

(Published in the Topeka Metro News August 14, 2023)

**RESOLUTION NO. 9444**

A RESOLUTION introduced by Interim City Manager Richard U. Nienstedt providing notice that the City is considering establishing a Reinvestment Housing Incentive District (“RHID”) for the Eastgate Subdivision No. 4 and adopting a plan for the development of housing and public facilities in the proposed RHID; and establishing the date and time of a public hearing.

WHEREAS, on April 28, 2023, the Kansas Secretary of Commerce determined that the findings by the Governing Body articulated in Resolution No. 9398 meet the requirements of K.S.A. 12-5244(c) and that the Governing Body may proceed with establishing the RHID; and

WHEREAS, the City has reviewed a plan for the development of housing and public facilities in the proposed RHID in accordance with the provisions of the Kansas Reinvestment Housing Incentive District Act, K.S.A. 12-5241 *et seq.*

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

Section 1. Establishment of the Eastgate Subdivision No. 4 RHID. Pursuant to K.S.A. 12-5245(a), the proposed RHID will be established within the boundaries of the real estate legally described and attached in Exhibit A. A map depicting the existing parcels of real estate in the proposed RHID is attached as Exhibit B. A list of the existing assessed valuation of the real estate in the proposed RHID and the names and addresses of the owners of record of all the real estate parcels within the proposed RHID is attached as Exhibit C.

Section 2. Proposed Plan (“Plan”). The Governing Body further declares its intent to adopt the Plan in substantially the form that is filed in the office of the City Clerk and available for public inspection during normal business hours. A description of the housing

31 and public facilities project proposed to be constructed is attached as Exhibit D. A  
32 summary of the contractual assurances by the developer and the comprehensive feasibility  
33 analysis are attached as Exhibit E.

34 Section 3. Funding Agreement. Pursuant to the RHID Policy adopted in Resolution  
35 No. 9379, the Governing Body has considered the funding agreement that requires the  
36 developer to reimburse the City for the costs in analyzing and effecting the RHID's  
37 creation.

38 Section 4. Public Hearing. Notice is hereby given that a public hearing will be held  
39 to consider the establishment of the Eastgate Subdivision No. 4 RHID and adoption of the  
40 Plan. The hearing will take place in the City Council Chambers, 214 SE 8<sup>th</sup> St., Topeka,  
41 Kansas, at 6:00 p.m. on August 22, 2023. Members of the public are invited to review the  
42 Plan and comment at the public hearing. At the conclusion of the public hearing, the  
43 Governing Body may establish the RHID and adopt the Plan.

44 Section 5. Publication; Notification to Entities. The City Clerk is directed to publish  
45 this resolution, including the exhibits, one time in the Topeka Metro News not less than one  
46 week or more than two weeks preceding the date of the public hearing. The City Clerk is  
47 also directed to deliver a certified copy of this resolution to: (a) the City Planning  
48 Commission; (b) the Board of Education of USD 450/Shawnee Heights; and (c) the Board  
49 of Commissioners for Shawnee County.

50 Section 6. Effective Date. This resolution shall take effect after its adoption by the  
51 Governing Body.

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53 ADOPTED and APPROVED by the Governing Body on July 18, 2023.

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CITY OF TOPEKA, KANSAS

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Michael A. Padilla, Mayor

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61 ATTEST:

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66 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.



## EXHIBIT C

### (Parcels of Eastgate Subdivision No. 4)

#### PARCELS OF EASTGATE SUBDIVISION NO. 4

Parcel ID	Block	Lot	SC Assessed Value	Class	Improvements	Owner Name	Owner Address
1320301001059000	B	9	\$ 430.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001060000	B	10	\$ 430.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001061000	B	11	\$ 430.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001062000	B	12	\$ 430.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001063000	B	13	\$ 410.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001064000	B	14	\$ 420.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001065000	B	15	\$ 390.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001066000	B	16	\$ 370.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001067000	B	17	\$ 4,090.00	Residential		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001068000	B	18	\$ 3,960.00	Residential		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001069000	B	19	\$ 3,670.00	Residential		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001070000	B	20	\$ 1,420.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001072000	B	22	\$ 1,210.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001078000	B	25	\$ 350.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001079000	B	26	\$ 340.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301001080000	B	27	\$ 360.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301003058000	A	20	\$ 480.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301003059000	A	19	\$ 350.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301003060000	A	18	\$ 320.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301003061000	A	17	\$ 410.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301003062000	A	16	\$ 340.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301003063000	A	15	\$ 310.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301003064000	A	14	\$ 340.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301003065000	A	13	\$ 410.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301003066000	A	12	\$ 320.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301003067000	A	11	\$ 350.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610
1320301003068000	A	10	\$ 340.00	Vacant Lots		A & P Property Management LLC	4124 SW Stonybrook 66610

## **EXHIBIT D**

### **(Description of Housing; Public Facilities)**

The developer proposes to construct 46 units of affordable rental housing within 23 duplexes in the Eastgate subdivision over a three year period (2023, 2024, 2025). Public infrastructure will consist of water, street and stormwater.

## **EXHIBIT E**

### **(Contractual Assurances; Feasibility Analysis)**

The Governing Body will enter into a development agreement with the developer. This agreement will include the project construction schedule, a description of the project and the financial obligations of the developer and financial and administrative support from the City.

The City's financial advisor has determined that, pursuant to K.S.A. 12-5245(a)(7) and based upon a review of information provided by the developer, the Plan's benefits and RHID revenue and other available revenues are expected to exceed or be sufficient to pay for the Plan's project costs.