

(First Published in the Columbus News Report March 29, 2024)

ORDINANCE NO. 1512

AN ORDINANCE BY THE GOVERNING BODY OF THE CITY OF COLUMBUS, KANSAS, ESTABLISHING A REINVESTMENT HOUSING INCENTIVE DISTRICT (RHID) AND APPROVAL OF THE PROPOSED PLAN FOR 129 EAST MAPLE STREET, COLUMBUS, CHEROKEE COUNTY, KANSAS, FOR THE DEVELOPMENT OF RESIDENTIAL AND COMMERCIAL PROPERTY.

WHEREAS, the City of Columbus, Kansas, has identified housing needs. Data tools documenting housing needs in the city have been compiled in the *Columbus Housing Study and Needs Assessment* and adopted by the Governing Body.

WHEREAS, utilizing the housing study, the City passed Resolution 623 and applied to the Kansas Department of Commerce for approval to establish one or more Reinvestment Housing Incentive Districts. The application was approved by the Secretary of the Kansas Department of Commerce on September 29, 2022. Approval Exhibit 1.

WHEREAS, a development opportunity has been presented by developer, Ryan Imholz, owner of Liberty Theater, LLC, to establish a Reinvestment Incentive Housing District at 129 E. Maple Street, Columbus, Kansas.

WHEREAS a public hearing to present the Liberty Theater, LLC, plan has been conducted on Monday, March 18, 2024, pursuant to State statutory requirements noted in Resolution 656, with requisite publications and information provided, and notices served upon the USD 493 School Board, the Cherokee County Commission, and the Columbus Planning Commission.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COLUMBUS, KANSAS.

SECTION 1: Rural Housing Incentive District

In compliance the Kansas Reinvestment Housing Incentive District Act, K.S.A. 12-5241 *et seq*, a Reinvestment Housing Incentive District shall be established at 129 East Maple Street, Columbus, Cherokee County, Kansas. Legal Description: Original plat CO, Block 15, Lots 19-20. Map Exhibit 2.

SECTION 2: Development Plan

The plan and rendition of a new structure on the property located at 129 East Maple Street, Columbus, Kansas, consisting of an upper floor with residential apartments and a lower floor for commercial business, as presented by developer, Ryan Imholz, owner of Liberty Theater, LLC, shall be approved with the developer's commitment to deliver a minimum of 6

residential apartments with a target date of December, 2024. Renditions Exhibit 3.

SECTION 3: Financial Assurances

Financing factors for the project's construction include the developer's resources; Moderate Income Housing Grant, \$650,000; and Historic Economic Asset Lifeline (HEAL) grant from the Kansas Department of Commerce, \$100,000. Distribution of grant funds shall be based on grantors' monitoring and guidelines applicable to incremental project progress.

SECTION 4: Incremental Property Tax Reimbursement

The developer shall be reimbursed for eligible costs incurred in a "pay as you go" financing structure. Reimbursement is determined by the incremental difference in the real property taxes between the value of the project prior to development and the value of the project after it is completed. The Liberty Theater, LLC, owned by Ryan Imholz, shall be reimbursed one hundred percent (100%) of the incremental increase in real property taxes for twenty-five (25) years, or until actual construction costs for the upper-story residential units have been recouped.

SECTION 5. This ordinance shall take effect and be in force from and after passage and publication in the official city newspaper.

PASSED and APPROVED by the Governing body this 18th day of March 2024.

ATTEST:



Grant Spieth, Mayor of Columbus, Kansas



Ruth Hutley, City Clerk

(SEAL)

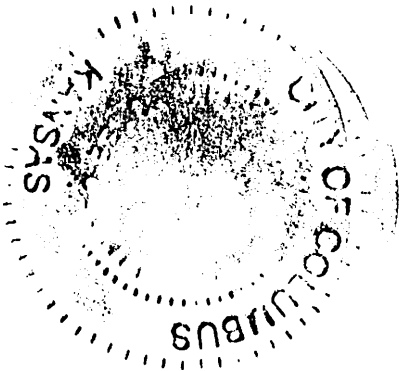


Exhibit 1

Department of Commerce
1000 S.W. Jackson St., Suite 100
Topeka, KS 66612-1354



Phone: (785) 296-3481
Fax: (785) 296-5055
KansasCommerce.gov

David C. Toland, Secretary

Laura Kelly, Governor

September 29, 2022

City of Columbus
Cherri Chancellor
City Clerk
300 Maple St.
Columbus, KS 66725

RE: Request for Approval of Rural Housing Incentive District –
City of Columbus, Resolution 623

Dear Ms. Chancellor:

This will acknowledge receipt of the City of Columbus application dated September 29, 2022 related to participation in the Kansas Rural Housing Incentive District Act. The current application is for assistance with housing infrastructure development for a downtown building in Columbus.

I have reviewed Resolution No. 623 passed by the governing body and submitted to the Kansas Department of Commerce (Commerce) pursuant to the Rural Housing Incentive District Act found at K.S.A. 12-5241 et seq. I have further reviewed the 2021 Housing Needs Analysis (Analysis) prepared by the City and upon which the resolution was based. The process of establishing a Rural Housing Incentive District requires the Analysis to summarize and determine the nature and extent of housing needs within the community. The Analysis must then be adopted by the governing body and is subject to the review and approval of the Secretary of Commerce. The Act sets out four findings and determinations which must be included in the Analysis and adopted by the City.

