

REQUEST FOR CITY OF AUSTIN RESOLUTIONS & OTHER REQUIREMENTS
for
2024 9% Competitive Low Income Housing Tax Credits

This is the Application for developers requesting resolutions required by the Texas Department of Housing and Community Affairs (TDHCA) for 9% Low Income Housing Tax Credit applications for the 2024 Cycle. This form and all attachments will be due no later than ***5 P.M. on Friday, December 15, 2023***. *All resolutions being requested are subject to approval by the Austin City Council. Staff reserves the right not to recommend approval for any resolution request. It is anticipated that resolutions will be on the Austin City Council Agenda for the February 1, 2024 meeting.*

1. Resolutions. Please indicate each applicable resolution requested from the City of Austin.

Resolution of Support or No Objection from the Local Governing Body (to receive the Support Resolution, the development must meet criteria outlined in section 4 below, Preference Criteria)

Twice the State Average Per Capita (will be provided to all Requestors completing this form and providing all attachments if required by TDHCA's Site Demographic and Characteristics Report)

One-Mile/Three-Year Rule

Limitations on Developments in Certain Census Tracts

Development is located within a census tract that has a poverty rate above 40% for individuals (subject to staff approval)

2. Commitment of Development Funding by Local Political Subdivision. Funding commitments from the City of Austin will be provided to developments in the form of waived fees through the S.M.A.R.T. Housing Program. Letters from the City of Austin regarding waived fees will comply with the requirements of the 2024 QAP and will be provided to applicants if the development qualifies for S.M.A.R.T. Housing Certification. **Applications for S.M.A.R.T. Housing certification go through a separate review process, and are due by Friday, January 05, 2024. For more information on the [S.M.A.R.T. Housing Program](#), email DeAdra Johnson, Project Coordinator, at DeAdra.Johnson@austintexas.gov and copy Brendan Kennedy, Project Coordinator, at Brendan.Kennedy@austintexas.gov.**

3. Application Requirements. For the Resolution request to be considered, please certify this Application and include the following information in the Application PDF:

- 1) A brief narrative overview of the proposed development, including specifying who the target population is as defined by TDHCA (Supportive Housing, elderly, or general).
- 2) A complete Project Summary Form (completed in Excel) attached as a tab in the PDF. [The Project Summary Form is available on HD's website.](#) **Please also submit the Excel sheet when submitting your application.**

- 3) If the development will be located in a CRP Area, then provide the name of that CRP, a brief description of the identified revitalization goals of the CRP, a brief description of how the investments in that area together constitute a CRP, and a map of the area and the development's relative location within it. Also, the Requestor **must identify in the Project Summary Form the City of Austin council resolution(s) that created the CRP area**. Attach this information to the Application behind the appropriate tab.
 - 4) Provide an aerial map indicating the Development's location and the distance a resident would have to walk on a paved surface to get to the nearest transit stop. Attach the map to the Application behind the appropriate tab.
 - 5) Provide a flood plain map generated by www.ATXFloodPro.com with the property parcel identified and the legend displayed showing the various types of FEMA Flood Plain zones, if any. Attach the map to the Application behind the appropriate tab.
 - 6) Provide information about the Developer's experience and development history. Attach this information to the Application behind the appropriate tab.
 - 7) Provide exhibits showing the property's proximity to a park, elementary school, full service grocery store, and public library as defined by the tie breaker factors of §11.7 (2) of the 2024 Qualified Allocation Plan.
 - 8) If located in the ETJ, the application must include the resolution from the applicable county behind the appropriate tab.
 - 9) If the proposed development involves the rehabilitation of a currently occupied development, provide an Excel table of the current rents by unit type and the proposed rents by unit type following the completion of rehabilitation.
 - 10) If the applicant intends to apply for State Housing Tax Credits, provide a secondary Project Summary Form sheet which shows the anticipated request amount in a revised Sources and Uses table as well as a revised unit mix with the award.
- 4) **Preference Criteria.** In order to receive a Resolution of Support, a development must meet **two** of the following criteria. Applications that meet only one of the following criteria will be eligible to receive a Resolution of No Objection:
- 1) The development is located on a site owned, or slated to be owned, by the Austin Housing Finance Corporation (AHFC), the City of Austin, or an affiliate of AHFC or the City of Austin.
 - 2) The development is located in a High Opportunity Area, [according to the City of Austin RHDA/OHDA Application Map Series](#).
 - 3) The development is located in a Displacement Risk area, according to the [Project Connect Displacement Risk Maps](#) (located under "Displacement Risk Maps" tab; all tracts but "Historical Exclusion" are eligible).
 - 4) The development is located within 0.5 miles of the Project Connect first phase project, according to [Exhibit A](#) of Austin City Council [Resolution No. 20230601-072](#) (including Light Rail Phase 1, Priority Extension, and Future Austin Light Rail).
 - 5) No fewer than 25% of the units in the development are dedicated to the Continuum of Care, as confirmed by an executed MOU with ECHO (to be provided by February 10, 2024).
 - 6) The development is a rehabilitation of an existing affordable housing community (must complete Attachment 9 to demonstrate affordable rents; both income-restricted and naturally-occurring affordable housing is eligible).
 - 7) No fewer than 75% of the units in the development include 2 or more bedrooms.

