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(Modified and approved by the City Council on November 20, 2023)

## **ORDINANCE NO. B-584**

### **CITY OF VICTORIA NEIGHBORHOOD REVITALIZATION PLAN**

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**City of Victoria Economic Development  
Neighborhood Revitalization Act  
Revitalization Plan**

BEFORE THE CITY COUNCIL  
OF VICTORIA, KANSAS.

IN THE MATTER OF THE ADOPTION OF A  
NEIGHBORHOOD REVITALIZATION PLAN

**REVITALIZATION PLAN**

The Victoria City Council of Victoria, Kansas, (herein sometimes called "Governing Body") pursuant to the Kansas Neighborhood Revitalization Act, K.S.A. 12-17, 114 et. seq. does hereby adopt a Neighborhood Revitalization Plan (herein sometimes called "Plan") for the City of Victoria as follows:

**Purpose and Factual Findings**

The City of Victoria proposes adopting the Neighborhood Revitalization Plan to include the city limits of Victoria, Kansas. The intention of this program is to encourage healthy owner-occupied housing throughout the proposed area.

This plan is intended to promote the revitalization and development of the City of Victoria. The City seeks to stimulate new construction and the rehabilitation, conservation or redevelopment of existing properties in the neighborhood revitalization area. An added goal is to promote redevelopment while protecting the public health, safety or welfare of the residents of the City of Victoria. Participants will be provided certain incentives, which include tax rebates.

In accordance with the provisions of K.S.A. 12-17,114 et seq., the City Council held a public hearing and considered the existing conditions and alternatives with respect to the designated area. The City Council also considered criteria and standards for a tax rebate and the necessity for interlocal cooperation among the taxing units. Accordingly, the Council has carefully reviewed, evaluated, and determined the Area meets one or more of the conditions to be designated as a "neighborhood revitalization area."

**Part 1: Legal Description of Neighborhood Revitalization Area**

- a. The City of Victoria is described as follows:

CITY BOUNDARIES, The boundaries of said City be and they are, hereby established and defined as follows, to wit: Commencing at the southwest corner of Block 9, Original Town of Victoria; thence south 100 feet; thence east 100 feet to the point of beginning;

thence east along a line 100 feet south of and parallel to the south lines of Block 9, 8, and 7, Original Town of Victoria a distance of 1400 feet to a point 100 feet east of and 100 feet south of the southeast corner of said Block 7; thence north along a line parallel to and 100 feet east of Blocks 7, 6, and 1, Original Town of Victoria to a point 100 feet north of and 100 feet east of the northeast corner of said Block 1; thence west 850 feet along the north line of Third Street extended; thence north 598 feet more or less to the north right of way of the Union Pacific Railroad; thence northeasterly along said right of way 765 feet more or less to the east line of Braun's Fourth Addition; thence north 505 feet more or less to the northeast corner of said Braun's Fourth Addition; thence east 13.35 feet to the southeast corner of Robben Addition; thence northerly 372.56 feet; thence west 401.82 feet; thence north 822.03 feet; thence east 100 feet more or less; thence north 121 feet more or less to the north line of Section 7, T14S, R16W of the Sixth Principal Meridian; thence west 175 feet; thence north 685 feet; thence west 742 feet; thence south 555 feet; thence West 132 feet more or less to the east line of the proposed Knights Addition to the City of Victoria which is an area described by Ordinance B-513; thence assuming the south line of the Southwest Quarter (SW4) of Section 6 to be South 87 degrees 44 minutes 07 seconds East as stated in Ordinance B-513; thence North 01 degrees 16 minutes 47 seconds East, 248 feet more or less; thence North 19 degrees 56 minutes 49 seconds East, 439.59 feet; thence South 76 degrees 01 minutes 41 seconds East, 160.00 feet; thence North 13 degrees 58 minutes 19 seconds East, 260.00 feet; thence South 87 degrees 44 minutes 07 seconds East, 475.97 feet; thence North 02 degrees 15 minutes 53 seconds East, 48.00 feet; thence South 87 degrees 44 minutes 07 seconds East, 105.00 feet; thence North 01 degrees 10 minutes 14 seconds East, 612.11 feet; thence North 87 degrees 44 minutes 07 seconds West, 1054.62 feet to the east line of Stramel Addition extended; thence South 01 degrees 16 minutes 47 seconds West along the east line of Stramel Addition extended, 25 feet more or less to the north line of Thirteenth Street and the end of the courses being controlled by the south line of the SW4; thence west along the north line of Thirteenth Street 265 feet more or less; thence north 100 feet; thence west 110 feet to the east line of Grant Street extended; thence south 100 feet to the north line of Thirteenth Street; thence west along the north line of Thirteen the Street 599.8 feet; thence south a distance of 320.8 feet to the southeast corner of H. James Brungardt's Addition; thence west 179.4 feet; thence north 140 feet; thence west 186.5 feet to the east line of Cathedral Avenue; thence north 190 feet more or less to the north line of Thirteenth Street; thence west along Thirteenth Street extended to the west side of Cathedral Avenue; thence north along Cathedral Avenue 200 feet; thence west 165 feet; thence south 200 feet; thence west 665 feet; thence south 1240 feet more or less; thence west 100 feet; thence south 37.5 feet; thence west 104 feet; thence south 30.84 feet; thence west 233 feet more or less; thence south 350 feet to the south side of Tenth Street; thence east 452 feet more or less to a point on the west line of Allen Street opposite the northwest corner of Block 7, Original Town of Herzog; thence south along the west line of Allen Street 695 feet; thence east 725 feet; thence south on a line 100 feet west of and parallel to the west line of Cathedral Avenue a distance of 940 feet; thence east 100 feet to the west line of Cathedral Avenue; thence south 317 feet; thence west 132 feet; thence south 248.25 feet; thence east 132 feet to the west line of Cathedral Avenue;

