City Council Chambers
214 SE 8th Street
Topeka, Kansas, 66603
https://www.topeka.org

Governing Body Agenda

November 10, 2026
6:00 PM

PRELIMINARY

Mayor: Spencer L. Duncan

Councilmembers

Karen A. Hiller	District No. 1	Marcus D L Miller	District No. 6
Christina Valdivia-Alcala	District No. 2	Michelle A. Bradberry	District No. 7
Sylvia E. Ortiz	District No. 3	Murray McGee	District No. 8
David Banks	District No. 4	Michelle Hoferer	District No. 9
Brett D. Kell	District No. 5		

Interim City Manager: Michael Webb

Addressing the Governing Body: Public comment for the meeting will be available via Zoom or in-person. Individuals must contact the City Clerk's Office at 785-368-3940 or via email at cclerk@topeka.org by no later than 5:00 p.m. on the date of the meeting, after which the City Clerk's Office will provide Zoom link information and protocols prior to the meeting. View the meeting online at https://www.topeka.org/communications/live-stream/ or at https://www.facebook.com/cityoftopeka/.

Written public comment may also be considered to the extent it is personally submitted at the meeting or to the City Clerk's Office located at 215 SE 7th Street, Room 166, Topeka, Kansas, 66603 or via email at cclerk@topeka.org on or before the date of the meeting for attachment to the meeting minutes.

If you need any accommodations for the meeting, please contact the City ADA Coordinator at 785-368-4470. Kansas Relay Service at 800-766-3777. Please provide a 48 Hour Notice if possible.

Agendas are available by 5:00 p.m. on Thursday in the City Clerk's Office, 215 SE 7th Street, Room 166, Topeka, Kansas, 66603 or on the City's website at https://www.topeka.org.

CALL TO ORDER:

INVOCATION:

PLEDGE OF ALLEGIANCE:

1. ROLL CALL:

2. APPOINTMENTS:

A. Board Appointment - Topeka Planning Commission

BOARD APPOINTMENT recommending the reappointment of Willie Brooks to the Topeka Planning Commission for a term ending November 14, 2029. *(Council District No. 6)*

B. Board Appointment - Topeka Planning Commission

BOARD APPOINTMENT recommending the reappointment of Jennifer Hannon to the Topeka Planning Commission for a term ending November 14, 2029. *(Council District No. 9)*

C. Board Appointment - Topeka Planning Commission

BOARD APPOINTMENT recommending the reappointment of Katy Nelson to the Topeka Planning Commission for a term ending November 14, 2029. *(Council District No. 5)*

3. PRESENTATIONS:

A. City of Topeka ADA Accessibility Transition Plan

4. CONSENT AGENDA:

A. Professional Services Contract - RSC Insurance Brokerage, Inc. and Its Subsidiary Thomas McGee LC for Third-Party Claims Administration Services

APPROVAL of a professional services contract between the City of Topeka and RSC Insurance Brokerage, Inc. and its subsidiary Thomas McGee LC for third-party claims administration services.

(Approval of the professional services contract would allow the consultant to provide third-party claims administration services through December 31, 2027, with the option to renew for four additional one-year terms.)

B. Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - 21st Street and Wanamaker Project No. 841211.06

RESOLUTION introduced by Public Infrastructure Committee recommending approval of Project No. 841211.06 for street improvements to 21st Street and Wanamaker. *(Public Infrastructure Committee recommended approval on October 20, 2026 3-0-0.)*

(Approval for street improvements to 21st Street and Wanamaker with a project budget of $1,400,000.)

C. **Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - 2027 Pavement Preservation Microsurface Project No. 841117.01**

RESOLUTION introduced by Public Infrastructure Committee recommending approval of Project No. 841117.01 for the 2027 Pavement Preservation Microsurfacing Program. *(Public Infrastructure Committee recommended approval on October 20, 2026 3-0-0.)*

(Approval for the 2027 Preventative Maintenance Microsurfacing project with a total budget of $2,000,000.)

D. **Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - 2027 Pavement Preservation UBAS Project No. 841117.02**

RESOLUTION introduced by Public Infrastructure Committee recommending approval of Project Nos. 841117.02, 841106.02 and 841211.01 for the 2027 Pavement Preservation UBAS Program. *(Public Infrastructure Committee recommended approval on October 20, 2026 3-0-0.)*

(Approval for the project including the 2027 Preventative Maintenance UBAS Program totaling $3,700,000.)

E. **Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - 10th, Lafayette-Indiana Project No. 291133.01**

RESOLUTION introduced by the Public Infrastructure Committee recommending approval of Project No. 291133.01 for sanitary sewer replacement and rehabilitation on 10th Avenue from Lafayette to Indiana. *(Public Infrastructure Committee recommended approval on October 20, 2026 3-0-0.)*

(Approval of a total project budget in the amount of $1,223,514 for sanitary sewer replacement and rehabilitation on 10th Avenue from Lafayette to Indiana.)

F. **Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - Shunga - Oak Creek - Project Nos. 501103.02 and 501104.01**

RESOLUTION introduced by the Public Infrastructure Committee recommending approval of Project Nos. 501103.02 and 501104.01 for the reconstruction of creek bank along the Shunga - Oak Creek. *(Public Infrastructure Committee recommended approval on October 20, 2026 3-0-0.)*

(Approval of a total project budget in the amount of $300,000 for the reconstruction of creek bank along the Shunga - Oak Creek.)

G. **Ordinance - Traffic Disruption Permits, ROW Excavation**

ORDINANCE introduced by Interim City Manager Michael Webb, concerning traffic disruption permits for right-of-way excavation, amending sections 12.30.020, 12.30.080, 12.30.290 and 12.45.080 of the Topeka Municipal Code and repealing original section. *(Public Infrastructure Committee recommended approval on October 20, 2026 3-0-0.)*

(Approval for the Right-of-Way (ROW) Construction Permit.)

H. **MINUTES of the regular meeting of October 20, 2026.**

I. **APPLICATIONS:**

5. **ACTION ITEMS:**

A. **Resolution - Ardmore Development Group, LLC - Ardmore Walk Addition No. 1 Reinvestment**

Housing Incentive District (RHID)

RESOLUTION introduced by Interim City Manager Michael Webb making certain findings pursuant to the Kansas Reinvestment Housing Incentive District (RHID) Act with regard to an application submitted by Ardmore Development Group, LLC to establish a Reinvestment Housing Incentive District and requesting that the Secretary of Commerce review the resolution and advise the Governing Body.

Voting Requirement: Action requires at least six (votes) of the Governing Body.

(Approval would authorize staff to submit the Ardmore Walk Addition No. 1 RHID application to the Secretary of Commerce for review.)

B. Discussion with Possible Action - Duplexes, Triplexes, and Quadplexes in 'R' Residential Districts (ACZR25/02)

DISCUSSION with POSSIBLE ACTION of an ORDINANCE introduced by Interim City Manager Michael Webb, concerning duplexes, triplexes and quadplexes, amending sections 18.60.010 and 18.215.030 of the Topeka Municipal Code and repealing original sections. *(ACZR25/02)*

Voting Requirement: Action requires at least six (6) votes of the Governing Body.

(Approval will change the zoning code so that duplexes, triplexes, and quadplexes may be allowed by conditional use permit in "R" Single Family Dwelling zoning districts subject to new conditional use permit guidelines.)

6. PUBLIC COMMENT: Public comment for the meeting will be available via Zoom or in-person. Individuals must contact the City Clerk's Office at 785-368-3940 or via email at cclerk@topeka.org by no later than 5:00 p.m. on the date of the meeting, after which the City Clerk's Office will provide Zoom link information and protocols prior to the meeting. Written public comment may also be considered to the extent it is personally submitted at the meeting or to the City Clerk's Office located at 215 SE 7th Street, Room 166, Topeka, Kansas, 66603 or via email at cclerk@topeka.org on or before the date of the meeting for attachment to the meeting minutes. View the meeting online at https://www.topeka.org/communications/live-stream/ or at https://www.facebook.com/cityoftopeka/.

A. Public Comment Protocol

7. ANNOUNCEMENTS:

8. EXECUTIVE SESSION:
(Executive sessions will be scheduled as needed and may include topics such as personnel matters, considerations of acquisition of property for public purposes, potential or pending litigation in which the city has an interest, employer-employee negotiations and any other matter provided for in K.S.A. 75-4319.)

9. ADJOURNMENT:

City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
November 10, 2026

DATE:	**November 10, 2026**	
CONTACT PERSON:	**Jane Murray, Sr. Executive Assistant to the Mayor**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Topeka Planning Commission**	**PROJECT #:**
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the reappointment of Willie Brooks to the Topeka Planning Commission for a term ending November 14, 2029. *(Council District No. 6)*

VOTING REQUIREMENTS:

At least five (5) votes of the City Council is required. Mayor does not vote.

POLICY ISSUE:

As a primary function, the Topeka planning commission shall have the responsibility for the adoption and recommendation to the city council of the comprehensive metropolitan plan to guide the orderly growth and harmonious development of the Topeka metropolitan area. The comprehensive metropolitan plan shall consist of, but not be limited to, the elements described in TMC 18.05.020. The Topeka planning commission shall recommend appropriate legislative, administrative or budgetary actions necessary for the governing body to implement the comprehensive metropolitan plan on or before May 1st of each year.

STAFF RECOMMENDATION:

Councilmember Miller nominates and Mayor Duncan recommends the appointment of Willie Brooks for a term ending November 14, 2029. Mr. Brooks meets the residency requirement.

BACKGROUND:

This is a nine-member board, created by the City. Council members nominate and the Mayor appoints. The governing ordinance, 18442, specifically states that at least six, but not more than seven shall reside within the corporate boundaries of the city. At least two, but not more than three shall reside outside the city boundaries, but within the city's 3-Mile Extraterritorial Jurisdiction. At least six shall be appointed from the private sector; at least three from the private sector shall be currently licensed or engaged or have substantial past experience

in the following fields: licensed professional engineer; licensed landscape architect; licensed architect; certified planner; registered land surveyor; licensed contractor; developer or other experienced professional working in a filed related to planning or land development.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable.

ATTACHMENTS:

W. Brooks - Application

City of Topeka Boards and Commissions Application

Submitted on	24 August 2026, 10:30AM
Receipt number	461
Related form version	10

Profile

First Name	Willie
Last Name	Brooks
Email Address	WillieBrooks@kbsci.com
Street Address	1529 Sw Jewell Ave
Suite or Apt	
City	Topeka
State	Kansas
Zip	66604
Are you a resident of the City of Topeka?	Yes
What district do you live in?	District 6
Primary Phone	785-249-2424
Alternate Phone	
Employer	KBS Constructors
Job Title	Preconstruction Services Manager
Which Board would you like to apply for?	Topeka Planning Commission
Are you a registered voter?	Yes

Are you currently a full or part-time employee of the City of Topeka?	No
Which department do you work for?	
Are you or any immediate family member related to any city governmental official or employee?	No
Who are you related to and how are you related?	
Are you or have you been a party to any civil litigation involving the City of Topeka?	No
Please explain the litigation and your role in it:	
Are you delinquent in payment of any taxes, fees, fines, or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka?	No
Please explain your delinquent payment situation.	
Please state why you are interested in serving on this board or commission:	I am already on the planning commission, and would like to continue to serve for a second term.

Interests & Experiences

Please describe your education, experience, and expertise including any honors, awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking.	I am already on the planning commission.
List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)	None
Do you have any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest should you be appointed to the board or commission you are applying for?	No
Please describe/disclose what the potential conflict(s) of interest are should you be appointed to the board or commission you are applying for.	
****Please upload a resume or any additional information you believe may be helpful in considering your application.**	Willie Brooks Resume - 082426.pdf

Voluntary Self Identification

Ethnicity	Caucasian/Non-Hispanic
Gender	Male

Acknowledgements and Verification

Purpose of Information being submitted.	I Agree
The information I am submitting is true and correct.	I Agree
Your electronic signature	 Link to signature
Alternative electronic signature	
Notification to applicants for City Board/Commissions	Please be advised that your application and any documents that you attach are public records and, as such, are available to the public, upon request, pursuant to the Kansas Open Records Act. If you are appointed to the position, your application and resume will be included in the governing body meeting agenda which is posted online.

City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
November 10, 2026

DATE:	**November 10, 2026**	
CONTACT PERSON:	**Jane Murray, Sr. Executive Assistant to the Mayor**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Topeka Planning Commission**	**PROJECT #:**
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the reappointment of Jennifer Hannon to the Topeka Planning Commission for a term ending November 14, 2029. *(Council District No. 9)*

VOTING REQUIREMENTS:

At least five (5) votes of the City Council is required. Mayor does not vote.

POLICY ISSUE:

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STAFF RECOMMENDATION:

Councilmember Hoferer nominates and Mayor Duncan recommends the reappointment of Jennifer Hannon for a term ending November 14, 2029. Ms. Hannon meets the residency requirement.

BACKGROUND:

This is a nine-member board, created by the City. Council members nominate and the Mayor appoints. The governing ordinance, 18442, specifically states that at least six, but not more than seven shall reside within the corporate boundaries of the city. At least two, but not more than three shall reside outside the city boundaries, but within the city's 3-Mile Extraterritorial Jurisdiction. At least six shall be appointed from the private sector; at least three from the private sector shall be currently licensed or engaged or have substantial past experience

in the following fields: licensed professional engineer; licensed landscape architect; licensed architect; certified planner; registered land surveyor; licensed contractor; developer or other experienced professional working in a filed related to planning or land development.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable.

ATTACHMENTS:

J. Hannon - Application

City of Topeka Boards and Commissions Application

Submitted on	2 September 2026, 12:53PM
Receipt number	463
Related form version	10

Profile

First Name	Jennifer
Last Name	Hannon
Email Address	jendhannon@gmail.com
Street Address	4817 SW West Hills Dr
Suite or Apt	
City	Topeka
State	Kansas
Zip	66606
Are you a resident of the City of Topeka?	Yes
What district do you live in?	District 9
Primary Phone	6189804579
Alternate Phone	
Employer	HTK Architect
Job Title	Director/Architect
Which Board would you like to apply for?	Topeka Planning Commission
Are you a registered voter?	Yes

Are you currently a full or part-time employee of the City of Topeka?	No
Which department do you work for?	
Are you or any immediate family member related to any city governmental official or employee?	No
Who are you related to and how are you related?	
Are you or have you been a party to any civil litigation involving the City of Topeka?	No
Please explain the litigation and your role in it:	
Are you delinquent in payment of any taxes, fees, fines, or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka?	No
Please explain your delinquent payment situation.	
Please state why you are interested in serving on this board or commission:	I have served on the commission for the last several years and I would like to continue my service. I believe my work as an architect provides valuable knowledge to help evaluate cases brought before the commission.

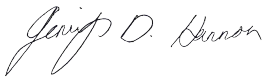
Interests & Experiences

Please describe your education, experience, and expertise including any honors, awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking.	I have a Master of Architecture degree from Kansas State University and I have been a licensed architect since 2016. I previously served on the AIA Topeka board as secretary, vice president, and president.
List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)	I have an architectural license in the State of Kansas. The license number is 6783.
Do you have any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest should you be appointed to the board or commission you are applying for?	No
Please describe/disclose what the potential conflict(s) of interest are should you be appointed to the board or commission you are applying for.	
****Please upload a resume or any additional information you believe may be helpful in considering your application.**	Jennifer Hannon Resume.pdf

Voluntary Self Identification

Ethnicity	Caucasian/Non-Hispanic
Gender	Female

Acknowledgements and Verification

Purpose of Information being submitted.	I Agree
The information I am submitting is true and correct.	I Agree
Your electronic signature	 Uploaded signature image: s0b.png
Alternative electronic signature	
Notification to applicants for City Board/Commissions	Please be advised that your application and any documents that you attach are public records and, as such, are available to the public, upon request, pursuant to the Kansas Open Records Act. If you are appointed to the position, your application and resume will be included in the governing body meeting agenda which is posted online.

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November 10, 2026

DATE:	**November 10, 2026**	
CONTACT PERSON:	**Jane Murray, Sr. Executive Assistant to the Mayor**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Topeka Planning Commission**	**PROJECT #:**
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

BOARD APPOINTMENT recommending the reappointment of Katy Nelson to the Topeka Planning Commission for a term ending November 14, 2029. *(Council District No. 5)*

VOTING REQUIREMENTS:

At least five (5) votes of the City Council is required. Mayor does not vote.

POLICY ISSUE:

As a primary function, the Topeka planning commission shall have the responsibility for the adoption and recommendation to the city council of the comprehensive metropolitan plan to guide the orderly growth and harmonious development of the Topeka metropolitan area. The comprehensive metropolitan plan shall consist of, but not be limited to, the elements described in TMC 18.05.020. The Topeka planning commission shall recommend appropriate legislative, administrative or budgetary actions necessary for the governing body to implement the comprehensive metropolitan plan on or before May 1st of each year.

STAFF RECOMMENDATION:

Councilmember Kell nominates and Mayor Duncan recommends the reappointment of Katy Nelson for a term ending November 14, 2029. Ms. Nelson meets the residency requirement.

BACKGROUND:

This is a nine-member board, created by the City. Council members nominate and the Mayor appoints. The governing ordinance, 18442, specifically states that at least six, but not more than seven shall reside within the corporate boundaries of the city. At least two, but not more than three shall reside outside the city boundaries, but within the city's 3-Mile Extraterritorial Jurisdiction. At least six shall be appointed from the private sector; at least three from the private sector shall be currently licensed or engaged or have substantial past experience

in the following fields: licensed professional engineer; licensed landscape architect; licensed architect; certified planner; registered land surveyor; licensed contractor; developer or other experienced professional working in a filed related to planning or land development.

BUDGETARY IMPACT:

There is no budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable.

ATTACHMENTS:

K. Nelson - Application

City of Topeka Boards and Commissions Application

Submitted on	28 September 2026, 5:41PM
Receipt number	475
Related form version	10

Profile

First Name	Katy
Last Name	Nelson
Email Address	katy.nelson@buildingtopeka.org
Street Address	2876 SW Plass Ave
Suite or Apt	
City	Topeka
State	Kansas
Zip	66611
Are you a resident of the City of Topeka?	Yes
What district do you live in?	District 5
Primary Phone	7858454444
Alternate Phone	
Employer	Topeka Area Building Association
Job Title	CEO
Which Board would you like to apply for?	Topeka Planning Commission
Are you a registered voter?	Yes

Are you currently a full or part-time employee of the City of Topeka?	No
Which department do you work for?	
Are you or any immediate family member related to any city governmental official or employee?	No
Who are you related to and how are you related?	
Are you or have you been a party to any civil litigation involving the City of Topeka?	No
Please explain the litigation and your role in it:	
Are you delinquent in payment of any taxes, fees, fines, or special assessments owed to the State of Kansas, Shawnee County or the City of Topeka?	No
Please explain your delinquent payment situation.	
Please state why you are interested in serving on this board or commission:	I want to continue to make Topeka a better place and see growth in our town.

Interests & Experiences

Please describe your education, experience, and expertise including any honors, awards, civic, cultural, charitable or professional organization memberships that relate to the position you are seeking.	I work in the building industry and have done so for the past 9 years. I was an insurance agent before that so economic growth is very important to me. I have access to many classes and or information regarding anything construction for our area and the country. I can be a wealth of information.
List any professional licenses you hold in Kansas and advise if they are current. (We reserve the right to request a copy of your license prior to approval of your appointment.)	N/A
Do you have any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest should you be appointed to the board or commission you are applying for?	No
Please describe/disclose what the potential conflict(s) of interest are should you be appointed to the board or commission you are applying for.	
****Please upload a resume or any additional information you believe may be helpful in considering your application.**	KNelson Resume.docx

Voluntary Self Identification

Ethnicity	Caucasian/Non-Hispanic
Gender	Female

Acknowledgements and Verification

Purpose of Information being submitted.	I Agree
The information I am submitting is true and correct.	I Agree
Your electronic signature	 Link to signature
Alternative electronic signature	Katy Nelson
Notification to applicants for City Board/Commissions	Please be advised that your application and any documents that you attach are public records and, as such, are available to the public, upon request, pursuant to the Kansas Open Records Act. If you are appointed to the position, your application and resume will be included in the governing body meeting agenda which is posted online.

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www.topeka.org
November 10, 2026

DATE:	**November 10, 2026**	
CONTACT PERSON:	**Jason Tryon, Public Works Director**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Presentation - City of Topeka ADA Accessibility Transition Plan**	**PROJECT #:**
CIP PROJECT:		
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

VOTING REQUIREMENTS:

Presentation only. No action required by the Governing Body.

POLICY ISSUE:

STAFF RECOMMENDATION:

Presentation only. No action required by the Governing Body.

BACKGROUND:

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

Presentation - ADA Accessibility Transition Plan (November 10, 2026)

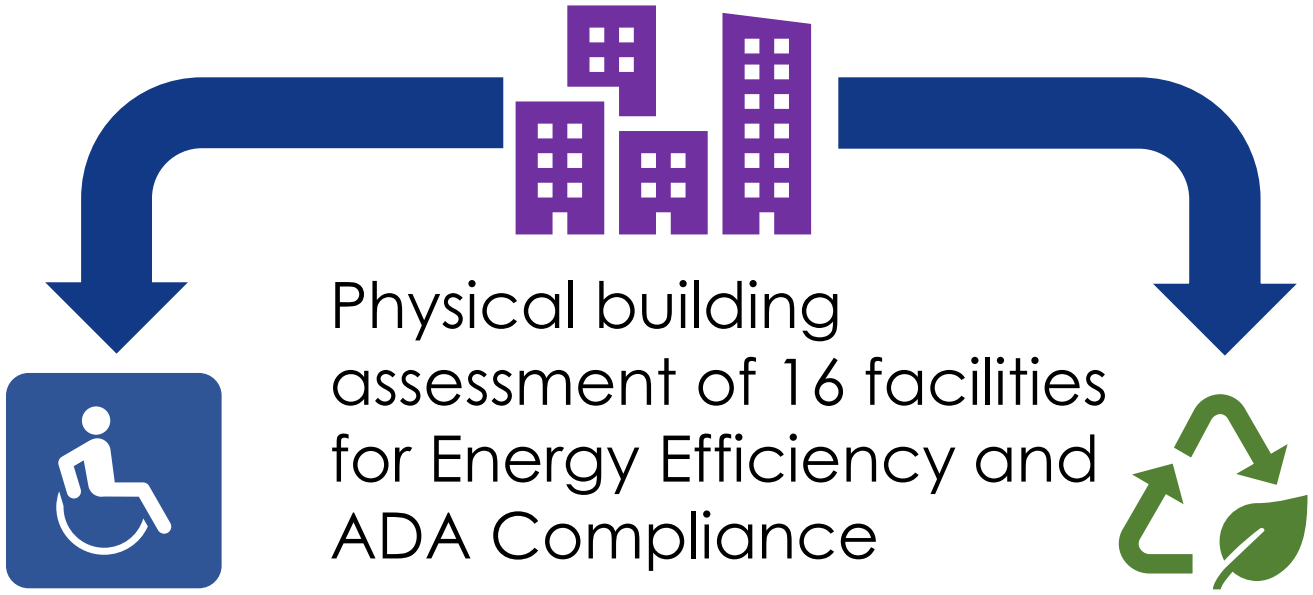
CITY OF TOPEKA

City of Topeka ADA Accessibility Transition Plan

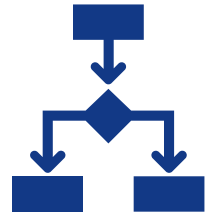
11/10/2026

ADA Accessibility Transition Plan

$153,023 Grant from Kansas Department of Health and Environment



Physical building assessment of 16 facilities for Energy Efficiency and ADA Compliance

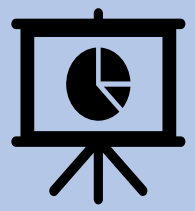


Program review of written policies and procedures

Program and Procedure Review

- General Community Services
- Personnel Policies and Procedures
- Position Descriptions
- Website Accessibility
- General Communications Procedures
- Grievance Procedures
- Emergency Management

Process Improvement Recommendations



Written procedures needed to ensure accessibility at special events



Upgraded communication regarding who to contact for accessibility concerns



Written policies and procedures needed for visual and hearing impaired



Written procedures needed to ensure emergency services are available

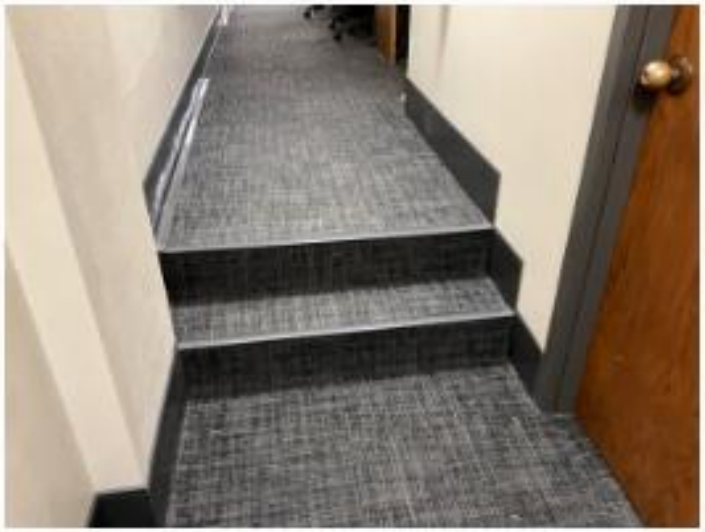
Facility Barrier Example

City Hall INTERIOR

Assembly	Interior Access Route
Type	Stairs
ADA Standard	505
Barrier Detail	Handrails are not provided.
Location Description	Courtroom - 2nd Floor
Observed	Dec 14, 2025 by Julie.Baskervillekyllo@bureauveritas.com
Site Conditions	Handrails are not provided at the 3 stairs.
Length	12'







Resolution

Install handrails on both sides of all stairs that comply with guidelines. Handrails shall be provided on both sides of stairs. Handrails shall be continuous within the full length of each stair flight or ramp run. Inside handrails on switchback or dogleg stairs and ramps shall be continuous between flights or runs. Top of gripping surfaces of handrails shall be 34" minimum and 38" maximum vertically above walking surfaces, stair nosings, and ramp surfaces. If children are primary users, is there a second set of handrails with minimum 9" between lower and higher rail and is the lower rail 28" maximum from the ramp surface. Handrails shall be at a consistent height above walking surfaces, stair nosings, and ramp surfaces. Clearance between handrail gripping surfaces and adjacent surfaces shall be 1-1/2" minimum. Handrail gripping surfaces shall be continuous along their length and shall not be obstructed along their tops or sides. The bottoms of handrail gripping surfaces shall not be obstructed by newel posts, other construction elements, or obstructions for more than 20% of their length. Where provided, horizontal projections shall occur 1-1/2" minimum below the bottom of the handrail gripping surface. [EXCEPTIONS: 1. Where handrails are provided along walking surfaces with slopes not steeper than 1:20, the bottoms of handrail gripping surfaces shall be permitted to be obstructed along their entire length where they are integral to crash rails or bumper guards. 2. The distance between horizontal projections and the bottom of the gripping surface shall be permitted to be reduced by 1/8" for each 1/2" of additional handrail perimeter dimension that exceeds 4".] Handrail gripping surfaces with a circular cross section shall have an outside diameter of 1-1/4" minimum and 2" maximum. Handrail gripping surfaces with a non-circular cross section shall have a perimeter dimension of 4" minimum and 6-1/4" maximum, and a cross-section dimension of 2-1/4" maximum. Handrail gripping surfaces and any surfaces adjacent to them shall be free of sharp or abrasive elements and shall have rounded edges. Handrails shall not rotate within their fittings. Handrail gripping surfaces shall extend beyond and in the same direction of stair flights and ramp runs. [EXCEPTIONS: 1. Extensions shall not be required for continuous handrails at the inside turn of switchback or dogleg stairs and ramps AND 3. In alterations, full extensions of handrails shall not be required where such extensions would be hazardous due to plan configuration.]

Quantity

12 LF

Priority 1

ADA Accessibility Transition Plan Recommendations

- Facility Upgrade recommendations were provided for each building
  - Items range from adjusting door closures to adding elevators or altering slopes of parking areas/entrances
  - Facilities staff has been correcting identified issues where feasible
  - Items requiring capital projects are being considered as part of future CIP projects

	Items	Opinion of Probable Cost
City Hall	218	$528,956
Cyrus K. Holliday Building	198	$286,123
Law Enforcement Center	186	$450,324
Fire Administration	58	$116,582
Fire Station # 1	55	$160,724
Fire Station # 2	44	$112,174
Fire Station # 3	38	$225,295
Fire Station # 4	48	$189,720
Fire Station # 5	37	$25,671
Fire Station # 6	40	$414,000
Fire Station # 7	44	$96,414
Fire Station # 8	50	$38,201
Fire Station # 9	36	$160,333
Fire Station # 10	39	$36,770
Fire Station # 11	43	$171,370
Fire Station # 12	52	$60,632
Total	1186	$3,073,289

ADA Accessibility Transition Plan Recommendations

Step 1

Designate ADA Coordinator
to oversee transition plan

Step 2

Evaluate City pedestrian facilities
In the public right-of-way

Step 3

Prioritize high use areas and
Critical pedestrian pathways

Step 4

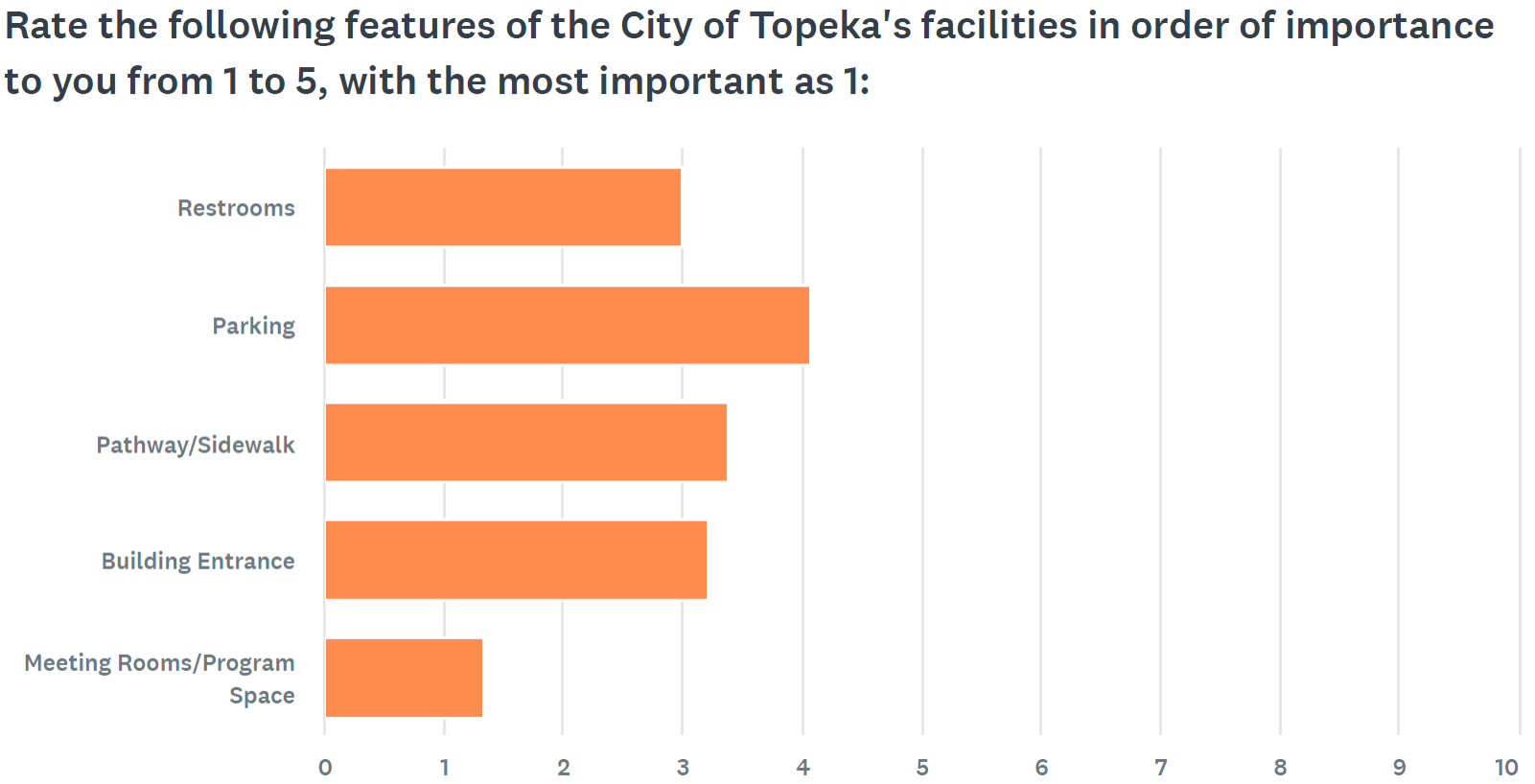
Integrate barrier removal
into ongoing Capital
Improvement Projects

Step 5

Update the ADA
Transition Plan regularly

ADA Survey

- Public input was sought from the general public through a survey available online or in person



ADA Survey Input

Better communication on how to access accommodations

Provide closed captions or tablets during court proceedings

Access to City Hall and TPAC is challenging

Bathrooms do not have adequate space/amenities

Importance of sidewalks in accessing infrastructure

Distance from parking to buildings is challenging

ADA Accessibility Transition Plan

- Transition plan was reviewed by ADA Advisory Committee at November 4th meeting.
  - Comments and concerns were shared with Bureau Veritas for inclusion in final plan document

Questions?

- Questions?

City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
November 10, 2026

DATE:	**November 10, 2026**	
CONTACT PERSON:	**Alicia M. Guerrero-Chavez, Director of Human Resources**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**RSC Insurance Brokerage, Inc. and Its Subsidiary Thomas McGee LC**	**PROJECT #:**
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

APPROVAL of a professional services contract between the City of Topeka and RSC Insurance Brokerage, Inc. and its subsidiary Thomas McGee LC for third-party claims administration services.

(Approval of the professional services contract would allow the consultant to provide third-party claims administration services through December 31, 2027, with the option to renew for four additional one-year terms.)

VOTING REQUIREMENTS:

Action requires at least six (6) votes of the Governing Body.

POLICY ISSUE:

Whether to approve the contract for professional services. Pursuant to Topeka Municipal Code (TMC) 3.30.010, all contracts for professional services that meet or exceed $50,000 require approval by the Governing Body.

STAFF RECOMMENDATION:

Staff recommends the Governing Body approve the contract as part of the Consent Agenda.

BACKGROUND:

On July 21, 2026, the City issued a Request for Proposals (Bid Number 100) seeking qualified third-party administrators to provide comprehensive claims administration services, primarily for workers' compensation claims, with additional services for auto liability and property claims as needed. Services include claims investigation and administration, medical and cost management, regulatory compliance, reporting, and claims

management support.

Proposals were received on August 21, 2026, and evaluated by City staff. Following the evaluation and negotiation process, staff recommend entering into an agreement with RSC Insurance Brokerage, Inc. and its subsidiary Thomas McGee LC to provide the specified professional services.

BUDGETARY IMPACT:

Estimated contract cost of $132,650, including implementation, annual administration fees, and projected claims administration services. Actual expenditures will vary based on claims activity and services utilized. Funding is included in the City's budget.

SOURCE OF FUNDING:

Property Insurance & Claims, and Workers' Compensation Funds

ATTACHMENTS:

Contract - RSC Insurance Brokerage, Inc. and its subsidiary Thomas McGee LC

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CITY OF TOPEKA

CONTRACT NO. _____

This Agreement is entered into on _____, by and between the City of Topeka, Kansas, a municipal corporation (hereinafter referred to as the "City"), and RSC Insurance Brokerage, Inc. and its subsidiary Thomas McGee LC (hereinafter referred to as the "Consultant").

WITNESSETH:

Whereas, on the 21st day of July, 2026, the City of Topeka issued a solicitation for Comprehensive Claims Administration on behalf of the Human Resources Department;

Whereas, Bid Event No. 100, titled Comprehensive Claims Administration, Third Party Administration and Related Services, is attached hereto as ATTACHMENT A;

Whereas, after due consideration of the proposals received, the City has selected and accepted the proposal submitted by Consultant, which is attached hereto as ATTACHMENT B and incorporated herein by reference;

1. PRICE

   The Consultant shall perform all work in accordance with the terms, conditions, and specifications set forth in the proposal and solicitation documents. The contract price is detailed in ATTACHMENT B. The Consultant shall submit monthly invoices for work performed. The City will review and, upon acceptance of work performed, process payment in accordance with the Department of Administrative and Financial Services' procedures.

2. TERM OF AGREEMENT

   This Agreement shall become effective as of the date indicated above and shall remain in effect until December 31, 2027, or until terminated by either party upon one hundred twenty (120) days' written notice. This Agreement may be renewed for four (4) additional one (1) year terms upon mutual written agreement of the parties.

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3. TIME OF ESSENCE

The parties agree that time and punctual performance are material terms of this Agreement. Each party shall fulfill its obligations in accordance with the timelines and deadlines set forth in the proposal and this Agreement.

4. ACCEPTANCE OF CONTRACT

This Agreement shall not be deemed accepted, approved, or effective until all legally required approvals, authorizations, and certifications have been obtained.

5. REPRESENTATIVE AUTHORITY TO CONTRACT

By signing this Agreement, the individual executing it on behalf of the Consultant represents and warrants that they are duly authorized to do so and that the Consultant is bound by the terms and conditions of this Agreement.

6. TERMINATION FOR CONVENIENCE OR CAUSE

The City may terminate this Agreement, in whole or in part, at any time and for any reason, including for convenience or for cause. Termination shall be effective upon written notice from the Director of Contracts and Procurement or their designee, provided at least thirty (30) days in advance.

i) In the case of termination for convenience, the City shall provide written notice stating the effective date of termination. The Consultant shall continue to perform any portion of the work not terminated by the notice and shall be entitled to compensation for work satisfactorily performed up to the termination date.

ii) In the case of termination for cause, including material breach or performance defects, the non-breaching party must first provide written notice specifying the nature of the breach and allow the breaching party thirty (30) days to cure. If the breach is not substantially cured within the thirty-day period, the non-breaching party may terminate this Agreement by providing written notice of termination. In such cases, the Consultant shall only be entitled to compensation for work actually and satisfactorily performed up to the termination date. If the Consultant terminates the Agreement prior to earning all monies paid in an initial progress payment, the Consultant shall refund the unearned portion to the City within thirty (30) days.

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7. TERMINATION DUE TO LACK OF FUNDING APPROPRIATION

If, in the judgment of the City Manager, sufficient funds are not available to continue the services under this Agreement or to make required payments, the City may terminate this Agreement at the end of its current fiscal year. The City shall provide the Consultant with written notice of termination at least thirty (30) days prior to the end of the fiscal year. Upon such termination, the Consultant may reclaim any equipment provided to the City under this Agreement, and title to that equipment shall revert to the Consultant at the end of the City's fiscal year. The City agrees to pay the Consultant for all services properly performed through the termination date, as well as any contractual costs reasonably incurred in the return of equipment. Termination under this provision shall not result in any penalty or liability to either party.

8. CASH BASIS AND BUDGET LAWS

All contract agreements are subject to the State of Kansas cash basis and budget laws, including but not limited to K.S.A. 10-1101 and 79-2925 et seq. Any financial obligation incurred under this Agreement or related purchase order shall bind the City only to the extent that funds are lawfully appropriated and available at the time payment is due.

9. INDEMNIFICATION

Consultant agrees to indemnify, defend, and hold harmless the City, its officers, employees, and agents from and against any and all third-party claims, losses, liabilities, damages, expenses, costs, and judgments, including reasonable attorney fees, but only to the extent they directly arise out of or result from the negligent acts or omissions of the Consultant, its employees, or subcontractors, in connection with the performance of this Agreement.

10. LIMITATION OF LIABILITY

No Consequential or Indirect Damages. IN NO EVENT SHALL CONSULTANT BE LIABLE TO THE CITY OR ANY THIRD PARTY FOR CONSEQUENTIAL, INDIRECT, INCIDENTAL, SPECIAL, EXEMPLARY, PUNITIVE OR ENHANCED DAMAGES,OR LOST PROFITS OR REVENUES, OR ARISING OUT OF, RELATING TO, OR IN CONNECTION WITH ANY BREACH OF THIS AGREEMENT, REGARDLESS OF (A) WHETHER SUCH DAMAGES WERE FORESEEABLE, (B) WHETHER OR NOT IT

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WAS ADVISED OF THE POSSIBILITY OF SUCH DAMAGES AND (C) THE LEGAL OR EQUITABLE THEORY (CONTRACT, TORT OR OTHERWISE) UPON WHICH THE CLAIM IS BASED.

Maximum Liability. IN NO EVENT SHALL CONSULTANT'S AGGREGATE LIABILITY ARISING OUT OF OR RELATED TO ANY SERVICES, WHETHER ARISING OUT OF OR RELATED TO BREACH OF CONTRACT, TORT (INCLUDING NEGLIGENCE) OR OTHERWISE, EXCEED $2,000,000. THE LIMITATIONS SET FORTH IN THIS SECTION SHALL NOT APPLY TO: CONSULTANTS' GROSSLY NEGLIGENT ACTS OR OMISSIONS OR WILLFUL MISCONDUCT.

11. DISCLAIMER OF LIABILITY

No provision of this agreement will be given effect that attempts to require the City to defend, hold harmless, or indemnify any Consultant or third party for the City's acts or omissions. The City's liability is limited to the liability established in the Kansas Tort Claims Act, K.S.A. 75-6101 et seq.

12. INSURANCE

The City of Topeka shall not be obligated to purchase or maintain insurance for any personal property related to this Agreement. Subject to the provisions of the Kansas Tort Claims Act (K.S.A. 75-6101 et seq.) and the claims provisions of the Topeka Municipal Code (Section 3.35.010 et seq.), the Consultant shall bear all risk of loss or damage to any personal property in which it retains title.

i) Commercial General Liability Insurance, with a limit of $1,000,000 for each occurrence and $2,000,000 in the general aggregate.
ii) Automobile Liability Insurance, with a limit of $1,000,000 for each accident, combined single limit for bodily injury and property damage.
iii) Worker's Compensation Insurance and Employer's Liability Insurance, in accordance with statutory requirements, with a limit of $500,000 for each accident.
iv) Professional Liability Insurance, with a limit of $1,000,000 for each claim and aggregate.

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13. ARBITRATION, DAMAGES, WARRANTIES

Notwithstanding any provision to the contrary, nothing in this Agreement shall be interpreted to subject the City of Topeka, or any of its departments or divisions, to binding arbitration. Additionally, the City shall not be liable for attorney's fees unless expressly authorized by law. No provision of this Agreement shall be given effect if it seeks to exclude, modify, disclaim, or otherwise limit any implied warranties, including but not limited to the warranties of merchantability and fitness for a particular purpose.

14. RESPONSIBILITY FOR TAXES

The City of Topeka shall not be responsible for, nor shall it indemnify the Consultant against, any federal, state, or local taxes that may be imposed, assessed, or levied in connection with the performance of this Agreement.

15. AGREEMENT WITH KANSAS LAW

All contractual agreements shall be subject to, governed by, and construed according to the laws of the State of Kansas.

16. NOTICES

All notices, demands, requests, approvals, reports, instructions, consents or other communications (collectively "notices") which may be required or desired to be given by either party to the other shall be in writing and shall be made by personal delivery or sent by United States certified mail, postage prepaid, return receipt requested, or by overnight delivery, prepaid, addressed as follows or to any other persons or addresses as may be designated by notice from one party to the other:

CITY OF TOPEKA	RSC INSURANCE BROKERAGE INC. & THOMAS MCGEE LC
City Clerk	John Charpie
215 SE 7th St	120 W 12th St, Suite 1000
Topeka, KS 66603	Kansas City, MO 64105
(785) 368-3749	(816) 842-4800

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cclerk@topeka.org

jcharpie@thomasmcgee.com

With a Copy to:

legal@risk-strategies.com

17. ASSIGNMENT

Neither the City nor the Consultant shall assign any rights or duties under this agreement without the prior written consent of the other party. Nothing contained herein shall prevent the Consultant from employing independent consultants, associates, or subcontractors however, in such case, the Consultant shall be responsible for the performance of the services.

18. RELATIONSHIP OF PARTIES

It is understood by the parties that the Consultant is an independent Consultant with respect to the City, and not an employee of the City.

19. DISCLOSURE; LITIGATION.

As of the date this agreement was entered into, Consultant represents that it is not aware of any pending legal proceedings or litigation that would reasonably be expected to materially impair Consultant's ability to perform its obligations under this Agreement, including any claims against Thomas McGee LLC for negligence, professional malpractice, errors or omissions, breach of confidentiality, or unauthorized access, use, or disclosure of confidential or protected information arising out of or relating to the professional services provided by Thomas McGee LC.

20. ANTI-DISCRIMINATION CLAUSE

The Consultant agrees to comply with all federal, state, and local laws and ordinances prohibiting unlawful discrimination, including, but not limited to K.S.A. 44-1030, and to not unlawfully discriminate against any person in the performance of work under the contract or in the hiring of employees, subcontractors or vendors because of age, color, disability which is unrelated to the ability to perform a particular job or occupation, familial status, genetic information, national origin, ancestry, race, religion, sex which includes gender identity and sexual orientation per the United States Supreme Court in Bostock v. Clayton County Georgia 590 U.S. 644 (2020), veteran status, or any other factor protected by law, except by reason of

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demonstrably valid occupational disqualification. Consultant shall comply with any notice-posting requirements applicable to Consultant under federal, state, or local law, including K.S.A. 44-1030. . The Consultant shall be bound by both the terms of this section and City rules and regulations. In all solicitations or advertisements for employees, the Consultant shall include the phrase "equal opportunity employer" or a similar phrase. If a Consultant shall fail, refuse or neglect to comply with the terms of the contract conditions, such failure shall be deemed a total breach of the contract, and such contract may be terminated, canceled, or suspended, in whole or in part, and such Consultant may be declared ineligible for any further City contracts for a period of up to one year; provided, that if a contract is terminated, canceled or suspended for failure to comply with this section, the Consultant shall have no claims for damages against the City on account of such termination, cancelation or suspension or declaration of ineligibility. Consultant shall include the nondiscrimination provisions required by K.S.A. 44-1030 in any subcontract or purchase order entered into for the performance of services under this Agreement.

21. WAIVER OF CONTRACTUAL RIGHT

The failure of either party to enforce any provision of this agreement shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this agreement.

22. SEVERABILITY

If any provision of this agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court of competent jurisdiction finds that any provision of this agreement is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

23. ENTIRE AGREEMENT

The terms and conditions set forth herein constitute the final written expression of all the terms of this transaction and is a complete and exclusive statement of those terms. This agreement supersedes any prior or contemporaneous oral or written agreement, proposed

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agreements, negotiations, and discussions with respect to the subject matter hereof. Any representations, promises, warranties or statements by any employee or agent of the Consultant that differ in any way from the terms of this written agreement shall be given no force or effect.

24. TERMS HEREIN CONTROLLING PROVISIONS

It is expressly agreed that the terms of each and every provision in this agreement shall prevail and control over the terms of any conflicting provision in any Attachment or Exhibit incorporated into this agreement.

25. EXECUTION IN COUNTERPARTS

This contract may be signed by fax or electronic signature, which will be deemed to be an original signature. This contract may be executed in counterparts, each of which shall be deemed to be an original, and all of which shall be deemed to constitute one and the same instrument.

CITY OF TOPEKA, KANSAS	RSC INSURANCE BROKERAGE INC. AND ITS SUBSIDIARY THOMAS MCGEE LC
Michael Webb, Interim City Manager	John Charpie, Managing Director

Attest:

Brenda Younger, City Clerk

Attest Date: _____

[SEAL]

Approved as to Form & Legality:	Director of C&P:
By _____	
Date _____	_____

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CITY OF TOPEKA
Contracts & Procurement Division
City Hall, 215 SE 7th St., Room 60
Topeka, KS 66603
procurement@topeka.org
Tel: 785-368-3749

Request for Proposals Terms and Conditions

Read all terms and conditions before registering or responding to a bid event.

I. General

All data in this website is subject to the Statues of the State of Kansas and ordinances contained in the Topeka Municipal Code. The City of Topeka shall not be held liable or legally bound by any software limitation or defect. The City of Topeka operates under and is subject to the Central Time Zone (CST or CDT).

The City of Topeka strives to include as many suppliers as possible to enhance the competitive sealed bidding process. The city is unable to include every supplier in all events that they may be able to quote on. Registration on the city's Vendor Access website does not guarantee an organization will receive notification of every bidding opportunity.

II. Disclaimer

The City of Topeka attempts to maintain continuous access to the Vendor Access website. However, from time to time, access may be interrupted or prevented due to maintenance, site problems, Internet problems, or problems experienced by the user due to the user's computer system. The city makes no warranty that the supplier portal will be uninterrupted or error-free. Regardless of the source of any problem, it is the user's responsibility to ensure that its bid is timely received. Because of the discrepancies inherent in timing mechanisms (e.g. cell phones, computers, mobile devices), the bid time will be determined based upon the time indicated on the city server for the Vendor Access application. If the user does not submit its bid at or before the time indicated on the city server for the Vendor Access application, the bid will be electronically rejected by the Vendor Access application as untimely.

The City shall not be liable for any direct, indirect, incidental, special, consequential, or exemplary damages, including but not limited to damages for loss of profits, goodwill, use, data, or other intangible losses resulting from: (i) the use or the inability to use the Vendor Access website; (ii) unauthorized access to or alteration of the user's transmissions or data; or (iii) any other matter relating to the website.

It shall be the bidder's responsibility to advise the City of Topeka of any specifications, language, other requirements, or combinations thereof that restrict or limit bidding. Such notification must be submitted in writing and must be received by the Contracts and Procurement Division no later than five (5) days prior to the bid closing. The specifications were written with the intent of permitting competitive bidding. The City of Topeka reserves the right to waive minor deviations in the specifications that inadvertently restrict bidding to a single manufacturer (or vendor) or when such deviations do not alter or deter the City from accomplishing the intended use or function. Each bid shall include descriptive literature and specifications for the

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product. However, the provision of this material shall not be considered a substitute for listing deviations.

Amendments to Bids: To ensure maximum access opportunities for users, events and solicitations shall typically be posted for a minimum of ten (10) days, and no amendments shall typically be made within the last three days before the event or solicitation is due. Bidders and vendors are cautioned that the competitive nature of their offers could be affected if their submission does not include all amendments. For this reason, bidders and vendors are advised to revisit all solicitations to which they intend to respond three (3) days prior to the due date. It is the bidder's or vendor's responsibility to check the website from time to time for updates to events and solicitations and to pick up additional addenda and information.

All bids shall be considered firm for a period of forty-five (45) calendar days from the bid opening date, unless otherwise stated in the bid specification document(s).

If bidders have a concern about bid specifications or any term or condition that they believe restricts competition, bidders must contact, in writing, the procurement buyer assigned no later than five (5) days prior to bid closing. Upon receipt, the procurement buyer will research the issue and provide a response within five (5) days. Failure to submit a question or concern within the five (5) day period will waive any right the bidder may have to challenge the bid or a bid award.

III. Qualification Based Selection

Qualification Based Selection (RFP, RFQ, etc.)

Includes Architectural, Engineering, and Appraisal Services for Public Buildings and Improvements

1. READ ALL STANDARD TERMS AND CONDITIONS, SPECIAL TERMS AND CONDITIONS AND THE SCOPE OF WORK CAREFULLY. Failure to abide by all the conditions of this request may result in the rejection of a proposal. Inquiries about this request must be addressed during the open question and answer period. Proposals including attachments (proposal, drawings, photographs, etc.) shall be submitted electronically through the City of Topeka Vendor Access website or by delivery of sealed hard copies to:

   City of Topeka
   Contracts and Procurement Division
   215 SE 7th Street
   Topeka, KS 66603

   Submission methods other than those expressly identified in this section shall not be accepted unless otherwise authorized by the City.

2. SINGLE POINT OF CONTACT: The single point of contact for all inquiries, questions, or requests shall be the City of Topeka Contracts and Procurement Buyer or their designee initiating this solicitation. All communications shall be directed to the Buyer. No

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communication is to be had with any other City employee or representative while the bidding event is open and until a contract and/or purchase order is awarded and issued. Bidders may have contact with other City employees or representatives during negotiations, contract signing, or as otherwise specified in the solicitation documentation.

3. NEGOTIATED PROCUREMENT: The City reserves the right to negotiate with the selected bidder of this solicitation. The final evaluation and award are made by the Procurement Negotiating Committee (Committee), which consists of the Department Director of the originating department, the Director of Administrative and Financial Services, the Director of Contracts and Procurement, or their designees. (For architectural, engineering and appraisal services, the City Engineer or designee will take the place of the Director of Contracts and Procurement or designee.)

4. APPEARANCE BEFORE COMMITTEE: Bidders may be required to appear before the Committee to explain their understanding and approach. The Committee may request additional information. Bidders are prohibited from electronically recording these meetings. All information received prior to the cut-off time will be considered as part of the bidder's best and final offer. No additional revisions shall be made after the specified cutoff time unless requested by the Committee.

5. QUESTIONS & ADDENDA: All questions about the meaning or intent of the Request for Proposals shall be submitted in accordance with the Bid Questions instructions contained in the solicitation. Questions shall be submitted using the Bid Question Submittal Form included in the Bid Attachments and emailed to procurement@topeka.org before the deadline stated in the solicitation.

   Responses to questions will be issued by addendum and posted to the City of Topeka's Vendor Access website as part of the Bid Attachments. Questions or responses that result in a material change to the scope of work, specifications, or quantities shall require issuance of a formal addendum.

   Only interpretations or clarifications issued by formal written Addenda shall be binding. Oral statements or other interpretations shall be without legal effect.

6. PRE-PROPOSAL CONFERENCE: If so noted, all Pre-Proposal Conferences will be scheduled and information posted on the Events section in the solicitation on Vendor Access. Attendance is typically not mandatory, but is strongly encouraged. At the Pre-Proposal Conference impromptu questions will be permitted and spontaneous unofficial answers will be provided when possible. However, bidders should clearly understand that the only official answer or position of the City will be by written and issued by addendum.

7. COST OF PREPARING PROPOSAL: The cost of developing and submitting the proposal is entirely the responsibility of the bidder. This includes costs to determine the nature of the engagement, preparation of the proposal, submitting the proposal, negotiating the contract, and other costs associated with the solicitation.

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8. EVALUATION OF PROPOSALS: Award shall be made through the qualification-based selection process. Consideration and evaluation of such proposals will include but not be limited to:

    a) Adequacy and completeness of proposal;
    b) Compliance with the terms and conditions of the request;
    c) Experience in providing like services or products;
    d) Qualified staff;
    e) Methodology in accomplishing objectives;
    f) Response format as required by this request;
    g) Price; and
    h) Any other requirements specific to the service or product as outlined by the City of Topeka.

9. ACCEPTANCE OR REJECTION: The City reserves the right to accept or reject any or all proposals or part of a proposal; to waive any informalities or technicalities; clarify any ambiguities in proposals; modify criteria in the solicitation; and unless otherwise specified, to accept any item in a proposal.

10. CONTRACT: The successful bidder may be required to enter into a written contract with the City, which will incorporate the Contractual Provisions Attachment and Contractor's Statement of Agreement. No contract shall be considered to have been entered into by the City unless executed by the City Manager and the vendor. Professional service contracts exceeding fifty thousand dollars ($50,000) must be approved by the Governing Body prior to being executed by the City Manager.

11. CONTRACT DOCUMENTS: In the event of a conflict in terms of language among the documents, the following order shall govern:

    a) Contractual Provisions Attachment and Contractor's Statement of Agreement, if incorporated in the Contract;
    b) Written modifications to the executed contract;
    c) Written contract signed by the parties;

12. OPEN RECORDS ACT: All proposals become the property of the City of Topeka. Kansas law requires all information contained in proposals to become open for public review (with certain exceptions available under the Act) once a contract is signed or all proposals rejected.

13. FEDERAL, STATE AND LOCAL TAXES – GOVERNMENTAL ENTITY: Unless otherwise specified, the price as negotiated shall include all applicable federal, state, and local taxes. The successful vendor shall pay all taxes lawfully imposed on it with respect to any product or service delivered in accordance with this solicitation. The City of Topeka is exempt from state sales or use taxes, and federal excise taxes. These taxes shall not be included in the bidder's price quotations.

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14. SUSPENSION FROM BIDDING: Any vendor who defaults on delivery as defined in this solicitation may, at the discretion of the Director of Contracts and Procurement, be barred from bidding or receiving an award on any subsequent solicitation for a period of time to be determined by the City.

15. INSURANCE: The City shall not be required to purchase any insurance against loss or damage to any personal property nor shall the City establish a self-insurance fund to protect against any loss or damage. Subject to the provisions of the Kansas Tort Claims Act, the vendor shall bear the risk of any loss or damage to any personal property.

16. CASH BASIS AND BUDGET LAWS: All contracts are subject to the State of Kansas Cash Basis and Budget laws. [K.S.A. 10-1101; 79-2925 et seq.] Any obligation incurred as a result of the issuance of the contract or purchase order binds the City only to the extent that funds are available at the time payment is required.

IV. RFP Special Provisions

Proposal Format: The following information shall be part of the technical proposal: Vendors are instructed to prepare their Technical Proposal following the same sequence as this section of the Request for Proposal unless otherwise specified.

1. Transmittal letter which includes the following statements:

   a) That the vendor is the prime contractor and identifying all subcontractors
   b) That the vendor is a corporation or other legal entity
   c) That no attempt has been made or will be made to induce any other person or firm to submit or not to submit a proposal
   d) That the vendor does not discriminate in employment practices with regard to race, color, religion, age (except as provided by law), sex, marital status, political affiliation, national origin or disability
   e) That no cost or pricing information has been included in the transmittal letter or the Technical Proposal. Pricing information, if requested, shall be uploaded as separately named electronic file.
   f) That the vendor presently has no interest, direct or indirect, which would conflict with the performance of services under this contract and shall not employ, in the performance of this contract, any person having a conflict
   g) That the person signing the proposal is authorized to make decisions as to pricing quoted and has not participated, and will not participate, in any action contrary to the above statements;
   h) Whether there is a reasonable probability that the vendor is or will be associated with any parent, affiliate or subsidiary organization, either formally or informally, in supplying any service or furnishing any supplies or equipment to the vendor which would relate to the performance of this contract. If the statement is in the affirmative, the vendor is required to submit with the proposal, written certification and authorization from the parent, affiliate or subsidiary organization granting the City and/or the federal government the right to examine any directly pertinent books, documents, papers and records involving such transactions related to the contract. Further, if at any time after a proposal is

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submitted, such an association arises, the vendor will obtain a similar certification and authorization and failure to do so will constitute grounds for termination of the contract at the option of the City

i) Vendor agrees that any lost or reduced federal matching money resulting from unacceptable performance in a contractor task or responsibility defined in the Request, contract or modification shall be accompanied by reductions in City payments to contractor and

j) That the vendor has not been retained, nor has it retained a person to solicit or secure a City contract on an agreement or understanding for a commission, percentage, brokerage or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies maintained by the vendor for the purpose of securing business. For breach of this provision, the Committee shall have the right to reject the proposal, terminate the contract and/or deduct from the contract price or otherwise recover the full amount of such commission, percentage, brokerage or contingent fee or other benefit.

2. Vendor's Qualifications: The vendor must include a discussion of the vendor's corporation and each subcontractor if any. The discussion shall include the following:
   a) Date established
   b) Ownership (public, partnership, subsidiary, etc.)
   c) Number of personnel, full and part time, assigned to this project by function and job title
   d) Data processing resources and the extent they are dedicated to other matters
   e) Location of the project within the vendor's organization
   f) Relationship of the project and other lines of business and
   g) Organizational chart

The contractor shall be the sole source of contact for the contract. The City will not subcontract any work under the contract to any other firm and will not deal with any subcontractors. The Contractor is totally responsible for all actions and work performed by its subcontractors. All terms, conditions and requirements of the contract shall apply without qualification to any services performed or goods provided by any subcontractor.

A description of the vendor's qualifications and experience providing the requested or similar service including resumes of personnel assigned to the project stating their education and work experience. The vendor must be an established firm recognized for its capacity to perform. The vendor must be capable of mobilizing sufficient personnel to meet the deadlines specified in the Request.

A timeline for implementing services.

Payment: To be negotiated.

V. Insurance Req with Errors and Omissions Coverage: Insurance Requirements

WORKERS COMPENSATION: Contractor’s, when required by law must maintain in effect throughout the life of this contract, Workers Compensation insurance to cover the contractor’s employees, in full limits as required by statute.

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INSURANCE RESP0NSIBILITY & LIABILITY: Notwithstanding any language to the contrary, no interpretation shall be allowed to find the City or any of its departments, officers or employees responsible for loss or damage to persons or property as a result of the contractor's actions.

CONTRACTOR SHALL MAINTAIN MINIMUM COVERAGE AS FOLLOWS:

Commercial General Liability:
Per Occurrence$1,000,000
General Aggregate$2,000,000
Products & Completed Operations Coverage Aggregate$2,000,000
Property Damage per occurrence$100,000

Automobile Liability
Combined Single Limit for Bodily Injury and Property Damage Aggregate$500,000

Professional Liability (Errors and Omissions)
Provide separate "claims made" form
Per Claim$1,000,000
General Aggregate$2,000,000

CERTIFICATES OF INSURANCE: Certificates of Insurance should be issued immediately after the Contractor received notification of award and prior to the notice to proceed. The Contractor must not commence any work under this Contract until Purchase Orders are issued by the City of Topeka.

NAMED INSURED: The City of Topeka shall be named as an additional insured party on the Certificate of Liability Insurance.

NOTIFICATION OF ALTERATION OR MATERIAL CHANGE OR CANELLATION: A minimum of ten (10) days written notification must be given by an insurer or any alteration, material change, or cancellation affecting any certificates or policies of insurance as required under this Contract. Such required notification must be sent via Registered or Certified Mail to the address below:

City of Topeka
Contracts & Procurement Division
215 SE 7th Street, Room 60
Topeka, KS 66603

VI. Contractual Provisions

1. TERMS HEREIN CONTROLLING PROVISIONS

It is expressly agreed that the terms of each and every provision in this Attachment shall prevail and control over the terms of any other conflicting provision in any other document relating to and a part of the contract in which this attachment is incorporated.

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2. TIME OF ESSENCE

The parties agree that time and punctual performance are material terms of this Agreement. Each party shall fulfill its obligations in accordance with the timelines and deadlines set forth in the proposal and this Agreement.

3. AGREEMENT WITH KANSAS LAW

All contractual agreements shall be subject to, governed by, and construed according to the laws of the State of Kansas.

4. INDEMNIFICATION

Contractor agrees to indemnify, defend, and hold harmless the City, its officers, employees, and agents from and against any and all claims, losses, liabilities, damages, expenses, costs, and judgments, including reasonable attorney fees, but only to the extent they arise out of or result

from the negligent acts or omissions of the Contractor, its employees, or subcontractors, in connection with the performance of this Agreement.

5. TERMINATION DUE TO LACK OF FUNDING APPROPRIATION

If, in the judgment of the City Manager, sufficient funds are not available to continue the services under this Agreement or to make required payments, the City may terminate this Agreement at the end of its current fiscal year. The City shall provide the Contractor with written notice of termination at least thirty (30) days prior to the end of the fiscal year. Upon such termination, the Contractor may reclaim any equipment provided to the City under this Agreement, and title to that equipment shall revert to the Contractor at the end of the City's fiscal year. The City agrees to pay the Contractor for all services properly performed through the termination date, as well as any contractual costs reasonably incurred in the return of equipment. Termination under this provision shall not result in any penalty or liability to either party.

6. TERMINATION FOR CONVENIENCE OR CAUSE

The City may terminate this Agreement, in whole or in part, at any time and for any reason, including for convenience or for cause. Termination shall be effective upon written notice from the Director of Contracts and Procurement or their designee, provided at least thirty (30) days in advance.

a) In the case of termination for convenience, the City shall provide written notice stating the effective date of termination. The Contractor shall continue to perform any portion of the work not terminated by the notice and shall be entitled to compensation for work satisfactorily performed up to the termination date.

b) In the case of termination for cause, including material breach or performance defects, the non-breaching party must first provide written notice specifying the nature of the breach and allow the breaching party thirty (30) days to cure. If the breach is not substantially cured within the thirty-day period, the non-breaching party may terminate

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this Agreement by providing written notice of termination. In such cases, the Contractor shall only be entitled to compensation for work actually and satisfactorily performed up to the termination date. If the Contractor terminates the Agreement prior to earning all monies paid in an initial progress payment, the Contractor shall refund the unearned portion to the City within thirty (30) days.

7. DISCLAIMER OF LIABILITY

No provision of this agreement will be given effect that attempts to require the City to defend, hold harmless, or indemnify any Contractor or third party for the City's acts or omissions. The City's liability is limited to the liability established in the Kansas Tort Claims Act, K.S.A. 75-6101 et seq.

8. ANTI-DISCRIMINATION CLAUSE

The Contractor agrees to comply with all federal, state, and local laws and ordinances prohibiting unlawful discrimination and to not unlawfully discriminate against any person in the performance of work under the contract or in the hiring of employees, subcontractors or vendors because of age, color, disability which is unrelated to the ability to perform a particular job or occupation, familial status, genetic information, national origin, ancestry, race, religion, sex which includes gender identity and sexual orientation per the United States Supreme Court in Bostock v. Clayton County Georgia 590 U.S. 644 (2020), veteran status, or any other factor protected by law, except by reason of demonstrably valid occupational disqualification. Each Contractor will post on the premises of their office of employment, notices setting forth both the above-stated provisions and that the Contractor agrees to abide by such provisions. The Contractor shall be bound by both the terms of this section and City rules and regulations. The Contractor shall include this provision in every subcontract or purchase order so that they are binding upon such subcontractors or vendors. In all solicitations or advertisements for employees, the Contractor shall include the phrase "equal opportunity employer" or a similar phrase to be approved by the Contracts and Procurement Division. If a Contractor shall fail, refuse or neglect to comply with the terms of the contract conditions, such failure shall be deemed a total breach of the contract, and such contract may be terminated, canceled, or suspended, in whole or in part, and such Contractor may be declared ineligible for any further City contracts for a period of up to one year; provided, that if a contract is terminated, canceled or suspended for failure to comply with this section, the Contractor shall have no claims for damages against the City on account of such termination, cancelation or suspension or declaration of ineligibility.

9. ACCEPTANCE OF CONTRACT

This Agreement shall not be deemed accepted, approved, or effective until all legally required approvals, authorizations, and certifications have been obtained.

10. ARBITRATION, DAMAGES, WARRANTIES

Notwithstanding any provision to the contrary, nothing in this Agreement shall be interpreted to subject the City of Topeka, or any of its departments or divisions, to binding arbitration.

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Additionally, the City shall not be liable for attorney's fees unless expressly authorized by law. No provision of this Agreement shall be given effect if it seeks to exclude, modify, disclaim, or otherwise limit any implied warranties, including but not limited to the warranties of merchantability and fitness for a particular purpose.

11. REPRESENTATIVE AUTHORITY TO CONTRACT

By signing this Agreement, the individual executing it on behalf of the Contractor represents and warrants that they are duly authorized to do so and that the Contractor is bound by the terms and conditions of this Agreement.

12. RESPONSIBILITY FOR TAXES

The City of Topeka shall not be responsible for, nor shall it indemnify the Contractor against, any federal, state, or local taxes that may be imposed, assessed, or levied in connection with the performance of this Agreement.

13. INSURANCE

The City of Topeka shall not be obligated to purchase or maintain insurance for any personal property related to this Agreement. Subject to the provisions of the Kansas Tort Claims Act (K.S.A. 75-6101 et seq.) and the claims provisions of the Topeka Municipal Code (Section 3.35.010 et seq.), the Contractor shall bear all risk of loss or damage to any personal property in which it retains title.

14. CASH BASIS AND BUDGET LAWS.

All contract agreements are subject to the State of Kansas cash basis and budget laws, including but not limited to K.S.A. 10-1101 and 79-2925 et seq. Any financial obligation incurred under this Agreement or related purchase order shall bind the City only to the extent that funds are lawfully appropriated and available at the time payment is due.

15. EXECUTION IN COUNTERPARTS

This Agreement may be executed by fax or electronic signature, each of which shall be deemed an original signature for all purposes. The Agreement may be signed in multiple counterparts, each of which shall be deemed an original, and all counterparts together shall constitute one and the same instrument.

_____	_____
Contractor Legal Name	Authorized Party Printed Name and Title
_____	_____
Date Signed	Authorized Party Signature

City of Topeka, Department of Administrative and Financial Services
Contracts and Procurement Division

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VII. Contractor's Statement of Agreement

The City of Topeka, Kansas requires that all contracts of the City and its agencies include specific provisions to ensure equal employment
opportunity. To comply with these requirements, all persons wishing to enter into a contract with the City shall complete and sign this agreement.

The contractor agrees to:

1. IF APPLICABLE, COMPLY WITH K.S.A. 44-1030 REQUIRING THAT:

A. The contractor shall observe the provisions of the Kansas act against discrimination and shall not discriminate against any person in the performance of work under the present contract because of race, religion, color, sex, disability unrelated to such person's ability to engage in the particular work, national origin or ancestry;

B. In all solicitations or advertisements for employees, the contractor shall include the phrase, "equal opportunity employer," or a similar phrase to be approved by the Contracts and Procurement Division;

C. If the contractor fails to comply with the manner in which the contractor reports to the Contracts and Procurement Division in accordance with the provisions of K.S.A. 44-1031, the contractor shall be deemed to have breached the present contract and it may be cancelled, terminated or suspended, in whole or in part, by the contracting agency;

D. If the contractor is found guilty of a violation of the Kansas act against discrimination under a decision or order of the Contracts and Procurement Division which has become final, the contractor shall be deemed to have breached the present contract and it may be cancelled, terminated or suspended, in whole or in part, by the contracting agency; and

E. The contractor shall include the provisions of paragraphs (A) through (D) in every sub-contract or purchase order so that such provisions will be binding upon such sub-contractor or vendor.

2. Guarantee that during the performance of any City contractor agreement the contractor, sub-contractor, vendor, or supplier of the City shall comply with all provisions of the Civil Rights Act of 1866 as amended, Civil Rights Act of 1964 as amended, Equal Employment Opportunity Act of 1972 as amended, Age Discrimination in Employment Act of 1967 as amended, Americans with Disabilities Act of 1990 and Rehabilitation Act of 1973 as amended, Equal Pay Act of 1963 and City of Topeka Ordinance No. 20568 and any regulations or amendments thereto.

3. Federally Funded Projects. If stated as part of the bidding documentation, bidding provisions for federally funded projects include additional compliance requirements. All bidders are required to submit documentation of their active registration in the System for Award Management (SAM.gov) and verification of non-debarment status as part of their bid submission. Failure to submit this documentation will result in the bidder’s submission being deemed non-responsive. During contract processing, City staff will validate the bidder’s entity

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registration and confirm that the entity is not suspended or debarred from receiving federal awards, in accordance with 2 CFR § 180.300 and applicable provisions under 2 CFR Part 200, et seq.

_____
Company Name

_____
Company Address, City, State, Zip

_____
Signature

_____
Printed Name

_____
Title

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CITY OF TOPEKA
Contracts & Procurement Division
City Hall, 215 SE 7th St., Room 60
Topeka, KS 66603
procurement@topeka.org
Tel: 785-368-3749

THIRD PARTY ADMINISTRATION CLAIMS SERVICES

Request for Proposals (RFP)

I. Introduction

The City of Topeka ("City") is soliciting proposals from qualified and licensed Third-Party Administrators (TPAs) to provide comprehensive claims administration, third party administration and related services. The City's HR Risk Management Division maintains a self-insured, self-administered fund that processes workers' compensation, auto liability, and property claims. The primary focus of the RFP is to employ a TPA to manage these claims efficiently and cost effectively. The chosen TPA must be able to demonstrate improved outcomes and cost savings across several matrices.

II. Background

The City of Topeka is a full-service city with an annual operating budget of $342,000,000 under a Mayor/Council form of government. The City Manager is the administrative head of the government and is directly responsible to the City Council. The City of Topeka has 1,020 full-time employees, which supports an estimated population of 128,000 citizens within the Topeka metropolitan area, and is made up of the following City departments:

A. Administrative & Financial Services
B. Fire
C. Housing & Neighborhood Development
D. Human Resources
E. Information Technology (IT)
F. Legal
G. Municipal Court
H. Planning
I. Police
J. Public Works / Utilities

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III. IV. SCOPE OF SERVICES

The selected TPA shall provide end-to-end Workers' Compensation administration, including but not limited to:

A. Claims Administration
    1. Intake and assignment within 24 hours
    2. Investigation, reserving, and adjudication
    3. Indemnity and medical management
    4. Subrogation identification and recovery
    5. Settlement evaluation and negotiation support
    6. Litigation coordination (City retains control of counsel)
    7. Monitoring of settled claims and identification of claims eligible for administrative closure in accordance with Kansas Workers' Compensation requirements

B. Medical & Cost Management
    1. Nurse case management (telephonic and field)
    2. Utilization review
    3. Pharmacy benefit management (PBM)
    4. Bill review and medical cost containment
    5. Return-to-work coordination

C. Compliance & Reporting
    1. Kansas Workers' Compensation compliance
    2. CMS Section 111 reporting (if applicable)
    3. Timely filing of all required state and federal reports
    4. Excess carrier reporting
    5. Technology & RMISSecure, web-based RMIS with real-time access
    6. Claim notes, reserves, payments, and dashboards
    7. Custom reporting and data export capabilities
    8. EDI capability for First Report of Injury (FROI)

D. Account Management
    1. Dedicated account team
    2. Quarterly claim review meetings
    3. Annual stewardship report

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4. Performance tracking and continuous improvement

E. Auto Liability & Property Claims Administration (As Requested)
   1. Investigation and administration of auto liability claims.
   2. Investigation and administration of property damage claims.
   3. Liability determination and documentation.
   4. Subrogation identification and recovery.
   5. Litigation coordination (City retains control of counsel).
   6. Claim reporting and reserve recommendations.

IV. MINIMUM REQUIREMENTS

Proposers must:

A. Be licensed to provide TPA services in Kansas
B. Demonstrate experience with public sector or self-insured entities
C. Provide a secure, fully functional RMIS platform
D. Maintain adequate staffing and manageable caseloads
E. Demonstrate financial stability
F. Maintain appropriate cybersecurity protections

V. SERVICE EXPECTATIONS & PERFORMANCE STANDARDS

The selected TPA shall meet or exceed the following:

A. Claims Handling
   1. Initial contact within 24 hours
   2. Reserve establishment within 30 days
   3. Ongoing file activity at least every 30 days
   4. Supervisor review on complex claims

B. Communication
   1. Timely response (within 1–3 business days)
   2. Immediate notification of significant developments
   3. Clear, documented claim strategies

C. Outcomes
   1. Focus on early intervention and return-to-work
   2. Reduction in claim duration and cost

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3. Aggressive but appropriate subrogation recovery
4. Proactive monitoring of settled and inactive claims,
    i. including identification of claims eligible for administrative closure and notification to the City of recommended closure actions

D. Quality Assurance & File Audits
1. Conduct quarterly claim file audit
2. Conduct quarterly claim closure audits
3. Provide audit findings and corrective action recommendations during quarterly claim review meetings.

VI. DATA, REPORTING & ANALYTICS

The TPA shall provide:

A. Monthly and quarterly loss runs
B. Financial and actuarial trend analysis
C. Benchmarking against municipalities or industry standards
D. Claim aging and closure metrics
E. Custom dashboards and ad hoc reporting
F. Data export in Excel or compatible formats
G. Quarterly settlement report
H. Quarterly file audit summary report
I. Quarterly claim closure audit report
J. Open settled claim inventory report identifying claims eligible for closure

VII. TRANSITION PLAN

The TPA shall provide an implementation timeline and data migration approach:

A. Estimated implementation schedule
B. Historical data conversion process
C. Open claim transfer process
D. Run-off claim handling
E. Data validation and quality assurance procedures
F. Dedicated implementation team and project manager
G. Required City resources during implementation

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H. Historical claim data access following transition or contract termination.

VIII. RFP QUESTION SIBMISSIONS

All questions must be submitted using the Bid Question Submittal Excel Form included in the Bid Attachments. Proposers shall download the form, enter their questions directly into the Q# fields (handwritten submissions will not be accepted), and email the completed Excel file to procurement@topeka.org no later than ten (10) days prior to the bid closing date and time, unless otherwise stated in the bid documents.

A. The email subject line shall read: Bid Number 100 – Questions.
B. If more than forty (40) questions are required, bidders may insert additional rows as needed. The form must be submitted as an MS Excel (.xls or .xlsx) file.
C. Responses to questions will be issued by addendum and posted in the Bid Attachments as a PDF titled: Bid Number 100 – Answers to Bid Question Submittal Form.

IX. PROPOSAL FORMAT

Proposers must prepare their technical proposal in such a way as to provide a straightforward and concise discussion of the proposer's ability to provide the services that can best satisfy the requirements herein and the needs of the City. To be considered responsive, proposers must fully address all items identified in this section. Proposals are to be limited to a total of 20 (twenty) pages (not counting front and back cover, cover letter, table of contents, section dividers, Claims Inventory & Reporting Samples, and Pricing Proposal) using margins not smaller than 0.75" and font size not smaller than 10. Failure to provide a complete proposal will be considered unresponsive. The proposal must include the following:

A. Cover Letter
    1. Firm overview
    2. Primary contact information
    3. A statement confirming the proposer can meet all mandatory requirements and performance standards.
B. Company Qualifications: Provide information demonstrating the firm's experience, qualifications, and capacity to perform the services described herein.
    1. Overview of the firm's workers' compensation TPA services and experience

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2. Experience providing workers' compensation administration services and, if applicable, auto liability and property claims administration services to self-insured public entities
3. Describe three workers' compensation TPA transitions completed within the last five (5) years, including:
    i. Client type and size
    ii. Number of claims transferred
    iii. Implementation timeline achieved
    iv. Scope of data migration
    v. Challenges encountered and resolution approach
4. Financial stability and organizational capacity

C. Proposed Approach: Describe the firm's approach to providing efficient, compliant, and cost-effective workers' compensation claims administration services.
    1. Claims management philosophy
    2. Cost containment strategies
    3. Return-to-work program approach
    4. Settlement management approach
    5. Claim closure management process
    6. Escalation procedures for complex or litigated claims

D. Staffing Plan: Describe the proposed staffing structure and personnel that will be assigned to the City.
    1. Key personnel and roles
    2. Adjuster average caseloads
    3. Account management structure

E. Technology & RMIS
    1. System overview and capabilities, including:
        i. Automated diary functions
        ii. Task management
        iii. Settlement tracking
        iv. Claim closure monitoring
        v. System alerts

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vi. Reporting capabilities

2. Security measures

F. Performance & Outcomes: Provide measurable performance results achieved for comparable public-sector clients.
   1. KPIs and performance metrics
   2. Predictive modeling capabilities (if applicable)
   3. Provide measurable performance results achieved including:
      i. Claim duration reductions
      ii. Claim closure rates
      iii. Return-to-work outcomes
      iv. Cost containment results

G. Transition Plan: Describe the firm's approach to implementing services and transitioning claims administration from the incumbent provider.
   1. Implementation timeline
   2. Data migration approach
   3. Open claim transfer process
   4. Historical data conversion process
   5. Staff onboarding
   6. Required City resources
   7. Risk mitigation strategy
   8. Prior transition experience

H. References: Identify any references for which the proposer provides auto liability or property claims administration services. Provide the following information for each reference.
   1. Minimum of three (3) current municipal or public-sector clients
      i. Organization name
      ii. Contact person and title
      iii. Email
      iv. Phone
      v. Number of employees covered
      vi. Years under contract

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I. Exceptions (if any)
    1. Clearly identify any deviations

J. Claims Inventory & Reporting Samples: Submit the following sample reports as appendices. Combine all reports into a single file before uploading. These materials will not count toward the technical proposal page limit.
    1. Sample loss run
    2. Sample executive dashboard
    3. Sample settlement report
    4. Sample claim closure report
    5. Sample stewardship report

X. PRICING PROPOSAL (SEPARATE SUBMITTAL)

Proposers shall complete and submit the City's Fee Proposal Form in its entirety. Failure to provide all requested pricing information may result in the proposal being deemed non-responsive.

Pricing shall include all labor, supervision, administration, technology, reporting, overhead, profit, travel, and other costs necessary to provide the services described in this RFP unless specifically identified as a pass-through expense. Pricing shall remain firm for a period of ninety (90) calendar days following the proposal due date.

A. Fixed Annual Fees

Proposers shall provide annual pricing for all fixed-fee services, including but not limited to:
    1. Account management
    2. Dedicated account executive services
    3. RMIS platform access and licensing
    4. Standard reporting services
    5. Administrative services
    6. Any other recurring fixed fees

B. Claim Administration Fees

Proposers shall provide per-claim pricing for each applicable claim category, including:
    1. Medical Only Claims
    2. Lost Time Claims

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3. Indemnity Claims
4. Litigated Claims
5. Catastrophic Claims
6. Reopened Claims
7. Auto Liability Claims (if applicable)
8. Property Claims (if applicable)

C. Medical Management and Cost Containment Services

Proposers shall identify whether the following services are included within claim administration fees or billed separately:

1. Telephonic Nurse Case Management
2. Field Nurse Case Management
3. Bill Review Services
4. Pharmacy Benefit Management
5. Utilization Review
6. Independent Medical Examinations
7. Vocational Rehabilitation Services Transition & Run-Out (Tail) Costs

D. Pass-Through Expenses

Proposers shall identify all pass-through expenses and any associated administrative fees or markups. At a minimum, proposers shall identify pricing for:

1. Surveillance Services
2. Medical Record Retrieval
3. Expert Witness Services
4. Investigation Services
5. Litigation Support Services
6. Any additional third-party services anticipated during contract performance

E. Transition and Implementation Costs

Proposers shall provide separate pricing for:

1. Implementation Services
2. Data Migration and Conversion
3. Historical Data Transfer
4. Staff Training
5. Open Claim Transfer Activities
6. Other One-Time Startup Costs

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F. Run-Off and Contract Termination Services

Proposers shall provide pricing for services that may be required upon contract expiration or termination, including:

1. Open Claim Run-Off Administration
2. Historical Data Extraction
3. Data Archive Services
4. Read-Only RMIS Access
5. Transition Assistance to a Successor Administrator
6. Any performance guarantees or savings models

G. Optional Services

Proposers shall separately identify any optional or value-added services offered, including associated pricing. Examples include:

1. Predictive Analytics
2. Benchmarking Studies
3. On-Site Claim Reviews
4. Safety Program Consulting
5. Supervisor Training
6. Stewardship Reporting Enhancements

H. Annual Cost Scenario

To facilitate proposal evaluation, proposers shall complete the Annual Cost Scenario contained within the Fee Proposal Form using the City's estimated annual claim volume. The Annual Cost Scenario is intended solely for evaluation purposes and does not constitute a guarantee of actual claim volume.

XI. EVALUATION CRITERIA

The City will review all submittals and select the organization deemed most qualified to begin the contract scope and fee negotiation process. If the City and the selected proposer cannot agree on scope and/or fee, the City may terminate negotiations and select another proposer.

Furthermore, the City may elect to interview one or more proposers prior to making the selection. Proposals will be evaluated based on best value using the following criteria:

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A. Experience & Qualifications 25%
B. Claims Management Approach & Outcomes 20%
C. Staffing & Account Management 15%
D. Technology & Reporting (RMIS) 15%
E. Transition Plan & Implementation 20%
F. Cost Proposal 5%

XII. Contract Term

The contract term with the selected vendor will be for an initial one (1) year period from the date of contract execution by signature of both parties with the option to renew for four (4) additional one (1) year periods by written agreement of the parties under the same terms and conditions.

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ATTACHMENT B

THOMAS McGEE GROUP

A DIVISION OF RISK STRATEGIES



Response to RFP 100

For: City of Topeka, KS
Presented By: John Charpie, Thomas McGee Group
Date: August 2026

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THOMAS McGEE GROUP
A DIVISION OF RISK STRATEGIES

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- Resumes 31

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THOMAS McGEE GROUP
A DIVISION OF RISK STRATEGIES

Letter of Transmittal

Thomas McGee Group
120 W. 12th St., Ste. 1000
Kansas City, MO 64105

August 21, 2026

City of Topeka
Contracts & Procurement Division
215 SE 7th Street, Room 60
Topeka, KS 66603

RE: THIRD PARTY ADMINISTRATION SERVICES
Event # 100

We are pleased to provide our proposal to you for Third Party Administration services for the City of Topeka.