Based on my review of the original application material and supplemental information provided by the City of Columbus, I hereby agree with and approve the findings set forth in the resolution passed by the City of Columbus to wit:

1. There is a shortage of quality housing, including affordable single family and multi-family apartment units, at various price ranges in the City of Columbus despite the best efforts of public and private housing developers;
2. The shortage of quality housing can be expected to persist and that additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing development in the City of Columbus;
3. The shortage of quality housing is a substantial deterrent to the future economic growth and development of the City of Columbus; and

4. The future economic well-being of the City of Columbus depends on the governing body providing additional incentives for the construction or renovation of quality housing in the City of Columbus.

Commerce believes the Analysis and findings by the governing body of the City of Columbus meet the requirements set forth in K.S.A. 12-5244(a) and this constitutes the approval required by K.S.A. 12-5244(c) for the various Districts as detailed in Resolution No. 623. The application for approval of the findings required for the establishment of the Rural Housing Incentive Districts as set forth in the application is hereby approved. This approval is predicated solely upon the information and data received from the City of Columbus.

If you have any questions regarding this matter, please let me know.

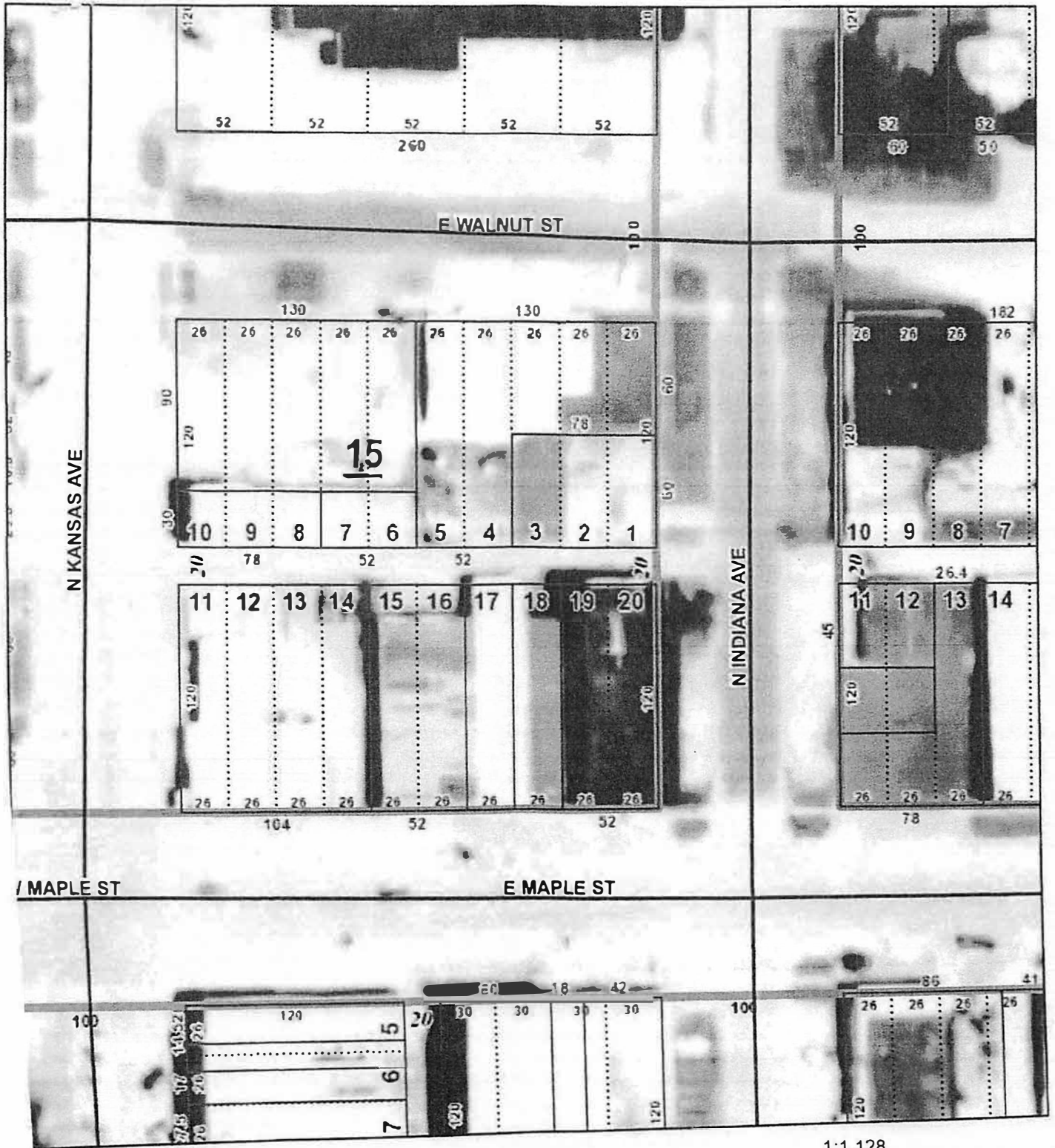
Sincerely,



David C. Toland
Lt. Governor and Secretary

cc: Ryan Vincent (KHRC)
Robert North

EXHIBIT 2 Original Plat CO Blk 15 lots 19-20



11/2022, 11:51:08 PM

3911 2018 Aerial Image (leaf off, 1' pixel)

- Red: Band_1
- Green: Band_2
- Blue: Band_3

City Boundaries

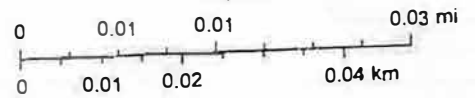
Appraisers Office Land Ownership (Parcels)

Roads

Subdivisions

Lot Lines

1:1,128



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community FSA, USDA

CK User