

**RESOLUTION NO. 07-307**

**A RESOLUTION ESTABLISHING SUPPORT OF THE DEVELOPMENT OF AFFORDABLE HOUSING IN THE CITY OF WICHITA, KANSAS.**

**WHEREAS**, the City of Wichita, Kansas has been informed by LDG Development, LLC, that a housing tax credit application will be filed with the Kansas Housing Resources Corporation for the development of affordable rental housing to be located on a site legally described as follows:

Lot 1 and N/2 vac 34<sup>th</sup> St. lying between intersect of Inwood St; thence East to the West line Comotara Power Center 2<sup>nd</sup> Addition, except that part platted as Comotara Power Center Addition, Block 1, Killarney Plaza Second Addition to Wichita, Sedgwick County, Kansas

AND

Lot 2, except that part platted as Comotara Power Center Addition, Block 1, Killarney Plaza Second Addition to Wichita, Sedgwick County, Kansas

AND

Lot 1 and S/2 vac 34<sup>th</sup> St lying between intersect of Inwood St; thence East to West line Comotara Power Center 2<sup>nd</sup> Addition, except that part lying East of line 1100' West of West line of Rock Rd, Block 2, Killarney Plaza Second Addition to Wichita, Sedgwick County, Kansas

Also known as:

Lots 1 and 2, Block 1, Killarney Plaza 2<sup>nd</sup> Addition to Wichita, Sedgwick County, Kansas, and

Lot 1, Block 2, Killarney Plaza 2<sup>nd</sup> Addition to Wichita, Sedgwick county, Kansas, Except that portion of Lot 1 lying East of a line which is 1,100' West of the West line of the Rock Road right-of-way.

**WHEREAS**, this housing development's initial phase will contain a maximum of 260 residential apartments units; and

**WHEREAS**, the future second phase of tax credit housing, if any, will be 50 units or less, limited to senior living residential units and subject to council approval; and

**WHEREAS**, this housing development will be a Class A affordable housing development; and,

**WHEREAS**, the development will have certain architectural features including hip roofs, covered/enclosed unheated stairwells, architectural features on front and rear elevations to create shadows and texture, use of brick and/or stone facade on the front elevation as accent, and use of earth tone colors with two primary colors; and

**WHEREAS**, this resolution establishing support for the aforesaid housing development shall be limited to a total of 208 units to be subsidized through the Low-Income Housing Tax Credit (LIHTC) Program; and

**WHEREAS**, this resolution of support is conditional upon the developer's income targeting proposal of 60% or less of area median income for the Wichita HMFA, applicable to 100% of the LIHTC designated units; and

**WHEREAS**, the developer must obtain approval from the City Council of the City of Wichita in the event that the 60% or less of area median income targeting proposal is altered in any way to provide for a LIHTC rent structure affordable to households of a lesser maximum household income range, at any point in the future; and

**WHEREAS**, this resolution of support is conditioned upon the representation of the developer that the rental rates in the area for market-rate units are estimated to be \$650 for one-bedroom units, \$775 for two-bedroom units, \$1,000 for three-bedroom-den-units, and \$1,000 for four-bedroom units. The developers intend to keep the development competitively equivalent to the afore-mentioned market rates. The market rental rates are used to establish the targeted rental rates for the tax credit housing units for the term for which such tax credits are applicable (Federal 15 year term) or industrial revenue bonds are outstanding on such property (such actual minimum market-rates being the rental rates upon which the assisted rental rates are based at the time of application of the tax credit policy to determine LIHTC rent structure); and

**WHEREAS**, the developer has represented that the property will be well-maintained and of an up-scale nature as generally understood in the community and have the following amenities: Clubhouse with sufficient area that includes a fitness room, business center and a workstation with amenities for a community police officer, swimming pool with patio area, a playground area with equipment, cookout areas with picnic tables, secured entrances/exits, and "in-unit" washer and dryer hook-ups; and

**WHEREAS**, the developer has represented that the property will be constructed and maintained in accordance with the building, landscaping, and zoning codes and the LIHTC Policy design guidelines of the City of Wichita, and will further have such additional berming, 35 foot setback along Inwood, and landscaping requirements as have been recommended by Office of Central Inspection during review by that office and other City department and boards; and

**WHEREAS**, this resolution does not constitute design or plan approval by the City of Wichita. The project design must comply with the City of Wichita's Low Income Housing Tax Credit Policy design requirements. The Metropolitan Area Planning Department and the Office of Central Inspection will be required to submit building plans to the applicable City Council member for further review consistent with this resolution, at the discretion of the applicable City Council member, prior to the issuance of a building permit.

**NOW THEREFORE**, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WICHITA, KANSAS:

That we support and approve the development of the aforesaid housing in our community, subject to city ordinances and the building permit process. This Resolution is effective until May 15, 2008. In the event that any of the representations or characteristics mentioned above should change prior to the issuance of a building permit, this resolution is null and void.

***ADOPTED*** BY THE GOVERNING BODY OF THE CITY OF WICHITA, this 15 day of May 2007.

\_\_\_\_\_  
Carl Brewer, Mayor

ATTEST:

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Karen Sublett, City Clerk

Approved as to Form:

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Gary E. Rebenstorf, City Attorney