

Approved: March 19, 2009

Date

MINUTES OF THE SENATE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Roger Reitz at 9:30 a.m. on March 16, 2009, in Room 446-N of the Capitol. Senator Wagle moved to approve the minutes of March 9th and March 10th. Senator Petersen seconded the motion. The motion carried.

All members were present.

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Ken Wilke, Office of the Revisor of Statutes
Martha Dorsey, Kansas Legislative Research Department
Reed Holwegner, Kansas Legislative Research Department
Noell Memmott, Committee Assistant

Conferees appearing before the Committee:

Chris Slaughter, Land Bank Manager, Unified Government
Pat Pettey, Commissioner, Unified Government
Whitney Damron, On behalf of the City of Topeka

Others attending:

See attached list.

The discussion continued on **HB 2155 - City of Topeka land bank**. Mike Heim reviewed the bill.

Chris Slaughter, Land Bank Manager, Unified Government explained the process of obtaining property, depositing the property in the Land Bank and selling the property. (Attachment 1)

Pat Pettey, Commissioner, Unified Government answered questions pertaining **HB 2155**.

Whitney Damron, On behalf of the City of Topeka, gave remarks in favor of **HB 2155**.

Senator Kultula moved to pass **HB 2155** out of committee. Senator Faust-Goudeau seconded the motion. The motion carried.

Chairman Reitz addressed **SB 114 - Zoning; group homes; certain restrictions**. Since the hearing of the bill, Senator Owens did not find proposed amendments agreeable. It was the consensus of the committee there would be no action on the bill.

The meeting was adjourned at 10:00 a.m.

LOCAL GOVERNMENT GUEST LIST

DATE: March 16, 2009

| NAME | REPRESENTING |
|----------------|----------------|
| Whitney Damron | City of Topeka |
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WYANDOTTE COUNTY LAND BANK

Mission Statement – The goal of the Wyandotte County Land Bank is to return tax delinquent property to productive use that benefits the community. When considering proposals to the Land Bank, preference will be given to projects that support home ownership, improve neighborhoods and otherwise advance the economics and social interests of Wyandotte County and its residents.

Conditions for applicants Prior to purchase of Property

Applicant must not be delinquent on any licensures or taxes in Wyandotte County. For these purposes, participation with the U.G payment plan constituent delinquency.

Applicants must not have a history of code violations at properties they own or not have any outstanding violations.

1. Identify the property you wish to buy from the inventory list available on www.wycokck.org
2. Submit completed application to the Land Bank office. Buildable Applications must include a letter of credit and drawings for project.
3. If multiple applications are received for a specific property, all applicants will be asked to make a best and final offer on the property.
4. Application will be reviewed by the Land Bank Advisory Board, Neighborhood & Community Development Committee and the Land Bank Board of Trustees for their approval.

Senate Local Government

3/16/09

Attachment 1

DEPARTMENT OF ADMINISTRATION



LAND BANK POLICY



Land Bank Policy

Mission Statement:

The Goal of the Wyandotte County Land Bank is to return tax delinquent property to productive use that benefits the community. When considering proposals to the Land Bank, preference will be given to projects that support home ownership, improve neighborhoods and otherwise advance the economic and social interests of Wyandotte County and its residents.

Conditions set on Land Bank Properties

The Unified Government Board of Commissioners serves in the capacity of the Land Bank Board of Trustees and makes all final decisions on Land Bank property conveyances.

The Land Bank Board of Trustees and the Unified Government's Development Department will annually, and as needed, identify development areas which are actively being developed. Any Land Bank properties in these particular geographical areas will be held for the developer(s) for that area. Any Application properly submitted for Home Construction, will move forward to the Land Bank Advisory Board for consideration. Any Land Bank parcels in actively developed areas will be marked as "not available for purchase" in the Land Bank published inventory list.

Land is conveyed with no guarantee as to quality or content, subject to covenants stated in the Land Bank Deed. Any parcel failing to meet requirements listed in the Deed may be subject to reversion to the Land Bank. Applicants will forfeit any funds spent on the property.

The Land Bank Board of Trustees may set a different minimum price on any Land Bank Property and may set a minimum price on commercial/industrial zoned properties and those containing structures.

Gift in Lieu of Judicial Foreclosure Process - the Land Bank Board of Trustees reserves the right to accept or reject gifts. Persons gifting will be responsible for title report fees.

All Land Bank fees may be waived for Community Development Corporations (CDC) or Community Housing Development Organizations (CHDO).

