

1 (Published in the Topeka Metro News April 10, 2023)

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3 **RESOLUTION NO. 9398**

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5 A RESOLUTION introduced by City Manager Stephen Wade making certain findings
6 pursuant to the Kansas Rural Housing Incentive District Act with
7 regard to an application submitted by A & P Property Management
8 LLC to establish a Rural Housing Incentive District and requesting that
9 the Secretary of Commerce review the Resolution and advise the
10 Governing Body

11
12 WHEREAS, K.S.A. 12-5241 et seq. (“the Act”) authorizes the City of Topeka (“City”)
13 to establish a Rural Housing Incentive District (“RHID”), the first step of which is to conduct
14 a housing needs analysis to determine what housing needs exist within the community; and

15 WHEREAS, after conducting such analysis, the Governing Body may adopt a
16 resolution making certain findings regarding the establishment of a RHID and providing the
17 legal description of the proposed RHID and a map depicting the existing parcels in the
18 proposed RHID; and

19 WHEREAS, after publishing such resolution, the Governing Body shall send a copy
20 to the Secretary of Commerce (“Secretary”) requesting that the Secretary review the
21 resolution and advise the Governing Body whether the Secretary concurs with the findings;
22 and

23 WHEREAS, the City has performed a housing needs analysis (“the Analysis”); and

24 WHEREAS, based upon the Analysis, the Governing Body proposes to commence
25 proceedings necessary to create the Eastgate Subdivision No. 4 RHID, in accordance with
26 the Act.

27 NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
28 CITY OF TOPEKA, KANSAS, that:

29 Section 1. The Governing Body adopts and incorporates by reference the

30 Analysis, a copy of which is on file in the office of the City Clerk and accessible on the
31 City's website <https://www.topeka.org/finance/rhid> and based on a review of the
32 Analysis makes the following findings and determinations.

33 Section 2. The Governing Body finds that there is a shortage of quality housing of
34 various price ranges in the City despite the best efforts of public and private housing
35 developers.

36 Section 3. The Governing Body finds that this shortage of quality housing can be
37 expected to persist and that additional financial incentives are necessary in order to
38 encourage the private sector to construct or renovate housing in the City.

39 Section 4. The Governing Body finds that the shortage of quality housing is a
40 substantial deterrent to the future economic growth and development of the City.

41 Section 5. The Governing Body finds that the future economic well-being of the City
42 depends on the Governing Body providing additional incentives for the construction or
43 renovation of quality housing in the City.

44 Section 6. Based upon the findings and determinations contained herein, the
45 Governing Body proposes to establish an RHID pursuant to the Act, within the boundaries
46 of the real estate legally described in Exhibit A, attached hereto and incorporated by
47 reference, and as shown on the map depicting the existing parcels of land attached hereto
48 and incorporated by reference as Exhibit B.

49 Section 7. The City Clerk is directed to publish this resolution one time in the
50 Topeka Metro News and to send a certified copy of this resolution to the Secretary for the
51 latter's review and concurrence with the findings herein.

Section 8. This resolution shall take effect after its adoption and publication once in

the Topeka Metro News.

52 ADOPTED and APPROVED by the Governing Body on April 4, 2023.

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CITY OF TOPEKA, KANSAS

Michael A. Padilla, Mayor

ATTEST:

Brenda Younger, City Clerk

EXHIBIT A
(Legal Description)

I. LEGAL DESCRIPTION OF DISTRICT AND EXISTING PARCELS

A replat of Lots 1, 5, and 6, block "F", part of Lot 2, block "G", part of Lot 25, block "E", Eastgate Subdivision No. 2, and part of vacated East Seventh Street, and vacated Hackberry Drive; all as further described:

Beginning at the S.E. corner of the W. 1/2 of the N.E. 1/4 of section 3-12-16; thence S 88°39'03" W, 390.37 feet along the South line of said 1/4 section; thence N 00°00'00" E, 309.86 feet along the East lines of Lots 2, 3, and 4, block "F", Eastgate Subdivision No. 2, to a point on the centerline of Hackberry Drive; thence N 90°00'00" E, 135.00 feet along said centerline; thence 157.08 feet northeasterly along said centerline around a curve to the left having a radius of 100.00 feet and a central angle of 90°00'00"; thence N 00°00'00" E, 100.00 feet along said centerline; thence 157.08 feet northwesterly along said centerline around a curve to the left having a radius of 100.00 feet and a central angle of 90°00'00"; thence N 90° W, 130.00 feet along said centerline; thence N 0° E, 150.00 feet to the N.E. corner of Lot 24, block "E"; thence N 90°00'00" W, 120.00 feet to the S.E. corner of Lot 21; thence N 00°00'00" E, 992.49 feet to the N.E. corner of Lot 5; thence N 60°00'00" W, 115.02 feet along the N.E. lines of Lots 5 and 4 to a point; thence N 90°00'00" W, 96.63 feet along the North line of Lot 4; thence N 15°08'04" E, 124.31 feet to a point on the South right-of-way line of East Seventh Street; thence N 00°00'00" E, 30.00 feet to the centerline of said street; thence N 90°00'00" E, 15.83 feet along said centerline; thence 99.43 feet southeasterly along said centerline around a curve to the right having a radius of 379.79 feet and a central angle of 15°00'00"; thence S 75°00'00" E, 73.87 feet along said centerline; thence 77.48 feet easterly along said centerline around a curve to the left having a radius of 379.79 feet and a central angle of 11°41'20"; thence N 03°18'40" E, 30.00 feet to a point on the North right-of-way of said street; thence N 00°00'00" E, 121.91 feet to the North line of Eastgate Subdivision No. 2; thence N 88°39'06" E, 399.70 feet to a point on the East line of the W. 1/2 of the N.E. 1/4 of section 3-12-16; thence S 00°09'46" E, 2067.58 feet along the said East line to the point of beginning.

Said project area plan is laid out in the attached final plat.