- 5) **CRP Letter Instructions.** If the development is located in what the Requestor believes is a CRP area, then by **Friday, January 26, 2024** submit to Brendan Kennedy an analysis and explanation as to how and why the Requestor believes that the CRP area meets the requirements of TDHCA's Qualified Allocation Plan, as it pertains to 10 TAC §11.9(d)(7)(A)(v)(I-II). Please contact Brendan Kennedy with any questions about this requirement.

- 6) **Zoning.** Zoning verification letters can be provided by contacting Brendan Kennedy. Zoning verification letters are provided solely for the purpose of the TDHCA application. The applicant may request that the zoning verification letter detail preliminary eligibility for the Affordability Unlocked bonus program. **However, this letter does not grant automatic Affordability Unlocked certification, and the applicant must ultimately execute a full Affordability Unlocked agreement before applying for site plan and building permits.**

- 7) **How to Submit.** Applications should be sent by email to Brendan Kennedy at Brendan.Kennedy@austintexas.gov, with a copy to Josh Rudow at Josh.Rudow@austintexas.gov. **Please include the PDF with all the incorporated attachments and please include the Excel version of the Project Summary as well.** If Requestors are unable to submit by email, Applications may be submitted to Housing Department, 1000 East 11th Street, 2nd Floor, Austin, TX 78702 to the attention of Brendan Kennedy. For more information, contact Brendan Kennedy at 512-978-1594 or by e-mail at Brendan.Kennedy@austintexas.gov.

Deadline to Submit: 5:00 pm, Friday, December 15, 2023

Development Name: Bailey at Berkman

The undersigned hereby certifies that the information provided in this Application, including all attachments and supporting materials, is true and correct under penalty of law, including Chapter 37 of the Texas Penal Code titled Perjury and Other Falsification and is subject to criminal penalties as defined by the State of Texas. The undersigned also affirms understanding of Texas Government Code Chapter 552, Public Information Act, which gives the public the right to access government records through public information requests, and acknowledges that this submitted Application will be treated as a government record.

Applicant (Entity Name) to TDHCA Bailey at Berkman LP

Authorized Representative Signature 

Authorized Representative Name (Print) Sarah Andre

Authorized Representative Title Authorized Representative

Date 12/14/2023

Attachment 1 - Project Narrative

(A brief narrative overview of the proposed development. Specify the TDHCA Target Population, whether Supportive Housing, elderly, or general.)

Bailey at Berkman is a new construction development that will be located at 6405 Berkman Dr, Austin, TX 78723. The target population under the Texas Department of Housing's Guidelines will be "Supportive Housing." This location is in Census Tract 48453002112 and the Windsor Park Neighborhood. It meets the following of the City's preference criteria for a Resolution of Support:

1. The development is located in a Displacement Risk area, according to the Project Connect Displacement Risk Maps.
2. No fewer than 25% of the units in the development are dedicated to the Continuum of Care, as confirmed by an executed MOU with ECHO.