I will serve as the primary contact person for Thomas McGee Group and can be contacted at the letterhead address above. Additionally, my phone number is: 816-830-0073 and email address is: jcharpie@thomasmcgee.com.

Thomas McGee Group is a regional TPA specializing in servicing accounts in the Central States. Our firm provides primary services as outlined in the Request for Proposal. Since we began our TPA Division over 35 years ago, we have maintained a retention rate of 98% of our clients. Other than clients being absorbed into larger programs, we have not lost a client in over 10 years.

Working with Thomas McGee eliminates layers of bureaucracy and provides consistency in service usually not available through branch office environments. We will apply all of our knowledge and expertise on communicating frequently with claimants, physicians, local personnel and the City staff. Experience has taught us fewer claims become lost time or are litigated, when we apply this intensity to communication and medical management, thus lowering the cost of claims significantly.

Our average claim costs are 30% below Industry averages and our client's litigation percentage is below 5% for workers compensation. Simply, we retain clients because their cost of claims is less, with no surprises in the handling and settlement process. Our clients have recognized that TPA fees represent only the tip of significant dollars spent on claims. Appropriate levels of well-trained and motivated personnel can make serious inroads in reducing total costs justifying higher front-end TPA expenditures. Additionally, we continually modify our claims processes to address changes in the claims environment.

Additionally, Thomas McGee is an independent Third Party Administrator that uses ancillary service providers based on our adjusters obtaining the best results. Services such as Bill Review, Preferred Provider Networks, Nurse Case Management, and Surveillance organizations are chosen in conjunction with the client. This objective approach assures the Thomas McGee's adjusters work toward gaining the best claim outcome, and assures our clients there are no additional sources of revenue.

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In addition to claim administration, Thomas McGee's scope of service is broadened beyond the typical Third Party Administrators. These services include analytical abilities, multiple risk management reporting tools, access to OSHA reporting modules and assistance in working with the individual state regulators. The broadened services serve to reduce the incremental cost per claim while providing the highest-level claim services at the lowest possible cost.

As you will see in reviewing the specifics of our proposal, we have the desire, experience, internal programs and philosophy to manage your claims efficiently, effectively and in a timely manner.

Sincerely,
Thomas McGee Group



John Charpie, Managing Director
Office: (816) 843-4635 | Cell: (816) 830-0073
jcharpie@thomasmcgee.com

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THOMAS McGEE GROUP
A DIVISION OF RISK STRATEGIES

B. Company Qualifications

1. Overview of the firm's workers' compensation TPA services and experience

Thomas McGee began operations in 1910 and now employs over 100 associates from its offices in Kansas City and Saint Louis, Missouri. We operate from two locations in Missouri, yet service clients throughout the United States. As a regionally focused agency, we are among the oldest in the Midwest.

Thomas McGee is one of the few full-service insurance agencies in Missouri that operates as a broker and TPA. As our history indicates, Thomas McGee made a commitment to our clients over 100 years ago and that commitment is as strong today as ever.

Thomas McGee began the Risk Management Services Department in 1987. The Department has steadily grown and handles claims for many self-insured organizations in the Midwest. Our adjusting staff handles Workers' Compensation, Auto Liability, Auto Physical Damage, Property, General Liability, and professional coverage.

If we are fortunate enough to partner with the City of Topeka the office that would handle the claims would be located in Kansas City, MO.

2. Experience providing workers' compensation administration services and, if applicable, auto liability and property claims administration services to self-insured public entities

See below for a partial listing of local municipalities we provide TPA claims services to:

MUNICIPAL ENTITY	STATE	CONTACT	PHONE NUMBER	LINES OF COVERAGE	YEARS OF SERVICE
Johnson County	KS	Gina Fisher	913-715-0616	GL; Auto Liability; Self Ins. WC	32 Years
Olathe	KS	Tom Sanders	913-971-8519	Self-Insured WC	17 Years
Lenexa	KS	Kristen Crow	913-477-7574	Self-Insured WC	17 Years
Leawood	KS	Nic Sanders	913-339-6700	Self-Insured WC	19 Years
Lee's Summit	MO	Alysia Townsend	816-969-1048	Self-Insured WC	22 Years
Independence	MO	Sara Veit	816-857-7875	Self-Insured WC	10 Years
KCATA	MO	Jill Spurling	816-346-0854	GL; Auto Liability; Self Ins. WC	25 Years
Joplin	MO	Michelle Ducre	417-624-0820	GL; Auto Liability; Self Ins. WC	3 Years
Springfield USD	MO	Kaylyn Staats	417-523-0312	GL; Auto Liability; Self Ins. WC	8 Years
Shawnee Mission USD	KS	Russ Knaplp	913-993-6478	GL; Auto Liability; Self Ins. WC	27 Years
Blue Valley USD	KS	Sid Cumberland	913-239-4244	GL; Auto Liability; Self Ins. WC	20 Years
Olathe USD	KS	Merle Hastert	913-780-8051	GL; Auto Liability; Self Ins. WC	21 Years
Shawnee	KS	Lona Lanter	913-631-2500	Self-Insured WC	19 Years
Lansing	KS	Sarah Bodensteiner	913-727-3036	Self-Insured WC	19 Years
Leavenworth	KS	Lona Lanter	913-680-2608	Self-Insured WC	19 Years
Leavenworth County	KS	Fran Keppler	913-684-0415	Self-Insured WC	19 Years

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Manhattan	KS	Kathy Lousch	785-587-2446	Self-Insured WC	27 Years
Merriam	KS	Stephanie Thompson	913-322-5508	Self-Insured WC	19 Years
Mission	KS	Brian Scott	913-676-8350	Self-Insured WC	19 Years
Ottawa	KS	Michelle Wapp	785-229-3635	Self-Insured WC	31 Years
Shawnee County	KS	Jim Crowl	785-233-8200	Self-Insured WC	19 Years
St. Joseph, MO	MO	Laurie Thompson	816-271-4672	Self-Insured WC	27 Years
Hutchinson	KS	Tom Sanders	620-694-2620	Self-Insured WC	8 Years
Winfield	KS	Jamie Chism	660-221-5509	Self-Insured WC	11 Year
Chanute	KS	Traci Endicott	620-431-5293	Self-Insured WC	12 Years
Emporia	KS	Jo Lynn Herron	620-343-4292	Self-Insured WC	20 Years
Fairway	KS	Kim Young	913-262-0350	Self-Insured WC	18 Years
Gardner	KS	Alan Abramovitz	913-856-0943	Self-Insured WC	18 Years
Lawrence	KS	Shelby Patch	785-832-3010	Self-Insured WC	9 Years
Lawrence USD	KS	Susan Fowler	785-832-5000	Self-Insured WC	19 Years

3. **Describe three workers' compensation TPA transitions completed within the last five (5) years, including:**
    - i. **Client type and size**
    - ii. **Number of claims transferred**
    - iii. **Implementation timeline achieved**
    - iv. **Scope of data migration**
    - v. **Challenges encountered and resolution approach**

Feel free to connect with the below references regarding transition of programs with similar scope:

Kansas City Missouri Police Department, Precious Marshall, 816-234-5390
City of Joplin, Michelle Ducre, 417-624-0820
Board of Public Utilities, Kevin Dody, 417-831-8450

4. **Financial stability and organizational capacity**

Thomas McGee Group operates as a division of Brown and Brown, which is a publicly traded company and the 5th largest insurance broker in the world.

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C. Proposed Approach

Describe the firm's approach to providing efficient, compliant, and cost-effective workers' compensation claims administration services.

1. Claims management philosophy

Our claims management philosophy thought to be most effective is to determine as quickly as possible compensability. Once determined, manage the claim in a timely and cost effective manner to return the employee to active duty as quickly as possible while keeping the cost of the claim as low as possible.

Throughout the process, all parties are kept in the loop and aware of the claim status (three-point contact). Employee/employer relationships are considered highly important. Our objective is to enhance that relationship throughout the process. Below we explain how we put this philosophy into practice.

When a claim is reported to McGee, we establish a claim file within 24 hours of receipt. At the time of set-up, we establish initial case reserves based on the preliminary information. Our first objective will be to determine compensability. This can be a relatively easy task to one that requires investigation and recorded statements.

Assuming the claim is compensable; we will send a letter to the claimant and copy the client that a claim has been received, the name of the adjuster and the claim number. If the case is serious, or may require lost time, we will make direct contact with the claimant as well. We develop a diary on all claims every 30 days to review the claim.

Medical only claims are expected to be completed in 90 days. Medical only claims open more than 90 days are automatically reviewed by the Claim Supervisor. Throughout the process, we keep in contact with the medical provider, claimant, and the client. Claim reserves are monitored every 30 days until the 90-day mark is reached. Claims going beyond 90 days are pended for review automatically every 60 days thereafter.

We meet with the client every quarter to review open claims. Depending on the number of claims, the review can last from 1 to 3 hours and cover only large claims (defined by the client), or all open claims.

When a claim is ready for settlement, we contact the client to discuss and request approval. Even claims falling within our settlement authority are usually discussed prior to an offer being made. After a settlement is reached and all bills have been received, the claim is closed.

2. Cost containment strategies

Thomas McGee works with the CompBR as a cost containment partner. CompBr and Thomas McGee have EDI in place to ensure timely bill payments. All fees associated with the re-pricing are recorded as Allocated Loss Expenses against the applicable claim file.

CompBr typically charges 25% savings for re-pricing beyond the Kansas Fee Schedule and they have some of the deepest discounts with medical providers in the Kansas City area. If the City is not currently

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receiving, a detailed savings report can be requested from CompBr to be received on a regular basis (i.e. monthly, quarterly, etc.).

3. Return-to-work program approach

We highly encourage return to work. The benefits to keeping an individual engaged with peers and the work environment far outweigh someone being at home disengaged. We work with our contacts and the medical providers to ensure quality communication about restrictions. Quality return to work programs assist in shorter recovery times while providing benefits of a working individual to the City.

4. Settlement management approach

Communication is again key. We want to be fair in the process for employees that continue to engage and elect to work through the process with us versus counsel. We will communicate the norms for settlement of the different types of injuries. We utilize the best outcome physicians that understand the rating process. Conservative ratings are essential with the guides now only being a starting point in litigated claims. We do not have a required set authority for us. We work with many clients that require communication on every settlement.

5. Claim closure management process

Management oversees any claims over a year to ensure that we are working toward closure. Med only claims are reviewed at 90 days by a Supervisor. Most Adjuster level claims are concluded before or shortly after the anniversary date. We encourage claim reviews on a quarterly or semi-annual bases for plan of action strategies to bring files to closure

6. Escalation procedures for complex or litigated claims

All claims reaching $75,000 in incurred value are monitored by Supervisor's. A member of management always attends claim reviews, and all claims are assigned by a supervisor. Any complex claims will be added to a supervisor's assignment.

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D. Staffing Plan

Describe the proposed staffing structure and personnel that will be assigned to the City.

1. Key personnel and roles

John Charpie, Managing Director, would be the primary point of contact for account management. We prefer to match personalities of adjusters and primary contact, but we believe Michele Feise would be the Senior adjuster. Kevin Robertson is the Claims Manager. They are all supported by Andy Guile, TPA Operations Manager, who handles State Annual Forms, Claim Systems, and reporting requests.

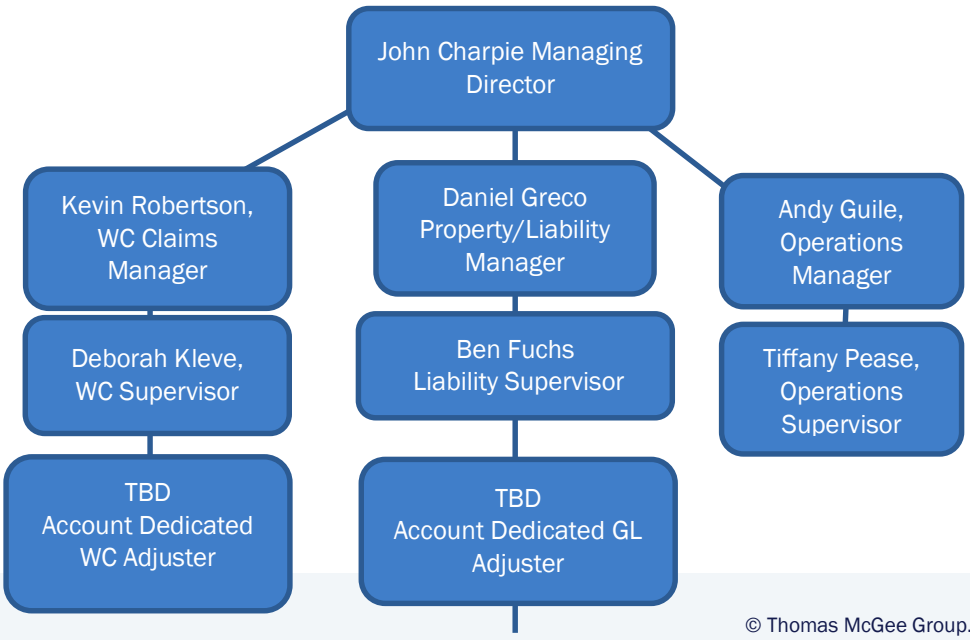
The average tenure at Thomas McGee is over 7 years. The claim manager has been with Thomas McGee for over 35 years, and the Managing Director has been with Thomas McGee for 17 years. We have successfully retained 100% of our supervisory and technical staff. We have experienced less than a 5% turnover in our support staff, including retirements.

2. Adjuster average caseloads

The maximum number of Lost Time claims our adjustors are allowed to control is 150. We do assign a dedicated adjustor to all accounts and that adjustor is the single point of contact for the City for any claim issues that arise.

Since there is a dedicated adjuster to your account the number of new claim assignments does fluctuate. To ensure that the highest level of service is provided to each of our clients at all times we have set up Account Services teams. Changes to this team are only made at the request of a client, or upon the change of employment of a team member. The Team consists of the Department Managers, Account Manager, Claim Supervisor, Adjuster, and Claim Technician. Day to day servicing will be accomplished by the Account Executive for non-claim issues, such as loss reports, State filings, NCCI issues, Excess reporting etc. The Adjuster will be the primary contact regarding any claim issues

3. Account management structure



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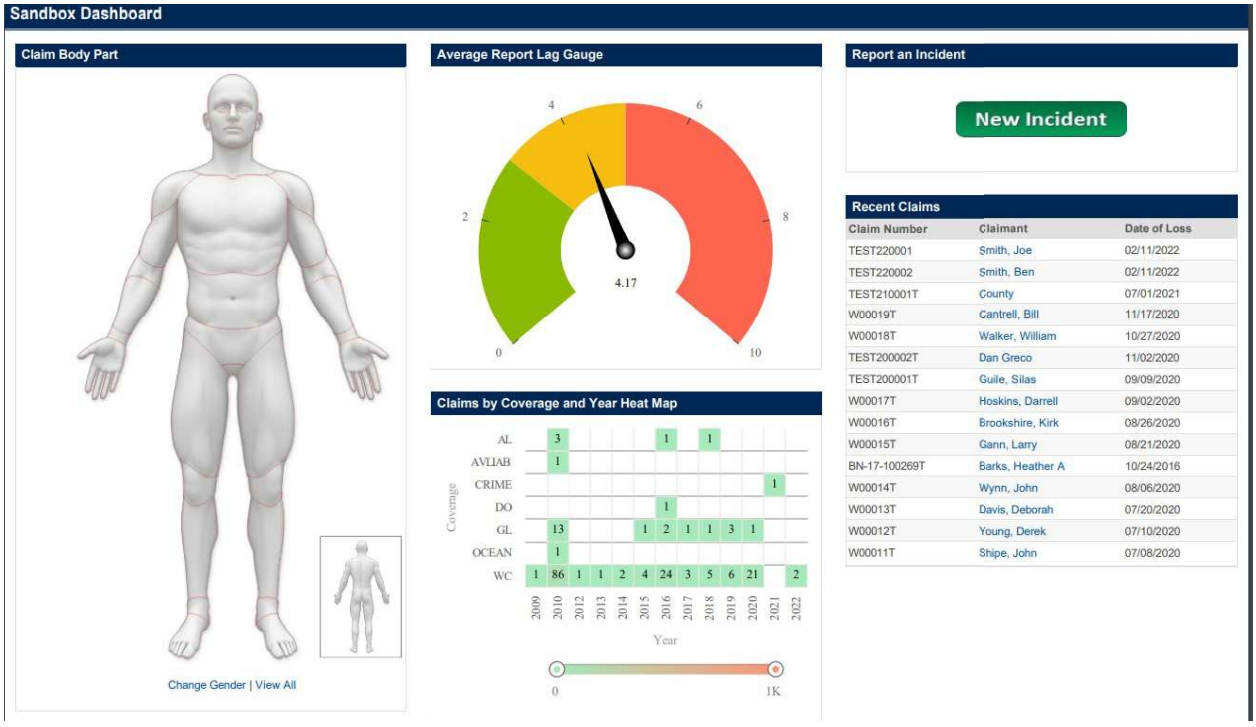
E. Technology & RMIS

1. System overview and capabilities, including:
    - i. Automated diary functions
    - ii. Task management
    - iii. Settlement tracking
    - iv. Claim closure monitoring
    - v. System alerts
    - vi. Reporting capabilities

2. Security measures

Origami Risk has been voted the best RMIS in a global survey by Advisen and was the leader in nearly all categories surveyed.

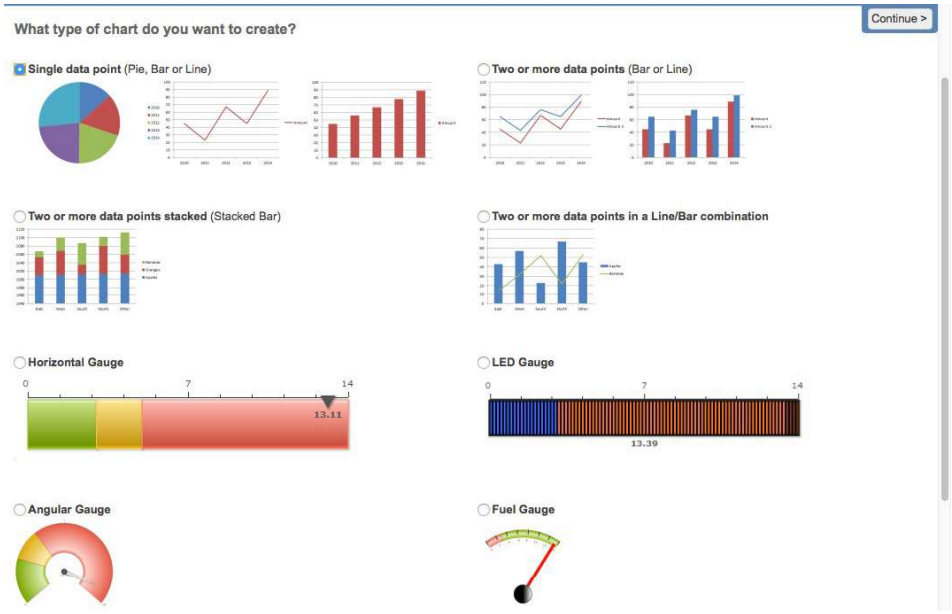
Risk Dashboards
Origami Risk's dashboards provide a great deal of flexibility in delivering powerful analytics to each user. With the ability to create user specific dashboards, defined by the detailed filtering capabilities utilized throughout Origami, users have the ability to automate their own workflow by driving the most critical information directly to their home screen.



While Origami comes standard with 75+ dashboard widget templates, Origami also provides a tool to build custom widgets on the fly…

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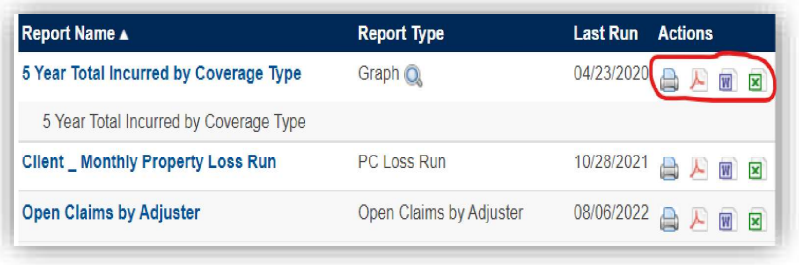
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Reporting Tools

One of the most popular features of the Origami Risk system is its easy to use and intuitive reporting interface. Any data tracked in Origami Risk can be included in reports designed by clients, with great flexibility. This would include jurisdictionally mandated reports as well.

All of the reporting tools in Origami are available via the standard user interface, without the need for a complicated design and query tools. Creating a new report is as simple as choosing a report template and selecting a few filtering, grouping, and other display options. The system lets users preview their reports before saving their work, and once a report is saved it can easily be viewed and/or modified via the Reports screens, or scheduled for automated delivery.

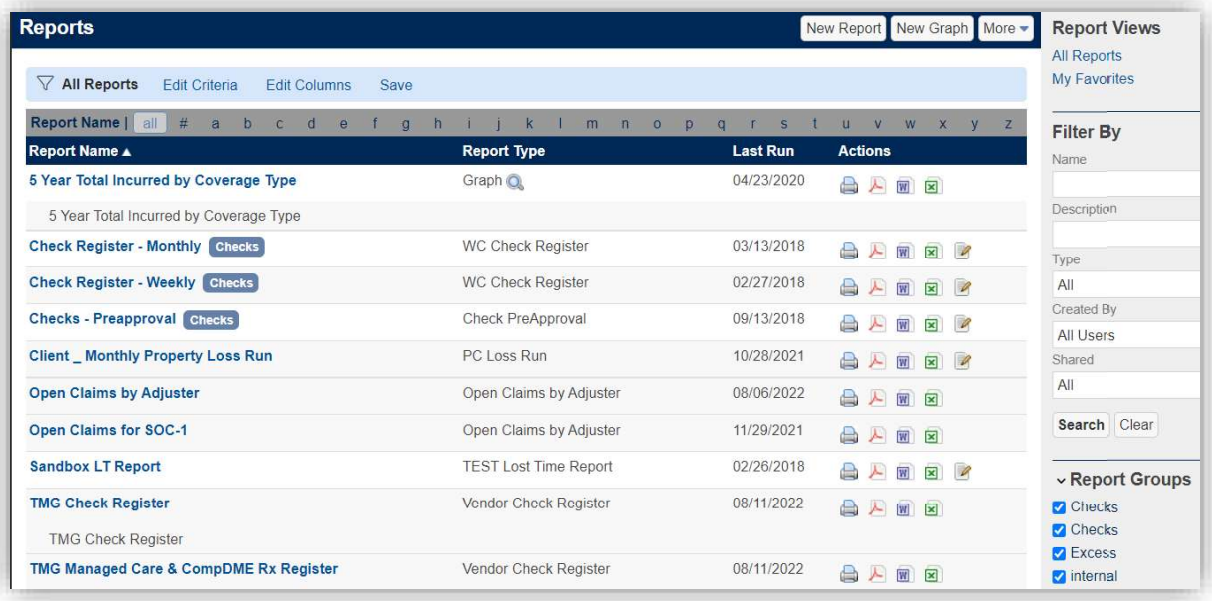


When the “Reports” link in the main navigation bar is clicked, a list of all saved reports is displayed. Specific details about the design of any report in this list may be viewed by clicking directly on the name of the report.

Reports may be executed, edited, or exported by clicking the appropriate icons directly from the Reports list, or more details and options related to any saved report can be displayed by clicking on the name of the report itself. Also, a quick preview image of the report can be displayed by hovering over the “i” icon following its description.

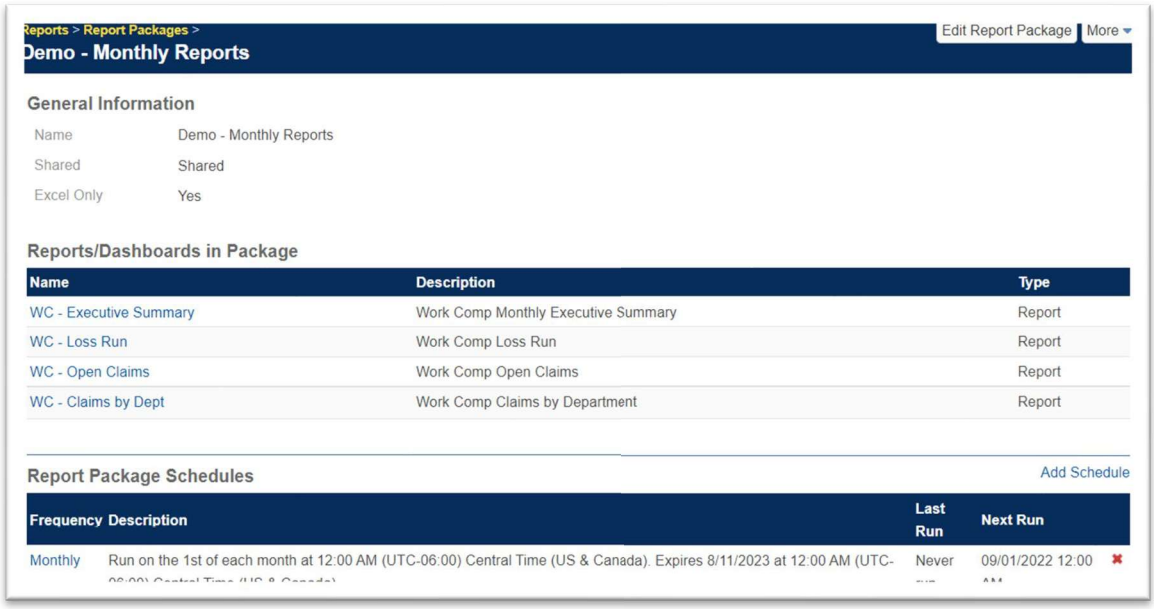
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Origami Risk offers an intuitively powerful reporting platform, with over 70 standard report templates that serve as a starting point to create almost any report from scratch. From the most commonly useful summary lists to highly detailed and specialized charts and cross-tabs, the standard reporting templates in Origami represent a comprehensive toolset to help you get at the data you need.

Report Packages and Distribution Lists



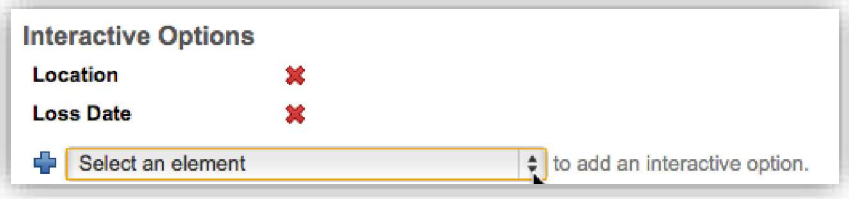
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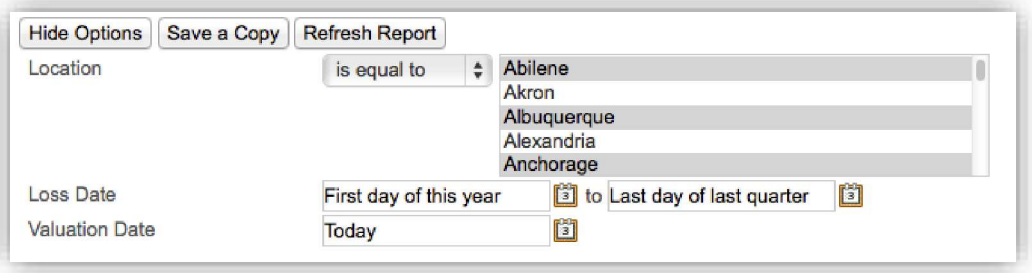
Reports may also be scheduled and automatically delivered to recipients within your organization. “Report Packages” are groups of reports and/or dashboards combined into a single PDF output that can be run on-demand or scheduled for automated delivery to individual recipients or email lists.

Favorite fields
Origami Risk makes filtering and grouping reports even easier by keeping track of the fields you use most often, and automatically making them available at the top of your drop-down lists. This ensures that you can find and choose the fields most important to your organization without scrolling through a long list of every available field. The fields you use most often are always at your fingertips.

Interactive Options
Origami gives report designers the ability to make the filtering, grouping, and sorting options available to end users, so that the end users can apply their own options as they see fit when they run a report.



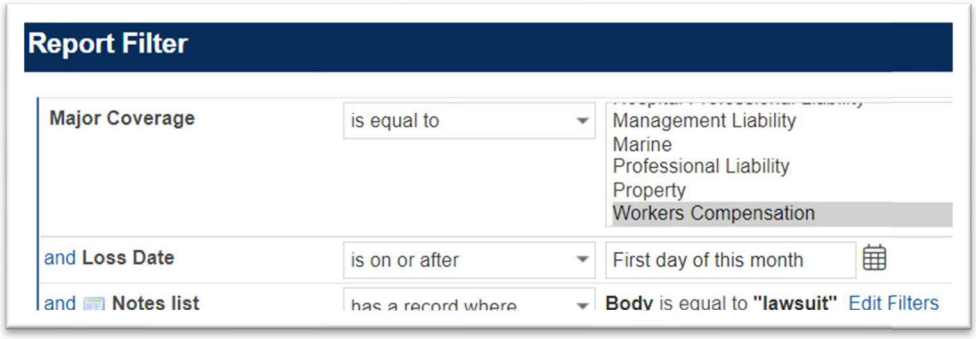
This allows end users to further drill-down capabilities without the need to modify the original report design.



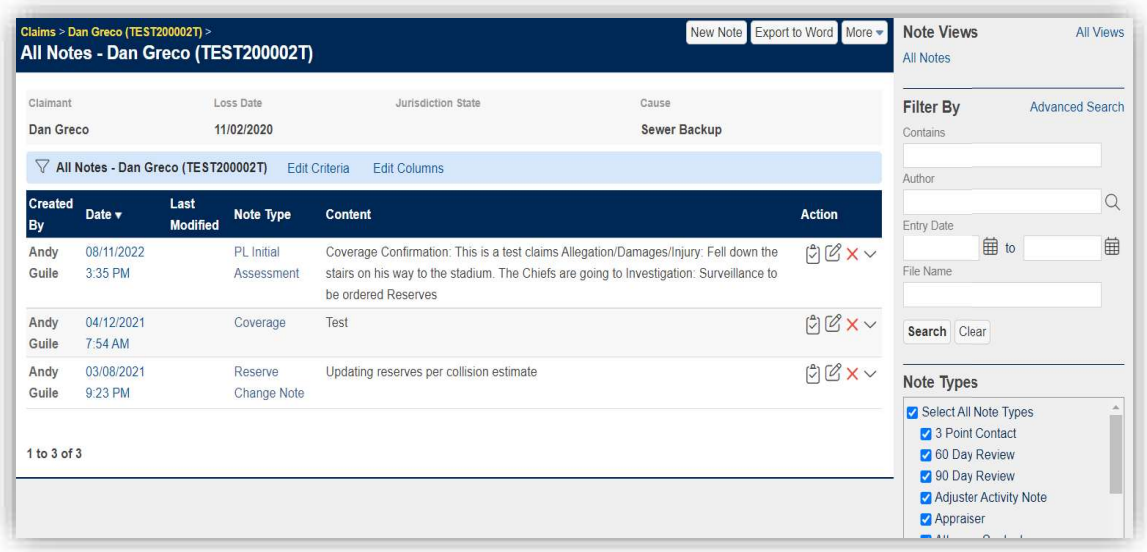
Lastly, Origami also allows you to perform advanced filters using related records. For example, if you want to search for any claims where a note, task, email or file attachment contains the work “Fall” or a particular doctor’s name, Origami allows you to do this without having to recreate the report every time!

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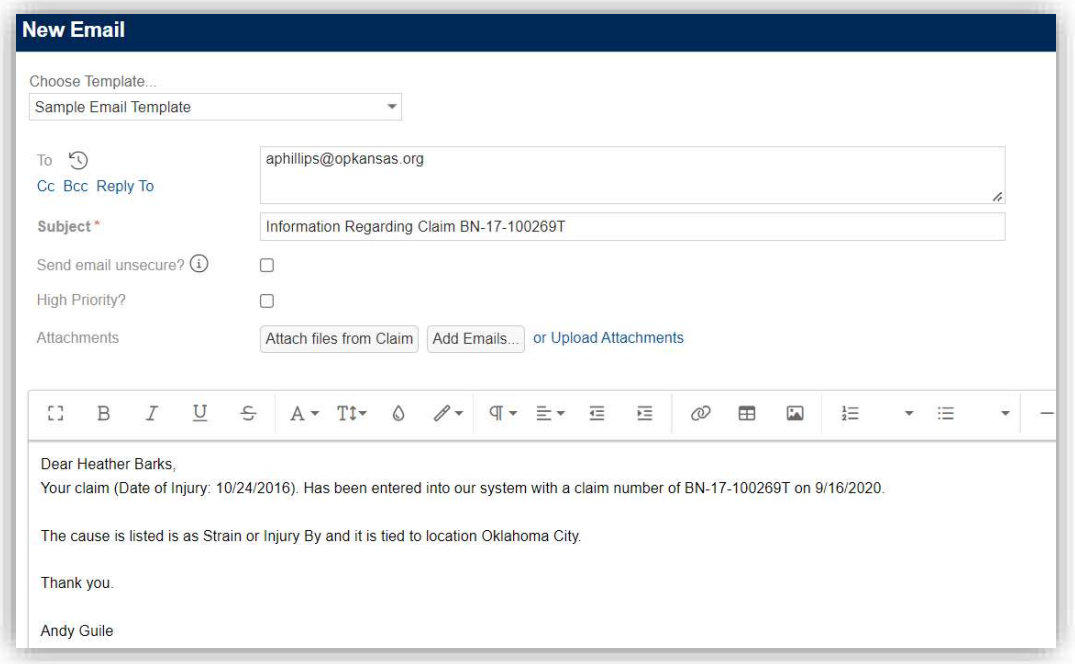
Notes and Document Functionality - Origami provides robust note and document management functionality. Our notes provide the ability for users to enter data with full formatting and spell check capabilities. In addition, users can attach files/documents right on the note record. This reduces the need for having to search through a long list of files on the claim level.



Origami also provides full email integration. Notes and files can be directly emailed into the system. However, we don't stop there. In order to consolidate all data related to an incident or claim, emails can be sent directly out of the system. This allows for quick communication, including file attachments. Clients can configure email templates to increase standardization across their communication. Also, any responses to the email will be automatically added to Origami.

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Lastly, in an effort to secure electronic communications, Origami provides clients a solution to securing e-mail communication via its Secure E-mail Service. Origami configures an e-mail account for its clients on the Origami Servers. Recipients of e-mails generated from the client's system do not receive the actual e-mail originally sent, but generic notification e-mails with a link to the secure server from which the user logs in and reads the original e-mail.

As for document management, users are able to easily upload files directly from their computer or any shared drives. Multiple files can be loaded at the same time as well.

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F. Performance and Outcomes

Provide measurable performance results achieved for comparable public-sector clients.

1. **KPIs and performance metrics**

   Please see Stewardship Report

2. **Predictive modeling capabilities (if applicable)**

   Please see Stewardship Report

3. **Provide measurable performance results achieved including:**
   - i. **Claim duration reductions**
   - ii. **Claim closure rates**
   - iii. **Return-to-work outcomes**
   - iv. **Cost containment results**

   Please see Stewardship Report

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G. Transition Plan

Describe the firm's approach to implementing services and transitioning claims administration from the incumbent provider.

1. **Implementation timeline**
   See below chart
2. **Data migration approach**
   See below chart
3. **Open claim transfer process**
   See below chart
4. **Historical data conversion process**
   See below chart
5. **Staff onboarding**
   See below chart
6. **Required City resources**
   See below chart
7. **Risk mitigation strategy**
   See below chart
8. **Prior transition experience**
   We have significant experience transitioning business partners (especially municipalities) from competitors to our claim system and claim team. We have dedicated resources to work on the data conversion and also employee a seasoned adjuster who works exclusively as a transition adjuster. This is an exceptional benefit that ensures a smooth transition to the City's dedicated adjuster.

DATE	ITEM
October	• Topeka approves Thomas McGee (TM) as TPA • TM works with Topeka on service plan documents and workflows
November/ December	• Notice of change provided to Excess Insurers and Regulators • TM installs Topeka's data with locations and departments • Topeka provided training on claim system • Prepare service plan document • Plan for takeover of open claims • Begin taking newly reported claims after December 15 • On December 31, prior TPA closes all files, completes final financial reports for Topeka
January	• All claims administered by TM • TM works with Topeka to finalize format and distribution of reports • Reports distributed on open claims to Topeka
February	• Claim status meetings held
March	• Claim status meetings held
April – June	• Quarterly claims status meetings held

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THOMAS McGEE GROUP
A DIVISION OF RISK STRATEGIES

H. References

Identify any references for which the proposer provides auto liability or property claims administration services. Provide the following information for each reference.

1. Minimum of three (3) current municipal or public-sector clients
   - i. Organization name
   - ii. Contact person and title
   - iii. Email
   - iv. Phone
   - v. Number of employees covered
   - vi. Years under contract

We're proud of the list of organizations who have chosen to partner with our team. Below is a partial listing, but we encourage (and will provide contact information) the City to contact any of our business partners to solicit a reference on our organization and team.

MUNICIPAL ENTITY	STATE	CONTACT	PHONE NUMBER	LINES OF COVERAGE	YEARS OF SERVICE
Johnson County	KS	Gina Fisher	913-715-0616	GL; Auto Liability; Self Ins. WC	32 Years
Lawrence	KS	Shelby Patch	785-832-3010	GL; Auto Liability; Self Ins. WC	10 Years
Olathe	KS	Tom Sanders	913-971-8519	Self-Insured WC	17 Years
Lenexa	KS	Kristen Crow	913-477-7574	Self-Insured WC	17 Years
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Lee's Summit	MO	Alysia Townsend	816-969-1048	Self-Insured WC	22 Years
Independence	MO	Sara Veit	816-857-7875	Self-Insured WC	10 Years
KCATA	MO	Jill Spurling	816-346-0854	GL; Auto Liability; Self Ins. WC	25 Years
Joplin	MO	Michelle Ducre	417-624-0820	GL; Auto Liability; Self Ins. WC	3 Years
Springfield USD	MO	Kaylyn Staats	417-523-0312	GL; Auto Liability; Self Ins. WC	8 years
Shawnee Mission USD	KS	Russ Knaplp	913-993-6478	GL; Auto Liability; Self Ins. WC	27 Years
Blue Valley USD	KS	Sid Cumberland	913-239-4244	GL; Auto Liability; Self Ins. WC	20 Years
Olathe USD	KS	Merle Hastert	913-780-8051	GL; Auto Liability; Self Ins. WC	21 Years
Shawnee	KS	Lona Lanter	913-631-2500	Self-Insured WC	19 Years
Lansing	KS	Sarah Bodensteiner	913-727-3036	Self-Insured WC	19 Years
Leavenworth	KS	Lona Lanter	913-680-2608	Self-Insured WC	19 Years
Leavenworth County	KS	Fran Keppler	913-684-0415	Self-Insured WC	19 Years
Manhattan	KS	Kathy Lousch	785-587-2446	Self-Insured WC	27 Years
Merriam	KS	Stephanie Thompson	913-322-5508	Self-Insured WC	19 Years
Mission	KS	Brian Scott	913-676-8350	Self-Insured WC	19 Years
Ottawa	KS	Michelle Wapp	785-229-3635	Self-Insured WC	31 Years
Shawnee County	KS	Jim Crowl	785-233-8200	Self-Insured WC	19 Years
St. Joseph, MO	MO	Laurie Thompson	816-271-4672	Self-Insured WC	27 Years

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Hutchinson	KS	Tom Sanders	620-694-2620	Self-Insured WC	8 Years
Winfield	KS	Jamie Chism	660-221-5509	Self-Insured WC	11 Year
Chanute	KS	Traci Endicott	620-431-5293	Self-Insured WC	12 Years
Emporia	KS	Jo Lynn Herron	620-343-4292	Self-Insured WC	20 Years
Fairway	KS	Kim Young	913-262-0350	Self-Insured WC	18 Years
Gardner	KS	Alan Abramovitz	913-856-0943	Self-Insured WC	18 Years
Lawrence	KS	Shelby Patch	785-832-3010	Self-Insured WC	9 Years
Lawrence USD	KS	Susan Fowler	785-832-5000	Self-Insured WC	19 Years

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I. Exceptions

1. **Clearly Identify any deviations**

   None

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J. Claims Inventory & Reporting Samples

Submit the following sample reports as appendices. Combine all reports into a single file before uploading. These materials will not count toward the technical proposal page limit.

1. Sample loss run

Prospective Client
Valued as of 05/10/2024

Work Comp Loss Run

Policy Period	Loss Date	Claimant	Claim Number	Claim Type	Status	Date Closed	Facility	Department
07/01/2023 - 06/30/2024	2/21/2024	Claimant	240008	Medical Only	Closed	3/26/2024	Police Department	PD-Animal Control
07/01/2023 - 06/30/2024	3/1/2024	Claimant	240007	Medical Only	Closed	3/20/2024	Police Department	PD-Field Operations
07/01/2023 - 06/30/2024	3/15/2024	Claimant	240009	Indemnity	Open		Fire Department	FD-Field Personnel
07/01/2023 - 06/30/2024	3/20/2024	Claimant	240010	Medical Only	Open		Fire Department	FD-Field Personnel
07/01/2023 - 06/30/2024	3/25/2024	Claimant	240011	Medical Only	Open		Police Department	PD-Field Operations
07/01/2023 - 06/30/2024	3/25/2024	Claimant	240012	Medical Only	Open		Police Department	PD-Field Operations
07/01/2023 - 06/30/2024	3/26/2024	Claimant	240013	Medical Only	Open		Parks & Recreation	P&R-Legacy Park
07/01/2023 - 06/30/2024	4/2/2024	Claimant	240015	Medical Only	Open		Fire Department	FD-Field Personnel
07/01/2023 - 06/30/2024	4/12/2024	Claimant	240016	Exposure	Open		Public Works	PW-Operations
07/01/2023 - 06/30/2024	4/17/2024	Claimant	240017	Medical Only	Open		Parks & Recreation	P&R-Field Operations
07/01/2023 - 06/30/2024	4/19/2024	Claimant	240019	Medical Only	Open		Water Utilities	WU-Metered Services
07/01/2023 - 06/30/2024	4/23/2024	Claimant	240018	Medical Only	Open		Water Utilities	Water Utilities-Operations
07/01/2023 - 06/30/2024	4/26/2024	Claimant	240021	Medical Only	Open		Police Department	PD-Field Operations

2. Sample executive dashboard

Prospective Client
Valued as of 5/10/2026

Work Comp Executive Summary

Policy Year	Claims	Open Claims	Total Paid	Total Outstanding	Total Incurred	Subrogation/ Excess Recovery	Net Incurred
2015	441	2	$1,654,117	$6,202	$1,660,319	$0	$1,660,319
2016	447	7	$1,585,226	$145,191	$1,730,417	$0	$1,730,417
2017	435	3	$1,083,328	$27,581	$1,110,908	$0	$1,110,908
2018	450	2	$955,205	$56,505	$1,011,709	$0	$1,011,709
2019	539	1	$976,706	$1,092	$977,798	$0	$977,798
2020	535	3	$909,671	$57,260	$966,931	$0	$966,931
2021	601	0	$1,198,534	$0	$1,198,534	$25,780	$1,172,754
2022	859	2	$804,652	$39,954	$844,606	$17,132	$827,474
2023	1,147	7	$1,104,432	$252,274	$1,356,707	$14,856	$1,341,851
2024	1,336	12	$1,449,852	$294,614	$1,744,466	$0	$1,744,466
2025	960	26	$924,643	$439,333	$1,363,977	$0	$1,363,977
2026	672	175	$341,589	$381,042	$722,631	$0	$722,631
	8,422	**240**	**$12,987,956**	**$1,701,048**	**$14,689,004**	**$57,768**	**$14,631,236**

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3. Sample settlement report

Prospective Client — Recently Closed WC Claims
Valued as of 08/14/2026

Policy Period	Loss Date	Claimant	Claim Number	Claim Type	Status	Date Closed	Facility	Department	Total Paid
01/01/2025 - 12/31/2025	10/5/2025	Claimant	TPK250071	Medical Only	C	7/13/2026	Parks & Rec	Farmstead	$12,557.90
01/01/2026 - 12/31/2026	4/8/2026	Claimant	TPK260018	Medical Only	C	7/23/2026	Information Technology	Information Technology	$2,716.38
01/01/2026 - 12/31/2026	5/3/2026	Claimant	TPK260023	Medical Only	C	7/23/2026	Fire Department	OPFD - Station Four	$422.78
01/01/2026 - 12/31/2026	5/8/2026	Claimant	TPK260026	Medical Only	C	7/31/2026	Police Services	Tactical Operations Bureau	$221.09
01/01/2026 - 12/31/2026	6/9/2026	Claimant	TPK260035	Medical Only	C	7/31/2026	Public Works	Public Works Maintenance	$592.69
01/01/2026 - 12/31/2026	6/26/2026	Claimant	TPK260037	Exposure	C	7/31/2026	Parks & Rec	Arboretum/Botanical Gardens	$221.09
01/01/2026 - 12/31/2026	7/7/2026	Claimant	TPK260039	Exposure	C	7/31/2026	Fire Department	Fire Operations	$319.73
01/01/2026 - 12/31/2026	7/7/2026	Claimant	TPK260040	Exposure	C	7/31/2026	Fire Department	Fire Operations	$319.73
01/01/2026 - 12/31/2026	7/7/2026	Claimant	TPK260041	Medical Only	C	7/31/2026	Public Works	Public Works Maintenance	$518.46
01/01/2026 - 12/31/2026	7/7/2026	Claimant	TPK260042	Medical Only	C	7/31/2026	Police Services	Special Services Bureau	$373.82
									$18,263.67

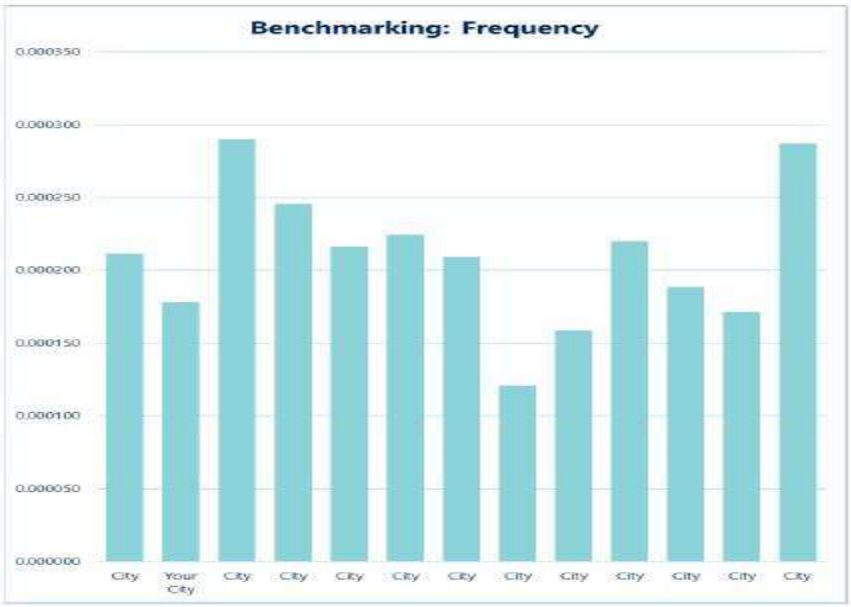
2. Sample claim closure report

Prospective Client — Recently Closed WC Claims
Valued as of 08/14/2026

Policy Period	Loss Date	Claimant	Claim Number	Claim Type	Status	Date Closed	Facility	Department	Total Paid
01/01/2025 - 12/31/2025	10/5/2025	Claimant	TPK250071	Medical Only	C	7/13/2026	Parks & Rec	Farmstead	$12,557.90
01/01/2026 - 12/31/2026	4/8/2026	Claimant	TPK260018	Medical Only	C	7/23/2026	Information Technology	Information Technology	$2,716.38
01/01/2026 - 12/31/2026	5/3/2026	Claimant	TPK260023	Medical Only	C	7/23/2026	Fire Department	OPFD - Station Four	$422.78
01/01/2026 - 12/31/2026	5/8/2026	Claimant	TPK260026	Medical Only	C	7/31/2026	Police Services	Tactical Operations Bureau	$221.09
01/01/2026 - 12/31/2026	6/9/2026	Claimant	TPK260035	Medical Only	C	7/31/2026	Public Works	Public Works Maintenance	$592.69
01/01/2026 - 12/31/2026	6/26/2026	Claimant	TPK260037	Exposure	C	7/31/2026	Parks & Rec	Arboretum/Botanical Gardens	$221.09
01/01/2026 - 12/31/2026	7/7/2026	Claimant	TPK260039	Exposure	C	7/31/2026	Fire Department	Fire Operations	$319.73
01/01/2026 - 12/31/2026	7/7/2026	Claimant	TPK260040	Exposure	C	7/31/2026	Fire Department	Fire Operations	$319.73
01/01/2026 - 12/31/2026	7/7/2026	Claimant	TPK260041	Medical Only	C	7/31/2026	Public Works	Public Works Maintenance	$518.46
01/01/2026 - 12/31/2026	7/7/2026	Claimant	TPK260042	Medical Only	C	7/31/2026	Police Services	Special Services Bureau	$373.82
									$18,263.67

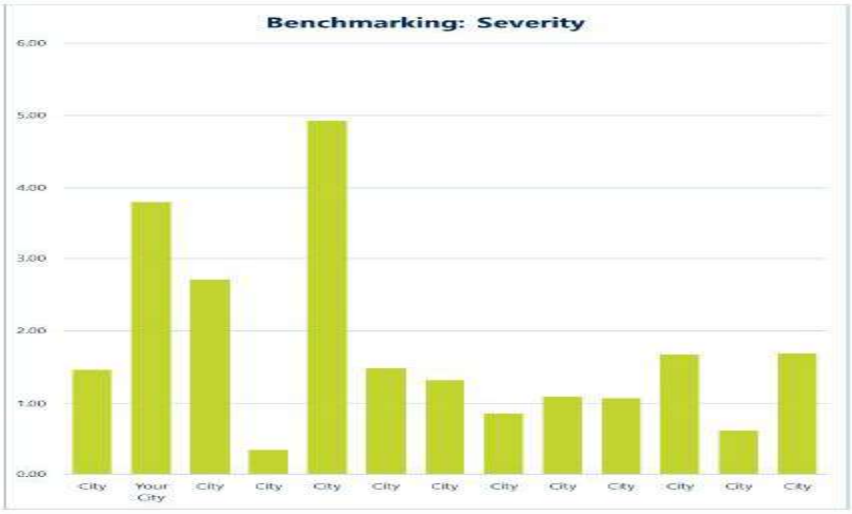
3. Sample stewardship report

Our Stewardship reports are approximately 30 pages and included a multitude of charts and graphs. Below is a small sample.



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Appendix

RMIS Report Samples

Executive Summary

Executive Summary by Policy Year

*Standard Client (Sandbox) — WC - Executive Summary
Valued as of 08/11/2022

Loss Year	Claims	Open Claims	Medical Paid	Indemnity Paid	Expense Paid	Legal Paid
01/01/2009 - 12/31/2009	1	1	$0	$0	$0	$0
01/01/2010 - 12/31/2010	104	18	$1,464,527	$0	$0	$0
01/01/2012 - 12/31/2012	1	1	$0	$0	$0	$0
01/01/2013 - 12/31/2013	1	1	$0	$0	$0	$0
01/01/2014 - 12/31/2014	2	2	$1,000,055	$0	$0	$0
01/01/2015 - 12/31/2015	5	4	$0	$0	$0	$0
01/01/2016 - 12/31/2016	28	25	$10,637	$200	$125	$0
01/01/2017 - 12/31/2017	4	3	$0	$0	$0	$0
01/01/2018 - 12/31/2018	7	6	$0	$0	$0	$0
01/01/2019 - 12/31/2019	9	8	$1,200	$0	$0	$0
01/01/2020 - 12/31/2020	22	22	$500	$1,187	$0	$0
01/01/2021 - 12/31/2021	1	1	$0	$485,684	$0	$0
01/01/2022 - 12/31/2022	2	2	$0	$0	$0	$0
Grand Totals - 187 Claims	**187**	**94**	**$2,476,919**	**$487,071**	**$125**	**$0**

Executive Summary II



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Loss by Department

*Standard Client (Sandbox) Claims by Department
Valued as of 08/11/2022

Department	Claim Count	Total Paid	Total Outstanding	Total Incurred	Avg Incurred
Fire	1	$0	$825	$825	$825
Police	1	$0	$8,500	$8,500	$8,500
Streets	8	$757	$344,266	$345,023	$43,128
Admin	1	$0	$110,000	$110,000	$110,000
Maintenance	2	$0	$28,500	$28,500	$14,250
IT	1	$500	$116,500	$117,000	$117,000
Counselors	1	$0	$0	$0	$0
Legal	1	$0	$11,500	$11,500	$11,500
HR	1	$0	$1,500,600	$1,500,600	$1,500,600
Parks & Rec	3	$200	$409,910	$410,110	$136,703
Grand Totals	**20**	**$1,457**	**$2,530,601**	**$2,532,058**	**$1,942,506**



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Loss Run

*Standard Client (Sandbox) Work Comp Loss Run
Valued as of 08/11/2022

Poicy Year	Loss Date	Report Date	Claimant	Claim Number	Status	Department	Cause	Event Description	Total Paid
2016	10/5/2016	10/20/2016	Musk, Elon	TEST20161020T	O	Bowerman Elementary	Struck or Injured By	Student threw chair at teacher	$0
2016	10/24/2016	10/24/2016	Caray, Harry	OCCNO125T	O	Chicago	Rubbed or Abraded By	Torn throat.	$0
2016	10/24/2016	8/12/2020	Barks, Heather A	BN-17-100269T	O	Oklahoma City	Strain or Injury By	Milwaukee WI Corp - Please see attached docume	$0
2020	3/4/2020	4/10/2020	Sawyer, Benjamin	W00005T	O	Oklahoma City	Strain or Injury By	Employee stated he was hoisting a ladder across a	$0
2020	3/11/2020	3/13/2020	Irby, Keith	W00006T	O	Fort Smith	Strain or Injury By	Employee stated he got out of the driver's seat of t	$0
2020	3/17/2020	3/30/2020	Brake, James	W00007T	O	St Louis	Miscellaneous Causes	Employee stated he was completing a gas service	$0
2020	4/1/2020	4/13/2020	Lambeth, Jonathan	W00008T	O	Oklahoma City	Miscellaneous Causes	Employee stated he was helping a truck driver loa	$0
2020	4/20/2020	4/27/2020	Ingerson, Bryan	W00009T	O	Fort Smith	Strain or Injury By	Employee stated he was walking down a stair trea	$0
2020	6/10/2020	7/8/2020	Jones, Aaron M	BN-20-100230T	O	Oklahoma City	Rubbed or Abraded By	Poplar Bluff MO - Employee states while installing	$0
2020	6/24/2020	7/15/2020	Stephens, Brian	W00010T	O	Oklahoma City	Miscellaneous Causes	Employee stated that after operating the bus for 30	$0
2020	7/8/2020	7/20/2020	Shipe, John	W00011T	O	Oklahoma City	Strain or Injury By	Employee stated he was removing a bicycle from a	$0
2020	7/10/2020	7/21/2020	Young, Derek	W00012T	O	Fort Smith	Strain or Injury By	Employee stated he tripped over gas pipe while su	$0
2020	7/20/2020	7/28/2020	Davis, Deborah	W00013T	O	St Louis	Fall, Slip, or Trip	Employee stated he exited bus to get bus ramp to	$0
2020	8/6/2020	8/11/2020	Wynn, John	W00014T	O	St Louis	Fall, Slip, or Trip	Employee stated she rolled her left ankle after step	$200
2020	8/21/2020	8/31/2020	Gann, Larry	W00015T	O	Fort Smith	Struck or Injured By	Employee stated fuse barrel came loose from reta	$223
2020	8/26/2020	9/2/2020	Brookshire, Kirk	W00016T	O	Oklahoma City	Strain or Injury By	Employee stated he and two other employees were	$0
2020	9/2/2020	9/4/2020	Hoskins, Darrell	W00017T	O	Fort Smith	Struck or Injured By	Employee stated he was cutting a piece of plywoo	$300
2020	9/9/2020	9/9/2020	Guile, Silas	TEST200001T	O	Gate D	Fall, Slip, or Trip	Test Test	$500
2020	10/27/2020	11/12/2020	Walker, William	W00018T	O	Fort Smith	Strain or Injury By	Employee stated he bent over to put on pole climb	$234
2020	11/17/2020	11/23/2020	Cantrell, Bill	W00019T	O	St Louis	Burns, Exposures, Contact With	TESTING DEE FOR WC	$230
2022	2/11/2022	2/11/2022	Smith, Joe	TEST220001	O	Chicago	Cut, Punctures, or Scrape	sliced left finger with knife	$0
2022	2/11/2022	2/11/2022	Smith, Ben	TEST220002	O	Test Location	Fall, Slip, or Trip	Ee slipped on icy step of bus when entering. Brok	$0
									$2,232,415

Loss Run by Claim Type

Claim Type	Claim Count	Sum of Total Paid	Sum of Outstanding	Sum of Total Incurred
Exposure	4	$0	$0	$0
Medical Only	14	$1,223	$236,150	$237,373
Indemnity	4	$464	$690,536	$691,000
Grand Total	***22***	***$1,687***	***$926,686***	***$928,373***

Check Register

City of Overland Park OP - Weekly WC Check Register

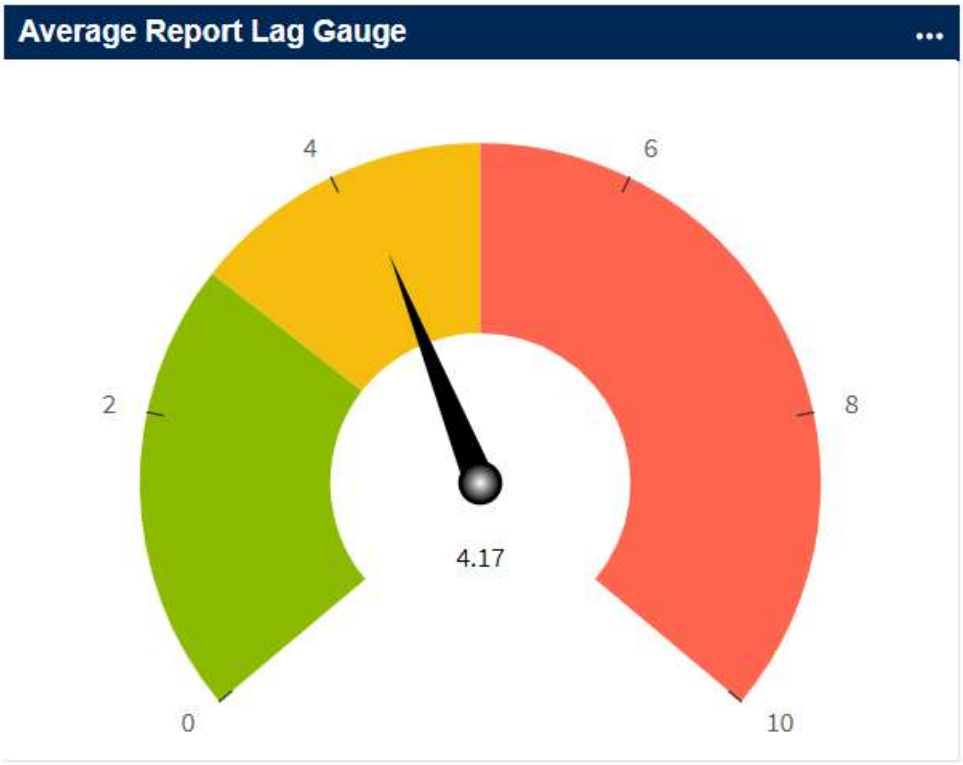
Check Print Date	Check Number	Event Date	Department	Claim Number	Claimant	Payee	Amount	Service From	Servi
7/26/2022	12176	2/8/2021	Building Safety	OPK210007	Smith, Bob	Dickson Diveley Midwest Ortho Clinic	$1,000.00	7/29/2022	7/29/
7/26/2022	12177	6/26/2022	Special Services Bureau	OPK220037	Smith, Bob	Discover Vision Centers	$73.45	7/1/2022	7/1/2
7/26/2022	12178	6/26/2022	Special Services Bureau	OPK220037	Smith, Bob	CompAlliance, LLC	$11.14	7/1/2022	7/1/2
7/26/2022	12179	12/2/2021	Fire Operations	OPK210069	Smith, Bob	Stubbe & Associates, Inc.	$746.18	7/5/2022	7/14/
7/26/2022	12179	4/7/2022	Traffic Services	OPK220018	Smith, Bob	Stubbe & Associates, Inc.	$261.90	6/23/2022	7/13/
7/26/2022	12179	3/8/2022	Fire Operations	OPK220016	Smith, Bob	Stubbe & Associates, Inc.	$194.00	7/13/2022	7/13/
7/26/2022	12179	5/22/2021	Tactical Operations Bureau	OPK210034	Smith, Bob	Stubbe & Associates, Inc.	$126.10	7/12/2022	7/12/
7/26/2022	12180	9/22/2020	Traffic Maintenance	OPK200060	Smith, Bob	Leawood Family Care, PA	$450.00	7/19/2022	7/19/
							$2,862.77		

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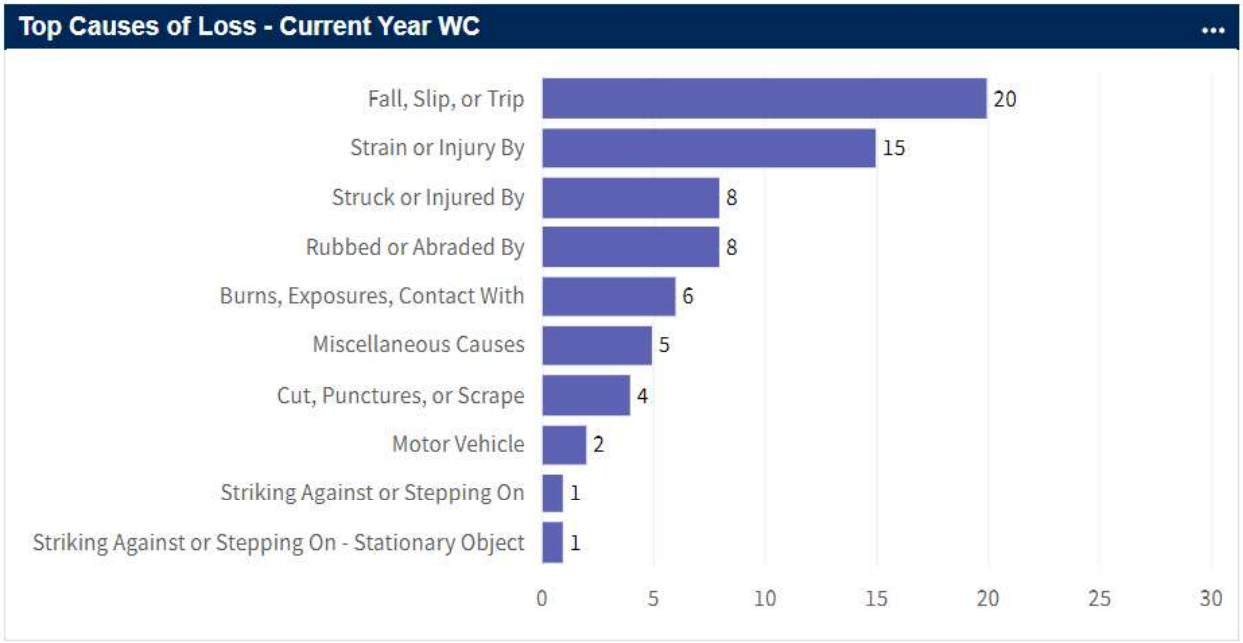
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Lag Report



Cause of Loss Report



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Stewardship Report

The purpose of a Stewardship Report is to chronicle your Workers Compensation statistics into a readable format, provide historical documentation for future goal setting, and to review the performance of the most recent year.

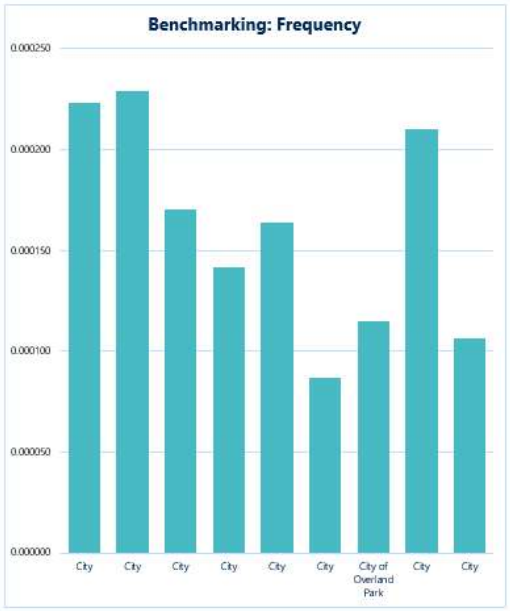
We share these reports shortly after the completion of the year, in the hope clients will be able to use the statistics to report to Management on the results of your program and to put your results into perspective with your historical experience and with others in your industry.

The analytical aspects of the report should assist City of Overland Park to establish new objectives for the coming year. It will also serve as discussion points for determining the economic and human impact of the past year. By collectively establishing objectives, we can maximize our efforts in focusing our services to create the greatest value for you and your employees.

Sample chart of Closed Claims Triangle

Mth	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	Avg
12	127 80%	156 79%	168 77%	199 82%	244 75%	217 79%	246 76%	226 80%	221 78%	156 77%	78%
24	62 82%	104 81%	99 85%	127 85%	146 90%	145 72%	148 80%	119 74%	82 71%		80%
36	33 85%	55 79%	53 80%	69 75%	94 90%	101 75%	83 73%	51 81%			80%
48	20 91%	27 89%	27 90%	47 83%	63 78%	68 76%	32 89%				85%
60	15 93%	18 93%	17 94%	37 87%	41 86%	27 91%					91%
72	8 96%	11 96%	12 95%	20 93%	20 93%						95%
84	3 99%	5 98%	8 97%	10 96%							98%

Sample Benchmarking Report



Examples of these statistics/metrics include: frequency and severity rates, loss development patterns, comparison of events to claims to lost time claims to litigated claims, causes of loss, parts of body injured, and employees with multiple workers' compensation claims.

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Resumes



John Charpie, Managing Director

In John's current ownership role, he is responsible for business development, relationship management, and client program development. He is actively involved in agency management decisions, which impact all areas of the organization.

John holds a B.B.A. in Marketing from the University of Central Missouri. Additionally, he maintains the following designations: Chartered Property Casualty Underwriter (American Institute for CPCU) and Associate in Risk Management (Insurance Institute of America).



Kevin Robertson, Manager, TPA Services

Kevin has over 32 years' experience as a Claim Adjuster, all-lines Claims Supervisor, and Manager. He has extensive experience in litigation management, medical management, and disability management. Kevin has supervised Thomas McGee Group's claims services for over 25 years, managing significant client and personnel growth over those years.

Kevin currently serves on the Board for the Kansas Self Insurers Association. He holds a B..A. in Economics and Business Administration from Tarkio College.



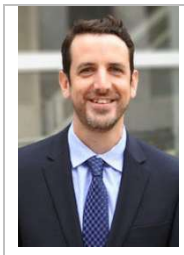
Brytton Morton, Claim Technician

Brytton joined Thomas McGee's Third Party Administration team in 2018 following her graduation from Pittsburg State University. At Pittsburg State, Brytton majored in Management and Marketing. Before coming to work full time, Brytton worked part-time attaching documents to claims for Thomas McGee while working on her Masters in Human Resource Development, with an emphasis in Management and Consulting.

In her role as Claim Technician, Brytton administers medical-only claims, processes new claims, and manages mail, images, and payments.

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Andy Guile, TPA Operations Manager

Andy has been in the insurance and risk management industry for over 15 years, joining Thomas McGee in January of 2011. He has a focus in client administration covering new client conversions, trend analysis, system interface, excess marketing and placement, amongst other things. Andy places an emphasis on client experience, education and results.

Andy holds a B.A. in Psychology from The University of Kansas. In addition, he achieved his Associate in Risk Management, Associate in Claims and Associate in Insurance Services from the Insurance Institute of America.



Joe Thurston, Sr. Claim Adjuster

Joe joined Thomas McGee in 2002 and currently handles Property & Casualty claims and litigation. Joe has over 25 years' experience in insurance claims, handling auto liability, general liability, law enforcement liability, property, crime, public entities and school districts.

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Docusign Envelope ID: FA542DFD-59CE-814C-82CF-8F5452969D77

Contact Us with Questions

Thomas McGee Group
(816) 842-4800
thomasmcgee.com

120 W. 12th St., Suite 1000
Kansas City, MO 64105-1938

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CITY OF TOPEKA
Contracts & Procurement Division
City Hall, 215 SE 7th St., Room 60
Topeka, KS 66603
procurement@topeka.org
Tel: 785-368-3749

FEE PROPOSAL FORM

Proposer Name: Thomas McGee Group

Authorized Representative: John Charpie

Title: Managing Director

Telephone: 816-830-0073

Email: jcharpie@thomasmcgee.com

SECTION 1 – FIXED ANNUAL FEES

Service	Year 1	Year 2	Year 3	Year 4	Year 5
Account Management	$0	$0	$0	$0	$0
RMIS Access	$0	$0	$0	$0	$0
Administrative Fees	$10000	$10000	$10000	$10500	$10500
Other Fixed Fees (Describe)	$0	$0	$0	$0	$0

SECTION 2 – CLAIM ADMINISTRATION FEES

Claim Type	Fee Per Claim
Report Only	$50
Medical Only	$175
Lost Time	$1050
Indemnity	$1050
Litigated Claim	$na
Catastrophic Claim	$na
Reopened Claim	$na
Auto Liability Claim (Optional)	$700
Property Claim (Optional)	$600

Docusign Envelope ID: FA542DFD-59CE-814C-82CF-8F5452969D77

SECTION 3 – MEDICAL MANAGEMENT SERVICES

Service Included in Claim	Fee (Y/N)	Separate Fee
Telephonic Nurse Case Management	n	$ 98/hr
Field Nurse Case Management	n	$ 98/hr
Bill Review	n	$ 1.50 per line and 25% PPO Savings
Pharmacy Benefit Management	n	$ KS Fee Schedule
Utilization Review	n	$ 103/hr
Independent Medical Examination	n	$
Vocational Rehabilitation	n	$ 107/hr

SECTION 4 – PASS-THROUGH COSTS

Service	Vendor Cost	Markup %	
Surveillance	$	0 %	
Medical Records Retrieval	$	0 %	
Expert Witness	$	0 %	
Other (Describe)	$	0 %	You choose any vendors you prefer

SECTION 5 – IMPLEMENTATION & TRANSITION

Service	Cost
Implementation	$ included
Historical Data Conversion	$ 7500
Open Claim Transfer	$ 7500
Staff Training	$ included
Other	$ included

SECTION 6 – RUN-OFF / TERMINATION SERVICES

Service	Cost
Open Claim Administration	$ 0
Data Extraction	$ 0
Data Archive	$ 0
Read-Only RMIS Access	$ 0
Other	$ 0

Docusign Envelope ID: FA542DFD-59CE-814C-82CF-8F5452969D77

SECTION 7 – VALUE-ADDED SERVICES

Service	Cost
Predictive Analytics	$ included
Benchmarking Studies	$ included
Stewardship Reporting	$ included
On-Site Claim Reviews	$ included
Supervisor Training	$ included
Safety Consulting	$ 225/hr
Other	$ na

SECTION 8 – ANNUAL COST SCENARIO

Using the following estimated annual claim volume, calculate the total annual cost:

178 Report Only Claims

150 Medical Only Claims

50 Lost Time Claims

25 Indemnity Claims

10 Auto Liability Claims

5 Property Claims

Total Estimated Annual Cost: $ 107,650

SECTION 9 – PRICING CERTIFICATION

The undersigned certifies that all pricing contained herein is complete and inclusive of all costs necessary to perform the services described in this RFP except those specifically identified as pass-through expenses.

Authorized Signature: John Charpie

Printed Name: John Charpie

Date: 8/18/26

Docusign Envelope ID: FA542DFD-59CE-814C-82CF-8F5452969D77

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 10/9/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Brown & Brown RS Insurance Services, LLC
6 Concourse Pkwy, Ste 2300
Atlanta, GA 30328

www.bbinsurance.com

CONTACT NAME: Risk Solutions Critical Services
PHONE (A/C, No, Ext): (404) 460-1400 x 4 **FAX (A/C, No):**
E-MAIL ADDRESS: rscerts@bbrown.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Travelers Property Casualty Company of America	25674
INSURER B : Charter Oak Fire Insurance Company	25615
INSURER C : XL Specialty Insurance Company	37885
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Brown & Brown, Inc.
PO 2412
Daytona Beach FL 32115-2412

COVERAGES **CERTIFICATE NUMBER:** 92581307 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. *LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. LIMITS SHOWN ARE INCLUSIVE OF AMOUNTS REQUESTED BY THE CERTIFICATE HOLDER AND MAY NOT REFLECT POLICY LIMIT AMOUNTS IN EXCESS OF THOSE REQUESTED. ***Not Applicable in WY**

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	✓ COMMERCIAL GENERAL LIABILITY	✓		TC2J-GLSA-9X634492-TIL-26	1/1/2026	1/1/2027	EACH OCCURRENCE	$ 1,000,000
	☐ CLAIMS-MADE ✓ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 1,000,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 10,000,000
	✓ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
	OTHER:							$
A	AUTOMOBILE LIABILITY			TC2J-CAP-9X634480-TIL-26	1/1/2026	1/1/2027	COMBINED SINGLE LIMIT (Ea accident)	$ 2,000,000
	☐ ANY AUTO						BODILY INJURY (Per person)	$
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	✓ HIRED AUTOS ONLY ✓ NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
A	✓ UMBRELLA LIAB ✓ OCCUR			CUP-C2703025-26-NF	1/1/2026	1/1/2027	EACH OCCURRENCE	$ 5,000,000
	EXCESS LIAB ☐ CLAIMS-MADE						AGGREGATE	$ 5,000,000
	DED ✓ RETENTION $ 10,000							$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N			UB-1R870198-26-51-K (AOS)	1/1/2026	1/1/2027	✓ PER STATUTE ☐ OTH-ER	
A	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N	N / A		UB-1R861269-26-51-R (AZ, WI, MA)	1/1/2026	1/1/2027	E.L. EACH ACCIDENT	$ 1,000,000
	(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000
C	Professional Liability / E&O - (Insurance Agents/Brokers)			US00106979EO26A	1/1/2026	1/1/2027	Each Wrongful Act	$20,000,000
							Aggregate	$20,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Named Insured: Thomas McGee Group
Bid Event No. 100, Comprehensive Claims Administration, Third Party Administration and Related Services
City of Topeka is included as additional insured as regards General Liability when required by written contract.

CERTIFICATE HOLDER

City of Topeka
Division of Contracts & Procurement
215 SE 7th Street
Topeka KS 66603

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE *Brown & Brown RS Insurance Services, LLC*

Brown & Brown RS Insurance Services, LLC

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City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
November 10, 2026

DATE:	**November 10, 2026**		
CONTACT PERSON:	**Jason Tryon, Director of Public Works**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**21st Street / Wanamaker Patching**	**PROJECT #:**	**841211.06**
CIP PROJECT:	**Yes**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

RESOLUTION introduced by Public Infrastructure Committee recommending approval of Project No. 841211.06 for street improvements to 21st Street and Wanamaker. *(Public Infrastructure Committee recommended approval on October 20, 2026 3-0-0.)*

(Approval for street improvements to 21st Street and Wanamaker with a project budget of $1,400,000.)

VOTING REQUIREMENTS:

Action requires at least six (6) votes of the Governing Body.

POLICY ISSUE:

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution as part of the consent agenda.

BACKGROUND:

The Governing Body adopted Resolution No. 9809 approving the 2027-2036 Capital Improvement Program (CIP) and the 2027-2029 Capital Improvement Budget (CIB); and WHEREAS, the Resolution requires Governing Body approval for projects that are ready for construction and whose total project budget exceeds $250,000; and WHEREAS, on October 20, 2026, the Public Infrastructure Committee recommended approval of Project No. 841211.06 for street improvements to 21st Street and Wanamaker Road as further described in Exhibit A is hereby approved.

BUDGETARY IMPACT:

$1,400,000

SOURCE OF FUNDING:

Citywide Half-Cent Sales Tax

ATTACHMENTS:

Proposed Resolution & Exhibit A
Aerial Map - Project No. 841211.06
Public Infrastructure Committee Report (October 20, 2026)
Public Infrastructure Committee Meeting Minutes Excerpt (October 20, 2026)

RESOLUTION NO. _____

A RESOLUTION introduced by Public Infrastructure Committee recommending approval of Project No. 841211.06 for street improvements to 21st Street and Wanamaker.

WHEREAS, the Governing Body adopted Resolution No. 9809 approving the 2027-2036 Capital Improvement Program (CIP) and the 2027-2029 Capital Improvement Budget (CIB); and

WHEREAS, the Resolution requires Governing Body approval for projects that are ready for construction and whose total project budget exceeds $250,000; and

WHEREAS, on October 20, 2026, the Public Infrastructure Committee recommended approval of the project(s).

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS, that Project No. 841211.06 for street improvements to 21st Street and Wanamaker Road as further described in Exhibit A is hereby approved.

ADOPTED and APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

_____
Spencer L. Duncan, Mayor

ATTEST:

_____
Brenda Younger, City Clerk

EXHIBIT A

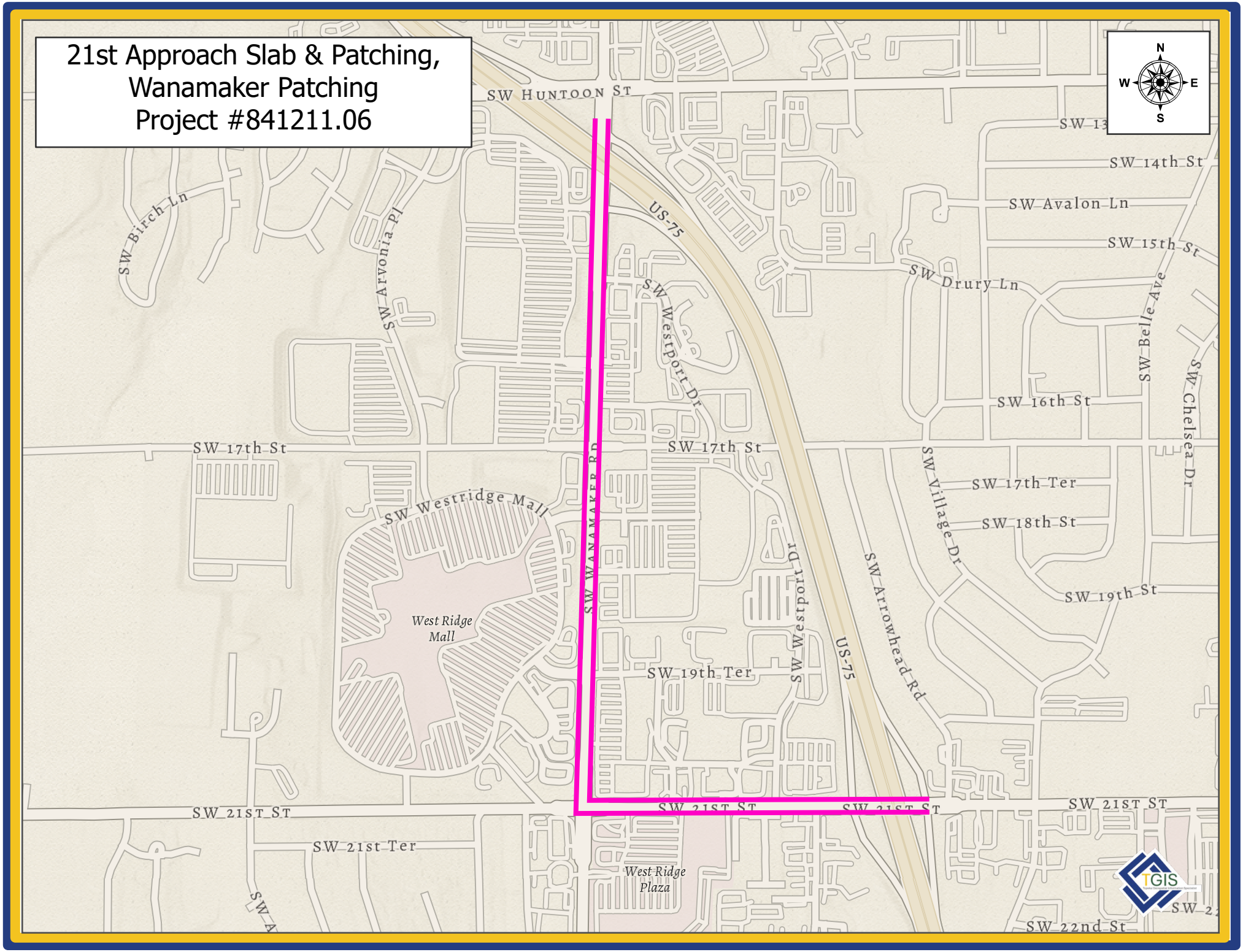
Capital Improvement Project Final Approval

Project Name:	21st Street / Wanamaker patching
Main Project Number(s):	841211.06
Project Manager:	Chris Bruntz

Event	**Target Date**
Estimated Expense Year	2027

Funding Source	**Final Estimate**
Citywide Half-Cent Sales Tax	$ 1,400,000
Totals	**$ 1,400,000**

Project includes reconstruction of the 21st Street approach slabs at I-470, patching/spot repair on 21st Street from I-470 to Wanamaker, patching on Wanamaker from 21st Street to I-470/Winding. These pavement repairs are in preparation of resurfacing/UBAS for 2028.


21st Approach Slab & Patching,
Wanamaker Patching
Project #841211.06
N
W
E
S
SW Huntoon St
SW 13
SW 14th St
SW Avalon Ln
SW 15th St
SW Drury Ln
SW Belle Ave
SW Chelsea Dr
SW Birch Ln
SW Arvonia Pl
US-75
SW Westport Dr
SW 16th St
SW 17th St
SW 17th St
SW Wanamaker Rd
SW Westridge Mall
SW Village Dr
SW 17th Ter
SW 18th St
SW 19th St
West Ridge Mall
SW Westport Dr
SW Arrowhead Rd
US-75
SW 19th Ter
SW 21ST ST
SW 21ST ST
SW 21ST ST
SW 21st Ter
West Ridge Plaza
SW 22nd St
TGIS

COMMITTEE REFERRAL SHEET
COMMITTEE REPORT

Name of Committee:	Public Infrastructure
Title:	Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - 21st Street and Wanamaker Project No. 841211.06
Date referred from Council meeting:	
Date referred from Committee:	October 20, 2026
Committee Action:	MOTION: Committee member Michelle Hoferer made a motion to approve and move forward the 21st Street and Wanamaker project to the Governing Body for action. Committee member Sylvia Ortiz seconded. Motion approved 3-0-0.
Comments:	
Members of Committee:	Councilmembers Sylvia Ortiz, David Banks (Chair), Michelle Hoferer
Agenda Date Requested:	November 10, 2026

CITY OF TOPEKA

CITY COUNCIL
City Hall, 215 SE 7th St., Room 255
Topeka, KS 66603-3914
(785) 368-3710

Tonya Bailey, Sr Executive Assistant
Tara Jefferies, Sr Executive Assistant
E-mail: councilassist@topeka.org
www.topeka.org

EXCERPT

CITY OF TOPEKA, Topeka, Kansas, Tuesday, October 20, 2026. The Public Infrastructure Committee members met at 11:00 A.M. with the following Committee members present: Sylvia Ortiz, David Banks (Chair) and Michelle Hoferer.

The following is an excerpt of the draft minutes from the meeting:

APPROVAL of Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - 21st Street and Wanamaker Project No. 841211.06

RESOLUTION introduced by Public Infrastructure Committee recommending approval of Project No. 841211.06 for street improvements to 21st Street and Wanamaker.