The Land Bank Board of Trustees reserves the right to accept or reject any or all proposals without cause.

The Land Bank may aggregate and sell land for use as community parking. If an applicant wishes to purchase property for mixed uses business parking, it must state that intent on the application. Only parking that is for the benefit of community improvement will be considered by the Land Bank. Once the Land Bank parcel is conveyed for community parking, the owner will be responsible for the upkeep of the improved paved surface.

When completed proposals are accepted by the Land Bank, a review and recommendations of the proposal is completed by the Land Bank Advisory Board. *(Members of the Advisory Board are selected by the Board of Directors of Liveable Neighborhoods and submitted annually to the Land Bank Board of Trustees for approval. The members volunteer their services to the Advisory Board.)*

Applicant's proposals are forwarded to the Unified Government Standing Committee for their recommendations to the Land Bank Board of Trustees.

The Land Bank Manager, 30 days prior to the sale of any property owned by the Land Bank, will publish in the official county newspaper a notice announcing such sale. At the time of publishing such notice, the Land Bank Manager will notify adjacent property owners of the pending property available for sale.

Conditions for Applicants Prior to Purchase of Land Bank Property:

Applicant must not be delinquent on any licenses or taxes in Wyandotte County. (For these purposes, participation with the Unified Government's Payment Plan constitutes delinquency).

Applicant must not have a history of code enforcement violations at properties they own or not have any outstanding violations. A

history of 3 notices to appear in court for code violations in the previous calendar year or 5 notices to appear in court for code violations in the past 3 calendar years will make an individual ineligible to apply.

Conditions for Applicants After Purchase of Land Bank Property:

All applicants' property must be properly maintained with no notices to appear in court for code violations.

Applicant must not be delinquent on any licenses or taxes in Wyandotte County.

Land Bank Procedures

- Non-buildable lots will generally be sold for \$150.
- Buildable lots/parcels will be generally sold for \$300. Buildable residential properties are generally those with over 25 foot frontage.
- Buildable lots for non-buildable purposes (yard expansion, parking, play ground area etc...) are sold for \$10.00 per front footage. For example, 70 foot frontage lots will cost \$700.
- The Land Bank Manager will notify the Unified Government Clerk of Non-buildable and Buildable lots that contain Razing assessments. Non-buildable and Buildable lots razing assessments will be abated. Commercial/Industrial lots are subject to special assessments.
- The Unified Government may set a minimum price on commercial/industrial zoned properties and those containing structures.
- A confirmation letter will be mailed to applicants that submit applications to the Land Bank office within 30 days of receipt. Please contact the Land Bank office if you do not receive a confirmation letter for your application.

Process for Purchasing Non-Buildable Land Bank Properties.

- Applicant must agree with Conditions set forth above in Land Bank Policy.
- Non-buildable are lots with a frontage that is generally less than 25 foot frontage.
- The adjacent land owner will have priority for right of first refusal. Adjacent is defined as immediately touching the applicant's property on the right or left.

- Applicant must completely fill out the Land Bank Application. Application assistance from the Land Bank Office is available prior to formal submittal of the application. However, incomplete applications will not be accepted for consideration but will be returned to the applicant with an explanation of what needs to be completed for a possible future submittal.
- If multiple proposals are received for a specific property, all applicants will be asked to make a best and final offer on the property. No new applications will be allowed after the best and final offer letter is sent out. In addition to the bid price proposals will also be evaluated on their ability to finance the project.
- If the adjacent land owner wants to purchase the Land Bank Lot for parking or for building a garage, they understand that the Unified Government has certain requirements and minimum standards for both the parking area and for the garage. If your proposal identifies the use as for parking or a garage, the Land Bank Manager will send contact information to the applicant. Transferal of lot does not guarantee a building permit or use for parking.
- The Land Bank Manager will have the authority to transfer non-buildable lots to qualified adjacent land owners only (if not located in an identified development area). The items that the Land Bank Manager has the authority to transfer will appear on the Consent Agenda. All other proposals will require further review.
- If no qualified adjacent owner shows interest in the vacant property, consideration may be given for community development efforts such as community gardens, neighborhood play areas, and community green areas.

Process for Purchasing Buildable Residential Land Bank Properties.

- Applicant must agree with Conditions set forth above in Land Bank Policy.
- Buildable residential properties are generally those with over 25 foot frontage.
- The priority is for homeownership.
- If only one property is under consideration and is not in a targeted development area, the applicant must completely fill out the Land Bank Application. Application assistance from the Land Bank Office is available prior to formal submittal of the application. However, incomplete applications will not be accepted for consideration but will be returned to the applicant with an explanation of what needs to be completed for a possible future submittal.

- If the zoning is not appropriate, the applicant will need to get approval of zoning changes prior to any building.
- If the property under consideration is not in a targeted development area, the applicant must exhibit the financial ability of completing the project by submitting a letter of credit or a pre-approval letter from your bank.
- If the property under consideration is not in a targeted development area, the applicant must attach drawings of the proposed structure for the Planning & Land Use Department to review. At a minimum, the drawings should consist of the following: (1) A floor plan, to include the layout of the rooms, dimensions of the rooms, size, location, and type of windows. (2) A wall section or building section, detailing the size, spacing and type of material to be used in the framing. (3) A front elevation of the building indicating the type and color(s) of the finished materials. The structure should be compatible with the existing neighborhood.
- If multiple proposals are received for a specific property, all applicants will be asked to make a best and final offer on the property. No new applications will be allowed after the best and final offer letter is sent out. In addition to the bid price, proposals will be evaluated on their ability to finance the project, the quality of the building, the compatibility of the building with existing neighborhoods, individual experiences with building, and if the proposal is for homeownership.
- Proposals that are accepted will need to submit all their plans to the Unified Government's Building Inspection Department prior to the building starting. The Land Bank Manager can send this information to successful applicants.
- The successful applicant should begin construction and shall substantially complete the same, within 12 months after the purchase of the Land Bank property. In the event that construction is not completed within 12 months, the successful applicant must notify the Land Bank Manager in writing to request an extension.
- Community Development Corporations/Community Housing Development Organizations applicants should begin construction and shall substantially complete the same, within 24 months after the purchase of the Land Bank property. In the event that construction is not completed within 24 months, the successful CDC/CHDO must notify the Land Bank Manager in writing to request an extension.

Process for Purchasing Buildable Commercial/Industrial Land Bank Properties.

- Applicant must agree with Conditions set forth above in Land Bank Policy.
- A minimum price will be established for each commercial/industrial parcel. The basis of sales price for commercial/industrial property will be the current value established by the Wyandotte County Appraisers Office. If circumstances exist that suggest this value is inappropriate, the Land Bank Board of Trustees reserves the right to set an alternative price.
- If only one property is under consideration and is not in a targeted development area, the applicant must completely fill out the Land Bank Application. Application assistance from the Land Bank Office is available prior to formal submittal of the application. However, incomplete applications will not be accepted for consideration but will be returned to the applicant with an explanation of what needs to be completed for a possible future submittal.
- If the zoning is not appropriate, the applicant will need to get approval of zoning changes prior to any building.
- If the property under consideration is not in a targeted development area, the applicant must exhibit the financial ability of completing the project by submitting a letter of credit or a pre-approval letter from your bank.
- If the property under consideration is not in a targeted development area, the applicant must attach drawings of the proposed structure for the Planning & Land Use Department to review. At a minimum, the drawings should consist of the following: (1) A floor plan, to include the layout of the rooms, dimensions of the rooms, size, location, and type of windows. (2) A wall section or building section, detailing the size, spacing and type of material to be used in the framing. (3) A front elevation of the building indicating the type and color(s) of the finished materials. The structure should be compatible with the existing neighborhood.
- If multiple proposals are received for a specific property, all applicants will be asked to make a best and final offer on the property. No new applications will be allowed after the best and final offer letter is sent out. In addition to the bid price, proposals will be evaluated on their ability to finance the project, the quality of the building, the compatibility of the building with existing neighborhoods, and individual experiences with building.

- Proposals that are accepted will need to submit all their plans to the Unified Government's Building Inspection Department prior to construction. The Land Bank Manager can send this information to successful applicants.
- The successful applicant should begin construction and shall substantially complete the same, within 12 months after the purchase of the Land Bank property. In the event that construction is not completed within 12 months, the successful applicant must notify the Land Bank Manager in writing to request an extension.
- Community Development Corporations/Community Housing Development Organizations applicants should begin construction and shall substantially complete the same, within 24 months after the purchase of the Land Bank property. In the event that construction is not completed within 24 months, the successful CDC/CHDO must notify the Land Bank Manager in writing to request an extension.

Process for Purchasing Land Bank Properties with Structures.