Bailey at Berkman will be located near numerous amenities. The site is not only 203 feet from a bus stop that serves a high frequency transit route, but it is also within a half-mile of its zoned elementary, a public library, a park, and a grocery store. A variety of retail establishments, and restaurants are also in close proximity to the site.

There will be a total of 104 units in a configuration of all efficiency units along with amenities commensurate with other 9% LIHTC developments. The unit mix is provided in the summary table.

Attachment 2 – Project Summary

(Insert a PDF of the Excel Project Summary Form)

Project Summary Form

1) Development Name: Bailey at Berkman
 2) Project Type: 100% Affordable
 3) New Construction or Rehabilitation?: New Construction

4) Development Owner (as submitted in TDHCA Application): Bailey at Berkman LP
 5) Developer Company: Structure Development

6) Location Description (address if available; if not, then, e.g., NEQ of intersection of Y and Z Streets in Austin, Texas, ZIP): 6405 Berkman Dr, Austin, TX 78723
 7) Mobility Bond Corridor:

8) Census Tract: 21.12
 9) Council District: District 4
 10) Elementary School: HARRIS EL
 11) Affordability Period: 45 years

12) Type of Structure: Multi-family
 13) Occupied?: No
 14) How will AHFC funds be used?: Acquisition and Construction

15) Bond Issuer (if applicable): N/A
 16) HFC, PFC, or Nonprofit that will control General Partner or Managing Member (if applicable): N/A

17) Target Population: Supportive Housing (COC)

18) Summary of Rental Units by MFI Level

Income Level	Efficiency	One Bedroom	Two Bedroom	Three Bedroom Unit	Four (+) Bedroom	Total
Up to 20% MFI						0
Up to 30% MFI	21					21
Up to 40% MFI						0
Up to 50% MFI	63					63
Up to 60% MFI	20					20
Up to 70% MFI						0
Up to 80% MFI						0
Up to 120% MFI						0
No Restrictions						0
Total Units	104	0	0	0	0	104

19) Summary of Units for Sale at MFI Level

Income Level	Efficiency	One	Two	Three	Four (+)	Total
Up to 60% MFI						0
Up to 80% MFI						0
Up to 120% MFI						0
No Restrictions						0
Total Units	0	0	0	0	0	0

20) Initiatives and Priorities (of the Affordable Units)

Initiative	# of Units	Initiative	# of Units
Accessible Units for Mobility Impairments	6	Continuum of Care Units	26
Accessible Units for Sensory Impairments	3	Non-CoC Supportive Housing Units	78

[Use the City of Austin GIS Map to Answer the questions below](#)

18) Is the property within 1/2 mile of an Imagine Austin Center or Corridor? Yes

19) Is the property within 1/4 mile of a High-Frequency Transit Stop? Yes

20) Is the property within 3/4 mile of Transit Service?

Yes

21) The property has Healthy Food Access?

Yes

22) Estimated Sources and Uses of funds

<u>Sources</u>	
Debt	6,037,028
Third Party Equity	17,598,240
Grant	
Deferred Developer Fee	600,000
Other	
Previous AHFC Funding	
Expected AHFC Request	6,076,741

Total \$ 30,312,009

<u>Uses</u>	
Acquisition	1,935,000
Off-Site	250,000
Site Work	2,000,000
Site Amenities	350,000
Building Costs	16,214,000
Contractor Fees	2,429,000
Soft Costs	2,075,000
Financing	2,659,009
Developer Fees	2,400,000

Total \$ 30,312,009

CRP Name

CRP Ordinance 1 **Date**

CRP Ordinance 2 **Date**



Attachment 3 – CRP (if applicable)

*(If the development will be located in a CRP Area, then provide the name of that CRP, a brief description of the identified revitalization goals of the CRP, a brief description of how the investments in that area together constitute a CRP, and a map of the area and the development's relative location within it. Also, the Requestor **must identify the City of Austin council resolution(s) that created the CRP area.**)*

Concerted Revitalization Plan (CRP)

CRP Name: University Hills/Windsor Park Neighborhood Plan

Council Resolution: 20070809-55

Census Tract containing the development: 48453002112

CRP Boundaries: East Highway 290 to the north, Ed Bluestein Boulevard to the east, part of Little Walnut Creek to the southeast, Manor Road to the southwest, E 51st Street further southwest, and Interstate 35 to the west.