Public Works Director Jason Tryon outlined the proposed $1.4 million pavement preservation project planned for 2027, including reconstruction of the 21st Street approach slabs at I-470, patching on 21st Street from I-470 to Wanamaker, Wanamaker from 21st to I-470 and Winding Road. The repairs are needed before applying the planned ultra-thin bonded asphalt surface to the corridor. The deteriorated concrete approach slabs will require phased closures and temporary detours; particularly restricting left turns onto I-470 for approximately six weeks per phase. Work is expected to begin in May 2027 to avoid conflicts with the Topeka West school year.

Committee member Michelle Hoferer expressed her appreciation that the project work will avoid both the back-to-school period and the holiday shopping season, noting that scheduling around heavy traffic times is important and would be greatly appreciated by the community. Tryon provided confirmation that it is estimated a six-week closure with through-traffic on 21st Street will remain open in both directions throughout the project, with only turning movements being restricted.

MOTION: Committee member Michelle Hoferer made a motion to approve and move forward the 21st Street and Wanamaker project to the Governing Body for action. Committee member Sylvia Ortiz seconded. Motion approved 3-0-0.

****

City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
November 10, 2026

DATE:	**November 10, 2026**		
CONTACT PERSON:	**Jason Tryon, Director of Public Works**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**2027 Pavement Preservation Microsurface**	**PROJECT #:**	**841117.01**
CIP PROJECT:	**Yes**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

RESOLUTION introduced by Public Infrastructure Committee recommending approval of Project No. 841117.01 for the 2027 Pavement Preservation Microsurfacing Program. *(Public Infrastructure Committee recommended approval on October 20, 2026 3-0-0.)*

(Approval for the 2027 Preventative Maintenance Microsurfacing project with a total budget of $2,000,000.)

VOTING REQUIREMENTS:

Action requires at least six (6) votes of the Governing Body.

POLICY ISSUE:

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution as part of the consent agenda.

BACKGROUND:

The Governing Body adopted Resolution No. 9520 approving the 2025-2034 Capital Improvement Program (CIP) and the 2025-2027 Capital Improvement Budget (CIB); and WHEREAS, the Resolution requires Governing Body approval for projects that are ready for construction and whose total project budget exceeds $250,000; and WHEREAS, on October 20, 2026, the Public Infrastructure Committee recommended approval of Project No. 841117.01 for the 2027 Pavement Preservation Microsurfacing Program as further described in Exhibit A is hereby approved.

BUDGETARY IMPACT:

$2,000,000

SOURCE OF FUNDING:

Citywide Half-Cent Sales Tax

ATTACHMENTS:

Proposed Resolution & Exhibit A
Aerial Map - Project No. 841117.01
Public Infrastructure Committee Report (October 20, 2026)
Public Infrastructure Committee Meeting Minutes Excerpt (October 20, 2026)

RESOLUTION NO. _____

A RESOLUTION introduced by Public Infrastructure Committee recommending approval of Project No. 841117.01 for the 2027 Preventative Maintenance Microsurfacing Program.

WHEREAS, the Governing Body adopted Resolution No. 9520 approving the 2025-2034 Capital Improvement Program (CIP) and the 2025-2027 Capital Improvement Budget (CIB); and

WHEREAS, the Resolution requires Governing Body approval for projects that are ready for construction and whose total project budget exceeds $250,000; and

WHEREAS, on October 20, 2026, the Public Infrastructure Committee recommended approval of the project(s).

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS, that Project No. 841117.01 for the 2027 Preventative Maintenance Microsurfacing Program as further described in Exhibit A is hereby approved.

ADOPTED and APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

_____
Spencer L. Duncan, Mayor

ATTEST:

_____
Brenda Younger, City Clerk

EXHIBIT A

Capital Improvement Project Final Approval

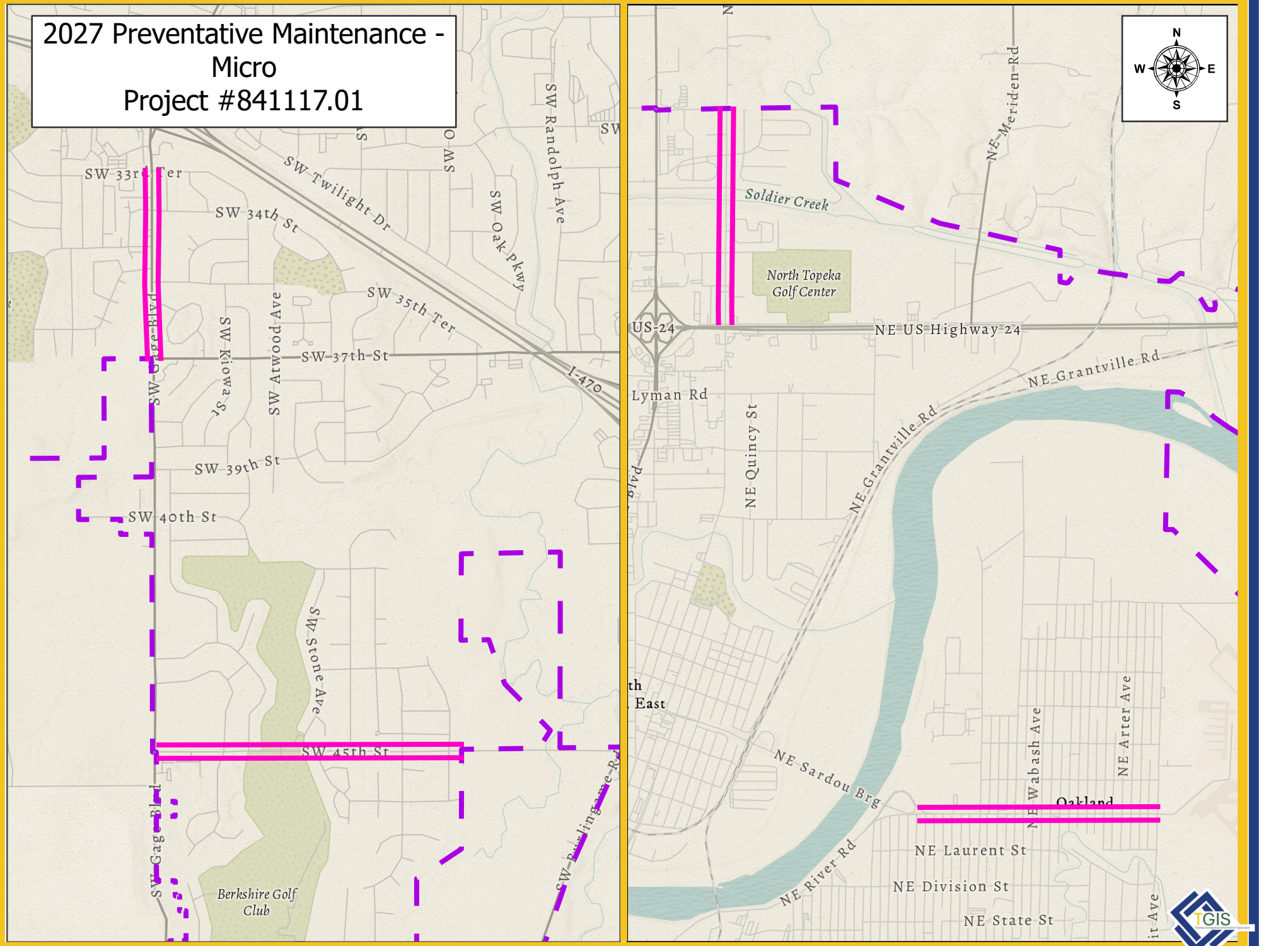
Project Name:	2027 Preventative Maintenance - Micro
Main Project Number(s):	841117.01
Project Manager:	Chris Bruntz

Event	**Target Date**
Estimated Expense Year	2027

Funding Source	**Final Estimate**
Citywide Half-Cent Sales Tax	$ 2,000,000
Totals	**$ 2,000,000**

2027 Mircosurfacing will also include scrub seal and fog seal - two treatments the City is going to begin using in efforts to be able to treat more streets. This year is going to be primarily in the Northeast and North sections of the City, with an occasional route outside of this area which we wanted to treat before condition deterioates further. These routes include Gage from 33rd Terrace to 37th Street, 45th Street from Gage to City limits. Other notable streets include Kansas from US24 to Menninger, Sardou from River road to Strait.

2027 Preventative Maintenance - Micro
Project #841117.01



COMMITTEE REFERRAL SHEET
COMMITTEE REPORT

Name of Committee:	Public Infrastructure
Title:	Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - 2027 Pavement Preservation Microsurface Project No. 841117.01
Date referred from Council meeting:	
Date referred from Committee:	October 20, 2026
Committee Action:	MOTION: Committee member Sylvia Ortiz made a motion to approve and move forward the 2027 Pavement Preservation Microsurface project to the Governing Body for action. Committee member Michelle Hoferer seconded. Motion approved 3-0-0.
Comments:	
Members of Committee:	Councilmembers Sylvia Ortiz, David Banks (Chair), Michelle Hoferer
Agenda Date Requested:	November 10, 2026

CITY OF TOPEKA

CITY COUNCIL
City Hall, 215 SE 7th St., Room 255
Topeka, KS 66603-3914
(785) 368-3710

Tonya Bailey, Sr Executive Assistant
Tara Jefferies, Sr Executive Assistant
E-mail: councilassist@topeka.org
www.topeka.org

EXCERPT

CITY OF TOPEKA, Topeka, Kansas, Tuesday, October 20, 2026. The Public Infrastructure Committee members met at 11:00 A.M. with the following Committee members present: Sylvia Ortiz, David Banks (Chair) and Michelle Hoferer.

The following is an excerpt of the draft minutes from the meeting:

APPROVAL of Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - 2027 Pavement Preservation Microsurface Project No. 841117.01

RESOLUTION introduced by Public Infrastructure Committee recommending approval of Project No. 841117.01 for the 2027 Pavement Preservation Microsurfacing Program

Public Works Director Jason Tryon spoke to the microsurfacing program, part of the pavement preservation effort, which applies to a thin layer to protect roads from oxidation and moisture while improving surface quality, though it does not add structural strength. In 2027, the city will also use scrub seal and fog seal treatments in select areas to enhance crack sealing and durability. Work will focus primarily on the northeast quadrant of the city. Routes including Gage from 33rd Terrace to 37th Street, 45th Street from Gage to city limits. Other notable streets along Kansas from US-24 to Menninger, Sardou from River Road to Strait.

Committee member Michelle Hoferer questioned locations. Tryon noted for this program, the city typically goes out to bid and completes as many streets as possible based on available funding. Exact locations are not finalized until bid pricing is received from contractors.

MOTION: Committee member Sylvia Ortiz made a motion to approve and move forward the 2027 Pavement Preservation Microsurface project to the Governing Body for action. Committee member Michelle Hoferer seconded. Motion approved 3-0-0.

****

City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
November 10, 2026

DATE:	**November 10, 2026**		
CONTACT PERSON:	**Jason Tryon, Director of Public Works**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**2027 Pavement Preservation UBAS**	**PROJECT #:**	**841117.02, 841106.02 and 841211.01**
CIP PROJECT:	**Yes**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

RESOLUTION introduced by Public Infrastructure Committee recommending approval of Project Nos. 841117.02, 841106.02 and 841211.01 for the 2027 Pavement Preservation UBAS Program. *(Public Infrastructure Committee recommended approval on October 20, 2026 3-0-0.)*

(Approval for the project including the 2027 Preventative Maintenance UBAS Program totaling $3,700,000.)

VOTING REQUIREMENTS:

Action requires at least six (6) votes of the Governing Body.

POLICY ISSUE:

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution as part of the consent agenda.

BACKGROUND:

The Governing Body adopted Resolution No. 9809 approving the 2027-2036 Capital Improvement Program (CIP) and the 2027-2029 Capital Improvement Budget (CIB), Resolution No. 9723 approving the 2026-2035 Capital Improvement Program (CIP) and the 2026-2028 Capital Improvement Budget (CIB), and Resolution No. 9520 approving the 2025-2034 Capital Improvement Program (CIP) and the 2025-2027 Capital Improvement Budget (CIB); and WHEREAS, the Resolutions require Governing Body approval for projects that are ready for construction and whose total project budget exceeds $250,000; and WHEREAS, on October 20, 2026, the Public Infrastructure Committee recommended approval of Project Nos. 841117.02, 841106.02 and 841211.01 for the 2027 Pavement Preservation UBAS Program as further described in Exhibit A are hereby approved.

BUDGETARY IMPACT:

$3,700,000

SOURCE OF FUNDING:

Citywide Half-Cent Sales Tax

ATTACHMENTS:

Proposed Resolution & Exhibit A
Aerial Map - Project Nos. 841117.02, 841106.02 & 841211.01
Public Infrastructure Committee Report (October 20, 2026)
Public Infrastructure Committee Meeting Minutes Excerpt (October 20, 2026)

RESOLUTION NO. _____

A RESOLUTION introduced by Public Infrastructure Committee recommending approval of Project Nos. 841117.02, 841106.02 and 841211.01 for the 2027 Preventative Maintenance UBAS Program.

WHEREAS, the Governing Body adopted Resolution No. 9809 approving the 2027-2036 Capital Improvement Program (CIP) and the 2027-2029 Capital Improvement Budget (CIB), Resolution No. 9723 approving the 2026-2035 Capital Improvement Program (CIP) and the 2026-2028 Capital Improvement Budget (CIB), and Resolution No. 9520 approving the 2025-2034 Capital Improvement Program (CIP) and the 2025-2027 Capital Improvement Budget (CIB); and

WHEREAS, the Resolutions require Governing Body approval for projects that are ready for construction and whose total project budget exceeds $250,000; and

WHEREAS, on October 20, 2026, the Public Infrastructure Committee recommended approval of the project(s).

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS, that Project Nos. 841117.02, 841106.02 and 841211.01 for the 2027 Preventative Maintenance UBAS Program as further described in Exhibit A are hereby approved.

ADOPTED and APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

_____
Spencer L. Duncan, Mayor

ATTEST:

_____
Brenda Younger, City Clerk

EXHIBIT A

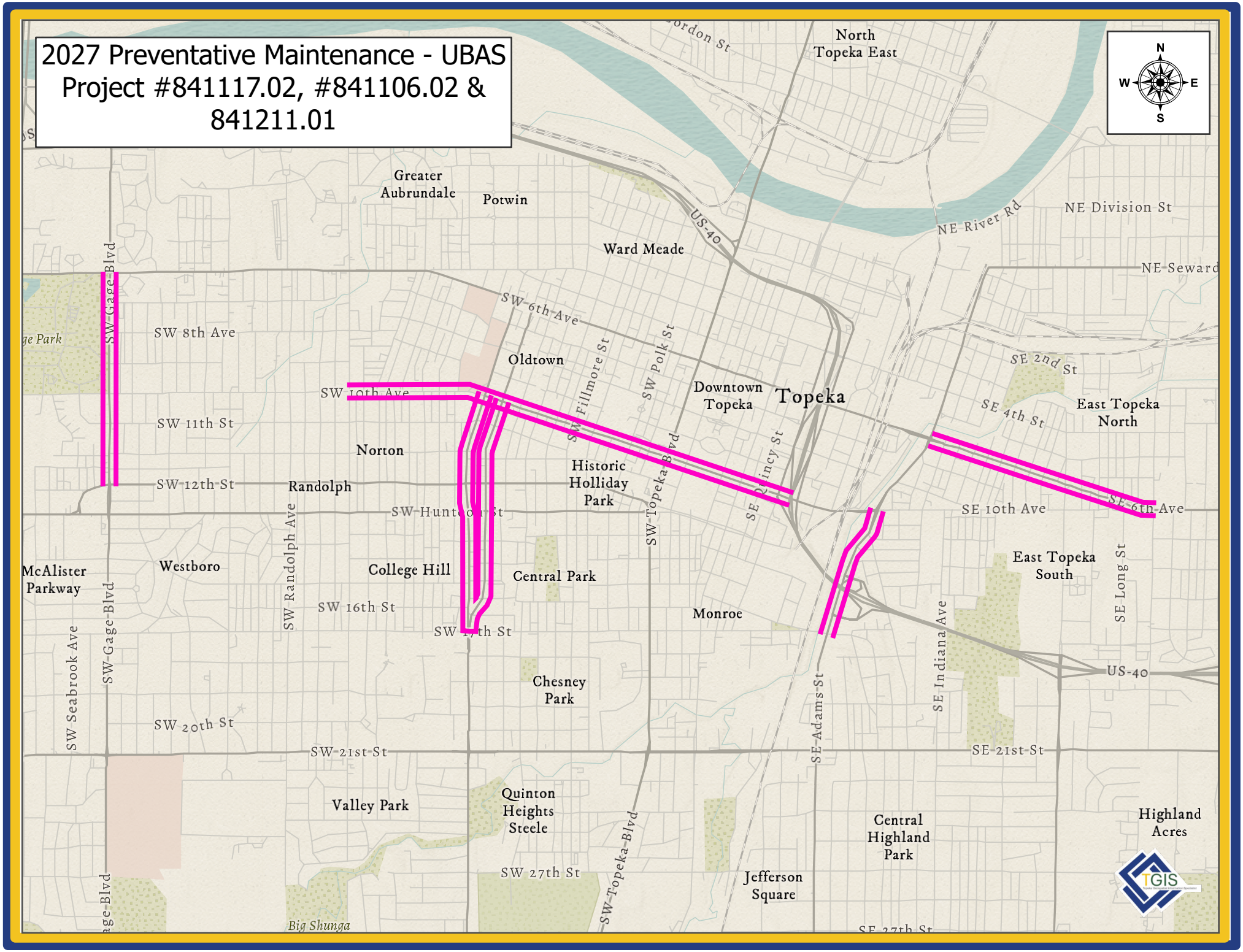
Capital Improvement Project Final Approval

Project Name:	2027 Preventative Maintenance - UBAS
Main Project Number(s):	841117.02, 841106.02, 841211.01
Project Manager:	Chris Bruntz

Event	**Target Date**
Estimated Expense Year	2027

Funding Source	**Final Estimate**
Citywide Half-Cent Sales Tax	$ 3,700,000
Totals	**$ 3,700,000**

2027 UBAS- This year we are planning on UBAS/resurfacing 10th Street from MacVicar to I-70, Gage from 6th to 12th, 6th from Branner to Golden, and as funds allow Washburn/Lane from 17th to 10th and Branner from 10th to 15th. 841117.02 - $1.8M, 841106.02- $250,000, 841211.01 $1.65M


2027 Preventative Maintenance - UBAS
Project #841117.02, #841106.02 &
841211.01
N
W
E
S
North
Topeka East
Greater
Aubrundale
Potwin
US-40
NE River Rd
NE Division St
NE Seward
Ward Meade
SW Gage Blvd
SW 8th Ave
SW 6th Ave
Oldtown
SW 10th Ave
SW Fillmore St
SW Polk St
Downtown
Topeka
Topeka
SE 2nd St
SE 4th St
East Topeka
North
SW 11th St
Norton
Historic
Holliday
Park
SW Topeka Blvd
SE Quincy St
SW 12th St
Randolph
SW Huntoon St
SE 10th Ave
SE 6th Ave
SW Randolph Ave
McAlister
Parkway
Westboro
College Hill
Central Park
East Topeka
South
SE Long St
SW 16th St
Monroe
SW 17th St
SW Seabrook Ave
SW Gage Blvd
Chesney
Park
US-40
SE Indiana Ave
SW 20th St
SE Adams St
SW 21st St
SE 21st St
Valley Park
Quinton
Heights
Steele
SW Topeka Blvd
Central
Highland
Park
Highland
Acres
SW 27th St
Jefferson
Square
Big Shunga
SE 27th St

COMMITTEE REFERRAL SHEET
COMMITTEE REPORT

Name of Committee:	Public Infrastructure
Title:	Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - 2027 Pavement Preservation UBAS Project No. 841117.02
Date referred from Council meeting:	
Date referred from Committee:	October 20, 2026
Committee Action:	MOTION: Committee member Sylvia Ortiz made a motion to approve and move forward the 2027 Pavement Preservation UBAS project to the Governing Body for action. Committee member Michelle Hoferer seconded. Motion approved 3-0-0.
Comments:	
Members of Committee:	Councilmembers Sylvia Ortiz, David Banks (Chair), Michelle Hoferer
Agenda Date Requested:	November 10, 2026

CITY OF TOPEKA

CITY COUNCIL
City Hall, 215 SE 7th St., Room 255
Topeka, KS 66603-3914
(785) 368-3710

Tonya Bailey, Sr Executive Assistant
Tara Jefferies, Sr Executive Assistant
E-mail: councilassist@topeka.org
www.topeka.org

EXCERPT

CITY OF TOPEKA, Topeka, Kansas, Tuesday, October 20, 2026. The Public Infrastructure Committee members met at 11:00 A.M. with the following Committee members present: Sylvia Ortiz, David Banks (Chair) and Michelle Hoferer.

The following is an excerpt of the draft minutes from the meeting:

APPROVAL of Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - 2027 Pavement Preservation UBAS Project No. 841117.02

RESOLUTION introduced by Public Infrastructure Committee recommending approval of Project Nos. 841117.02, 841106.02 and 841211.01 for the 2027 Pavement Preservation UBAS Program.

Public Works Director Jason Tryon to the ultra-thin bonded asphaltic surface (UBAS) treatment is a 5/8-inch overlay that provides more structure and longer life than microsurfacing, allowing for quick application with minimal closures. The proposed 2027 locations include 10th Street from MacVicar to I-70, Gage from 6th to 12th Street, and 6th from Banner to Golden, with additional streets added if funding allows. Because previous years' funds remain available and the treatment has proven successful, the city plans to expand its use, applying UBAS after necessary patching and prep work.

Committee member Michelle Hoferer questioned the area at Fairlawn and 6th Street receiving UBAS. Tryon confirmed the area will have concrete replacement and patching completed under a separate construction project. He confirmed UBAS will be MacVicar to I-70.

MOTION: Committee member Sylvia Ortiz made a motion to approve and move forward the 2027 Pavement Preservation UBS project to the Governing Body for action. Committee member Michelle Hoferer seconded. Motion approved 3-0-0.

****

City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
November 10, 2026

DATE:	**November 10, 2026**		
CONTACT PERSON:	**Sylvia Davis, Utilities Director**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**10th Ave. Lafayette to Indiana**	**PROJECT #:**	**291133.01**
CIP PROJECT:	**Yes**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

RESOLUTION introduced by the Public Infrastructure Committee recommending approval of Project No. 291133.01 for sanitary sewer replacement and rehabilitation on 10th Avenue from Lafayette to Indiana. *(Public Infrastructure Committee recommended approval on October 20, 2026 3-0-0.)*

(Approval of a total project budget in the amount of $1,223,514 for sanitary sewer replacement and rehabilitation on 10th Avenue from Lafayette to Indiana.)

VOTING REQUIREMENTS:

Action requires at least six (6) votes of the Governing Body.

POLICY ISSUE:

Whether to adopt the Public Infrastructure Committee's recommendation.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution as part of the consent agenda.

BACKGROUND:

The Governing Body adopted Resolution No. 9520 approving the 2025-2034 Capital Improvement Program (CIP) and the 2025-2027 Capital Improvement Budget (CIB);

BUDGETARY IMPACT:

$1,223,514

SOURCE OF FUNDING:

Utilities Revenue Bonds

ATTACHMENTS:

Proposed Resolution & Exhibit A
Site Map (Project No. 291133.01)
Public Infrastructure Committee Report (October 20, 2026)
Public Infrastructure Committee Meeting Minutes Excerpt (October 20, 2026)

RESOLUTION NO. _____

A RESOLUTION introduced by Public Infrastructure Committee recommending approval of Project No. 291133.01 for sanitary sewer replacement and rehabilitation on 10th Avenue from Lafayette to Indiana.

WHEREAS, the Governing Body adopted Resolution No. 9520 approving the 2025-2034 Capital Improvement Program (CIP) and the 2025-2027 Capital Improvement Budget (CIB); and

WHEREAS, the Resolution requires Governing Body approval for projects that are ready for construction and whose total project budget exceeds $250,000; and

WHEREAS, on October 20, 2026, the Public Infrastructure Committee recommended approval of the project(s).

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS, that Project No. 291133.01 for sanitary sewer replacement and rehabilitation on 10th Avenue from Lafayette to Indiana as further described in Exhibit A is hereby approved.

ADOPTED and APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

_____
Spencer L. Duncan, Mayor

ATTEST:

_____
Brenda Younger, City Clerk

EXHIBIT A

Capital Improvement Project Final Approval

Project Name:	10th, Lafayette-Indiana
Main Project Number:	291133.01
Project Manager:	Zach Stueve

Event	**Target Date**
Design	Complete
Construction	2027

Funding Source	**Final Estimate**
Revenue Bond	$ 1,223,514
Totals	**$ 1,223,514**

The project will replace 320 LF of 18" sanitary sewer (Facility ID 13042) and will install pipe lining (CIPP) for 776 LF of 18" VCP (Facility IDs 13041, 13043, & 13044)

The concrete alley will be removed and replaced over the 320 LF of sewer replacement.

The project will require by-pass pumping during the pipe replacement and rehabilitation process.

CITY OF TOPEKA
UTILITIES



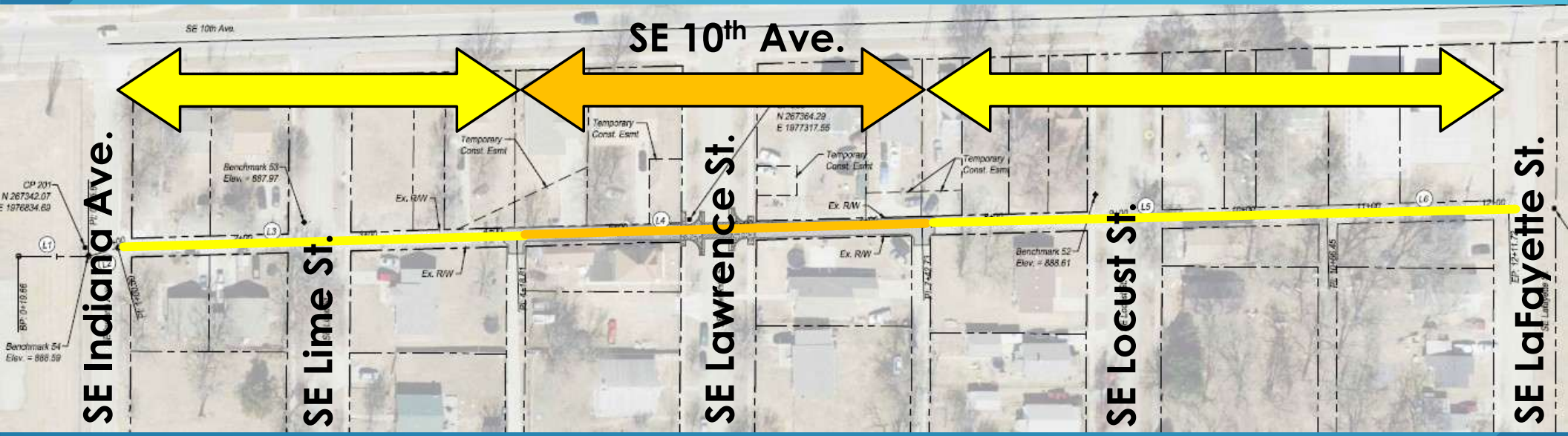
SANITARY SEWER REHABILITATION AND REPLACMENT PROJECT
ALLEY SOUTH OF SE 10TH AVE. BETWEEN INDIANA AND LAFAYETTE
CITY OF TOPEKA PROJECT 291108.00

CONSTRUCTION SCOPE

Rehabilitation (18" CIPP)

Replace (18" PVC & Alley)

Rehabilitation (18" CIPP)



COMMITTEE REFERRAL SHEET
COMMITTEE REPORT

Name of Committee:	Public Infrastructure
Title:	Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - 10th, Lafayette-Indiana Project No. 291133.01
Date referred from Council meeting:	
Date referred from Committee:	October 20, 2026
Committee Action:	MOTION: Committee member Sylvia Ortiz made a motion to approve and move the 10th, Lafayette-Indiana project forward to the Governing Body for action. Committee member Michelle Hoferer seconded. Motion approved 3-0-0.
Comments:	
Members of Committee:	Councilmembers Sylvia Ortiz, David Banks (Chair), Michelle Hoferer
Agenda Date Requested:	November 10, 2026

CITY OF TOPEKA

CITY COUNCIL
City Hall, 215 SE 7th St., Room 255
Topeka, KS 66603-3914
(785) 368-3710

Tonya Bailey, Sr Executive Assistant
Tara Jefferies, Sr Executive Assistant
E-mail: councilassist@topeka.org
www.topeka.org

EXCERPT

CITY OF TOPEKA, Topeka, Kansas, Tuesday, October 20, 2026. The Public Infrastructure Committee members met at 11:00 A.M. with the following Committee members present: Sylvia Ortiz, David Banks (Chair) and Michelle Hoferer.

The following is an excerpt of the draft minutes from the meeting:

APPROVAL of Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - 10th, Lafayette-Indiana Project No. 291133.01

RESOLUTION introduced by the Public Infrastructure Committee recommending approval of Project No. 291133.01 for sanitary sewer replacement and rehabilitation on 10th Avenue from Lafayette to Indiana.

Utilities Director Sylvia Davis spoke to the proposed sanitary sewer replacement project along the alley between 10th Ave. and Lafayette to Indiana, with a budget of $1.23 million. Easement acquisition is underway and once completed, expected by the end of November 2026, construction is planned to begin spring 2027. The project is anticipated to take about 120 days, finishing in late May or early June 2027.

Committee member Sylvia Ortiz expressed her concern for the residents affected by the project and where they will obtain temporary parking. Davis responded the city is securing temporary easements to ensure residents keep parking and access during construction, though some have been hesitant to engage. The easements are short-term and intended solely to maintain access while the project is underway. She confirmed there will be a public meeting for area residents to make sure they are aware of the transition of the project.

MOTION: Committee member Sylvia Ortiz made a motion to approve and move the 10th, Lafayette-Indiana project forward to the Governing Body for action. Committee member Michelle Hoferer seconded. Motion approved 3-0-0.

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City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
November 10, 2026

DATE:	**November 10, 2026**		
CONTACT PERSON:	**Sylvia Davis, Utilities Director**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**Shunga - Oak Creek**	**PROJECT #:**	**501103.02 & 501104.01**
CIP PROJECT:	**Yes**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

RESOLUTION introduced by the Public Infrastructure Committee recommending approval of Project Nos. 501103.02 and 501104.01 for the reconstruction of creek bank along the Shunga - Oak Creek.
(Public Infrastructure Committee recommended approval on October 20, 2026 3-0-0.)

(Approval of a total project budget in the amount of $300,000 for the reconstruction of creek bank along the Shunga - Oak Creek.)

VOTING REQUIREMENTS:

Action requires at least six (6) votes of the Governing Body.

POLICY ISSUE:

Whether to adopt the Public Infrastructure Committee's recommendation.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution as part of the consent agenda.

BACKGROUND:

The Governing Body adopted a Resolution approving the 2027-2036 Capital Improvement Program and the 2027-2029 Capital Improvement Budget (Resolution No. 9809). The Resolution requires Governing Body approval for projects that are ready for construction and whose total project budget exceeds $250,000.

BUDGETARY IMPACT:

$300,000

SOURCE OF FUNDING:

Utilities Cash

ATTACHMENTS:

Proposed Resolution & Exhibit A
Aerial Map - Shunga
Public Infrastructure Committee Report (October 26, 2026)
Public Infrastructure Committee Minutes Excerpt (October 26, 2026)

RESOLUTION NO. _____

A RESOLUTION introduced by Public Infrastructure Committee recommending approval of Project Nos. 501103.02 and 501104.01 for repair of Shunga Creek bank near 29th and Oakley.

WHEREAS, the Governing Body adopted Resolution No. 9723 approving the 2026-2035 Capital Improvement Program (CIP) and the 2026-2028 Capital Improvement Budget (CIB) and Resolution No. 9520 approving the 2025-2034 Capital Improvement Program (CIP) and the 2025-2027 Capital Improvement Budget (CIB); and

WHEREAS, the Resolutions require Governing Body approval for projects that are ready for construction and whose total project budget exceeds $250,000; and

WHEREAS, on October 20, 2026, the Public Infrastructure Committee recommended approval of the project(s).

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS, that Project Nos. 501103.02 and 501104.01 for repair of Shunga Creek bank near 29th and Oakley as further described in Exhibit A are hereby approved.

ADOPTED and APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

_____
Spencer L. Duncan, Mayor

ATTEST:

_____
Brenda Younger, City Clerk

EXHIBIT A

Capital Improvement Project Final Approval

Project Name:	Shunga – Oak Creek Senior Living
Main Project Number:	501103.02, 501104.01
Project Manager:	Zach Stueve

This project will repair approximately 250' of bank near 29th and Oakley as erosion is threatening several properties along the southern banks.

Event	**Target Date**
Design	Complete
Construction	2027

Funding Source	**Final Estimate**	
Cash	$	300,000
Totals	**$**	**300,000**


Project Location
Shunganunga
Creek
SW Gage Blvd
UNKNOWN
PO
SW 29th St
SW 29TH ST
SW 29TH TER
N
SW 30TH ST

COMMITTEE REFERRAL SHEET
COMMITTEE REPORT

Name of Committee:	Public Infrastructure
Title:	Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - Shunga - Oak Creek -Project Nos. 501103.02 and 501104.01
Date referred from Council meeting:	
Date referred from Committee:	October 20, 2026
Committee Action:	MOTION: Committee member Michelle Hoferer made a motion to approve and move forward the Shunga Oak Creek project to the Governing Body for action. Committee member Sylvia Ortiz seconded. Motion approved 3-0-0.
Comments:	
Members of Committee:	Councilmembers Sylvia Ortiz, David Banks (Chair), Michelle Hoferer
Agenda Date Requested:	November 10, 2026

CITY OF TOPEKA

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EXCERPT

CITY OF TOPEKA, Topeka, Kansas, Tuesday, October 20, 2026. The Public Infrastructure Committee members met at 11:00 A.M. with the following Committee members present: Sylvia Ortiz, David Banks (Chair) and Michelle Hoferer.

The following is an excerpt of the draft minutes from the meeting:

APPROVAL of Resolution - Capital Improvement Project (CIP) Exceeding $250,000 - Shunga - Oak Creek -Project Nos. 501103.02 and 501104.01

RESOLUTION introduced by the Public Infrastructure Committee recommending approval of Project Nos. 501103.02 and 501104.01 for the reconstruction of creek bank along the Shunga

Utilities Director Sylvia Davis spoke to the proposed project along the of Shunga Creek bank near 29th and Oakley with an estimated cost of $300,000. The work is limited to repairing erosion and bank degradation that is threatening nearby structures. It does not include channel improvements related to flooding. A consulting engineer has provided design input and cost estimates, and if approved, construction would have a tentative start in early 2027, depending on weather conditions. The proposed approach is considered cost-effective and aims to stabilize the bank and redirect flow toward the channel center to reduce future erosion.

MOTION: Committee member Michelle Hoferer made a motion to approve and move forward the Shunga Oak Creek project to the Governing Body for action. Committee member Sylvia Ortiz seconded. Motion approved 3-0-0.

****

City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
November 10, 2026

DATE:	**November 10, 2026**	
CONTACT PERSON:	**Jason Tryon, Public Works Director**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Ordinance - Traffic Disruption Permits, ROW Excavation**	**PROJECT #:**
CIP PROJECT:		
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

ORDINANCE introduced by Interim City Manager Michael Webb, concerning traffic disruption permits for right-of-way excavation, amending sections 12.30.020, 12.30.080, 12.30.290 and 12.45.080 of the Topeka Municipal Code and repealing original section. *(Public Infrastructure Committee recommended approval on October 20, 2026 3-0-0.)*

(Approval for the Right-of-Way (ROW) Construction Permit.)

VOTING REQUIREMENTS:

Action requires at least six (6) votes of the Governing Body.

POLICY ISSUE:

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to adopt the ordinance.

BACKGROUND:

We currently issue separate, itemized right-of-way (ROW) permits for work such as driveways, sidewalks, and excavation. The proposed ROW Construction Permit would consolidate these permits for larger projects involving multiple improvements and provide a permitting option for work or assets not covered by existing permit types.

BUDGETARY IMPACT:

SOURCE OF FUNDING:

ATTACHMENTS:

Proposed Ordinance

Presentation - ROW Permits
Public Infrastructure Committee Report (October 20, 2026)
Public Infrastructure Committee Meeting Minutes (October 20, 2026)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Interim City Manager Michael Webb, concerning traffic disruption permits for right-of-way excavation, amending sections 12.30.020, 12.30.080, 12.30.290 and 12.45.080 of the Topeka Municipal Code and repealing original section.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 12.30.020, Definitions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Definitions.

The following words and phrases shall have the meaning ascribed to them as set forth. References hereafter to "sections" are, unless otherwise specified, references to sections in this chapter. Defined terms remain defined terms whether or not capitalized. Words importing the masculine gender only may be extended to females.

"Applicant" means any person requesting permission to excavate or obstruct a right-of-way.

"Central business district" means that portion of the City lying within the area defined in TMC 3.40.010.

"City" means the City of Topeka, Kansas, to include its elected officials, officers, employees.

"City cost" means the actual cost incurred by the City for public rights-of-way management, including, but not limited to, costs associated with registering applicants; issuing, processing, and verifying right-of-way permit applications; inspecting job sites and restoration projects; maintaining, supporting, protecting, or moving user equipment during public right-of-way work; determining the adequacy of right-of-way restoration;

restoring work inadequately performed; revoking right-of-way permits and performing all other tasks required by this chapter, including other costs the City may incur in managing the provisions of this chapter.

"Degradation" means the accelerated deterioration of the right-of-way caused by excavation in or disturbance of the right-of-way, resulting in the need to reconstruct such right-of-way, earlier than would be required if the excavation did not occur.

"Department" means the Department of Public Works of the City of Topeka.

"Department Inspector" means any person authorized by the Director to carry out inspections related to the provisions of this chapter.

"Director" means the Director of the Department of Public Works of the City, or her or his designee.

"Driveway permit" means the City authorization for construction or reconstruction of driveway approaches including the cutting and/or removal of curbs and gutters.

"Emergency" means a condition that:

(1) Poses a clear and immediate danger to life or health, or of a significant loss of property; or

(2) Requires immediate repair or replacement in order to restore service to a customer.

"Equipment" means any type of utility service or system component, including but not limited to pipe, electric cable, cable, or fiber optic cable located within the right-of-way, but shall not include plantings maintained in the right-of-way between the property line and the street curb.

"Excavate" means to dig into or in any way remove, physically disturb, or penetrate

any part of a right-of-way, except horticultural practices of penetrating the boulevard area to a depth of less than 12 inches.

"Excavation permit" means the City authorization for excavation within that part of the right-of-way described in such permit.

"In," when used in conjunction with "right-of-way," means over, above, in, within, on, or under a right-of-way.

"Local representative" means a local person(s) authorized by an applicant to accept service and to make decisions for that applicant regarding all matters within the scope of this chapter.

"Obstruct" means to place any object in a right-of-way so as to hinder free and open passage over that or any part of the right-of-way.

"Permittee" means any person to whom a permit to do work within a right-of-way has been granted by the City under this chapter.

"Person" means any natural or corporate person, business association or other business entity including, but not limited to, a partnership, a sole proprietorship, a political subdivision, a public or private agency of any kind, a utility, a successor or assignor of any of the foregoing, or any other legal entity which has or seeks to have equipment in any right-of-way.

"Probation" means the status of a person that has not complied with the conditions of this chapter.

"Probationary period" means the time period in months or days from the date that a person has been notified in writing that he has been put on probation.

"Registrant" means any person who has or seeks to have its equipment located

within any right-of-way. Examples of registrant include public utilities providing utility service, telecommunication providers and carriers.

"Repair" means the temporary construction work necessary to make the right-of-way usable for travel.

"Restoration bond" means a performance bond or cash deposit posted to ensure the availability of sufficient funds to complete, if necessary, right-of-way excavation and obstruction work in both a timely and quality manner.

"Restoration cost" means an amount of money paid or owed to the City by a permittee to cover the cost of restoration.

"Restore" or "restoration" means the process by which an excavated right-of-way and surrounding area, including pavement and foundation, is returned to the same condition that existed before the commencement of the work.

"Right-of-way" means the surface and space above and below a public roadway, highway, street, alley, bicycle lane and public sidewalk in which the City has legal interest, including other dedicated rights-of-way for travel purposes and utility easements of the City.

"Right-of-way permit" means the driveway permit, excavation permit, sidewalk permit, temporary use of right-of-way permit, ~~or traffic disruption permit,~~ or all of these, depending on the context, as required by this chapter.

"Right-of-way construction permit" means the permit issued by the City for large projects requiring multiple different right-of-way asset improvements that will allow construction for all items defined in the permit.

"Service" or "utility service" includes but is not limited to:

(1) Those services provided by a public utility as defined by Kansas Statutes;

(2) Telecommunications, pipeline, community antenna television, fire and alarm communications, water, electricity, light, heat, cooling energy, or power services;

(3) The services provided by a district heating or cooling system; and

(4) Cable communications systems as defined in Kansas Statutes.

"Sidewalk permit" means the City authorization for construction or reconstruction of public sidewalk.

"Supplementary application" means an application made to excavate more of the right-of-way than allowed in a permit that had already been issued, or to extend the time of City authorization.

"Temporary use of right-of-way permit" means the permit which, pursuant to this chapter, authorizes the temporary encroachment upon public streets, sidewalks, or other public property during construction for storage of materials construction or equipment, or for the erection of fencing, barricades, sidewalk, passageways, or construction office, such area being used in a manner as to deny the public the use of such street, alley, or public property.

~~"Traffic disruption permit" means the City authorization for closing down lane(s) of traffic, utilizing proper traffic control devices and, if applicable, providing detour route(s).~~

Section 2. That section 12.30.080, Permit requirement [Corporations/Utilities], of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Permit requirement.

(a) Permit Required. Except as otherwise provided in this chapter, no person may obstruct or excavate any right-of-way without first having obtained the appropriate

right-of-way permit from the Director to do so. Permit areas are as follows:

(1) Excavation Permit. An excavation permit is required to excavate that part of the right-of-way described in such permit and to hinder free and open passage over the specified portion of the right-of-way by placing equipment described therein, to the extent and for the duration specified therein.

(2) Temporary Use of Right-of-Way Permit. A temporary use of right-of-way permit is required to encroach upon public streets, sidewalks, or other public property to be used during construction as an area for storage of construction materials or equipment, or for the erection of fencing, barricades, sidewalk, passageways, or construction office, such area being used in such a manner as to deny the public the use of such street, alley, or public property.

(3) ~~Traffic Disruption Permit. A traffic disruption permit is required before closing down lane(s) of traffic, utilizing proper traffic control devices and, if applicable, providing detour route(s).~~Right-of-Way Construction Permit. A right-of-way construction permit is required prior to construction in the City's right-of-way.

(4) Sidewalk Permit. A sidewalk permit is required for any construction or reconstruction of public sidewalk(s).

(5) Driveway Permit. A driveway permit is required prior to construction or reconstruction of driveway approaches including the cutting and/or removal of curbs and gutters.

(b) Permit Extensions. No person may excavate or obstruct the right-of-way beyond the date(s) specified in the permit unless such person: (1) makes a supplementary application for another right-of-way permit before the expiration of the

initial permit; and (2) a new permit or permit extension is granted.

(c) Permit Display. Permits issued here shall be available for review at all times at the work site. In addition, all utilities will prominently identify all work sites with the name of their utility and emergency telephone number to facilitate notification in the event of an emergency, etc. Sign posting in the nearest right-of-way is appropriate where it is impractical to sign due to traffic, etc.

Section 3. That section 12.30.290, Permit requirement [Individual Property Owners], of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Permit requirement.

(a) Permit Required. Except as otherwise provided in this chapter, no person may obstruct or excavate any right-of-way without first having obtained the appropriate right-of-way permit from the Director to do so. Permit areas are as follows:

(1) Excavation Permit. An excavation permit is required to excavate that part of the right-of-way described in such permit and to hinder free and open passage over the specified portion of the right-of-way by placing equipment described therein, to the extent and for the duration specified therein.

(2) Temporary Use of Right-of-Way Permit. A temporary use of right-of-way permit is required to encroach upon public streets, sidewalks, or other public property to be used during construction as an area for storage of construction materials or equipment, or for the erection of fencing, barricades, sidewalk, passageways, or construction office, such area being used in such a manner as to deny the public the use of such street, alley, or public property.

(3) ~~Traffic Disruption Permit. A traffic disruption permit is required before closing down lane(s) of traffic, utilizing proper traffic control devices and if applicable, providing detour route(s).~~ Right-of-Way Construction Permit. A right-of-way construction permit is required prior to construction in the City's right-of-way.

(4) Sidewalk Permit. A sidewalk permit is required for any construction or reconstruction of public sidewalk(s).

(5) Driveway Permit. A driveway permit is required prior to construction or reconstruction of driveway approaches including the cutting and/or removal of curbs and gutters.

(b) Permit Extensions. No person may excavate or obstruct the right-of-way beyond the date(s) specified in the permit unless such person: (1) makes a supplementary application for another right-of-way permit before the expiration of the initial permit, and (2) a new permit or permit extension is granted.

(c) Permit Display. Permits issued here shall be available for review at all times at the work site. In addition, all utilities will prominently identify all work sites with the name of their utility and emergency telephone number to facilitate notification in the event of an emergency, etc. Sign posting in the nearest right-of-way is appropriate where it is impractical to sign due to traffic, etc.

Section 4. That section 12.45.080, Interfering with movement of traffic, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Interfering with movement of traffic.

(a) Traffic Disruption Notice. A traffic disruption notice is required for any and all lane, road, or alley closures. This shall be done by communicating with the

Engineering division staff. The notice shall be given at least 48 hours prior to the closures. This is an additional requirement to any permit that disrupts traffic in the right-of-way.

(~~a~~b) When any cut or excavation is performed on any public street, it shall be properly backfilled to top of pavement or bridged or plated, as approved by the Department of Public Works, Engineering Division, to allow the operation of traffic thereon; except between the hours of 8:30 a.m. to 4:00 p.m., or as provided for under subsection (b) of this section.

(~~b~~c) When any cut or excavation is performed on any street, it shall be unlawful, without a ~~traffic disruption permit~~right-of-way construction permit issued by the Development Services Director and approved by the ~~Traffic~~ Engineering ~~Department~~division, to do any of the following acts:

(1) Leave any pavement material, stone and earth or any other material removed from street cuts, openings or excavations on the street before 8:30 a.m. or after 4:00 p.m.

(2) Perform any work which will require the closing of any lane of moving traffic between the hours of 7:00 a.m. and 8:30 a.m. or from 4:00 p.m. to 6:00 p.m.

(3) Do or perform any work or operation or place any material, equipment, barricades or other obstructions in such a manner as to require the closing at any time of more than one lane of moving traffic on any street.

Section 5. That original § 12.30.020, § 12.30.080, § 12.30.290 and § 12.45.080 of The Code of the City of Topeka, Kansas, are hereby specifically repealed.

Section 6. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 7. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 8. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

_____
Spencer L. Duncan, Mayor

ATTEST:

_____
Brenda Younger, City Clerk

CITY OF TOPEKA

ROW PERMITS

Modifications to TMC 12.30.020, 12.30.080, 12.30.290, & 12.45.080

SUMMARY

- Adding a “Right-of-Way Construction Permit”
- Removing “Traffic Disruption Permit”
- Adding a “Traffic Disruption Notice”

12.30.020

-Changed definition of “Right-of-way permit” to remove language about “traffic disruption permit”.

-Added definition for “Right-of-way Construction Permit”.

12.30.080

12.30.080 Permit requirement.

(a) *Permit Required.* Except as otherwise provided in this chapter, no person may obstruct or excavate any right-of-way without first having obtained the appropriate right-of-way permit from the Director to do so. Permit areas are as follows:

(1) *Excavation Permit.* An excavation permit is required to excavate that part of the right-of-way described in such permit and to hinder free and open passage over the specified portion of the right-of-way by placing equipment described therein, to the extent and for the duration specified therein.

(2) *Temporary Use of Right-of-Way Permit.* A temporary use of right-of-way permit is required to encroach upon public streets, sidewalks, or other public property to be used during construction as an area for storage of construction materials or equipment, or for the erection of fencing, barricades, sidewalk, passageways, or construction office, such area being used in such a manner as to deny the public the use of such street, alley, or public property.

(3) ~~*Traffic Disruption Permit.* A traffic disruption permit is required before closing down lane(s) of traffic, utilizing proper traffic control devices and, if applicable, providing detour route(s).~~

(4) *Sidewalk Permit.* A sidewalk permit is required for any construction or reconstruction of public sidewalk(s).

(5) *Driveway Permit.* A driveway permit is required prior to construction or reconstruction of driveway approaches including the cutting and/or removal of curbs and gutters.

(b) *Permit Extensions.* No person may excavate or obstruct the right-of-way beyond the date(s) specified in the permit unless such person: (1) makes a supplementary application for another right-of-way permit before the expiration of the initial permit; and (2) a new permit or permit extension is granted.

(c) *Permit Display.* Permits issued here shall be available for review at all times at the work site. In addition, all utilities will prominently identify all work sites with the name of their utility and emergency telephone number to facilitate notification in the event of an emergency, etc. Sign posting in the nearest right-of-way is appropriate where it is impractical to sign due to traffic, etc. (Ord. 17587 § 5-4, 10-24-00. Code 1995 § 130-679.)

-Removing “Traffic Disruption Permit”

-Creating a “Right-of-Way Construction Permit”

-(3) Right-of-Way Construction Permit. For large projects requiring multiple different Right-of-Way asset improvements, a single “Right-of-Way Construction Permit” shall be issued. This will permit construction of all items defined in the permit.

12.30.290

Removed (a) (3), replacing it with requirement for a ROW permit

(3) ~~Traffic Disruption Permit. A traffic disruption permit is required before closing down lane(s) of traffic, utilizing proper traffic control devices and if applicable, providing detour route(s).~~ Right-of-Way Construction Permit. A right-of-way construction permit is required prior to construction in the City's right-of-way.

12.45.080

- Added Traffic Disruption Notice Requirement
- Added ROW permit requirement
- Removed traffic disruption permit language

Section 4. That section 12.45.080, Interfering with movement of traffic, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Interfering with movement of traffic.

(a) Traffic Disruption Notice. A traffic disruption notice is required for any and all lane, road, or alley closures. This shall be done by communicating with the Engineering division staff. The notice shall be given at least 48 hours prior to the closures. This is an additional requirement to any permit that disrupts traffic in the right-of-way.

(~~a~~b) When any cut or excavation is performed on any public street, it shall be properly backfilled to top of pavement or bridged or plated, as approved by the Department of Public Works, Engineering Division, to allow the operation of traffic thereon; except between the hours of 8:30 a.m. to 4:00 p.m., or as provided for under subsection (b) of this section.

(~~b~~c) When any cut or excavation is performed on any street, it shall be unlawful, without a ~~traffic disruption permit~~right-of-way construction permit issued by the Development Services Director and approved by the ~~Traffic~~ Engineering ~~Department~~division, to do any of the following acts:

COMMITTEE REFERRAL SHEET
COMMITTEE REPORT

Name of Committee:	Public Infrastructure
Title:	Ordinance - Traffic Disruption Permits, ROW Excavation
Date referred from Council meeting:	
Date referred from Committee:	October 20, 2026
Committee Action:	MOTION: Committee member Sylvia Ortiz made a motion to approve and move forward Traffic Disruption Permits, ROW Excavation to the Governing Body for action. Committee chair David Banks seconded. Motion approved 3-0-0.
Comments:	
Members of Committee:	Councilmembers Sylvia Ortiz, David Banks (Chair), Michelle Hoferer
Agenda Date Requested:	November 10, 2026

CITY OF TOPEKA

CITY COUNCIL
City Hall, 215 SE 7th St., Room 255
Topeka, KS 66603-3914
(785) 368-3710

Tonya Bailey, Sr Executive Assistant
Tara Jefferies, Sr Executive Assistant
E-mail: councilassist@topeka.org
www.topeka.org

EXCERPT

CITY OF TOPEKA, Topeka, Kansas, Tuesday, October 20, 2026. The Public Infrastructure Committee members met at 11:00 A.M. with the following Committee members present: Sylvia Ortiz, David Banks (Chair) and Michelle Hoferer.

The following is an excerpt of the draft minutes from the meeting:

APPROVAL of an Ordinance Traffic Disruption Permits, ROW Excavation.

ORDINANCE introduced by City Manager Dr. Robert M. Perez, concerning traffic disruption permits for right-of-way excavation, amending § § 12.30.020, § 12.30.080, § 12.30.290 and § 12.45.080 of the Topeka Municipal Code and repealing original section.

Public Works Director Jason Tryon spoke at a high level about the proposed ordinance concerning traffic disruption permits for right-of-way excavation and amending sections. The updates would streamline permitting by replacing the traffic disruption permit with a single right-of-way construction permit and adding a required 48-hour traffic disruption notice for any work affecting traffic.

Committee chair David Banks expressed his support for the proposed ordinance.

MOTION: Committee member Sylvia Ortiz made a motion to approve and move forward Traffic Disruption Permits, ROW Excavation to the Governing Body for action. Committee chair David Banks seconded. Motion approved 3-0-0.

****

City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
November 10, 2026

DATE:	**November 10, 2026**	
CONTACT PERSON:	**Leigha Boling, Economic Development Director**	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**Ardmore Development Group, LLC - Ardmore Walk Addition No. 1 Reinvestment Housing Incentive District (RHID)**	**PROJECT #:**
CIP PROJECT:	**No**	
ACTION OF COUNCIL:		**JOURNAL #:**
		PAGE #:

DOCUMENT DESCRIPTION:

RESOLUTION introduced by Interim City Manager Michael Webb making certain findings pursuant to the Kansas Reinvestment Housing Incentive District (RHID) Act with regard to an application submitted by Ardmore Development Group, LLC to establish a Reinvestment Housing Incentive District and requesting that the Secretary of Commerce review the resolution and advise the Governing Body.

Voting Requirement: Action requires at least six (votes) of the Governing Body.

(Approval would authorize staff to submit the Ardmore Walk Addition No. 1 RHID application to the Secretary of Commerce for review.)

VOTING REQUIREMENTS:

Action requires at least six (6) votes of the Governing Body.

POLICY ISSUE:

Whether to consider the establishment of a Reinvestment Housing Incentive District (RHID) for Ardmore Development Group, LLC.

STAFF RECOMMENDATION:

Staff recommends the Governing Body move to approve the resolution.

BACKGROUND:

City staff received a Reinvestment Housing Incentive District (RHID) Step I application from Ardmore Development Group, LLC on September 3, 2026. The developer owns 42 lots within the Ardmore Walk Addition No. 1 Subdivision, located in southwest Topeka. The proposed project is intended to help address the

community's shortage of upscale and luxury residential housing by constructing 42 single-family homes featuring two to three bedrooms, two bathrooms, and two-car garage, with floor plans ranging from 1,250 to 1,750 square feet. The homes will be offered for-sale, and are anticipated to range from $350,000 to $500,000.

City staff have completed the preliminary due diligence review process and verified that the developer and its affiliated entities are active and in good standing with the Kansas Secretary of State and have no delinquent taxes, special assessments, or outstanding utility, zoning, or code enforcement issues. A more in-depth due diligence review will be conducted during the Housing Development Plan review stage.

BUDGETARY IMPACT:

The City has received the $5,000 non-refundable application fee from the developer, which is intended to reimburse the City for staff time associated with the first step of the RHID application process.

SOURCE OF FUNDING:

Payment from the developer

ATTACHMENTS:

Proposed Resolution & Exhibit A - Ardmore Development Group, LLC, Ardmore Walk Addition No. 1 RHID Step I
Presentation - Ardmore Walk Addition No. 1 RHID, Ardmore Development Group, LLC Step 1 (November 10, 2026)
Step I RHID Application - Ardmore Walk Subdivision No. 1 RHID, Ardmore Development Group, LLC (September 3, 2026)
2026 Topeka Housing Update and Housing Needs Analysis (July 9, 2026)

(Published in the Topeka Metro News _____)

RESOLUTION NO. _____

A RESOLUTION introduced by Interim City Manager Michael Webb making certain findings pursuant to the Kansas Reinvestment Housing Incentive District Act with regard to an application submitted by ARDMORE DEVELOPMENT GROUP LLC to establish a Reinvestment Housing Incentive District and requesting that the Secretary of Commerce review the resolution and advise the Governing Body.

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

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

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

WHEREAS, the City has performed a housing needs analysis (the "Analysis"); and

WHEREAS, based upon the Analysis, the Governing Body proposes to commence proceedings necessary to create an "Ardmore Walk Addition No. 1 RHID," in accordance with the Act.

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

Section 1. The Governing Body adopts and incorporates by reference the Analysis, a copy of which is on file in the office of the City Clerk and accessible at https://s3.us-east-1.amazonaws.com/files.topeka.gov/community/Housing%20%26%20Homeless/Topeka%20Housing%20Study%20Update%202026_Memo%20%26%20Annotated%20Decks.pdf, and based on a review of the Analysis makes the following findings and determinations.

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

Section 3. The Governing Body finds that this 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 in the City.

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

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

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

Section 7. The City Clerk is directed to publish this resolution one time in the Topeka Metro News and to send a certified copy of this resolution to the Secretary for the 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.

ADOPTED and APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

_____
Spencer L. Duncan, Mayor

ATTEST:

_____
Brenda Younger, City Clerk

EXHIBIT A
(Legal Descriptions and Maps)

Lots 1-5, Block A; Lots 1-24, Block B; Lots 1-14, Block C; and Stormwater Tracts A, B and C, in Ardmore Walk Addition No. 1, in the City of Topeka, Shawnee County, Kansas; and all public streets and other rights-of-way, and easements in or adjacent to Ardmore Walk Addition No. 1, in the City of Topeka, Shawnee County, Kansas.



CITY OF TOPEKA

Ardmore Walk Addition No. 1
Ardmore Development Group, LLC

Step I RHID Designation

Leigha Boling, Economic Development Director

Ardmore Walk Addition No. 1

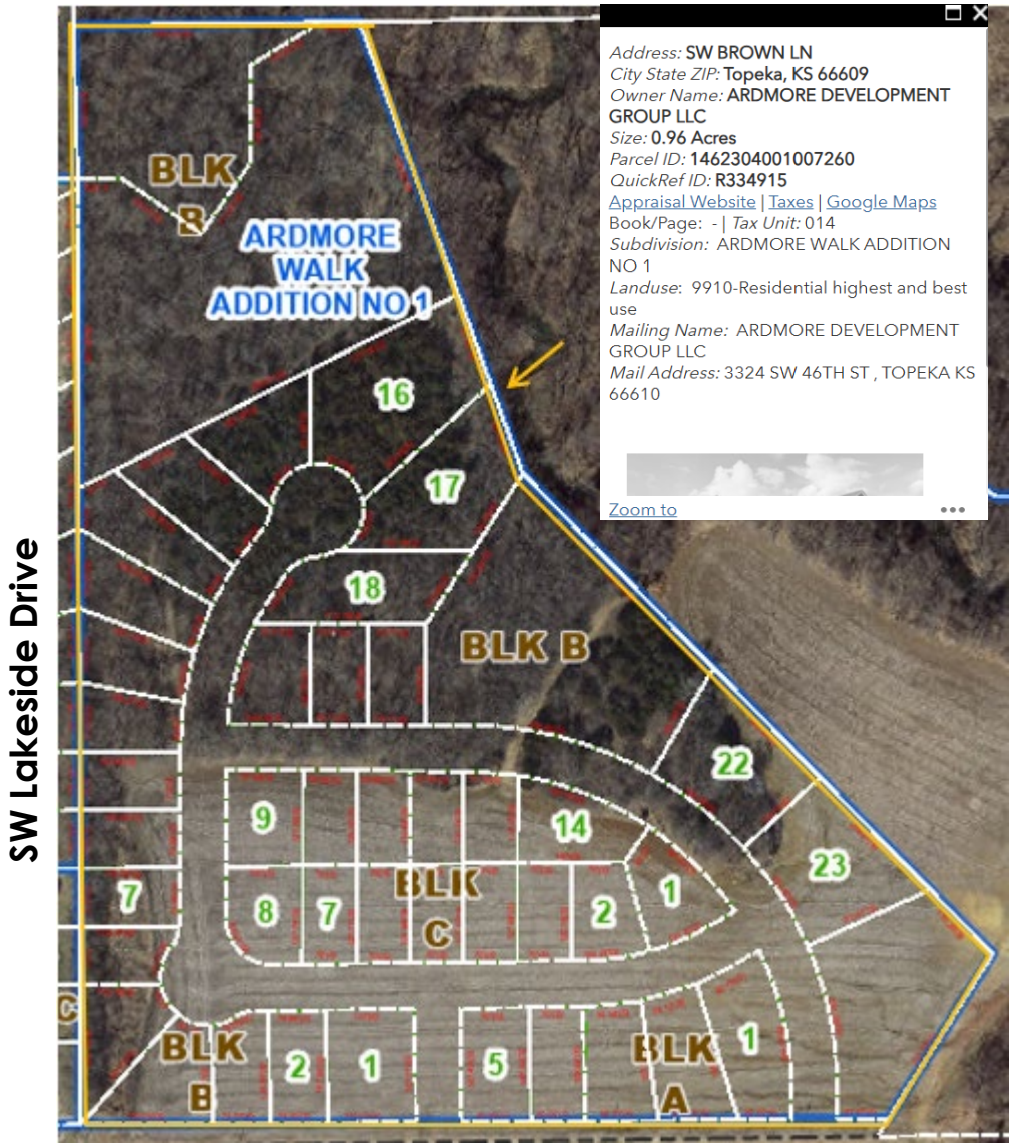
Ardmore Development Group, LLC is the applicant proposing a RHID located within the Ardmore Walk Subdivision, along the north side of SW 45th St, located west of SW Burlingame Rd, east of SW Lakeside Dr.

Due Diligence: Applicant & Affiliates

- Secretary of State Active and in Good Standing
- No delinquent taxes, special assessments, or outstanding utility, zoning, or code issues

Proposed RHID District

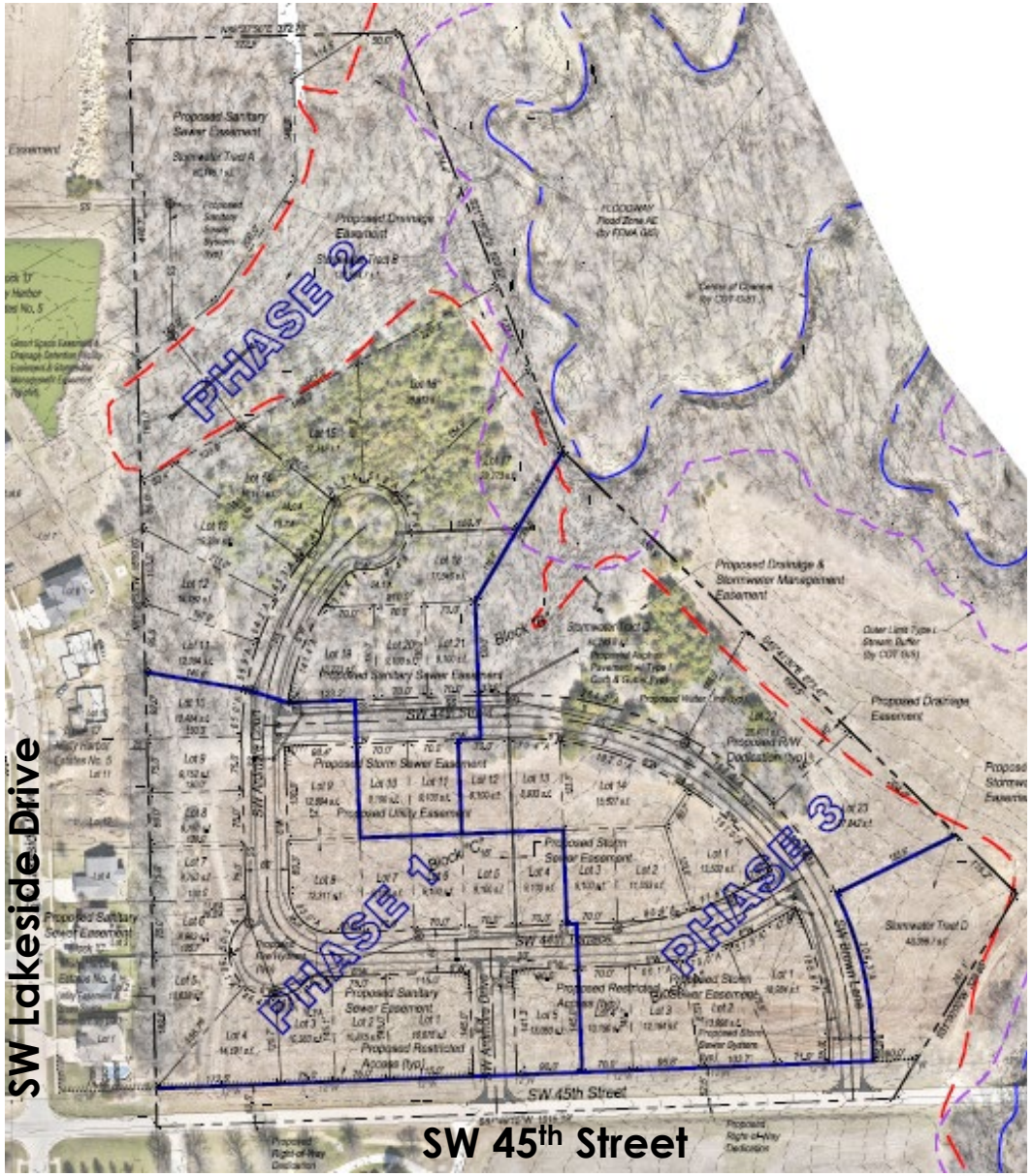
- 25.28-acre tract of land
- 42 lots



Ardmore Walk Addition No. 1

The proposed project will construct:

- 42 single-family homes in 3 phases
- A variety of home layouts and floor plans to accommodate diverse buyer preferences
- For-sale homes anticipated to start at approximately $350,000 and above
- Housing designed to address the community's shortage of upscale and luxury housing inventory



Step I; RHID Designation

- **Propose RHID District:** Adopt a Resolution recommending RHID designation.

- **Submit to State:** Following Governing Body approval, staff will submit the Resolution to the Kansas Department of Commerce for consideration and approval.

Step II; Housing Plan & District Creation

- **Housing Development Plan:** After KDOC approval, Developer submits a Housing Development Plan (Project Plan) for financial analysis and but-for test.
- **Financial Review & Negotiation:** City RHID Review Team evaluates the analysis, drafts the Development Agreement, and negotiates terms with the Developer.
- **Set a Public Hearing:** Resolution sets hearing to consider approving the Development Agreement, Project Plan, and establish the District.
- **Final Approval:** Public Hearing is conducted followed by adopting an Ordinance establishing the RHID District and approving the Project Plan and Development Agreement.

Questions?

RECD TOPEKA CITY CLERK
'25 SEP 3 AM11:54

CITY OF TOPEKA

Application for Creation of a RHID District

APPLICANT: Ardmore ~~Walk~~ Development Group LLC

ADDRESS: 4324 SW 46th Topeka, ks 66610

PHONE #: 785-969-3017

E-MAIL ADDRESS: randybrown1024@gmail.com

CONTACTPERSON: Randy Brown

PROJECT NAME: Ardmore Walk Addition No. 1

Please complete the following items.

1. As ***Exhibit A***, provide a cover letter formally requesting the creation of a district, including a general description of the housing development expected to occur within the districts, the names of the housing developer or developers expected to constructs such housing, the expected timing of such housing development, a narrative describing how the district sis likely to address the policy goals of the Housing Study and discussion of how the use of RHID is consistent with the City's but-for principle.

2. As ***Exhibit B***, provide a legal description of the proposed district and a map depicting the existing parcels of real estate in the proposed district.

3. As ***Exhibit C***, provide evidence of site control or a detailed plan for which the developer intends to secure site control.

4. As ***Exhibit D***, provide certification that neither the developer entity nor any of its shareholders/ partners/members is delinquent on its property tax or special assessment payments on any property it owns or controls in Shawnee County. *(Exhibit D of this document is a form that must be completed by the Shawnee County Treasurer.)*

5. Applicant with support of the city needs to provide certification that neither the developer entity nor any of its shareholders/ partners/members has any outstanding utility bills, zoning or property maintenance, or other code cases pending with the city.

6. A non-refundable application fee of $5,000 will be required upon submission of the application of the RHID district to the City Clerk. If the Developer withdraws the application, the City Governing Body elects not to create the District or does not approve the Housing Plan, or Kansas Secretary of Commerce elects to not approve the application, the City shall keep the application fee to reimburse it for the costs of processing and reviewing the application. The Developer shall not be entitled to any refund of the fee.

CERTIFICATION OF APPLICANT

APPLICANT HAS RECEIVED AND REVIEWED THE CITY'S RURAL HOUSING INCENTIVE DISTRICT POLICY (RESOLUTION NO. 9379). THE APPLICANT UNDERSTANDS AND AGREES TO THE TERMS OF THE POLICY AND PROCEDURES, INCLUDING PAYMENT OF THE REQUIRED FEES. THE APPLICANT UNDERSTANDS THAT A SUBMISSION OF A HOUSING DEVELOPMENT PLAN APPLICATION WILL BE REQUIRED SHOULD THE CREATION OF A RHID DISTRICT APPLICATION BE APPROVED.

AS OF THE DATE OF APPLICANT'S EXECUTION OF THIS APPLICATION, TO THE BEST OF THE APPLICANT'S KNOWLEDGE, THE INFORMATION CONTAINED WITHIN THIS APPLICATION IS TRUE AND CORRECT.

By: Randy Brown
Signature of Authorized Agent for Entity

Title: Manager

Date: Sept 3, 2026

STATE OF Kansas
COUNTY OF Shawnee
This document was acknowledged before me on 9/3/26 by Kristine K. Miller

Notary Public
My commission expires: 9/19/29

Kristine K. Miller
NOTARY PUBLIC – STATE OF KANSAS
MY APPT EXP: 9/19/29

EXHIBIT A

City of Topeka
215 SE 7th St
Topeka, KS 66603

RE: Ardmore Walk Addition No. 1 Pre-Application

TO: City Manager

Ardmore Walk Development Group proposes the creation of a new Reinvestment Housing Incentive District (RHID). The Ardmore Walk development plan consists of three phases. Phase 1 of the project includes 15 houses, followed by an additional 12 homes in Phase 2. Phase 3 will follow with the development and sale of 15 additional homes.

Phase 1 houses will range from 1250 to 1750 square feet, each featuring 2-3 bedrooms, 2 bathrooms and a double car garage, with an estimated price range of $350,000 to $500,000. Our goal is to have 3-5 homes under construction at any given time, utilizing area builders.

The Housing Needs Analysis report, shared with us by the Topeka Economic Development Department shows that Topeka has a shortage of quality housing which can be expected to persist, and that additional financial incentives are necessary to encourage the private sector to construct housing in the city of Topeka. In particular, Topeka has a substantial undersupply of homes priced above $250,000.

Without the financial incentive provided by the RHID district, which helps address the high costs of installing the infrastructure, this project would not move forward.

Randy Brown
Ardmore Development Group

Randy Brown

EXHIBIT B

Insert or attach here:

EXHIBIT C

Insert or attach here:

Lawyers Title of Kansas, Inc.
785-271-9500

CN: 47964

2024R12026

SHAWNEE COUNTY, KANSAS
REGISTER OF DEEDS
REBECCA J. NIOCE
DATE RECORDED:
08/07/2024 08:01:08 AM

Entered in Transfer Record in my office _____

_____
County Clerk

Mail Tax Statement to:

08/07/2024

Cynthia A Beck

QUIT CLAIM DEED (Statutory)

THE GRANTOR,

Randall L. Brown and Sandra A. Brown, husband and wife
Rebecca M. Dartez also known as Rebecca B. Hill, and James H. Hill, wife and husband

CONVEYS AND QUITCLAIMS to

Ardmore Development Group LLC, a Kansas limited liability company

for the sum of One Dollar and Other Valuable Consideration, the following described real estate:

A tract of land in the Southeast Quarter of Section 23, Township 12 South, Range 15 East, of the 6th P.M., in Shawnee County, Kansas described as follows: Beginning at the Southwest corner of said Southeast Quarter; thence North 00 degrees 39 minutes 24 seconds East, 1500 feet along the West line of Said Quarter; thence South 89 degrees 20 minutes 36 seconds East, 375.00 feet; thence South 18 degrees 59 minutes 05 seconds East, 620.00 feet; thence South 43 degrees 32 minutes 09 seconds East, 873.61 feet to a point on the Westerly line of a 30 foot Williams' Telecommunications Pipeline Easement; thence South 33 degrees 11 minutes 17 seconds West, 329.81 feet along the Westerly line of said Williams' Easement to the South line of said Southeast Quarter; thence North 90 degrees 00 minutes 00 seconds West, 1015.07 feet to the point of beginning.
Except and subject to an easement lying below elevation 950.8 feet condemned for Shunga Drainage District No. 1 as set out in Book 1131, Page 389 of the Shawnee County Register of Deeds and restrictions of record.

(THIS DEED IS BEING RECORDED PURSUANT TO K.S.A. 79-1437e AS AMENDED, EXEMPTION #3)

(Subject to easements, restrictions, and reservations of record, and all taxes and assessments that may be levied, imposed, or become payable hereafter.)

Dated this 6th **day of** August **A.D. 2024**

Randall L. Brown
Randall L. Brown

Sandra A. Brown
Sandra A. Brown

Rebecca B. Hill
Rebecca M. Dartez also known as Rebecca B. Hill

James H Hill
James H. Hill

STATE OF KANSAS, COUNTY OF SHAWNEE
This instrument was acknowledged before me on this 6th day of August 2024 by:
Randall L. Brown and Sandra A. Brown, husband and wife

My appointment expires: 11/14/2027

NOTARY PUBLIC - State of Kansas
WENDI S. LUCERO
My Appt Expires 11/14/2027

Wendi S. Lucero
Notary Public

STATE OF FLORIDA, COUNTY OF Sumter

This instrument was acknowledged before me on this 31 day of July 2024 by:

Rebecca M. Dartez also known as Rebecca B. Hill, and James H. Hill, wife and husband

My appointment expires: 2-11-2028

by means of
X physical presence or
___ online notarization

Diana O'Donnell
Notary Public

DIANA O'DONNELL
MY COMMISSION # HH 485252
EXPIRES: February 11, 2028

FINAL PLAT
ARDMORE WALK ADDITION NO. 1

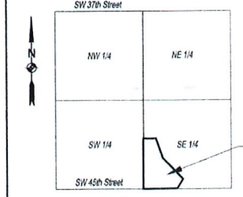
A TRACT OF LAND IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 12 SOUTH, RANGE 15 EAST, OF THE 6TH P.M., IN SHAWNEE COUNTY, KANSAS.

2025R20484
SHAWNEE COUNTY, KANSAS
REGISTER OF DEEDS
REBECCA J. NIOCE
DATE RECORDED:
12/23/2025 11:52:24 AM
BOOK 56 PAGE 140

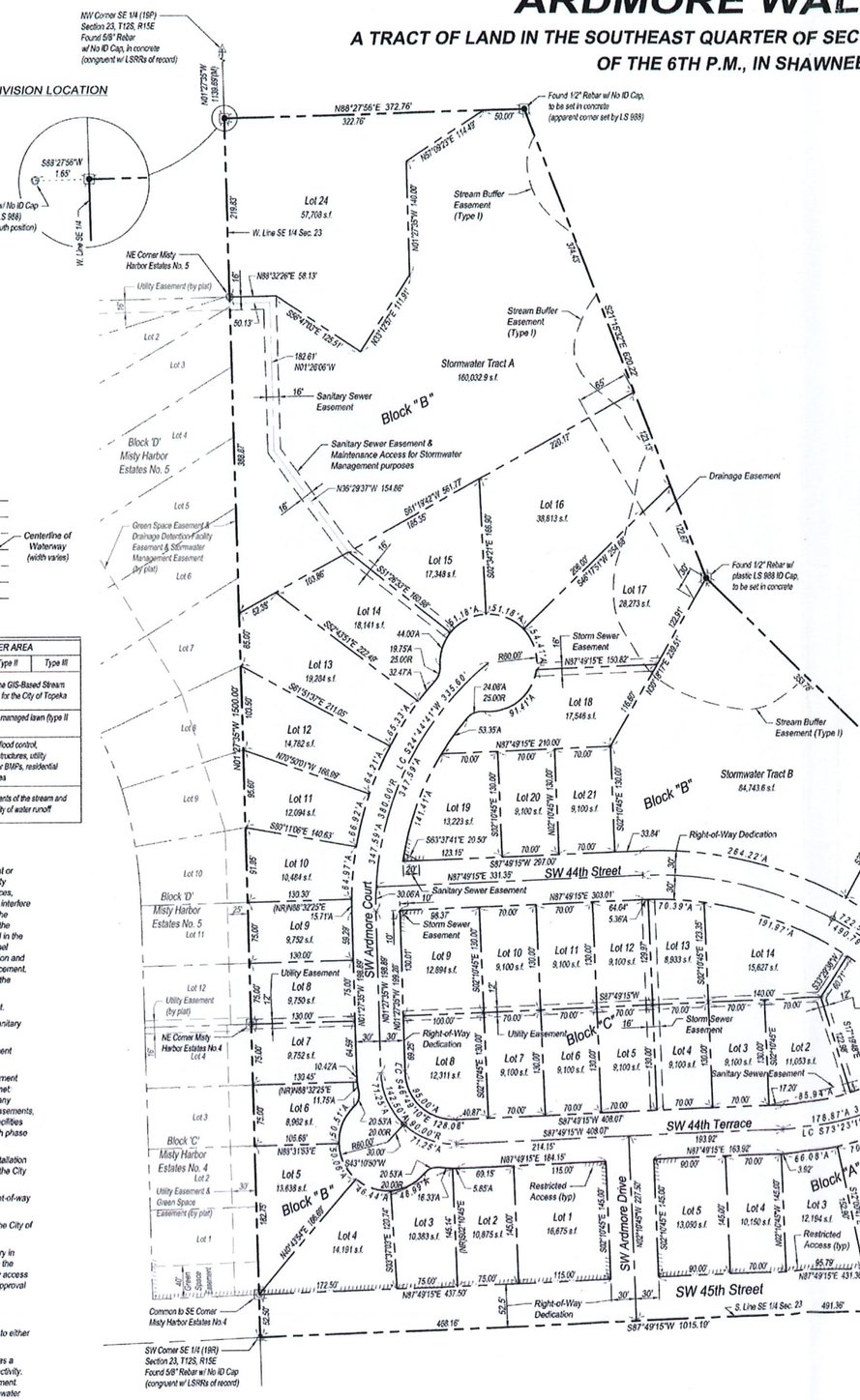
BOOK 56 PAGE 140

DATE 12-23-2025 TIME 11:52 AM

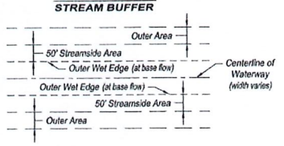
185



SEC. 23, T12S, R15E
LOCATION MAP
(NTS)



TYPICAL TYPE I STREAM BUFFER



WATERWAY BUFFERS

	STREAMSIDE AREA			OUTER AREA		
	Type I	Type II	Type III	Type I	Type II	Type III
Width	50 feet	25 feet	15 feet	Determined by the GIS-Based Stream Buffer Shapefiles for the City of Topeka		
Vegetation	Native vegetation			Native vegetation or managed lawn (type II or III)		
Uses	Streambank stabilization, flood control, utility corridors			Biking/hiking paths, flood control, detention/retention structures, utility corridors, stormwater BMPs, residential yards, landscape area		
	Unpaved foot paths, road crossings					
Function	Protect the physical and ecological integrity of the stream ecosystem			Protect key components of the stream and filter and slow velocity of water runoff		

GENERAL NOTES:

1. Property owners shall be admonished from placing any permanent or semi-permanent obstruction in permanent sewer, drainage or utility easements. This includes, but is not limited to, trees, shrubs, fences, retaining walls, buildings or other miscellaneous obstructions that interfere with access or egress of maintenance vehicles or equipment for the operation and maintenance of the utilities or pipe lines located in the easement. Any permanent or semipermanent obstruction located in the permanent sewer or utility easement may be removed by personnel representing the governing body, to provide for the proper operation and maintenance of that utility line, without cost or obligation for replacement, cost of removal, and/or replacement shall be the responsibility of the property owner.
2. Water service shall be provided City of Topeka Water Department.
3. Sanitary Sewer service shall be provided City of Topeka public sanitary sewer system.
4. Minimum opening elevations shall be 1 ft above the highest adjacent 100-year water surface elevation.
5. No building permit(s) shall be issued until all Stormwater Management requirements set forth in the Topeka Municipal Code (TMC) are met: including approval of Stormwater Management Plan, granting of any necessary stormwater management, drainage or stream buffer easements, and construction and inspection of all stormwater management facilities contained in the approved Stormwater Management Plan for each phase as applicable.
6. No building permits shall be issued until arrangements for the installation of water mains and/or connection charges have been made with the City of Topeka Water Department.
7. All utilities shall be placed underground pursuant to the City's right-of-way management standards.
8. All work within the public Right-of-Way shall be constructed per the City of Topeka Design Criteria, Standard Specifications and Details.
9. Restricted access line defines portions of the subdivision boundary in which the public is not allowed to cross in order to gain access to the subdivision other than in an emergency situation or for temporary access during construction activities. Temporary access requires prior approval from the Director of Public Works.
10. Variance Granted:
    It has been deemed that utility easements along the length of the subdivision boundary per TMC 18.40.120 are not necessary due to either terrain and/or existing easements on adjacent properties.
11. Lot 24, Block "B" shall remain a non-buildable lot until such time as a public right-of-way is available to provide legal access and connectivity. Stormwater Tract A is Native Grass Planting and Drainage Easement. Stormwater Tract B is dedicated as Native Grass Planting, Stormwater Management and Drainage Easement. Stormwater Tract C is dedicated as Native Grass Planting and Stormwater Management.

STATE OF KANSAS
COUNTY OF SHAWNEE, SS:

Be it remembered that on this 3rd day of November, 2025, before me, the undersigned, a notary public in and for the County and State aforesaid came Randall L. Brown, Owner/Operator of Ardmore Development Group, LLC, who is personally known to me to be the same person(s) who executed, the within instrument of writing.

IN WITNESS WHEREOF: I have hereunto set my hand and affixed my notarial seal the day and year last written above.

Notary Public

2/28/2026
My Commission Expires

NOTARY PUBLIC - State of Kansas
Courtney N. Lewis
My Appt. Expires 2/28/26

IN TESTIMONY WHEREOF, the owner, Ardmore Development Group, LLC, has caused these presents to be signed this 3rd day of November, 2025.

Randall L. Brown, Owner/Operator

Scale: 1" = 60'
0 60'

Basis of Bearings:
Bearings shown on this survey are based on Kansas State Plane, North Zone datum.

LEGEND

- Found 5/8" Rebar in concrete (apparent subdivision corner set by Bartlett & West)
- Found 5/8" Rebar w/ No ID cap, unless otherwise noted
- Set 1/2"x24" Rebar w/ plastic SBB ENG CLS 263 ID Cap, in concrete, unless otherwise noted
- (M) Measured
- (D) Described
- (C) Calculated
- A, R & LC Arc, Radius & Long Chord
- (NR) Non-radial Line
- Street Name Change
- Restricted Access

CERTIFICATE OF APPROVALS: APPROVED BY THE TOPEKA PLANNING COMMISSION THIS 15 DAY OF September, 2025.

William Nieger, Commission Chairman

Dan Warner, Planning Commission Secretary

THIS SUBDIVISION HAS BEEN PRESENTED TO THE CITY COUNCIL, CITY OF TOPEKA, KANSAS, ON THE 16 DAY OF December, 2025, FOR ACCEPTANCE OF LAND TO BE DEDICATED FOR PUBLIC PURPOSES. THE CITY COUNCIL HEREBY ACCEPTS THE LAND FOR PUBLIC PURPOSES.

