

## **RESOLUTION NO. 2024-125R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS PROVIDING NO OBJECTION TO THE SUBMISSION OF AN APPLICATION FOR LOW INCOME HOUSING TAX CREDITS TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE PROPOSED “THE SPRINGS” MULTIFAMILY HOUSING PROJECT LOCATED EAST OF THE INTERSECTION OF INTERSTATE HIGHWAY 35 AND AQUARENA SPRINGS DRIVE AND BETWEEN AQUARENA SPRINGS DRIVE AND DAVIS LANE; APPROVING FINDINGS RELATED TO THE APPLICATION; IMPOSING CONDITIONS FOR SUCH NON OBJECTION; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE SAID AGREEMENT AND TO SUBMIT AND EXECUTE DOCUMENTS RELATED TO THE APPLICATION; AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE TO EXECUTE AN AGREEMENT PROVIDING FOR THE OWNER OF THE PROJECT TO MAKE PAYMENTS TO THE CITY IN LIEU OF PROPERTY TAXES; AND DECLARING AN EFFECTIVE DATE.**

### **RECITALS:**

- 1.** Streamline Advisory Partners, LLC. (the “Applicant”) has proposed a multifamily development presently known as “The Springs” for affordable rental housing generally located east of the intersection of Interstate Highway 35 and Aquarena Springs Drive and between Aquarena Springs Drive and Davis Lane in the City of San Marcos which will include 304 units (the “Project”).
- 2.** The Applicant has communicated that it intends to submit an application to the Texas Department of Housing and Community Affairs (“TDHCA”) for Low Income Housing Tax Credits for the Project (TDHCA application number 24405).
- 3.** As provided for in §11.3(c) of the Qualified Allocation Plan, the City of San Marcos has more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds.
- 4.** In accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §11.204(4):
  - a.** notice has been provided to the City of San Marcos, Texas;
  - b.** the City of San Marcos, Texas has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the Project; and
  - c.** the City of San Marcos, Texas has held a hearing at which public comment may be made on the Project.

**5.** The City acknowledges the Applicant has demonstrated that the Project meets the following criteria in order to be considered for an exemption from local taxes:

- a.** The project will provide a minimum of 46 units (15% of all units) affordable to households at or below 30% AMI for the duration of the tax exemption;
- b.** The project will provide a minimum of 5 units that are ADA accessible and affordable to households at or below 30% AMI;
- c.** The project shall include these criteria in the Texas Department of Housing and Community Affairs Land Use Restriction Agreement;
- d.** The project shall partner with the City of San Marcos Housing Authority (SMHA) which addresses housing needs in San Marcos.

**6.** The City acknowledges the Applicant has not demonstrated that the Project meets the following criteria in order to be considered for an exemption from local taxes:

- a.** The project will not provide 107 three-bedroom units (35% of all units) and instead provides 42 (14%) three-bedroom units. *(highlighting will be removed following City Council confirmation of the applicant not meeting the criteria)*

**7.** The Applicant has demonstrated that the Project complies with the City of San Marcos Affordable Housing Policy pertaining to consideration of Low Income Housing Tax Credit projects by meeting at least five of the eight necessary criteria as follows:

- a.** The Project will address a housing need by providing 304 units for those making at or below 60% of the area median income. The project will provide 46 units for those making 30% or less of the area median income and 258 units for those making 60% or less of the area median income;
- b.** The Project is located in a High Intensity zone on the Comprehensive Plan Preferred Scenario Map;
- c.** The Project is located within one half mile walking distance of the Hays-Caldwell Women's Center, a Boys & Girls Club and preparatory school, a private school, an urgent care and emergency room, and Walmart Supercenter;
- d.** The Project is located within one quarter mile walking distance of an existing bus stop on a current transit route;
- e.** The Project will incorporate wraparound services that provide flexible voluntary social, economic, or education benefits to the residents. Incorporated services will utilize local support services and resources, meet the needs of the local community, and exceed the minimum Texas Department of Housing & Community Affairs requirements for

amenities. The Project will incorporate the listed common amenities and resident support services; Controlled gate access; Furnished fitness center; One children's playscape or Tot Lot; Outdoor games area; Swimming pool; Sport court or field; Full perimeter fencing; Enclosed sun porch/ patio; Enclosed dog park; Lighted pathways; Barbeque grills and picnic tables; Business center; Furnished community room; Library with sitting area; Activity room; Community dining room; High speed wi-fi in clubhouse; Bicycle parking; Package lockers; Annual income tax preparation; Reporting rent payments to credit bureaus upon request; Annual health fair; Notary services during regular business hours; part-time resident services coordinator; education tuition- or savings-match program or scholarships to residents who may attend college.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:**

**PART 1.** The San Marcos City Council finds the Recitals to be true and correct and adopts them as the findings of the City Council and incorporates them as part of this resolution.

**PART 2.** After due consideration of the findings of the City Council as stated in the Recitals, the information provided by the Applicant and any public comment, the City of San Marcos, Texas has no objection to the proposed application for the Project to the TDHCA, and confirms that the City Council has voted specifically to support the submittal of applications for the Project and to authorize an allocation of Housing Tax Credits for the Project pursuant to Texas Government Code §2306.6703(a)(4).

**PART 3.** As conditions of approval of this resolution:

**a.** The Applicant must comply with all City of San Marcos rules and regulations governing the development of the Project including, but not limited to:

- i.** the adopted Transportation Master Plan;
- ii.** all standards and regulations within the City's Code of Ordinances; and
- iii.** requirements for submission of required applications and payment of applicable fees.

**b.** The Applicant may not apply for and the Project will not be eligible to receive any variances from any applicable City of San Marcos ordinances, rules or regulations.

**c.** The Applicant must submit an executed Memorandum of Understanding for each local residential support service provider prior to the approval of future permits.

**a.** The City Manager, or her designee, is authorized to, and the applicant shall, execute a Payment in Lieu of Taxes (PILOT) Program with the City to the value of XXXXXXXX (to be finalized by staff after City Council decision)

**PART 4.** To the extent applicable, the City Council hereby approves the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (the “Act”), to the property on which the development will be constructed and grants its approval for the use of proceeds of bonds issued by a housing finance corporation pursuant to the Act to finance construction of the development.

**PART 5.** For and on behalf of the City Council, the Mayor or the City Clerk are each authorized to certify one or more copies of this resolution for submission to TDHCA.

**PART 6.** This resolution shall be in full force and effect immediately from and after its passage.

**ADOPTED** on July 2, 2024

Jane Hughson  
Mayor

Attest:

Elizabeth Trevino  
City Clerk