Bailey at Berkman is located at 6405 Berkman Drive, which falls within the boundaries of the University Hills/Windsor Park Neighborhood Plan target area and is in a HUD Qualified Census Tract. The University Hills/Windsor Park Neighborhood Plan qualifies as a concerted revitalization plan according to the Texas Department of Housing and Community Development (TDHCA)'s 2024 Qualified Allocation Plan (QAP). Each area required by the 2024 QAP is listed below and a rationale for qualification is provided.

The Development Site is geographically located within an area for which a concerted revitalization plan (plan or CRP) has been developed and published by the municipality.

The University Hills and Windsor Park Neighborhood Plan consists of the University Hills and Windsor Park neighborhoods. The Development Site is geographically located within the boundaries of this Neighborhood Plan.

The planning documents have been approved by the municipality as a plan to revitalize the specific area.

The University Hills/Windsor Park Neighborhood Plan was approved and adopted by The City of Austin's City Council under Ordinance 20070809-55 on August 9, 2007. It has been amended by City Council over the years and is readily available on the [City of Austin's website](#).

The University Hills/Windsor Park Neighborhood Plan was developed over a 2-year period through a public input process utilizing stakeholder surveys, community meetings, workshops, and open houses. Through this collaboration, the following revitalization goals of the Plan were identified:

1. Promote and maintain the single-family residential character of the neighborhood.
2. Attract needed vendors and service providers into the planning area through support for local businesses and revitalization/redevelopment of neighborhood shopping areas.
3. Improve the aesthetic look of the planning area with the use of landscaping, reduction of billboards, and quality design of business structures and surroundings.
4. Encourage a diversity of housing options at various levels of affordability dispersed throughout the neighborhood.
5. Improve the existing transportation system and support expanded public transportation services.
6. Protect and enhance all natural and environmentally-sensitive features of the area, especially Little Walnut Creek, Tannehill Creek, and Fort Branch Creek, and tributaries and springs of these three creeks.

7. Increase opportunities for physical recreation through additional parkland, an improved pedestrian and bicycle environment, and built environment planning.
8. Support the area's ethnic and language diversity and foster greater communication among area residents.

The proposed Development must be entirely located within the targeted revitalization area.

The Development is entirely within the neighborhood boundaries, as shown in the neighborhood map.

The Concerted Revitalization Plan has been published by the municipality or county in which the Development Site is located.

As mentioned prior, the plan is readily available on City of Austin's website, under [Neighborhood Plans and Resources](#).

The plan is current at the time of application.

The plan is current as evidenced by the date on the most recent Implementation Tracking Chart (September 1, 2020) with the evidence that 25% of the recommendations are partially complete, ongoing, or underway. Significant work to address the problems identified in the plan is happening as evidenced by approximately 37 % of recommendations being completed.

How the Development Contributes to the Plan

Bailey at Berkman aligns with Goal Four of the Neighborhood Plan by contributing to a diversity of housing options at various levels of affordability. The Development will ensure high quality, affordable housing is accessible to residents of different incomes. In addition to Goal Four, the Development will aid in Goal Five by encouraging public transportation usage and ridership, especially since the site is within walking distance of a transit stop that serves a high frequency transit route. The University Hills/Windsor Park Neighborhood Plan establishes objectives and recommendations to support plan goals. With the development of Bailey at Berkman, the following objectives will be accomplished and contribute to the revitalization of the area.

Objective: Preserve existing affordable housing and provide affordable rental housing opportunities through the redevelopment of existing multifamily structures within the UHWP planning area.

Objective: Support increased opportunities for affordable housing in the planning area.