By the City Council
City of Topeka, Kansas

Michael Padilla, Mayor

Brenda Younger, City Clerk

REVIEWED BY SHAWNEE COUNTY SURVEYOR. THIS 31st DAY OF October, 2025 for compliance with KSA Chapter 58 Article 20

Deborah J. Thomas, County Surveyor, LS #1461

FILED FOR RECORD IN THE OFFICE OF THE SHAWNEE COUNT REGISTER OF DEEDS THIS 23 rd DAY OF December 2025, AT 11:52 O'CLOCK A M.

Rebecca J. Nioce, Register of Deeds

ENTERED ON THE TRANSFER RECORD OF SHAWNEE COUNTY, KANSAS, THIS 23 DAY OF December, 2025.

Lisa J. Schmitt, County Clerk

DESCRIPTION:

A tract in the Southeast Quarter of Section 23, Township 12 South, Range 15 East of the 6th P.M., Shawnee County, Kansas, being the tract described on a Quit Claim Deed recorded as document # 2024R12026, being more particularly described by Patrick Leo LaFontaine, PS 1690, on October 27, 2025, as follows: ***BEGINNING*** *at the Southwest corner of said Southeast Quarter; Thence N01°27'35"W (State Plane Bearings) along the Western boundary of said Southeast Quarter a distance of 1,500.00 feet; Thence N88°27'56"E a distance of 372.76 feet (375.00 feet described); Thence S21°15'32"E a distance of 620.22 feet (620.00 feet described); Thence S45°41'30"E a distance of 873.47 feet (873.61 feet described) to a point on the Westerly line of a 30-foot Williams' Telecommunications Pipeline Easement per document # 2024R12026; Thence S31°00'00"W along said Westerly line a distance of 329.85 feet (329.81 described) to a point on the Southern boundary of said Southeast Quarter; Thence S87°49'15"W along said Southern boundary a distance of 1,015.19 feet (1,015.07 feet described) to the* ***POINT OF BEGINNING****. Containing 26.35 acres, more or less.*

DEDICATION:

Know all men by these presents that the undersigned owners to the above described tract of land have caused the same to be subdivided into lots, blocks and public ways which shall be known as ARDMORE WALK ADDITION NO. 1.

NOTICE:

In the event there are other owners or those holding any proprietary interest in any land contained in this subdivision who do not appear and duly acknowledge this plat prior to the time of recording in the Office of the Register of Deeds, the plat shall be null and void.

EASEMENTS:

Easements are hereby granted to the public as follows: "Utility Easements" to allow public utility providers, contractors, and authorized agents to locate, construct and maintain facilities to provide utility service to the public. All public utilities specifically including but not limited to water, gas, sewer, stormwater, and telecommunications may place or locate their facilities over, under and along the strips marked "utility easements". A temporary construction easement of 12-feet adjacent to the side of the utility easement is dedicated for the use of the public utilities while initial construction of the public utility's facilities are in progress."

DRAINAGE EASEMENT:

Drainage easements are hereby established as shown to provide for the unobstructed overland flow or surface water and/or the construction and maintenance of pipe, flume, ditch or any or all improvement for the drainage of said water, all as may be determined and/or approved by the director of the department of utilities. Property owners shall not place any permanent or semi-permanent obstruction in said easement. All maintenance within the permanent public drainage easement shall be the right, duty and responsibility of the property owner(s) of the property in which the easement is so located, however, if maintenance is neglected or subject to other unusual circumstances and is determined to be a hazard or threat to public safety by the director of utilities or designee, corrective maintenance may be performed by the governing jurisdiction with costs assessed to and borne upon, said property owner(s). Officials representing the department of utilities shall have the right to enter upon the easement for purposes of periodic inspection and/or corrective maintenance. Should one or more of the Landowners be natural persons not joined by their respective spouses, it is conclusively presumed that the land conveyed is not the residence, homestead, or principal business of such Landowners. Should one or more of the Landowners be a legal entity other than a natural person, it shall be conclusively presumed that the person signing on behalf of that entity has been duly and legally authorized to so sign and there shall be no necessity for a seal or attestation.

STORMWATER MANAGEMENT EASEMENT:

Stormwater Management Easements (SME) are hereby established as shown or described to provide for the management of storm water including, but not limited to, detention, retention, storage and treatment of storm water. Property Owners and their assigns and successors (Property Owners) agree to install, construct, reconstruct, replace, enlarge, repair, operate and provide perpetual maintenance of pipe, flume, ditch, swale, vegetative areas or mechanical devices for storm water conveyance and/or treatment, or any improvements in the SME for the drainage and/or treatment of said storm water. No change to the grade, topography or storm water management structures and improvements in the SME shall be made without the prior written approval of the applicable public works director or designee.

Property Owners shall not place or permit any permanent, semi-permanent or temporary obstruction in said SME including, but not limited to, trees, shrubs, vegetation, rocks, fences, retaining walls, landscaping, structures, buildings or other obstructions that interfere with or obstruct designed water flow and/or treatment process in an engineered channel, conduit, structure or area, nor shall Property Owners obstruct, prevent or otherwise hinder ingress, egress or operation of maintenance vehicles, equipment and personnel. Upon receiving written permission from the applicable public works director or designee, Property Owners may construct at their own peril other limited improvements and/or landscaping within the SME which do not and will not interfere with the function of the storm water management system. Any obstructions or improvements in the SME, permitted or not permitted, may be removed by the applicable public works department or its contractor to provide for designed water flow and/or treatment process of the storm water management system. Cost of removal, damage and any repair or replacement shall be the responsibility of the Property Owner.

All maintenance and repairs within the SME shall be the right, duty and responsibility of the Property Owners of the property on which the SME is located. However, if designed water flow and/or treatment process are impeded by neglected maintenance, system failure or are subject to other unusual circumstances causing a hazard or threat to public safety, as determined by the applicable public works director or designee, emergency or corrective maintenance may be performed by the applicable public works department or its contractor with costs charged to said Property Owners. Unpaid costs shall be assessed to and imposed as a lien on the land. The applicable public works department and its contractors shall have the right to enter upon the SME for purposes of periodic or special inspection and/or corrective maintenance.

STREETS:

The public ways (streets and roads) not heretofore dedicated, are hereby dedicated to the public. If any, temporary turn-around easements are hereby established as shown on the accompanying plat and shall be automatically vacated when streets are extended.

FLOOD PLAIN NOTE:

According to the Flood Insurance Rate Maps "FIRM" Community Map Number 20177C0302E, effective date of September 29, 2011, a portion of the subject tract is in Special Flood Hazard Area "AE", regulatory floodway.

STREAM BUFFER NOTE:

Stream buffer easements are hereby established as shown to provide for informal green space and the natural unobstructed overland flow of surface water in existing drainage ways. Property owner(s) shall not place permanent or semi-permanent obstructions in said easement. All maintenance within the stream buffer easement (SBE) shall be the right, duty and responsibility of the property owner(s) of the property in which the easement is so located, however, if maintenance is neglected or subject to other unusual circumstances and is determined to be a hazard or threat to public safety by the applicable public works director or designee, corrective maintenance may be performed by the governing jurisdiction with costs assessed to and borne upon said property owner(s). Officials representing the applicable department of public works or utilities shall have the right to enter upon the easement for purposes of periodic inspection and/or corrective maintenance.

CONSENT TO ANNEXATION:

The owners of record of the above described real estate does hereby evidence its complete and irrevocable consent to annexation by the City of Topeka, in accordance with the laws of the State of Kansas. This consent shall run with the land and shall be binding upon the heirs, successors and assigns of the undersigned.

CERTIFICATE OF SURVEYOR:

I hereby certify that the details of this plat to be correct to the best of my knowledge and belief, that all boundary corners of this subdivision of land have been monumented and that iron pins are set as shown on the attached plat this 30th day of October, 2025.

PATRICK LEO LAFONTAINE LICENSED 1690 10/30/2025 KANSAS PROFESSIONAL SURVEYOR

Patrick Leo LaFontaine, P.S. 1690
SBB Engineering, LLC
101 South Kansas Avenue
Topeka, Kansas 66603
patrick.lafontaine@sbbeng.com

P25/08

SBB ENGINEERING

SBB Engineering, LLC
transportation · site development · surveying
101 South Kansas Avenue
Topeka, Kansas 66603
Ph: (785) 215-8630 / www.sbbeng.com

SBB Proj. No.:	24-021
Drawn by:	JEM
Checked by:	PLL
Date:	10/29/2025
Drawing No.:	Sh. 1 of 1

Housing Needs Analysis Reinvestment Housing

Topeka RHID Summary

I. "There is a shortage of quality housing of various price ranges in the city or county despite the best efforts of public and private housing developers."

Overview

Topeka, Kansas has an estimated total of 55,844 housing units, out of which 32,592 (58.4 percent) are owner-occupied and 23,252 (41.6 percent) are renter-occupied, as indicated by the 2021 American Community Survey. Average household size for renters is 2.11 persons and for owners is 2.33 persons. According to 2022 Esri estimates, 72 percent of housing units are contained in single-family detached or attached housing. Of the 25 percent of housing units contained in multi-family developments, eight percent are in properties with three to nine units, 11 percent are in developments with ten to 49 units, and four percent are in properties with over 50 units, with the remaining three percent of housing units contained in mobile homes. Esri estimates the overall occupancy rate of housing units in the city at 89 percent, which is slightly lower than in Shawnee County (91 percent). Median household income among owners is $63,666—significantly higher than the median income among renters ($35,337). The median housing value in Topeka ($136,068) is low relative to that in the county ($175,489) and state ($198,275).

Data requested for RHID applications is summarized in the following table.

Housing Problems - Topeka, KS

	Renter-Occupied	Owner-Occupied
Total Housing Units	**22,384**	**31,708**
Average Household Size	2.11	2.33
Median Housing Cost	$811	$136,068
Vacancy Rate	11.6%	1.3%
Overcrowding (over 1.5 persons/ room)	1.3%	0%
Overcrowding (over 1 person/ room)	6%	0.2%
Size Match (HH's with 6+ persons)	Does not Exceed	Does not Exceed
Incomplete Plumbing	1.0%	0.6%
Incomplete Kitchen	3.6%	0.4%
New Units (constructed since 2020)	0.4%	0.2%
Old Units (constructed before 1970)	54.3%	52.2%
Cost Burdened (over 30%income)	42.9%	16.5%

© ESRI, ACS, 2022

Vacancy

According to the 2021 American Community Survey, renter-occupied housing in Topeka has a vacancy rate of 11.3 percent, whereas owner-occupied units have a vacancy rate of 1.3 percent, indicating an undersupply of for-sale units. These figures do not account for the habitability of units and, therefore, may overestimate vacancy by including said units.

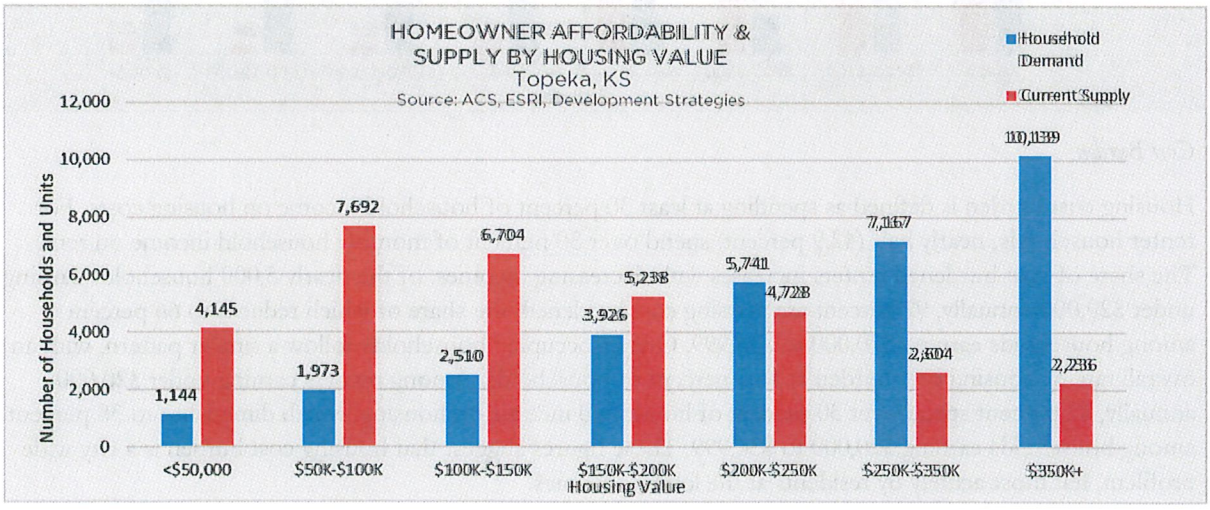
Affordable units in Topeka are in particularly short supply. According to data provided by the Topeka Housing Authority (THA), of the 744 units in nine public housing developments, occupancy is at full capacity. The current waiting list for public housing units is 195 names long, with the majority (roughly 85 percent) of households on the waitlist seeking one-bedroom apartments. Additionally, THA administers approximately 1,000 Housing Choice Vouchers, for which there is currently a waiting list of roughly 500

The graph on the following page shows the difference in housing supply, based on Esri and ACS data, versus demand, based on household affordability. This data indicates that there are more units available than households demand for owner-occupied units in the lower half of the cost range (under $200,000). According to Esri estimates, Topeka's housing stock consists of 4,145 units valued under $50,000—while household demand assuming 30 percent of income would go toward housing costs of 1,144 households. The largest discrepancy between supply and demand exists in the $50,000 to $100,000 range, in which there are 7,692 units and a demand of 1,973 households.

However, this oversupply is largely due to the high percentage of substandard units in Topeka, which tend to have lower prices, yet need costly repairs to make habitable; consequently, housing units in these lower cost categories likely are not actually affordable because of their physical needs. For instance, the *Citywide Housing Market Study and Strategy* indicated that, while approximately 45 percent of homes in Topeka were valued at less than $110,000, the majority (55 percent) were classified as in "below average condition" or worse by the Shawnee County Appraiser's Office, thereby requiring significant additional investment to make them suitable for habitation. This means that much of the existing, low price, and typically older housing stock does not actually meet demand—most of the sub-$150,000 priced housing is more than 60 years old.

Further, this data does not factor in the fact that households will stay in, or purchase, a home that costs less than they *could* afford due to personal preferences, other financial considerations, or other factors. The *Citywide Housing Market Study and Strategy* estimated demand for nearly 3,000 for-sale units affordable to households earning less than 120 percent of AMI (priced under $200,000) over the next 20 years, or nearly 150 units a year, based on these factors.

The data indicates that there is modest excess demand vs. supply for the $200,000 to $250,000 range, and substantial undersupply for homes priced above $250,000.



The following graph summarizes the same comparison for renter households. Per Esri estimates, the supply of rental units costing $400 to $700 monthly vastly exceeds demand based on affordability, with a supply of 10,097 units and demand of 2,988 households. However, the supply of units in the lowest price range (under $400 per month) just barely exceeds demand, at 3,051 units and 2,864 households. Similar to trends among owner-occupied households, housing at the lowest price ranges is likely to be in poor quality. Also, many

II. **"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 in such city or county."**

The *Citywide Housing Market Study and Strategy* was completed in Spring 2020 and indicated that current demand for new housing totaled 2,080 units (1,120 for-sale and 960 rental) at that time. Of the total, up to 1,230 (530 for-sale and 700 rental) units are needed to meet demand for housing affordable to households earning at or below 120 percent of AMI. At 80 percent of AMI or below, about 900 units are needed (350 for-sale and 550 rental). Demand projections for the next five years effectively doubled these numbers. The demand summary is on pages 53 and 54 of that report.

Housing Demand Summary

	Median Income (2020)	2020 Study Demand		2021 Market Demand		2022 Market Demand		Actual Permitted Units 2020 - 2022*		2022 Net Demand	
Income Level		Rent	Sale	Rent	Sale	Rent	Sale	Rent	Sale	Rent	Sale
Totals		**960**	**1,120**	**192**	**224**	**192**	**224**	***264***	***281***	**1,080**	**1,287**
30% AMI		200	60	40	12	40	12	-	-	280	84
50% AMI	$16,560	170	100	34	20	34	20	*30*	*10*	208	130
80% AMI	$27,600	200	150	40	30	40	30	*64*	*10*	216	200
120% AMI	$44,160	130	220	26	44	26	44	*80*	*76*	102	232
150% AMI	$66,240	200	150	40	30	40	30	*70*	*85*	210	125
> 150% AMI	$82,800	60	440	12	88	12	88	*20*	*100*	64	516

Sources: 2020 Citywide Housing Market Study and Strategy; City of Topeka Building Statistics

**Distribution of unit affordability estimated based on permit data*

***Net demand includes adds 2020, 2021, and 2022 demand and subtracts permitted units.*

According to City of Topeka's building statistics, building permits were issued for a total of 545 units since the study was completed (June 2020 through October 2022). Approximately 100 of these units are affordable to households at or below 120 percent AMI, and only represent 25 percent of the total estimated demand. Assuming demand would increase by 416 units per year (2,080 additional units needed every 5 years), the deficit of housing units actually increased since the study was completed.

The net demand in 2022 now totals **2,367 units** (1,287 for-sale and 1,080 rental) for a balanced market and lower cost burdens. In other words, even if the City of Topeka gains 416 new units annually moving forward they would still be short 2,367 units from past demand. In actuality, Topeka would need to average 889 new units annually over the next five years or 653 new units annually over the next ten years to have a balanced market.

The City averages 267 new units per year since 2019. Therefore, a target of up to **3,112 units** over the next 5-years is the substantiated need not being met by the market thus necessitating additional incentives.

III. **"The shortage of quality housing is a substantial deterrent to the future economic growth and development of such city or county."**

Companies looking to locate new facilities in a new market are, more and more, evaluating the housing stock and housing market so that they know that their employees will have access to attainable housing. As of October 2022, there are very few new construction homes for sale and, according to listings, they start at $300,000, which is not workforce-affordable. According to MLS data, new home prices increased by 50 percent from June 2020 to October 2022 and existing home prices increased by 30 percent. Existing homes do fall in the workforce-affordable range with an average sales price of $170,000; however, the market continues to be competitive for these homes and they may not meet current market preferences.

On the rental side, much of Topeka's rental housing stock is affordable. However, the higher quality properties continue to maintain strong occupancy and have limited availability. LIHTC and other affordable properties tend to maintain waiting lists. The newest multifamily property—Wheatfield Village—charges market rates starting at $875 for a studio unit.

Housing Demand Summary: RHID Overivew

	Demand Summary		
Description	Rent	Sale	Totals
Affordable Units (<60% AMI)	596	314	910
Workforce Units (61% AMI to 120% AMI)	210	332	542
Market Rate Units(120% AMI to 150% AMI)	210	125	335
Upscale Units (> 150% AMI)	64	516	580
Senior Units (all incomes)*	365	130	495

Sources: 2020 Citywide Housing Market Study and Strategy; City of Topeka Building Statistics

**Senior units are a subset of each income group noted above*

IV. **The future economic well-being of the city depends on the governing body providing additional incentives for the construction or renovation of quality housing in such city.**

Housing is not an issue unique to Topeka-Shawnee County, there is a national crisis in housing availability that communities across the US are working to address. These shortages have caused a lack of affordable units, workforce units, market rate units, and upscale units alike.

As identified in Topeka's 2020 Citywide Housing Market Study and Strategy, the Downtown Master Plan, and the Momentum 2027 community wide strategy, equitable housing options are imperative for continued growth of our local economy and population. Local and State level incentives are key tools designed to help fill in the gaps on capital stack caused by an increased cost in various aspects of development such as materials, labor, and property acquisition. In order for our community to remain competitive and attract development and re-development residential projects, incentives like the RHID will need to be adopted as an available tool.

EXHIBIT D

Shawnee County Treasurer
200 SE 7th, Room 101
Topeka KS 66603

Dear Shawnee County Treasurer:

The City of Topeka requires any entity applying for a Rural Housing Incentive District to be in good standing with Shawnee County and all outstanding taxes paid. For your convenience, we have developed the template below to be filled out on the applicant. All completed forms can be sent directly to Rhiannon Friedman at rmfriedman@topeka.org or mailed to City of Topeka Economic Development, 621 SE Madison / Unit 11, Topeka KS 66607.

Sincerely,

Joshua Allen McAnarney

Joshua McAnarney
Division Director of Finance

Taxpayer Name: Ardmore Development Group

Date: Sept 8, '26

Does the Entity listed above owe any outstanding and unpaid taxes as of the date above?

○ Yes ☑ N Amount owed (if any): _____

Name and Title: Cynthia Chapman Acct II

Signature: Cynthia L Chapman

Date: September 8, 2026

MEMORANDUM

Topeka Housing Study Update 2026

To: Dan Warner, City of Topeka

From: Development Strategies

Date: July 9, 2026

Re: Topeka Housing Study Update—Analysis and Key Findings

The purpose of this memo is to provide a concise summary of the work completed as part of the Topeka Housing Study Update. It is intended to supplement the following accompanying annotated slide decks:

1. Housing Market Analysis and Demand Assessment
2. Vacant Parcel Analysis

The memo connects the major findings across the analyses and highlights their implications for Topeka's housing needs, development opportunities, and future strategy.

PURPOSE OF THE UPDATE

The Housing Study Update revisits key market conditions since the 2020 study and evaluates how demographic, economic, affordability, supply, and land availability trends are shaping Topeka's current and future housing needs. The analysis is not simply a refresh of earlier data points. It also reflects how the local housing market has changed since the pandemic, including shifts in household size, housing costs, household wages, multifamily development, and the amount and type of land available within the city for future residential development.

MARKET ANALYSIS AND HOUSING DEMAND

The market analysis shows that Topeka continues to face meaningful housing demand, even in a slow-growth environment.

- **While the city's population has declined modestly, average household size has decreased resulting in an increase in the number of households.** This distinction is important as housing demand is being driven by households, not population alone. Smaller households, aging households, and changing household composition continue to create demand for a wider range of housing types, particularly smaller units and rental options.
- **Since the 2020 study, housing costs have increased faster than many local wages.** Median home values have grown significantly, while rent growth has been more moderate but still meaningful. At the same time, income and wage growth have not been strong enough to keep pace with rising housing costs. As a result, affordability stress remains widespread, particularly for lower-income households.

- **Topeka's relative affordability compared to peer cities** remains a competitive advantage, but that advantage could narrow over time if housing costs continue to outpace local wages.
- **The analysis also shows that affordability pressures are not evenly distributed.** African-American and Hispanic households continue to face higher affordability barriers, reflecting broader income, tenure, and housing access disparities. These disparities remain an important consideration as the City evaluates future housing policy, investment, and program priorities.
- **Housing production has increased since 2020, driven largely by multifamily development.** This is an important shift from the prior study period, when overall production levels were lower and more heavily oriented toward single-family housing.

Recent multifamily deliveries have helped absorb some of the demand identified in the prior study, which is one reason the updated 20-year demand projection is lower than the 2020 outlook. However, this does not mean Topeka no longer needs new housing. Rather, it suggests that future production should be more targeted to the city's current needs, especially affordability, workforce housing, smaller units, and housing choice across price points.

The updated demand outlook estimates approximately 4,220 units over the next 20 years, compared to approximately 10,800 units in the previous study. This reduction reflects slower population growth, recent multifamily deliveries, and updated assumptions about household formation. Still, the analysis points to continued need for strategic housing production, especially in the 60% to 120% AMI range (often referred to as "workforce" housing) where availability appears increasingly constrained. Overall, the projected demand reflects a need for approximately 210 units per year over the next twenty years, essentially what the city has received on average over the past five years, though a different mix of single-family and multifamily units and across a range of price points will be needed.

VACANT PARCEL ANALYSIS

The vacant parcel analysis was completed to better understand where and how Topeka may be able to accommodate future residential development. Using data from the City, the analysis systematically filtered the vacant parcels to arrive at a potential pool of suitable lots. The analysis began with vacant parcels that had land uses generally suitable for residential development (for example, lots designated as recreation, industrial, and utility were excluded). Then parcels located in the floodplain and parcels that appear to have existing structures were removed (this analysis focused on vacant parcels, not vacant buildings). After these filters, **the analysis identified 2,765 vacant parcels suitable for residential development.** The analysis then evaluated those parcels based on lot size, location, and neighborhood character to understand the range of opportunity for infill development across Topeka. Findings include:

- **Most of Topeka's remaining vacant residential land is infill-scale.** Nearly 70 percent of suitable vacant parcels fall between 3,000 and 15,000 square feet. These parcels are generally more appropriate for single-family infill, duplexes, quadplexes, or cottage-style development, depending on zoning, infrastructure, ownership, and market conditions.
- **Large-scale development opportunities are more limited.** Only about seven percent of suitable vacant parcels exceed one acre, meaning larger multifamily, mixed-use, or master-planned

residential projects will likely be concentrated in a relatively small number of locations. This reinforces the importance of treating infill development as a central part of Topeka's housing strategy, rather than relying only on large greenfield or large-site redevelopment opportunities.

- **Vacant parcel size and redevelopment potential vary across the city.** When mapped and referenced to the city's *Neighborhood Health Index,* different opportunities for infill housing and neighborhood stabilization emerge. Healthier market areas may be better positioned to support market-driven infill development, while vacant lots in the "At Risk" or "Intensive Care" areas may require more active public support, such as land assembly, incentives, land banking, infrastructure coordination, or targeted rehabilitation and reinvestment strategies. Such lots represent infill opportunities that could become vital pieces of broader neighborhood stabilization efforts.

OVERALL IMPLICATIONS

Together, the market and vacant parcel analyses suggest that Topeka's housing challenge is less about whether demand exists and more about how to align production, affordability, housing diversity, land availability, and location. The city has ongoing demand, but it is more modest and more targeted than the prior study suggested. The greatest opportunity is to support a steady pipeline of housing that fits Topeka's household profile, wage structure, and available land inventory.

Future housing efforts should focus on matching housing types to parcel sizes, aligning zoning with realistic infill opportunities, supporting workforce and affordable housing, and using public tools where market conditions alone are unlikely to deliver needed housing. This includes preserving Topeka's affordability advantage while expanding the range of housing options available to residents at different incomes, household sizes, and life stages.

HOUSING NEEDS ANALYSIS — RHID STATUTORY FINDINGS (K.S.A. 12-5244)

To support the City's continued administration of the Reinvestment Housing Incentive District (RHID) program, this section addresses the housing needs analysis findings required under K.S.A. 12-5244(a)(1-4). The analysis supports the following findings:

1. **There is a shortage of quality housing of various price ranges in the city despite the best efforts of public and private housing developers**. Despite increased housing production since 2020—driven largely by multifamily development—the updated analysis identifies continued demand of approximately 4,220 units over the next 20 years, or 211 units per year including current/pent-up demand, across a range of price points. Affordability stress remains widespread, particularly for lower-income households, and availability in the 60% to 120% AMI ("workforce") range is increasingly constrained. These conditions indicate a shortage of quality housing at various price ranges despite the efforts of public and private housing developers.
2. **The shortage of quality housing can be expected to persist and additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in the city**. Since the 2020 study, housing costs increased faster than local wages, and income growth has not kept pace with rising housing costs. While recent production has roughly matched the city's five-year average, the updated analysis indicates that a different mix of unit types and price points is needed—especially affordable housing, workforce housing, and smaller units—and that the private market is unlikely to deliver this housing without support. Additional financial tools are necessary to encourage the private sector to construct or renovate housing that meets these needs.
3. **The shortage of quality housing is a substantial deterrent to the future economic growth and development of the city**. Topeka's relative affordability compared to peer cities remains a competitive advantage, but that advantage will narrow over time if housing costs continue to outpace local wages. Constrained availability of workforce housing limits the city's ability to house workers across the wage spectrum, which impacts the ability to attract new industry, potentially limiting the city's future economic growth and development.
4. **The future economic well-being of the city depends on the governing body providing additional incentives for the construction or renovation of quality housing in the city**. The market and vacant parcel analyses together conclude that Topeka's housing challenge is about aligning production, affordability, housing diversity, land availability, and location—and that public tools will be needed where market conditions alone are unlikely to deliver needed housing, including infill development in "At Risk" and "Intensive Care" neighborhood areas. Incentives supporting the construction and renovation of quality housing will continue to be an important component of the city's future economic well-being.

Consistent with the RHID criteria, the following table summarizes projected housing demand by affordability classification over the next five and twenty years, based on the updated demand analysis.

Affordability Classification	Current / Pent-Up Demand (units)	New Five-Year Demand (Units)	Year 5 to 20 New Demand (Units)	Total Twenty-Year Demand (Units)*
Subsidized (≤30% AMI)	142	157	476	775
Affordable (30%–60% AMI)	209	232	744	1,185
Workforce (60%–120% AMI)	239	232	764	1,235
Upscale (120%–200% AMI)	135	132	398	665
Luxury (>200% AMI)	68	74	218	360
Total	**793**	**827**	**2,600**	**4,220**

*Total 20-year demand *includes* pent-up demand and the net new five-year numbers. It represents the sum of current and future demand over that period.

TOPEKA HOUSING UPDATE

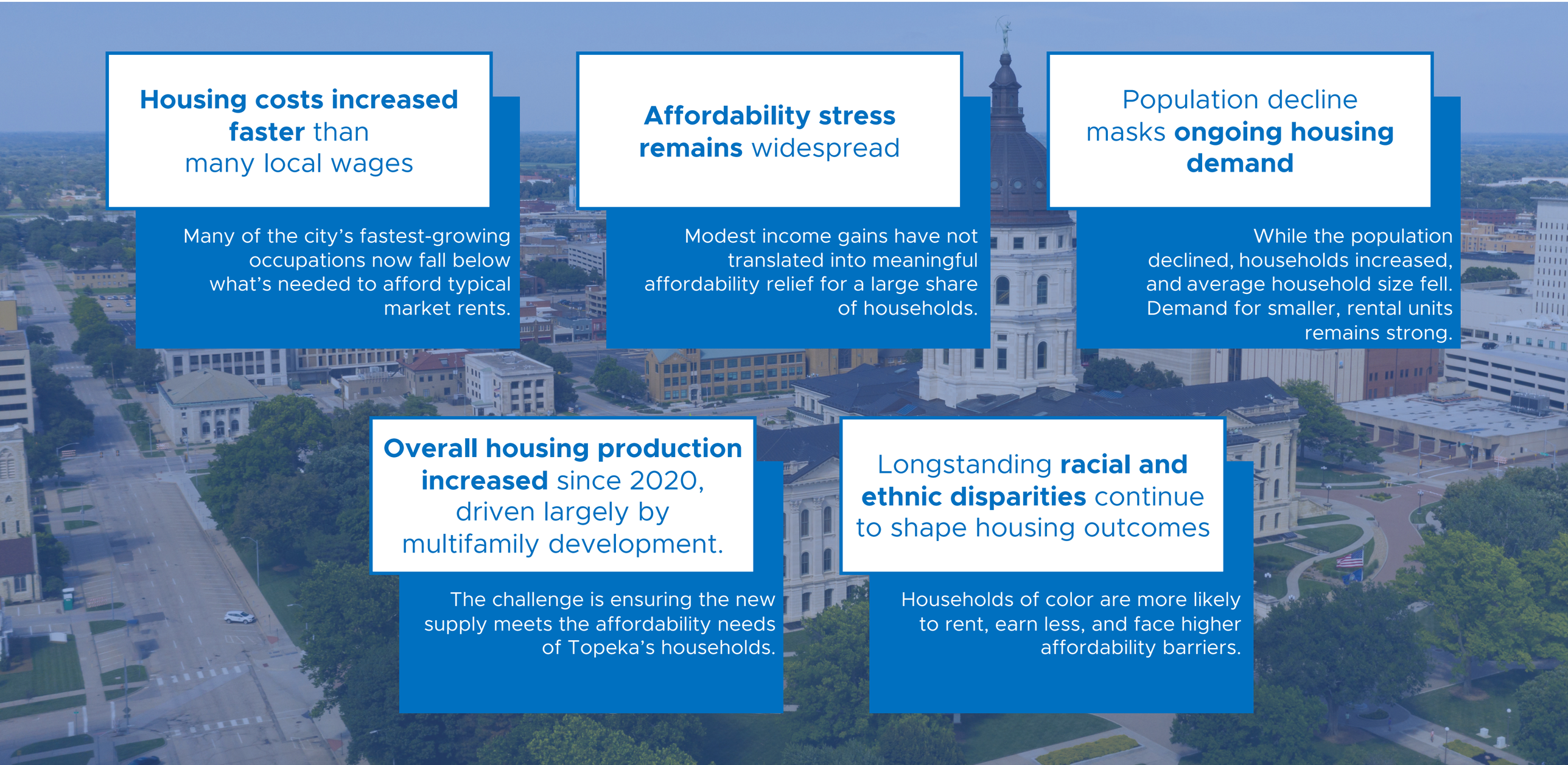
PREPARED FOR THE
CITY OF TOPEKA, KANSAS

Market Analysis & Housing Demand



DEVELOPMENT STRATEGIES

KEY TAKEAWAYS



Housing costs increased faster than many local wages

Many of the city's fastest-growing occupations now fall below what's needed to afford typical market rents.

Affordability stress remains widespread

Modest income gains have not translated into meaningful affordability relief for a large share of households.

Population decline masks **ongoing housing demand**

While the population declined, households increased, and average household size fell. Demand for smaller, rental units remains strong.

Overall housing production increased since 2020, driven largely by multifamily development.

The challenge is ensuring the new supply meets the affordability needs of Topeka's households.

Longstanding **racial and ethnic disparities** continue to shape housing outcomes

Households of color are more likely to rent, earn less, and face higher affordability barriers.

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NATIONAL HOUSING CHALLENGES

IMPACT OF NATIONAL TRENDS

National price pressures and shifting demographics create a more competitive environment for mid-sized cities like Topeka.

RISING PRICES



$440k

Is the **national median home sales price**, up 1.6% over the span of a year

Source: Redfin, Aug. 2025

GROWING HOUSEHOLD COSTS



24%

of all homeowner households are housing cost- burdened.

Source: State of the Nation's Housing (2025)

SLOWDOWN IN HOUSEHOLD GROWTH



6.9M-8.6M

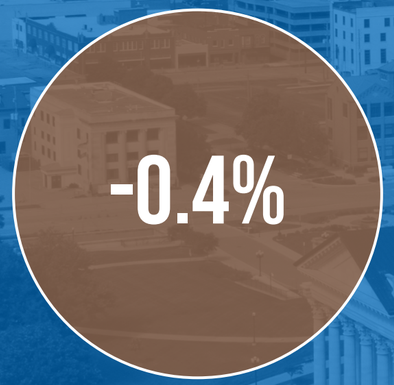
net new households projected to be added to the market through 2035 (compared to 10.1M in 2010-2020)

Source: State of the Nation's Housing (2025)

POPULATION OVERVIEW

POPULATION CHANGE 2010-2019

From 2010 to 2019, the Topeka Metropolitan Statistical Area had been growing...



Topeka



Topeka MSA



MSA outside of Topeka

... but all growth was outside the city

Source: Esri 2019

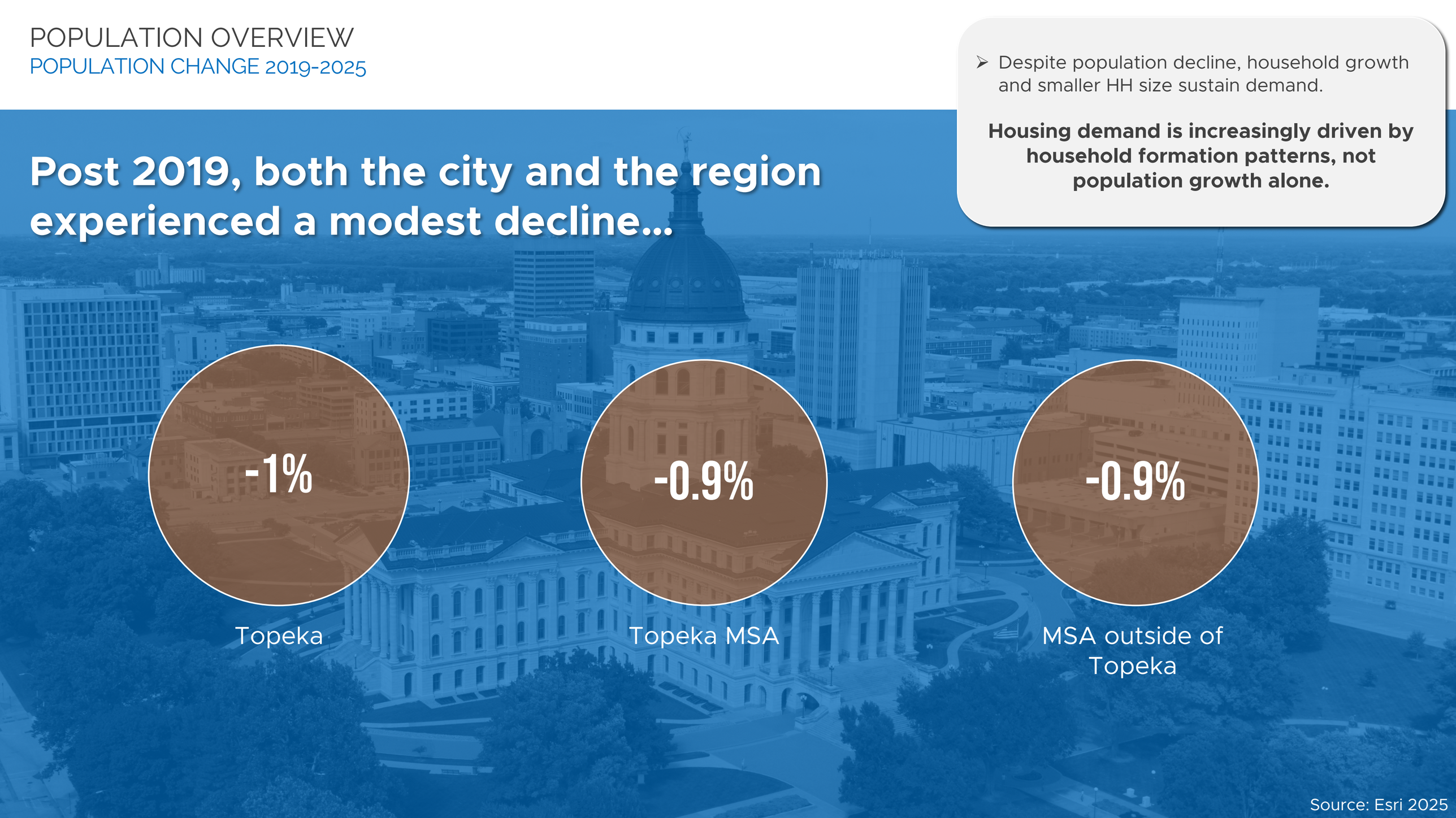
POPULATION OVERVIEW

POPULATION CHANGE 2019-2025

- Despite population decline, household growth and smaller HH size sustain demand.

Housing demand is increasingly driven by household formation patterns, not population growth alone.

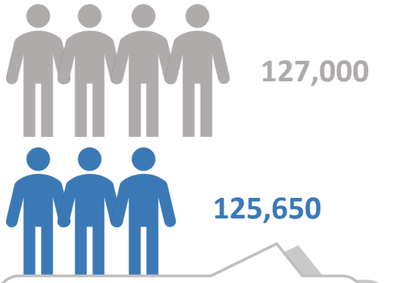
Post 2019, both the city and the region experienced a modest decline…



Source: Esri 2025

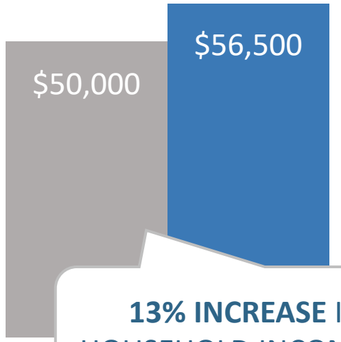
SOCIOECONOMIC AND DEMOGRAPHIC TRENDS
2019 VS. 2025

POPULATION



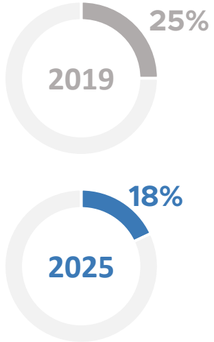
1% DECREASE IN POPULATION

MEDIAN HOUSEHOLD INCOME



13% INCREASE IN MEDIAN HOUSEHOLD INCOME IN THE CITY

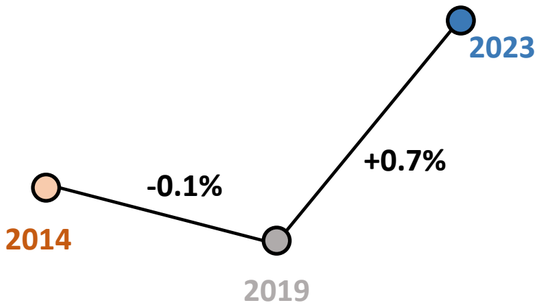
% OF HOUSEHOLDS EARNING <$25,000



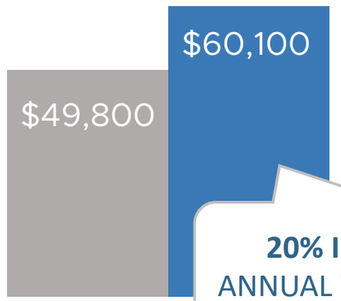
- Population declined, but number of households increased.
- Income and wage growth have been meaningful, but not enough to offset rising housing costs.
- The share of very low-income households declined, shifting the income distribution upward.

Topeka's housing pressure is driven by structural shifts in households and income trends, not population growth alone.

JOB GROWTH

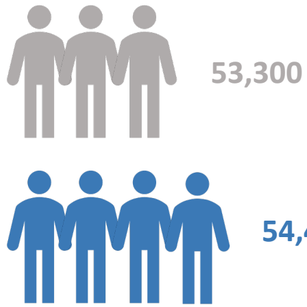


MEAN ANNUAL WAGE
(SHAWNEE COUNTY)



20% INCREASE IN MEAN ANNUAL WAGE IN THE COUNTY

TOTAL NUMBER OF HOUSEHOLDS



AVERAGE HOUSEHOLD SIZE DECREASED FROM 2.3 TO 2.23

2019 2025

Source: Esri 2025, OnTheMap

HOUSING MARKET TRENDS

HOUSING SNAPSHOT 2019 VS. 2025

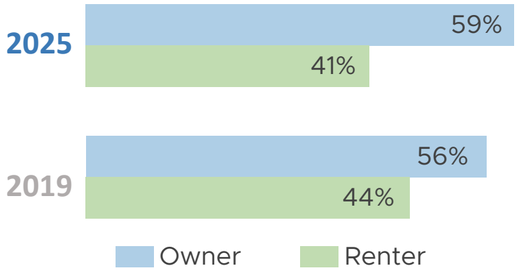
MEDIAN HOUSING VALUE



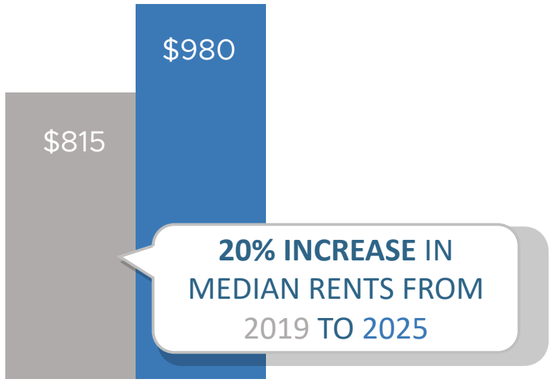
$115,000 $188,000

63% INCREASE IN HOME VALUES FROM 2019 TO 2025

RENTER/OWNER RATIO



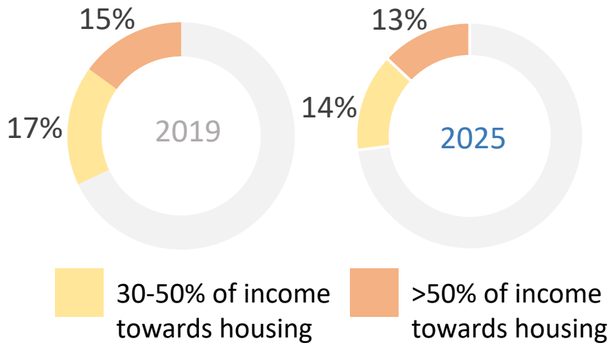
MEDIAN RENT



20% INCREASE IN MEDIAN RENTS FROM 2019 TO 2025

2019 2025

COST BURDEN



COST BURDEN DECREASED FROM 32% TO 27%

- Home values increased significantly.
- Rent growth has been more moderate.
- Multifamily construction increased post 2020, reflecting stronger rental demand.
- Vacancy declined as new units were absorbed quickly.
- Cost burden declined slightly, but rent and home value growth continue to outpace income growth.

The market is active and adjusting, but affordability pressures persist as prices continue to outpace wages.

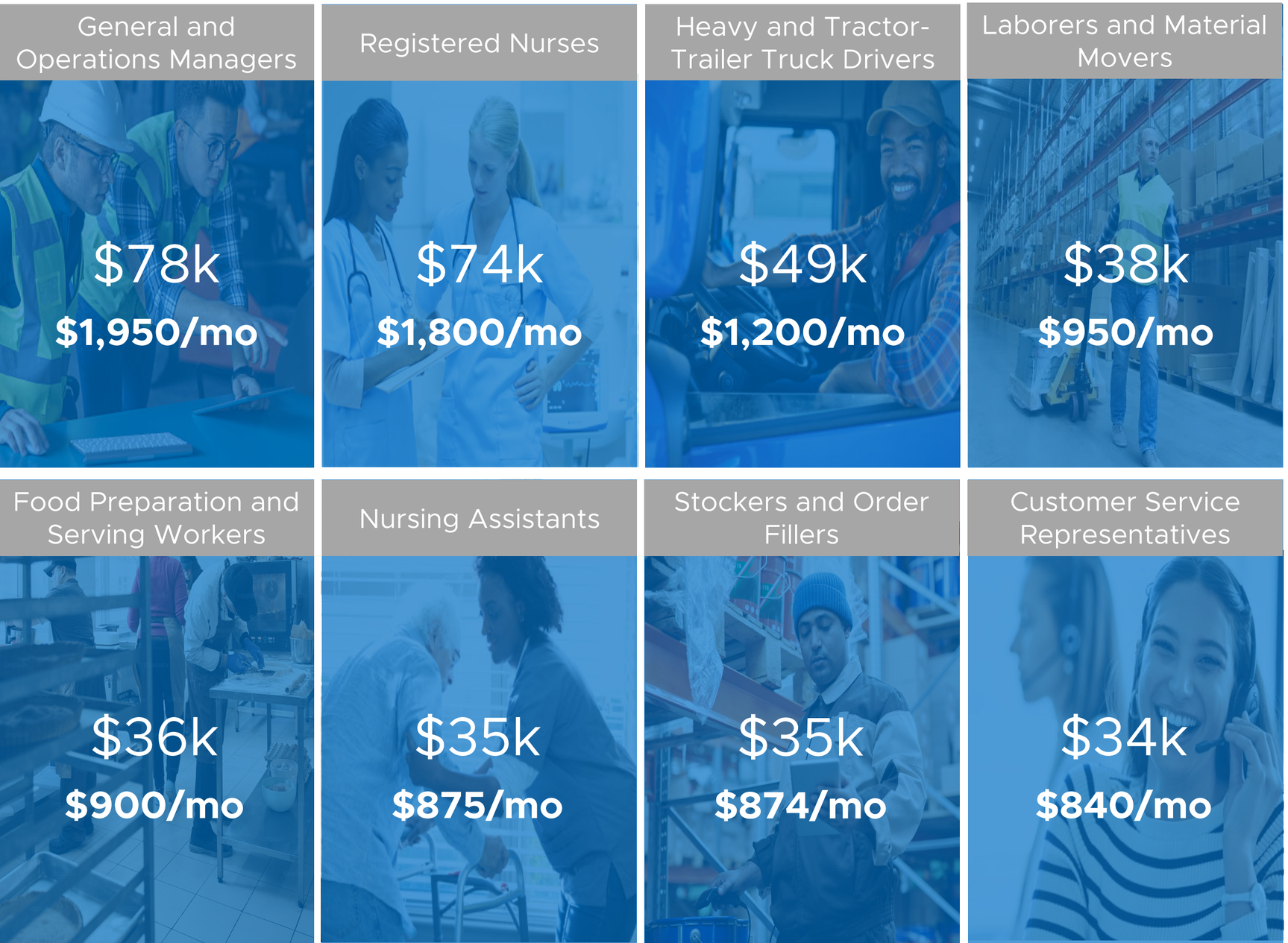
DEVELOPMENT OVERVIEW

	2019	2025	
MULTIFAMILY INVENTORY	15,417	15,606	▲
MULTIFAMILY BUILDING DELIVERIES	0 (2016-2019)	2 (2019-2025)	▲
AVERAGE MULTIFAMILY VACANCY	9.6%	7.7%	▼
SINGLE-FAMILY PERMITS	359 (2016-2019)	462 (Since 2020)	▲

Source: ACS 2024 5-year estimates, Zillow 2025, CoStar

ECONOMY

MEDIAN ANNUAL WAGES OF OCCUPATIONS WITH HIGH PROJECTED NEAR-TERM GROWTH KANSAS NORTHEAST REGION IN 2025



- Many high-growth occupations earn $34K–$49K annually.
- These wages fall below what is required to afford current market rents.

This mismatch is driving affordability pressure.

Source: Kansas Department of Labor

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TRENDS
PEER CITY ANALYSIS

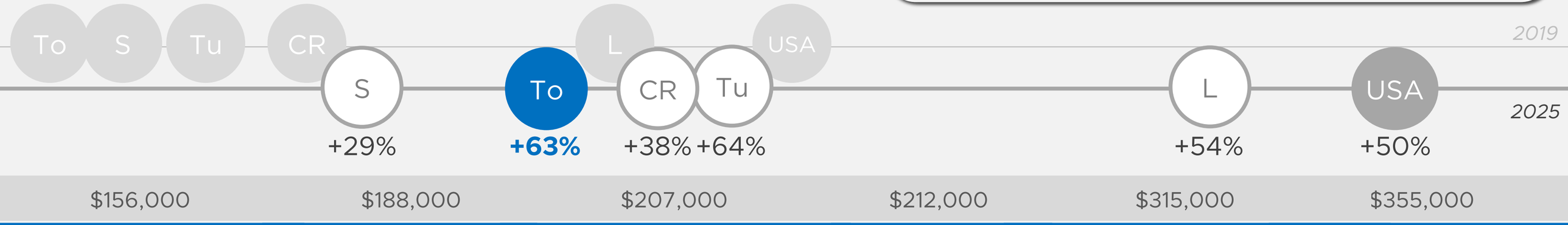


PEER CITIES TRENDS

HOME VALUES & RENTS

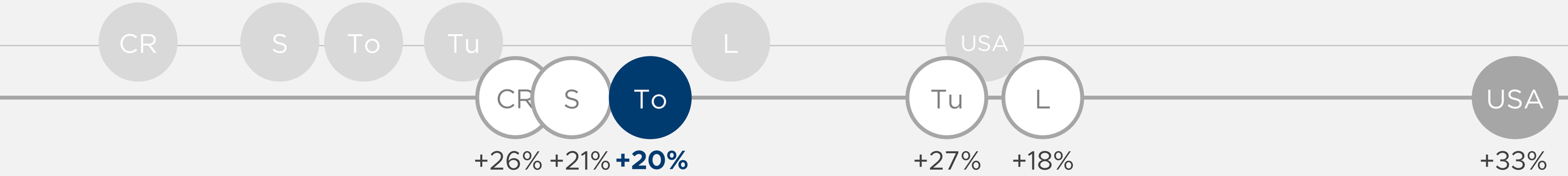
- Topeka remains relatively affordable compared to peer cities.
- Home value growth since 2019 has been among the strongest in the peer group.
- Rent growth has been more moderate than national trends.

Rapid appreciation can narrow the city's affordability cushion over time.



Springfield	Topeka	Cedar Rapids	Tulsa	Lawrence	USA
$156,000	$188,000	$207,000	$212,000	$315,000	$355,000

Home values

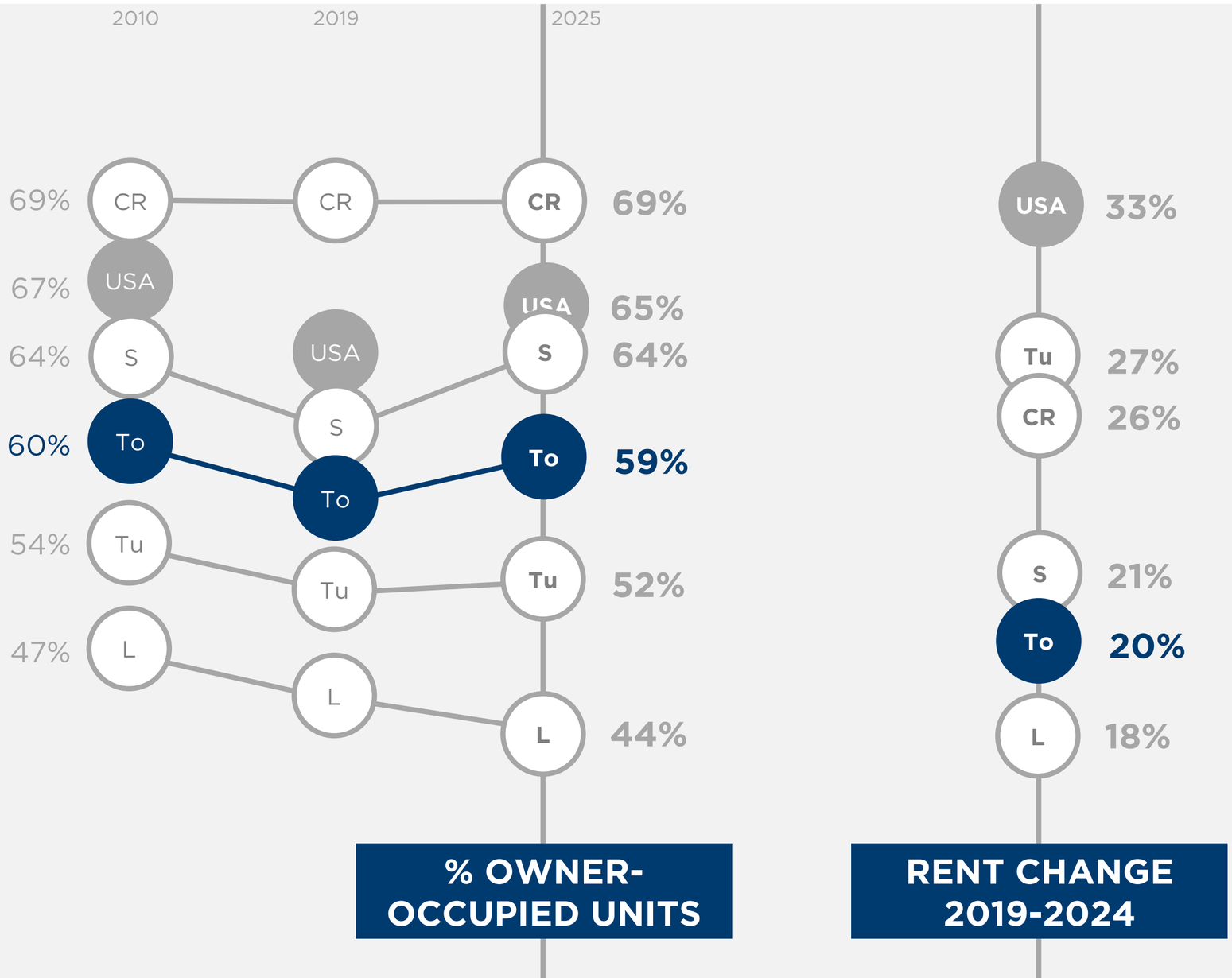


Cedar Rapids	Springfield	Topeka	Tulsa	Lawrence	USA
$970	$975	$980	$1,050	$1,090	$1,410

Rents

Source: ZHVI 2019 & 2025; Gross Rents ACS - 2024 & 2019 5-year estimates

TRENDS
HOMEOWNERSHIP AND RENTS



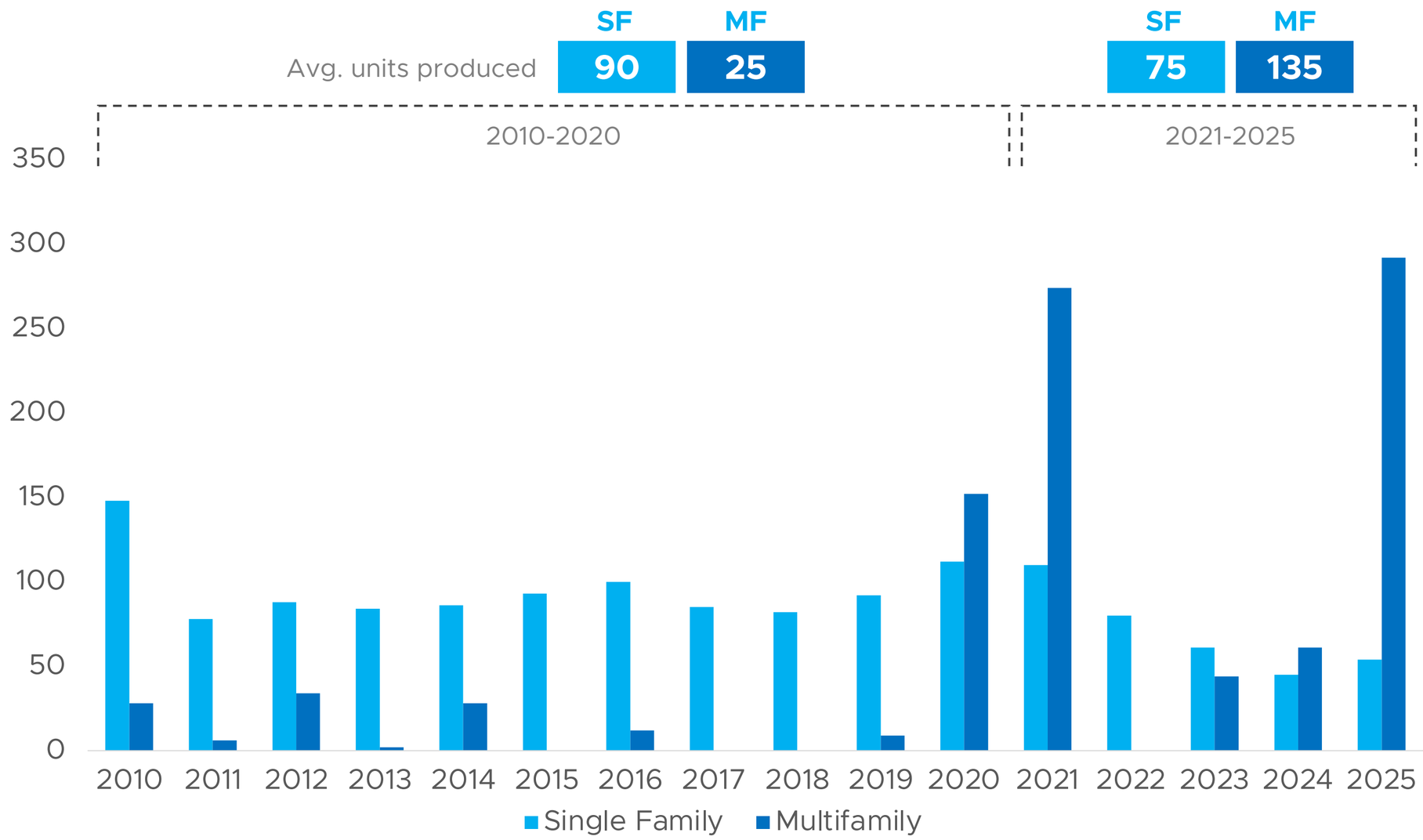
- Ownership levels in Topeka have remained stable, maintaining a majority-owner profile.
- Rent growth has been moderate relative to peers and the U.S.

Affordability pressures appear driven more by price growth and wage dynamics than by tenure shifts

Source: ACS – 2010, 2019, 2024 5-year estimates

PERMIT ACTIVITY

TOPEKA, KS



- Overall housing production increased significantly after 2020
- Single-family production declined, while multifamily production increased dramatically.

Topeka is building more housing, but aligning new supply with affordability needs will determine long-term affordability outcomes.

Source: SOCDS Building Permits, Topeka, KS

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HOUSING AFFORDABILITY
SOME SIMPLE DEFINITIONS

Housing affordability thresholds have moved upward faster than many wages.

In **2019**, households in Topeka required

$785

PER MONTH

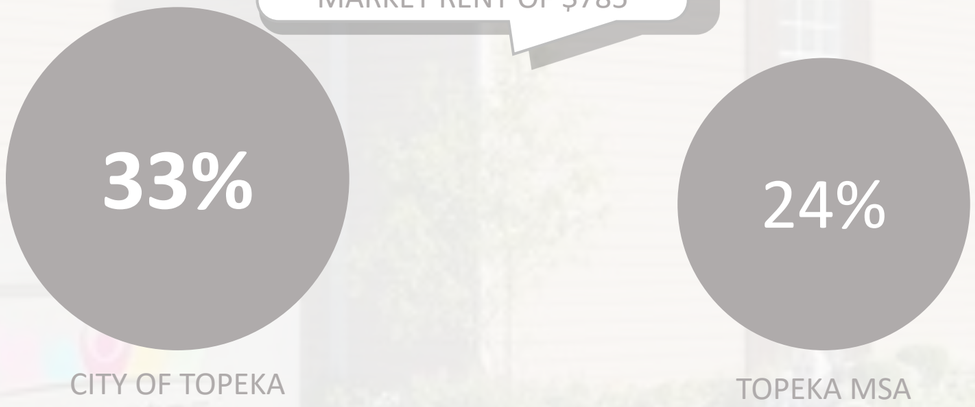
to rent a **2-bedroom unit** of safe and decent quality

$16/HR

HOUSING WAGE

bare minimum to afford a 2-bedroom unit of safe and decent quality

MANY HOUSEHOLDS COULD NOT AFFORD THE FAIR MARKET RENT OF $785



CITY OF TOPEKA

TOPEKA MSA

$785 per month calculated based on FY19 HUD Fair Market Rent for Topeka, KS MSA.
*Gross rent, including $200/month for utilities.
Utilities assumption based on max. utility allowance limits by HUD

$16/hr Housing Wage calculated based on a $785 rent, assuming 30% of income toward rent, full-time employment

In **2025**, households in Topeka require

$985

PER MONTH

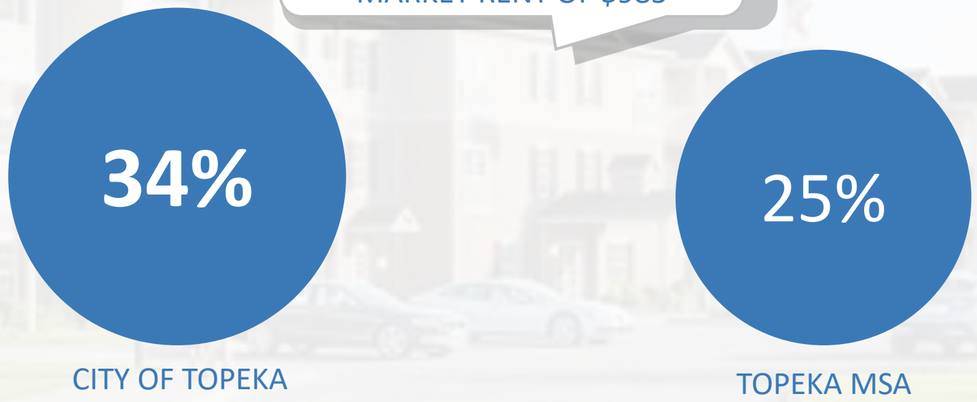
to rent a **2-bedroom unit** of safe and decent quality

$19/HR

HOUSING WAGE

bare minimum to afford a 2-bedroom unit of safe and decent quality

SLIGHTLY MORE HOUSEHOLDS CANNOT AFFORD THE FAIR MARKET RENT OF $985



CITY OF TOPEKA

TOPEKA MSA

$985 per month calculated based on FY25 HUD Fair Market Rent for Topeka, KS MSA.
*Gross rent, including $200/month for utilities.
Utilities assumption based on max. utility allowance limits by HUD

$19/hr Housing Wage calculated based on a $985 rent, assuming 30% of income toward rent, full-time employment

HOUSING AFFORDABILITY

WHAT'S THE PICTURE OF AFFORDABILITY IN TOPEKA?

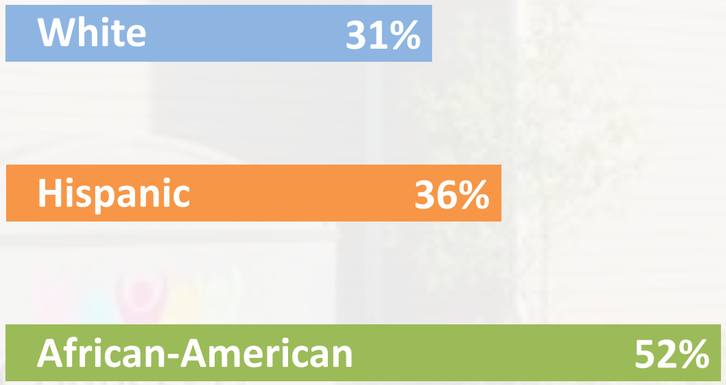
- African-American households remain most likely to face affordability barriers.
- Hispanic households also experience elevated burden.

Affordability pressures are not evenly distributed.

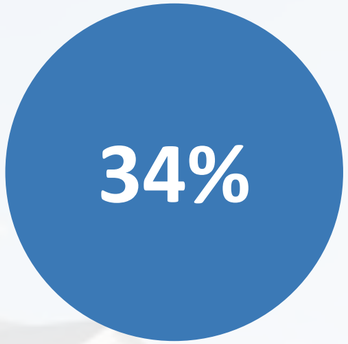
In **2019**, many households could not afford the FMR rent of **$785**



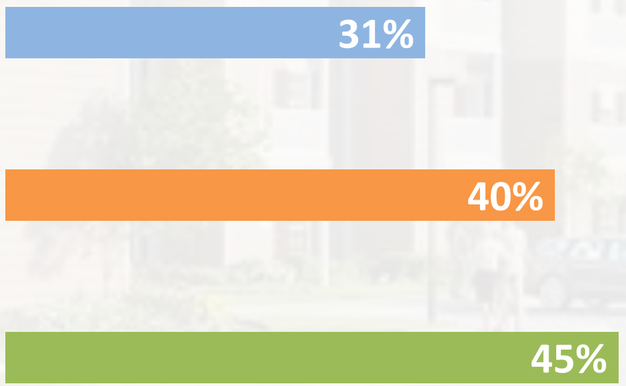
CITY OF TOPEKA



In **2025**, many households cannot afford the FMR rent of **$985**



CITY OF TOPEKA

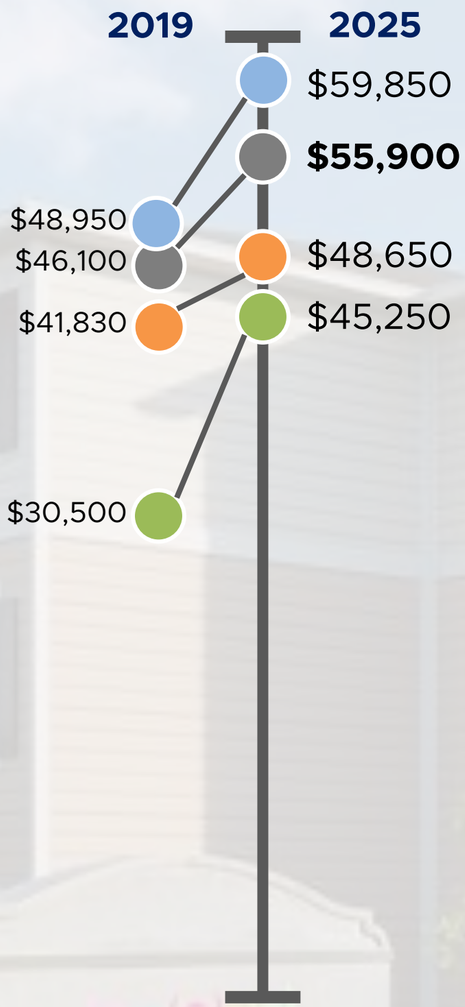


Source: American Community Survey

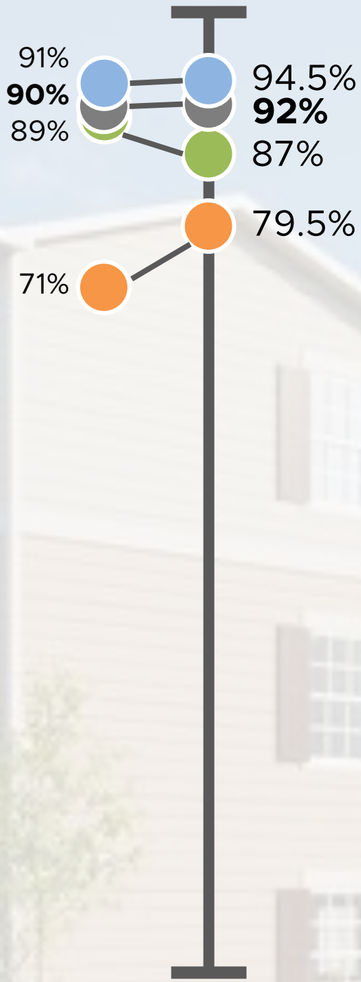
RACE + EQUITY
AN OVERVIEW

- Income gaps persist across racial groups.
- Unemployment and poverty rates remain disproportionately high for African-American households.

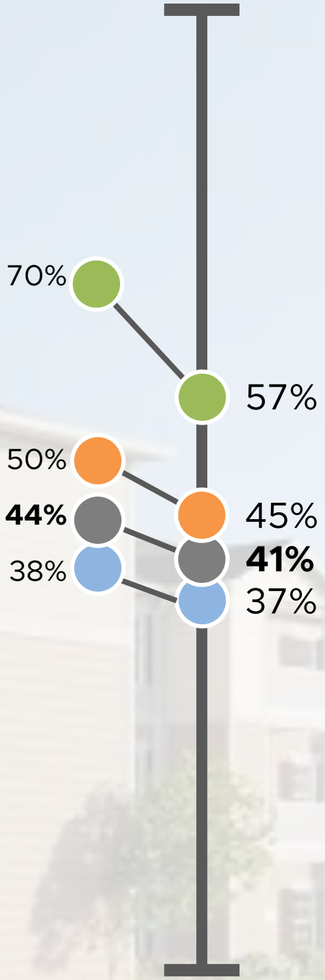
Structural disparities continue to shape housing outcomes.



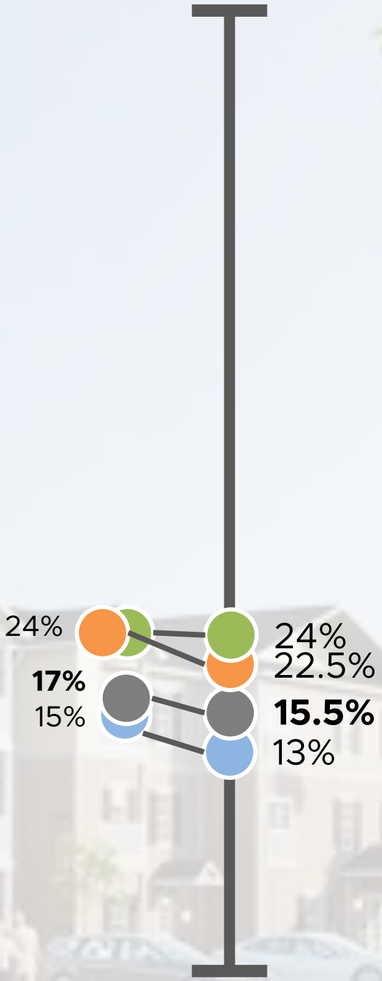
Median Household Income



Share with High School Diploma



Share of Renter-Occupied Housing



Share of People in Poverty



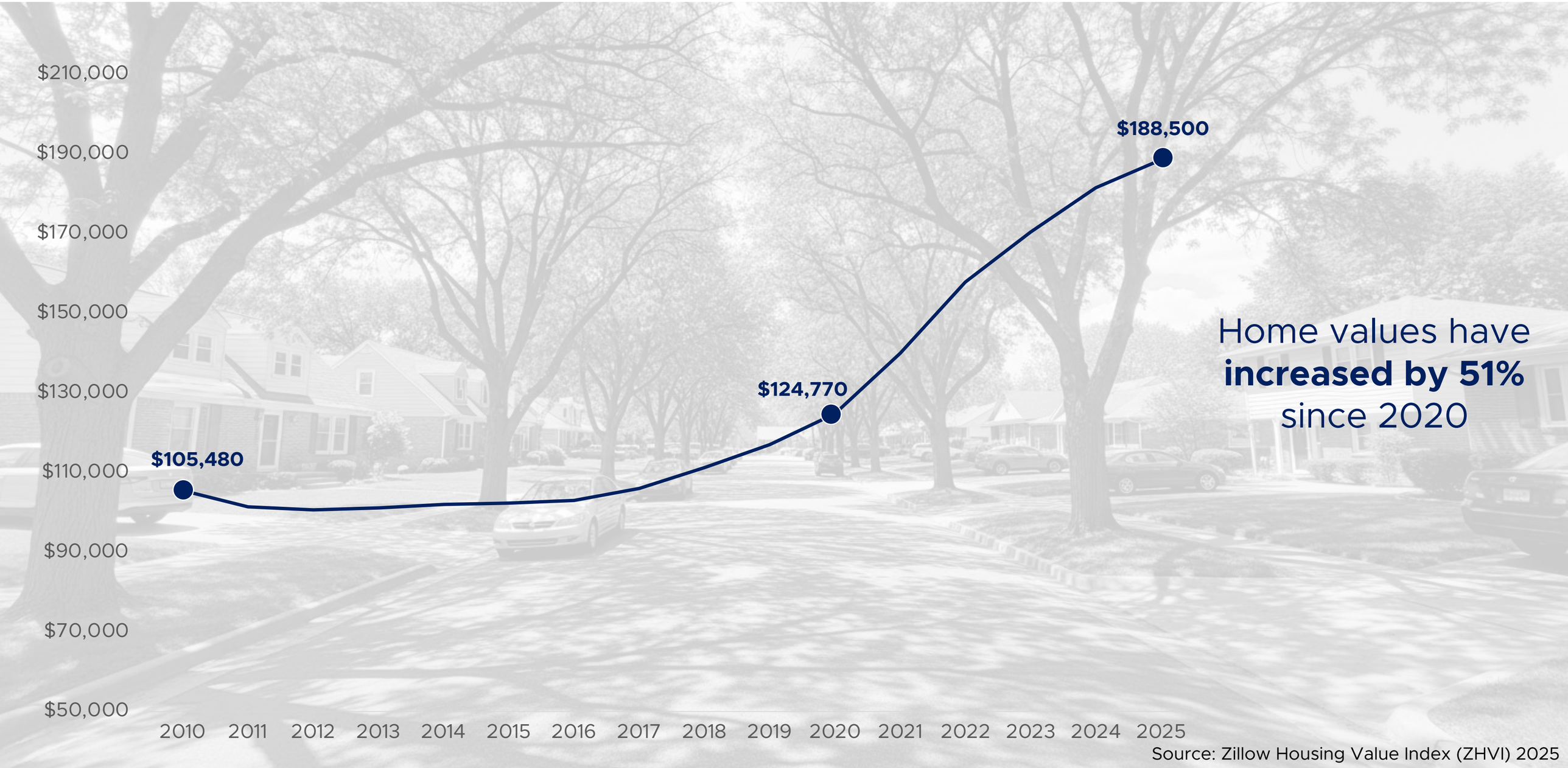
Unemployment Rate

City White African-American Hispanic/Latino

Source: Policy Maps 2025; 2023 5-Year Estimates, American Community Survey

GROWTH IN HOME VALUES

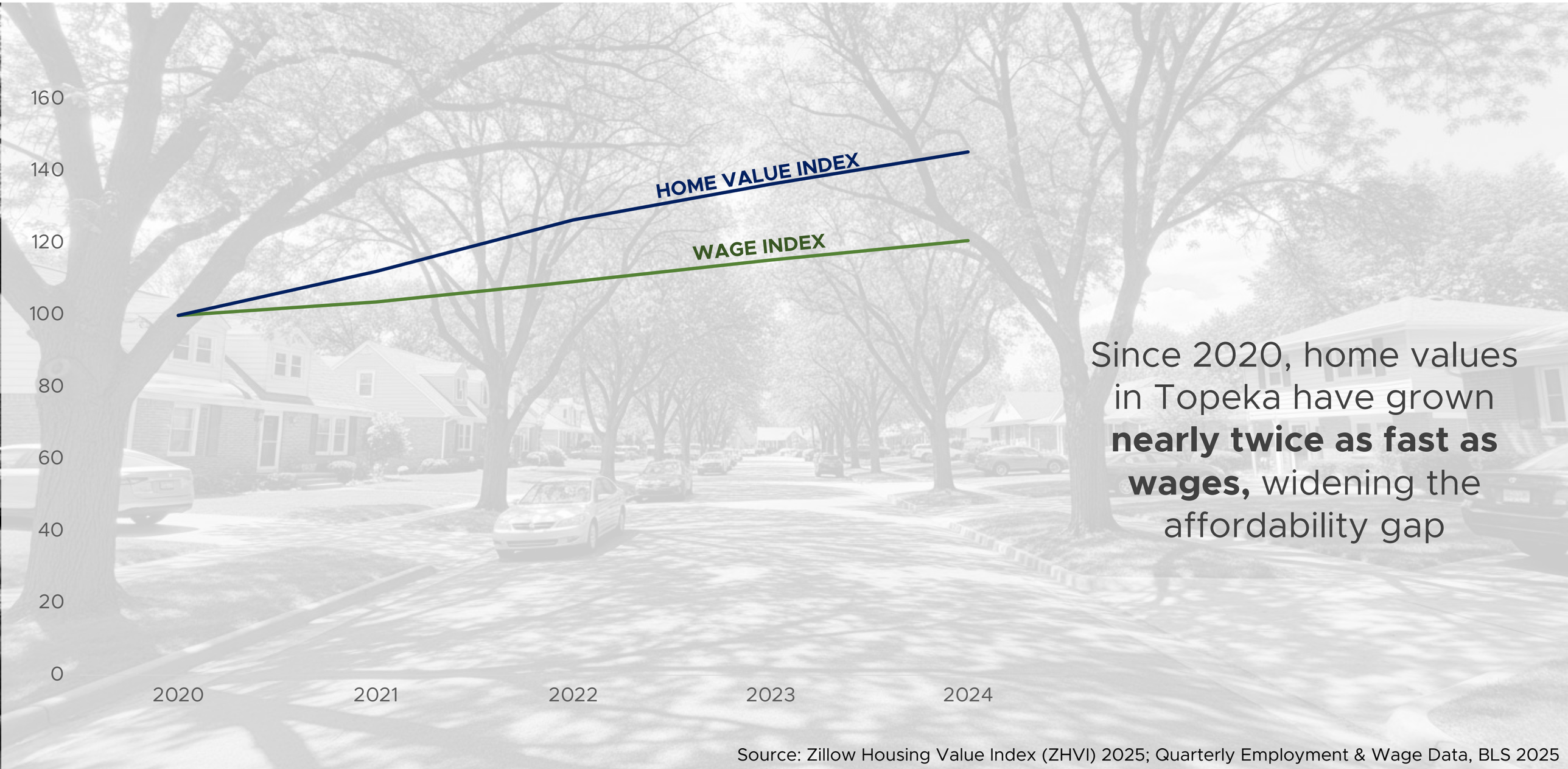
ZILLOW HOUSING VALUE INDEX



Source: Zillow Housing Value Index (ZHVI) 2025

GROWTH IN HOME VALUES

ZILLOW HOUSING VALUE INDEX



Since 2020, home values in Topeka have grown **nearly twice as fast as wages,** widening the affordability gap

Source: Zillow Housing Value Index (ZHVI) 2025; Quarterly Employment & Wage Data, BLS 2025

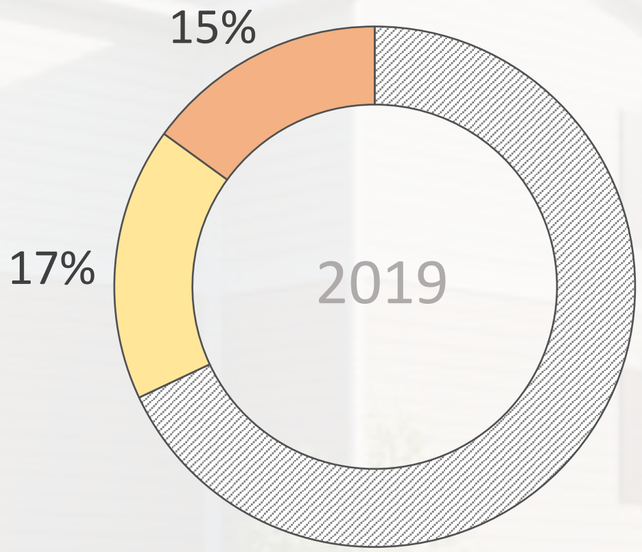
HOUSING AFFORDABILITY

WHAT'S THE PICTURE OF AFFORDABILITY IN TOPEKA?

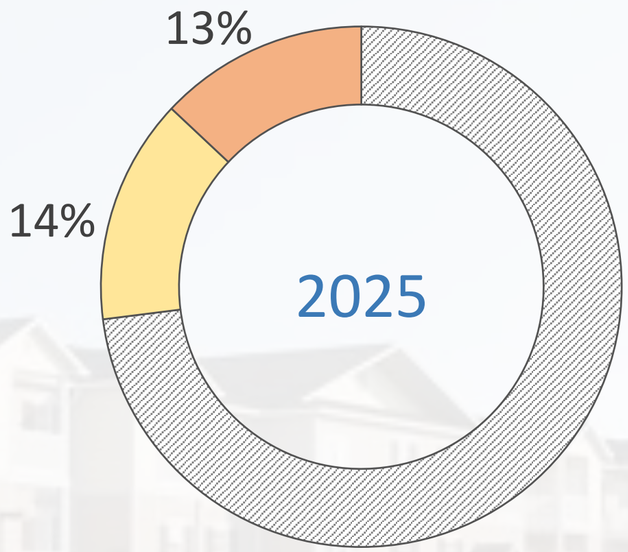
While overall cost burden has declined modestly, nearly 1 in 4 households remains burdened.

COST BURDEN IN TOPEKA

In **2019**, many households were **cost-burdened**, paying more than they could afford.



In **2025**, many households are still **cost-burdened**, paying more than they can afford.



30-50% of income towards housing

>50% of income towards housing

ACCORDING TO HUD, A HOUSEHOLD IS CONSIDERED COST-BURDENED IF IT SPENDS MORE THAN 30% OF ITS GROSS INCOME ON HOUSING COSTS, INCLUDING RENT OR MORTGAGE PAYMENTS AND UTILITIES.

Source: Esri 2019-2025

HOUSING AFFORDABILITY
THE EXPERIENCE

- Homelessness per capita increased locally.
- Trends mirror national increases.

Affordability pressures can contribute to housing instability.