- Applicant must agree with Conditions set forth above in Land Bank Policy.
- The Unified Government will complete a status report which identifies the necessary work required to bring the structure up to minimum codes.
- A minimum bid will be placed on each land bank property with a structure on it. ___The basis of sales price for commercial/industrial property with structures will be the current value established by the Wyandotte County Appraisers Office. If circumstances exist that suggest this value is inappropriate, the Land Bank Board of Trustees reserves the right to set an alternative price.
- If only one property is under consideration and is not in a targeted development area, the applicant must completely fill out the Land Bank Application. Application assistance from the Land Bank Office is available prior to formal submittal of the application. However, incomplete applications will not be accepted for consideration but will be returned to the applicant with an explanation of what needs to be completed for a possible future submittal.
- If the zoning is not appropriate, the applicant will need to get approval of zoning changes prior to any building.
- If the property under consideration is not in a targeted development area, the applicant must exhibit the financial ability of completing the project by submitting a letter of credit or a pre-approval letter from your bank.

- If the property under consideration is not in a targeted development area, the applicant must attach a comprehensive scope of work proposed for the rehabilitation of the proposed structure for the Planning & Land Use Department to review. The structure should be compatible with the existing neighborhood.
- If multiple proposals are received for a specific property, all applicants will be asked to make a best and final offer on the property. No new applications will be allowed after the best and final offer letter is sent out. In addition to the bid price, proposals will be evaluated on their ability to finance the project, the quality of the building, the compatibility of the building with existing neighborhoods, individual experiences with building, and homeownership if residential.
- Proposals that are accepted will need to submit all their plans to the Unified Government's Building Inspection Department prior to the building starting. The Land Bank Manager can send this information to successful applicants.
- The successful applicant should begin construction and shall substantially complete the same, within 12 months after the purchase of the Land Bank property. In the event that construction is not completed within 12 months, the successful applicant must notify the Land Bank Manager in writing to request an extension.
- Community Development Corporations/Community Housing Development Organizations applicants should begin construction and shall substantially complete the same, within 24 months after the purchase of the Land Bank property. In the event that construction is not completed within 24 months, the successful CDC/CHDO must notify the Land Bank Manager in writing to request an extension.

Proposed Revision.03/2009



Unified Government Land Bank Application

Section 1: Personal Information.

1. Applicant's Name: _____
Spouse (if applicable): _____
2. Name of Corporation (if applicable) _____
3. Street Address: _____
4. City, State, Zip: _____
5. Home Phone #: _____ Work Phone #: _____
6. E Mail Address: _____
7. List Properties you own in Wyandotte County: _____

8. Do you (or your spouse) have any Code Enforcement violations? Yes__ No__
9. Are you (or your spouse) delinquent on any licenses or taxes in Wyandotte County? Yes__ No__

Section 2: Proposed Land Bank Purchase.

1. Address(s) of Property _____
 - Vacant Land
 - Structure
2. Proposed Use of Property:
 - Yard Extension. Go to section 4.
 - Parking. (Must comply with UG regulations) Go to section 4.
 - Garage. Requires building permit. Go to section 4.
 - Home Addition. Requires building permit. Go to section 3.
 - New Home Construction. Requires building permit. Go to section 3.
 - Commercial Construction. Requires building permit. Go to section 3.
 - Rehabilitation of existing structure. . Requires building permit. Go to section 3.
 - Other: _____

Section 3: Construction Project Information.

1. Does the project comply with current zoning? Yes__ No__
(Call Planning & Zoning at 913-573-5750)
2. Type of Ownership: Individual__ Corporation__ Nonprofit: __
Other: _____
3. **Must attach a letter of credit or pre-approval letter from your bank.**
4. **Must attach drawings for your proposed project.**
5. Proposed use of property:
 - Home Ownership.
 - Rental Home.
 - Business/Commercial Use.
 - Apartments.
 - Other, Specify: _____
6. Will you seek Tax Increment Financing or other public tax exemptions? _____
7. Will you seek Neighborhood Revitalization Tax Rebates? _____
8. Starting Project Date: _____ Completion Date: _____

Comments: _____

Section 4: Additional Comments & Terms of Proposal.

Incomplete applications will not be considered and will be returned to the sender.
As the applicant I attest that the information in this proposal is accurate. I attest that I have read the Unified Government's Land Bank policy and agree to the terms and conditions of it. I understand that the Unified Government reserves the rights to reject any proposal without cause.

Applicant's Signature Print Your Name Date

Return Completed Application to: Land Bank, 2nd Floor, 710 N. 7th, KCK 66101
Fax 913-321-0237 Phone 913-573-8977
Attn: Land Bank Manager, Chris Slaughter