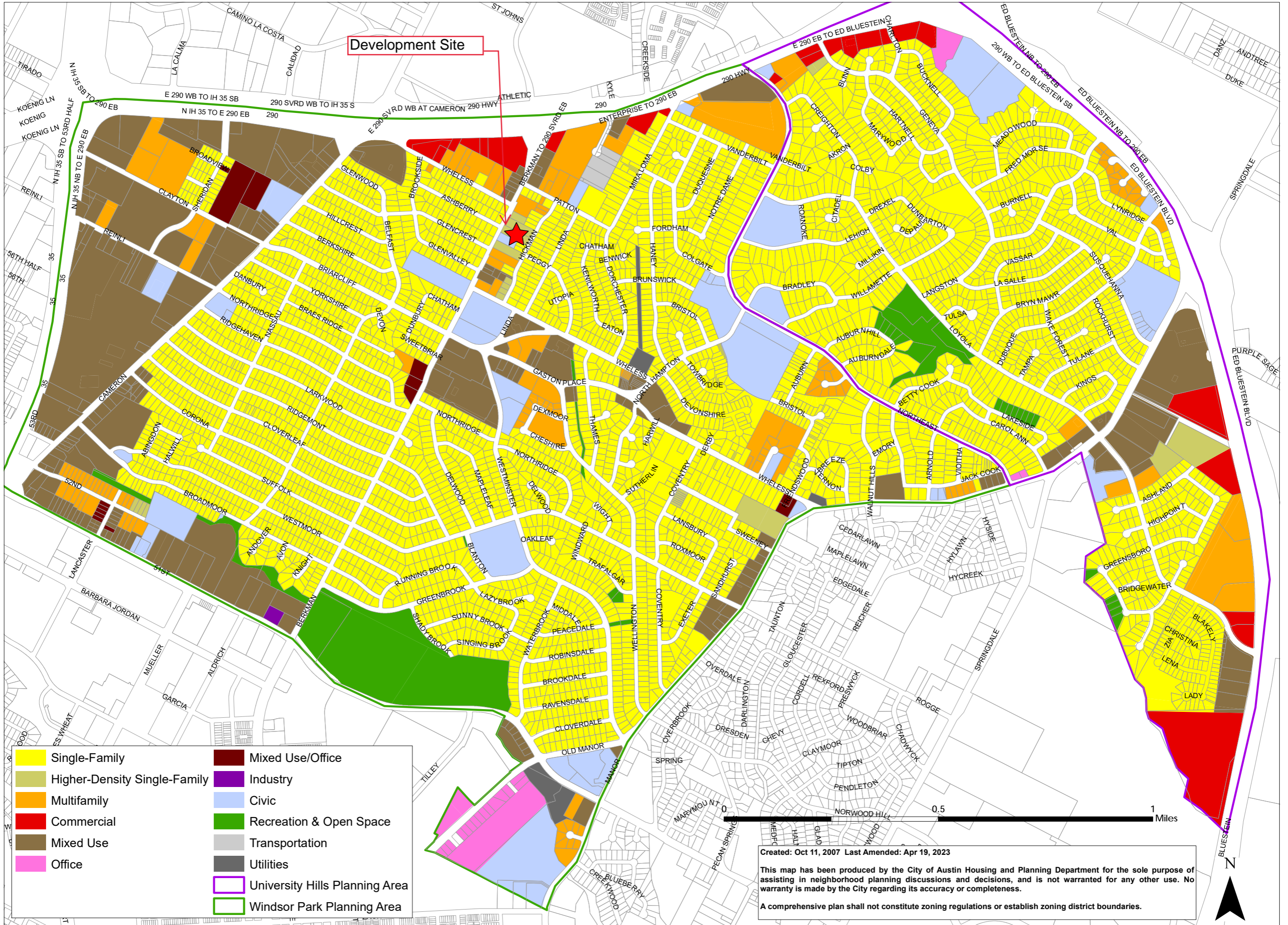
As a new construction project, Bailey at Berkman will be of higher quality and improved condition as compared to older developments in the area. The Development will not only provide much needed affordable housing in the area, but will also contribute to the revitalization efforts of the neighborhood and improve the quality of life.