HOMELESSNESS PER 10,000 PEOPLE

	SHAWNEE COUNTY, KS	TULSA COUNTY, OK	SANGAMON COUNTY, IL	KANSAS	USA
2018	23	17	14	8	17
2024	43 HOMELESS	21	20	9	23
	+87%	+23.5%	+43%	+12.5%	+35%

Source: Point-in-time counts of homelessness

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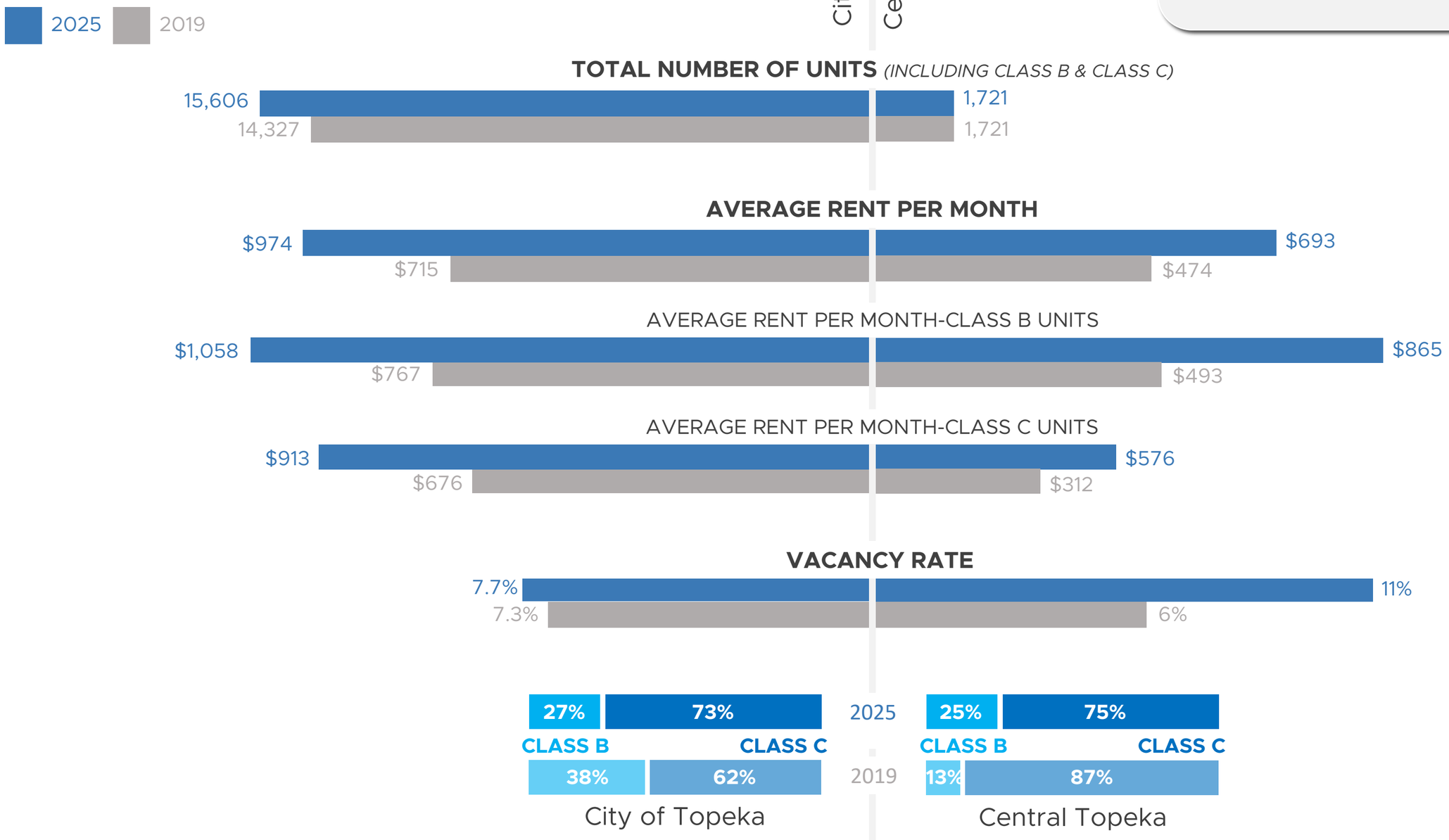
- Key Trends
- Peer Cities
- Housing Affordability
- **Market Trends**
- Housing Demand



HOUSING SUPPLY

MARKET-RATE RENTAL SUMMARY

Despite an apparent shift to more Class C units, the citywide rental housing market out performs that in Central Topeka, with higher rents, and lower vacancy.



Source: CoStar

MULTIFAMILY SUPPLY
LOWER MIDSCALE



La Casa Grande Apartments
Built 1969 (191 units)
95.8% occupied
0br:$651 1br:$837 2br:$938 3br:$1,353
$0.92 avg PSF



Park South Apartments
Built 1970 / Renovated 2018 (234 units)
87% occupied
0br:$427 1br:$519 2br:$603
$0.71 avg PSF



White Lakes Plaza Apartments Homes
Built 1973 (144 units)
80.6% occupied
1br:$674 2br:$799
$0.87 avg PSF



Whitehall Apartments
Built 1979 (74 units)
? occupied
1br:$891 2br:$1,100 3br:$1,221
$1.07 PSF

Source: CoStar 2025

MULTIFAMILY SUPPLY

MIDSCALE



Crown Colony Apartments
Built 1982 (220 units)
99.1% occupied
1br:$1,128 2br:$1,295 3br:$1,572
$1.57 avg PSF



Chalet
Built 1983 (233 units)
94% occupied
0br:$603, 1br:$851 2br:$998 3br:$1,439
$1.10 avg PSF



Sherwood Apartments
Built 1988 (300 units)
98.3% occupied
1br:$1,190 2br:$1,307 3br:$1,496
$1.47 avg PSF



Trianon Apartments
Built 1966 (88 units)
92.1% occupied
1br:$795 2br:$1,024 3br:$1,150
$0.82 avg PSF

Source: CoStar 2025

MULTIFAMILY SUPPLY
STUDENT



University Heights Apartments
Built 1970 (102 units)
92.2% occupied
0br:$565 1br:$675 2br:$595
$0.82 avg PSF



Library Park Apartments
Built 1968 (76 units)
97.4% occupied
0br:$458 1br:$558 2br:$507
$1.2 avg PSF



Harrison Street Apartments
Built 1979 (53 units)
? occupied
1br:$585 2br:$715
$1.18 avg PSF



Washburn South Apartment
Built 1949 (125 units)
72% occupied
1br:$834 2br:$918
$1.04 avg PSF



Bentley Place
Built 1972 (36 units)
50 occupied
1br:$525
$0.93 PSF

Source: CoStar 2025

MULTIFAMILY SUPPLY
NEW CONSTRUCTION/REHAB



Woodland Park at Soldier Creek
Built 2008 (236 units)
96.6% occupied
1br: $1,096 2br:$1,222 3br:$1,521
$1.45 PSF



Connect55+ Topeka
Under Construction (134 units)
1br:$1,797 2br:$1,899 3br:$3,692



Wheatfield Village Apartments
Built 2022 (173 units)
90.8% occupied
0br:$1,392; 1br:$1,668; 2br:$2,212; 3br:$1,718
$2.05 avg PSF



Union Tower
Proposed March 2027
250 units
Affordable for 30%-60% AMI
1br, 2br & 3br units



Fremont Hill
Proposed
176 apartments & 51 homes
Mixed-Income



Southern Hills Senior Homes
+55, Below 60%AMI
24 units
$400 - $650

Source: CoStar 2025

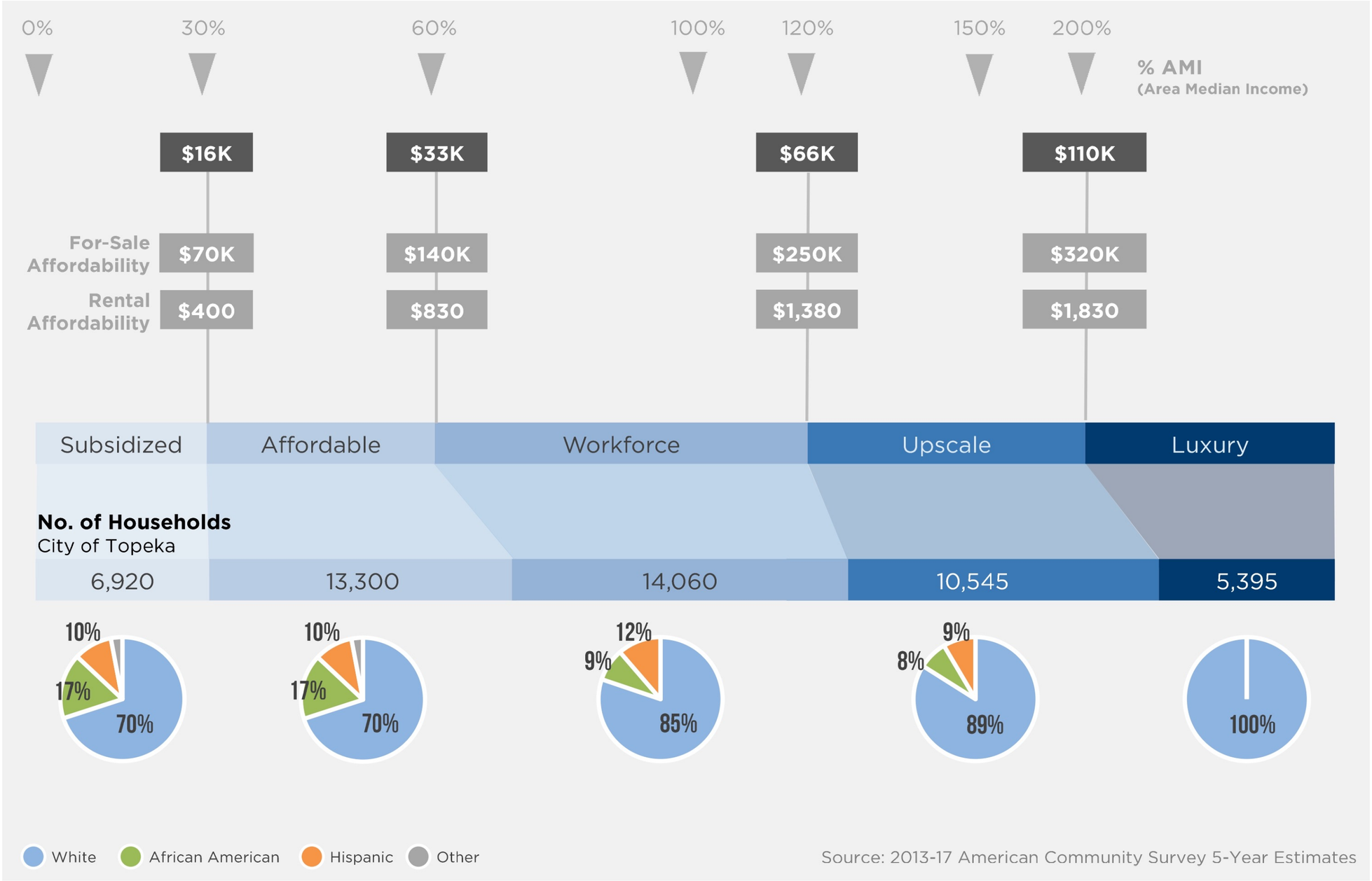
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- Key Trends
- Peer Cities
- Housing Affordability
- Market Trends
- **Housing Demand**



COST OF HOUSING

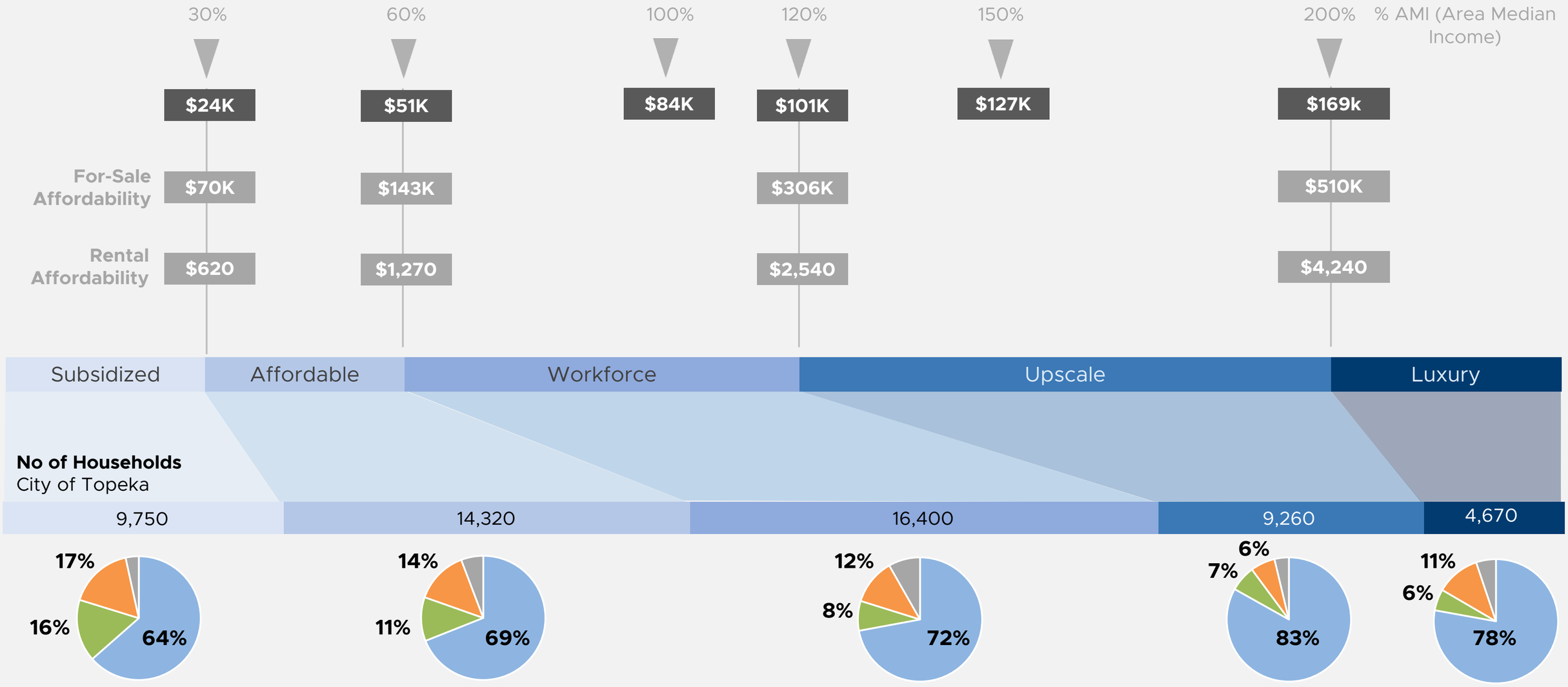
AFFORDABILITY METRICS AND INCOME DISTRIBUTION (2019)



Source: 2013-17 American Community Survey 5-Year Estimates

COST OF HOUSING

AFFORDABILITY METRICS AND INCOME DISTRIBUTION (2025)



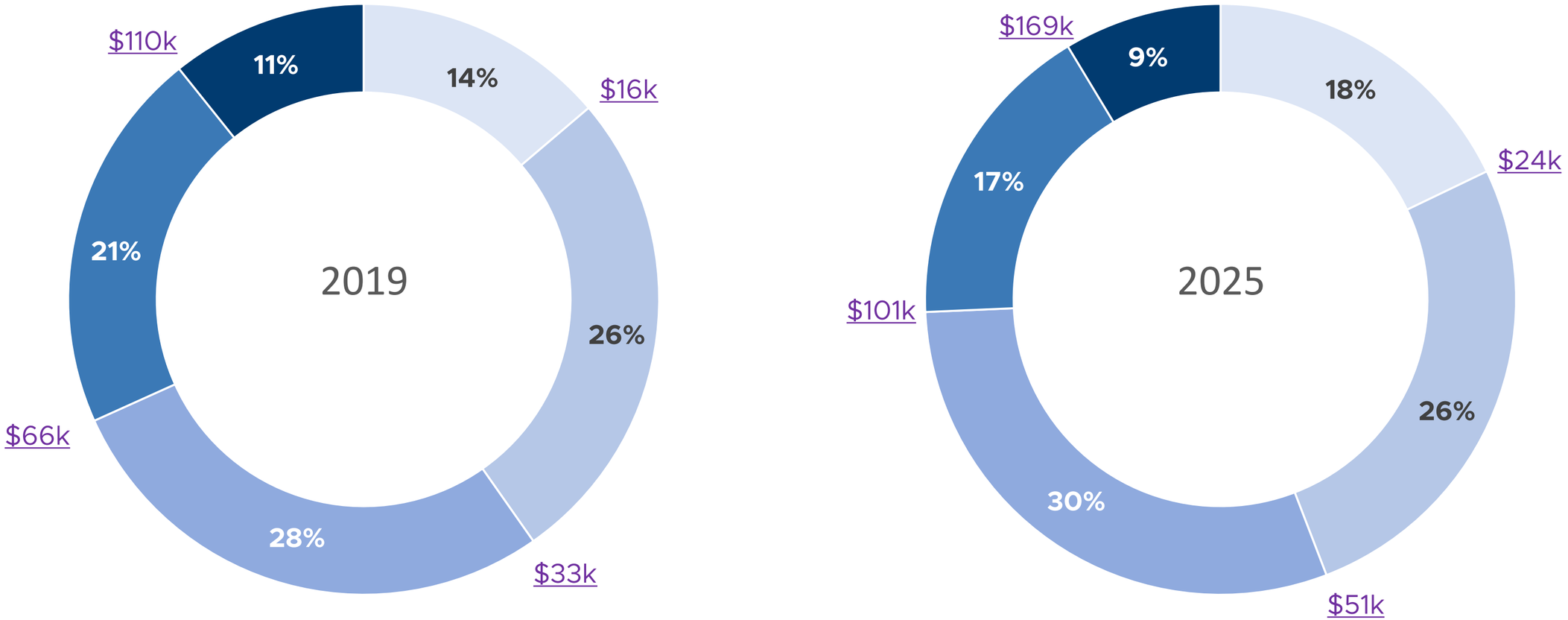
Source: HUD, Development Strategies, ESRI, ACS 5 Year Estimates

COST OF HOUSING

AFFORDABILITY METRICS AND INCOME DISTRIBUTION

- Growth in households below 30% AMI.
- Moderate growth in households between 60%-120% AMI.
- Contraction in >120% AMI.

Households By AMI Group



Household Income Thresholds

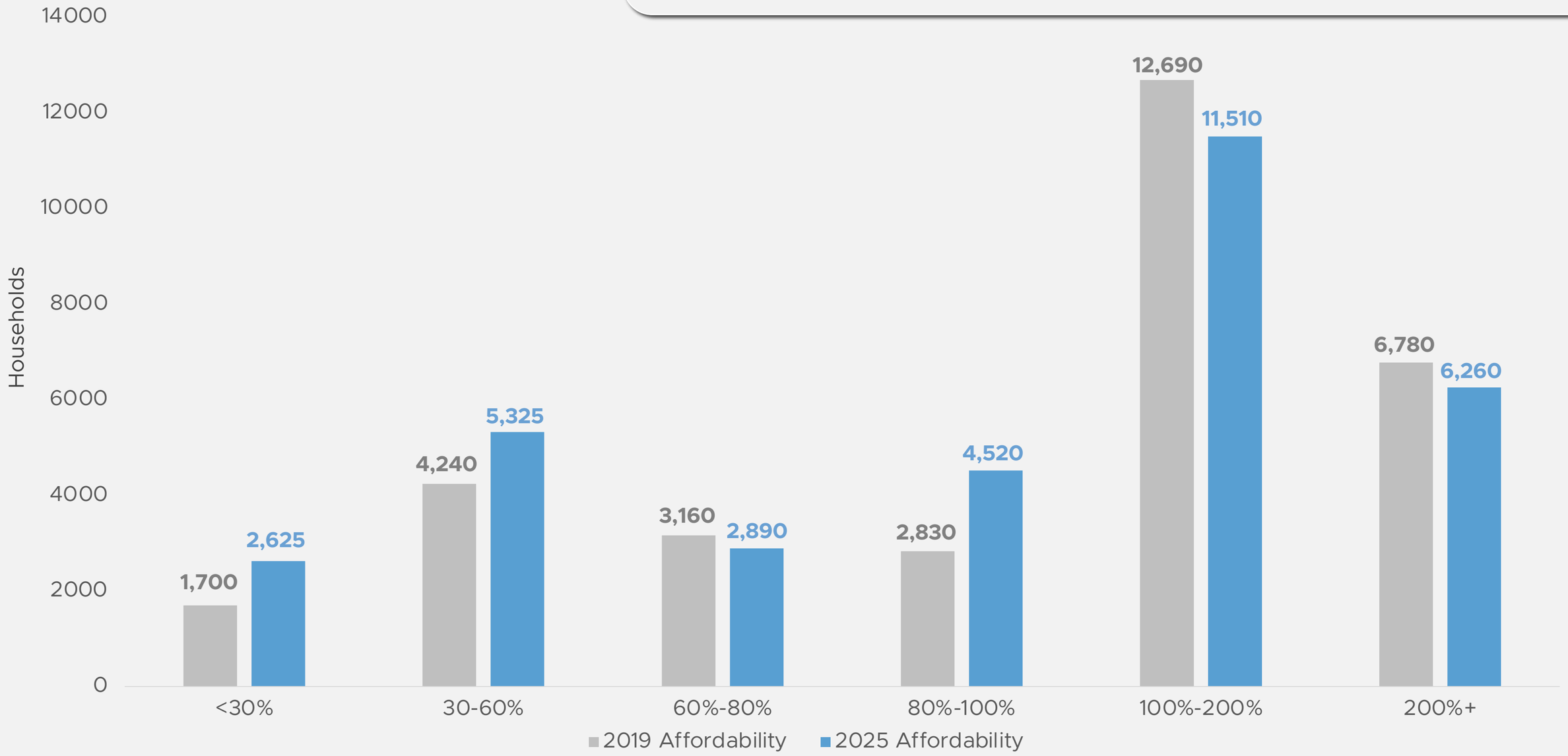
Source: Development Strategies, Esri 2019, Esri 2025

HOUSEHOLD AFFORDABILITY

OWNER HOUSEHOLDS

- More owner households now fall within lower affordability tiers (<60% AMI).
- The 80–100% AMI band increased while the 100–200% band contracted.
- This reflects rising home values and updated affordability thresholds.

Ownership affordability is tightening for moderate-income households.

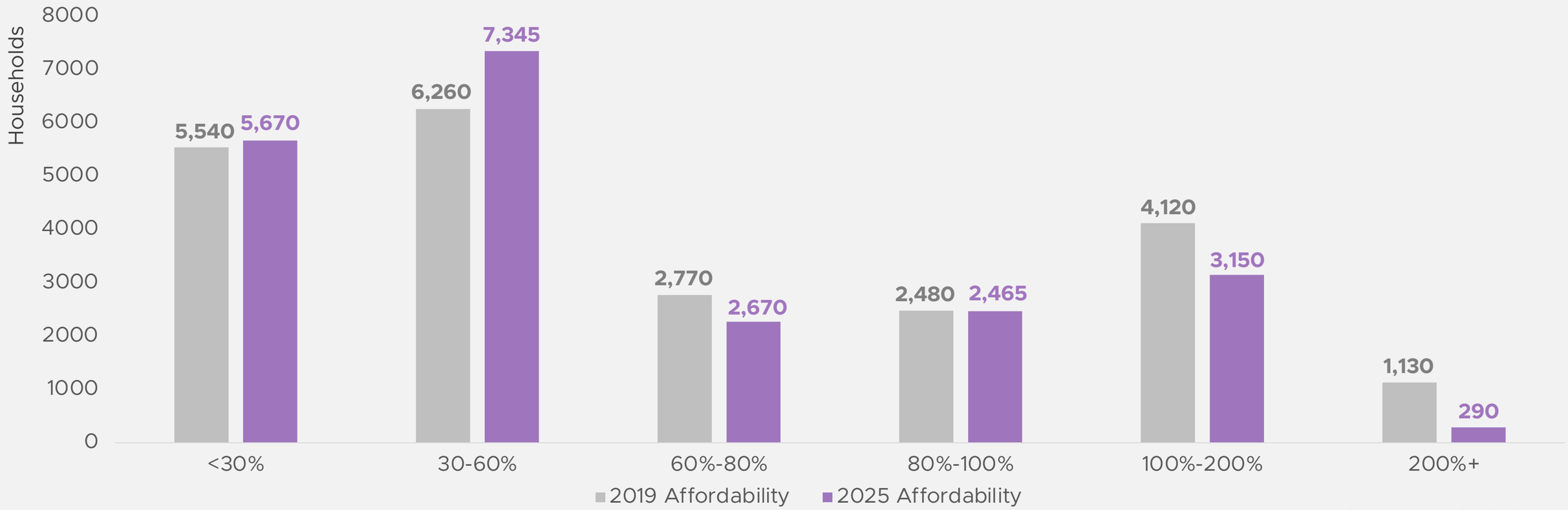


Source: Esri 2019, Esri 2025

HOUSEHOLD AFFORDABILITY
RENTER HOUSEHOLDS

- More renter households are now fall under 60% AMI band due to rising income benchmarks.
- The 60–100% AMI renter band shows signs of compression.
- Higher-income renter growth remains limited.

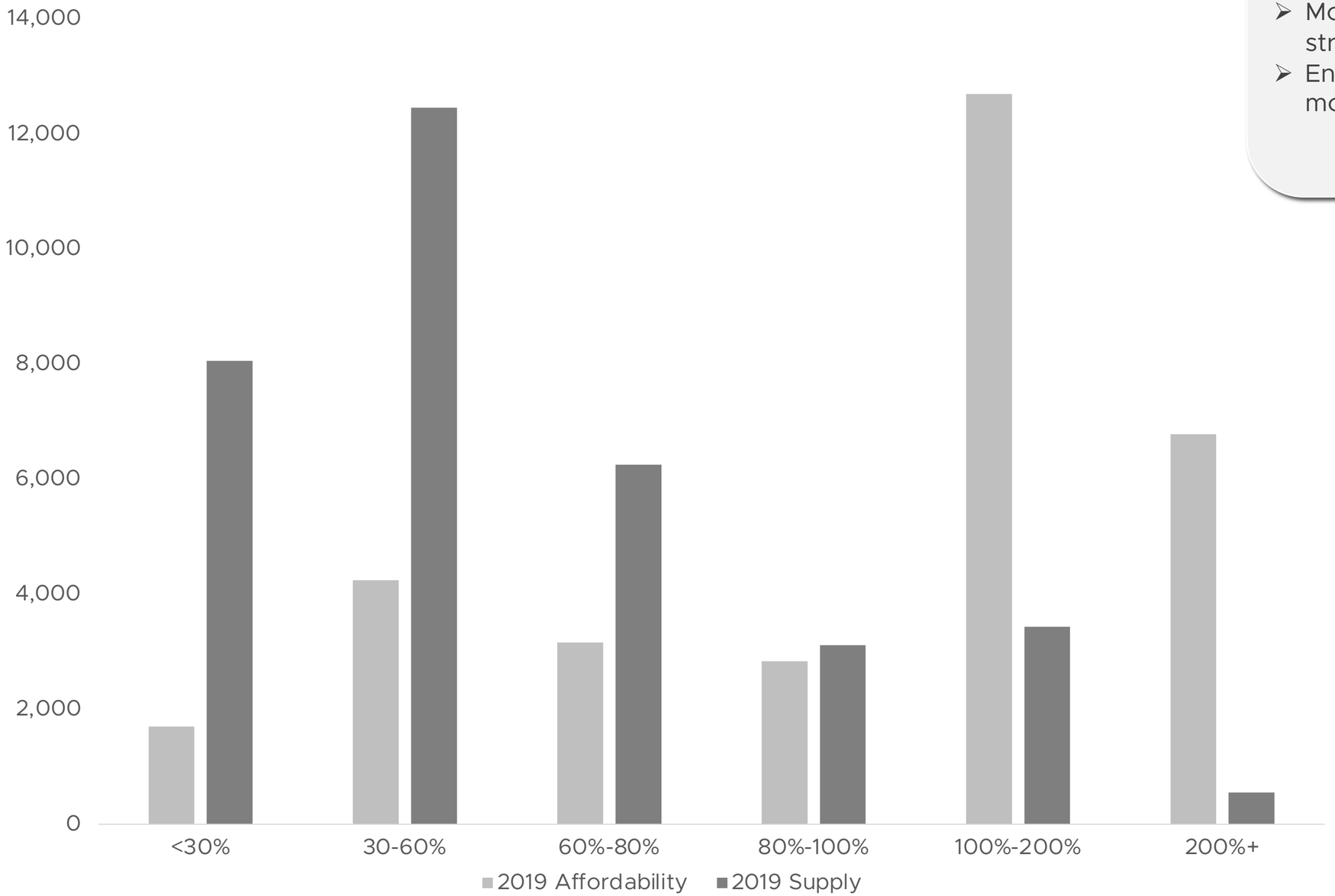
Rental demand is increasingly concentrated in lower-income tiers



Source: Esri 2019, Esri 2025

AFFORDABILITY AND SUPPLY GAPS

FOR SALE-2019

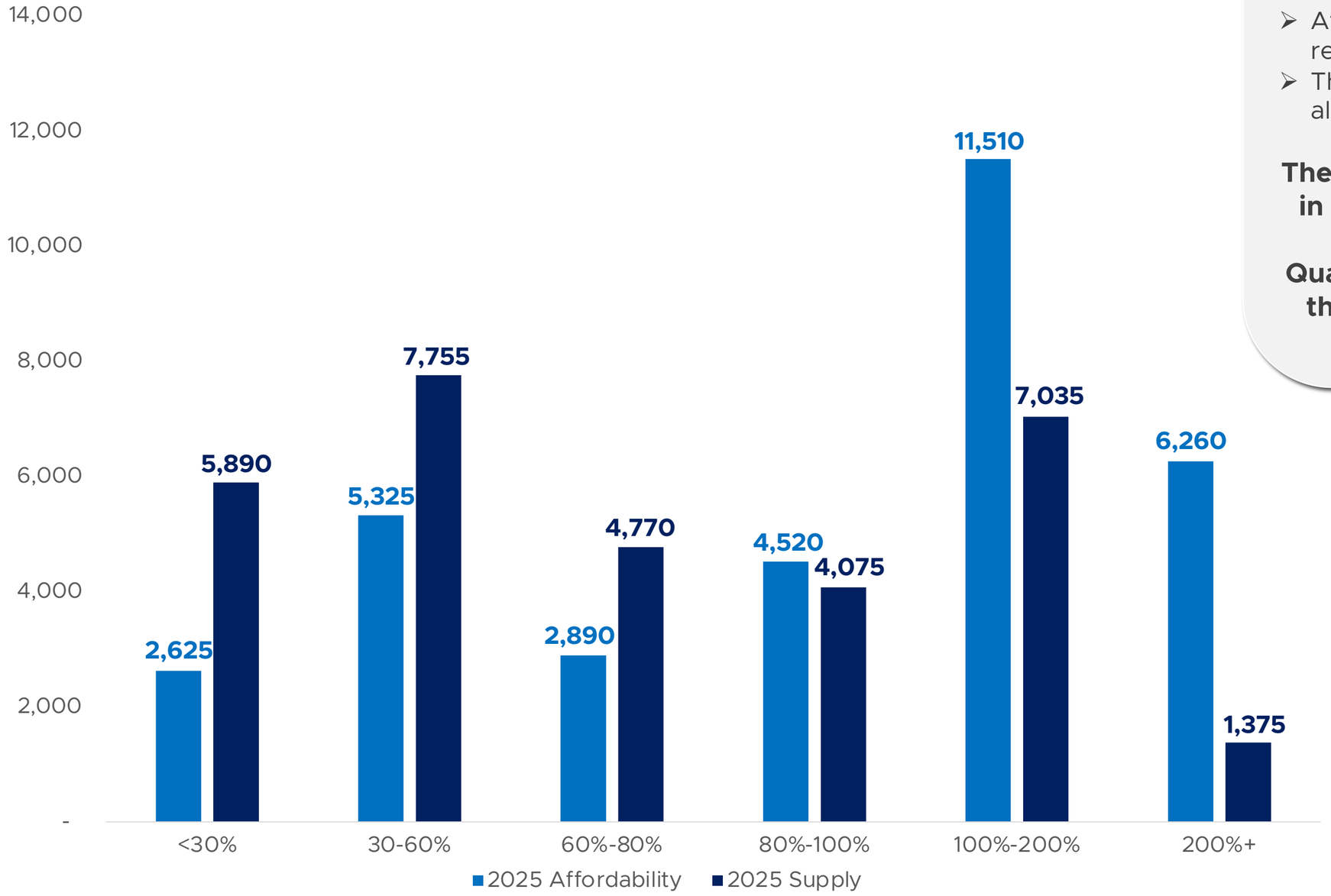


- In 2019, affordability gaps were concentrated at each end of the AMI range.
- Moderate-income alignment was relatively stronger.
- Entry-level ownership was constrained but more attainable.

Source: Esri 2019, Development Strategies

AFFORDABILITY AND SUPPLY GAPS

FOR SALE-2025



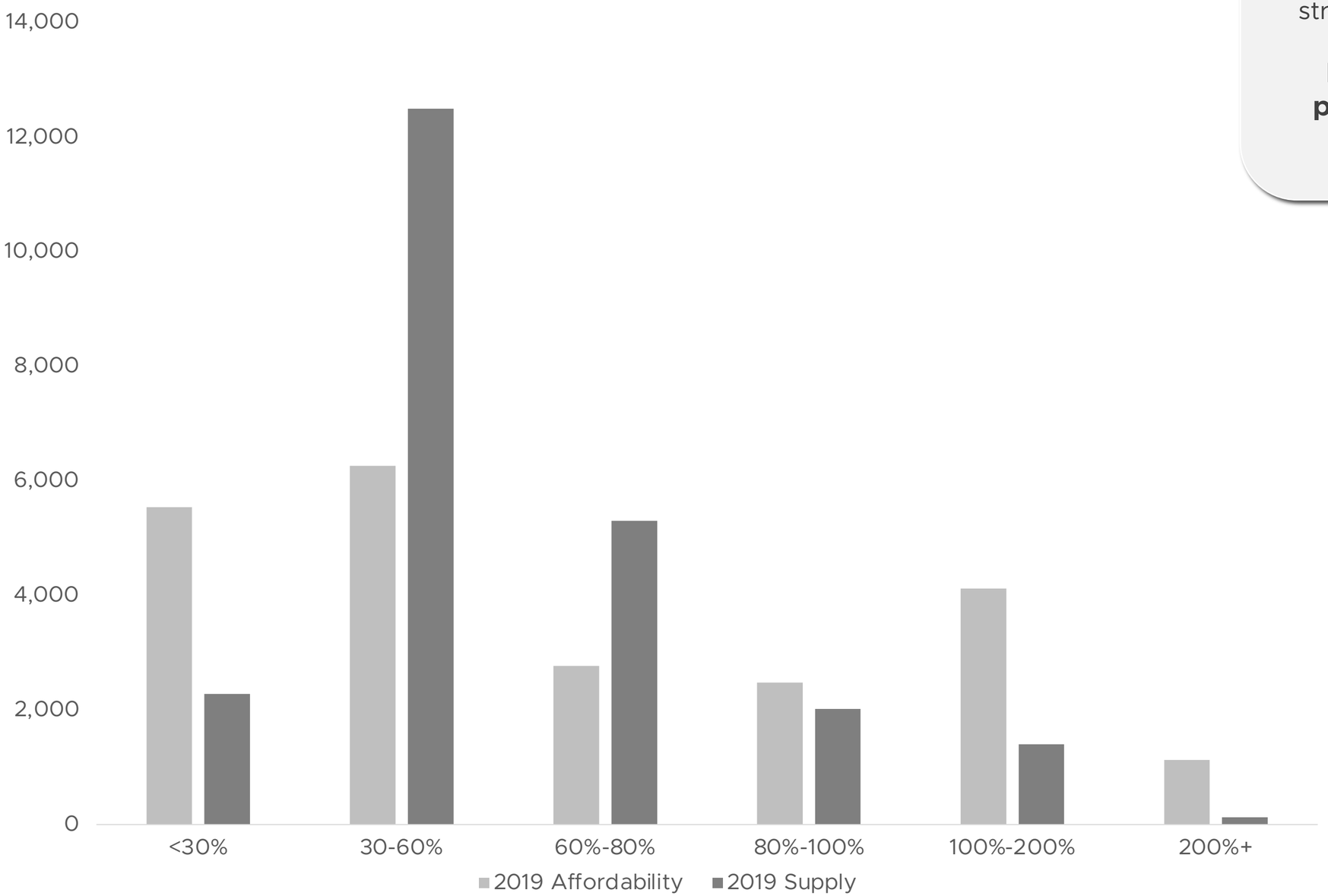
- Housing prices have increased citywide based on factors like marketability, location and condition, moving the supply upward into higher AMI bands.
- Affordability distribution has remained relatively stable.
- The 80–100% AMI band shows the closest alignment between supply and affordability.

The for-sale market is most tightly aligned in the middle segment, with imbalances on either side.
Quality of the housing at the lower end of the AMI band may be more challenged now than before.

Source: Esri 2025, Development Strategies

AFFORDABILITY AND SUPPLY GAPS

RENTAL-2019



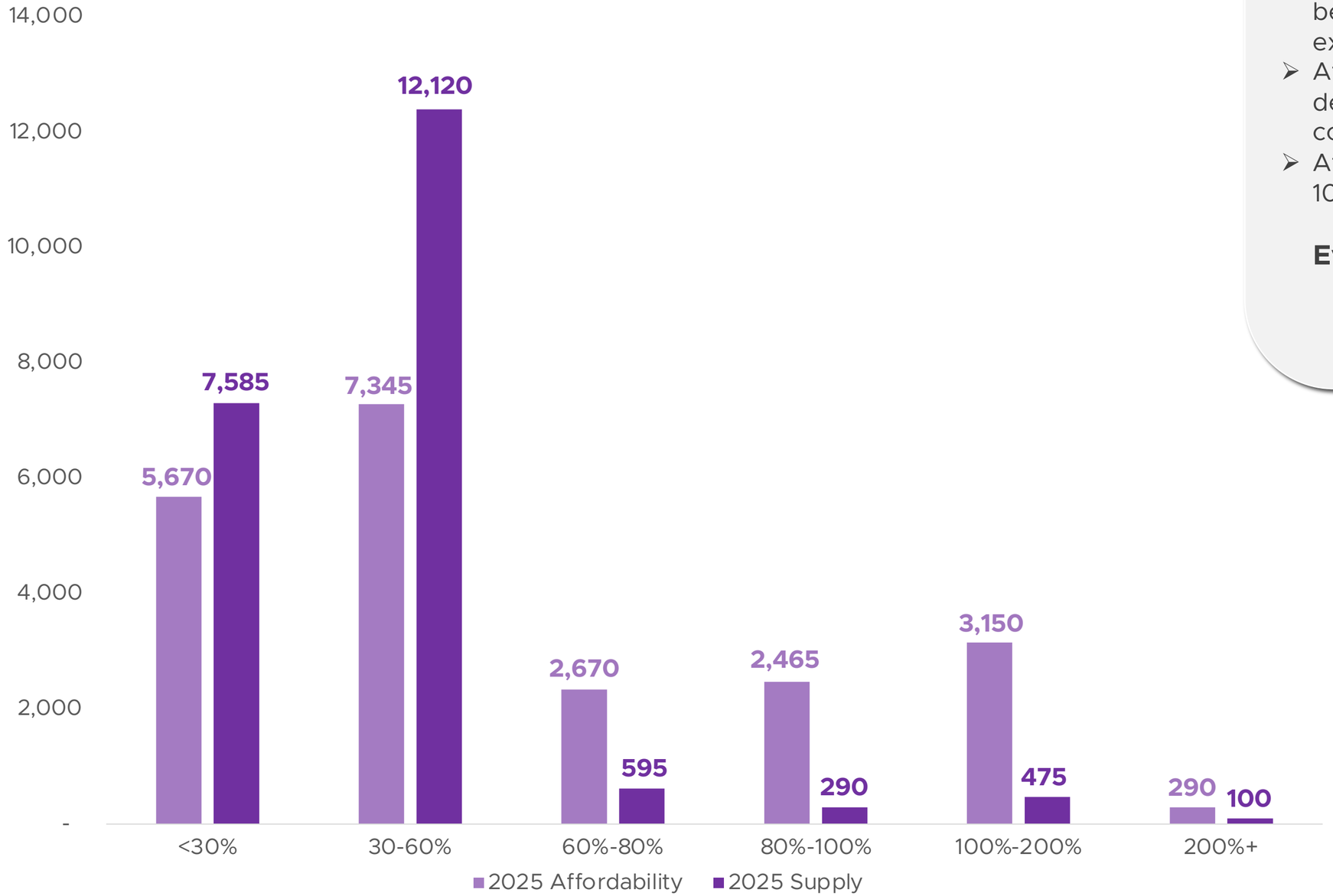
- Rental gaps in 2019 were concentrated below 60% AMI.
- Workforce alignment was comparatively stronger.

In 2019, rental gap challenges were primarily concentrated among lower-income households.

Source: Esri 2019, Development Strategies

AFFORDABILITY AND SUPPLY GAPS

RENTAL-2025



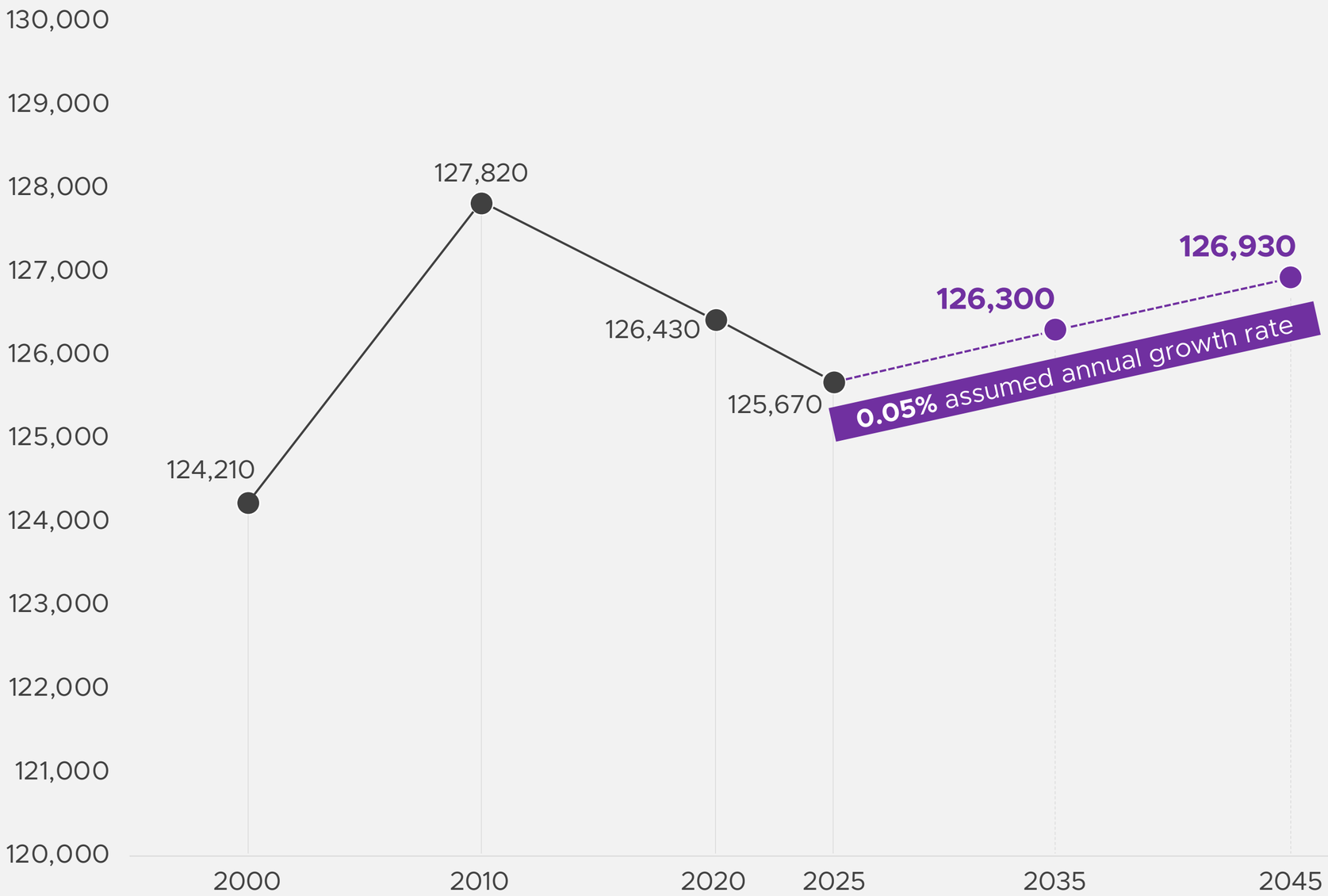
- A larger share of rental units now fall below 30% AMI.
- AMI thresholds increased faster than rents between 2019 and 2025, reclassifying some existing units into lower affordability bands.
- Affordable or income-restricted units delivered during this period may also contribute to this shift.
- At the same time, alignment within the 60–100% AMI workforce band has tightened.

Even with benchmark shifts and some supply growth, workforce rental availability remains constrained.

Source: Esri 2025, Development Strategies

PROJECTED POPULATION GROWTH

NEXT TWENTY YEARS



In 2025, future projection estimates
1,260 new residents, nearly

3,070

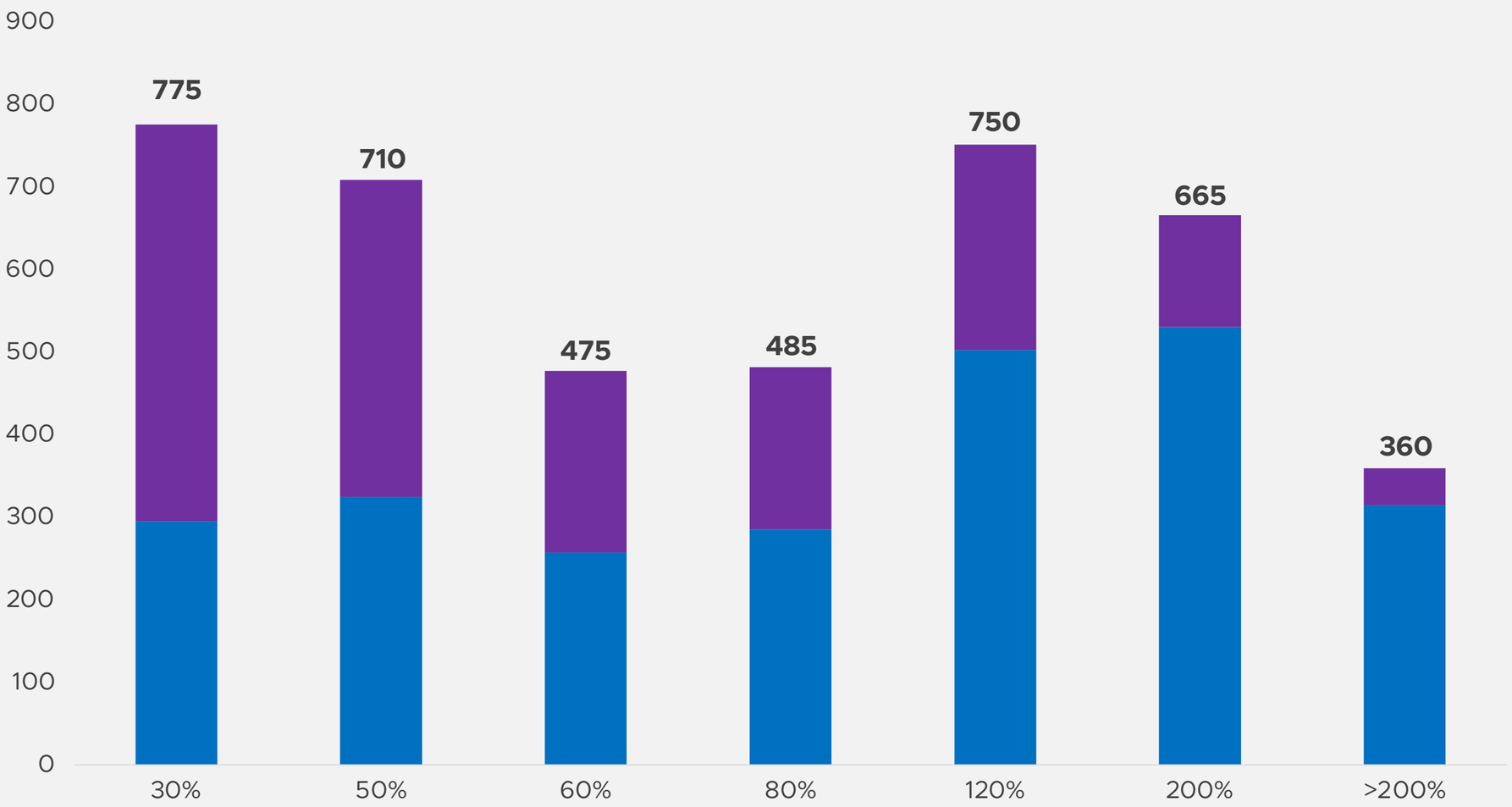
new households

in the next 20 years

Source: Decennial Census, ACS, Esri, Development Strategies

PROJECTED DEMAND

UNITS NEEDED IN THE NEXT TWENTY YEARS



20-Year Projected Demand
Assuming 0.05% annual growth

4,220 UNITS*
(2,510 for-sale & 1,710 rental)

**Gross demand, including pent-up demand.*

In 2019, the 20-Year projection estimated **0.3% annual growth** rate. . . . . resulting in demand for **10,800 units** through 2040

Source: Decennial Census, ACS, Esri, Development Strategies

PROJECTED DEMAND
2019 VS 2025

20 YEAR DEMAND OUTLOOK

In 2019

10,800 UNITS

approximately
540 units annually

Today

4,220 UNITS

approximately
210 units annually

WHAT CHANGED?

- Demographics changed dramatically post-pandemic: population growth, household size, and household composition.
- Significant delivery of multifamily units between 2019 and 2025 helped close some of the overall unit demand.
- In 2019, we were cautiously optimistic but overall, less growth actually happened. A decrease in the projected growth rate from 0.3% to 0.05% is contributing to a reduced housing demand outlook.
- At the same time, a decrease in the average household size is leading to a modest increase in the number of households, creating a need for new units.
- Projected employment growth remains modest (approximately 0.6–0.8% annually), reinforcing a steady—but not accelerated—housing demand outlook.

The reduced 20-year demand projection reflects slower growth and recent multifamily deliveries, but it does not eliminate the need for strategic housing production aligned with affordability and workforce needs.

STRATEGIC CONSIDERATIONS



Continued housing demand is likely, even in a slow-growth or modest population decline environment.

Shifts toward smaller households and a rising renter share suggest a **sustained need for diverse housing options**.

A diverse range of housing options across price points will remain important to **support household mobility and market churn.**

Affordability outcomes will remain closely tied to **housing costs and local wage growth.**

There is a **tightening availability** of workforce housing (60–120% AMI).

Topeka's relative affordability compared to peer cities remains a competitive advantage that may be leveraged.

TOPEKA HOUSING UPDATE

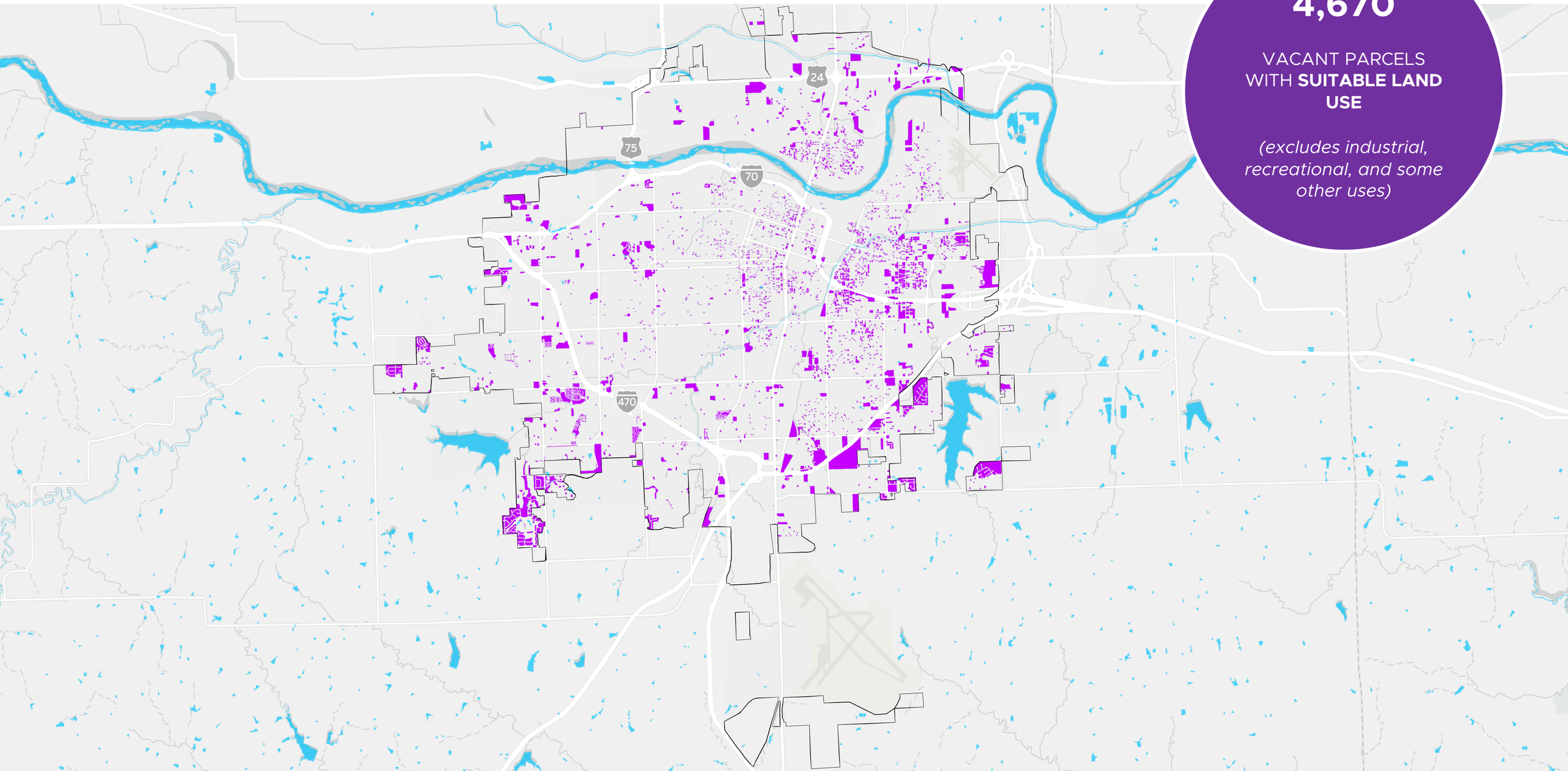
PREPARED FOR THE
CITY OF TOPEKA, KANSAS

VACANT PARCEL ANALYSIS



DEVELOPMENT STRATEGIES

VACANT PARCELS
WITH SUITABLE LAND USE

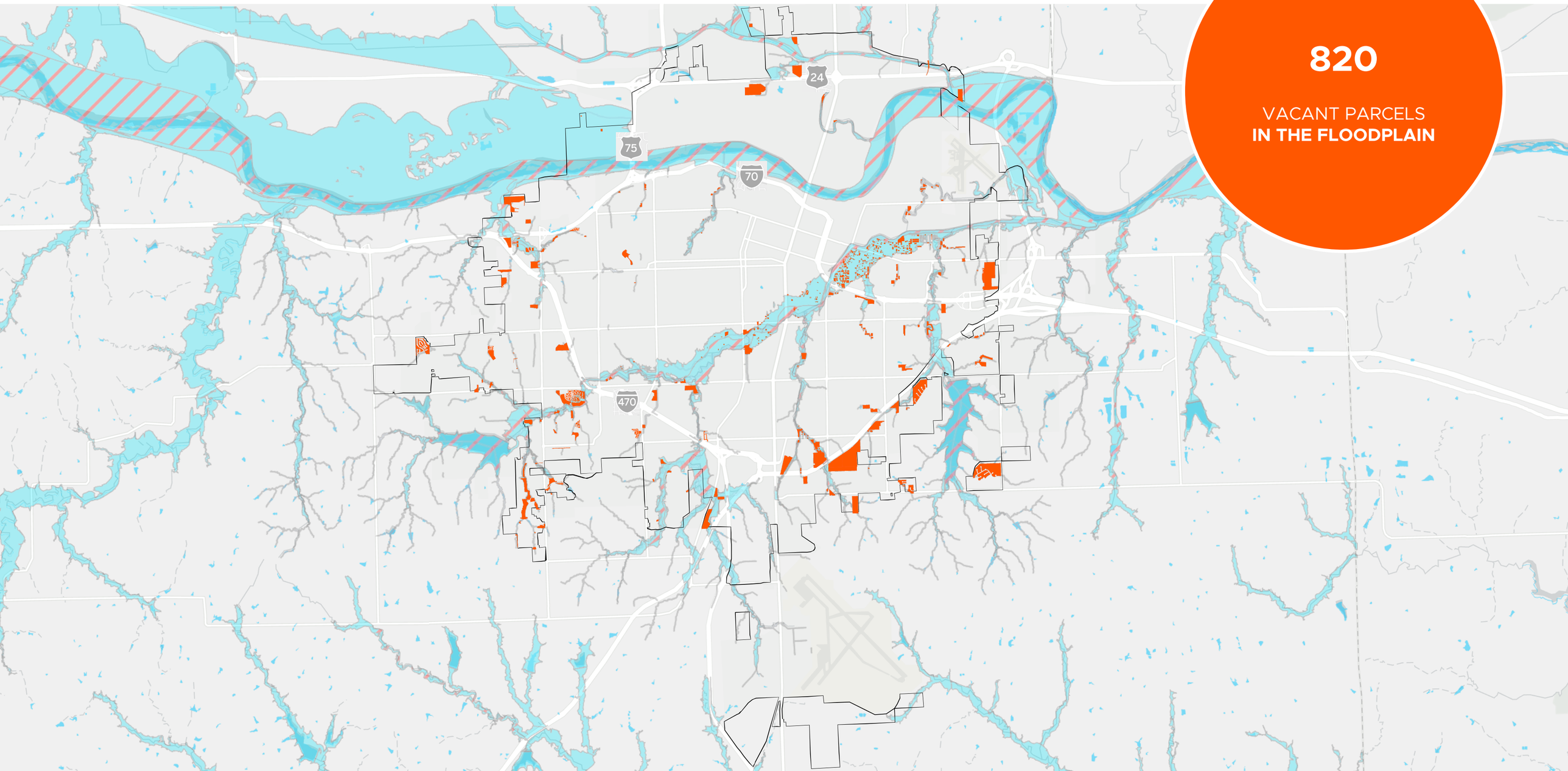


4,670

VACANT PARCELS WITH **SUITABLE LAND USE**

(excludes industrial, recreational, and some other uses)

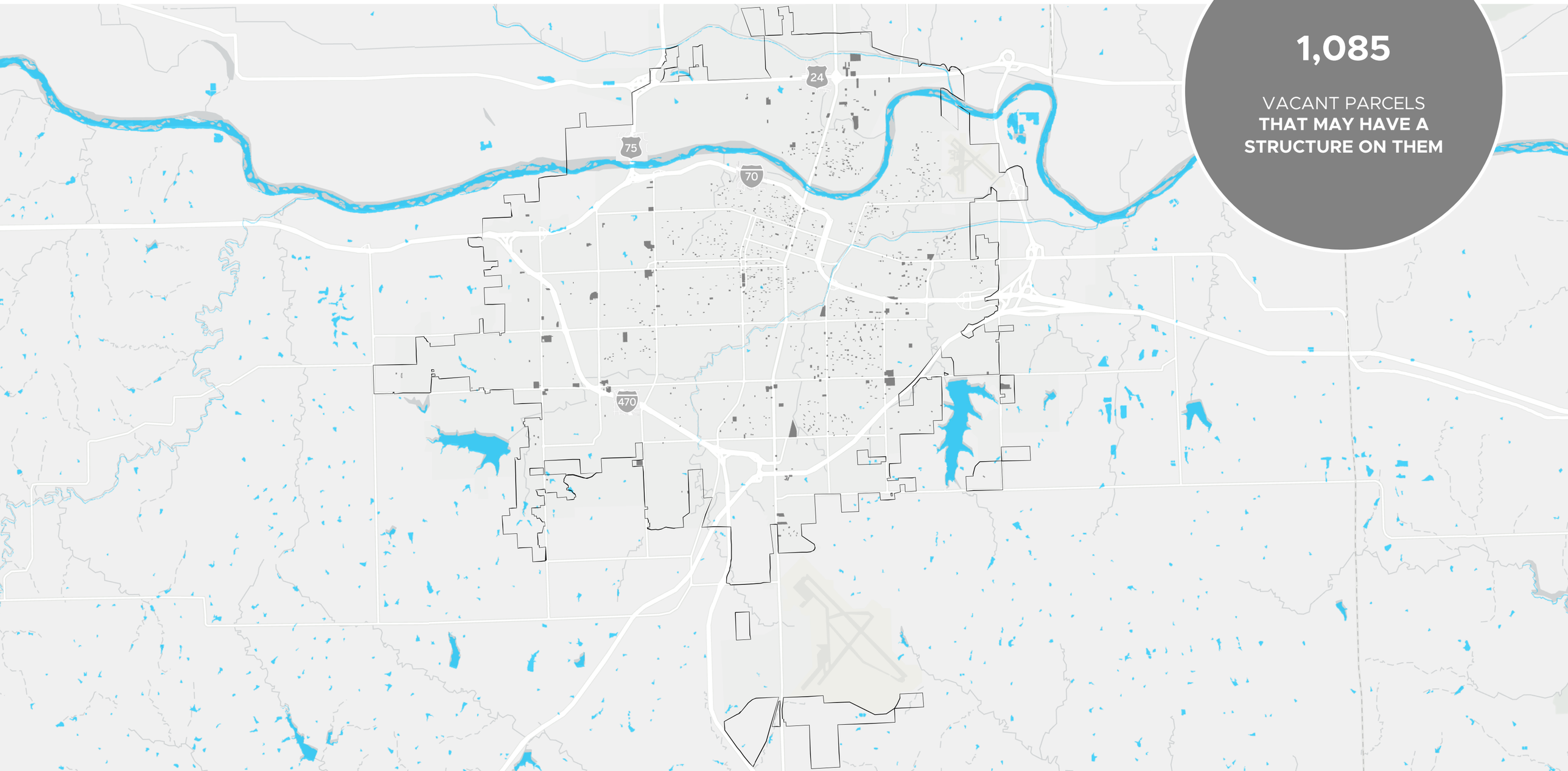
VACANT PARCELS
IN THE FLOODPLAIN



820

VACANT PARCELS
IN THE FLOODPLAIN

VACANT PARCELS
WITH STRUCTURES

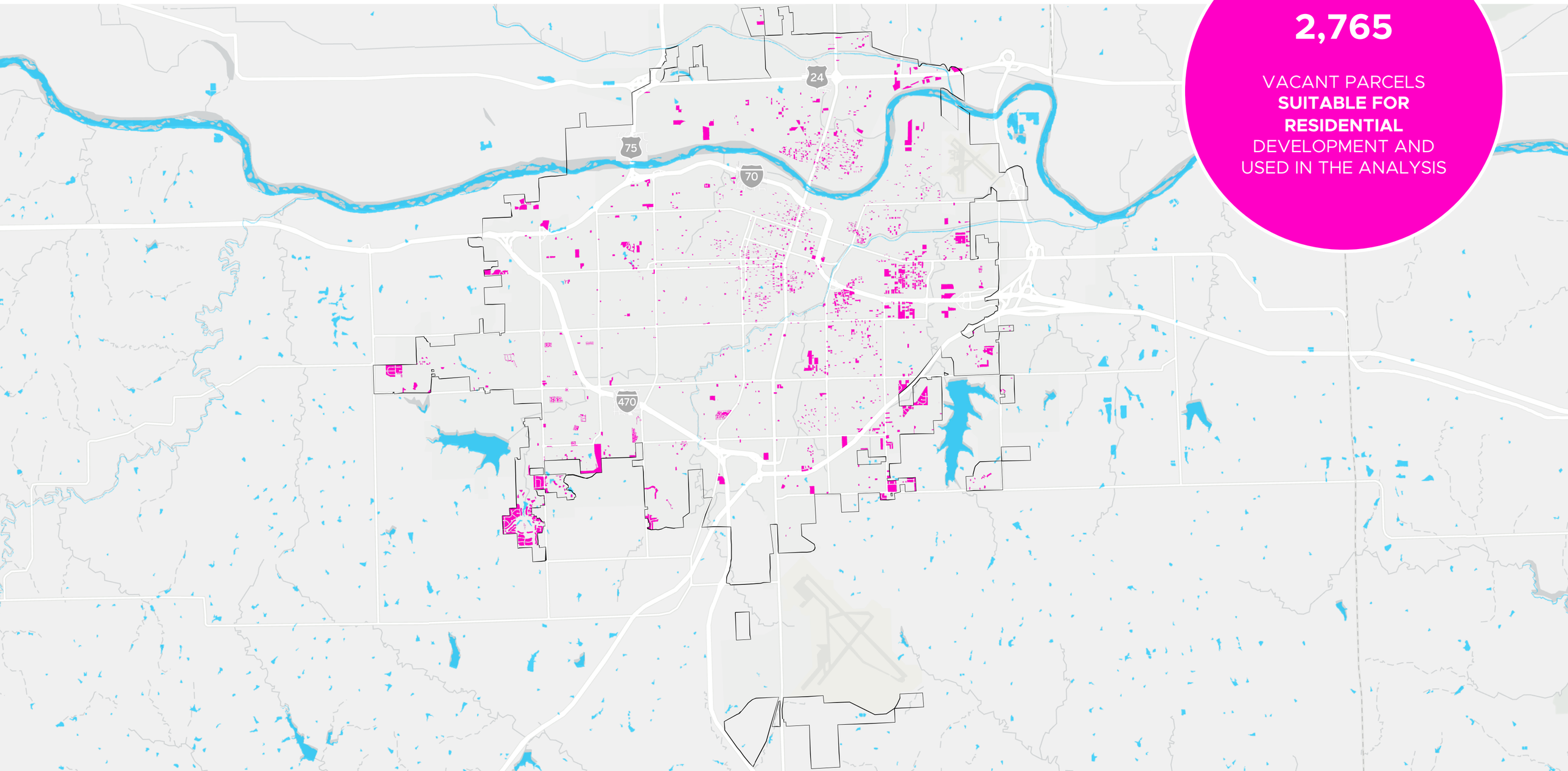


1,085

VACANT PARCELS
THAT MAY HAVE A STRUCTURE ON THEM

VACANT PARCELS

PARCELS OUTSIDE FLOODPLAIN AND WITHOUT ANY STRUCTURES

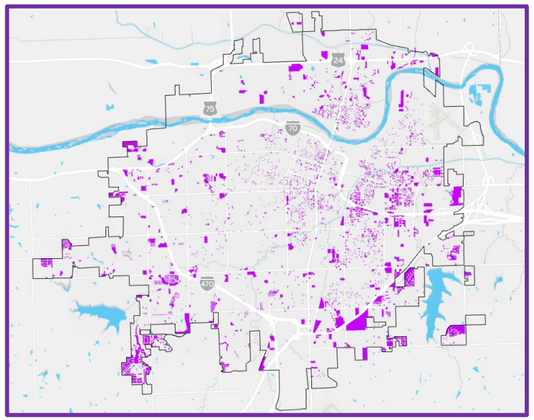


2,765

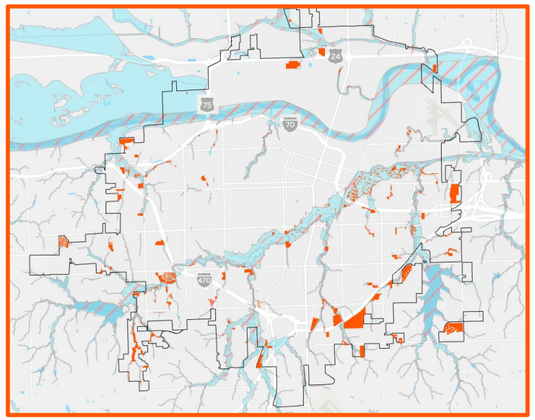
VACANT PARCELS **SUITABLE FOR RESIDENTIAL** DEVELOPMENT AND USED IN THE ANALYSIS

VACANT PARCEL ANALYSIS

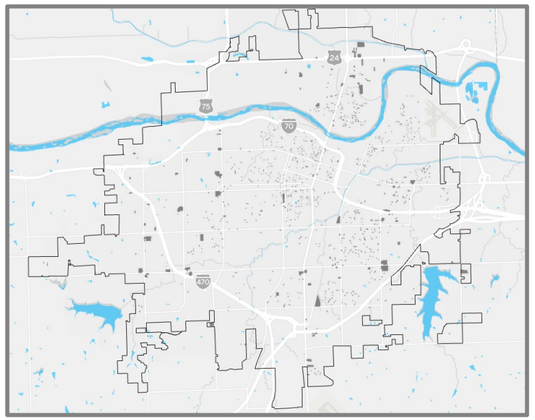
FILTERING PARCELS SUITABLE FOR RESIDENTIAL DEVELOPMENT



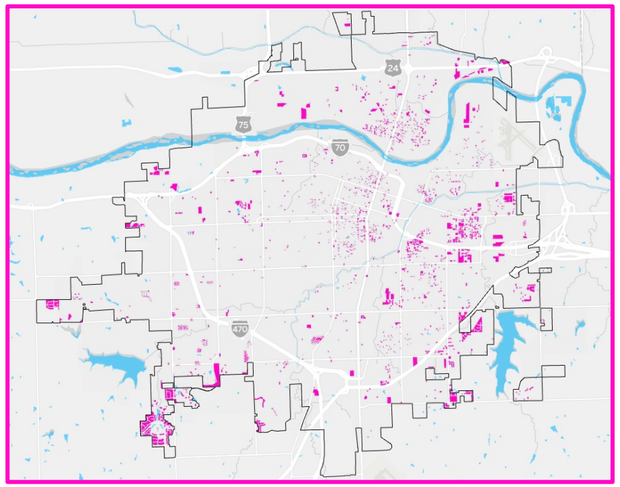
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=



4,670

VACANT PARCELS WITH **SUITABLE LAND USE**

(excludes industrial, recreational, and some other uses)

820

VACANT PARCELS **IN THE FLOODPLAIN**

1,085

VACANT PARCELS **THAT MAY HAVE A STRUCTURE ON THEM**

2,765

VACANT PARCELS **SUITABLE FOR RESIDENTIAL DEVELOPMENT**

HOW PARCEL SIZE INFLUENCES HOUSING OPPORTUNITY



Less than 3,000 SF

Side Lot / Assemblage Opportunity

Can contribute to larger redevelopment efforts when combined with adjacent parcels.



3,000-7,000 SF

Single-Family Infill

Suitable for detached homes, cottage housing, or small infill projects.



7,000-15,000 SF

Single-Family/ Missing-Middle

Larger single-family homes or lots, opportunities for duplexes, triplexes, fourplexes, cottage courts, and other missing-middle housing types where zoning and market conditions support.



15,000 SF-1 Ac

Single-Family/Small Multifamily Opportunity

Large enough to support larger-lot single-family development, clustered housing, townhomes, courtyard apartments, or small multifamily projects depending on site context.



1-5 Ac

Neighborhood-Scale Development

Can support a range of housing types, from coordinated single-family subdivisions and cottage neighborhoods to townhomes, multifamily projects, and mixed-income residential development.

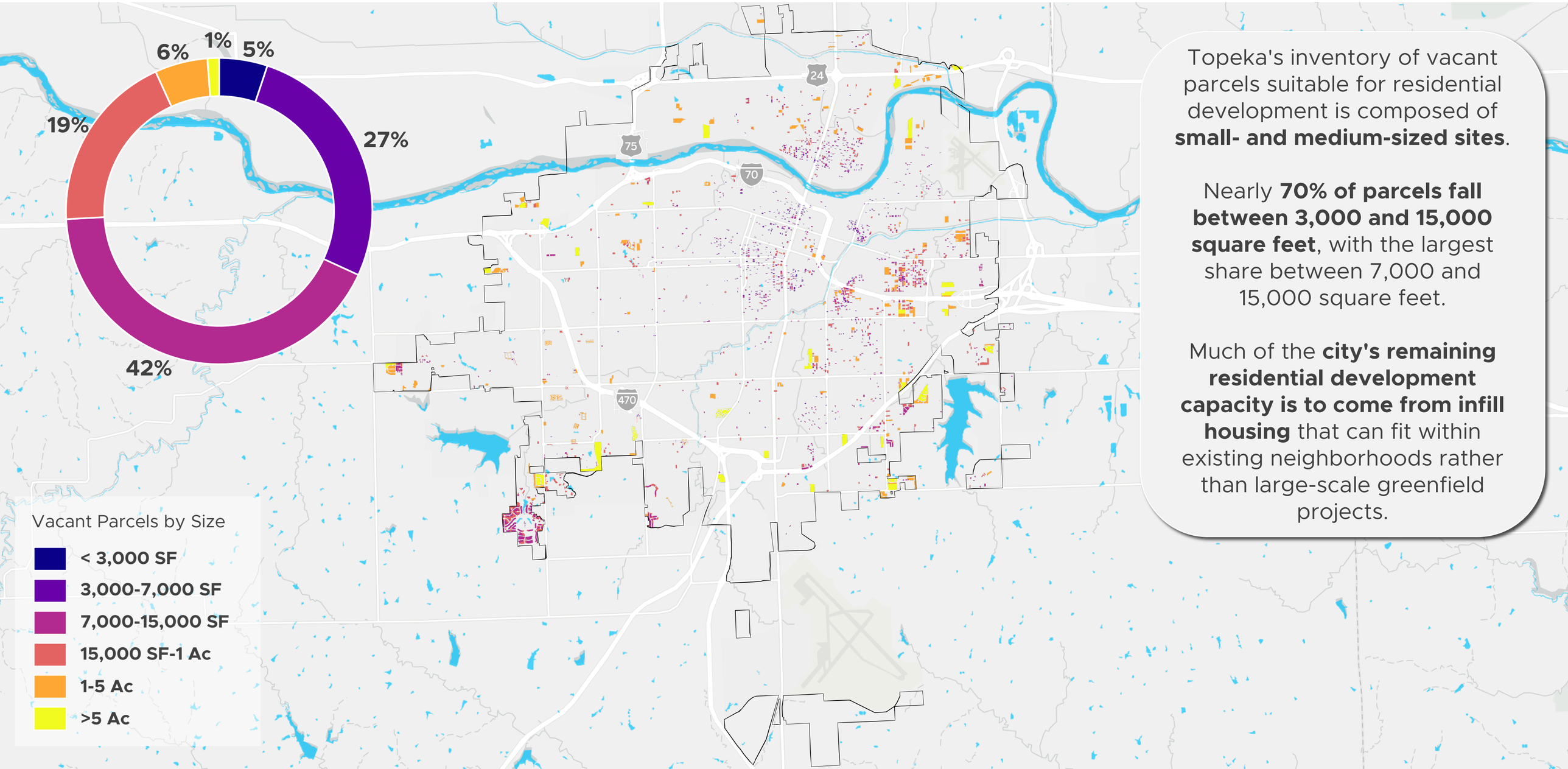


More than 5 Ac

Catalyst Development Sites

Can support significant residential development, including single-family neighborhoods, mixed-density housing, multifamily projects, or mixed-use redevelopment efforts.

VACANT PARCELS
BY SIZE



Topeka's inventory of vacant parcels suitable for residential development is composed of **small- and medium-sized sites**.

Nearly **70% of parcels fall between 3,000 and 15,000 square feet**, with the largest share between 7,000 and 15,000 square feet.

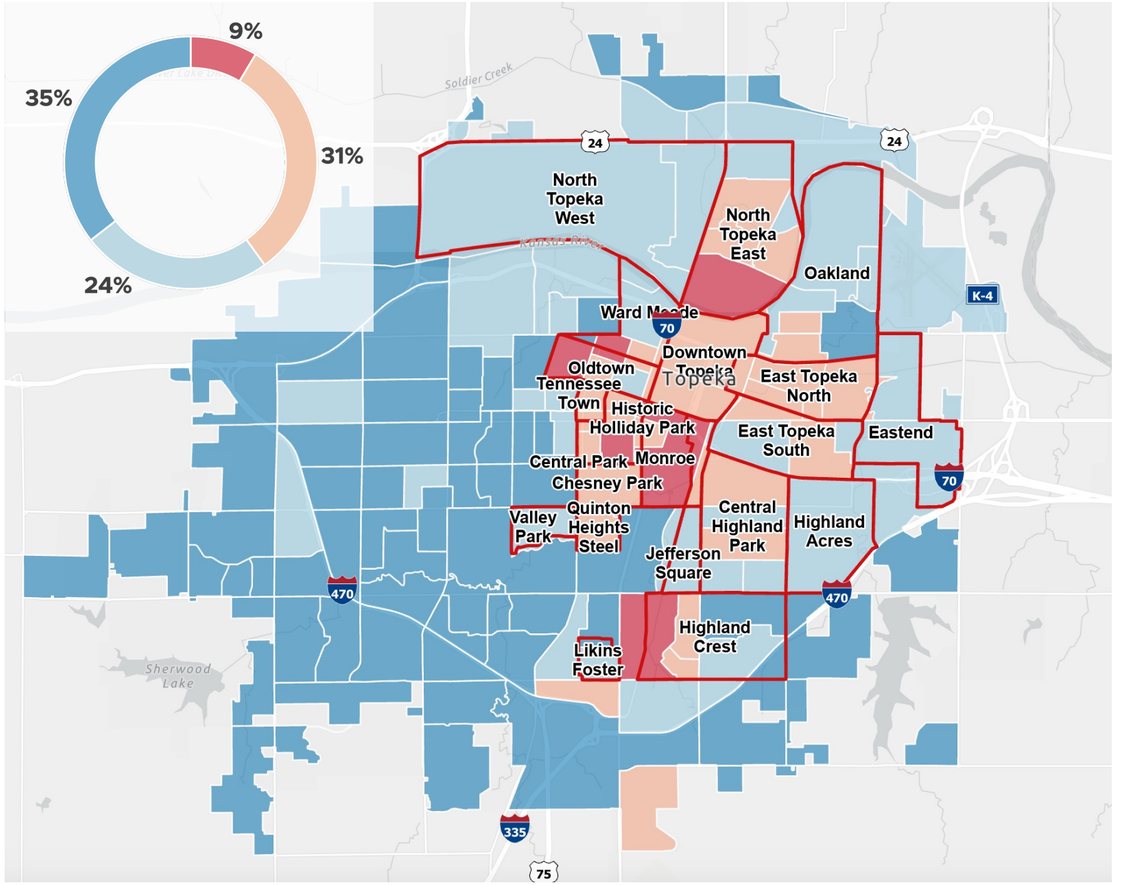
Much of the **city's remaining residential development capacity is to come from infill housing** that can fit within existing neighborhoods rather than large-scale greenfield projects.

VACANT PARCELS
BY NEIGHBORHOOD HEALTH INDEX

VACANT PARCELS							
	1,000 SF TO 3,000 SF	3,000 SF TO 7,000 SF	7,000 SF TO 15,000 SF	15,000 SF TO 1 ACRE	1 ACRE TO 5 ACRE	MORE THAN 5 ACRE	TOTAL
	141	739	1,169	526	154	34	**2,763**
	5%	**27%**	**42%**	19%	6%	1%	
INTENSIVE CARE	6%	**56%**	**31%**	6%	0%	0%	**236**
AT RISK	6%	**41%**	**37%**	14%	3%	0%	**868**
OUT PATIENT	4%	**28%**	**36%**	21%	9%	2%	**673**
HEALTHY	4%	7%	**54%**	25%	7%	2%	**979**

"Healthy" neighborhoods contain a larger share of **medium-sized development sites**,

while **"At Risk" and "Intensive Care" areas** are dominated by **smaller parcels** that may require more incremental redevelopment strategies.



KEY CONSIDERATIONS

Vacant parcels are a meaningful housing opportunity

The analysis identified **2,765 vacant parcels** that are suitable for residential development after removing non-residential uses, floodplain-constrained sites, and parcels with existing structures.

Most opportunities are infill-scale

Seven out of ten parcels fall between 3,000 and 15,000 square feet, indicating that future housing growth is likely to occur through infill development, neighborhood-scale projects, and incremental additions to existing neighborhoods.

Large-scale development opportunities are limited

Only **7% of developable vacant parcels exceed one acre**, suggesting that large multifamily or master-planned developments will be concentrated in a relatively small number of locations.

Neighborhood context should shape redevelopment strategy

Parcel sizes and development opportunities vary across Neighborhood Health Index categories. Stronger market areas can support market-driven infill, while weaker market areas will benefit from assemblage efforts, incentives, land banking, etc.

HOW THE CITY CAN USE THIS ANALYSIS

- Match housing types to available vacant parcel sizes
- Identify where zoning aligns—or does not align—with the parcel sizes that make up the remaining land inventory.
- Target land assembly efforts
- Prioritize areas for housing investment
- Focus incentives in areas where market conditions limit private investment
- Understand overall housing development capacity and future growth opportunities.

City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
November 10, 2026

DATE:	**November 10, 2026**		
CONTACT PERSON:	**Dan Warner, AICP, Planning and Development Director**	**DOCUMENT #:**	
SECOND PARTY/SUBJECT:	**Duplexes, Triplexes, and Quadplexes in 'R' Residential Districts Code Amendment**	**PROJECT #:**	**(ACZR25/02)**
CIP PROJECT:	**No**		
ACTION OF COUNCIL:		**JOURNAL #:**	
		PAGE #:	

DOCUMENT DESCRIPTION:

DISCUSSION with POSSIBLE ACTION of an ORDINANCE introduced by Interim City Manager Michael Webb, concerning duplexes, triplexes and quadplexes, amending sections 18.60.010 and 18.215.030 of the Topeka Municipal Code and repealing original sections. *(ACZR25/02)*

Voting Requirement: Action requires at least six (6) votes of the Governing Body.

(Approval will change the zoning code so that duplexes, triplexes, and quadplexes may be allowed by conditional use permit in "R" Single Family Dwelling zoning districts subject to new conditional use permit guidelines.)

VOTING REQUIREMENTS:

Discussion with possible action. Action requires at least six (6) votes of the Governing Body.

POLICY ISSUE:

Whether to amend the Zoning Code so that duplexes, triplexes, and quadplexes my be approved by conditional use permit in R-1 and R-2 residential zoning districts, subject to new conditional use permit guidelines specific to duplexes, triplexes, and quadplexes, as recommended by the Planning Commission.

STAFF RECOMMENDATION:

Discussion with possible Action. Staff recommends the Governing Body move to adopt the ordinance.

BACKGROUND:

The proposed ordinance will amend Topeka's zoning code so that duplexes, triplexes and quadplexes be allowed by Conditional Use Permit (CUP) within single family residential districts (R-1 and R-2 districts) subject

to new CUP guidelines. More specifically, the proposed amendment is to the Land Use Tables in section 18.60.010 to designate these uses as a "C" in R-1 and R-2 districts, and to add these new guidelines to section 18.215.030 (Guidelines for Evaluation):

- *Two-family dwellings (duplexes) and three/four family dwellings in R-1, R-2, and R-3 zoning districts should not be highly concentrated within residential subdivisions or within the same block in a subdivision or neighborhood.*
- *Development shall comply with design guidelines of the neighborhood plan where applicable.*
- *The paving of front yards to accommodate required parking or access to required parking should be minimized or mitigated.*

Under current zoning regulations, duplexes, triplexes, and quadplexes are prohibited in R-1 and R-2 districts and, therefore, an owner of property zoned R-1 or R-2 must obtain rezoning of the property before being permitted to build either a duplex, triplex, or quadplex.

After a robust stakeholder engagement process, including meetings with neighborhoods, a survey, and several Planning Commission meetings, on November 17, 2025 the Planning Commission voted 6-1 to recommend that the zoning code be amended to allow duplexes, triplexes and quadplexes by conditional use permit in R-1 and R-2 zoning districts, with the adoption of the above CUP guidelines.

Conditional Use Permit Process Compared to Rezoning Process

The process for a conditional use permit is similar to the rezoning process. Like a rezoning, a conditional use permit requires notice to neighboring property owners, a neighborhood information meeting, a public hearing by the Planning Commission, and a final decision by the Governing Body. Unlike rezoning, a conditional use permit does not change the zoning map, and a conditional use permit requires approval to be based on an approved development plan. With some minor exceptions, rezoning is not tied to a specific development plan and allows any use allowed under the new zoning.

Reasons for the Amendments

Duplexes, triplexes, and quadplexes are a form of housing referred to in Topeka's Citywide Housing Study and Strategy (referred to hereafter as the Citywide Housing Study) as "missing middle" housing. Missing middle housing is a medium density typology that can be difficult to develop because of regulatory barriers and economics. (Citywide Housing Market Study and Strategy). Allowing duplexes and other missing middle housing by conditional use permit in single family residential districts:

- Helps to address a housing need.
- Is an incremental approach with relatively low impact.
- Provides a way to develop housing on infill lots where City infrastructure already exists.
- Providing an owner/occupant an additional revenue source to maintain an existing residence.
- At the time of its adoption, the Citywide Housing Study projected a need for 4,000 additional units of affordable housing and 3,650 units of workforce housing over the next 20 years. Housing construction of all types have not kept pace with this level of need. Two of the six strategies of the Housing Study are to 1) promote development of a diverse mix of housing types, and 2) expand production of affordable housing.
- Over 87% of the residentially zoned land in Topeka is R-1 and R-2, which currently prohibits duplexes, triplexes, and quadplexes, leaving less than 13% of the residentially zoned land that can be developed for missing middle housing.

