BLIGHT ANALYSIS

118TH & STATE REDEVELOPMENT

BONNER SPRINGS, KANSAS

October 2016

Prepared for:
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REQUIREMENTS

Statutory Requirements

- Under the Kansas TIF statute, K.S.A. 12-1770 et seq., the 118th & State Redevelopment District (the “Study Area”) must be an “eligible area”.
- The TIF statute defines an “eligible area” as: a blighted area, conservation area, enterprise zone, intermodal transportation area, major tourism area, or a major commercial entertainment and tourism area or bioscience development area.

Blighted Area Requirements

The presence of a majority of the following factors substantially impairs or arrests the development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals or welfare in its present condition and use:

- A substantial number of deteriorated or deteriorating structures;
- Predominance of defective or inadequate street layout
- Unsanitary or unsafe conditions;
- Deterioration of site improvements
- Tax or special assessment delinquency exceeding the fair market value of the real property;
- Defective or unusual conditions of title including but not limited to cloudy or defective titles, multiple or unknown ownership interests to the property;
- Improper subdivision or obsolete platting or land uses;
- The existence of conditions which endangers life or property by fire or other causes; or
- Conditions which create economic obsolescence

The TIF statute asks three (3) separate sets of questions (only one need be answered in the affirmative):

1. Are there a majority of the blighting factors present and, if so, does their presence in the area substantially impair or arrest the development and growth of the municipality in its present condition and use?
2. Are there a majority of the blighting factors present and, if so, does their presence in the area constitute an economic or social liability in its present condition and use?
3. Are there a majority of the blighting factors present and, if so, is their presence in the area a menace to the public health, safety, morals or welfare in its present condition and use?
ANALYSIS

Predominance of Defective or Inadequate Street Layout

Conditions present in the Study Area associated with defective or inadequate street layout include poor vehicular access and internal circulation, substandard or nonexistent driveway definition and parking layout (i.e. lack of curb cuts and awkward entrance and exit points), offset or irregular intersections, and substandard or nonexistent pedestrian circulation and lack of signage.

The Study Area currently has limited access due to State Avenue being the northern boundary, 118th Street being the eastern boundary, and a lack of interior infrastructure. Increased access to the Study Area will be required before development can occur, and the restricted access at the time of the study makes the site less attractive to a potential developer due to increased development costs and an extended development timeline.
In addition, the Study Area does not currently have interior roads allowing for access to the central portion of the site. Extending infrastructure throughout the site is oftentimes infeasible due to the high costs associated with creating access roads.

Finally, the intersection of 118th Street and State Avenue acts as an influence on the traffic patterns within the heart of the area (in that it has a four-way traffic signal and impacts stacking and the creation of traffic gaps), and the Study Area’s close proximity to Wyandotte County Park and the Kansas Speedway results in pedestrians crossing at multiple locations on an erratic basis, and high “cut-through” motorist speeds.

Based on the foregoing analysis, we are of the opinion that defective or inadequate street layout is considered to be a significant indication of blight for the Study Area.
**Unsanitary or Unsafe Conditions**

The Study Area is undeveloped land that lacks security features, adequate lighting, and site improvements that allow for unobstructed travel within the site. The lack of site improvements and security allows the site to be easily accessed, thereby inviting trespassers and illicit activities increasing the likelihood for harm.

A number of drainage ditches and other sloped terrain located throughout the Study Area results in the high potential for areas of standing water, which are a breeding ground for a wide range of micro-organisms and insects, including disease-carrying mosquitoes.
Based on the above facts, coupled with the condition of the Study Area as being generally deteriorated and littered with trash and other debris, we are of the opinion that the presence of unsafe or unsanitary conditions is considered to be a significant indication of blight for the Study Area.
**Improper Subdivision or Obsolete Platting or Land Use**

There are specific conditions that can be used to determine the existence of improper or obsolete platting and land use. Among these conditions are irregular or faulty lot shape and/or layout, inadequate lot size, and poor access. Our inspection and review of public records suggests these conditions are present within the Study Area.

