordance with the provisions of the Act; and,

WHEREAS, upon and considering the information and public comments received at the public hearing, the governing body of the City hereby deems it advisable to make certain findings to establish the proposed District and to adopt the proposed Plan.

THEREFORE, BE IT ORDAINED by the Governing Body of the City of Dodge City, Kansas as follows:

Section 1. Findings. The Governing Body hereby finds that due notice of the public hearing conducted December 16, 2024 was made in accordance with the provisions of the Act.

Section 2. Creation of Reinvestment Housing Incentive District. A Reinvestment Housing Incentive District is hereby created within the City in accordance with the provisions of the Act, which shall consist of the following described real property in the Development, an addition to the City of Dodge City, Ford County, Kansas:

Beginning at the Northwest corner of Lot 12, Westview Place No.2, a subdivision of Dodge City, Ford County, Kansas; thence south along the West line of said Lot 12 to the Southwest corner thereof; thence west along the North line of Lot 14 of said Westview Place No.2 to the Northwest corner thereof; thence south along the West line of Lots 14 through 34 inclusive of said Westview Place No.2 to the Southwest corner of said Lot 34; thence west along the North line of lot 38 of said Westview Place No.2 extended to the West right-of-way line of 16th Avenue; thence south along the West right-of-way line of 16th Avenue to the South line of Westview Place No.2, a subdivision of Dodge City, Ford County, Kansas; thence east along said South line of Westview Place No.2 to the East right-of-way line of 15th Avenue; thence north along the East right-of-way line of 15th Avenue to the South right-of-way line of West Park Street; thence east along the South right-of-way line of West Park Street to the West right-of-way line of North 14th Avenue; thence southerly along the West right-of-way line of North 14th Avenue a distance of 710 feet; thence east to the Southwest corner of Lot 3, block 1, Gunsmoke Plaza, a subdivision of Dodge City, Ford County, Kansas, being on the East right-of-way line North 14th Avenue; thence northerly along the East right-of-way line of North 14th Avenue to the South right-of-way line of Park Street; thence east along the South right-of-way line of Park Street a distance of 240 feet; thence north perpendicular to the previous course to the North right-of-way line of Park Street; thence west along the North right-of-way line of Park Street to the East right-of-way line of North 14th Avenue; thence north along the East right-of-way line of North 14th Avenue a distance of 210 feet; thence west perpendicular to the previous course to the West right-of-way line of North 14th Avenue; thence south along West right-of-way line of North 14th Avenue to the North right-of-way line of West Park Street; thence west along the North right-of-way line of West Park Street to the Southeast corner of Lot 1, Moncrief Place No.1, a subdivision of Dodge City, Ford County, Kansas; thence northerly along the East line of

said lot 1 to the Northeast corner thereof; thence westerly along the North line of lots 1 through 7 inclusive of Moncrief Place No.1, a subdivision of Dodge City, Ford County, Kansas to the Northwest corner of said Lot 7 as platted; thence south along the West line of said Lot 7 as platted extended to the South right-of-way line of West Park Street; thence easterly along the South right-of-way line of West Park Street to the Northwest corner of Lot 12, Westview Place No.2 and Point o Beginning.

The boundaries of the District do not contain any property not referenced in Resolution No. 2024-21, which provided notice of public hearing on the creation of the District and adoption of the Plan.

Section 3. Approval of Development Plan. The Plan for the development or redevelopment of housing and public facilities in the District, as presented to the Governing Body this date, is hereby approved.

Section 4. Adverse Effect on Other Governmental Units. If, within 30 days following the conclusion of the public hearing on December 16, 2024, any of the following occurs, the Governing Body shall take action to repeal this Ordinance:

- a. The Board of Education of U.S.D. No. 443 determines by resolution that the District will have an adverse effect on such school district; or
- b. The Board of County Commissioners of Ford County, Kansas, determines by resolution that the District will have an adverse effect on such county.

As of this date, the City has not received a copy of any such resolution and is not aware of the adoption of any such resolution by the governing body of Ford County or Unified School District No. 443.

Section 5. Reimbursement. The Act authorizes the City to reimburse the Developer for all or a portion of the costs of implementing the Plan through the use of property tax increments allocated to the City under the provisions of the Act.

Section 6. Further Action. The Mayor, City Clerk and other officials and employees of the City, including the City Attorney, are hereby further authorized and directed to take such other actions as may be appropriate to accomplish the purposes of this Ordinance.

Section 7. Effective Date. This Ordinance shall be effective upon its passage by the Governing Body of the City of Dodge City, Kansas and publication one time in the official City newspaper.

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PASSED by the Governing Body of the City of Dodge City, Kansas and signed by the Mayor on January 21, 2025.



[Handwritten Signature]
Mayor

[Handwritten Signature]
City Clerk