Process and Stakeholder Engagement

The Planning Commission's Special Committee on Housing began discussing proposed amendments in late 2024. Beginning in January 2025, the Special Committee and staff presented the general proposal to the Citizens Advisory Council and four individual neighborhoods (Hi-Crest, Historic North Topeka East, College Hill, Elmhurst). The Special Committee also met with housing developers for their input. Responses received at the meetings with the Citizens Advisory Council and two of the three neighborhoods were generally positive.

Staff conducted a survey of neighborhood residents and other stakeholders in February 2025 and presented the findings of the survey to the Planning Commission at the March 2025 meeting. 405 responses were received from 15 zip codes, with most of the responses from zip codes 66604 and 66606 in Central Topeka. 61 percent of respondents said duplexes should be either allowed by right or by conditional use permit in single family residential districts. 53 percent of respondents said triplexes and quadplexes should be allowed by right or by conditional use permit in single family residential districts.

Additional meetings initiated by neighborhoods were held throughout the summer of 2025 to discuss the proposed text amendments. The proposed text amendment were on the Planning Commission agenda for discussion at the June and August 2025 meetings, and at this time the Special Committee, in response to public feedback, revised their recommendation from allowing duplexes by right to allowing by conditional use permit. Public comment was allowed at both meetings and most of it was in opposition. Most of those individuals that spoke or provided written comments reside in either the College Hill, Potwin, Westboro, or Elmhurst neighborhoods. The Planning Commission conducted a public hearing on September 15, 2025, discussed the matter again at the October 2025 meeting, and voted to recommend the amendments at its November 17, 2025, meeting.

The Governing Body's Policy and Finance Committee has discussed the proposed amendments at several meetings. The public spoke at some of these meetings.

Issues and Concerns

The predominant issues raised and claims by opponents of the proposed text amendments include:

- *The text amendment will not result in a substantial, meaningful increase in housing.*
- *Historic and conservation districts should be excluded from the changes.*
- *Conversions of existing single family homes to duplexes, triplexes, or quadplexes should be excluded from the amendments.*
- *The change in the regulations in single family residential districts should not apply citywide but be limited to only some neighborhoods.*
- *Any changes to the zoning code should include measures to prevent the concentration of duplexes.*

The above issues are addressed in detail in the attached memorandum to the Planning Commission for the October 20, 2025. Those entire three pages will not be repeated here. However, it is important to summarize staff's response to the request that historic and conservation districts be excluded, that the amended regulations apply to some but not all neighborhoods.

Excluding historic districts and conservation districts would result in inconsistent application of the use standards for single-family residential districts within Topeka. The City of Topeka doesn't directly regulate State and National Historic Districts. Historic districts are approved by the Kansas Historic Sites Board of Review and the National Park Service. These historic districts are established to regulate physical changes to properties, not to regulate land use. Conversion of a home to a duplex in one of the historic districts is likely to include some physical changes to the exterior of the home, and these physical changes will be subject to Certified Local Government Review.

The historic districts in Topeka are Potwin, Historic Holliday Park, Country Club Addition and College Hill. Some of the people concerned about duplexes in the Potwin and College Hill neighborhoods are likely to not actually live in these historic districts but live in the neighborhoods surrounding the historic districts (i.e. Auburndale, Kenwood, or College Hill). In College Hill, the historic district is limited to 4 to 5 blocks along College Avenue, comprising less than one sixth of the College Hill Neighborhood, thus restricting duplexes in historic districts by itself is not going to exclude duplexes from those neighborhoods.

Neighborhood Conservation Districts (NCDs) are part of the City's zoning code and those regulations were created to "promote compatible new construction, alterations, and demolitions within the district's built environment in order to strengthen and build upon those desirable physical features already existing". Similar to historic districts, NCDs regulate changes to physical character. There are two NCDs: Westboro and Elmhurst.

It is important to note that there are more than 20 land use types allowed by Conditional Use Permit within

single-family zoning districts and none of those are excluded from certain neighborhoods. (These uses are listed on page 6 of the October 20, 2025 memorandum to the Planning Commission) Having different land use regulations for individual neighborhoods within the same zoning district is not equitable and risks being arbitrary and without a rational basis. Deciding which neighborhoods should be selected for the proposed code change is overly complicated, as it may require the creation of new overlay districts, and would very likely result in inequitable treatment of neighborhoods.

BUDGETARY IMPACT:

No budgetary impact to the City.

SOURCE OF FUNDING:

Not Applicable.

ATTACHMENTS:

Proposed Ordinance - CUP for Duplex Triplex Quadplex (ACZR25-02)
ACZR25-02 Duplex, Triplexes and Quadplexes in R districts -November 2025 PC Minutes
#1_Duplexes Tris Quads in R Districts PC MEMO_Nov 17 2025
#2_Strategic Framework Mauk Doc #1 Nov 4 2025
#3_Clarification Mauk Doc#2 Nov 4 2025
#4_ACZR25-02 Planning Commission Minutes of Oct 20 2025
#5_ Duplexes Tris Quads in R Districts PC Memo_Oct 20 2025
1 Housing Committee memo 10-8-25
2_RESOURCE MAT_Gen Z is renting, not buyin - Here's what it means for the country's future
3_RESOURCE MAT_Multifamily Housing Impact Literature Review
4_RESOURCE MAT_Gentle Density Increases Nearby Property Values, Evidence Shows, Contrary to Popular Belief
5_RESOURCE MAT_Kansas Speaks Fall 2024 Statewide Public Opinion Survey
6_RESOURCE MAT_ Local policies that support missing middle housing and accessory dwelling units
7_RESOURCE MAT_Accessory Dwelling Units and Beyond
8_RESOURCE MAT_Housing Policy Debate.pdf
9_Use Tables - Duplex, tris, quads Oct 2025
10_Two-Three-four unit in R districts CUP guidelines August 2025
11_Duplexes Tris 4s in R districts DRAFT SPECIAL STANDARDS Sept 15 2025
12_Duplex MF in R Dist. survey results ppt slides
15_comments by Hudson Luce
16_comments by Jerry Palmer
18_ACZR25-02 Duplexes, etc Sept 15 2025 PC Minutes
ACZR25-02 Topeka Municipal Code Change discussion August 18 2025 CASE MINUTES (duplex,tri, and quad)

(Published in the Topeka Metro News _____)

ORDINANCE NO. _____

AN ORDINANCE introduced by Interim City Manager Michael Webb, concerning duplexes, triplexes and quadplexes, amending § 18.60.010 and § 18.215.030 of the Topeka Municipal Code and repealing original sections.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section 18.60.010, Use Tables [Residential], of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Use Tables.

The use matrix tables establish the land uses for the zoning districts identified in the tables below.

		Approval Levels																											
		● = Allowed Use																											
		S = Allowed per Special Use Requirements under Chapter 18.225 TMC																											
		S/C = If unable to meet Special Use Requirements, may apply for CUP																											
		C = Conditional Use Permit (CUP) approved by Governing Body																											
# = See Definition in Chapter 18.55 TMC		**See Design Standards for X and D Districts**																											
Use	**Description**	**R-1/R-2/R-3 Single-Family Dwelling**	**R-4 Manufactured Homes**	**M-1 Two-Family Dwelling**	**M-1a Limited Multiple-Family Dwelling**	**M-2 Multiple-Family Dwelling**	**M-3 Multiple-Family Dwelling**	**O&I-1 Office and Institutional**	**O&I-2 Office and Institutional**	**O&I-3 Office and Institutional**	**C-1 Commercial**	**C-2 Commercial**	**C-3 Commercial**	**C-4 Commercial**	**I-1 Light Industrial**	**I-2 Heavy Industrial**	**U-1 University**	**MS-1 Medical Service**	**X-1 Mixed Use**	**X-2 Mixed Use**	**X-3 Mixed Use**	**D-1 Downtown Mixed Use**	**D-2 Downtown Mixed Use**	**D-3 Downtown Mixed Use**	**RR-1 Residential Reserve**	**OS-1 Open Space**
Residential		Districts																											
Assisted Living Facility #	has individual living units where at least 6 persons receive personal/nursing care. Refer to Chapter 18.225 TMC. Dwelling units on main floor	C	C	C	C	●	●	●	●	●	-	-	-	-	-	-	-	●	C	C	C	S	C	-	C	-
Boarding House #	dwelling where lodging, with or without food, for 6 to 20 persons is provided	-	-	-	-	C	●	-	-	-	-	-	-	-	-	-	-	●	C	C	C	●	C	-	-	-
Caretaker's Residence		-	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	-	-	-	-	-	-	-	-	-	-

Community Living Facility, Type I #	dwelling operation for short-term residential care for improving living skills	-	-	-	-	-	C	-	●	●	-	●	●	●	-	-	-	●	-	-	-	●	-	-	-	-
Community Living Facility, Type II #	dwelling operation for residential care providing an intermediate and primary treatment setting	-	-	-	-	-	-	-	C	●	-	●	●	●	-	-	-	C	-	-	-	●	-	-	-	-
Correctional Placement Residence or Facility, General #	residential/rehabilitation facility occupied by more than 15 individuals	-	-	-	-	-	C	-	C	C	-	-	C	C	C	C	-	C	-	-	-	-	-	-	-	-
Correctional Placement Residence or Facility, Limited #	residential/rehabilitation facility occupied by 3 to 15 individuals	-	-	-	-	C	C	C	C	C	-	-	-	-	-	-	-	C	-	C	-	-	-	-	-	-
Crisis Center, Type I #	may include meals and merchandise to residents	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	●	-	C	-	C	C	-	-	-
Crisis Center, Type II #	facility used for immediate human social service functions including meals, merchandise or shelter	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	-	-	-
Dwelling, Detached Single-Family #		●	-	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	●	-	●	●
Dwelling, Attached Single-Family #		-	-	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	●	-	-	-
Dwelling, Two-Family # (Duplex)		C	-	●	●	●	●	-	-	-	-	-	C	C	-	-	-	●	●	●	●	-	●	-	-	-
Dwelling, Three-/Four-Family	includes 3 to 4 unit row or town houses #	C	-	-	●	●	●	-	-	-	-	-	●	●	-	-	-	●	●	●	●	-	●	-	-	-
Dwelling, Multiple-Family #	structure with at least 5 units	-	-	-	-	●	●	-	-	-	-	-	●	●	-	-	-	●	C	C	●	S	●	●	-	-
Dwelling, Accessory #	secondary to primary dwelling, not exceeding 600 sq. ft.	-	-	●	●	●	●	-	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	-	-	-
Dwelling Units Above Ground Floor or Basement	other than medical care and community living facility	-	-	-	-	-	-	●	●	●	●	●	●	●	-	-	-	●	●	●	●	●	●	●	-	-
Dwelling Units on Main Floor	subordinate to principal nonresidential uses. Refer to Chapter 18.225 TMC	-	-	-	-	-	-	S	S	S	S	S	●	●	-	-	-	S	●	S	S	S	●	●	-	-
Group Home #	licensed dwelling for up to 8 with disability and 1 or 2 staff	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	●	C	C	●	●	●	●	-
Group Residence, General #	dwelling occupied by 9 to 15 persons and at least 8 with a disability	-	-	-	-	C	C	-	C	-	-	-	-	-	-	-	-	●	-	-	-	-	-	-	C	-
Group Residence, Limited #	dwelling occupied by up to 10 persons, up to 8 with a disability, and up to 2 staff residents	C	C	C	C	●	●	C	C	-	-	-	-	-	-	-	-	●	C	-	-	-	-	-	C	-
Home Care, Type I #	nonsecure dwelling with residential/nursing care for up to 8 care receivers	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	●	C	C	●	C	-	●	-
Home Care, Type II #	nonsecure dwelling with residential/nursing care for up to 12 care receivers	C	C	C	C	●	●	-	-	-	-	-	-	-	-	-	-	●	C	C	C	●	C	-	C	-
Management/Leasing Facilities	for managing an on-site multifamily community. Refer to Chapter 18.225 TMC	-	-	S/C	S/C	S/C	S/C	-	-	-	-	-	-	-	-	-	-	S/C	●	●	●	S/C	S/C	S/C	-	-

Medical Care Facility, Type I #	dwelling for the personal nursing care and treatment for up to 2 persons	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	-	-	-	-	-	-	●	-
Medical Care Facility, Type II #	dwelling for the personal nursing care and treatment for more than 3 persons	-	-	-	-	C	C	C	●	●	-	●	●	●	●	●	-	●	-	-	-	●	-	-	-	-
Mobile Home #, Manufactured Home #	residential structure manufactured off site excluding Residential- Design Manufactured Home	-	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Residential-Design Manufactured Home #	at least 22 feet wide on a permanent foundation, pitched roof, and siding/ roofing materials similar to site built homes except in R-4	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	-	-	●	-
Residential Care Facility, Type I #	nonsecure dwelling in which residential care is provided for children and/or adults on a	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	●	C	C	●	C	-	●	-

Section 2. That section 18.215.030, Guidelines for evaluation, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Guidelines for evaluation.

The following guidelines shall apply when evaluating a conditional use permit application:

~~**Guidelines**~~

(a) Land use compatibility

(1) Development density	Site area per unit, or intensity of use, should be similar to surrounding uses if not separated by major physical improvements or natural features.
(2) Height and floor area	Development should minimize difference in height and building size from surrounding structures. Substantial differences shall be justified by urban design considerations.
(3) Setbacks	Development should respect preexisting setback lines in surrounding area. Variations shall be justified by significant site features or operating characteristics.
(4) Building coverage	Building coverage should be similar to that displayed in surrounding areas. Higher coverage should be mitigated by landscaping, buffering or

other site amenities.

(5) Duplexes, Two-Family Dwellings, Three/Four Family Dwellings

Two-family dwellings (duplexes) and three/four family dwellings in R-1, R-2, and R-3 zoning districts should not be highly concentrated within residential subdivisions or within the same block in a subdivision or neighborhood.

Development shall comply with design guidelines of the neighborhood plan where applicable.

The paving of front yards to accommodate required parking or access to required parking should be minimized or mitigated.

(b) Site development

(1) Parking and internal circulation

Parking and circulation should serve all structures with minimal vehicular and pedestrian conflicts.

(2) Stormwater management

Development design shall comply with all required stormwater runoff best management practices, as approved by the Public Works Director or designee.

(3) Building design

(i) Architectural design and building materials should be compatible with surrounding properties if located adjacent to residential districts or in highly visible locations.

(ii) The adaptive reuse and restoration of historically significant structures shall be considered. “Historically significant structures” means structures listed on the National Register of Historic Places, the State Register of Historic Places, or structures having obtained local landmark status.

(c) Operating characteristics

(1) Traffic capacity

Projects should not materially reduce the existing level of service on adjacent streets. Projects will be required to make street improvements and/or dedicate right-of-way to mitigate negative effects.

(2) External traffic

Project design should minimize nonresidential traffic through residential neighborhoods.

(3)	External effects	Projects with operating hours, noises or visual distractions that impact surrounding properties may be required to mitigate these impacts.
(4)	Outside storage	If permitted, outside storage areas should be screened from adjacent streets and less intensive zoning districts and uses.
(d)	Comprehensive plan	Projects should be consistent with the Topeka Comprehensive Plan and all its elements.
(e)	Additional regulations	Conditional uses shall be required to conform to any other applicable regulations specifically listed for a use as set forth in Chapter 18.225 TMC or elsewhere in the code.

Section 3. That original § 18.60.010 and § 18.215.030 of The Code of the City of Topeka, Kansas, are hereby specifically repealed.

Section 4. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 5. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 6. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body on _____.

CITY OF TOPEKA, KANSAS

_____
Spencer L. Duncan, Mayor

ATTEST:

_____
Brenda Younger, City Clerk

CITY OF TOPEKA

TOPEKA PLANNING COMMISSION

Monday, November 17, 2025

CASE MINUTES

Members present:	Willie Brooks, Jennifer Hannon, Del-Metrius Herron, Jeff Lolley, Joseph Mauk William Naeger, Katy Nelson and Donna Rae Pearson (8)
Members Absent:	NA
Staff Present:	Dan Warner, Planning Director; Mike Hall, Land – Use Planning Manager; Ann- Marie Driver, Planner; William J Sharp, Planner; Amanda Tituana-Feijoo, Administrative Officer; Mathew Mullen, Legal Dept

Members present:	Willie Brooks, Jennifer Hannon, Del-Metrius Herron, Jeff Lolley, Joseph Mauk William Naeger, and Donna Rae Pearson (7)
Members Absent:	Katy Nelson
Staff Present:	Dan Warner, Planning Director; Mike Hall, Land – Use Planning Manager; Ann- Marie Driver, Planner; William J Sharp, Planner; Amanda Tituana-Feijoo, Administrative Officer; Mathew Mullen, Legal Dept

Roll Call – Commissioner Naeger called the meeting to order with 7 members present for a quorum.

Approval of Minutes of October 20, 2025
Motion by Commissioner Hannon; **second** by Commissioner Brooks APPROVED 7-0.

Declaration of Conflict of interest/ex parte –
Commissioner Mauk stated he has been corresponding with staff on the text amendment. (ACZR25/02)

Action Item:
ACZR25/02 Duplexes, Triplexes, Quadplexes in "R" Districts

Staff: Mike Hall presented slides on the topic. Under current regulations for "R1 and R2" zoning, duplexes, triplexes, and quadplexes are prohibited. The previous recommendation by the Standing Committee on Housing (Committee) was to allow duplexes by building permit (subject to special standards) and triplexes and quadlexes by conditional use permit (CUP). The Committee's revised recommendation is to allow duplexes, triplexes, and quadplexes by a conditional use permit by amending the use standards of Section 18.60.010 (Use Tables). Planning staff is recommending that duplexes and triplexes be allowed by conditional use permit, excluding quadplexes, and to include the addition of conditional use permit guidelines specific to duplexes and triplexes. It was noted that the public hearing was held and closed at the September meeting.

As Mr. Hall explained, the proposed CUP guidelines are in part intended to address concerns raised about the potential for concentration of duplexes and triplexes in single family residential districts. The recommended guidelines state that two-family dwellings and three-family dwellings in "R-1 and R-2" zoning districts should not be highly concentrated within residential subdivisions or within the same block in a subdivision or neighborhood. Additionally,

the guidelines state that development shall comply with the design guidelines of the neighborhood plan where applicable, and the paving of front yards to accommodate required parking or access to required parking should be minimized or mitigated. During Mr. Hall's presentation, he went over concerns expressed previously by Commissioner Mauk.

Questions for staff:

Commissioner Lolley asked if the conditional use permit process will come back to the Planning Commission. Mr. Hall stated yes as the process is almost identical to the rezoning process.

Discussion by Commissioners:

Commissioner Pearson asked if members of the *Standing Committee on Housing* had a chance to review the option being proposed. Commissioner Herron stated that since it was last presented, no, but the committee was presented with same rubric when discussing their selection. Commissioner Herron also stated there was no continuing communication after that.

Commissioner Mauk asked about the role of the Land Banks program. Mr. Warner thought that a presentation on the Land banks program would be helpful so that everyone could understand the purpose. The governing body authorized the program and charged that specific board with overseeing it. The Planning and Development Director is one of the voting members.

Commissioner Mauk referenced the study mentioned by staff about the effect of multi-family residential development on stable neighborhoods and said he thought that the study was based on a community surrounded by commercial and industrial properties and different than being in the middle of a neighborhood+. Mr. Hall stated some literature was submitted by the housing committee and included in the packet, but he was not under the impression that the surrounding area was industrial. Commissioner Naeger stated there were four different studies provided: Study 1 was about a suburban environment with townhomes and mixed use and single family zoning within a mile seemed to increase the property value, Study 2 talked about multifamily developments and how there was no notice of property value decrease within 300 feet, Study 3 talked about single family houses within mixed use areas, and how property values for those homes increased, and Study 4 entertained the idea of more dense development but there was no correlation or causation between the value of single family homes and the new apartment development.

Commissioner Brooks applauded the conversations being held and declared that something needs to be done to help with housing in Topeka. Commissioner Brooks also stated that his goal is to try and think through any unintended consequences, and adding design/density standards adds more protection from potential unintended consequences or other things that have yet to be thought of.

Motion by Commissioner Brooks to **approve option "B7" with CUP guidelines to address issues of concentration and design parking as it relates to duplexes, triplexes, and quadplexes in "R1 and R2" zoned areas.**

Mr. Warner asked Commissioner Brooks to clarify his motion. Commissioner Brooks clarified that that his motion includes duplexes, triplexes, and quadplexes.

Commissioner Pearson stated that she did not have a problem with the "B-7" option.

Commissioner Herron asked if the Planning staff would provide the recommendations regarding an applicant's design guidelines. Mr. Hall stated that after the initial contact there would be a pre-application meeting which involves other departments from the city to address any issues for that project. For the application, the fee would have to be paid first along with a neighborhood information meeting for the surrounding neighbors. Although Commissioner Herron is ok with the option, she expressed concerns for local developers that there will be requirements on top of requirements.

Commissioner Naeger stated he was in favor of the option, and in some ways the Planning Commission is accountable to the City Council and they approved the Land Use and Growth and Management Plan and that stated the need for more housing.

Second by Commissioner Lolley, **Approved 6-1**

Commissioner Naeger asked if the text amendment would be going to both the Governing Body and the Policy and Finance Committee. Mr. Warner stated that an update will be given to the Policy and Finance Committee, and then after that it will go to the Governing Body.

CITY OF TOPEKA
Planning Division
620 SE Madison, Unit 11
Topeka, KS 66607
Dan Warner, AICP, Division Director
Tel: 785-368-3728
www.topeka.org

MEMORANDUM

To: **Topeka Planning Commission**

From: **Michael Hall, AICP, Land Use Planning Manager**

Date: **November 17, 2025 (Planning Commission Meeting)**

RE: **ACZR25/02 - Duplexes, Triplexes, and Quadplexes in "R" Residential Districts**

The Planning Commission closed the public hearing for this item on September 15, 2025. The Planning Commission discussed this item October 20, 2025 and voted to defer further discussion or action to the November 17th meeting. The Commission's decision to table it was in part to allow time to consider the statement Commissioner Mauk recited at the meeting.

The memorandum for the October 20th meeting is attached and includes the recommendation from the Standing Committee on Housing and the recommendation of staff.

Commissioner Mauk's Statement

Commissioner Mauk's statement (attached) includes several points and recommendations and are mostly in opposition to the recommendations of the Committee and staff. Staff is responding below to some but not all the Commissioner's comments. The Commissioner's recommendations are in italics.

Amend the zoning code to allow for "missing middle" housing only within designated "opportunity and transitional' neighborhoods.

This statement repeats the comments made by many of the individuals who have commented at past meetings. Limiting the code change to only some neighborhoods is proposed as a way of keeping rental units out of some neighborhoods. Staff responded to these comments at past meetings and on page 4 of the October 20 memorandum. As has been said, selecting neighborhoods for the code change is unnecessary partly because the conditional use permit process accounts for neighborhood context. Topeka has two single family residential zoning classifications, R-1 and R-2, and those districts exist citywide. Therefore, limiting the code change to only some neighborhoods is unnecessarily complicated because it requires the City to both select neighborhoods for the code change and to create overlay districts for a very narrow purpose (to regulate duplexes, triplexes, and quadplexes differently in some neighborhoods than others). Treating neighborhoods differently is difficult to justify on an objectively rational basis. Limiting the code change to allow duplexes, etc. in "opportunity and transitional" neighborhoods is reminiscent of redlining, which was made illegal by the Fair Housing Act of 1968.

Much of Commissioner Mauk's recommendation appears to focus on neighborhood revitalization as a goal. The Committee's objective of easing restrictions on missing middle housing is to increase the supply of housing that meets the needs of residents. Neighborhood revitalization is a welcome by-product of the proposed code change but it is not the primary objective. The City utilizes other measures to revitalize neighborhoods, including but not limited to the Neighborhood Revitalization Program.

A citywide change to the zoning code to allow "missing middle" housing threatens property values in stable neighborhoods. Forcing this development model into established higher-income areas is a solution in search of a problem and ignores the feedback received in neighborhood meetings.

Staff knows of no evidence to support the contention that missing middle housing will negatively affect property values in existing neighborhoods. Some research has shown that the introduction of multiple-family rental housing development has no negative effect on the values of surrounding residential properties as indicated by the articles attached to the Committee's memorandum in this agenda packet. The shortage of missing middle housing, affordable housing, and workforce housing is well documented in the Citywide Housing Study and Strategy and is a nationally recognized problem.

The Standing Committee on Housing's initial recommendation was to allow duplexes by right subject to special standards. The current recommendation to allow duplexes in R-1 and R-2 districts by conditional use permit came about in response to the feedback received in neighborhood meetings.

The most effective way to achieve a "trickle-down" housing effect, to free up the existing stock of affordable housing, is to ease restrictions on residential development outside of the city limits and within the three-mile extraterritorial jurisdiction.

Easing restrictions on residential development in the extraterritorial jurisdiction is not likely to have much of a trickle-down effect and it conflicts with the City's Land Use & Growth Management Plan 2040. There are multiple, sound reasons behind the policy limiting residential development in the extraterritorial jurisdiction.

The trickle-down effect, also called "filtering", is the theory that when new, higher-end housing is built, wealthier households move into it, leaving behind older, less-expensive housing for middle and lower-income residents. It is a reasonable assumption but its actual effect in Topeka has not been examined. It should also be noted that there is no shortage of vacant lots in subdivisions or land in the Urban Growth Area at the City's edge that can be developed as residential subdivisions. It is well understood that no incentives are needed to stimulate the construction of expensive housing.

A strategic land bank is a powerful tool. The land bank should be empowered to acquire tax delinquent and abandoned properties in targeted zones and convey them for little or no cost to vetted developers and non-profits, like SENT.

The City of Topeka's Land Bank was established in 2024. As stated in its Policy and Procedure Guidelines, its purpose is to "acquire, manage, and transform vacant, abandoned, blighted and/or foreclosed properties into productive use benefitting the community." The Land Bank is an important tool to accomplish this purpose. However, the Planning Commission does not have a role in directing or engaging with the Land Bank. Staff can provide more information to the Planning Commission about the Land Bank at a future meeting if requested.

Attachments

- Commissioner Mauk's October 20th Statement
- Commissioner Mauk's Clarification (additional statement following October 20 meeting)
- Planning Commission Minutes, October 20, 2025 Meeting
- Staff Memorandum to Planning Commission; October 20, 2025
- Standing Committee for Housing, October 8, 2025 Memorandum
- Standing Committee for Housing Resource Materials
- Draft text amendment, 18.60.010 Use Tables
- Draft text amendment, 18.215.120 CUP Guidelines
- Draft text amendment, 18.225.010 Special Standards
- Duplex/Triplex/Fourplex Survey Results
- Written Public Comments
- Planning Commission Minutes, September 15, 2025 Meeting

First, I want to commend the effort that went into the 2020 Citywide Housing Market Study. It successfully identifies several critical issues facing our city, including the need for revitalization in our core neighborhoods. However, I believe it is our duty to critically analyze not just the study's findings, but its underlying methodology before we consider adopting its recommendations—particularly the implicit call for a blanket, citywide change to our single-family residential zoning.

The study's conclusions are heavily influenced by its initial assumptions. The choice to compare Topeka with aspirational, higher-growth cities like Lawrence, or those with more diversified housing markets like Cedar Rapids, Iowa, inevitably frames Topeka as 'lagging.' A more sobering, and I believe more accurate, comparison would have been to cities grappling with similar post-industrial challenges—cities like Rockford, Illinois; Flint, Michigan; and Youngstown, Ohio. Their strategy isn't densification. Their strategy is one of managed decline and strategic right-sizing.

Unlike the current proposal that would allow new construction to spread throughout the entire city, their focus is on a targeted strategy of aggressive land bank programs and demolition to stabilize blight.

This comparison reframes our problem and clarifies what our priority should be: First, to strategically manage the existing blight in our Opportunity and Transitional Neighborhoods—because that blight actively undermines any new investment in those very areas. This brings me to a critical point about the proposed changes, especially the division of existing single-family homes into multiple rentals. The issue is often not with responsible residents who rent, but with the out-of-state corporate landlords who neglect property maintenance. The proposed changes would disproportionately expose our most stable, high-value neighborhoods to this very predatory investment. Forcing developments like that into established, higher-income areas is a solution in search of a problem, and it ignores the clear feedback we have received.

Therefore, I propose we direct staff to develop a Formal Hybrid Model for housing growth with two distinct prongs:

First: Intensive Revitalization in Targeted Zones. This means we amend the zoning code to allow for a full range of 'missing middle' housing types only within the designated Opportunity and Transitional Neighborhoods. In fact, we don't have to look far for a blueprint of success for this strategy. The work being done by SENT in the Hi-Crest

neighborhood is a perfect example. It's a community-driven initiative that strengthens, rather than disrupts, a community. Our role should be to empower and replicate this model. To do this, our land bank must be empowered to acquire tax-delinquent and abandoned properties. The city would then completely clear these lots of obstructions and convey them for little or no cost to vetted developers and non-profits, who commit to building quality, owner-occupied, and responsible housing that aligns with a pre-approved neighborhood plan. As seen in Pittsburg, Kansas, their land bank successfully returns properties to productive use by pricing them at a fraction of appraisal value to incentivize rehabilitation. This is the kind of targeted action that produces real results.

Second: Gentle, city-wide reforms. This means we amend the code to allow for Accessory Dwelling Units, city-wide, but subject to strict design and occupancy standards to ensure they are additions, not divisions.

This approach is complemented by a third strategy, which builds on a point Mr. Kaulp made once before, when he referred to the 'trickle-down' housing effect. His comment strengthened my conviction that the most effective way to achieve this is by easing development restrictions within our three-mile jurisdiction. This provides an outlet for our move-up buyers to build desirable new homes, and for many of our residents who have worked their entire lives, to finally build that dream retirement home on the land they've always wanted. This strategy is a far more effective and less disruptive way to increase the supply of available single-family homes than artificially densifying our core.

Finally, I know this targeted approach may still be criticized for the 'not in my backyard' mentality. But the simple reality is that different neighborhoods have different needs, different market conditions, and different levels of stability. A one-size-fits-all policy is a profound disservice to them all. This strategic framework is based on a pragmatic assessment of our city. I believe it offers a true win-win path forward—one that protects our established neighborhoods while encouraging targeted growth. Thank you.

Appendix: Sources & Citations for Comparative Analysis

Flint, Michigan

Land Bank Strategy: Genesee County Land Bank Authority. "Blight Elimination Programs."

Land Bank Analysis: Center for Community Progress. "Flint and the Genesee County Land Bank: A Case Study of the Nation’s Most Advanced Land Bank."

Youngstown, Ohio

Right-Sizing Plan: City of Youngstown. "Youngstown 2010 Citywide Plan." (Summary and related documents).

Plan Analysis: Brookings Institution. "Restoring Prosperity: The Greater Ohio Bipartisan Urban Agenda and the Youngstown 2010 Plan."

Land Bank: Mahoning County Land Bank.

Rockford, Illinois

Housing Strategy: City of Rockford. "2025 Housing Strategy Framework."

Pittsburg, Kansas

Land Bank Pricing Policy: City of Pittsburg, Kansas. "Land Bank Policy and Procedures."

Chairman and Fellow Commissioners,

Thank you for your patience. Following our last discussion on this subject, I wanted to take this opportunity to put my position in writing. My goal here is to shed some light on my reasoning and directly answer some of the questions that were raised. After revisiting and reviewing the material and data, I am more convinced than ever that a targeted, strategic approach is the best responsible path forward for Topeka.

1. The Planning Commission's Essential Partnership with the Land Bank, as Defined by Land Bank Policy

The notion was raised that the Planning Commission can do little to assist a land bank because it would be a separate entity. This view is in direct contradiction to both the strategic recommendations of our 2020 Housing Study and the Land Bank's own governing documents. The relationship is not optional; it is procedural.

The housing study does not present a land bank as an isolated entity; it presents it as a key implementation tool for a broader, coordinated strategy. **Strategy S2: Address Abandoned and Vacant Properties** explicitly lists "creating a land bank" as a primary recommendation to combat the high vacancy rates that plague our city—rates that reach as high as 21% in Central Topeka and 17% in East Topeka.

Crucially, the study states, "The city should consider aligning the land bank activities with active and future SORT projects to maximize potential impact." As we all know, neighborhood plans and SORT/DREAMS projects are the direct purview of this commission and the Planning Department. We set the strategy. It is our role to create the "map" for revitalization that the land bank must follow. We define the goals for our core neighborhoods, which the study's **Goal 1: Reinvestment** identifies as the top priority.

The Land Bank's policies explicitly name the Planning and Development Department as its administrative arm. Consider these direct citations from the Land Bank's own guidelines (Approved 5/28/2024):

- **Administration and Governance (Section 2.2)**: The policy states, "The City of Topeka Planning and Development Department is charged with its administration."
- **Transaction Review (Section 2.3)**: The procedure is unambiguous: "All proposed City of Topeka Land Bank transactions shall be submitted by the Planning and Development Department to the Board of Trustees for review."
- **Strategic Acquisition (Section 3.2.d)**: The Land Bank may acquire properties for which "reutilization would be in support of strategic neighborhood stabilization and revitalization plans." As we all know, those strategic plans are the primary work product of this commission. We literally write the playbook that the Land Bank is designed to follow.

To be clear: a land bank without strategic guidance from the Planning Commission is, by its own definition, non-compliant with its mission. We set the map, we review the transactions, and we are the ultimate guardians of quality control. To reiterate my position from the last hearing, our core role is to ensure "our land bank is empowered to acquire tax-delinquent and abandoned properties."

2. Overlay Zoning: A Standard Tool for Strategic Precision

An overlay zone is the precise, standard planning tool for implementing the targeted strategy our own 2020 study demands and that the public survey data validates.

To ensure everyone is on the same page, let us review the definitions from our own city code:

- **Overlay Zoning**: "any zoning that functions in addition to the existing land use zoning, as in the case of local historic landmark or local historic district zoning."
- **Conservation District**: "Neighborhood conservation districts shall be overlays to existing zoning districts... Where any conflict exists between zoning districts, the provisions of the NCD shall control."
- **Conditional Use Permit (CUP)**: "The purpose of a conditional use permit... is to protect the integrity and character of the district, surrounding properties, and neighborhoods..."
- **Planned Unit Development District (PUD)**: "This district is established to permit greater flexibility and more creative, innovative and imaginative design for the development of areas..."

Clearly, applying an additional layer of zoning to a base district is a standard tool that this commission uses regularly. The only thing that has changed is the context; the tool itself remains a standard and effective part of our code. The idea that it is suddenly too difficult to implement lacks merit.

An overlay zone is the mechanism by which we can execute **Goal 1: Reinvestment** in our core neighborhoods without disrupting the stable fabric of the rest of the city. We can create a "Neighborhood Revitalization Overlay" for our Opportunity and Transitional areas to pre-approve a mix of housing types and streamline development, fulfilling the study's goal of supporting "new housing development, particularly affordable and moderate-income options" (Goal 3, page 73) where it is most needed. As part of this process, I would expect Planning to consult with proven partners like Habitat for Humanity and SENT, incorporating their successful standards for owner-occupied and responsible housing directly into the overlay's design guidelines.

Even the draft CUP guidelines presented to us acknowledge the need for strategic placement, stating that duplexes "should not be highly concentrated." An overlay zone is the perfect tool to manage this concentration proactively and strategically. Implementing overlays is a core competency of a modern planning department; the challenge is not technical, but one of will.

I trust this analysis, grounded in city policy, public survey data, and the recommendations of our own planning staff, clarifies that our commission is not a passive observer. We have the authority, the tools, and a clear procedural mandate to be the primary architects of a successful, targeted housing strategy.

The Path Forward: A Proactive, Comprehensive Revitalization Strategy

The totality of the evidence—from the staff memo to the public survey—points to one logical conclusion: a blanket, city-wide text amendment is an inappropriate and poorly supported tool for our city's needs. The real solution must be strategic, targeted, and built with intention from the ground up.

Therefore, I believe the correct course of action is to set aside the flawed, one-size-fits-all proposal before us and, instead, immediately begin crafting the correct solutions.

To that end, I believe we should recommend denial of the proposed text amendment ACZR25/02 as written, and in its place, direct Planning Staff to immediately begin development of a two-pronged strategy for increasing Topeka's housing supply:

Prong One: A "Neighborhood Revitalization Overlay Zone"

This new overlay zone will be the primary vehicle for strengthening our residential fabric. It must be crafted with the following core principles:

1. **Targeted Application**: The overlay shall apply only to the designated Opportunity and Transitional Neighborhoods. The current neighborhood health map may be utilized to help determine these areas and/or encompass additional areas that are on the verge of falling into "Intensive Care" Health Status.
2. **Defined Housing Mix**: Within the overlay, a broader mix of housing types will be permitted, guided by the principles outlined in Option B7 of the staff memo. Specifically, this will allow Duplexes and Triplexes by Conditional Use Permit (CUP), ensuring this commission retains full oversight.
3. **Specific Prohibitions**: The overlay shall explicitly prohibit the conversion of existing single-family homes into multiple-family dwellings—which is to be defined as anything greater than a two-family dwelling—unless said development can meet all new construction design standards as defined in TMC 18.230-18.240.

Prong Two: A "Catalytic Redevelopment" Mandate for the Land Bank

While the overlay addresses residential infill, a significant untapped opportunity lies in the adaptive reuse of our many vacant and underutilized commercial and industrial buildings. Therefore, the second part of the directive to staff will be:

To research and draft amendments to the Land Bank's governing policies to expand its scope to include the acquisition of non-residential properties for the express purpose of catalytic redevelopment.

This initiative must recognize a different reality: while non-profits are ideal partners for single-lot infill, these larger, capital-intensive conversion projects require the resources and expertise of private developers. As such, the Land Bank's disposition policy for these properties should be

tailored to attract high-quality private investment for redevelopment into either multifamily housing or viable commercial enterprises that create jobs and opportunity.

Crucially, any such conveyance to a developer must be bound by a **strong performance agreement with a reversionary clause.** This ensures that if a developer fails to bring their approved plan to fruition within a specified timeframe, ownership of the property automatically reverts to the Land Bank. This protects the public interest, prevents speculative holding, and guarantees that these key properties are returned to productive use, transforming blighted structures into either valuable housing or job-creating businesses—and in all cases, significant additions to our tax base.

This comprehensive, two-pronged approach is the responsible path forward. It is a plan grounded in data and designed for the real-world conditions of Topeka. It provides a surgical tool for our residential neighborhoods and a powerful economic engine for our larger vacant structures.

CITY OF TOPEKA

TOPEKA PLANNING COMMISSION

Monday, October 20, 2025

CASE MINUTES

Members present: Willie Brooks, Jennifer Hannon, Del-Metrius Herron, Jeff Lolley, Joseph Mauk William Naeger, Katy Nelson and Donna Rae Pearson (8)

Members Absent: NA

Staff Present: Dan Warner, Planning Director; Mike Hall, Land – Use Planning Manager; Ann- Marie Driver, Planner; William J Sharp, Planner; Amanda Tituana-Feijoo, Administrative Officer; Mathew Mullen, Legal Dept

ACZR25/02 Duplexes, Triplexes, Quadplexes in "R" Districts

Mr. Kaup spoke for the Standing Committee on Housing, and summarized his memo submitted to the commissioners and included in the agenda packet.

Staff: Mike Hall presented slides on the topic. Under current regulations for "R1 and R2" zoning, duplexes, triplexes, and quadplexes are prohibited. The previous recommendation by the Standing Committee on Housing (Committee) was to allow duplexes by building permit (subject to special standards) and triplexes and duplexes by conditional use permit (CUP). The Committee's revised recommendation is to allow duplexes, triplexes, and quadplexes by a conditional use permit by amending the use standards of Section 18.60.010 (Use Tables). Planning staff is recommending that duplexes and triplexes be allowed by conditional use permit, excluding quadplexes, and to include the addition of conditional use permit guidelines specific to duplexes and triplexes. It was noted that the public hearing was held and closed at the September meeting.

As Mr. Hall explained, the proposed CUP guidelines are in part intended to address concerns raised about the potential for concentration of duplexes and triplexes in single family residential districts. The recommended guidelines state that two-family dwellings and three-family dwellings in "R-1 and R-2" zoning districts should not be highly concentrated within residential subdivisions or within the same block in a subdivision or neighborhood. Additioally, the guidelines state that development shall comply with the design guidelines of the neighborhood plan where applicable,.and the paving of front yards to accommodate required parking or access to required parking should be minimized or mitigated.

The Standard Committee for Housing has met several times and provided monthly updates to the Planning Commission. Staff has met with the Citizen Advisory Cancel and with four different NIA neighborhoods. There has been a survey open to the public. Planning Commission has also discussed this topic in March, June, and August and the public hearing was held in September. There were about 405 responses from the survey, and most responses came from the central Topeka neighborhoods.

All new buildings will have to comply with building codes, trade codes, minimum setbacks, building height, and other ordinances. There will have to be sufficient off-street parking as well.

Discussion by Commissioners:

Commissioner Brooks asked for clarification on staff's consideration for quadplexes. Mr. Hall responded by saying there are not a lot of infill lots large enough to accommodate a quadplex and all the parking required. Mr. Warner stated that the parking associated with quadplexes does not fit very well in a single family zoned area.

Commissioner Naeger stated a larger site for a quad-plex should be the concern of the builder/landowner, and the purpose of the Planning Commission is to protect the potential impact to the broader community, but it shouldn't be taken off the table. He also would like to see parking for triplexes and quadplexes behind the buildings.

Commissioner Herron stated she agreed with the prior statement. Triplexes and Quadplexes will not work on a lot of lots, but that is not a reason to exclude them because it is weeding out an opportunity that may work. She also asks why the proposal wants to remove concentration when it is something that is already happening in the city. Mr. Hall stated it that concentration could have a big impact on the neighborhood, therefore, it is a concern for staff.

Commissioner Naeger asked if the concern about concentration stems from a fully built neighborhood having concentrated duplexes coming in where they have not been before or is the idea of a newer built neighborhood where concentration is not the concern. Commissioner Naeger also asked if the factors could be waved for the specific application. Mr. Hall stated that the guidelines are not as certain as standards, can be adjusted for different situations, but the guidelines are helpful for providing staff guidance on when considering or advising people about possible conditional use permit applications.

Commissioner Mauk read a letter he wrote to the commissioners. The letter was not sent to the commissioners or included in the agenda packet. There was a robust discussion amongst the commissioners regarding Commissioner Mauk's letter.

Commissioner Herron stated that conversations currently being held are not new, and they are being held in hundreds of other cities. "The Road to Housing Act" of 2025 just got passed through the Senate on October 10, 2025, and both sides of the aisles agreed that zoning reform is an important part of creating more housing. Commissioner Herron feels that the proposal from the Special Committee on Housing is a happy medium, and the concerns of the citizens have been considered. A lot of time and consideration was put into the decision, and she likes the idea of a CUP.

Commissioner Brooks encouraged all members of the Planning Commission to read the memo produced by the Standard Committee for Housing.

Motion by Commissioner Brooks, **second** by Commissioner Mauk to **defer the topic of the duplex, triplex, and quadplex until the November Planning Commission meeting. Approved 7-1**

CITY OF TOPEKA
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MEMORANDUM

To: **Topeka Planning Commission**

From: **Michael Hall, AICP, Land Use Planning Manager**

Date: **October 20, 2025 (Planning Commission Meeting)**

RE: **ACZR25/02 - Duplexes, Triplexes, and Quadplexes in "R" Residential Districts**

The Planning Commission conducted and closed the public hearing for this item on September 15, 2025. Several citizens spoke at the hearing to express concerns about the proposed text amendment. The Planning Commission deferred further action on the proposed text amendment to the October 20th meeting to allow ample time for consideration of citizen input and discussion by commissioners.

Staff Recommendation

Staff recommends the Planning Commission take sufficient time to consider input from citizens provided at and prior to the September 15th hearing before making a recommendation to the Governing Body. The full range of options for text amendments are on page 7 of this memorandum.

Staff supports the Standing Committee's recommendation to allow duplexes and triplexes by conditional use permit (CUP) but to exclude quadplexes from the amendment. Staff recommends the text amendment include the attached CUP guidelines to apply to duplexes and triplexes.

Recommendation from the Planning Commission's Standing Committee on Housing

The Committee recommends amending the zoning code so that duplexes, triplexes and quadplexes be allowed by Conditional Use Permit within single family residential districts (R-1 and R-2 districts). The Committee has submitted the attached October 8, 2025 memorandum and housing resource materials.

The Topeka zoning code currently prohibits two-family dwellings (duplexes), triplexes, and quadplexes in the R-1 and R-2 single-family zoning districts. An owner of property zoned R-1 or R-2 must obtain rezoning of the property before being permitted to build either a duplex, triplex, or quadplex.

All of the following information was included in the staff memorandum to the Planning Commission at the September 15, 2025 meeting.

Background and Stakeholder Engagement

The Planning Commission's Special Committee on Housing has met several times over the past nine months to discuss changes to policies and regulations to support development of "missing middle" housing and affordable housing more generally.[i] The Special Committee has reported to the Planning Commission monthly. A key part of this discussion and the ongoing effort is to propose changes to the zoning code to provide more flexibility for duplexes, triplexes, and quadplexes in single family residential districts (R-1, R-2, and R-3 districts). All three land use types are currently prohibited in "R" districts.

The Special Committee and staff presented the general proposal to the Citizens Advisory Council and four individual neighborhoods (Hi-Crest, Historic North Topeka East, College Hill, Elmhurst). The Special Committee also met with housing developers for their input. Responses received at the meetings with the Citizens Advisory Council and two of the three neighborhoods were generally positive.

Staff conducted a survey of neighborhood residents and other stakeholders in February 2025 and presented the findings of the survey to the Planning Commission at the March 2025 meeting. 405 responses were received from 15 zip codes, with most of the responses from zip codes 66604 and 66606 in Central Topeka. 61 percent of respondents said duplexes should be either allowed by right or by conditional use permit in single family residential districts. 53 percent of respondents said triplexes and quadplexes should be allowed by right or by conditional use permit in single family residential districts.

Additional meetings initiated by neighborhoods were held throughout the summer to discuss the proposed text amendment. The proposed text amendment was on the Planning Commission agenda for discussion at the June 16th and August 18th meetings. Public comment was allowed at both meetings and most of it was in opposition. Most of those individuals that spoke or provided written comments reside in either the College Hill, Potwin, Westboro, or Elmhurst neighborhoods.[ii]

Issues / Requests by Citizens

a. The text amendment will not result in a substantial, meaningful increase in housing as indicated by what Minneapolis, Minnesota experienced after a change it their zoning regulations
b. Exclude historic and conservation districts from the changes
c. Prohibit conversions
d. Don't do it citywide – limit to some neighborhoods
e. Include restrictions to prevent the concentration of duplexes
f. Separate triplexes and/or fourplexes from the amendment

Planning Staff Responses to the Issues

a. **Will the code change result in much housing and get the desired results?** Potwin resident Jerry Palmer submitted written material and spoke at the lectern. Mr. Palmer researched the City of Minneapolis, which changed their code to allow duplexes by right throughout the city to answer the question of whether the change really accomplished their goals of increasing housing. He found that the change did not result in large number of new housing units. The point being made is that this change (in Topeka) will not result in a meaningful increase in housing.

Planning staff do not dispute that the results of the change in the zoning code are likely to be modest, at least in the first few years following the change. But over time, the housing that results from the code change will accumulate and be meaningful. And the code change could lead to housing development in currently stagnant neighborhoods where building single family homes might not be economically feasible. The proposal to provide more flexibility to duplexes, triplexes, and quadplexes in single family residential neighborhoods is just one small part of what is needed to implement the Housing Study and Strategy to reach housing goals. It's an important part. It addresses missing middle housing. It addresses unsubsidized housing, which the study refers to as workforce housing.

b. **Duplexes, Triplexes, and Quads should be prohibited in historic districts and conservation districts.** Excluding historic districts and conservation districts would result in inconsistent application of the regulations for single-family residential districts within Topeka. Consistent application of base zoning regulations means all of the regulations within R-1, for instance, apply to all property zoned as R-1. The current proposal from the Housing Committee is to allow duplexes, triplexes, and quadplexes by conditional use permit. It is important to note that there are more than 20 land use types allowed by Conditional Use Permit within single-family zoning districts and none of those are excluded from certain neighborhoods. Having different land use regulations for individual neighborhoods within the same zoning district is not equitable and risks being arbitrary and without a rational basis.

   The City of Topeka doesn't directly regulate State and National Historic Districts. Historic districts are approved by the Kansas Historic Sites Board of Review and the National Park Service. The City's Landmarks Commission reviews physical changes to properties as part of a Certified Local Government Agreement with the Kansas State Preservation Office. These historic districts are established to regulate physical changes to properties, not to regulate land use. Conversion of a home to a duplex in one of the historic districts is likely to include some physical changes to the exterior of the home, and these physical changes will be subject to Certified Local Government Review.

   The historic districts in Topeka are Potwin, Historic Holliday Park, Country Club Addition and College Hill. Some of the people concerned about duplexes in the Potwin and College Hill neighborhoods are likely to not actually live in these historic districts but live in the neighborhoods surrounding the historic districts (i.e. Auburndale, Kenwood, or College Hill). In College Hill, the historic district is limited to 4 to 5 blocks along College Avenue, comprising less than one sixth of the College Hill Neighborhood, thus restricting duplexes in historic districts by itself is not going to exclude duplexes from those neighborhoods.

   Neighborhood Conservation Districts (NCDs) are part of the City's zoning code and those regulations were created to "promote compatible new construction, alterations, and demolitions within the district's built environment in order to strengthen and build upon those desirable physical features already existing". Similar to historic districts, NCDs regulate changes to physical character. There are two NCDs – Westboro and Elmhurst.

c. **Prohibit Conversions.** The current recommendation from the Special Committee is to permit duplexes/triplexes/quadplexes by Conditional Use Permit (CUP) only. The CUP process will apply to new construction and to conversions. Central Topeka neighborhoods with few or no vacant lots are more likely to experience conversions than neighborhoods with

vacant lots. Those neighborhoods are understandably more concerned about conversions, partly because of conversions that occurred more than 15 years ago. Excluding conversions entirely may satisfy the concerns of those particular neighborhoods, but doing so does not appear to have a rational basis other than to exclude duplexes from those neighborhoods. An additional dwelling resulting from a conversion is likely to be smaller and less conspicuous than new dwellings created by new construction. Furthermore, allowing new construction but prohibiting conversions could have the unintended consequence of encouraging the demolition of existing houses to make way for construction of duplexes.

d. Don't do it citywide – limit to some neighborhoods. As noted with issue (a) above, zoning regulations should be applied equally to similarly zoned property. Deciding which neighborhoods should be selected for the proposed code change is complicated, as it may require the creation of new overlay districts, and it is likely to result in inequitable treatment of neighborhoods.

e. **Include restrictions to prevent the concentration of duplexes.** Type II Short-Term Rentals (STR) include a 500' separation requirement so that those uses don't concentrate within one or two blocks in a neighborhood. STRs operate as a business, and specifically a Type II does not require the property owner to live in the home. This use is less akin to a typical residential use and the 500' separation requirement was implemented to keep them from proliferating within blocks.

The City does not have separation requirements for any type of housing to prevent concentration and more specifically does not regulate rental housing in that manner. Even so, concerns about the concentration of duplexes can be evaluated as part of the review of a conditional use permit and the consideration and the analysis of the Golden Factors inherent to the CUP process.

f. Separate triplexes and/or fourplexes from the amendment. Triplexes and fourplexes are currently part of the CUP recommendation from the Special Committee. As such, approval of a triplex or quadplex would require a CUP.

Triplexes and quadplexes are similar to duplexes in that they have multiple units. By their very nature however, they will be larger structures and will require more land than a typical duplex. Triplexes and quadplexes potentially will not "fit in" within a single-family area as well as duplexes. The size and bulk of a triplex and quadplex will naturally be evaluated relative to the Golden Factors, in particular "character of the neighborhood" and "the extent to which (the project) will detrimentally affect nearby properties."

The City's adopted building codes subject single family dwellings and duplexes to the International Residential Code (IRC). Triplexes and quadplexes may be approved under the IRC under certain conditions, but otherwise must comply with the International Building Code (IBC). The IRC is less rigorous than the IBC.

Process Review - Conditional Use Permit vs. Rezoning

The matrix below describes the CUP and rezoning processes. The process for a CUP is essentially the same as for a rezoning. There are some key differences: Unlike rezoning, approval of a conditional use permit does not amend the zoning map, and a conditional use permit is tied to a development plan, which includes a site plan if it is new constriction, whereas rezoning is typically not bound by any particular development plan.

An application for a rezoning does not require submittal of plans. An application for a conditional use permit will typically require a site plan and other building plans (i.e. elevations, conceptual floor plans or similar information).

Conditional Use Permit (proposed)	**Rezoning (current)**
Application with fee paid up front	Application with fee paid up front
Neighborhood Information Meeting prior to public hearing	Neighborhood Information Meeting prior to public hearing
Notice and Public Hearing by Planning Commission	Notice and Public Hearing by Planning Commission
Decision by Governing Body	Decision by Governing Body
Decision based on Golden Factors and CUP Guidelines	Decision based on Golden Factors
Citizens may file protest petitions requiring ¾ Governing Body vote.	Citizens may file protest petitions requiring ¾ Governing Body vote.
Approval Tied to a Development Plan	Approval not Tied to a Development Plan
Building permits are required for new construction and conversions. Building codes apply. Inspections required.	

It is important to recognize that there are currently more than 20 land uses other than “single family dwelling” that are allowed or allowed subject to specific standards, and more than 20 land use types allowed by conditional use permit. These are listed below.

Allowed by Right:

- Single Family Dwelling, Detached
- Residential design manufactured home
- Group home, up to 8 residents and up to 2 staff
- Home care type 1
- Medical care facility, type 1
- Residential care facility, type 1
- Residential care facility, type 2
- Common open space
- Private residential recreational facility
- Public park
- Public utility facilities, type 1
- Elementary school, public or private
- Secondary school, public or private

Allowed Subject to Special Use Requirements:

- Accessory Dwelling Unit
- Short-term rental, type 1
- Short-term rental, type 2
- Day care facility, type 1
- Community garden, type 1
- Golf course/country club
- Religious assembly
- Small cell wireless facility

Allowed by Conditional Use Permit:

- Assisted living, 6 or more persons
- Group residence, limited, up to 10 persons
- Home care type 2, up to 12 persons
- Short-term rental, type 3
- Surface parking lot
- Cemetery
- Community center
- Cultural facility, library, museum
- Day care facility, type 2
- Farmer's market
- Community garden, Type 2
- Golf course/country club
- Government services, type 1
- Government services, type 2
- Public utility facilities, type 2
- Reception, conference, and assembly facilities
- Outdoor recreation, type 1
- Outdoor recreation, type 2
- Outdoor recreation, type 3
- Youth camp
- Airport/heliport
- Raw material extraction
- Transmission tower/communications tower

Neighborhood residents have expressed concerns about multiple, unrelated individuals occupying existing homes. The Topeka zoning code allows up to five unrelated persons to occupy a single family dwelling and be considered a single family dwelling. Note the following definitions:

> "Dwelling, single-family" means a building designed and/or used exclusively for residential purposes for one family only and containing not more than one unit, including site-built homes and residential-design manufactured homes, but not including house trailers and mobile homes as defined by this chapter. (TMC 18.55.040)

> "Family" means an individual or two or more persons related by blood, marriage, or legal adoption, or a group of not more than five persons (excluding servants) not related by blood or marriage, living together as a single housekeeping unit with common kitchen facilities in a dwelling unit. (TMC 18.55.060)

Text Amendment Options

The following table includes all the potential alternatives for a text amendment that provides more flexibility for duplexes, triplexes, and quadplexes. As an example, if the recommendation is that duplexes be allowed by right with special standards, triplexes, & quadplexes by CUP but with the addition of CUP guidelines, the recommendation is for option "A1" with option "A7". The Housing Committee's current recommendation is option "B1".

	Duplexes, Triplexes, & Quads by Right with Special Standards	**Duplexes by Right with Special Standards; Triplexes & Quads by CUP**	**Duplexes, Triplexes, Quads by CUP**	**Duplexes by CUP.** **Triplexes and Quads prohibited (rezoning required)**
No additional standards or guidelines	N/A	A1	B1	B2
Prohibit in Historic and Conservation Districts	A2	A3	B3	B4
Prohibit conversions of existing SF homes	A4	A5	B5	B6
CUP Guidelines to address issues of concentration, design, parking, etc.	~~A6~~ N/A	A7	B7	B8

CUP Guidelines

Per section 18.215.030 of the zoning code, conditional use permits are evaluated using guidelines in addition to an analysis of the Golden Factors. A draft of additional CUP guidelines specific to duplexes, triplexes, and quadplexes is attached in the event the Planning Commission recommends the text amendment include additional guidelines.

Attachments

- Standing Committee for Housing, October 8, 2025 Memorandum
- Standing Committee for Housing Resource Materials
- Draft text amendment, 18.60.010 Use Tables
- Draft text amendment, 18.215.120 CUP Guidelines
- Draft text amendment, 18.225.010 Special Standards
- Duplex/Triplex/Fourplex Survey Results
- Written Public Comments
- Planning Commission Minutes, September 15, 2025 Meeting

[i] Topeka's Citywide Housing Market Study and Strategy, adopted by the Governing Body July 2021, proclaims the need for affordable and "missing middle" housing. "Missing middle" includes accessory dwellings, duplexes, and small apartment buildings. Key finding of the study: Topeka is projected to need 4,000 additional units of affordable housing and 3,650 units of workforce housing over the next 20 years. Two of the six strategies of the Housing Study are to 1) promote development of a diverse mix of housing types, and 2) expand production of affordable housing.

[ii] Many of the public comments were in response to the Housing Committee's earlier recommendation to allow duplexes in single family residential districts by right subject to special standards. The Housing Committee revised their recommendation to allow duplexes, triplexes, and quadplexes all by conditional use permit at the August 18th meeting. Therefore, the opinions of neighborhood residents about the revised proposal to require a conditional use permit for duplexes in single family residential districts is less clear.

To: Planning Commissioners

From: The Standing Committee for Housing

RE: Recommended text amendments to the R District zoning regulations

Date: October 8. 2025

The Housing Committee feels it is important to put into writing what has previously been presented to the Planning Commission in multiple verbal reports regarding our recommendation to allow small "Missing Middle" housing in the R Districts, as conditional uses.

We also see a need to provide a written response, for the record, to the more common points raised by opponents to our recommendation.

The Housing Committee has asked planning staff to include this memo in the October agenda package, along with a few of the resource materials the committee relied upon in its study. This memo makes citation to some of those materials, which we hope you have the opportunity to read.

1. No one disputes that Topeka has a serious housing shortage. A shortage of all types of housing, owner-occupied and renter-occupied, at all price points. The committee sees this as a housing crisis. A community crisis, not a neighborhood crisis. One that requires a community-wide response. This shortage not only stifles economic development, it more importantly harms, and even endangers, Topekans.
   Because the shortage affects all types of housing, anything the City can do to facilitate any housing construction will be beneficial. While the 2020 housing study concluded that there was even a shortage of high-dollar houses and rental dwellings, the most severe problem is the lack of safe, quality housing for lower-income Topekans.
2. Encouraging the construction of Missing Middle housing is consistent with the LUGMP's "Pillars for a Prosperous Community—Housing Choices… There should be a range of housing types built throughout the community." P. 4. See also pp. 3, 36, 41. Our recommendation is also consistent with multiple findings and goals of the Citywide Housing Market Study and Strategy (July 2020). Including, "there can be several reasons why missing middle housing is not developed. One is the regulatory environment." P.62. See also pp.19, 20, 35, 37-39, 41-42,51-52, 54 regarding the need for more housing of all types, all prices. See also pp. 15-16, 32, 40, 46, 49-50 making similar findings, and recommendations, for rental housing.

It is significant that the public's preference for rental over owner-occupied housing has increased dramatically in recent years. See "Gen Z is Renting, not Buying…" Newsweek magazine, September 2025. Our proposed amendment is intended primarily to increase Topeka's supply of rental dwellings

3. The objections raised by opponents to the proposed amendment are for the most part made without evidence and are the subjective opinions of opponents, sometimes borne from misinformation spread across the community.
   a. "The proposal will eliminate single family zoning." Obviously this is not truthful. Topeka's single-family zoning, the R Districts, will continue to cover 88% of the land area inside Topeka that is zoned for residential use, AND will continue to allow not only single-family residential use but also 11 other permitted uses, 8 special uses, and 27 conditional uses. Our recommendation, if enacted, would make that 28.
   b. "The proposal will destroy neighborhoods". This merits little response. The committee believes the recommendation will strengthen neighborhoods in a number of ways, including by encouraging cost-effective infill development and other investment into neighborhoods, as well as enabling intergenerational housing.
   c. "The proposal will lessen property values of single-family houses". This objection is made without evidence to support it. While few studies have been made of the impact of Missing Middle housing upon nearby single-family housing, the studies that have been done show either no adverse impact or a positive impact. See "Effects of Proximity to Multi-Family Housing…." And "Multifamily Housing Impact Literature Review", pp. 4-6.
   d. "The proposal should not apply to 'stable neighborhoods'". This criticism reflects prejudice against renters, saying the presence of rental property/renters destabilizes single-family neighborhoods. This prejudice, whether targeting Topekans for their lack of wealth, or targeting them for something much worse, is without merit.
   e. "The proposal should only apply to neighborhoods which ask for it". Not only is this impractical (who speaks for a neighborhood? Only the NIAs?), it is NIMBYISM in its rankest form. A number of opponents have said, in short, 'yes there is a housing problem, but don't do anything that might affect my neighborhood".
   f. "The proposal should not apply to historic districts or conservation districts". Planning staff has capably responded, repeatedly, to this request as not only being unnecessary but also likely illegal as it would treat similarly-zoned property differently.
   g. "The proposal will not accomplish anything". The committee concedes that the proposed amendment may result in very few Missing Middle developments. The CUP process will no doubt be less attractive to developers than the original proposal

of "of right" zoning for duplexes. This raises the question: if the amendment will have such a minor impact, why the opposition?

4. The Missing Middle proposal WAS vetted in the community. Opponents argued the committee developed its proposal without community engagement. That is incorrect. This criticism appears to be nothing more than the time-honored strategy to deflect, defer and defeat a proposal by insisting upon more and more study, more input. We note that this strategy works well in Topeka. But in fact the committee, over the past year met with: the CAC (an umbrella organization for all NIAs); four NIAs (College Hill, Elmhurst, Hi-Crest and North Topeka-East); and with developers. Planning staff conducted an on-line survey asking for input on different ways to encourage Missing Middle housing. Dozens of citizen emails were sent to the Planning Department. Also the committee made numerous reports to the Planning Commission, and the Commission heard public comment at a number of meetings, as well as the public hearing of September 15, 2025. Planning staff and the committee made two appearances before the City Council's Policy and Finance Committee to get that Committee's input.
5. Some opponents have questioned whether the housing committee adequately studied this matter before making its recommendation. We reply by saying our year-long study led us to initially recommend a bolder action: duplexes to be allowed of right in the R Districts. It was only after hearing the response from citizens that we returned to the Planning Commission with a revised, watered-down, recommendation for Missing Middle housing as conditional uses only in the R Districts. Our study called for action that went beyond what the community seemed to be able to support. So this compromise is before the Planning Commission—not what our study called for, but what we think is possible.
6. We have reported to the Planning Commission, at several meetings, how what we are proposing has been done many times already by cities across the country. While some cities have adopted Missing Middle at their own initiative to solve community problems (e.g. Des Moines, Raleigh, North Carolina, South Bend, Indiana, Eugene, Oregon), many cities are under state law mandates to allow Missing Middle housing in their single-family districts (e.g. Montana, California, Oregon, Washington). See "Local Policies that Support Missing Middle Housing". Any internet search will show the ever-growing number of cities that are deregulating their zoning codes. We also note that during the 2024 Fall Interim Session of the Kansas Legislature a committee on housing affordability heard from conferees that Kansas should mandate Missing Middle housing because city zoning regulations impeded much-needed housing development.
7. Finally, a little context. Our recommendation is just the latest of this committee's proposed amendments to the Development Code. We have tried to identify

unnecessary restrictions upon the use of land by property owners which obstruct housing development. We previously sent to the Planning Commission amendments to lower the minimum lot size, lessen setbacks and increase structure height maximums. We are trying to find ways to make housing development less expensive, but without compromising public health, safety or welfare. This recommendation is, in a small way, deregulation. It would restore to property owners an opportunity to develop their land in a way that our current zoning regulations took away.

In Closing:

1. The Housing Committee, after consideration of all the testimony given at the public hearing, during public comment, and at the meetings with neighborhood groups, continues its support for text amendments to allow 2, 3 and 4-plex housing in the R Districts as conditional uses.
2. We believe the proposed amendments have the potential to improve Topeka's housing stock, providing much-needed housing for members of our community.
3. The Housing Committee asks the Planning Commission for its support of these amendments, sending them to the Governing Body for its consideration and action.

Jim Kaup, Committee Chair

Willie Brooks, Commissioner

Del-Metrius Herron, Commissioner

Katy Nelson, Commissioner

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Gen Z is renting, not buying—Here's what it means for the country's future

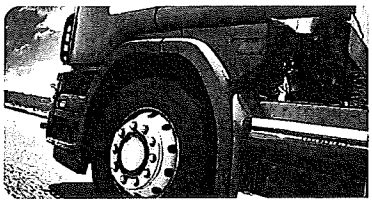
Story by Giulia Carbonaro • 2w • 11 min read Summarize

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There are currently a record 46 million renting households in the United States, according to U.S. Census Bureau data, as Americans increasingly look at renting as a long-term solution to the housing affordability crisis rather than a stepping stone to homeownership.

This is especially true for young people, with Gen Z increasingly saying they prefer renting to owning a home. A recent survey by multi-family focused property management company Entrata found that nearly three in four Gen Z renters view renting as a smarter option than buying.



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Considering that Gen Z, born between 1997 and 2012, now represents more than 20 percent of the U.S. population, their attitude toward renting and homeownership could signal a massive shift for the entire country.

"What the survey told us about Gen Z, is that renting is a great way of life for them," Entrata's industry expert, Virginia Love, told *Newsweek*. "While homeownership is something they want at some

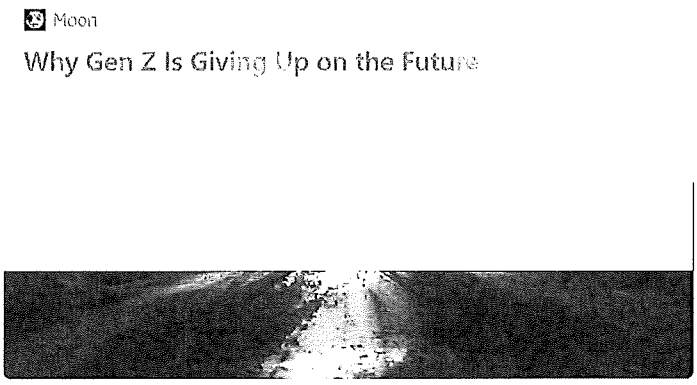
point in life, they are sort of rewriting their timeline," she said. "They don't feel like they need to follow the whole 'college, marriage, baby, house, bigger house' timeline; they can create whatever life they want."

How Are Gen Zers Approaching Homeownership?

Gen Zers are reaching homeownership age at a particularly difficult time for the U.S. housing market, when sky-high home prices, stubbornly elevated mortgage rates, and other rising costs are making buying and maintaining a property particularly unaffordable.

Home prices are now 40 percent higher than they were before the pandemic, with the median sale price of a typical U.S. home at $443,141 last month, according to Redfin. The 30-year fixed-rate mortgage—the most popular home loan in the country—is still hovering near the 7 percent mark, according to Freddie Mac data.

Related video: Why Gen Z Is Giving Up on the Future (Moon)



"It is significantly more difficult for today's buyers to purchase a home compared to past decades," Bankrate financial analyst Stephen Kates told *Newsweek*. "One measure of this difficulty is the rising average age of first-time homebuyers. Since 1980, the average age of a first-time buyer has increased from 29 to 38 years old."

The challenge is not just high prices and mortgage rates. There is also intense competition for the limited inventory of homes available nationwide, especially in the Northeast and Midwest, where the supply is less abundant than in the South.

"Today's first-time buyers are competing not only with peers but also with older generations," Kates said. According to recent data by the National Association of Realtors (NAR), more homes were purchased last year by the Silent Generation (aged 79 to 99) than by Gen Z.

"Collectively, first-time homebuyers accounted for only 24 percent of all purchases in 2024," Kates said.

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On top of that, entry-level jobs are disappearing, partly due to the introduction of AI, and partly due to the headwinds faced by the tech and other sectors over the past few years. According to estimates by the U.S. Bureau of Labor Statistics, 1 million office and administrative support jobs are expected to disappear by 2029 due to technological advancements, which are likely to affect younger generations more significantly.

Young people are already facing a much different type of employment than their parents.

"We are seeing less people in that 20 to 24 age group categorized as fully employed," Jimmie Lenz, a financial economics professor at Duke University, told *Newsweek*.

"I think part of that is probably that categorizations haven't kept up with the time," Lenz said.

"There's a lot more people that are employed by gig work and things like that, and those are jobs that tend to make it a little more difficult to afford mortgages, and in particular, the kind of the traditional 30-year fixed-rate mortgage," he added.



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Lands' End

Faced with a rather hostile housing market and an uncertain economic prospect, Gen Z is increasingly choosing to rent. While 41 percent of respondents saw renting as a stepping stone to homeownership, 59 percent saw it as a long-term choice. A majority of 83 percent believe that renting allows them to save for life experiences rather than investing in homeownership, a goal they are happy to delay for the foreseeable future.

Reshaping the American Dream

For previous generations, homeownership was a key part of the American Dream, signifying that one had "made it" and become successful as an adult.

Millennials, who were hit by two recessions during their formative years—one following the subprime mortgage crisis and another following the COVID-19 pandemic—have struggled to achieve this milestone by the age once considered typical for becoming homeowners.

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Over 55 percent of millennials now own a home, according to U.S. Census Bureau data compiled by Apartment List, but it took them longer than other generations to reach this milestone. Only 33 percent of millennials were homeowners at the age of 30, compared to 42 percent of Gen Xers and 48 percent of baby boomers at the same age.

While 26 percent of Gen Zers own homes, many have de-prioritized the goal of homeownership, reshaping the American Dream.

"They are such a financially savvy generation," Love said.

"We have to remember that they experienced the downturn in 2008-2009 and what happened with the housing market during the pandemic from their parents', grandparents', friends' and family's eyes," she said.

"Not to mention, this is an online generation. They read everything, see everything, everything is at their fingertips," Love said. "They have seen that financial struggle, they have their own financial issues with student loans and debt and the question of where their career is going. There are a lot of layoffs. There is a lot of uncertainty."

Instead of seeing renting as throwing money down the drain, Gen Zers are seeing it as a way to be flexible, retaining the power to move should they chase a career opportunity elsewhere.

"Renting can offer advantages over buying, including greater flexibility, lower maintenance responsibilities, and improved amenities," Kates said. "While homeownership can provide stability and serve as a long-term wealth-building tool, it is not the only path to financial success."



A sign advertising units for rent is displayed outside of a Manhattan building on April 11, 2024, in New York City. Spencer Platt/Getty Images
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At the same time, there are also downsides to renting instead of buying.

"Renting for longer can delay wealth-building. Owning a home is still the primary way Americans grow their net worth, so every year spent

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renting is a year without equity growth," Daryl Fairweather, chief economist at Redfin, told *Newsweek*.

The vast majority of Gen Zers, like every generation before them, "say that they want to own a home one day," Lenz said. "That's a very traditional value in the United States, the idea of homeownership."

They just don't want it just yet.

"When I look at Gen Z and think about what they are looking for, they want to live in one of these larger U.S. cities, and there's a tradeoff that has to be made there," Lenz said. "Not only homes, but taxes and things like that tend to be more expensive. Gen Zers are sometimes reluctant to take one hour and half or so to commute, they think they would rather not do those kinds of things. They don't want the trade-off," he said.

"They can't afford a home where they want to live, and they don't want to have long commutes to go to work, so they end up going to the multi-family, the apartment rental instead," Lenz said.

What Does This Shift Mean for the U.S.?

Some Gen Zers are renting as a way to save enough money to buy a home in the future.

"They understand how renting builds their credit, gives them a taste of responsibility, tells them what they like and what they don't like," Love said. "And I think that we are seeing the entire housing sector respond to this—policymakers, landlords, operators, developers."

However, delaying homeownership could have significant consequences for American society.

The same economic uncertainty that is preventing many young people from buying a home could increase the average age at which Americans form their own families, a trend that is already underway, asfinancial stability is often associated with marriage and family formation. According to the latest data by the Centers for Disease Control and Prevention (CDC), the average age of new mothers in the country has risen from 26.6 in 2016 to 27.5 in 2023.

Second, "fewer young people buying homes could widen the wealth gap between homeowners and renters" in the long term, Fairweather said.

In the short term, Gen Z's habits are likely to have the most significant impact on the housing and rental market. The growth of the rental population in the country is leading to a push for more new apartment construction. According to a recent study by RentCafe, U.S. developers are expected to deliver an estimated 506,353 new apartment units across the country this year, with nearly half of them being built in the South.

Developers, Love said, are increasingly building the type of home that Gen Z wants, including "activated amenities"—spaces that involve activities, services, or events that foster a sense of community spirit.

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"Podcast rooms, craft spaces, a place to fix a bike—these are the sort of things that we're seeing folks leaning toward," Love said. "More green spaces, more digital services."

Read the Full Interview

How much more difficult is it for young people to become homeowners now, compared to their parents and grandparents?

Bankrate Financial Analyst Stephen Kates, CFP: It is significantly more difficult for today's buyers to purchase a home compared to past decades. One measure of this difficulty is the rising average age of first-time homebuyers. Since 1980, the average age of a first-time buyer has increased from 29 to 38 years old. The challenge is not just high prices and mortgage rates; competition is also intense. Today's first-time buyers are competing not only with peers but also with older generations. According to NAR data, more homes were purchased by the Silent Generation (ages 79 to 99) than by Gen Z (ages 18 to 25). Collectively, first-time homebuyers accounted for only 24 percent of all purchases in 2024.

Redfin chief economist Daryl Fairweather: It's much harder. Previous generations bought homes when prices were much lower relative to income, and mortgage rates—while not always low—were offset by less competition and smaller down payment hurdles. Today, young people are contending with record-high home prices, limited supply, and steep mortgage rates. That means even if their parents or grandparents faced high rates in the 1980s, the affordability crunch wasn't nearly as severe as it is now.

An increasing number of young people are choosing to rent for longer instead of trying to buy. What consequences could this have on their ability to build up equity and stabilize their finances?

SK: Renting can offer advantages over buying, including greater flexibility, lower maintenance responsibilities, and improved amenities. While homeownership can provide stability and serve as a long-term wealth-building tool, it is not the only path to financial success.

At the same time that homeownership is becoming harder to achieve, younger people are investing at higher rates than previous generations. There have never been so many investment opportunities with such low barriers to entry. When pursued prudently, these opportunities can yield better returns than homeownership and come with fewer hurdles. While home values have increased more than 50 percent since January 2020, the S&P 500 has delivered a total return of 108 percent over the same period.

DF: Renting for longer can delay wealth-building. Owning a home is still the primary way Americans grow their net worth, so every year spent renting is a year without equity growth. That said, renting can be the right choice if it allows people to save, invest elsewhere, or stay flexible in their careers. But in the long run, fewer young people buying homes could widen the wealth gap between homeowners and renters.

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What consequences could this have on the rental market?

SK: As with any market, supply and demand dynamics impact prices. High competition for limited rental units drives prices up. In cities like Austin, TX, rental prices have fallen in recent years due to a surge in housing construction. In contrast, cities such as New York and Boston have seen little relief for renters, constrained by a persistent shortage of units.

DF: If more young adults rent for longer, it increases demand for rentals, which can push rents higher—especially in major cities where supply is often already constrained. This could make it harder for renters to save for a down payment, creating a cycle where renting feels like the only option. On the flip side, it may also encourage more multifamily construction, which is one of the few areas where housing supply is growing.

And what consequence could this shift away from homeownership have for the U.S. society and economy at large?

SK: Homeownership represents a tangible stake in the economy and society. It was famously promoted during the Cold War as a tool to counter communism, and it was largely successful. Today, however, the lack of access to homeownership is pushing some younger people in the most housing-scarce regions to question the viability of the current economic system altogether.

Owning a home also offers a more stable environment for raising a family. As homeownership becomes increasingly out of reach, it may further discourage family formation in certain areas. Many major metro areas are already seeing sharp declines in the population under five years old. This trend could worsen as housing becomes more unaffordable.

DF: Homeownership has traditionally been tied to community stability, civic engagement and long-term wealth building. If younger generations aren't able to buy, we could see more inequality between those who inherit homes and those who don't, and between higher- and lower-income households. That could weaken the middle class and reduce economic mobility, which are both vital for a healthy economy.

Is there a way for young people to save enough to buy a home in the near future, or is the system rigged against them?

SK: The last five years may go down as one of the most difficult times to climb onto the property ladder. Home prices rose so quickly and so steeply that only those with high incomes and substantial savings were able to buy amid the supply shortages brought on by the pandemic. Rising mortgage rates have further burdened buyers, with monthly payments ballooning beyond reach for many.

Looking ahead, home price growth is likely to slow, and mortgage rates may fall. While homeownership will remain challenging, it is expected to become more attainable. Motivated buyers are already making sacrifices, either by saving aggressively or relocating to more affordable areas. Falling prices in markets that overbuilt during the pandemic, such as Florida, Texas, and other southern states, will continue to attract new residents.

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The broader trend of spending on experiences is unlikely to reverse. It emerged as a response to being priced out of traditional financial milestones such as homeownership and family formation. For those who can afford it, owning a home remains a high priority. However, for many, the dream feels out of reach, and they are choosing to focus their financial resources elsewhere.

DF: The rules of the housing market tend to benefit people who already own homes (e.g., zoning rules, tax rules). That's why the share of first-time homebuyers in the market is the lowest on record, and it's why the median age of first-time homebuyers is now 38. For many young buyers, it takes extreme sacrifices (cutting back on experiences, side hustling, moving in with family) to save for a down payment.

A recent Redfin survey shows that young people are taking those steps, which challenges the stereotype that they'd rather spend on travel or lattes. The risk is that even with these sacrifices, the goalpost keeps moving because home prices and rents are rising faster than incomes. That can lead to burnout and disillusionment with the housing system.

Related Articles

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Community Impacts of Higher Density Development

Multifamily Housing Impact Literature Review

October 2018

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Document Overview

As part of the Community Impacts of Higher Density Development study, DVRPC has conducted a review of literature related to the potential impacts of higher density development. This document presents highlights from that review and is designed to provide municipal and county planning officials with information that may be useful as they review individual development proposals and consider broader land use and zoning regulations.

This document is organized according to three topics: **Economic Impacts, Community Impacts,** and **Travel Impacts.** Within each topic, the key findings from individual studies are presented. Although many of these studies and documents focus on communities outside of our region, they may provide insights that into planning and development issues in Greater Philadelphia.

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Economic Impacts

Infrastructure Costs (Water, Sewer, Roadways)

Study Name: Building Better Budgets: A National Examination of the Fiscal Benefit of Smart Growth Development

- **Authors & Date of Creation:** Smart Growth America, 2013
- **Purpose of Study:** Smart Growth America (SGA) is a research organization devoted to promoting **Smart Growth development**, which encourages mixed uses of land and buildings, compact development patterns, access to multiple forms of transportation, and the diverse housing mixture needed to allow people from various walks of life to live in one community.[1] SGA reviewed the findings of various regional fiscal impact analyses of smart growth development patterns. In doing so, they created a national assessment of the potential financial benefits that smart growth development can bring to communities throughout the US.
- **Key Findings:**
  - The study found that decisions about development patterns and location have **implications for one-third of a typical municipality's budget.**
  - Smart growth development costs **38 to 50 percent less in up-front infrastructure construction** (new roads, sewers, water lines, etc.) than conventional suburban development (areas primarily designed for driving, with separate land uses for residences, retail, and so on.)
  - This study determined that smart growth approaches to development would help many municipalities improve their financial bottom line. This improvement could come through savings on upfront infrastructure, **reductions in the cost of ongoing services** like fire, police and ambulance, or through **generation of greater tax revenue**.
- **Addresses Concerns About:**
  - How does the cost of providing hard infrastructure (water, sewer, roadways) vary between multifamily and single-family development?
  - How does the cost of providing police and emergency services vary between single-family and multifamily development?

Cost of Locally Provided Services (Police, Fire, Schools)

Study Name: Abington School District Enrollment Projections

- **Authors & Date of Creation:** Montgomery County Planning Commission, 2016
- **Purpose of Study:** At the request of the Abington School District, MCPC reviewed their enrollment statistics, housing construction trends, birth rates, and other demographic data to determine future enrollment patterns for the district. This study used a cohort progression model to make projections about grade level attendance for the next 10 years.

[1] https://smartgrowthamerica.org/our-vision/what-is-smart-growth/

- **Key Findings:**
  - The Abington School District's enrolled population of students will likely grow by 5 percent (but possibly up to 8 percent) in the next 10 years.
  - Some of this growth will be driven by new residential construction and an increase in the popularity of apartment housing to families. However, the growth will also be a result of an expected increase in birth activity caused by continued increases in the population of adults entering the most popular child-bearing years.
  - Within the Abington School District, a newly constructed **single-family detached home is over 15 times more likely to contain a school age child** than multifamily units.
  - Over the last six years, construction activity across all unit types had resulted in an estimated **7 new school age children per year.** Almost all new units constructed were infill single family detached.
- **Addresses Concerns About:**
  - What is the impact of multifamily development on local school districts? Do apartments typically generate more or less school children than other forms of development?

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- **Key Findings:**
  - Again, this study found that decisions about development patterns and location have **implications for one-third of a typical municipality's budget.**
  - This study found that smart growth development **saves municipalities an average of 10 percent on police, ambulance and fire service costs.**
  - They found even higher savings for less urban municipalities, with smart growth development **saving as much as 70 to 80 percent in rural areas.**
- **Addresses Concerns About:**
  - How does the cost of providing police and emergency services vary between single-family and multifamily development?

[2] https://smartgrowthamerica.org/our-vision/what-is-smart-growth/

Potential Impacts of Higher-Density Development on the Property Values of Nearby Single-Family Homes

Study Name: Targeted smart growth planning initiatives in the suburbs: Effects on home values

- **Authors & Date of Creation:** Kyungsoon Wang and Dan Immergluck (Georgia Institute of Technology), 2014
- **Purpose of Study:** This study measured the impacts of a pair of smart growth planning and development efforts on home values in the suburban context. Using a multivariate housing price model, the authors studied the impacts of these developments on nearby home prices. Both smart growth developments were in the Atlanta metro area, and focused on creating suburban town and/or activity centers.
- **Case Study Background:**
    - The smaller scale town center was a mixed-use development including a city hall, parks and open space, a pedestrian tunnel, a new library, a new police station, an extension of sewer services, and the redevelopment of a playground structure with a climbing wall, bridges, slides, and swings. While the majority of homes in the smaller-scale town center were single-family detached homes, there were several newly constructed attached townhomes and residential lofts above retail.
    - The larger scale activity center contained primarily nonresidential land uses, such as retail commercial centers, business and industrial parks, and public buildings. This area was the largest employment center in the suburbs of the Atlanta metro region, and was continuing to develop as a transit center and and center for new office, hotel, residential and retail space.
- **Key Findings:**
    - Both the smaller scale town center and larger scale activity center **developments positively affected housing prices within a mile of the centers**.
    - These developments had different effects on more distant areas.
    - In larger-scale smart growth developments, **even home prices in areas further than one mile rose or remained constant,** suggesting a net-positive impact in these areas.
- **Addresses Concerns About:**
    - Does the presence of multifamily housing impact the price of nearby single-family homes?