University Hills / Windsor Park Neighborhood Plan

Future Land Use Map

Date: 4/19/2023



- | | |
|--|--|
| Single-Family | Mixed Use/Office |
| Higher-Density Single-Family | Industry |
| Multifamily | Civic |
| Commercial | Recreation & Open Space |
| Mixed Use | Transportation |
| Office | Utilities |
| | University Hills Planning Area |
| | Windsor Park Planning Area |

Created: Oct 11, 2007 Last Amended: Apr 19, 2023

This map has been produced by the City of Austin Housing and Planning Department for the sole purpose of assisting in neighborhood planning discussions and decisions, and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



Attachment 4 – Map and Nearest Transit Stop

(Insert a map indicating the property location and the distance a resident would have to walk on a paved surface to get to the nearest transit stop)

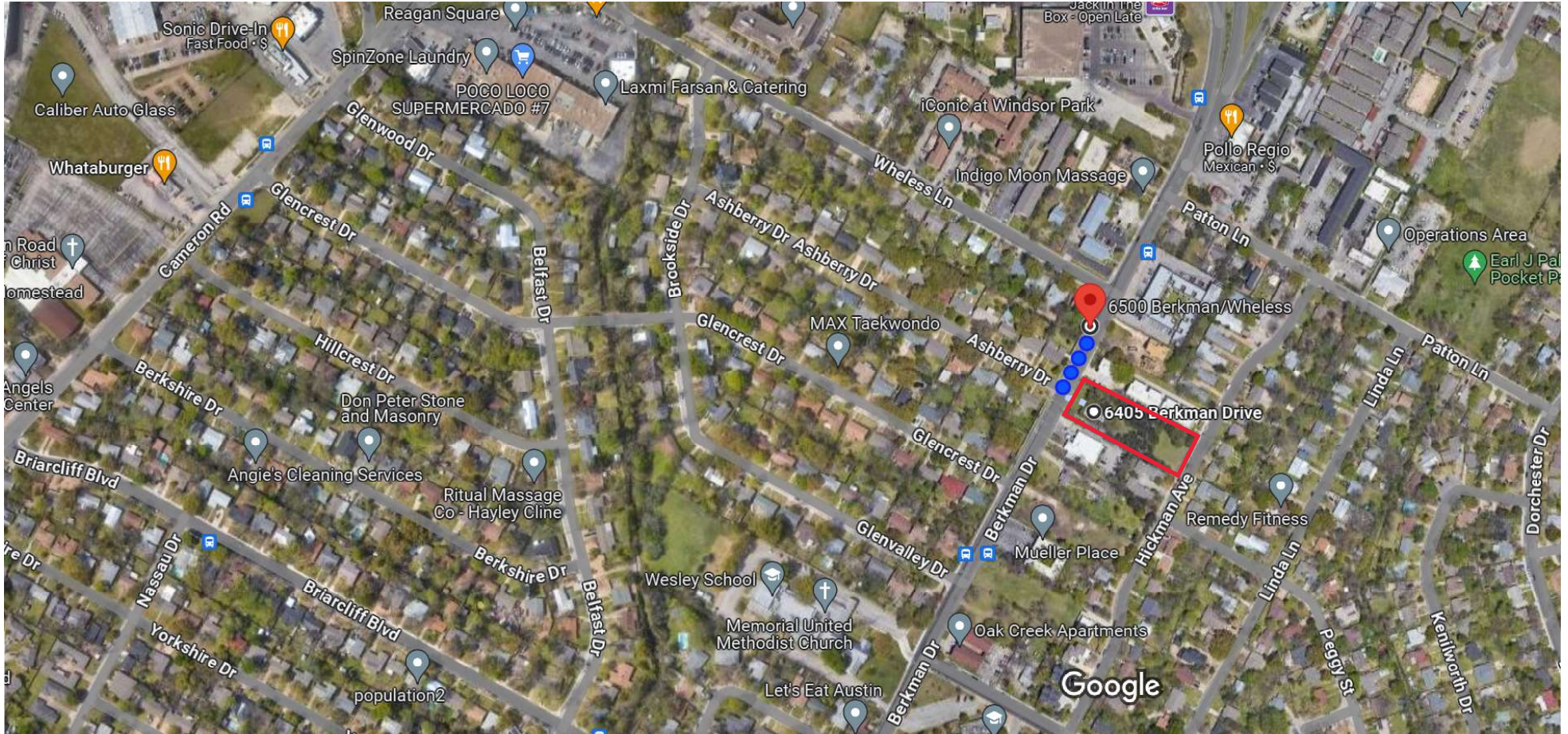


Public Transportation Map

6405 Berkman Drive is approximately 203 feet from Capital Metro route 10.

6405 Berkman Dr, Austin, TX 78723





Imagery ©2023 Airbus, CAPCOG, Maxar Technologies, U.S. Geological Survey, USDA/FPAC/GEO, Map data ©2023 100 m



via Berkman Dr

1 min

203 ft

Mostly flat



Attachment 5 - Flood Plain Map

(Insert a map generated by www.ATXFloodPro.com with the property parcel identified and the legend displayed showing the various types of FEMA Flood Plain zones, if any)