thence north 123.25 feet on the west line of Cathedral Avenue to the south line of Sixth Street extended; thence east to the east line of Cathedral Avenue; thence south 528.82 feet along Cathedral Avenue to the north line of Fourth Street; thence west to the west line of Cathedral Avenue; thence south 240 feet; thence east 900 feet more or less to the north right of way line of the Union Pacific Railroad; thence southwesterly along said north right of way line 410 feet; thence southeasterly 400 feet to the south right of way line of said railroad; thence southwesterly on said right of way line 430 feet more or less to a point which is 380.7 feet east of the west line of Section 7; thence continuing southwesterly along said right of way 408 feet to the intersection of the north right of way of Old Highway 40 and the south right of way of the Union Pacific Railroad; thence easterly along the north right of way of Old Highway 40, 1211.25 feet to a point 100 feet west of the west line of West Main Street; thence southeast a distance of 120 feet on a line radial to the curve of Old Highway 40; thence westerly on a curve to the right with a radius of 2352.01 feet a distance of 255 feet more or less to a point on the south right of way line of Old Highway 40; thence east to a point 112 feet west of the west line of Ball Park Road; thence south 140 feet; thence east 112 feet to the west line of Ball Park Road; thence south 435 feet; thence east 80 feet; thence south 762 feet; thence east 450 feet; thence north 484 feet; thence west 330 feet; thence north 278 feet to the point of beginning.

A Tract of land in the Northeast Quarter of Section 7, township 14 South, Range 6 West, of the 6th Principal Meridian, Ellis County, Kansas, described as follows:  
Commencing at the intersection of the North line of Old U.S. Highway 40 and the West line of Lot 23, Block 2, Original Town of Victoria; Thence North 60 degrees 26 minutes 25 seconds East, along the North line of Old U.S. Highway 40, a distance of 1113.19 feet to the Point of Beginning; Thence continuing North 60 degrees 26 minutes 25 seconds East, along the North line of Old U.S. Highway 40, a distance of 698.51 feet to the Southeast corner of the tract described in Book 1013, Page 872; Thence North 00 degrees 29 minutes 55 seconds East, parallel with the West line of the Northeast Quarter, a distance of 283.14 feet to the Northeast corner of the tract described in Book 1013, Page 872 and the South line of 3rd Street; Thence South 71 degrees 52 minutes 31 seconds West, along the South line of 3rd Street, a distance of 637.97 feet; Thence South 00 degrees 29 minutes 55 seconds West, parallel with the West line of the Northeast Quarter, a distance of 429.28 feet to the Point of Beginning. Said tract contains 4.944 acres.