Study Name: Smart Growth and the Challenge of NIMBY: Multifamily Dwellings and their Association with Single-Family House Selling Prices in Tallahassee, Florida, USA

- **Authors & Date of Creation:** Huston Gibson and Matthew Becker (Kansas State University and Sentinel Real Estate Corporation), 2013
- **Purpose of Study:** This study sought to investigate many single-family homeowners' fears of the financial impacts of multifamily housing. Gibson and Becker used a multi-variate regression analysis (hedonic price model) to show multifamily housing's impact on single-family home prices in Tallahassee-Leon County, FL.

- **Key Findings:**
  - The study found that single-family houses within 300 feet (or closer) of multifamily housing experienced **no negative impact in property values**.
  - In many cases, the authors observe that single-family homes near multifamily housing **often witnessed an *increase* in property values** compared to single-family homes not adjacent to high-density development.
  - These findings held true **regardless of the form of multifamily housing**. For example, neither "non-intrusive" townhomes nor "disruptive" apartment buildings lowered the property values of their neighboring single-family homes.
- **Possible Limitations to Research:**
  - Gibson and Becker did not delineate between the values of multifamily housing, and their position in the hierarchy of the neighborhood housing stock.
  - Thus, they suggested that some improvements in single-family property values were due to their location in "transition zone" neighborhoods: ones with increased higher-density development alongside general increases in all development, area desirability, and land values.
- **Addresses Concerns About:**
  - Does the presence of multifamily housing impact the price of nearby single-family homes?

Study Name: Examining the Impact of Mixed Use/Mixed Income Housing Developments in the Richmond Region

- **Authors & Date of Creation:** Lisa A. Sturtevant & John McClain (George Mason University Center for Regional Analysis), 2010
- **Purpose of Study:** "The Partnership for Housing Affordability contracted with the George Mason University Center for Regional Analysis (CRA) to analyze the impacts of 11 mixed income and mixed use housing developments in the Richmond area. For this report, CRA analyzed the impacts on home prices, property assessments, and crime levels around 11 mixed income/mixed use sites in four Richmond area jurisdictions." For comparison methods, they analyzed the impacts of mixed housing as the rates of change in neighborhood compared to rates of change in the cities/counties as a whole. The 11 developments studied are all of a higher-density, making them useful for our research.
- **Key Findings:**
  - Throughout the Richmond area, **single-family home prices** and assessments were **not adversely impacted by the presence of mixed-use and mixed-income developments**, with several areas of study showing increases in value after mixed-use construction.
  - For more than half of the developments studied, **single-family home prices near mixed-use and mixed-income developments appreciated** at a greater rate than in other areas of the county and/or city, suggesting a potential benefit to this form of development.

- **Addresses Concerns About:**
  - Does the presence of multifamily housing impact the price of nearby single-family homes?

Study Name: Effects of Mixed-Income, Multifamily Rental Housing Developments on Single-Family Housing Values

- **Authors & Date of Creation:** Henry O. Pollakowski, David Ritchay, and Zoe Weinrobe (MIT Center for Real Estate), 2005
- **Purpose of Study:** This study was funded by the Housing Affordability Initiative at the MIT Center for Real Estate. Pollakowski et al. used hedonic regression analysis to examine the impact over time of introducing a large-scale, mixed-income, multifamily rental development into a neighborhood of single-family houses.
- **Key Findings:**
  - This study concluded that the **introduction of large-scale, high-density** mixed-income rental developments in single-family neighborhoods **does not affect the value of surrounding homes.**
  - For extra certainty, they chose to study the most disruptive examples of multifamily housing: large-scale, mixed-income, and rental apartments. **Even while using extreme cases** of higher-density development, they still found a lack of any negative impacts on property values.
- **Addresses Concerns About:**
  - Does the presence of multifamily housing impact the price of nearby single-family homes?

Tax Revenue

Study Name: Building Better Budgets: A National Examination of the Fiscal Benefit of Smart Growth Development

- **Authors & Date of Creation:** Smart Growth America, 2013
- **Purpose of Study:** Smart Growth America (SGA) is a research organization devoted to promoting **Smart Growth development**, which encourages mixed uses of land and buildings, compact development patterns, access to multiple forms of transportation, and the diverse housing mixture needed to allow people from various walks of life to live in one community.[3] SGA reviewed the findings of various regional fiscal impact analyses of smart growth development patterns. In doing so, they created a national assessment of the potential financial benefits that smart growth development can bring to communities throughout the US.
- **Key Findings:**
  - Smart growth developments were found to generate **10 times more tax revenue per acre** than conventional suburban development.

[3] https://smartgrowthamerica.org/our-vision/what-is-smart-growth/

- This revenue primarily came from property taxes and sales taxes, and in some cases, licensing fees or other small sources.
- The study concluded that increasing the per-acre tax yield would **reduce pressure on municipalities to increase taxes** for its residents.

- **Addresses Concerns About:**
  - How does the tax revenue generated from multifamily development compare to other forms of development? How does mixed-use development factor into this analysis?

Study Name: The Multifamily Myth: Exploring the Fiscal Impacts of Apartments in the Suburbs

- **Authors & Date of Creation:** Dorothy Ives Dewey, 2007
- **Purpose of Study:** to examine the fiscal impacts of suburban apartments on tax burdens. Dewey developed a statistical model that would determine the tax burdens of development in Chester and Bucks counties, and displayed the model using an Ordinary least squares (OLS) multiple regression.
- **Key Findings:**
  - Empirical results provide evidence that **apartment uses in a community can have a positive fiscal impact** on a suburban municipality.
  - Dewey found that **when the value of apartments increased, the tax burden in the municipality's households decreased**.
- **Addresses Concerns About:**
  - How does the tax revenue generated from multifamily development compare to other forms of development? How does mixed-use development factor into this analysis?

Community Impacts

Public Safety/Crime

Study Name: Examining the Impact of Mixed Use/Mixed Income Housing Developments in the Richmond Region

- **Authors & Date of Creation:** Lisa A. Sturtevant & John McClain (George Mason University Center for Regional Analysis), 2010
- **Purpose of Study:** "The Partnership for Housing Affordability contracted with the George Mason University Center for Regional Analysis (CRA) to analyze the impacts of 11 mixed income and mixed use housing developments in the Richmond area. For this report, CRA analyzed the impacts on home prices, property assessments, and crime levels around 11 mixed income/mixed use sites in four Richmond area jurisdictions." For comparison methods, they analyzed the impacts of mixed housing as the rates of change in neighborhood compared to rates of change in the cities/counties as a whole. The 11 developments studied are all of a higher-density, making them useful for our research.

- **Key Findings:**
  - Crime rates were **lower in neighborhoods with mixed-use and mixed-income developments** than those without them.
  - In Richmond, **crime rates decreased at a higher rate** in neighborhoods with mixed-use and mixed-income development than in the rest of the city.
- **Addresses Concerns About:**
  - Will multifamily housing bring crime to our neighborhood?

Influence on Demographic Character

Study Name: Who Lives in New Jersey Housing? : Updated New Jersey Demographic Multipliers: The Profile of Occupants of Residential Development in New Jersey

- **Authors & Date of Creation:** Alexandru Voicu & David Listokin (Center for Urban Policy Research at Rutgers University), September 2018
- **Purpose of Study:** To improve the knowledge on residential patterns in New Jersey, Voicu and Listokin produced demographic information on household size and pupil generation. Their research was particularly focused on becoming both *current* (uses the latest released American Community Survey data from the U.S. Census Bureau) and *New-Jersey specific* (contains demographic data unique to their state alone).
- **Key Findings:**
  - Many of the general findings were in line with previous research showing that **multifamily housing is responsible for less people and school-aged children per unit.**
  - Lower valued housing units (below the median value for the state) were found to produce more residents and school aged children per unit than high and median-valued homes.
  - Both New Jersey and Pennsylvania have **lower projected growth rates in school age children than other states in the Northeast** and other regions in the U.S.
  - With the exception of Mercer County, **New Jersey counties in the Delaware Valley Region are expected to have lower population and school age growth** than the state as a whole, and many other NJ counties.
- **Addresses Concerns About:**
  - Will higher-density development and multifamily housing bring residents with different values and priorities into our community?

Study Name: Housing Choices in Aging Households: The Influence of Life Cycle, Demographics, and Family

- **Authors & Date of Creation:** Gary Painter & KwanOk Lee (USC Lusk Center for Real Estate), Spring 2010
- **Purpose of Study:** Painter and Lee wanted to study the growing population of prospective renters who are senior citizens, and detail some of their generation's changing housing choices. Due to the Baby Boomers' growing age and impact on the housing market as they grow older, they decided to examine in-depth survey and Census data on their housing tenure transitions past the age of 50. Their changing choices for housing often include higher-density development and multifamily housing, making the study worth consideration.
- **Key Findings:**
  - Nearly **25 percent of seniors will experience at least one housing transition** after the age of 50.
  - Common reasons for Baby Boomers' changes in living situations included: loss of a spouse/divorce, change in health status, and desire to move to a new area (such as one near their children).
  - The study found that **lower health statuses and being a single head of household were important predictors** of housing tenure transitions.
  - While living closer to their children decreases seniors' likelihood of switching from home owning to renting, **households with wealthier children are more likely to downsize.**
- **Addresses Concerns About:**
  - Will higher-density development and multifamily housing bring residents with different values and priorities into our community?

Study Name: Overcoming Opposition to Multifamily Rental Housing

- **Authors & Date of Creation:** Mark Obrinsky and Debra Stein (Joint Center for Housing Studies at Harvard University), March 2007
- **Purpose of Study:** This report was prepared for Revisiting Rental Housing: A National Policy Summit. Obrinsky and Stein used national growth predictions to dispel some of the commonly held misconceptions about the community impacts of multifamily rental housing.
- **Key Findings:**
  - **Every 100 single-family newly constructed houses will produce 64 children, while every 100 newly constructed apartment units will produce 29.**
  - **Apartment dwellers will contribute a higher percentage of tax revenue** than single family houses, due to the commercial real estate tax placed on their homes.
  - **Apartment residents were almost twice as likely to socialize with their neighbors** as owners of single-family houses, and just as likely to be involved in structured social groups
- **Addresses Concerns About:**
  - Will higher-density development and multifamily housing bring residents with different values and priorities into our community?

Travel Impacts

Due to the complex nature of individual travel decisions, researchers commonly cite the challenge of isolating the variables that contribute to these decisions from one another. Scholars have noted the futility of trying to measure the unique travel effects of any one aspect of the built environment.[4]

For this reason, the existing research on travel impacts is grouped by thematic questions that represent common concerns about higher density development. Readers should understand that the cited studies researched the travel impacts of high-density development alongside other factors, such as surrounding land use.

Traffic and Congestion

How does the travel behavior of multifamily residents compare to single-family residents? Does multifamily development cause more congestion than single-family homes?

- The most common form of measuring travel behavior is by using the vehicle trip rates found in the Institute of Transportation Engineers (ITE) Trip Generation Manual.
- ITE trip generation data can suggest the travel behavior of residents, and travel behavior can indicate the likelihood of congestion in various areas
    - For example, developments with high trip generation rates would also be likely to experience more congestion.
- Many scholars have found significant problems with the trip generation estimates found in the ITE Manual, some of which will be explained below.[5,6,7]
- Scholars measuring travel behavior using ITE trip data found that a single-family detached house generates 42 percent more weekday trips than an apartment unit.[8]
- This suggests that even with overestimation of multifamily trip rates, apartments still generate less congestive travel behavior per unit than single-family homes.

Are trip generation estimates for multifamily units accurate? If not, what factors contribute to the difference?

- ITE trip generation data consistently overestimates trip rates in urban spaces, areas near transit, and walkable locations, as well as in higher-density developments.
- One study of trip generation at smart growth developments in California found that ITE trip estimates were 2.3 times higher than actual vehicle trips in the morning and 2.4 times higher than those in the afternoon.[9]

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[4] Cervero, Robert, and Kara Kockelman. "Travel demand and the 3Ds: density, diversity, and design." *Transportation Research Part D: Transport and Environment* 2, no. 3 (1997): 199-219.

[5] Cervero, Robert, and G. B. Arrington. "Effects of TOD on housing, parking and travel." *Transit Cooperative Research Program Report* 128 (2008).

[6] Cervero, Robert, and G. B. Arrington. "Vehicle trip reduction impacts of transit-oriented housing." *Journal of Public Transportation* 11, no. 3 (2008): 1.

[7] Clifton, Kelly J., Kristina M. Currans, and Christopher D. Muhs. "Adjusting ITE's Trip Generation Handbook for urban context." *Journal of Transport and Land Use* 8, no. 1 (2015): 5-29.

[8] Obrinsky, Mark, and Debra Stein. "Overcoming opposition to multifamily rental housing." *National Multi Housing Council (NMHC) White Paper* (2007).

- These findings (and others like them) are greatly relevant for multifamily units, which are often clustered in urban areas near transit and part of higher-density, "smart growth" developments.[10,11,12]

Parking Demand & Supply

Do multifamily residents own vehicles at the same rate as single-family residents?

- A sizeable range of literature finds that **single-family residents own more vehicles per housing unit than multifamily residents,** and generate more automobile trips per household. [13,14]
- However, it is difficult to discern if the difference in vehicle ownership is a result of the majority of multifamily housing being located in urban areas with generally low rates of vehicle ownership.

How does the supply of parking required for multifamily housing correspond to the demand? How does this demand vary by context and proximity to transit services?

- The majority of the literature on parking supply and demand is focused on Transit-Oriented Developments (TODs). Due to the high residential density needed to support transit stations, and the common use of multifamily housing in higher-density developments, it is safe to assume that research on TOD parking supply and demand is relevant for our study.
- Studies found several instances where the **over-supply of parking in TODs created cases of induced demand**, where residents who might not otherwise use a vehicle for travel brought automobiles to their developments, at least partially due to the abundant supply of parking at these sites. [15,16]
- Others found that **peak parking demand at TODs was less than half of the estimated parking demand** for the development.[17]
- These findings suggest a **vast over-supply of parking at many multifamily housing developments,** especially when they are close to transit services. Thus, issues of excessive parking at multifamily housing are likely issues of design and zoning, and not issues of residents' vehicular usage.

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[9] Schneider, Robert J., Kevan Shafizadeh, Benjamin R. Sperry, and Susan L. Handy. "Methodology to gather multimodal trip generation data in smart-growth areas." *Transportation Research Record* 2354, no. 1 (2013): 68-85.

[10] Cervero, Robert, and G. B. Arrington. "Effects of TOD on housing, parking and travel." *Transit Cooperative Research Program Report* 128 (2008).

[11] Cervero, Robert, and G. B. Arrington. "Vehicle trip reduction impacts of transit-oriented housing." *Journal of Public Transportation* 11, no. 3 (2008): 1.

[12] Clifton, Kelly J., Kristina M. Currans, and Christopher D. Muhs. "Adjusting ITE's Trip Generation Handbook for urban context." *Journal of Transport and Land Use* 8, no. 1 (2015): 5-29.

[13] Obrinsky, M., & Stein, D. (2007). Overcoming opposition to multifamily rental housing. *National Multi Housing Council (NMHC) White Paper*.

[14] Guo, Zhan. "Does residential parking supply affect household car ownership? The case of New York City." *Journal of Transport Geography* 26 (2013): 18-28.

[15] Cervero, Robert, and G. B. Arrington. "Effects of TOD on housing, parking and travel." *Transit Cooperative Research Program Report* 128 (2008).

[16] Guo, Zhan. "Does residential parking supply affect household car ownership? The case of New York City." *Journal of Transport Geography* 26 (2013): 18-28.

[17] Ewing, Reid, Guang Tian, Torrey Lyons, and Kathryn Terzano. "Trip and parking generation at transit-oriented developments: Five US case studies." *Landscape and Urban Planning* 160 (2017): 69-78.

Traffic Safety

Does the presence of multifamily development have an impact on local traffic safety conditions? Vehicle crash rates? Pedestrian and bicycle crash rates?

- The pool of literature addressing these topics is still growing, with much need for further research. Existing studies primarily focus on the attributes of areas with low traffic safety, examining such characteristics as their walkability and surrounding land use.
- By understanding the general density and mixed-use nature of areas with higher-density developments, we can use these studies to suggest the traffic safety impacts of multifamily development.
- Studies assessing the **most dangerous areas for pedestrians and cyclists** found the highest crash rates at intersections without pedestrian safety controls such as crosswalks and pedestrian traffic signals, and in **areas where detached homes connected to major roads.**[18]
- Other studies focused on the connection between vehicle crash rates and urban design. They found that **areas with urban forms less compatible with multifamily development** (such automobile-oriented retail uses, strip commercial uses, and big box stores) **were more likely to be associated with crash increases.**[19]
- While these findings are not plentiful or generalizable enough to suggest that multifamily development improve local traffic safety conditions, they definitely do not suggest that they make their neighborhoods more dangerous.

Transit, Biking, & Walking

Are multifamily residents more or less likely than single-family residents to travel by transit? Bicycle? On foot?

- While the direct impact of multifamily residences on transit, biking, and walking choices is unclear, there is considerable research on the effects of Transit-Oriented Development on these resident choices.
- In the Delaware Valley Region, many higher-density developments are also transit-oriented, suggesting that these findings are helpful for the following questions.
- Scholars at UC Berkeley found that residents of **TOD sites were 2–5 times more likely to commute using transit** than others in their region.[20]
- Case studies of **TODs in San Francisco** found that residents were considerably more likely to use modes of travel besides their own automobiles. When calculating the average mode shares for the TODs, **automobile trips accounted for less than half of all trips** counted.[21]
- While the likelihood of multifamily residents to bike or walk for travel is unclear, studies have shown that **nearly 25 percent of Americans believe they should be able to walk or bike to**

[18] Hu, Yujie, Yu Zhang, and Kyle S. Shelton. "Where are the dangerous intersections for pedestrians and cyclists: A colocation-based approach." *Transportation Research Part C: Emerging Technologies* 95 (2018): 431-441.
[19] Dumbaugh, Eric, Robert Rae, and Douglas Wunneberger. "Using GIS to develop a performance-based framework for evaluating urban design and crash incidence." *Urban Design International* 16, no. 1 (2011): 63-71.
[20] Cervero, Robert, and G. B. Arrington. "Effects of TOD on housing, parking and travel." *Transit Cooperative Research Program Report* 128 (2008).
[21] Ewing, Reid, Guang Tian, Torrey Lyons, and Kathryn Terzano. "Trip and parking generation at transit-oriented developments: Five US case studies." *Landscape and Urban Planning* 160 (2017): 69-78.

work, even though less than 5 percent currently do so. This suggests that many potential multifamily residents would be likely to bike or walk for travel if the design of their developments and surrounding neighborhoods allowed them to do so.[22]

[22] Nelson, Arthur C., Gail Meakins, Deanne Weber, Shyam Kannan, and Reid Ewing. "The tragedy of the unmet demand for walking and biking." *The Urban Lawyer* (2013): 615-630.

Gentle Density Increases Nearby Property Values, Evidence Shows, Contrary to Popular Belief

First published April 20th, 2022 | Updated May 1st, 2023 by Nomer Caceres. Posted in **News - 0 Comments**

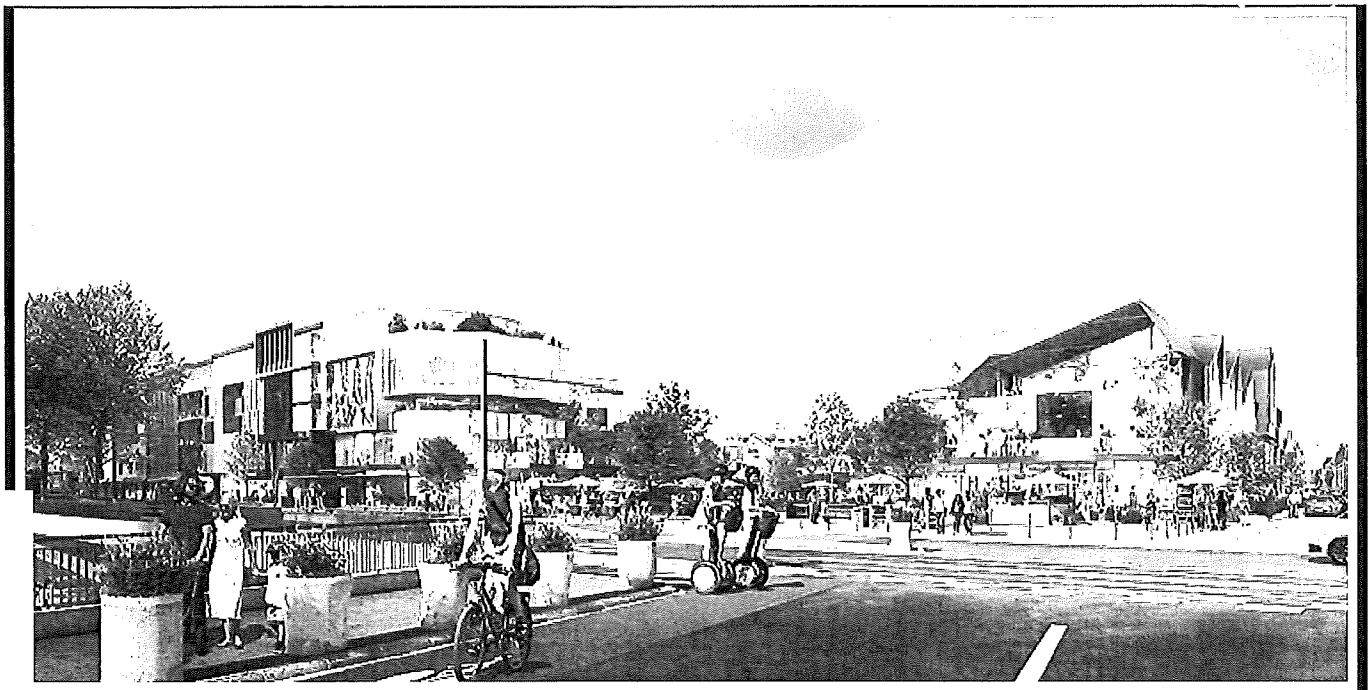
By Eric Weld, MassLandlords, Inc.

Resultant lowered property values are one of the main reasons given by opponents of zoning reform, which could introduce increased housing density. The cultural meme of more diversity and more people in a given neighborhood dragging down the value of properties there – especially single-family homes – is widely repeated and accepted among buyers and sellers.

But it's wrong, according to numerous studies. And worse, for many U.S. cities it's standing in the way of expanding housing stock, especially affordable housing.

In fact, in most cases, bringing "gentle" housing density into a residential neighborhood has been shown to *increase* property values if done wisely. This property value boost with increased density is partly due to lifestyle enhancements like added cultural opportunities, close retail outlets, lower infrastructure costs and shorter commutes, among other factors.

The phrase "gentle" density is gaining repetition in media. In contrast to high density, which includes mid- and high-rise residential buildings, gentle density refers to development of duplexes, triplexes, accessory dwelling units (ADUs), stacked townhouses, semi-detached homes and small-scale apartment and condominium buildings within and among single-family zoned neighborhoods. Gentle density promotes mixed-use development, with single-family homes alongside small multi-family homes, businesses and commercial buildings. Gentle density aims to retain neighborhoods' residential identity and feel while alleviating housing crises.



According to dozens of studies, mixed-use neighborhoods such as this one, that combine retail, commercial and residential land use, bolster nearby property values.

Property Values Shown to Increase with Gentle Density

Studies abound with conclusive evidence that gently increased housing density provides at least a slight boost to property values. Not a single U.S. study has found that introducing gentle density negatively impacts values of proximate single-family homes or rental properties.

A **2012 study**, "The Economic Value of Walkable Neighborhoods," published in Urban Design International, concluded that the value of both single-family residential properties and multi-family rental properties increased with density of development. Part of that property increase was due to added amenities like sidewalks, shorter blocks, and a mix of retail, commercial and residential surroundings, the study said.

The study went further. Not only did cited properties increase in value, but the quality of neighborhoods – defined as access to parks and other land uses – increased, too.

The Ken C. Gardner Policy Institute at the University of Utah **studied** single-family home prices in suburbs around Salt Lake County between 2010 and 2018. "This study found apartments built between 2010 and 2018 have not reduced single-family home values in suburban Salt Lake County," the study sums. "Single-family homes located within ½ mile of a newly constructed apartment building experienced higher overall price appreciation than those homes farther away."

In addition to increased property values, higher density development yields several other benefits, according to MetroTex, an association of realtors **analyzing housing density** in the Dallas-Fort Worth metro region. Among them: lower infrastructure costs due to smaller, more compacted service areas;

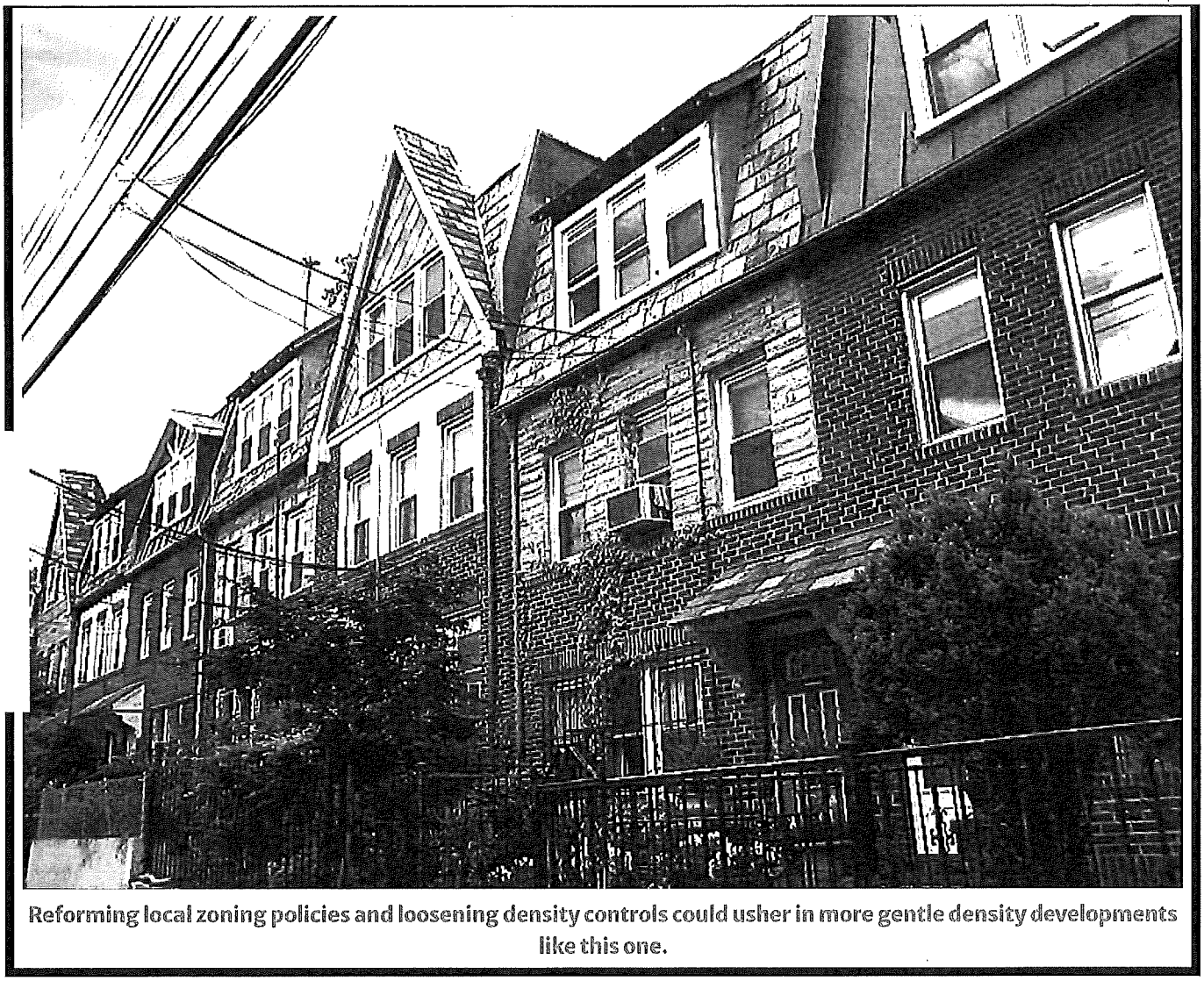
less traffic because residents in higher density neighborhoods tend to need or own fewer cars than their counterparts in lower density, single-family communities; lower taxes since higher density areas are more likely to spread tax assessments among mixed-use properties including retail and commercial; more efficient and cost-effective schools; and attractive circumstances for new employers.

Finally, but not exhaustively, **an in-depth study**, conducted in 2005 by the Urban Land Institute, examined several myths surrounding housing density. The study states: "Ample evidence... suggests that well-designed higher-density development, properly integrated into an existing community, can become a significant community asset that adds to the quality of life and property values for existing residents while addressing the needs of a growing and changing population."

et, the study acknowledges, attitudes toward increased density persistently skew negative. Still, hen people who object to the general concept of increased housing density are shown images of entle density versus lower density, they prefer the benefits of gentle density communities and nange their negative reactions to it. Amenities such as restaurants, schools, shopping, libraries and ublic transportation within walking distance are preferred to longer commutes and larger home lots ith fewer opportunities for walking.

The Urban Land Institute study also reiterates that several studies have examined correlations between multi-family development and impact on property values of nearby single-family homes. "These studies have shown either no impact or even a slightly positive impact on appreciation rates," the study concludes.

The study goes on to cite several other studies detailing percentage increase comparisons between properties near higher density development and those in low-density areas. Every study concludes that well-designed higher density increases overall values of nearby single-family homes.



Reforming local zoning policies and loosening density controls could usher in more gentle density developments like this one.

Impact of Gentle Density on Rent Rates

In addition to increasing property values, loosening housing density controls has the secondary benefit of reducing rental rates, according to **this 2021 study** conducted in Boston.

"We find that relaxing density restrictions (minimum lot size and maximum dwelling units), either alone or combined with relaxing height restrictions or allowing for multi-family housing, are the most fruitful policy reforms to increase supply and reduce multi-family rents and single-family prices," state the authors – Nick Chiumenti of the Federal Reserve Bank of Boston, Amrita Kulka of the University of Warwick and Aradhya Sood of the University of Toronto – of the study, "How to Reduce Housing Costs? Understanding Local Deterrents to Building Multi-Family Housing."

This trend aligns with conventional economic supply-and-demand theory. When the supply of a desirable product (housing in this case) is restricted, both perceived value and price logically increase.

A **2021 study** by the U.S. Department of Housing and Urban Development corroborates the Boston findings, and goes further in concluding that the opposite is also true: tighter housing density controls and resultant low-density regions spur rising rents.

Where this standard economic model veers off course is in the above-described case of single-family property values, which increase with the development of gentle density – or more housing availability. However, studies point out that home prices and rents do not always correlate strictly around density, and are significantly influenced by other factors, as stated above.

Why Objection to Density Persists

It's somewhat of a mystery why incorrect attitudes persist regarding higher density housing's negative effects on property values.






's well-known that zoning originated as an **exclusionary tool**, to keep non-white, foreign and lower-ıcome people from moving into certain neighborhoods. Exclusionary zoning persisted long into the 0th century – and is still with us – largely on the premise that allowing non-white and poorer opulations into neighborhoods would harm property values. While some communities work to move eyond these prejudices, it's likely some of that belief and attitude remain today.

till, no modern study has investigated the persistent, but errant, collective attitude that gentle density negatively impacts property values. In fact, property values are shown to be based more on practical considerations and life-enhancing opportunities than on density and diversity. Proximity to amenities, specific architecture and good building maintenance, and the availability of quality infrastructure and services are the high-ranking qualifiers determining property values.

Stubborn myths about the negative effects of housing density may also be largely due to leftover memories of high-density, high-rise urban housing projects of the 1960s and 1970s. Housing projects in New York City, Chicago and other cities were broadly deemed failures as models of denser housing. The failure label was certainly unfair, as those projects were doomed with high concentrations of poverty, poorly funded and performing schools and low opportunity for employment, not to mention a dearth of life-enhancing amenities like green spaces. As a result, many of these developments became riddled with relatively high crime, though that was not a direct corollary with high density. Systemic racism also played a heavy hand in the failure of high-density housing projects.

Today's mixed-use, gentle density developments are a stark contrast to those high-density projects with emphases on multi-family architecture, green space, mixed-use zoning and low car traffic.

Nonetheless, the perception of high density as a failed housing policy may be partly souring the public attitude toward low and medium density.

At least equally as important are individual prejudices against dense housing – i.e., the NIMBY effect – which continue to be prevalent across demographic categories. "Across every demographic subgroup analyzed, respondents preferred single-family home developments by a wide margin," writes Jessica Trounstine in a **December 2021 article** for Urban Affairs Review. "Relative to single family homes, apartments are viewed as decreasing property values, increasing crime rates, lowering school quality, increasing traffic, and decreasing desirability."

Yet none of those beliefs are true, according to dozens of studies.

National Attitude Change Needed

Cities across the United States consistently have a housing shortage. On that fact there is broad agreement. **Some 83%** of the U.S. population now lives in urban areas, according to the University of Michigan's Center for Sustainable Systems, up from 64% in 1950. More people are moving to cities than current housing development can accommodate.

There is also broad consensus around the need for more housing in urban areas. Yet, in most U.S. cities, ıost of the available land is zoned for single-family homes only. In the greater Boston region, 27% of ɔmmunities have between 81% and 90% of available land zoned for single-family use only – not an typical statistic across the country's urban areas – **according to** the Fair Housing Center of Greater oston.

ne contributor to the intractability of the national housing shortage and cities' inabilities to reform bstructive zoning laws is the overriding belief that denser housing damages property values – not to ıention other undesirable effects like neighborhood "quality," safety and others – despite all evidence to the contrary.

Some cities and states, like Minneapolis, **Portland, Oregon, and California**, have begun to break through the wall of erroneous obstruction and pass meaningful zoning reform. Still, their reforms are not enough to keep up with the influx of people needing housing.

Efforts in other states, including Massachusetts, are in various stages of progress to enact reforms that can usher new and affordable housing development. But absent a coinciding educational campaign to counter the false belief that gentle housing density harms single-family housing, it will remain difficult to move policies forward fast enough.

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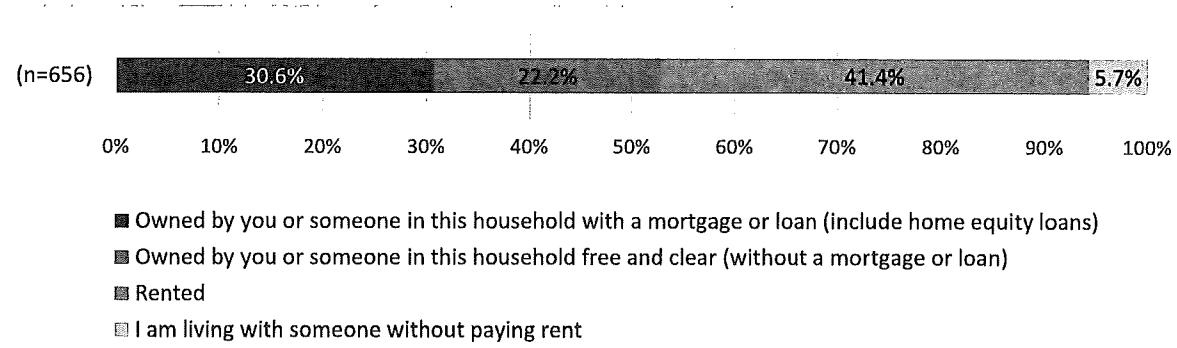
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Section 5: Housing

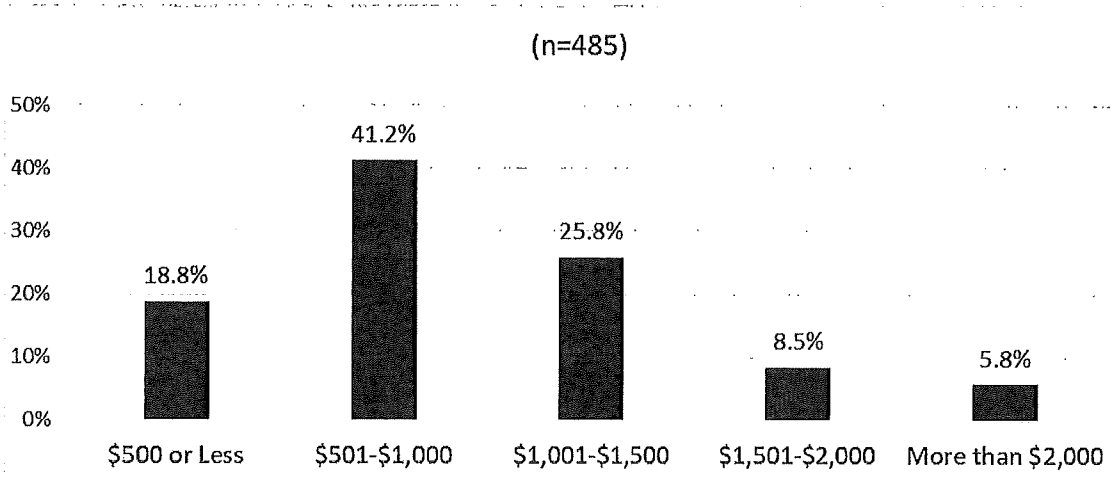
Close to a third (30.6%) of respondents lived in a place owned by them or someone in the household that has a home mortgage or loan, while 22.2% have no mortgage or loan. More than forty percent (41.4%) of respondents were renting, and 5.7% were living with someone without paying rent (Figure 40). Those respondents who had a mortgage/loan or were renting were asked approximately how much their monthly rent or mortgage payment was. Among them, 18.8% paid $500 or less per month, 41.2% paid $501-$1,000, and 40% paid more than $1,000 (Figure 41).

Figure 40: Primary Living Place



Question: Q35 *Regarding the primary place you live, is the house, apartment, or mobile home...*

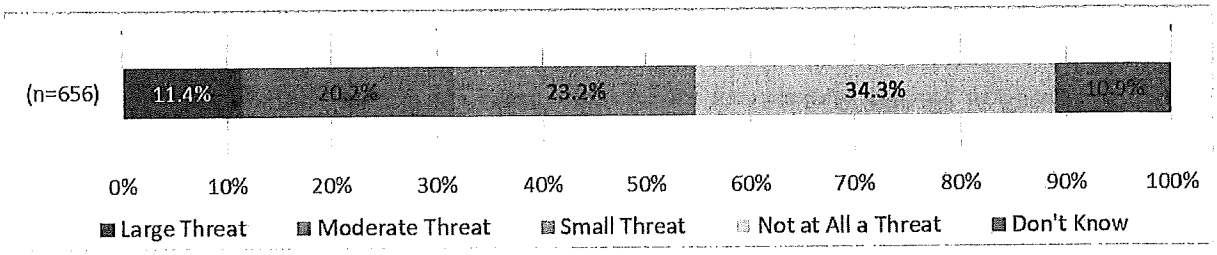
Figure 41: Monthly Rent or Mortgage Payment



Question: Q36 *Approximately how much is your monthly rent or mortgage payment?*

When asked how much annual property taxes are a threat to them staying in their home, 11.4% of respondents said they were a "large threat," 20.2% said "moderate threat," 23.2% "small threat," and 34.3% felt they were "not at all a threat" (Figure 42).

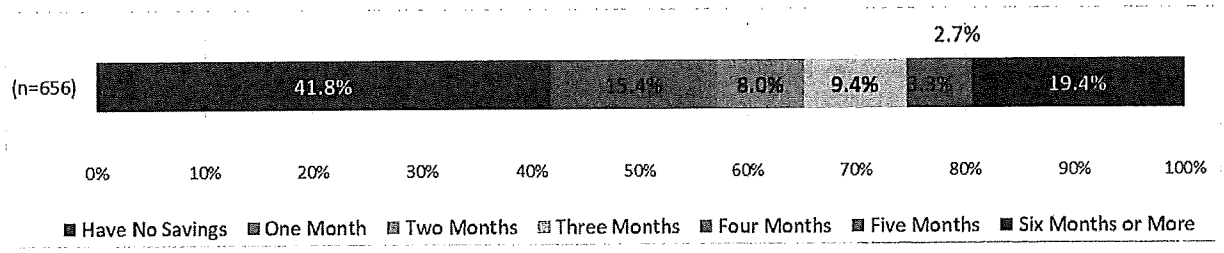
Figure 42: Property Taxes as a Threat to Staying in Home



Question: Q37 *To what extent are annual property taxes a threat to you staying in your home?*

When asked if they had enough money saved to cover all their monthly expenses including housing, 41.8% said they did not have any savings. About a third (32.8%) had enough for one to three months, 6% had enough for four to five months, and 19.4% had enough for six months or more (Figure 43).

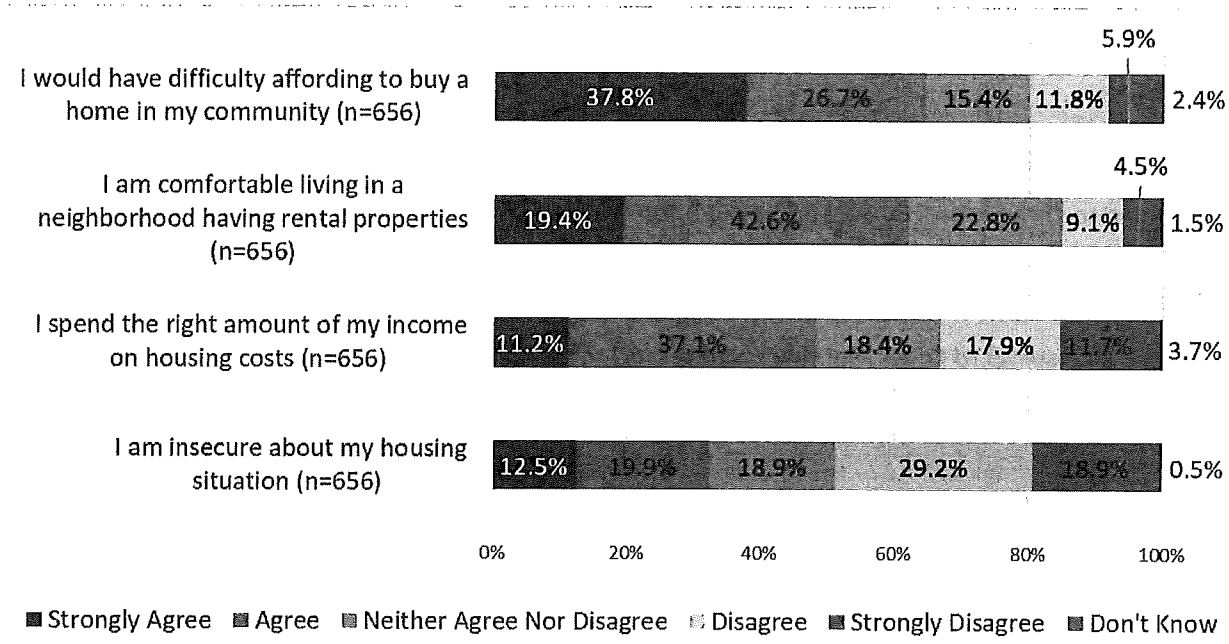
Figure 43: Savings to Cover Monthly Expenses Including Housing



Question: Q38 *I have enough money saved to cover all my monthly expenses including housing for:*

The survey asked a few questions regarding respondents' personal housing situation. Less than half (48.3%) of respondents agreed or strongly agreed that they spent the right amount of their income on housing costs; 29.6% disagreed or strongly disagreed. More than sixty percent of respondents felt that they would have difficulty affording to buy a home in their community (64.5% agreed or strongly agreed). More than sixty percent of respondents felt comfortable living in a neighborhood having rental properties (62% agreed or strongly agreed). When asked if they felt insecure about their housing situation, 32.5% of respondents strongly agreed or agreed, whereas 48.1% strongly disagreed or disagreed (Figure 44).

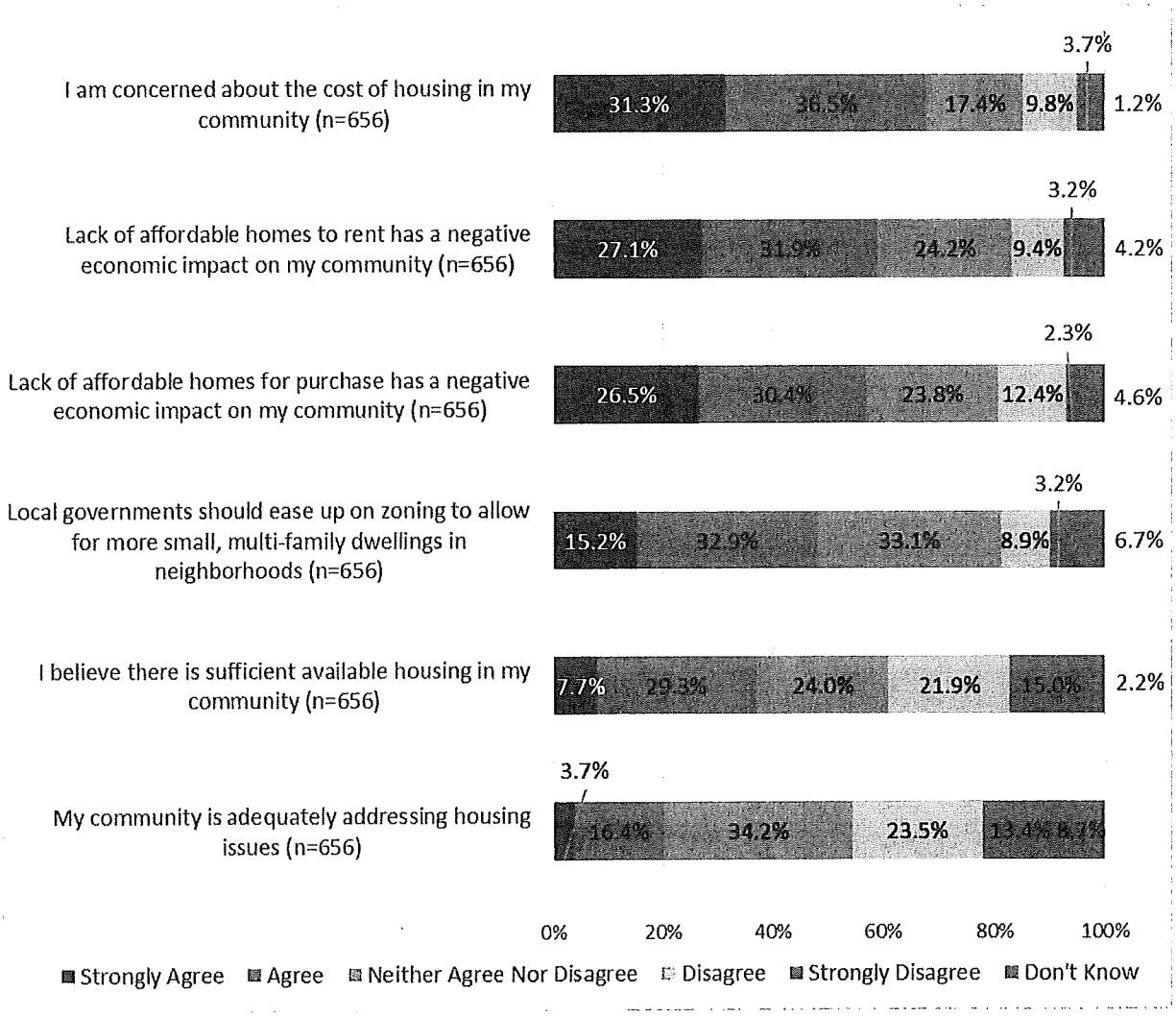
Figure 44: Personal Housing Situation



Question: Q39 *Thinking of your own situation, how much do you agree or disagree with the following statements about housing?*

Respondents were asked about their opinions with regard to housing in their communities. Almost seventy percent (67.9%) of respondents agreed or strongly agreed that they were concerned about the cost of housing in their communities. More than one-third (37%) agreed or strongly agreed that there was sufficient housing in their community, and about the same percentage (36.9%) disagreed or strongly disagreed. Almost sixty percent felt that their community is negatively impacted by lack of affordable homes for purchase (56.9% agreed or strongly agreed) or lack of affordable homes to rent (59.1% agreed or strongly agreed). When asked if they agreed that their community is adequately addressing housing issues, 20.1% of respondents agreed or strongly agreed, whereas 36.9% disagreed or strongly disagreed. Almost (48.2%) of respondents felt that local governments should ease up on zoning to allow for more small, multi-family dwellings in neighborhoods (Figure 45).

Figure 45: Opinion on Housing



Question: Q40 *How much do you agree or disagree with the following statements about housing in your community?*

- About 55% agreed or strongly agreed that education beyond high school is a good return on investment both for the student and for the general population, while less than 20% disagree on both.
- 47.8% of respondents felt creating an educated citizenry is much or slightly more important as the main goal of higher education. 32.9% felt developing a workforce is much or slightly more important as the main goal.

Section 5: Housing

- 30.6% of the respondents lived in a place owned by them or someone in the household that has a home mortgage or loan, while 22.2% had no mortgage or loan. 41.4% of respondents were renting, and 5.7% were living with someone without paying rent.
- Among those paying a mortgage or loan and renting, 18.8% paid $500 or less per month, 41.2% paid $501-$1,000, and 40% paid more than $1,000.
- 11.4% of respondents said annual property taxes were a "large threat" to their staying in their home. 20.2% said "moderate threat," 23.2% "small threat," and 34.3% said "not at all a threat."
- 41.8% of respondents said they did not have any savings to cover all their monthly expenses including housing. 32.8% had enough for one to three months, 6% had enough for four to five months, and 19.4% had enough for six months or more.
- 48.3% of respondents agreed or strongly agreed that they spend the right amount of their income on housing costs. 29.6% disagreed or strongly disagreed.
- 64.5% of respondents felt that they would have difficulty affording to buy a home in their community.
- 62% respondents felt comfortable living in a neighborhood having rental properties.
- When asked if they felt insecure about their housing situation, 32.5% of respondents felt insecure about their housing situation. 48.1% felt secure.
- 67.9% of respondents were concerned about the cost of housing in their communities.
- 37% of respondents believed there was sufficient available housing in their communities. 36.9% believed there was not.
- Almost sixty percent of respondents felt that lack of affordable houses (both for purchase and also for rent) were having negative impacts on their community.
- 20.1% of respondents agreed that their community was adequately addressing housing issues. 36.9% disagreed.
- 48.2% of respondents felt that local governments should ease up on zoning to allow for more small, multi-family dwellings in neighborhoods. 13.9% did not feel so.
- 26.3% of respondents said "downtown" was the best place to locate a shelter to serve people who were homeless in their community. 10.5% said "neighborhood," 6.8% said "business district," and 7.4% said "other location."

- 19.6% of respondents were comfortable with having a shelter within two blocks of their home on the same street, 12.9% were comfortable with "less than a half mile but more than 2 blocks away," and 14% were comfortable with "less than 1 mile but at least a half mile away." 25.6% said "1 to 2 miles away," and 27.9% were not at all comfortable with a shelter near their home.
- Respondents were asked what levels of government should be responsible for funding services for people who are homeless. The state government was selected by 69.5% of respondents. The federal government was selected by 64.3% and local government was selected by 54.3% of respondents.
- 18.9% of respondents agreed that people who are homeless need housing before mental health services, addiction treatment and/or medical care. 62.1% disagreed.
- 52.4% of respondents agreed that people who are homeless have the right to refuse mental health services, addiction treatment and/or medical care. 30.3% disagreed.
- 48.9% of respondents felt homeless encampments should be allowed to continue on public land until another solution is found. 27.6% felt they should be cleaned up by law enforcement immediately. 5.2% support the encampments to continue indefinitely on public land.
- When asked who was best positioned to deal with the challenge of homelessness, 38.5% of respondents answered "government," 23.6% answered "nonprofit sector," and 11% answered "church."
- 31.5% of respondents said "lack of affordable housing" was the most root cause of homelessness. 22.4% said "mental health issues." 21.5% said "addictions."
- 57.7% of respondents somewhat or strongly agreed that more government spending was needed in their community on services for the homeless. 14.5% disagreed.
- 22.2% of respondents somewhat or strongly agreed that homelessness was handled well in their community. 38.4% disagreed.

Section 6: Childcare and Long-term Care

- 85.7% of respondents believed that high-quality, affordable infant and toddler childcare was extremely or highly important for families in Kansas, regardless of whether or not they had young children. 10.7% felt it was "slightly important" or "not important at all."
- 79.1% of respondents strongly or somewhat agreed that access to affordable childcare strengthened the economy. 3.4% disagreed.
- About two thirds of respondents strongly or somewhat agreed that affordable and accessible childcare was an obstacle to women's economic participation (68.3%) and an obstacle to women's progress (65.6%).
- 27.8% of respondents strongly or somewhat agreed that mothers should stay at home to provide infant and toddler childcare. 38.2% strongly or somewhat disagreed.

Source? Local Housing Solutions ^

Examples of MF as PUs. Also ADU provisions.

On this page

Overview

Key features of missing middle housing and ADU policies in eight localities

Eugene, Oregon

South Bend, Indiana

Grand Haven, Michigan

Greenville, South Carolina

Des Moines, Iowa

Barnstable, Massachusetts

Raleigh, North Carolina

Santa Cruz, California



Local policies that support missing middle housing and accessory dwelling units

Published: August 25, 2023

Overview

Policymakers and practitioners increasingly see developing and preserving missing middle housing (/housing-policy-library/missing-middle-housing/) and accessory dwelling units (/housing-policy-library/accessory-dwelling-units/) (ADUs) as an important strategy for addressing the housing affordability crisis. The term "missing middle housing" generally refers to housing types that fall in between detached single-family housing and mid-rise apartment buildings. Missing middle types include duplexes, townhomes,

small multifamily units, and cottage courts (https://missingmiddlehousing.com/types/cottage-court), which consist of small detached units set around a central open space (the court) on a single lot.

ADUs are secondary housing units attached or sited next to a primary house. While not always considered to be "missing middle" housing, ADUs function similarly and gently increase density and expand the availability of lower-cost housing types in single-family neighborhoods. Missing middle housing and ADUs tend to be more affordable than single-family homes because the units are typically smaller and multiple units share land and construction costs. Some missing middle types, including cottage courts and small multifamily, may be more affordable to build than single-family homes on a per-unit basis when economies of scale are achieved.

This brief profiles land use and other policies related to missing middle housing and ADUs in eight localities: Eugene, OR; South Bend, IN; Grand Haven, MI; Greenville, SC; Des Moines, IA; Barnstable, MA; Raleigh, NC; and Santa Cruz, CA. Each of them has taken steps to facilitate an increase in the supply of missing middle housing generally or to encourage the production of missing middle housing legally restricted to low- or moderate-income households (i.e., dedicated affordable housing).

The profiles in this brief focus on the adoption of more relaxed land use regulations and other tools that could potentially enable the development of missing middle housing and ADUs, including:

- Allowing ADUs and types of missing middle housing by right and in single-family zones, which reduces permitting time and costs and increases the amount of land available for missing middle housing.

- Increasing allowable density by allowing small unit sizes, taller building heights, and reduced setbacks, which can reduce costs by enabling more units to be built on a parcel of land.
- Reducing or eliminating parking requirements that can add thousands of dollars to the cost of a home.
- Developing tools and policies that may facilitate or expedite the construction of missing middle housing and ADUs, like pre-approved plans and tax incentives. Pre-approved plans reduce the cost of designing new homes and streamline the permitting of missing middle housing. Tax incentives may spur the development of missing middle housing, especially in areas with limited market demand for such housing, and may reduce a household's tax burden.

These types of policy changes are becoming increasingly appealing to localities struggling with housing supply or affordability issues. Recent research (https://www.brookings.edu/books/fixer-upper/) has emphasized the importance of enacting more flexible zoning to allow housing types other that single-family homes, which predominate in many cities' housing supply. Examples from California and Portland, Oregon demonstrate the promise of enabling more housing choices through relaxed regulations: California permitted over 63,000 ADUs (https://ternercenter.berkeley.edu/wp-content/uploads/2022/12/Missing-Middle-Brief-December-2022.pdf) between 2018 and 2021 after legalizing them in 2016, and a 2018 survey of ADU owners in Portland, Oregon (https://pdxscholar.library.pdx.edu/cgi/viewcontent.cgi?article=1119&context=iss_pub) found that 44 percent rented out their ADUs for below market value. Portland has been working since 1998 (/housing-policy-case-studies/facilitating-the-development-of-accessory-dwelling-units-in-portland-or/) to facilitate ADU construction better.

The research team compiled information for this brief in mid-2023, primarily from land use ordinances and other publicly available resources. Population data are US Census July 2022 estimates.

Types of missing middle housing

Image source: Sightline Institute. (CC BY 2.0) (https://creativecommons.org/licenses/by/2.0/)

Key features of missing middle housing and ADU policies in eight localities

Eugene, Oregon

Summary: Key features of missing middle housing and ADU policies in Eugene, Oregon (population 177,923):

- The city allows all missing middle housing types by right in zones previously limited to single-family housing.
- The city allows ADUs by right in all residential zones and offers pre-approved ADU plans.
- The city waives parking requirements for housing near transit stations and reduces parking for affordable missing middle housing.

+ Read more about Eugene, OR, here.

South Bend, Indiana

Summary: Key features of missing middle housing policies in South Bend, Indiana (population 103,110):

- South Bend does not require parking for any land use in any of the city's zones.
- The city provides pre-approved plans for some missing middle housing types.
- The city allows duplexes and ADUs by right in all single-family zones and has relatively small setback requirements in most residential zones.

+ Read more about South Bend, IN, here.

Grand Haven, Michigan

Summary: Key features of missing middle housing policies in Grand Haven, Michigan (population 10,982):

- Grand Haven does not allow cottage courts or ADUs by right, but these housing types can be permitted in some areas. The city also allows multifamily buildings in two of its three primarily residential zones and other mixed-use zones.
- The city allows parking requirements to be reduced by 20 percent for buildings within 800 feet of public transit.

+ Read more about Grand Haven, MI, here.

Greenville, South Carolina

Summary: Key features of missing middle housing policies in Greenville, South Carolina (population 72,310):

- Greenville's land use ordinance incorporates form-based code elements, which enables any type of missing middle housing in residential zones that meets building envelope requirements.
- The ordinance has relatively small setbacks for most housing types, which allows more efficient land use and may make new missing middle housing more feasible.
- Parking requirements are reduced for developments with affordable units.

+ Read more about Greenville, SC, here.

Des Moines, Iowa

Summary: Key features of missing middle housing policies in Des Moines, Iowa (population 211,034):

- Des Moines is unique among the localities profiled in that it has a tax abatement available for building or improving missing middle housing and ADUs.
- ADUs are allowed without owner-occupancy restrictions.

+ Read more about Des Moines, IA, here.

Barnstable, Massachusetts

Summary: Key features of missing middle housing policies in Barnstable, Massachusetts (population 49,532):

- Barnstable's affordability program offers no-interest loans for the construction of ADUs.
- The city allows affordable multifamily buildings by permit in certain single-family zones.

+ Read more about Barnstable, MA, here.

Raleigh, North Carolina

Summary: Key features of missing middle housing policies in Raleigh, North Carolina (population 476,587):

- Raleigh allows ADUs and duplexes by right in all single-family zones.
- The city offers pre-approved plans for ADUs.

+ Read more about Raleigh, NC, here.

Santa Cruz, California

Summary: Key features of missing middle housing policies in Santa Cruz, California (population 61,800):

- Santa Cruz may waive ADU development fees if property owners rent the ADU to low- or very low-income tenants.

- The city does not have parking minimums for ADUs but does have parking requirements for other types of missing middle housing.
- Setbacks in areas that allow missing middle housing are smaller than those in areas reserved for single-family homes.

+ Read more about Santa Cruz, CA, here.



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Accessory Dwelling Units and Beyond: How Can Cities Overcome Barriers to Increasing Zoning Capacity in Single-Family Neighborhoods?

Working Paper WP22VM1

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January 2022

The findings and conclusions of this Working Paper reflect the views of the author(s) and have not been subject to a detailed review by the staff of the Lincoln Institute of Land Policy. Contact the Lincoln Institute with questions or requests for permission to reprint this paper. help@lincolninst.edu

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Abstract

Secondary units on single-family-zoned lots, formally known as Accessory Dwelling Units (ADUs) and more commonly as granny flats, garage apartments, and backyard cottages, help increase housing supply, make it affordable, and layer in density within the prevailing fabric of single-family neighborhoods. However, most cities are reluctant to permit ADUs easily because of real and perceived homeowner opposition. Scholars from both market-oriented and social housing-based perspectives have become skeptical and more critical of neighborhood-based opposition in cities to new housing developments. Given the United States' federalism context and the lack of strong metropolitan institutions, scholars and policymakers concerned about housing supply in cities see state intervention as the most promising arena for addressing local barriers. While California has used state preemption to allow ADUs in cities throughout the state, the local governments of Seattle, Portland, and Minneapolis have implemented incremental changes to allow secondary units on single-family-zoned lots. Minneapolis went a radical step further and became the first major U.S. city to allow three units on all single-family and duplex-zoned lots. Portland also upzoned single-family neighborhoods to allow duplexes, triplexes, and multiple ADUs, and Seattle allows two ADUs on single-family-zoned lots. Through inductive case study research, we research the institutional processes of Seattle, Portland, and Minneapolis to understand under what conditions local governments can overcome opposition to ADUs and how ADUs can become a gateway to higher-density cities. The research project adds to scholars and policymakers understanding of the appropriate scale for decision-making regarding housing and zoning regulations and how local governments can work with parochial communities to proactively overcome housing supply barriers.

Keywords: Single-family zoning, zoning reform, Accessory Dwelling Units (ADUs), Seattle, Portland, Minneapolis

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Acknowledgements

We are grateful to Trong Kim for his research assistance. We also thank our various informants in Seattle, Portland, and Minneapolis for their help and insights. Finally, we are grateful for the research support from the Lincoln Institute of Land Policy and the Ziman Center for Real Estate at UCLA.

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Accessory Dwelling Units and Beyond:
How Can Cities Overcome Barriers to Increasing Zoning Capacity in Single-Family Neighborhoods?

Introduction

After several decades of a declining population or modest population growth, Minneapolis experienced double-digit population growth during the 2010s. To increase the housing supply, the Minneapolis planning department started looking seriously at accessory dwelling units (ADUs, or secondary units on single-family-zoned lots) and the possibility of expanding an existing ADU pilot program to single-family- and duplex-zoned lots citywide in mid-2013.

To guide their decision-making, Minneapolis planners researched other cities in the United States and Canada that had successfully reformed their land use regulations to allow ADUs. They focused on four cities leading the ADU movement: Santa Cruz, Seattle, Portland, and Vancouver (MCPED 2014). Santa Cruz received several awards for its ADU program in the early 2000s. Seattle had allowed single-family homeowners to add an attached or detached ADU since 2009. Portland allowed second units without additional parking requirements or owner-occupancy restrictions and may have had the most liberal ADU regulations among major U.S. cities. Additionally, the city incentivized ADUs by exempting them from development charges in 2010. Vancouver was the leader in permissive ADU regulations. It allowed three units—a secondary suite and a laneway apartment—on most single-family-zoned lots since 2009.

After researching peer cities' ADU programs, the Minneapolis planning department launched a civic engagement program of public workshops to share its findings and recommendations, as well as an open online survey to receive community feedback. The public response suggested overwhelming support in Minneapolis for allowing ADUs. Subsequently, the Minneapolis City Council approved the expansion of ADUs citywide in December 2014 (City of Minneapolis 2014b).

The city's success with ADU legislation and openness to tenants in single-family neighborhoods set the stage for more radical land use reforms to single-family zoning. Four years later, in late 2018, the Minneapolis City Council approved a new comprehensive plan called MPLS 2040 (City of Minneapolis 2018b; 2020). MPLS 2040 eliminated single-family zoning and allowed triplexes on any residentially zoned lot in the city. Unlike with ADUs, secondary suites, and laneway apartments, it would also give property owners the right to sell each of the three units separately. Thus, Minneapolis became the first major U.S. city to end single-family zoning and became a new model for housing supply activists and planners across the country. The *New York Times* (2019) editorial board took note and endorsed the change in a piece about how "Americans Need More Neighbors."

In this paper, we focus on Seattle, Portland, and Minneapolis to examine 1) How cities can overcome opposition to ADUs in single-family neighborhoods, and 2) How ADU reforms can be a gateway to more ambitious land use deregulation and higher density in cities.

These cities are recognized as the vanguard of single-family zoning reform in the U.S. They have relaxed their planning regulations to allow ADUs by reducing their standards for minimum lot sizes, reducing or eliminating off-street parking requirements, reducing building setbacks, and increasing allowed household density, height limits, and unit sizes. Widespread acceptance of their changes to single-family zoning has allowed them to go beyond ADUs and explore more dramatic changes in their land use regulations to allow greater density and diversity of housing. In addition to Minneapolis's success in allowing triplexes on all single-family- and duplex-zoned lots (*Los Angeles Times* 2018; *National Public Radio* 2019), Seattle allowed two ADUs—one attached and one detached—on all single-family-zoned lots (Beekman 2018). The city also expanded and upzoned its designated urban villages, which are Seattle's transit-oriented neighborhoods. Portland developed and approved an infill project, the Residential Infill Project (RIP), to allow duplexes, triplexes, and multiple ADUs in single-family neighborhoods (City of Portland 2020; Njus 2019a).[1]

The process used to reform single-family zoning in Seattle, Portland, and Minneapolis stands in contrast to California, where the state government has preempted local land use regulations to reform zoning. The cases suggest that there are locally driven policy pathways to institutional reform of single-family zoning that may offer advantages over the state-level approach implemented in California, including policy experimentation and diversity and strengthening local democracy. Also, many cities in the U.S. cannot expect state preemption to resolve their housing issues. Minneapolis provides an example of how a progressive city located in a less progressive state can find community support for local land use reforms.

After this brief introduction, the rest of the paper is organized as follows: In section two, we examine institutional literature on the appropriate scale or level of government intervention in local land use regulations. We share the three case studies in sections three, four, and five, describing each of them chronologically through a common framework. In section six, we assess the potential of effective local government intervention in single-family zoning regulations to allow second units and implement more ambitious land use changes.

Overcoming Local Concerns about Density and Development

Academic criticism of exclusionary zoning has conventionally focused on affluent suburbs, where local governments prohibit denser housing developments, including below-market-rate and affordable housing (Davidoff et al. 1970; Orfield 1997; Rusk 1999). Scholars hold suburban exclusionary zoning responsible for the persistent and increasing economic and racial segregation across jurisdictions, particularly between cities and their outer districts (Logan et al. 2015; Trounstine 2018). Spatial segregation, they argue, fosters inequality (Massey and Denton 1998), and as inequality worsens, wealth-based segregation is likely to deepen (Bischoff and Reardon 2014).

---

[1] RIP is a reference to "rip city," Portland's nickname. The city's local land use reform efforts were overtaken by state preemption through House Bill 2001 to legalize duplexes and allow triplexes and fourplexes in 2019 (Njus 2019b). However, the city completed its proposed reforms the following year.

More recently, scholars have become more critical of neighborhood-based opposition in cities to new housing developments. Edward Glaeser and his colleagues (Glaeser, Gyourko, and Saks 2005) argued that homeowners opposing new residential developments collectively act as "homeowners' cooperatives." They limit who lives in their community by controlling new development levels and benefit from constraining housing supply through substantive increases in their property values. Others have described homeowner groups as cartels and cities as the new arena for exclusionary zoning (Mangin 2014). Empirically, Vicki Been and her colleagues (Been, Madar, and McDonnell 2014) analyzed homeowners' power by examining parcel-level data in New York City and the city's zoning changes. They found that homeowners successfully opposed upzoning: the probability of upzoning was correlated inversely with the prevalence of owner-occupied parcels. In a related vein, Corianne Scally and Rosie Tighe (2015) criticized organized neighborhood-based opposition to affordable housing developments. In general, planners tend to be sympathetic and supportive of organizing at the neighborhood level as an example of local democracy (Schively 2007). Scally and Tighe, however, argued that more privileged groups of NIMBY homeowners and residents have captured these ostensibly democratic processes. Indeed, political scientists have found that the urban *Neighborhood Defenders* that disproportionately participate in planning meetings to oppose new housing projects tend to be white, wealthy, and not representative of their communities (Einstein, Glick, and Palmer 2019).

Affordable housing advocates like Randy Shaw (2018) in *Generation Priced Out* blamed baby-boom generation homeowners, particularly in California, for pricing millennials out of big cities through their environmental and neighborhood activism against zoning changes and new housing developments. News reporter Conor Dougherty's (2020) book *Golden Gates* also held homeowners fighting against new housing projects responsible for the housing crisis in San Francisco and California. He characterized homeowners who presented their self-centered opposition to new development as a progressive cause as hypocrites. Thus, the growing consensus in more recent literature is that elite homeowners dominate decision-making in cities, particularly low-density neighborhoods, and restrict new housing developments (Been 2018; Schleicher 2013). Scholars also warn that racial prejudice plays a central role in neighborhood-based opposition to density, housing projects, and new neighbors (Hubbard 2006; Rothstein 2017).

Given the U.S.'s federalism context and the lack of strong regional planning institutions, scholars and policymakers concerned about housing supply in cities see state government intervention in land use policy regulations and zoning as the most promising arena for addressing local barriers (Glaeser 2017; HUD 2018). Noteworthy examples of state government intervention include New Jersey's fair-share housing legislation, which sets affordable or below-market-rate housing quotas for local jurisdictions; Massachusetts' so-called anti-snob zoning legislation, Chapter 40B, which allows housing developers with projects with a minimum proportion of affordable housing units to circumvent local governments that deny them permits (Bratt and Vladeck 2014); as well as California's state-level reforms to allow second units (Brown, Mukhija, and Shoup 2020) and to lower parking requirements for affordable housing developments (Williams, Sturtevant, and Hepner 2017).

Calls for state legislatures to intervene and deregulate land use regulations, particularly single-family zoning, have increased in states across the U.S. (*Economist* 2015; Infranca 2019; Lemar 2019; Wegmann 2020). However, it is less clear how willing state governments are to intervene in this manner and the political limits of state preemption of local land use authority. There are also questions about the most effective way for state legislatures to intervene in local land use regulations.

We are particularly interested in the tension between the new enthusiasm for state government preemption in municipal land use regulations and urban planning's normative preference for local autonomy and expanding community participation in decision-making (Arnstein 1969; Friedmann 1987; Purcell 2008). Planning and policy scholars claim that citizen participation in land use planning can offer several advantages. First, it can lead to better plans by providing possibilities for residents to be directly involved in decision-making (Friedmann 2011), which creates plans that respond to local context and preferences (Alexander et al. 1977; Lynch 1981; Tiebout 1956) and allows locally important countervailing ideas and institutions to emerge (Fung 2012; Fung and Wright 2003). Second, stakeholder involvement and local knowledge can make it more likely for plans to be implemented (Burby 2003). And third, participation in planning decision-making, scholars argue, has broader social benefits, including mobilization and empowerment of communities, the building of civic and problem-solving capacity, and deepening and strengthening of democracy (Briggs 2008; Fung 2004; Rajan 2019).

In recognition of the local advantages, some scholars recommend state governments develop more procedural interventions that establish housing goals or quotas for local governments with credible consequences for non-compliance and triggers for state intervention (Camacho and Marantz 2020; Elmendorf 2019; Elmendorf et al. 2020; Hills, and Schleicher 2015). Such indirect interventions that preserve local control over zoning and land use while requiring they meet certain goals may lead to less conflict with local governments and encourage the development of more creative and effective policies (Brinig and Garnett 2013; Cho 2016).

Can local governments in major cities create support for second units and upzoning in single-family neighborhoods? Will local control help them generate useful and transferable policy ideas? If so, under what conditions are local governments likely to allow ADUs and reform single-family zoning? The following case studies examine these questions.

Seattle

With an estimated three-quarters of a million people in 2018, Seattle is the largest city in the Pacific Northwest. Technology firms in software, cloud computing, e-commerce, artificial intelligence, and biotechnology have helped drive the city-region's impressive growth. Seattle's population increased from 516,259 in 1990 to an estimated 753,675 in 2019. The housing supply in the city is a problem. Three-quarters of the city's residentially-zoned land—approximately 125,000 parcels (Petzel 2008; SDPD 2016), almost half of all zoned land (City of Seattle 2018; Rosenberg 2018)—was reserved for single-family houses. Housing advocates argue that the city's affluent homeowners in single-family neighborhoods routinely deploy environmental justifications to oppose new construction and limit supply (Bertolet 2017).

Slow, Incremental, Locally Led Upzoning

Seattle adopted its first ADU ordinance in July 1994 (City of Seattle 1994a) in response to Washington state's Housing Policy Act of 1993, which required local governments to plan for and provide more affordable housing options, including ADUs (Infranca 2019). The act directed cities with over 20,000 residents and counties subject to the state's Growth Management Act to develop ADU ordinances based on their local context. To minimize physical change to neighborhoods, Seattle adopted a form-based approach that only allowed attached ADUs through carve-outs or additions to the primary dwelling and permitted only one street-facing entrance. To assuage homeowners' fears about renters, the city required homeowners to live in one of the two units. In response to concerns about parking, the city mandated two parking spaces per ADU in addition to the off-street parking required for the main unit (City of Seattle 1994a). Within the next five years, the city issued permits for approximately 1,027 ADUs (City of Seattle 1999).

In 1998, Seattle created a demonstration program to allow up to ten detached cottages to explore the possibility of detached ADUs (DADUs) and test their likely impact (City of Seattle 2003; Murdock and Press 2018). To evaluate the DADUs, city planning staff conducted an urban design analysis and surveyed homeowners, tenants, and neighbors within a 300-foot radius of each project. It assessed all the projects as successful, though some neighbors had concerns about parking and traffic impacts (City of Seattle 2003).

Based on the program's positive results, in 2006, the city launched a pilot program to allow DADUs in about a fifth of the city. Mayor Greg Nickels proposed the pilot program and pushed for calling the detached second units "Backyard Cottages" instead of DADUs (Langston 2005). The program allowed backyard cottages of up to 800 square feet on lots of 4,000 square feet or larger in southeast Seattle, which is home to many immigrant communities. Regulations required five-foot setbacks and two additional parking spaces for the ADU (City of Seattle 2010). It also allowed existing accessory structures, including garages, that were built before June 1, 1999, to be converted without adhering to the setback requirements if their footprint was not expanded (City of Seattle 2006).

As in its evaluation of the DADU demonstration program, Seattle's planning department staff conducted door-to-door surveys of neighbors of newly-constructed backyard cottages and met with community organizations in the area (SDPD 2009).

In December 2009, Seattle expanded the backyard cottage program citywide (City of Seattle 2010). The city released *A Guide to Building a Backyard Cottage* (City of Seattle 2010) to assist homeowners. It also reduced the off-street parking requirements by not requiring additional parking for ADUs or DADUs in designated Urban Villages,[2] where residents have better access to public transit (City of Seattle 2010). To help owners of unpermitted backyard cottages, the city asked them to apply for permits by June 2010 but allowed them up to two years, until December 2011, to meet the zoning and code requirements (De Jong 2014).

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[2] Seattle's 1994 Comprehensive Plan (City of Seattle 1994b) identified six urban centers and 24 urban villages (six hub urban villages and eighteen residential urban villages).

While these zoning reforms helped increase demand for ADU permits, the numbers were modest (City of Seattle 2014). Concerned with the limited progress, in 2014, the City Council directed the planning department to explore policy changes to increase second unit production. In response, planners discussed allowing attached and detached units on single-family lots, removing the owner-occupancy requirement, and reducing the minimum lot size (SDPD 2015).

In January and February 2016, Councilmember Mike O'Brien, chair of the city council's land use committee, co-hosted two community meetings on second units with Seattle's Office of Planning and Community Development (City of Seattle 2016). As the leading advocate of second units, the councilmember was keen to add new housing without losing or replacing existing units through redevelopment (O'Brien 2015). Based on the public meetings, he and the planning department called for removing the owner-occupancy requirement, reducing the minimum lot size to 3,200 square feet, increasing the maximum size for backyard cottages to 1,000 square feet (same as attached ADUs) instead of 800 square feet, and allowing both detached and attached ADUs (Gross 2016; O'Brien 2017; SDPD 2016).

However, the proposal was stalled by a legal appeal filed by the Queen Anne Community Council, which represented a well-established, wealthy hillside neighborhood northwest of downtown Seattle. The appeal claimed the city had not adequately analyzed the ADU program's environmental impacts, particularly parking impacts and risk of displacement due to development (Feit 2016a; 2016b). A hearing examiner agreed with the appeal and asked the city to produce a detailed Environmental Impact Statement (EIS). Concerned ADU supporters formed an interest group called More Options for Accessory Residences (MOAR) to advocate for the Bill (MOAR 2017). Although the city's impact statement in 2018 found that the feared outcomes of adverse parking effects and speculative development were unfounded, it did not subdue the opposition (Murdock and Press 2018). The editorial board of the *Seattle Times* (2018) criticized the proposal, asked for a "review of impacts neighborhood by neighborhood," and argued, "Don't upzone Seattle neighborhoods."

While the legal challenge delayed the adoption process, the City Council tweaked Councilmember O'Brien's proposal and unanimously approved the Bill on July 1, 2019 (Fester 2019). The approved ordinance allowed both attached and detached ADUs and had no owner-occupancy requirement. It imposed a maximum primary unit size equal to half of the lot size, or up to 2,500 square feet, to limit mansionization, and created an incentive for owners to maximize buildable floor areas through second and third units (Bertolet and Morales 2019). Subsequently, the city launched a web-based central resource for ADUs that guided residents through the process of creating ADUs, allowed them to envision possible configurations on their lots, and provided pre-approved DADU designs (City of Seattle 2020).

In early 2019, when Seattle legislators were still deliberating second unit reforms, Washington state legislators tried to move the city forward with two bipartisan efforts: House Bill 1797 and Senate Bill 5812 (Morales 2019a). They were inspired by what was happening in Seattle and state preemption in California and Oregon. The bills would have prohibited owner-occupancy mandates, removed off-street parking requirements for the accessory units, and allowed two ADUs per lot (Morales 2019a; 2019b). In addition, the proposed legislation would have removed

minimum lot size requirements, capped impact fees, and expanded the reforms statewide to all cities with more than 2,500 residents. Although the bills died in the legislature in April, their authors hoped to introduce similar bills in subsequent legislative sessions (Morales 2019b).

Second Units as a Gateway to Higher Density in Single-Family Neighborhoods

Seattle Mayor Ed Murray and the City Council convened a Housing Affordability and Livability Agenda (HALA) advisory committee in 2014. The committee's purview included Seattle's single-family neighborhoods, and it was asked to develop policy ideas and recommendations on making housing in the city more affordable. The committee had 28 members consisting of renters, homeowners, labor and social justice advocates, and housing developers and experts. The committee recommended expanding designated urban villages, increasing their density, and allowing more variety of low-density housing "such as small lot dwellings, cottages, courtyard housing, duplexes, and triplexes in single-family zones" citywide (Seattle HALA 2015, 8). Like Councilmember O'Brien's proposal, it also recommended allowing both attached and detached ADUs on one lot and removing additional parking and owner-occupancy requirements (Seattle HALA 2015).

The public backlash against changing single-family neighborhoods was intense (Westneat 2015). In response, Mayor Murray withdrew the proposal to allowed greater housing diversity in single-family neighborhoods, and decided to focus on the suggestion to upzone single-family neighborhoods in the urban villages with inclusionary zoning (Beekman 2015). An environmental impact lawsuit delayed the proposal's adoption, but in March 2019, the unanimous City Council and the Mayor approved the program (Beekman 2019; Bicknell 2019).

Portland

Portland is the largest city in Oregon. In 1980 its population was 366,383 (slightly below its earlier peak of 382,619 in 1970). The census estimate for 2019 was 654,741, an increase of almost 80 percent in about four decades. However, nearly 150,000 lots, covering over 85 percent of the city's residentially-zoned land, were still designated for single-family housing (City of Portland 2017). In 1959, planners comprehensively revised Portland's zoning code and downzoned many multifamily neighborhoods to single-family zoning. ADUs were not allowed in single-family areas except on extra-large lots (City of Portland 1959).

From a Regional Nudge to Local Enthusiasm

With a new zoning code overhaul in 1981, Portland planned to allow accessory units carved out from larger single-family dwellings (City of Portland 1980). The city was responding to a prohibition by Metro, the Portland region's regional planning agency, and the state Land Conservation and Development Commission (LCDC) to prevent local governments from altogether banning second units in the Portland region (Liebig et al. 2006). In 1991, Portland planners modified the rules slightly under the "Accessory Rental Unit Program." ADUs could be carved out of existing living space, including basements and attics, and rented, but owners had to occupy one unit (Nameny 2015; Peterson 2018). Interestingly, perhaps because of Portland's

relatively low density and abundance of street parking, owners were not required to provide additional off-street parking for ADUs (City of Portland 2003). The lack of a parking requirement made it easier to build ADUs and put Portland on a unique trajectory.

Planners started developing the Albina Community Plan in 1989 (City of Portland 1993a). Historically, the Albina district in northeast Portland was one of the few areas where Blacks were allowed to live (Gibson 2007). Hoping to increase investment and the housing supply in the district while preserving existing housing, planners proposed upzoning some commercial corridors and liberalizing rules for accessory rentals in single-family neighborhoods. Initially, planners suggested allowing garage conversions and detached accessory units but faced strong opposition from residents (Mayer 1993a; 1993b). The plan adopted in 1993 modestly changed the existing rules and permitted owners to expand their houses to create attached accessory units (City of Portland 1993a; Nameny 2015). These new regulations for ADUs in Albina were incorporated into a new overlay zone known as the "a" overlay (City of Portland 1993b). In 1996, planners expanded the "a" overlay to cover areas within a quarter mile of transit corridors in the Outer Southeast neighborhoods as a part of the community plan update (City of Portland 1996).

In the mid-1990s, Metro advocated for more liberal ADU regulations in the Portland metropolitan region through a new growth management plan to carry out its 2040 Growth Concept (Metro 2000). It mandated that ADUs be permitted but allowed local jurisdictions to develop the requirements. In response to the mandate and the limited success of existing regulations to encourage the construction of ADUs,[3] the city started preparing a new ordinance (City of Portland 1997).

Portland planners proposed to allow ADUs through additions citywide, including detached structures, and eliminate the owner-occupancy requirement. Garage conversions would also be allowed, but owners would need to go through a discretionary review process and receive an adjustment or exception for minimum setback requirements. They also proposed to rename second units from Accessory Rental Units to Accessory Dwelling Units (City of Portland 1997).

Neighborhood Associations across the city opposed the idea and complained about the prospect of new renters and absentee landlords.[4] Opponents in the Outer Southeast argued that they had just participated in a planning process to accept more density and should be exempted. In December 1997, a divided City Council voted three to two to adopt the new ADU ordinance effective from February 1998. However, the City Council also carved out exceptions for neighborhoods in Albina and the Outer Southeast to continue with the more restrictive "a" overlay zone (City of Portland 1997).

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[3] Between 1981 and 1997, only about 50 second units were formally permitted (City of Portland 1997).
[4] The Centennial Neighborhood Association, for example, argued that the new citywide ordinance would "lower property values, double density, create traffic and parking problems, undermine homeownership which stabilizes neighborhoods, increase rentals and lead to poorer maintenance of those properties and code violations, [and] turn single-family zones into double family or multiple family" (Cody 1997).

In 2004, following up on a monitoring report on ADUs and recommendations by the planning department (City of Portland 2003), the City Council adopted a single set of rules for the entire city. It eliminated the "a" overlay zone, removed owner-occupancy and additional parking requirements citywide, and allowed detached ADUs and garage conversions within setback boundaries by right (City of Portland 2004). With these changes, Portland had some of the most liberal regulations for ADUs in the country. However, while the city allowed for second units of up to 800 square feet, it also limited them to a third of the primary dwelling unit's size, which was a significant constraint. As a result, the number of permit applications only modestly increased from the 1998-2003 average of 28 applications a year to about 35 applications annually between 2004 and 2008. In addition, with the Great Recession, demand for housing permits dropped.

In 2010, the city decided to provide a financial incentive to boost the second unit market. It approved a three-year temporary waiver of its one-time fees for water and sewer connections, as well as parks and transportation infrastructure impact fees (City of Portland 2010b; 2010c). The city also agreed to modify the maximum size regulation. While keeping the upper limit of 800 square feet, it allowed owners to build up to three-fourths of the main dwelling unit's size (City of Portland 2010a).