FEMA Floodplains

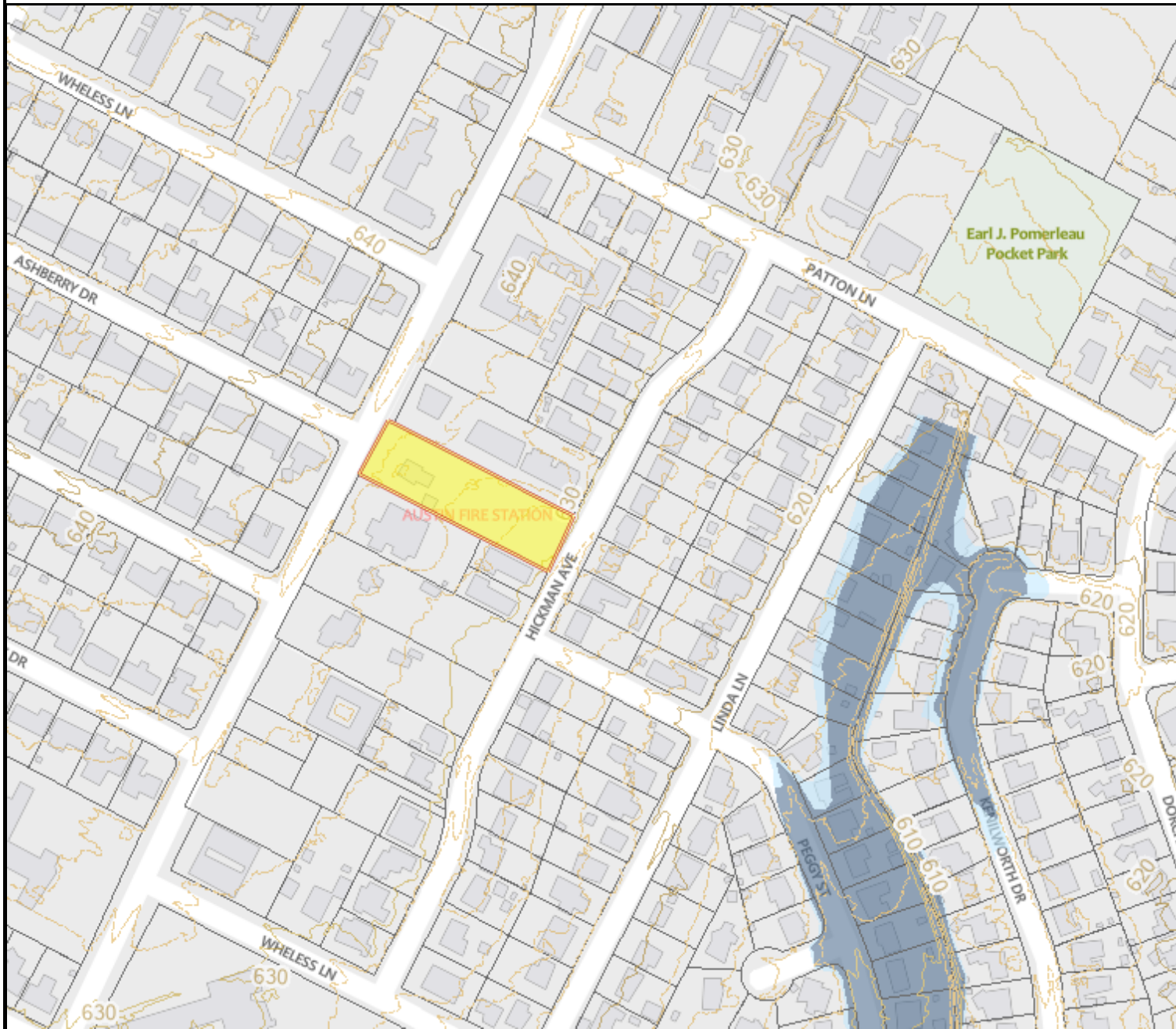
Legend

FloodPro

FEMA Floodplain

100 Year (Detailed-AE)

500 Year



0

500

1000

ft

Wednesday, November
15, 2023



The City of Austin Watershed Protection Department produced this product for informational purposes. It is not intended for or suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative locations of property boundaries. No warranty is made by the City of Austin regarding specific accuracy or completeness. Final determination of the floodplain status for a property must be based on a topographic survey by a Texas registered professional. For regulatory purposes, 100-Year floodplain elevations must be determined from an engineering model created in accordance with the Drainage Criteria Manual and approved by the City of Austin.

Attachment 6 - Developer's Experience and Development Background

(Provide resumes and/or detailed narratives of the Development members' relevant experience, especially as it pertains to LIHTCs and affordable housing, and please provide a development experience summary, including the property names, their locations, number of units developed, populations served, years of placement in service, and the financing structures)



Structure Development Leadership

SARAH ANDRÉ CEO

Ms. André has 29 years' experience in the Affordable Housing field. Specializing in Affordable Housing Finance, deal structuring and project management, Ms. André consults on both multi-family and single-family residential development projects throughout Texas. She is experienced in the use of public subsidies for affordable housing, including Section 202, Low Income Housing Tax Credits, Historic Tax Credits, HOME and CDBG funds.

Ms. André developed and is an owner of the following multifamily projects:

- Mason Senior Apartments, Katy, TX