This description was compiled using the 2010 boundary description; Victoria city ordinances and resolutions of annexed property since that description; subdivision plats of record; individual tract descriptions of record; appraisal maps; maps from the City of Victoria; and maps from E.B.H. records and James Meis, Driggs Design, PS 1533 on April 13, 2023. It is for administrative purposes only as determined by the City of Victoria. It is not intended for use in the development of boundary surveys.



**Part 2: Assessed Valuation of Real Property**

The assessed valuation of taxable real estate within the designated area is \$9,324,817.

**Part 3: Listing of Owners of Record in Area**

Each owner of record of each parcel of land within the Neighborhood Revitalization area along with its corresponding address is on file in the Ellis County Appraiser's Office.

**Part 4: Zoning Classification, District Boundaries, and Land Use Maps**

Maps indicating the existing zoning classifications, district boundaries, and the existing and proposed land uses can be viewed on the City of Victoria website at <http://www.victoriaks.com>.

**Part 5: Capital Improvements Planned for the Area**

The Plan does not include any proposals for improving or expanding municipal services as described in K.S.A. 12-17,117(a)(5) and, if any proposals for any such improvements or expansions of municipal services are hereafter proposed by the Governing Body, then any such proposal will be prepared and considered independently of this Plan.

**Part 6: Criteria for Determination of Eligibility and Rebate Formula**

Criteria for Determination of Eligibility

- A. "Structure" means any building, wall or other structure, including the building and improvements to existing structures and fixtures assimilated and attached to the real estate.
- B. The Neighborhood Revitalization Plan shall continue indefinitely until and unless it is terminated or modified as provided by law by one or more of the three taxing entities (City, County, or USD 432 School District).
- C. New construction and remodeling of commercial and industrial properties, single-family homes, and purpose-built multifamily housing will be allowed into the program.
- D. A minimum investment of \$10,000 for residential improvements or \$10,000 for commercial properties is required for program eligibility. Cost estimates of the proposed investment must be submitted with the application.
- E. Improvements and new construction must conform to all applicable building/fire codes, rules, and regulations in effect at the time the improvements are made and if applicable, the project must be issued a building permit. If the owner/developer fails to conform to this section, the rebate application may be terminated.
- F. Any property tax-payer who is delinquent on any tax payment and/or special assessment may not be eligible for the current rebate or future rebate. Tax payment deadlines are December 20 (first half) and May 10 (second half). If tax payment is not received by December 31 for first half and May 15 for second half, the current year rebate will no

longer be eligible to be received and will be forfeited. If prior year taxes are due, they must be paid before a property is eligible to receive the current year rebate and future year rebates.

- G. Only one application will be allowed per project.
- H. A multi-year project shall only be allowed if approved at the time of application as a phased project.
- I. Tax rebate will be based on the increase of appraised value on January 1, the year after completion. That fixed dollar differential will be the incremental difference used for calculating the tax rebate for the entire 10 years; however, the County Appraiser has the right to adjust the tax rebate amount if, due to certain circumstances, the rebate amount is higher than the tax amount established from a revised evaluation, such as may happen upon a tax or valuation appeal.
- J. Tax rebate transfers with ownership of the property.
- K. Applications must be submitted and approved prior to the commencement of any construction on a project.
- L. Construction must be completed in one year from the date of permit. Extensions beyond that period will be considered on a case-by-case basis by the County Appraiser.
- M. All projects must receive a "Certificate of Compatibility" issued by City Staff prior to the County Appraiser accepting the tax rebate application.
- N. Project improvements shall be 100% complete prior to the first tax rebate payment being paid by the County.
- O. Any appeals will be to the City Council and must follow established rules and regulations for an appeal.

#### **CRITERIA FOR RESIDENTIAL AND COMMERCIAL PROPERTY REBATE**

##### **RESIDENTIAL REBATE:**

###### **Criteria:**

In order to qualify for a residential rebate, a Parcel of real estate must have a minimum increase of **\$10,000.00** in county appraised value, directly resulting from qualified construction and improvements. There is no upper cap limit on qualified improvement valuation.

###### **Rebate Formula:**

70% of increased taxes (based on assessed value after improvements) paid in the first year after completion of construction and each year thereafter for 10 years.

**COMMERCIAL REBATE:**

**Criteria:**

In order to qualify for a commercial rebate, a Parcel of real estate must have a minimum increase of **\$10,000.00** in county appraised value, directly resulting from qualified construction and improvements of a Parcel. There is no upper cap limit on qualified improvement valuation.