Around the same time, a small group of green building and tiny home enthusiasts came together to educate the public about ADUs and advocate for supportive policies. Martin Brown, Kol Peterson, and Eli Spevak started accessorydwellings.org, a richly-informative website, in 2012 (Peterson 2018). All three were covered in a *New York Times* article on second units (Keenan 2014) and were active in advocating for ADUs nationally. Brown built an ADU and conducted original research on second units (Brown 2009; Brown 2014; Brown and Watkins 2012). Peterson (2018), in addition to writing a comprehensive book with practical advice on building ADUs, built a detached second unit in 2011 and lived in it while renting out his main unit. He regularly taught a well-received day-long class on building second units: "Building an ADU in Portland, Oregon," organized a popular tour of Portland ADU projects, and taught a half-day course for realtors. Spevak served on the city's Planning and Sustainability Commission and authored a policy brochure on ADUs for the AARP (2019).

The tours, classes, and network of advocates helped create a buzz for ADUs in the city. Along with the growing number of homeowners with ADUs, numerous architects, designers, contractors, and subcontractors became invested stakeholders.

Second Units as a Gateway to Ending Single-Family Zoning

In 2015, city planners started to examine how to diversify the types of housing allowed in single-family neighborhoods to allow more households with a greater income range to live in them. The effort was launched as the Residential Infill Project (RIP), and proposed to allow duplexes on lots near urban centers, transit services, and other amenities; and triplexes on corner lots. Planners also proposed permitting two ADUs—one attached and one detached—on all single-family-zoned lots (City of Portland 2017). The RIP received support from Portland for Everyone (n.d.), which was sponsored by 1000 Friends of Oregon and included a broad coalition of housing advocates, progressive neighborhood associations, planners, builders, designers, and

environmentalists. In early 2019, the Planning and Sustainability Commission narrowly voted to support the infill plan (Njus 2019a). The project, however, was overtaken by House Bill 2001, similar legislation in the state legislature advanced by the Oregon House Speaker Tina Kotek, a Portland resident. HB 2001 received bipartisan support. The Bill preempted local zoning and legalized duplexes in cities of more than 10,000 residents, and allowed triplexes, fourplexes, attached townhomes, and cottage clusters in cities of more than 25,000 and within the Portland Metropolitan Area (Andrews 2019; Njus 2019b; Short 2019).

By spring 2020, Portland's planners revised RIP and updated their recommendations to comply with HB 2001. They recommended that the city allow duplexes, triplexes, and fourplexes on almost all single-family-zoned lots in the city (Bliss 2020; Trumm 2020). They also proposed allowing six units per lot if owners agreed to keep three or more units as affordable. In August 2020, Portland's City Council approved the infill project by a three-to-one vote (City of Portland 2020).

Minneapolis

With an estimated population of over 429,606 residents in 2019, Minneapolis is the largest city in Minnesota. Its population hit a peak of 521,000 in 1950. Along with Saint Paul, its neighbor to the east and the state capital, the metropolitan region is commonly known as Twin Cities. At over 3.6 million people, it is the third-largest metropolitan area in the Midwest, and the area added more than a million residents over the past three decades. Like most U.S. cities, the majority of its zoned land—53 percent—was reserved for single-family houses (City of Minneapolis 2018a). Additionally, 14 percent of the zoned land was earmarked for duplexes (City of Minneapolis 2018a). In the early 2000s, the city adopted an overlay district to allow ADUs, including detached units, on single-family and duplex-zoned lots in North Phillips/Ventura Village, a majority-renter and majority-minority neighborhood just south of the central business district. Owners had to occupy one of the units on-site and apply for permits through a discretionary process (City of Minneapolis 2001; MCPED 2014).

Unexpectedly Strong Support for ADUs

In mid-2013, Minneapolis's planners began exploring planning strategies to increase the city's housing supply, including a citywide expansion of the North Philips/Ventura Village ADU program (Jacobson 2013). Meanwhile, Lisa Bender, a graduate of the University of California, Berkeley's Master's program in City and Regional Planning, was running for City Council to represent Ward 10, a majority-renter district, on a pro-ADU platform (Neighbors for Lisa Bender n.d.). After winning the election and taking office, she became a champion for ADUs. She found an ally in the newly-elected Mayor, Betsy Hodges, who envisioned the city's growth from just under 400,000 residents at that time to a half-a-million population (Lindeke 2014; Roper 2014).

Planning department staff researched ADU best practices from other exemplary cities, specifically Santa Cruz, Portland, Seattle, and Vancouver. The department planned four open houses or community workshops to share its research and receive feedback. The four workshops were organized in August and September 2014 and were well attended. Because of the interest in

the topic, the planning department organized a fifth workshop in October 2014 (MCPED 2014). The workshop attendees supported second units, but some were concerned about properties with multiple tenants and absentee landlords.

The planning department also developed a survey instrument to measure public opinion. In addition to surveying the workshop attendees, it posted the questionnaire online. Almost two hundred survey questionnaires were completed—98 by the workshop attendees and an additional 99 by online respondents. Over 90 percent of the survey respondents agreed or strongly agreed that ADUs should be allowed citywide, and more than 70 percent were interested in constructing one. In addition, a simple majority of the respondents (54 percent) favored requiring owner-occupancy for permitting ADUs (MCPED 2014).

Building on the positive response from the public engagement process, in June 2014, Councilmember Bender introduced an amendment to revise the city's zoning code and allow ADUs on single-family- and duplex-zoned properties citywide (MCPED 2014). Based on the feedback from the workshops and the online survey, the planning department developed an ordinance that would allow attached, detached, and internal ADUs (through carve-outs of existing space) of 1,000 square feet citywide with no minimum lot size or additional parking requirements, and rear and side yard setbacks of only three feet for detached units. The ordinance also included an owner-occupancy provision (MCPED 2014). Of the letters sent to the Planning Commission in advance of its November 2014 hearing on the issue, fifteen supported the ordinance, including those from AARP-Minnesota, Minneapolis Senior Citizens Advisory Committee, and Preservation Alliance of Minnesota; and two opposed it. All the speakers at the hearing favored the ordinance, and the commission approved it unanimously (City of Minneapolis 2014a). Soon after, with just one dissenting vote, the City Council adopted the law (City of Minneapolis 2014b).

Compared to other jurisdictions, Minneapolis adopted its ADU ordinance remarkably quickly. The number of applications and formally approved units, however, remained modest: eighteen months after the City Council approved the ordinance, only 50 units had been approved (MCPED 2016). After reviewing the ordinance, and with Councilmember Bender's support, planners proposed to increase the maximum size of detached ADUs to 1,300 square feet or 16 percent of the lot area, whichever is greater, but not to exceed 1,600 square feet, and to eliminate side setbacks (MCPED 2016). The Planning Commission approved the changes in August 2016, and the City Council followed in September 2016 (City of Minneapolis 2016). However, even with the revisions, the demand for permits was limited. By March 2019, 138 ADUs had been approved, including 75 internal, 11 attached, and 52 detached units.

MPLS 2040 and the Transformation of Single-Family Neighborhoods

In December 2018, the Minneapolis City Council approved a new Comprehensive Plan, MPLS 2040, that made the seemingly-radical change of allowing at least three dwelling units on all residentially zoned lots (City of Minneapolis 2018b). Minneapolis's innovation received widespread acclaim in the national media, including the *Los Angeles Times* (2018), the *New York Times* (Mervosh 2018), *Slate* (Grabar 2018), and the *Wall Street Journal* (Kauffman 2018). The editorials and news stories highlighted the need for greater density and deregulation of single-

family zoning. These accounts, however, mostly missed the complex institutional processes underlying the city's achievement.

For example, the reporting did not discuss Minneapolis's success in approving ADUs as a significant stepping-stone for allowing triplexes. Additionally, the key to Minneapolis's success was avoiding a coalition of NIMBY activists and housing advocates worried about the displacement of low-income residents through redevelopment. To receive the support of housing advocates, planners and policymakers more than doubled the city's housing budget, committed to partnerships with affordable housing and other mission-based organizations to preserve existing affordable housing units in the city, and agreed to develop a citywide mandatory inclusionary zoning program (Mogush 2021). Furthermore, based on the positive engagement experience with ADUs, planners also focused on expanding public participation and access to information through public meetings and online forums (Buhayar 2019; Edwards 2018). While a coalition of neighborhood groups under the paradoxically named umbrella group "Minneapolis for Everyone" opposed upzoning, YIMBY supporters of the proposal formed "Neighbors for More Neighbors" to counter the opposition and galvanize neighborhood-level support (Lee 2018; Trickey 2019).

Conclusion

Many scholars and commentators argue that attempts to reform land use regulations, particularly single-family zoning, at the local level are likely to fail (Glaeser 2017; Infranca 2019; Lemar 2019). They have shifted their focus to supporting state-level legislation that preempts local land use to force cities to accept more density. The cases discussed in this paper suggest that this emerging conventional wisdom has limitations. With the right planning processes, institutional support, and outreach efforts, local governments may be able to convince homeowners in single-family neighborhoods to change their minds in favor of ADUs. Compared to other upzoning alternatives, it might be more feasible for local governments in major cities to create support for second units because homeowners can benefit directly and financially as developers while living in their homes.

Cities that are reluctant to push local reforms should learn from these cases and proactively pursue land use changes. They should recognize that if they do not lead the process of change, they might lose their local control to state intervention. Local governments should also be prepared for reforms to take time and expect progress to be incremental. For example, while Minneapolis researched, developed, and implemented its ordinance allowing ADUs citywide in about eighteen months, the city previously had an ADU pilot program for nearly a decade.

Even if local processes are slow and time-consuming, they retain several advantages over top-down reform at the state level. First, they can create opportunities for broader citizen participation and the deepening of democracy. In Portland, there was excitement about ADUs and a growing network of enthusiastic supporters. Second, local second unit reforms can be the gateway to more ambitious conversations and outcomes. For instance, Seattle expanded the areas covered in its designated Urban Villages and upzoned all the parcels in the designated areas, including lots that were previously single-family-zoned. Portland approved the RIP, a citywide

upzoning initiative. The reform allowed property owners to build fourplexes or sixplexes with affordable housing restrictions on single-family-zoned lots. The RIP generated ideas for the state and became the catalyst for Oregon's state preemption through HB 2001. Minneapolis became the first major U.S. city to eliminate single-family zoning through MPLS 2040. All three cities also formed the vanguard of police reforms in the country.

Local governments are more likely to change land use regulations for ADUs by broadening public participation to include tenants and low-income residents. A low-cost approach might consist of more widespread public workshops that encourage deliberation across stakeholders. Opinion surveys are also helpful. Minneapolis showed how to effectively conduct public hearings and opinion surveys in a short period. Additionally, pilot projects followed by research, evaluation, and monitoring reports—as in Seattle and Portland—are also likely to provide valuable, constructive information and demonstrate and create support for ADUs and upzoning. State governments can help local governments pursue such reforms by providing financial support and technical resources to develop robust participatory processes and institutions.

These case studies underscore the diversity of institutional pathways to reforming land use in single-family neighborhoods. Policymakers and planners need to find more creative ways for cooperation and collaboration between state and local governments as well as between local governments and communities. Nonetheless, state governments have to play a significant role. In many wealthy suburban jurisdictions, there will continue to be opposition to land use reforms. State governments can push for direct intervention and prescribe specific zoning outcomes. Or, given the potential advantages of local deliberations and reforms, state governments can rethink their reluctance to support strong regional planning institutions, governance, and collaborative decision-making. State governments can also push local governments to be more open to housing development while finding local strategies and pathways to reform their zoning regulations.

Source:
Housing Policy Debate
Taylor and Francis Online
Vol. 33, Issue 4

TY - JOUR
T1 - Effects of Proximity to Multifamily Housing on Property Values in Little Rock, Arkansas, 2000-2016
AU - Craw, Michael
Y1 - 2023/07/04
PY - 2023
DA - 2023/07/04
N1 - doi: 10.1080/10511482.2020.1821747
DO - 10.1080/10511482.2020.1821747
T2 - Housing Policy Debate
JF - Housing Policy Debate
JO - Housing Policy Debate
SP - 891
EP - 908
VL - 33
IS - 4
PB - Routledge
AB - A common form of not-in-my-backyard (NIMBY) activism is resistance to multifamily housing. Although NIMBY activism often targets both market-rate and subsidized multifamily development, studies of the effects of multifamily housing primarily focus on subsidized rental apartments. This study addresses this gap by analyzing the effects of condominiums and market-rate apartments as well as subsidized rental housing. Taking Little Rock, Arkansas, as a case study, this research uses a difference-in-differences approach to measure the effects of five types of multifamily housing on nearby single-family home sales prices: condominiums, market-rate rental apartments, subsidized rental apartments, senior and special needs apartments, and other multifamily housing (such as dormitories). The results suggest that most forms of multifamily housing have either no effect or a positive effect on sales prices for single-family homes within 2,000 feet of a new multifamily housing development.
SN - 1051-1482
M3 - doi: 10.1080/10511482.2020.1821747
UR - https://doi.org/10.1080/10511482.2020.1821747
ER -

Residential

		APPROVAL LEVELS																								
		● = Allowed Use																								
		S = Allowed per Special Use Requirments under Chapter 18.225 TMB																								
		S/C = If unable to meet Special Use Requirements, may apply for CUP																								
		C = Conditional Use Poermit (CUP) approved by Governing Body																								
# = See Definition in Chapter 18.55 TMC		See Design Standards for X and D Districts																								
Use	**Description**	**R-1/R-2/R-3 Single Family Dwelling**	**R-4 Manufactured Homes**	**M-1 Two Family Dwelling**	**M-1a Limited Multiple Family Dwelling**	**M-2 Multiple Family Dwelling**	**M-3 Multiple Family Dwelling**	**O&I-1 - Office And Institutional**	**O&I-2 - Office And Institutional**	**O&I-3 - Office And Institutional**	**C-1 Commercial**	**C-2 Commercial**	**C-3 Commercial**	**C-4 Commercial**	**I-1 Light Industrial**	**I-2 Heavy Industrial**	**U-1 University**	**MS-1 Medical Service**	**X-1 Mixed Use**	**X-2 Mixed Use**	**X-3 Mixed Use**	**D-1 Downtown Mixed Use**	**D-2 Downtown Mixed Use**	**D-3 Downtown Mixed Use**	**RR-1 Residental Reserve**	**OS-1 Open Space**
Residential		**Districts**																								
Assisted Living Facility #	has individual living units where at least 6 persons receive personal/nursing care. Refer to TMC18.225 Dwelling Units on main floor	C	C	C	C	●	●	●	●	●	-	-	-	-	-	-	-	●	C	C	C	S	C	-	C	-
Boarding House #	dwelling where lodging, with or without food, for 6 - 20 persons is provided	-	-	-	-	C	●	-	-	-	-	-	-	-	-	-	-	●	C	C	C	●	C	-	-	-
Caretaker's Residence		-	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	-	-	-	-	-	-	-	-	-
Community Living Facility, Type I #	dwelling operation for short-term residential care for improving living skills	-	-	-	-	-	C	-	●	●	-	●	●	●	-	-	-	●	-	-	-	●	-	-	-	-
Community Living Facility, Type II #	dwelling operation for residential care providing an intermediate and primary treatment setting	-	-	-	-	-	-	-	C	●	-	●	●	●	-	-	-	C	-	-	-	●	-	-	-	-
Correctional Placement Residence or Facility General #	residential/rehabilitation facility occupied by more than 15 individuals	-	-	-	-	-	C	-	C	C	-	-	C	C	C	C	-	C	-	-	-	-	-	-	-	-
Correctional Placement Residence or Facility Limited #	residential/rehabilitation facility occupied by 3 to 15 individuals	-	-	-	-	C	C	C	C	C	-	-	-	-	-	-	-	C	-	C	-	-	-	-	-	-
Crisis Center, Type I #	may include meals and merchandise to residents	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	●	-	C	-	C	C	-	-	-
Crisis Center, Type II #	facility used for immediate human social service functions including meals, merchandise or shelter	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	-	-	-
Dwelling, Detached Single-Family #		●	-	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	●	-	●	●
Dwelling, Attached Single-Family #		-	-	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	●	-	-	-
Dwelling, Two-Family # (Duplex)		C	-	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	●	-	-	-

Residential

		APPROVAL LEVELS ● = Allowed Use S = Allowed per Special Use Requirments under Chapter 18.225 TMB S/C = If unable to meet Special Use Requirements, may apply for CUP C = Conditional Use Poermit (CUP) approved by Governing Body																							
# = See Definition in Chapter 18.55 TMC		See Design Standards for X and D Districts																							
Use	**Description**	**R-1/R-2/R-3 Single Family Dwelling**	**R-4 Manufactured Homes**	**M-1 Two Family Dwelling**	**M-1a Limited Multiple Family Dwelling**	**M-2 Multiple Family Dwelling**	**M-3 Multiple Family Dwelling**	**O&I-1 - Office And Institutional**	**O&I-2 - Office And Institutional**	**O&I-3 - Office And Institutional**	**C-1 Commercial**	**C-2 Commercial**	**C-3 Commercial**	**C-4 Commercial**	**I-1 Light Industrial**	**I-2 Heavy Industrial**	**U-1 University**	**MS-1 Medical Service**	**X-1 Mixed Use**	**X-2 Mixed Use**	**X-3 Mixed Use**	**D-1 Downtown Mixed Use**	**D-2 Downtown Mixed Use**	**D-3 Downtown Mixed Use**	**RR-1 Residential Reserve**	**OS-1 Open Space**
Residential		**Districts**																							
Dwelling, Three/Four-Family	includes 3-4 unit row or town houses #	C	-	-	●	●	●	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	●	-	-	-
Dwelling, Multiple-Family #	structure with at least 5 units	-	-	-	-	●	●	-	-	-	-	-	-	-	-	-	-	●	C	C	●	S	●	●	-	-
Dwelling, Accessory #	secondary to primary dwelling, not exceeding 800 sq. ft.	S/C		●	●	●	●												●	●	●	●				
Dwelling Units Above Ground Floor or Basement	other than medical care & community living facility	-	-	-	-	-	-	●	●	●	●	●	●	●	-	-	-	●	●	●	●	●	●	●	-	-
Dwelling Units on main floor	subordinate to principal non-residential uses. Refer to TMC18.225	-	-	-	-	-	-	S	S	S	S	S	S	S	-	-	-	S	S	S	S	S	●	●	-	-
Group Home #	licensed dwelling for up to 8 with disability & 1 or 2 staff	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	●	C	C	●	●	●	●	-
Group Residence, General #	dwelling occupied by 9 to 15 persons and at least 8 with a disability	-	-	-	-	C	C	-	C	-	-	-	-	-	-	-	-	●	-	-	-	-	-	-	C	-
Group Residence, Limited #	dwelling occupied by up to 10 persons, up to 8 with a disability, and up to 2 staff residents	C	C	C	C	●	●	C	C	-	-	-	-	-	-	-	-	●	C	-	-	-	-	-	C	-
Home Care, type I #	nonsecure dwelling with residential / nursing care for up to 8 care receivers	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	●	C	C	●	C	-	●	-
Home Care, type II #	nonsecure dwelling with residential/nursing care for up to 12 care receivers	C	C	C	C	●	●	-	-	-	-	-	-	-	-	-	-	●	C	C	C	●	C	-	C	-
Management / Leasing Facilities	for managing an onsite multi-family community Refer to TMC18.225	-	-	S/C	S/C	S/C	S/C	-	-	-	-	-	-	-	-	-	-	S/C	●	●	●	S/C	S/C	S/C	-	-
Medical Care Facility, type I #	dwelling for the personal nursing care & treatment for up to 2 persons	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	-	-	-	-	-	-	●	-
Medical Care Facility, type II #	dwelling for the personal nursing care & treatment for more that 3 persons	-	-	-	-	C	C	C	●	●	-	●	●	●	●	●	-	●	-	-	-	●	-	-	-	-

Residential

		APPROVAL LEVELS ● = Allowed Use S = Allowed per Special Use Requirments under Chapter 18.225 TMB S/C = If unable to meet Special Use Requirements, may apply for CUP C = Conditional Use Poermit (CUP) approved by Governing Body																								
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Use	**Description**	**R-1/R-2/R-3 Single Family Dwelling**	**R-4 Manufactured Homes**	**M-1 Two Family Dwelling**	**M-1a Limited Multiple Family Dwelling**	**M-2 Multiple Family Dwelling**	**M-3 Multiple Family Dwelling**	**O&I-1 - Office And Institutional**	**O&I-2 - Office And Institutional**	**O&I-3 - Office And Institutional**	**C-1 Commercial**	**C-2 Commercial**	**C-3 Commercial**	**C-4 Commercial**	**I-1 Light Industrial**	**I-2 Heavy Industrial**	**U-1 University**	**MS-1 Medical Service**	**X-1 Mixed Use**	**X-2 Mixed Use**	**X-3 Mixed Use**	**D-1 Downtown Mixed Use**	**D-2 Downtown Mixed Use**	**D-3 Downtown Mixed Use**	**RR-1 Residential Reserve**	**OS-1 Open Space**
Residential		**Districts**																								
Mobile Home #, Manufactured Home #	residential structure manufactured off-site excluding "residential-design manufactured home"	-	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Residential-Design Manufactured Home #	At least 22' wide on a permanent foundation, pitched roof, and siding/ roofing materials similar to site built homes except in R-4.	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	●	●	●	-	-	-	●	-
Residential Care Facility, Type I #	nonsecure dwelling in which residential care is provided for children and/or adults on 24-hr basis, up to 4 persons	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	●	C	C	●	C	-	●	-
Residential Care Facility, Type II #	nonsecure dwelling in which residential care is provided for children and/or adults on 24-hr basis, up to 10 persons	●	●	●	●	●	●	-	-	-	-	-	-	-	-	-	-	●	C	C	C	●	C	-	●	-
Residential Care Facility, Type III #	nonsecure dwelling in which residential care is provided to children and/or adults on a 24-hour basis	-	-	-	-	C	●	-	-	-	-	-	-	-	-	-	-	●	-	-	-	-	-	-	-	-
Short-Term Residential Rental, Type I		S/C	-	S/C	S/C	●	●	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	-	S/C	S/C	S/C	S/C	●	S/C	S/C	S/C	-
Short Term Residential Rental, Type II		S/C	-	S/C	S/C	●	●	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	S/C	-	S/C	S/C	S/C	SC	●	S/C	S/C	S/C	-
Short Term Residential Rental, Type III		C	-	C	C	●	●	C	C	C	S/C	●	●	●	●	●	-	C	S/C	●	●	●	●	●	C	-
Student or Faculty Housing	Refer to TMC18.225 Dwelling Units on main floor	-	-	-	-	●	●	-	-	-	-	-	-	-	-	-	●	●	-	-	-	S	-	-	-	-

Two-Family Dwelling, Three-unit and Four-unit Residential Development in R Residential Zoning Districts

September 2025

18.60.010 Use Tables

Add "C" to the cells in the Residential Use Table for "Dwelling, Two-Family and Dwelling, Three/Four Family" and the following footnote under the Residential Use Table:

> Refer to Section 18.215.030 € for criteria for two-family, three and four family dwellings as a conditional use in R-1, R-2, and R-3 zoning districts.

18.215.030 Guidelines for Evaluation

The following guidelines shall apply when evaluating a conditional use permit application:

		Guidelines
(a) Land use compatibility		
(1)	Development density	Site area per unit, or intensity of use, should be similar to surrounding uses if not separated by major physical improvements or natural features.
(2)	Height and floor area	Development should minimize difference in height and building size from surrounding structures. Substantial differences shall be justified by urban design considerations.
(3)	Setbacks	Development should respect preexisting setback lines in surrounding area. Variations shall be justified by significant site features or operating characteristics.
(4)	Building coverage	Building coverage should be similar to that displayed in surrounding areas. Higher coverage should be mitigated by landscaping, buffering or other site amenities.
(5)	Duplexes, Two-Family Dwellings, Three/Four Family Dwellings	Two-family dwellings (duplexes) and three/four family dwellings in R-1, R-2, and R-3 zoning districts should not be highly concentrated within residential subdivisions or within the same block in a subdivision or neighborhood. Development shall comply with design guidelines of the neighborhood plan where applicable. The paving of front yards to accommodate required parking or access to required parking should be minimized or mitigated.
(b) Site development		
(1)	Parking and internal circulation	Parking and circulation should serve all structures with minimal vehicular and pedestrian conflicts.
(2)	Stormwater management	Development design shall comply with all required stormwater runoff best management practices, as approved by the Public Works Director or designee.
(3)	Building design	(i) Architectural design and building materials should be compatible with surrounding properties if located adjacent to residential districts or in highly visible locations.

		(ii) The adaptive reuse and restoration of historically significant structures shall be considered. “Historically significant structures” means structures listed on the National Register of Historic Places, the State Register of Historic Places, or structures having obtained local landmark status.
(c) Operating characteristics		
	(1) Traffic capacity	Projects should not materially reduce the existing level of service on adjacent streets. Projects will be required to make street improvements and/or dedicate right-of-way to mitigate negative effects.
	(2) External traffic	Project design should minimize nonresidential traffic through residential neighborhoods.
	(3) External effects	Projects with operating hours, noises or visual distractions that impact surrounding properties may be required to mitigate these impacts .
	(4) Outside storage	If permitted, outside storage areas should be screened from adjacent streets and less intensive zoning districts and uses.
(d) Comprehensive plan		Projects should be consistent with the Topeka Comprehensive Plan and all its elements.
(e) Additional regulations		Conditional uses shall be required to conform to any other applicable regulations specifically listed for a use as set forth in Chapter 18.225 TMC or elsewhere in the code.

(Ord. 19691 § 3, 1-17-12.)

Duplexes, Triplexes, Quadplexes in "R" Districts

Draft Standards for Special Use Standards

September 15, 2025

Underlined text represents text to be added to the zoning code. Text not underlined is existing text with no revisions.

18.225.060 Special Use Requirements

(nn) Two Family Dwellings in "R" Districts

1) A two family dwelling is permitted on a single zoning lot provided said dwellings comply with the standards of this section.
2) The site shall be a zoning lot with the front 100 feet of the lot having a minimum width of 37 feet.
3) Driveway Access:
    i. For sites with access from an alley having a surface of asphalt, concrete, or compacted gravel, unless the site has an existing driveway from the street, driveway access shall be taken exclusively from the alley.
    ii. The width of driveways from the street shall not exceed a width greater than 50% of the width of the zoning lot for the front 25 feet of said zoning lot.
4) Landscaped Areas: Front and street side setback areas shall be landscaped with naturally growing elements such as grass, trees, or shrubs. Yards along street rights-of-way shall include one medium or large canopy tree for every 75 feet of frontage along the street or fraction thereof.
5) Architectural Design:
    i. All street-facing facades shall include architectural treatments to provide visual interest. Architectural treatments used to achieve this may include, but are not limited to, dormers, bay windows, vertical windows, exterior window treatments, varying roof pitches, facade modulation, and a variety of colors, materials, and textures.
    ii. Duplexes in historic districts or conservation districts may be required to be built to a design that complies with the standards for the conservation district or as required to comply with that which is approved by Certified Local Government or State Law Review.
    iii. On lots located at the corner of two local streets, two collector streets, or combination of local and collector streets, each unit must contain its main entrance and parking on a single street.
6) Two family dwellings on a single zoning lot as provided for in this section meeting most but not all of the standards in this section may be approved by conditional use permit (CUP) in accordance with Chapter 18.215 TMC.

CITY OF TOPEKA

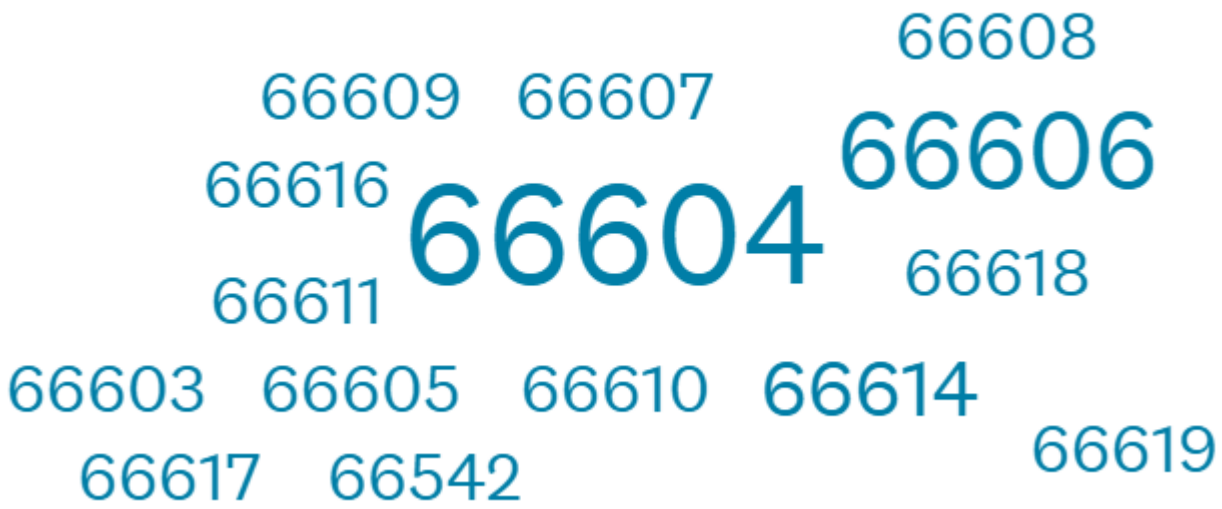
Planning & Development Department

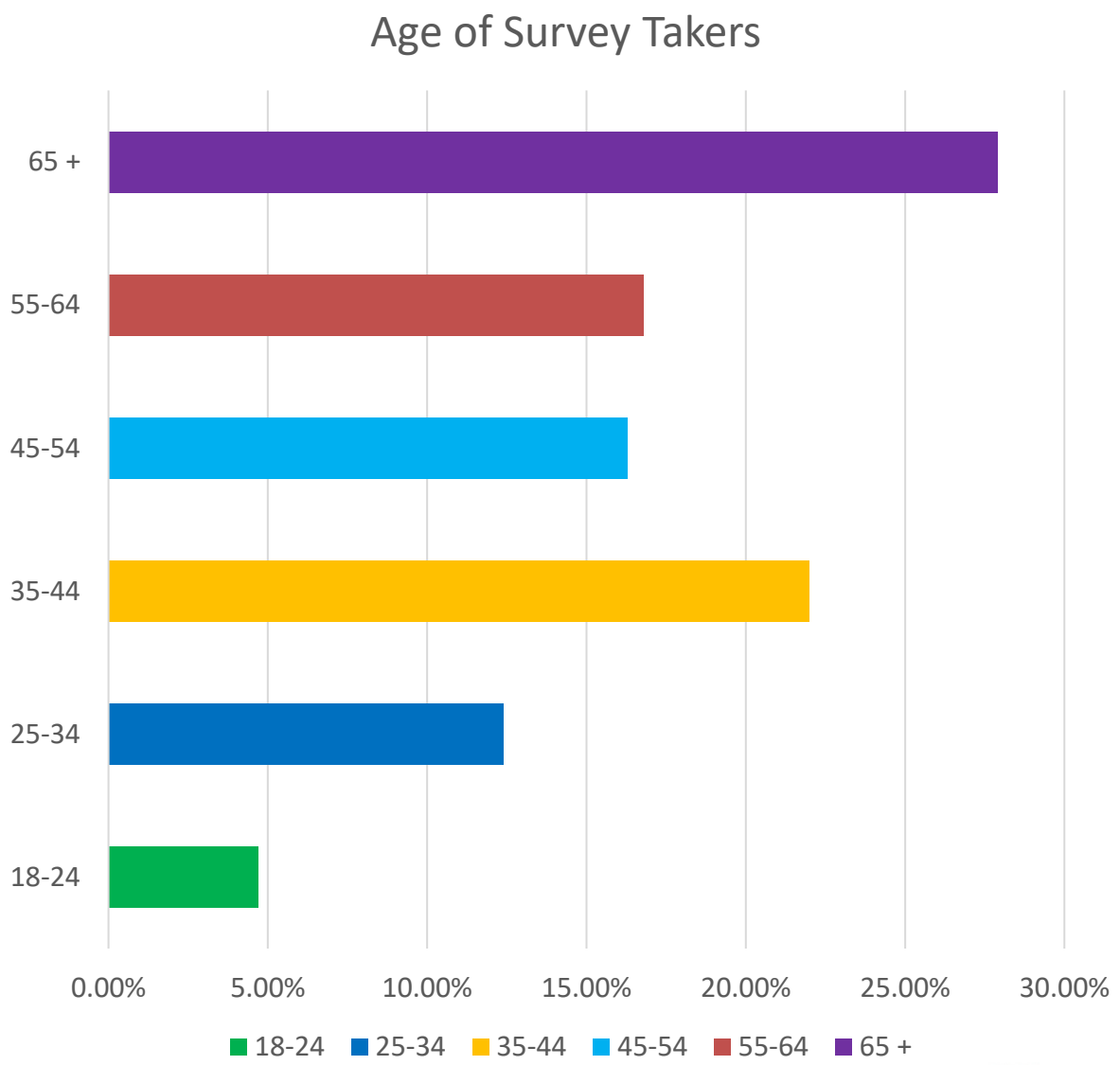
Duplexes, etc. in “R” Districts Survey Results April 2025

Duplex, Triplex, Quads in Single-Family Neighborhoods Survey Results

Survey available January 27th
Survey Closed February 28th
9 Questions
Split Duplexes from Triplex and Quads
405 total responses

Survey Taker Background

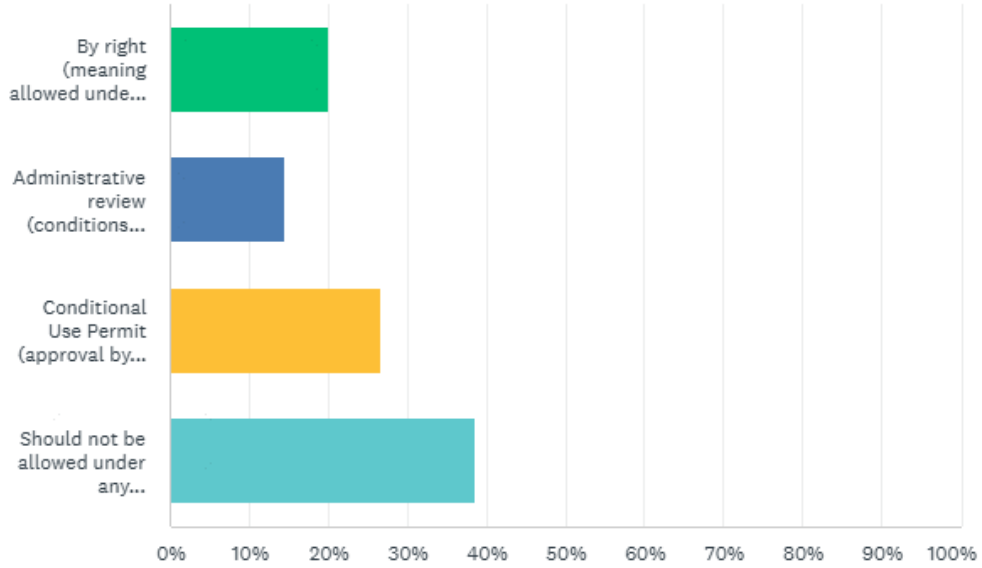




Duplex Survey Results

Under what condition should duplexes be allowed in single-family zoning districts?

Answered: 363 Skipped: 42

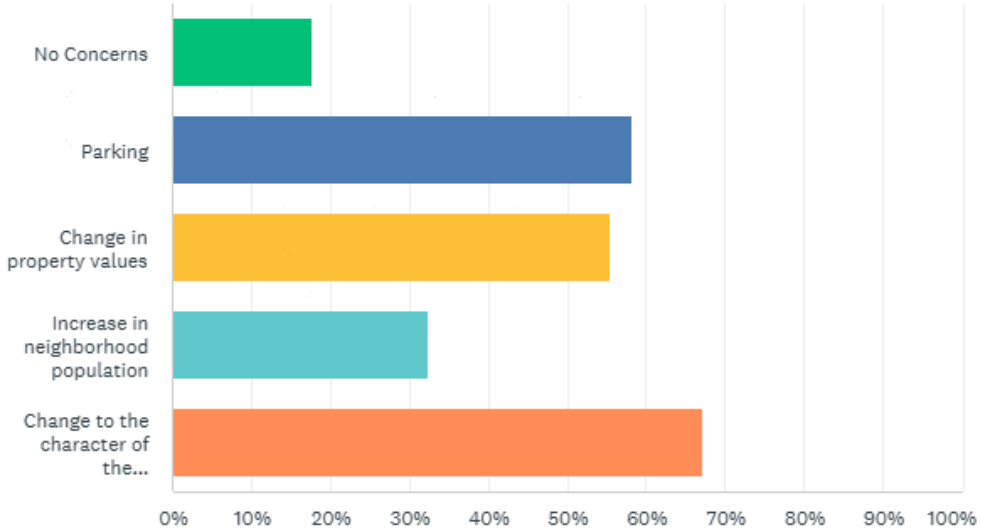


ANSWER CHOICES	RESPONSES	
By right (meaning allowed under all circumstances)	20.11%	73
Administrative review (conditions required, but can be reviewed and approved by staff)	14.60%	53
Conditional Use Permit (approval by Planning Commission and Governing Body)	26.72%	97
Should not be allowed under any circumstances	38.57%	140
TOTAL		363

Duplex Survey Results

What concerns would you have about duplexes being allowed in single-family zoning? (select all that apply)

Answered: 354 Skipped: 51



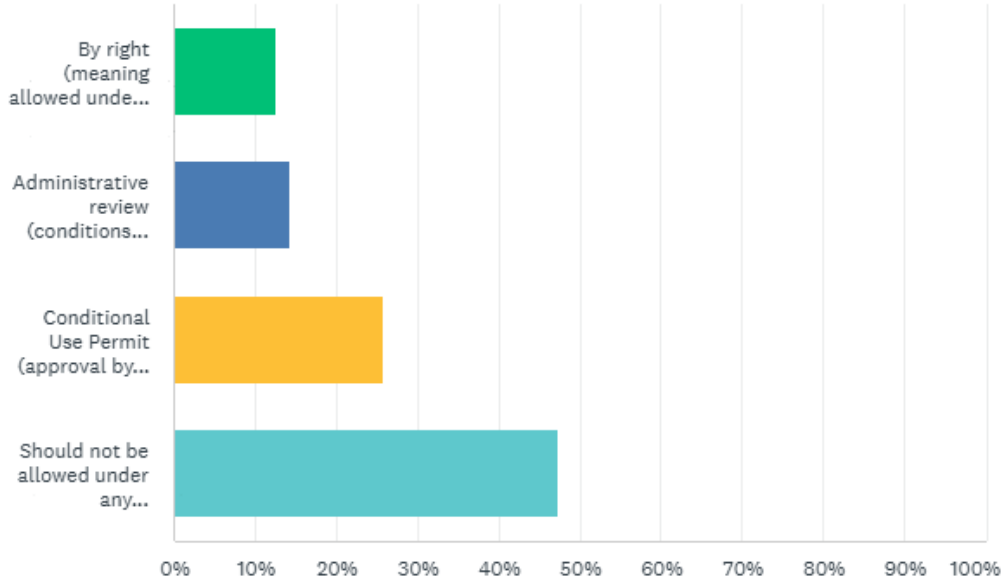
ANSWER CHOICES	RESPONSES	
No Concerns	17.80%	63
Parking	58.19%	206
Change in property values	55.37%	196
Increase in neighborhood population	32.49%	115
Change to the character of the neighborhood	67.23%	238
Total Respondents: 354		

Comments (65)

Triplex/Quad Survey Results

Under what condition should triplex and quadplexes be allowed in single-family zoning?

Answered: 365 Skipped: 40

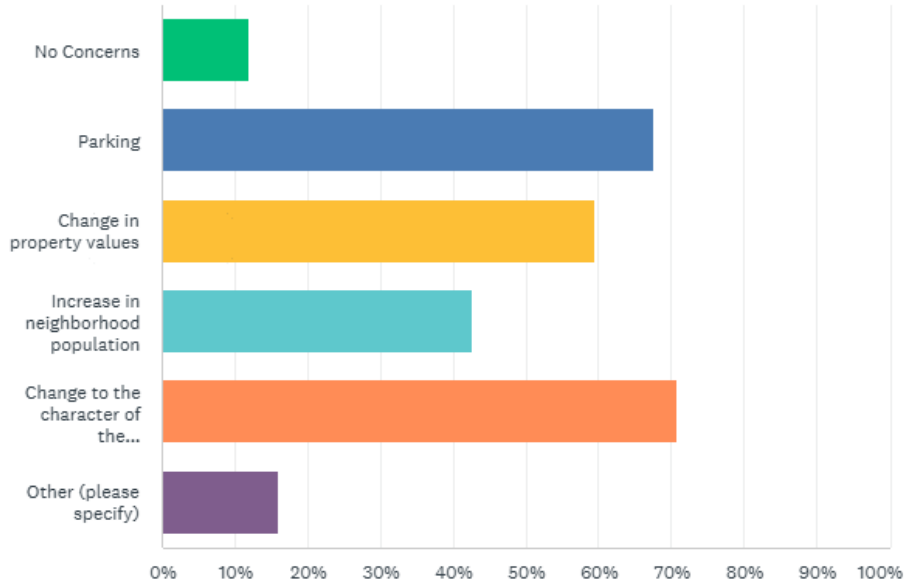


ANSWER CHOICES	RESPONSES	
By right (meaning allowed under all circumstances)	12.60%	46
Administrative review (conditions required, but can be reviewed and approved by staff)	14.25%	52
Conditional Use Permit (approval by Planning Commission, Governing Body, and notice to neighbors)	25.75%	94
Should not be allowed under any circumstances	47.40%	173
TOTAL		365

Triplex/Quad Survey Results

What concerns would you have about triplexes and quadplexes being allowed in single-family zoning districts? (select all that apply

Answered: 362 Skipped: 43

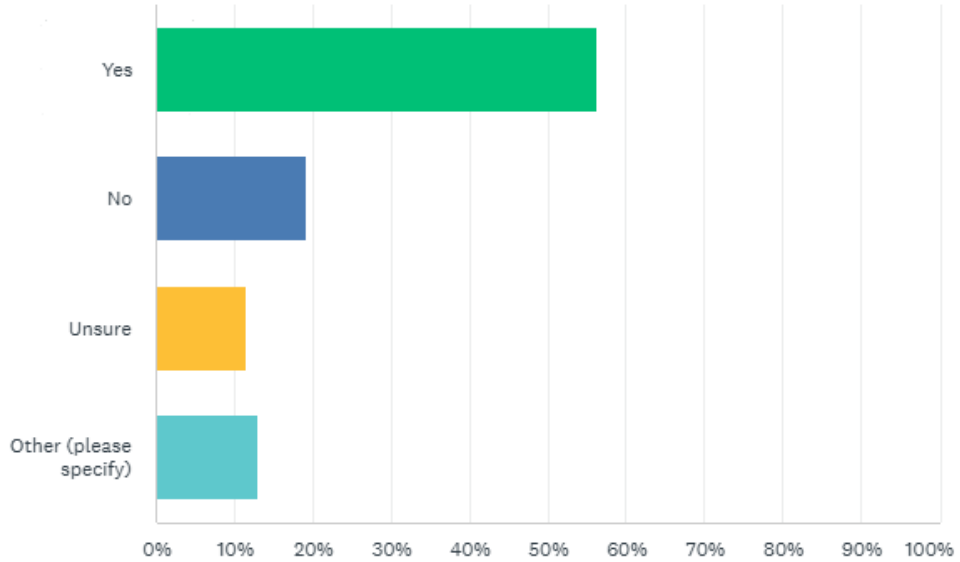


ANSWER CHOICES		RESPONSES	
No Concerns		11.88%	43
Parking		67.68%	245
Change in property values		59.39%	215
Increase in neighborhood population		42.54%	154
Change to the character of the neighborhood		70.72%	256
Other (please specify)	Responses	16.02%	58
Total Respondents: 362			

Alterations of Single-family homes

Should the alteration of single-family home to a duplex or multi-family dwelling unit require a CUP (Conditional Use Permit approved by Planning Commission and the Governing Body)?

Answered: 364 Skipped: 41

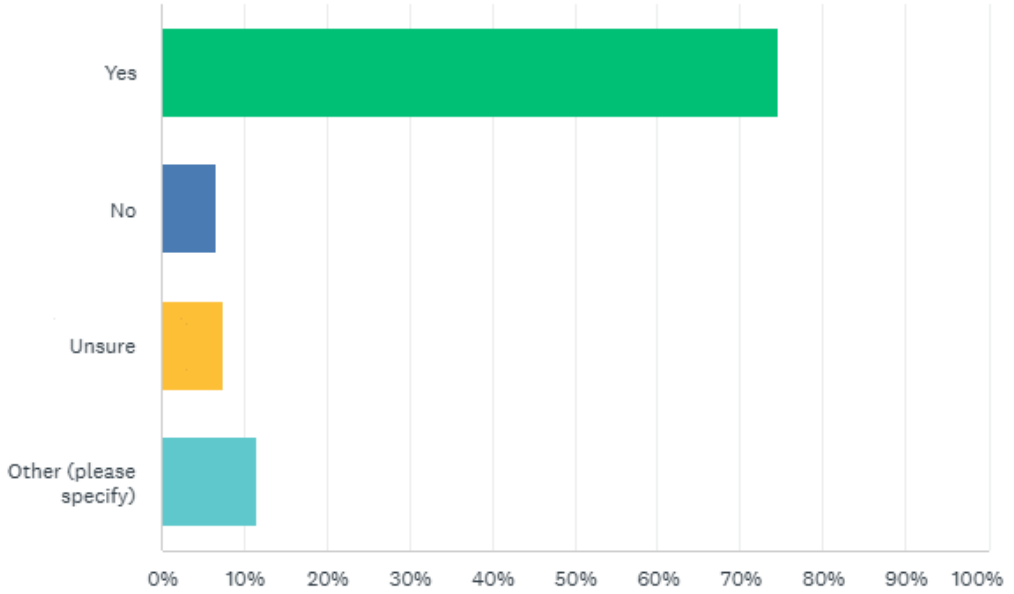


ANSWER CHOICES		RESPONSES	
Yes		56.32%	205
No		19.23%	70
Unsure		11.54%	42
Other (please specify)	Responses	12.91%	47
TOTAL			364

Design Considerations

If duplexes, triplexes, or quadplexes are allowed by CUP, should design be one of the considerations?

Answered: 366 Skipped: 39

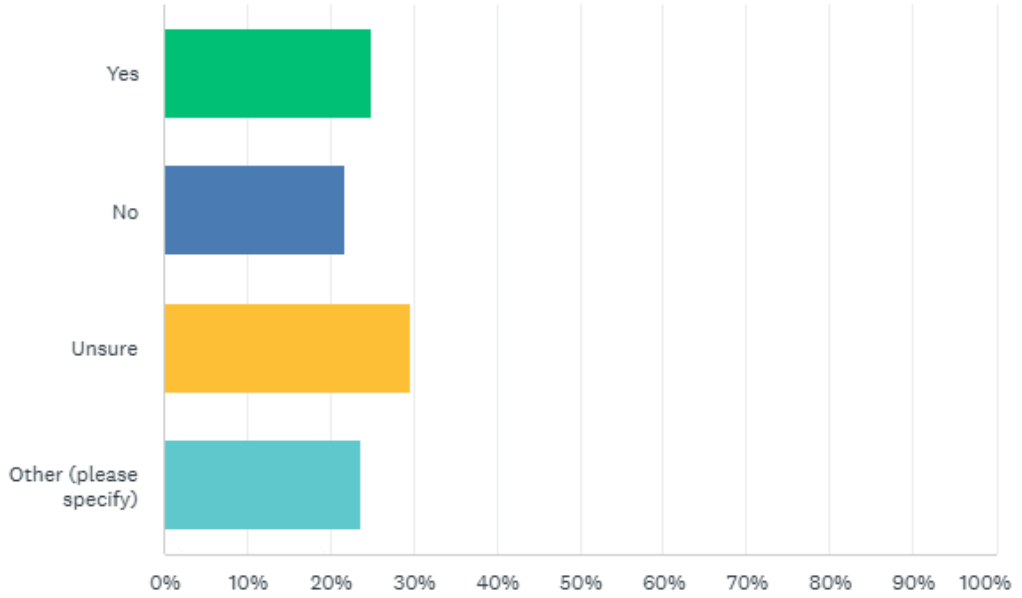


ANSWER CHOICES		RESPONSES	
Yes		74.59%	273
No		6.56%	24
Unsure		7.38%	27
Other (please specify)	Responses	11.48%	42
TOTAL			366

Neighborhood Specific

Are there specific neighborhoods or areas of Topeka where this should be allowed?

Answered: 362 Skipped: 43



ANSWER CHOICES		RESPONSES	
Yes		24.86%	90
No		21.82%	79
Unsure		29.56%	107
Other (please specify)	Responses	23.76%	86
TOTAL			362

From: Hudson Luce <streamfortyseven@protonmail.com>
Sent: Wednesday, September 3, 2025 3:26 PM
To: Dan Warner <DWarner@topeka.org>
Cc: khilller@topeka.org <khillller@topeka.org>
Subject: Final draft of comments for the packet...

Notice: -----This message was sent by an external sender-----

Just a quick fix - Item 6 on the list should read:
"6. Again, looking at Google Maps of Topeka, there are numerous areas of undeveloped space adjacent to townhome or apartment complexes, which would be suitable for similar development, just in case a sudden influx of people were predicted to come into Topeka for some reason. The apparently abandoned Menninger property could be put to such use, it's a good location, close to shopping end employment opportunities. In fact, the Tower Building could be put back in usable shape to serve as part of a local shopping/services hub instead of serving as evidence of the effects of failure to take action - letting local landmarks run down would be something that outside interests might look at before investing here. It could be like the Crossroads District in Kansas City, which went from run-down warehouses and office buildings to where it is today, but it took vision and planning by the City to bring that about. And it would be ideal for Transit-Oriented Design, as is seen in the Crossroads District in Kansas City."

and Item 7 should have the last sentence - "And it would be ideal for Transit-Oriented Design, s is seen in the Crossroads District" - deleted.

Here's my intended result:
"Just briefly:

1. in 2019, a registry of vacant properties was established, owners whose properties were vacant for more than 180 days are required to register. I've spoken to a number of people who think that there are at least 1000 properties on that register - which is apparently hidden away somewhere so that AI searches can't find it - of course, AI searches come up with a haystack of nonsense along with a few relevant sites. Does Topeka have a blighting ordinance, or does it follow the "highest and best economic use" definition as set out in *Kelo v City of New London (2005) at https://supreme.justia.com/cases/federal/us/545/469/* I'd bet that those vacant houses could be turned into good assets by a land bank, which could rent them out on a rent to own basis, part of all of the rent being paid in sweat equity - this would relieve part of the affordability crisis for the twenty- and thirty-somethings. Transforming them into houses lived in by owners would revitalize those neighborhoods, too - owners of property have a solid stake in the prosperity and safety of their communities which absentee landlords or property managers do not
2. Increasing density in already established neighborhoods with few or no vacant lots and little undeveloped land tends to decrease property values for existing owners, people want the benefit of what they've paid for, and part of that benefit is space, (relative) peace and quiet and privacy. We should not aspire to be California, here. A friend lives in Hermosa Beach, and I can't stand between his house and his neighbor's house and stretch out my arms. His back yard, such as it is, is the size of my garage. Only if there's a big nearby attraction - the

Pacific Ocean, say, roughly four blocks away - do property values stay high. And people don't want to live next to apartment houses or hotels - or AirBnBs. A neighbor across the street took a $75,000 hit on the price he got from his house, probably because of the existence of an AirBnB party house across the street.

3. On the other hand, in neighborhoods with vacant lots and land which has lain fallow for many years, and there are quite a few neighborhoods like this in Topeka, bringing them back to the original density would tend to increase property values.The effect of vacant lots on neighborhoods is like broken windows on a house, driveways and stairs and sidewalks leading to nowhere depress values of the surrounding houses. I'm not sure if Habitat for Humanity or something like it is in Topeka, but that might be another route to increase the amount of owner-occupied (and built) affordable housing - and the owners would have a good idea about maintaining their houses, and if they built them, they would have a certain pride in keeping up the result of the work of their own hands.
4. If you look at the neighborhoods in Topeka, such as Westboro, Potwin, College Hill, Central Park, and OldTown, amongst others, you'll see that each has a small shopping area set out within convenient walking or biking distance, or a short drive, from the houses in the neighborhood, and the availability of parking is appropriate for the density of that neighborhood as originally set out. Potwin had a general store, soda fountain, lunch counter, news stand, and pharmacy in the same store, there was a small grocery store on the corner, and a gas and service station across the street. Good land use, good planning. And all of the neighborhoods above had similar.
5. We need to get a realistic estimate of our population growth - for 20,000 more people to show up by 2030, there's going to have to be a major draw, one which pays enough for people to afford housing at a reasonable level. That isn't big box stores, some of whom urge employees to get on public assistance (and thus get an indirect tax subsidy, which has to be paid for by increasing taxes or less services, or both) - because they pay their employees so little. These kinds of businesses are nothing more than parasites, there is no net benefit, only cost - and if they get a TIF, it's even worse. We really need to scrutinize these deals before we get into them, there are a lot of bottom-feeder corps out there, looking to socialize their costs and privatize their profits.- and a lot of them seem to pop up in Kansas.
6. Again, looking at Google Maps of Topeka, there are numerous areas of undeveloped space adjacent to townhome or apartment complexes, which would be suitable for similar development, just in case a sudden influx of people were predicted to come into Topeka for some reason. The apparently abandoned Menninger property could be put to such use, it's a good location, close to shopping end employment opportunities. In fact, the Tower Building could be put back in usable shape to serve as part of a local shopping/services hub instead of serving as evidence of the effects of failure to take action - letting local landmarks run down would be something that outside interests might look at before investing here. It could be like the Crossroads District in Kansas City, which went from run-down warehouses and office buildings to where it is today, but it took vision and planning by the City to bring that about. And it would be ideal for Transit-Oriented Design, as is seen in the Crossroads District in Kansas City.
7. None of the methods for urban infill I've written about above would require changes to zoning for those neighborhoods, or for the residential zoning of the city as a whole, We need to preserve and revitalize what we have, rather than commit to monetary outlays which might put the City of Topeka under financial strain in supporting new development of non-owner-occupied high density housing. And building un-needed housing would simply increase the vacancy rate - and if vacancy weren't a problem, we wouldn't have the Vacant Property Registry."

COMMENTS RE; REVISED DUPLEX, TRIPLEX, AND QUADRIPLEX IN “R” DISTRICTS
(Including suggestions from Housing Subcommittee)

TOPEKA PLANNING COMMISSION AUGUST 18,2025

My name is Jerry R Palmer my address is 305 SW Greenwood Ave. in the Potwin Place Historic District.

Thank you for permitting comments on this proposal. I am aware of the original proposal that was presented here last month, and which was also discussed in the Policy and Finance Committee after that meeting. The packet of materials when I reviewed them did not include the form of Revisions proposed by the standing subcommittee on Housing , I was recently informed by its’ Chair, Jim Kaup ,they would recommend that duplexes initially proposed as a matter of right should also be subject to the CUP process. The points I would like to make are still relevant to the proposal.

I have three points I would like to address:

1. Is there evidence to support that this type of proposal substantially contributes to the additional housing units to meet the goal of the 2020 Housing Survey, where similar proposals were adopted by other Cities and States?
2. If any proposal is adopted it should exclude application to Districts designated by the City of Topeka as Historic or Conservation Districts.
3. If any proposal is adopted it should require for the conversion of a Single-Family structure to a multiuse structure be by application for a Conditional Use Permit.

Is there evidence to support the idea that this type of proposal substantially contributes to the additional housing units to meet the goal of the 2020 Housing Survey, where similar proposals were adopted by other Cities and States?

Some Internet research shows that there are many similar proposal to revise single family zones that have been adopted by 6 States and perhaps as many as 50 cities. I tried to see how effective they have been in achieving the goals of substantially contributing to the additional units of housing where the proposals were adopted.

Since Minneapolis was the first in 2018 effective 2019, I was surprised by the actual numbers in 2020, 2021 and first 1/2 of 2022 (after that litigation and injunction ending this year would screw up any data). Since Topeka is only 30% their size and the results translate to 6 or 7 more units

per year compared to the need for 9,950 needed over 20 years it didn't seem the need was being addressed by such a proposal. 2 more sources described generally the same disappointment of advocates.

This comes from Mapping Minneapolis' Post-2040 Plan Duplexes and Triplexes - Streets.mn and says "

On first impression, the map reinforces an increasingly familiar takeaway: Duplexes and triplexes have not contributed a meaningful amount of housing for a city of over 400,000 people.

The map also shows that **less than half of post-2040 plan duplexes and triplexes have been built in areas that previously allowed only single-family housing (R1 and R1A zones prior to the 2040 plan).** See the count below:

	Building type	Project Count
Previously single-family only	Duplex	28
Previously single-family only	Triplex	17
Previously 2+ units allowed	Duplex	44
Previously 2+ units allowed	Triplex	20

Source: Minneapolis Community Planning & Development

I found an article published in "Rent Free" a weekly publication self-described as "urbanism and the fight for less regulation, more housing, more property rights, and more freedom in American cities" . In other words, proponents of this type of zoning change. The title of the Article published 3/14/ 2023 was **"Despite Multiple States abolishing Single-Family -Only Zoning, Very Few Duplexes and Triplexes Are Being Built; a new report illustrates that the middle of the housing market is still missing". T**he data regarding these three categories for 2022 they concluded, "That's a paltry 3 % of overall construction". If that is compared to the Topeka data presented to the Planning commission for the year 2024 (43 single, duplex 20 and multifamily 31 total 94; that is a ratio of duplexes at 21% vs 3% nationally). The data from 2022-2024 171 permits with 80 being duplexes is 35%. So already just looking at duplexes alone the ratios are considerably higher in Topeka than national averages after these reforms were enacted in multiple States and Cities.

The most recent article I could find was sent to me by Pat Riordan who represents Banks and Developers, The Black Box of Single-Family Zoning Reform | Boston College Law Review , published 10/28/24 that had some comments supporting the claim that this type of ordinance has not been too effective in producing more housing.

"**Despite the increase in middle-housing zoning, however, these reforms have spurred limited middle-housing unit construction and little affordable housing**. In 2022, Minnesota faced a deficit of ninety-five thousand housing units, yet by 2023 Minneapolis's single-family zoning reforms had resulted in

only forty-five new middle-housing projects three years after adoption. Portland, Oregon is experiencing similarly underwhelming results. In California where **single-family new zoning reforms came into effect in 2022 and where the state faces a shortage estimated by some to be near 3.5 million housing units, the results are even more dispiriting. ADU reforms have fared slightly better but have still not addressed housing shortages. Moreover, it is unclear whether the housing produced under these reforms will be affordable to lower-income households. "**

I shared these citations with Mr. Kaup, and he was kind enough to reply with his interpretation of the published articles and supplied 6 articles that he thought supported the efficacy of this approach. I read them, but it seemed they did not provide any other data, and the authors were proponents relying more on their hope this would help rather than evidence-based opinions that it does much to meet the goals being sought by the City.

It seems that staff should be able with their resources to give the planning commission data that supports the claim this proposal will likely result in enough more housing to make a change. Alternatively, the City should take a wait and see attitude before adopting a proposal to which so much opposition is building to the proposal.

If any proposal is adopted it should exclude application to Districts designated by the City of Topeka as Historic or Conservation Districts.

The proposed section would override the current residential districts. I believe that all the Historic and Conservation districts are currently designated R1 or R2 . The city proposal would permit duplexes as a matter of right (or as now proposed by Housing Committee CUP) triplexes and quadraplexes are subject to CUP .

The rationale for omitting historic and conservation districts is found in the description of those districts on the city's website.

In the general overview as to Historic Districts it is stated" These properties have national state or local significance in the areas of history, architecture, archaeology, engineering and/or culture." There are number of criteria for listing. Owners of such properties are required to get government approval, and the plans need to be reviewed using the Secretary of the interior standards and guidelines for rehabilitating historic buildings. The process of getting a listing takes substantial effort and needs to be sent to the National Park Service for final consideration. These designated Districts include Potwin Place, Holiday Park , and College Avenue .

Neighborhood Conservation Districts are a zoning overlay to address the appropriateness of design of new construction as well as the compatibility of exterior renovations and additions. They are neighborhood revitalization planning tools that can be used to protect district

architecture natural features and neighborhood character.These designated Districts include Westboro and Elmhurst .

Both categories then serve a purpose that has already been recognized by the City of Topeka and considerable effort has been put in by owners in those districts to obtain that designation and protection.

The current proposal is to meet a different goal of more affordable housing, some 9,950 units, over the next 20 years. It addresses what is called “The Missing Middle”.

The policies then are contrary or contradictory; **but there are ways to harmonize both goals**.

The exclusion of these districts is the simplest and most straightforward way in which to achieve that goal.

Further remarks will be Potwin specific. From the data compiled by the Multiple Listing Service covering actual completed sales for the last three years there have been 19 sales in the Potwin Historic District. From published data the average sales price in area code 66606 is $142,553, average for the city of Topeka is $197,713, average for Kansas is $248,057, and the average for the United States is $367,969 to $503,800. All but the last figures are from Zillow data, and the last number is from the St. Louis Fed. The Potwin home sales: six are below the Topeka average, five more are below the Kansas average and nine more are below the US average. The range is from $109, 000 to $402,400. The point being that there are a wide range of values in Potwin homes which do not result then in economic discrimination.

Without supporting data, but with personal observation I can say as a resident of Potwin for 47 years that there is racial diversity, diversity of faiths, different politics, and a distribution of young, middle-age and senior residents. I understand these are also goals of these types of projects nationally.

Also to be remembered is that residents of these districts have made investment in their homes in reliance upon these designations as either historic or conservation districts.

What is more intangible is the community that is built around the district resulting in the preservation of the character of the districts. The City of Topeka benefits from the Potwin district, some examples are the decoration of the homes and circles during the Christmas season when thousands of cars drive through the neighborhood. Halloween in Potwin is very popular and on nice evenings will result in 1500 to 2000 trick-or-treaters. Recently during the spring, the circles have bloomed with daffodils and tulips and painted signs. O, one of the neighbors has started having concerts on their wraparound porch inviting members of the community to see local talent both musical and poetry. Many organizations have arranged home tours and Potwin itself has sponsored tours open to the community.

There are several practical reasons to eliminate those Districts

1.These Districts are almost completely developed with few building sites left unimproved.
2.The likelihood that an application would be filed after the developer conferred with neighbors in these neighborhoods is low. The chances are even lower then after the required notice is sent to those owning properties within 300 feet objections are brought before this Commission in a hearing. It is inefficient use of the resources of the planning staff and the Commission then to even provide a process that will result in so few prospective housing units being added by this process in these neighborhoods

3. A review of the opponents to the proposal will identify that most of the opposition to this plan is from these neighborhoods plus residents of College Hill. Although Amanda and her staff could do better, here is a draft that might take out the concerns of an overwhelming majority of the objectors." This section does not apply to any Districts designated by the City as Historical or Conservation Districts or a Neighborhood that contains a designated Historic District ". The College Avenue Historic District is wholly with the College Hill Neighborhood.

If any proposal is adopted it should require for the conversion of a Single-Family structure to a multiuse structure an application for a Conditional Use Permit <u>if such conversions are permitted at all.</u>

Another important restriction should be a requirement that any single-family unit that is converted to a duplex be required to go through the CUP process. That process requires the proponent to meet with neighbors even before submitting the proposal to the city. Thereafter the city planning commission will direct notice to be given to property owners within 300 feet of the new structure and those owners will have an opportunity to be heard in a hearing before the planning commission. Then that proposal will be forwarded to the Council for action. It is critical to the maintenance of the character of established neighborhoods outside the defined Historic and Conservation Districts such as College Hill. This is consonant with the Housing Committee suggestions presented today.

Thank you for giving me the opportunity to address this very important issue and for considering it in your further deliberations.

Jerry R Palmer

CITY OF TOPEKA

TOPEKA PLANNING COMMISSION

Monday, September 15, 2025

CASE MINUTES

Members present: Willie Brooks, Jennifer Hannon, Del-Metrius Herron, Jim Kaup, Jeff Lolley, William Naeger, Katy Nelson and Donna Rae Pearson (8)

Members Absent: Joesph Mauk (1)

Staff Present: Dan Warner, Planning Director; Mike Hall, Land – Use Planning Manager; Ann- Marie Driver; Amanda Tituana-Feijoo, Administrative Officer; Mathew Mullen, Legal Dept

Duplexes, Triplexes, Quadplexes in "R" Districts

Staff: Mike Hall presented the topic. The current regulations for "R1 and R2" allow single family dwellings, and duplexes, triplexes, and quadplexes are prohibited. The previous recommendation would allow duplexes by building permit (subject to special standards) and triplexes and duplexes by conditional use permit (CUP). The revised recommendation would allow duplexes, triplexes, and quadplexes by a conditional use permit.

Mr. Hall stated that this is not a proposed change to the zoning map, but a proposed text amendment to the zoning code. This topic has come before the Planning Commission as a discussion item, both in June and August. The recommendation for the commissioners is that they close the public hearing tonight, have further discussion, and table any action to a further meeting.

The process for both Conditional Use Permit and Rezoning are similar; however, there are some distinct differences. A conditional use permit is a decision based on the "Golden Factors", the CUP Guidelines, and the approval is tied to a development plan. Building permits would be required for new construction and conversions. All building codes would have to be met, and city inspectors would be inspecting the project at all phases.

Mr. Hall addressed concerns raised by citizens, and Mr. Hall pointed out that most of the concerns were raised before the recommendation of requiring a Conditional Use Permit. Restricting duplexes, triplexes, and quad-plexes in a historic district does not address the concerns raised by some of the neighborhood residents. Mr. Hall also stated that having different land use regulations for individual neighborhoods within the same zoning district is not equitable and it really risks being arbitrary and without a rational basis. Historic districts are about physical changes to buildings and property, and not about land use. Zoning regulations should be equally applied to similar zoned properties. Deciding which neighborhoods should be selected for the proposed code change is really complicated. This could require the creation of new overlay districts, and the inequitable treatment of neighborhoods. Mr. Hall stated that the Conditional Use Permit process is inherently not a one-size-fits-all approach and is very much based on context.

Questions for Staff:

Commissioner Kaup asked for the memo to be updated to exclude the "R3" district. Commissioner Kaup also asked for Elmhurst to be added to the list of neighborhoods the city presented to.

Commissioner Naeger opened the public comment.

Marc Galbraith appreciates the commissioners adding the amendment requiring the Conditional Use Permit but still thinks the notification requirement for a Conditional Use Permit is limited as it does not reach a whole neighborhood. Mr. Galbraith acknowledges that city staff has reached out to neighborhoods, but feels like the meetings have caught residents off guard. Mr. Galbraith also believes that this process is happening quite fast, and that it ignores the long-term financial commitments of people who are buying houses.

Susan Duffy referenced the price of houses sold within the College Hill neighborhood for the past two years; the average price being around $150,000.00 which meets the middle housing part the city is looking for. Ms. Duffy stated College Hill will do everything they can to stop this project and will be reaching out to the other neighborhoods in Topeka to have a meeting. Ms. Duffy also believes there is not a one-size that fits all approach, and the ordinances should reflect the diversity of what the city has to offer.

Toni Stewart asked if there are no differences, then why are things being changed. Ms. Stewart would like the city to talk to each neighborhood and the people who live in those neighborhoods. The matter should be voted on by the neighbors.

Jolene Grabill thinks the city could do a better job with citizen involvement, the proposal definition, and public availability. Ms. Grabill stated the process feels disingenuous, as she has spoken to other neighboring residents and a lot of people do not know what is going on. A reference to a project on Huntoon was made, stating the city could do a better job notifying people. She is in opposition to the text amendment by right or through a conditional use permit. Ms. Grabill expressed concerns that this text amendment has been designed to meet the needs of the developers and not increase housing affordability. There has been an attempt to minimize the citizen input and intensity, and the neighborhoods have unified in an ongoing collaboration to provide a more meaningful input.

Alice-Ann Oliver is in opposition to an arbitrary recommendation that would allow duplexes, triplexes, or quadplexes in residential single family zoned neighborhoods; along with neighborhoods being left out of the conversation regarding a long-term plan that will forever change the layout of the city. This change impacts the neighborhoods, their diversity, and their vibrancy. Ms. Oliver would like to see every citizen included in city planning and has a list of ideas to share with staff. Ms. Oliver stated the neighborhoods are starting a neighborhood coalition where they can come together and share information, resources, support and solutions.

Steve Stanford referenced the staff memo, page eight, and suggested the comments were not clear on where the neighborhood stood previously. Westboro is opposed to “up zoning” in any form, by right, by administrative process, or by CUP. Mr. Standford is disappointed that most of the public engagement has been done through the neighbors, and not on behalf of the city. Mr. Stanford also referenced a project on Huntoon, and the public engagement from that engineering company. Westboro is supportive of the idea of looking at each neighborhood on a “neighborhood by neighborhood” basis.

ShaMecha King Simms, Old Town NIA, expressed disappointment in how policy can destroy the fabric of community. Ms. King Simms expressed concern over the unintended consequences that this policy could have on the different neighborhoods. While it is not the intention of the Planning Commission to ruin neighborhoods, Ms. King Simms cautioned that this decision could land staff/commissioners on the wrong side of history. This could cost communities the thing that they value the most, each other.

With no one else coming forward, Commissioner Naegar closed the public comment.

Discussion by Commissioners:

Commissioner Kaup referenced the city’s notification notice of 200 feet and how it is consistent with Kansas State statue. That notification radius can be extended, but the problem is separating the notice area from the protest petition. There can be legal issues regarding who can sign up for the protest petition.

Commissioner Brooks thanked everyone in the audience for their comments and stated at one point or another a lot of people in the room were renters. Commissioner Brooks agreed that the commissioners need to be thoughtful of how this amendment impacts the long-term play for homeowners. He likes the comment regarding unintended consequences, and Commissioner Brooks fears the commissioners are trying to help, but it turns out worse for everyone. Commissioner thinks more people have read the 2020 Housing Study than they would have otherwise.

Commissioner Brooks thinks that new construction for the blighted homes would help both the housing situation, and the neighborhoods. If it was a viable economic solution, blighted homes would have already been remodeled.

The Conditional Use Permit process gives the neighborhood the opportunity to have a voice in the process. Converting older homes into duplexes will be costly. Commissioner Brooks doesn't think it will be a viable option due to the economics, and the off-street parking if there is too much density.

Commissioner Brooks also mentioned the triplexes and the quad-plexes, and whether those made sense in a particular neighborhood. It is important to understand the infrastructure requirements, along with the demand on utilities and off-street parking. Commissioner Brooks thinks new construction duplexes without density requirements are fine, but with conversions of triplexes and quadplexes there needs to be some density requirements.

Commissioner Nelson stated that she is in favor of duplexes by Conditional Use Permit, and not by right. Commissioner Nelson thanked the audience for their comments and stated that they provided helpful insight. If a duplex is built, and two families are provided with homes, then that is what needs to be really considered. Commissioner Nelson also commented that some neighborhoods do not have a lot of empty lots.

Commissioner Kaup suggested that matter be further discussed at an upcoming meeting to fully digest some of the public comments that was received. Commissioner Kaup acknowledges a need for housing in Topeka but also states that developers are not rushing to Topeka to start on projects. There is a generation of people that are choosing rental properties over owner occupied housing, and this trend is rising. Although he is not trying to diminish the true concerns with the amendment, Commissioner Kaup acknowledges this is a small step towards tying to alleviate a very serious problem in Topeka.

Commissioner Herron referenced a previous comment she made about the responsibility of the Planning Commission to create new housing opportunities, when she said that the commissioners are looking at the city as a whole and not one neighborhood. Commissioner Herron stated that she is looking at the "wealth inequality gap" and wonders how to create "wealth opportunities". One of the ways to create "wealth opportunities" is though housing. There is also a supply and demand issue. Incomes are not going up, yet rents are higher than they have ever been for the area. Commissioner Herron stated that the commissioners are considering everything from both a home ownership perspective and a rental perspective. The goal is diverse housing.

Commissioner Herron referenced "The Color of Law" when addressing the public comment about unintended consequences. Single family housing was created with a discriminatory intent by looking at the average price for the average square foot to create inequalities in affordability. Commissioner Herron acknowledges that there are circumstances where a duplex, triplex, or fourplex doesn't make sense. She also believes that the inconsistencies with zoning could further encourage discriminatory practices that the Planning Commission is trying to avoid. Commission Herron stated that 11% of the total housing stock is blight, and the option is to either have the blight houses continue to just sit there or create some opportunities for homeowners. She stated that there are developers who do projects on a mass scale and then there are also local investors who take pride in their neighborhoods.

Commissioner Brooks referenced duplexes that are side by side. Mr. Warner clarified, stating that the city allows for a property line to be inserted between two duplexes to allow ownership of those two units. Mr. Warner also stated that some information could be provided on the topic at the next meeting.

Motion by Commissioner Nelson, **second** by Commissioner Herron to **defer the topic of the duplex, triplex, and quadplex until the October Planning Commission meeting. Approved 8-0**

CITY OF TOPEKA

TOPEKA PLANNING COMMISSION

Monday, August 18, 2025

CASE MINUTES

Members present: Willie Brooks, Jennifer Hannon, Del-Metrius Herron, Jim Kaup, Joesph Mauk, William Naeger, and Donna Rae Pearson (7)

Members Absent: Jeff Lolley and Katy Nelson (2)

Staff Present: Dan Warner, Planning Director; Mike Hall, Land – Use Planning Manager; Ann- Marie Driver; Paul Turner, Planner; Amanda Tituana-Feijoo, Administrative Officer; Mary Kuckleman Spinelli, Legal Dept

Duplexes, Triplexes, Quadplexes in "R" Districts

Staff: Mike Hall presented the topic. The current regulations for "R1 and R2" allow single family dwellings, and duplexes, triplexes, and quadplexes are prohibited. The previous recommendation would allow duplexes by building permit (subject to special standards) and triplexes and duplexes by conditional use permit (CUP). The revised recommendation would allow duplexes, triplexes, and quadplexes by a conditional use permit.

Mr. Hall addressed a couple of points from a letter submitted in his presentation. Mr. Hall addressed the written comments submitted by Jerry Palmer, an owner and resident of the Potwin Place Historic District. As stated by Mr. Hall, we received a report from resident Jerry Palmer who is here, and he and I had a conversation last week, as well. His report makes three points. First, he looked at the City of Minneapolis, which changed their code to allow duplexes by right throughout the city. And, the question was, did the change really accomplish their goals and result in a lot of housing. And it really didn't result in a large number of new housing units. The point being made is that this change (in Topeka) will not result in a lot of housing. Staff does not disagree with that. The proposed change is not going to open the floodgates to a lot of housing. But it will allow some and over time it could accumulate and allow more. The proposal to allow duplexes, triplexes, and quadplexes more flexibility in single family residential neighborhoods is just one small part needed to implement what is in the housing study and to reach housing goals. It is an important part. It addresses missing middle housing. It addresses unsubsidized housing, what is referred to in the study as workforce housing.

The second point in the report is that any proposal, if adopted, should exclude application to Topeka historic districts and neighborhood conservation districts. Those historic districts in Topeka are Potwin, Historic Holliday Park, and College Hill. I believe some of the people concerned about duplexes in the Potwin area are not actually in Potwin but live east or west of that district in Auburndale or Kenwood. In College Hill, the historic district in College Hill is along College Avenue. It is probably a quarter or a fifth of the College Hill Neighborhood, so restricting duplexes in historic districts by itself is not going to keep duplexes out of those neighborhoods.

The other point I want to make is that the conservation districts and historic districts are not really land use restrictions but are instead design restrictions. They are not intended to prohibit land uses. In the case of a historic district, any development is required to go through something called certified local government review (CLGR). CLGR does not analyze the land use but instead analyzes the physical manifestation of land use. The conversion of a home to a duplex probably results in an additional door or entry on the outside, or affects the external appearance of the building. That is addressed by the historic districts. Another thought is that if the exclusion applies only to historic districts and conservation districts, it is not an equitable way to address that concern because there are other neighborhoods that also likely do not want duplexes, but they would not be spared

if the exclusion applies only to historic districts and conservation districts.

Mr. Palmer's third point is that any proposal that is adopted should require conversions of single-family homes to duplexes by application for a conditional use permit. That is what the Committee is now proposing today; that duplexes, triplexes, and quadplexes in these districts require a conditional use permit.

This is not a criticism of Mr. Palmer's report. He did a lot of homework. It is interesting what he found in his analysis of Minneapolis, and his report is very well thought out.

Questions for Staff:

Mr. Kaup addressed the question in Jerry Palmer's comments, that is "what is it going to accomplish?" You can make an educated guess. We don't know what will happen with mortgage rates a year from now or what employer could come to Topeka and increase demand. If this proposal is adopted by the Governing Body, I would be delighted if it resulted in 5 or 10 new duplexes a year in Topeka that would not have been constructed otherwise. It won't open the floodgates, but it is important to those people who move into those duplexes. Any new construction of housing in Topeka is beneficial.

Commissioner Hannon asked about fees associated between the rezoning process, and a conditional use permit. Mr. Hall stated it would be a flat fee, and the difference would be about $50.00. Commissioner Hannon asked if either process necessitate documents done by a design professional. Mr. Hall stated that a conditional use permit would require a site plan to scale. There is no code requirement that plans be prepared by a design professional.

Commissioner Naeger asked for clarification of the word "current" used throughout the slideshow. Mr. Hall confirmed it represented the current law under the municipal code, and nothing previously proposed by the *Standing Committee for Housing.* Commissioner Naeger asked if the new proposal were to be passed, would it affect what a property owner could do (on whim) with their property. Mr. Hall stated no.

Commissioner Naeger expressed his appreciation with the *Standing Committee for Housing's* ability to be as responsive as possible, although they have been pulled in many directions.

Commissioner Naeger opened the public comment.

Bruce Emmert appreciates the reconsideration of the revised recommendation. Mr. Emmert asked if it was possible to allow only a certain number of duplexes, triplexes, or quadplexes within an area.

Marie Hall expressed concerns over how the characteristics(internal/external) of historic homes could change, along with the reduction of home values. Ms. Hall also expressed concerns over the lack of parking in Potwin, and the safety concerns that could come to light due to cars parked on the streets.

Jerry Palmer expressed concern over the conversions of homes in historic districts. Mr. Palmer believes that the neighborhoods will express opposition for any conditional use permits regarding the duplexes, triplexes, and quadplexes.

John Parton expressed concerns about affordable and quality housing for renters. Mr. Parton also suggested different ways for helping bridge gaps between renters, homeowners, and the surrounding neighborhoods.

Jim Showalter would like more time to digest the proposed updated changes, but thanks the *Standard Committee for Housing* for making such considerations.

Alice-Ann Oliver admitted there is a need for affordable, quality housing in Topeka, but believes there is not a "one-size fits all approach". Ms. Oliver suggests the city speak with different neighborhoods so that they can figure out how to balance the needs of the neighborhoods with the need for affordable housing.

Chris Irwin expressed concern with the size of the streets in Collins Park, how that could be affected with more off-street parking. Ms. Irwin is opposed to the proposal to eliminate single-family housing citywide.

Jolene Grabill also expressed concern with off-street parking, as Washburn University students now share houses in the area. Ms. Graybill shared history on the Collins Park neighborhood. Collins Park, unfortunately, is not a

historic district or a conversation district, and sits unprotected. The community itself is unique, historic, and significant part of Topeka. Ms. Graybill questions how the regulations will be implemented by developers.

Ginger Neimann-Harper expressed opposition to the rezoning; specifically, the ability to live in a single-family zone neighborhood. Ms. Neimann- Harper believes that creating a long-term sustainable neighborhood should be done with thoughtful planning and in cooperation with the existing residents, and with future infrastructure in mind. The storm water systems, water lines, sewar lines, and off-street parking are examples of concern with current infrastructure.

Mary Jane Hellebust has watched different generations come and go within the College Hill neighborhood and wants to maintain the “atmosphere” of the neighborhood.

Duane Pomeroy appreciates the proposed changes but questions the notification range as 200 feet is not even a full block. Mr. Pomeroy suggests that the city should focus on one neighborhood at time and doesn’t believe that the proposed rezoning is keeping with any of the neighborhood plans.

Steve Stanford stated the Westboro neighborhood relies on the city for stability about zoning. Mr. Standford believes the neighborhood’s livability is in the hands of individual homeowners and developers and would like to see the city-wide rezoning stopped so that each neighborhood is addressed individually.

With no one else coming forward, Commissioner Naegar closed the public comment
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Commissioner Naeger discussed the future steps of this discussion, including being presented at the following meetings.

Policy and Finance Committee Meeting, August 21, 2025
Planning Commission Meeting, September 15, 2025

End of Discussion.

City of Topeka
Governing Body Action Form
City Council Chambers
214 SE 8th Street
Topeka, Kansas 66603
www.topeka.org
November 10, 2026

DATE:	**November 10, 2026**
CONTACT PERSON:	**DOCUMENT #:**
SECOND PARTY/SUBJECT:	**PROJECT #:**
CIP PROJECT:	
ACTION OF COUNCIL:	**JOURNAL #:**
	PAGE #:

DOCUMENT DESCRIPTION:

VOTING REQUIREMENTS:

POLICY ISSUE:

STAFF RECOMMENDATION:

BACKGROUND:

Governing Body Rule 5.5

(c) **Public Comment on a specific agenda item:** Comments from members of the public concerning a specific agenda item will be heard at the time the item is considered. Persons will be limited to addressing the governing body one (1) time on a particular matter unless otherwise allowed by a vote of six (6) or more members of the governing body.

(d) **General public comment:** Requests by members of the public to speak during the public comment portion of a regular governing body meeting will be placed on the agenda on a "first-come, first-served" basis. The request should state the name of the individual(s) desiring to be heard. Each such individual shall be limited to addressing the governing body one (1) time and his or her comments shall be limited to topics directly relevant to business of the governing body; provided however, that comments pertaining to personnel and litigation matters shall not be allowed.

Procedures for Addressing the Governing Body

In accordance with Governing Body Rules 5.6 and 5.7, the following protocols for public comment apply:

- Each person shall state his or her name and city of residence in an audible tone for the record.
- All remarks shall be addressed to the Governing Body as a whole -- not to any individual member.
- In order to provide additional time for as many individuals as possible to address the Governing Body, each individual signed up to speak will need to complete his or her comments within four minutes.

The following behavior will not be tolerated from any speaker:

- Uttering fighting words
- Slander
- Speeches invasive of the privacy of individuals (no mention of names) Unreasonably Loud Speech
- Repetitious Speech or Debate
- Speeches so disruptive of proceedings that the legislative process is substantially interrupted

Any speaker who engages in this type of behavior will be warned once by the presiding office (Mayor). If the behavior continues, the speaker will be ordered to cease his or her behavior. If the speaker persists in interfering with the ability of the Governing Body to carry out its function, he or she will be removed from the City Council Chambers or Zoom meeting room.

Members of the public, Governing Body and staff are expected to treat one another with respect at all times .

Zoom Meeting Protocol

- Make sure your Zoom name, email and/or phone number matches what was submitted to the City Clerk when you signed up for public comment. Any misnamed or unauthorized users will not be admitted to Zoom.
- Please keep your mic muted and your camera off until you are called by the Mayor to give your comment.
- If you are cut off during your comment time due to an internet connection or technical issue, you will need to submit your comments in writing to the City Clerk at cclerk@topeka.orgor 215 SE 7thStreet, Room 012B, Topeka, KS 66603 for attachment to the minutes.
- If you break any of the public comment rules, you will receive one warning from the Mayor. If you continue any prohibited behavior, you will be removed from the Zoom meeting room and will not be allowed to rejoin.
- Public comment is limited to four minutes. You may receive an extension at the discretion of the Governing Body. The timer will be visible to you in the 'City of Topeka Admin' window on the Zoom app. Call-in users will hear one beep when a minute is remaining and then another beep when time has expired.
- Please do not share the Zoom login information with anyone. Any unauthorized users will not be admitted to the Zoom meeting room.

BUDGETARY IMPACT:

SOURCE OF FUNDING: