



Legislation Details (With Text)

**File #:** Res. 2018-198R      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Individual Consideration

**File created:** 9/24/2018      **In control:** City Council

**On agenda:** 10/16/2018      **Final action:**

**Title:** Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2018-198R supporting the submission of an application for Low Income Housing Tax Credits to the Texas Department of Housing and Community Affairs for the proposed Villas Del San Xavier Senior Community located at 2621 South Interstate Highway 35; and consider approval of Resolution 2018-198R, approving findings related to such application; imposing conditions for support; providing authorizations for execution or submission of documents related to such application; and declaring an effective date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Housing Tax Credit Resolution.pdf, 2. LIHTC-18-02 Aerial, 3. LIHTC-18-02 Zoning, 4. LIHTC-18-02 Preferred Scenario, 5. LIHTC-18-02 Distance to Services, 6. LIHTC-18-02 Existing Sidewalks, 7. LIHTC-18-02 Application, 8. LIHTC-18-02 Proposed Plat, 9. LIHTC-18-02 CC Presentation

Date	Ver.	Action By	Action	Result
10/16/2018	1	City Council	approved	Pass

**AGENDA CAPTION:**

Receive a Staff presentation and hold a Public Hearing to receive comments for or against Resolution 2018-198R supporting the submission of an application for Low Income Housing Tax Credits to the Texas Department of Housing and Community Affairs for the proposed Villas Del San Xavier Senior Community located at 2621 South Interstate Highway 35; and consider approval of Resolution 2018-198R, approving findings related to such application; imposing conditions for support; providing authorizations for execution or submission of documents related to such application; and declaring an effective date.

**Meeting date:** October 16, 2018

**Department:** Planning and Development Services

**Amount & Source of Funding**

**Funds Required:** n/a  
**Account Number:** n/a  
**Funds Available:** n/a  
**Account Name:** n/a

**Fiscal Note:**

**Prior Council Action:** n/a

**City Council Strategic Initiative:**

Workforce Housing

**Comprehensive Plan Element (s):**

- Economic Development - Choose an item.
- Environment & Resource Protection - Choose an item.
- Land Use - Choose an item.
- Neighborhoods & Housing - Diversified housing options to serve citizens with varying needs and interests
- Parks, Public Spaces & Facilities - Choose an item.
- Transportation - Choose an item.
- Not Applicable

**Master Plan:**

Vision San Marcos - A River Runs Through Us

**Background Information:**

The City of San Marcos adopted an Affordable Housing Policy in 2014 (2014-96R) which outlined issues, goals, and strategies for implementation of affordable and workforce housing. This policy was amended in 2017 (2017-42R) to outline criteria for the Low Income Housing Tax Credit Policy (LIHTC) for large multifamily developments that are reserved for ages restricted (55+) communities only. At this time, the City was in conversation with the applicant regarding development of the property as an age-restricted community.

The Affordable Housing Policy was then amended again in 2018 (Resolution 2018-118) to remove the language regarding age-restricted communities and established minimum criteria in order to determine whether a resolution will be recommended for consideration by the City Council. Applications must meet at least 5 of the 8 criteria below, including criteria #1, in order to receive a staff recommendation for a Resolution of Support or Resolution of No Objection. An analysis of met and unmet criteria for LIHTC-18-02 is outlined as follows:

- 1. No Exemption from local taxes is provided**
  - a. Met - *The proposed development is not seeking an exemption from local taxes*
  
- 2. The proposed units address a housing need identified in this housing policy or in the City's current consolidated plan for HUD programs.**
  - a. Met - *The Affordable Housing policy states that there is a need for the creation of a diverse housing stock. The project will include a minimum of 5% of all units to be set aside for the mobility impaired and an additional 2% of all units will be set aside for the hearing and/or visually impaired contributing to a diverse housing stock for people of all needs.*
  
- 3. The project is located within a high or medium intensity zone on the preferred scenario map.**
  - a. Not Met - *The property is not located in a high or medium intensity zone and is instead located*

*in an Employment Area (please reference attached Preferred Scenario Map). There is also a portion of "Open Space" along the east side of the property.*

- 4. The project is not proposed to develop under a legacy district on the City's current zoning map.**
  - a. *Not Met - The subject property is currently zoned General Commercial (GC). This zoning district is considered a "Legacy District" under the San Marcos Development Code. The applicant has indicated that they propose to develop under this existing Legacy District. Furthermore, the property is not subject to the City's Multifamily Design Standards because the property is zoned General Commercial.*
  
- 5. The project is located within half a mile (.5) walking distance from services such as grocery, medical facilities, and schools.**
  - a. *Not Met - The subject property is located approximately 0.6 miles from the nearest grocery store, Sam's Club, located at 1350 Leah Avenue. The property is also located approximately 1.2 miles from the Central Texas Medical Center. The nearest school is Mendez Elementary School which is located approximately 1 mile from the subject property. Please see the attached map exhibit for depictions of these distances. Additionally, there is substandard pedestrian infrastructure between the subject property and these facilities, including areas where sidewalks are lacking and the absence of cross-walks which connect pedestrians safely to these services. (See attached Sidewalk Exhibit). The development would be required to construct sidewalks along all portions of public right-of-way fronting their property.*
  
- 6. The project is located within one quarter mile (.25) walking distance of a proposed or existing bus stop on a current or planned transit route.**
  - a. *Not Met - the subject property is adjacent to, but not directly located along a CARTS Route. The nearest route is approximately 400' from the subject property along IH-35 and is the "Outlets / University Route". The nearest CARTS Stop along this IH-35 Route is approximately 1.07 miles from the subject property in front of the Embassy Suites. At this time, there is no proposed or existing bus within 0.25 miles from the subject property.*
  
- 7. The project is renovating or redeveloping an existing multifamily complex or under-performing development.**
  - a. *Not Met - the project will be a new development.*
  
- 8. The project is mixed income and provides at least 20% market rate units.**
  - a. *Not Met - the project will provide 156 total units and 100% of them will be affordable. There are no market rate units proposed.*

**Council Committee, Board/Commission Action:**

n/a

**Alternatives:**

The project is only meeting 2 of the 8 criteria outlined in the City of San Marcos Affordable Housing Policy, therefore, staff is unable to provide a positive recommendation based on the current Affordable Housing Policy. As indicated in the above background, the proposed development has been in conversation with the

City regarding developing an age-restricted (55+) community since 2016 in alignment with the previously adopted 2017 Affordable Housing Policy (2017-42R).

The City Council has the option to approve the Resolution of Support. If the City Council chooses to recommend approval of the application, staff recommends that the following conditions be added:

- 1. The Applicant must comply with all City of San Marcos rules and regulations governing the development of the Project including, but not limited durable building materials, environmental protection, connectivity, site and building design requirements, and all applicable standards and regulations within the City's Code of Ordinances including requirements for submission of required applications and payment of applicable fees; and**
- 2. 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.**

**Recommendation:**

N/A