**Rebate Formula:**

95% of increased taxes (based on assessed value after improvements) paid in the first year after completion of construction and each year thereafter for 10 years.

**Residential AND Commercial:**

- 5% of the increased tax bill will be withheld annually by the County for administration of the plan.
- Properties on the National or Kansas Historical Registry will be eligible for a 100% rebate. (Less County Administration fee)
- A \$100.00 up-front, non-refundable application fee will be charged to cover the administration and processing of the application.







**Part 2**

**Application for Tax Rebate under the City of Victoria  
Neighborhood Revitalization Plan**

**COMMENCEMENT OF CONSTRUCTION**

Construction Estimated to Begin On: \_\_\_\_\_ Building Permit No: \_\_\_\_\_  
(Where applicable)

Estimated Date of Completion of Construction: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_  
(Applicant's Signature)

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**Part 3**

**APPLICATION FOR TAX REBATE  
STATUS OF CONSTRUCTION/COMPLETION**

\_\_\_\_\_ Project incomplete as of January 1, following commencement.

\_\_\_\_\_ Project complete as of January 1, following commencement.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(Applicant)

**FOR COUNTY APPRAISER'S USE ONLY**

The Above Improvements:

- Meets the \$10,000 Minimum Investment for Residential Property
- Does Not Meet the \$10,000 Minimum Investment for Residential Property
  
- Meets the \$10,000 Minimum for Commercial Property
- Does Not Meet the \$10,000 Investment for Commercial Property

By: \_\_\_\_\_ Date: \_\_\_\_\_  
(Ellis County Appraiser's Office)

**FOR COUNTY CLERK'S OFFICE USE ONLY**

As of \_\_\_\_\_, 20\_\_\_\_, Taxes on This Parcel: Are Current/Are Not Current.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
(Ellis County Clerk's Office) \_\_\_\_\_ (Ellis County Clerk's Office)

**Part 8: Application Procedure**

1. Applications for Tax Rebate under the City of Victoria Neighborhood Revitalization Plan are available at the Victoria City Hall, 1005 4th St. Victoria, KS. The City Mayor and City Clerk are the contact people.

Complete Part 1 of the application within 60 days of building permit issuance on any improvement or new construction for which a tax rebate will be requested and set a meeting with the Mayor

2. City staff will review the application and forward the approved application to the County Appraiser for further review and approval.
3. If an application is denied for any reason, the applicant may appeal the decision of the City or the County to the City Council.
4. After approval, Part 1 of the application must be filed with the County Appraiser's Office, with a nonrefundable \$100.00 application fee.
5. The County Appraiser's Office will return a copy of Part 1 to the applicant within fifteen (15) working days, indicating approval or denial of the project.
6. For any improvement that is only partially completed as of January 1, following the commencement of construction:
  - a. The owner-applicant shall file Part 3 of the application with the County Appraiser indicating the status of construction on January 1. Part 3 shall be filed on or before December 15, preceding the commencement of the tax rebate period.

7. For any improvement that is completed on or before January 1, following the commencement of construction:
  - a. The owner-applicant shall file Part 3 of the application with the County Appraiser on or before December 15, preceding commencement of the tax rebate period, certifying the completion of construction.
8. Upon completion, the County Appraiser shall conduct an on-site inspection of the construction project (improvement, rehabilitation, or new) and determine the new valuation of the real estate accordingly, which may include an interior inspection if the appraiser deems it necessary. The valuation is then reported per K.S.A. 79-1466. The tax records may be revised.
9. Upon filing of Part 3, and the determination of the new valuation of said real estate, the form will be filed with the County Clerk and the County Appraiser certifying the project is in compliance with the eligibility requirements for a tax rebate and shall notify the owner-applicant immediately.
10. **Upon payment in full of the real estate tax** for the subject property for the initial and each succeeding year period extending through the specified rebate period, and within a thirty (30) day period following the date of tax distribution by Ellis County to the other taxing units, a tax rebate in the amount of the tax increment (less an administrative fee as specified in the Interlocal Agreement) shall be made to the owner. The tax rebate shall be made by the County Treasurer's Office of Ellis County through the Neighborhood Revitalization Fund established in conjunction with the other taxing units participating in an Interlocal Agreement. A periodic report from Ellis County shall be made available upon request to the local taxing units.