The Study Area has not yet been appropriately platted for future development and, as the project goes through the planning and entitlement phase, the Study Area will require platting and/or subdivision for the various project components. The lack of subdivision platting is less desirable to a future user.

In addition, grade impediments, including changes in elevation and the general variation and difficulty of the terrain, compromise a significant portion of some of the most developable parts of the Study Area. This will make infrastructure improvements more costly, time-consuming and difficult.
The vast majority of the Study Area is also landlocked and, therefore, inaccessible via public streets and roads.

Based on the foregoing analysis, we are of the opinion that improper subdivision and land use, and the lack of platting, is considered to be a significant indication of blight for the Study Area.
Existence of Conditions which Endanger Life or Property by fire or Other Causes

The aforementioned unsanitary and unsafe conditions present within the Study Area give rise to conditions which endanger life or property by fire or other causes:

- Lack of security features, adequate lighting, and site improvements that allow for unobstructed travel within the site;
- Grade impediments, including changes in elevation and general variation and difficulty in the terrain, which greatly increases the risk of falls and other life-threatening accidents;
- Heavy presence of brush and other debris increases the risk of field fires;
- Presence of trash and other discarded items suggests instance of past nuisance and trespass, which may invite future nuisance and trespass;
- Lack of reasonable means of ingress and egress prevents the entrance and maneuver of modern firefighting equipment.
Economic Obsolescence

The City of Bonner Springs and Wyandotte County are highly dependent on real property taxes, personal property taxes, and sales taxes generated by their tax bases. The Study Area is currently unimproved land that is generating minimal real estate taxes. Without development, the taxes generated by the Study Area will continue to lag other parts of the City that are being developed.

The Study Area is located in an attractive location with good visibility along State Avenue, and in close proximity to a high concentration of commercial development.

The Study Area consists of underutilized property and has not been subject to acceptable growth and development through private enterprise. The existence of the aforementioned blighting factors clearly indicates that the Study Area is economically obsolete in its present condition and use, and it is highly unlikely that the Study Area will be redeveloped without assistance.

The lack of adequate tax revenue results from the underutilization of the Study Area due to a combination of defective and inadequate street layout, unsanitary and unsafe conditions, improper subdivision and obsolete platting, and conditions which endanger life or property by fire or other causes, and as a result of the presence of these factors therein, the Study Area is economically obsolete in its present condition and use.
CONCLUSION

Of the nine criteria laid out in the TIF statute, five have been met in the Analysis:

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<th>Blight Analysis Factors Chart</th>
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<td>Factor</td>
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1. Are there a majority of blighting factors present, and if so, does their presence in the Study Area substantially impair or arrest the development growth of the municipality in its present condition and use?

Five of the nine possible factors contributing to blight were found in the Study Area, resulting in conditions that impair and arrest development and growth of the municipality.

2. Are there a majority of the blighting factors present, and if so, does their presence in the Study Area constitute an economic or social liability in its present condition and use?

With respect to the majority of blighting factors that are present within the Study Area, the defective and inadequate street layout, improper subdivision and obsolete platting, and changes in elevation and difficulty of the terrain, significantly inhibit redevelopment.

3. Are there a majority of the blighting factors present and if so, is their presence in the Study Area a menace to public health, safety, morals or welfare in its’ present condition and use?

As mentioned above, five of the nine blighting factors are present within the Study Area. The lack of infrastructure, changes in
elevation, and other grade impediments, greatly increases the risk of harm, including falls and other life-threatening accidents, and the lack of security and presence of trash and other discharged items suggests past nuisance and invites future trespass and illicit activities. These facts, when coupled with the economic obsolescence of the Study Area in its current state, constitute a menace to public health, safety, morals and welfare.

Therefore, Polsinelli has determined that, as of October 3, 2016, the Study Area is a “blighted area” according to the definition provided in KSA 12-1770a.