- Reserves at South Plains, Lubbock, TX
- Columbia at Renaissance Square, Fort Worth, TX
- Tuscany Park at Arcola, Arcola, TX
- Brownsville Lofts, Brownsville, TX
- Price Lofts, Brownsville, TX
- Saddlebrook Apartments, Houston, TX

Before starting Structure Development, Ms. Andre has held positions at Diana McIver & Associates, The Enterprise Foundation and Austin Revitalization Authority. In her capacity as an employee, she provided training and technical assistance to nonprofits on a variety of topics including Fair Housing, Universal Design, "Development 101", funding for housing projects and the role of non-profit boards. She also oversaw the development of the Juniper-Olive Historic District on East 11th Street in Austin, a single-family development including new construction and historic rehabilitation.

SALLIE BURCHETT, AICP Executive Vice President

Ms. Burchett has been performing site due diligence and entitlement work for Structure Development since 2014. She has been involved in the land development field for 25 years in both the public and private sectors as city planner, construction manager, and developer. She has worked with over 2 dozen cities across the state including Kerrville, Lakeway, Westlake Hills, Dripping Springs, Round Rock, and Nolanville reviewing development and recommending land use policies.

Ms. Burchett is a member of the American Institute of Certified Planners and an advocate for great places to live, work, learn, and play.

COMPANY OVERVIEW

Structure Development

The principals of Structure Development have over **50 years of combined experience** in commercial real estate development and community development.

We are a **Texas based company** with focus in creating great places to live throughout Texas.

Our mission is to develop **socially vibrant, context-sensitive, and economically sound** communities.

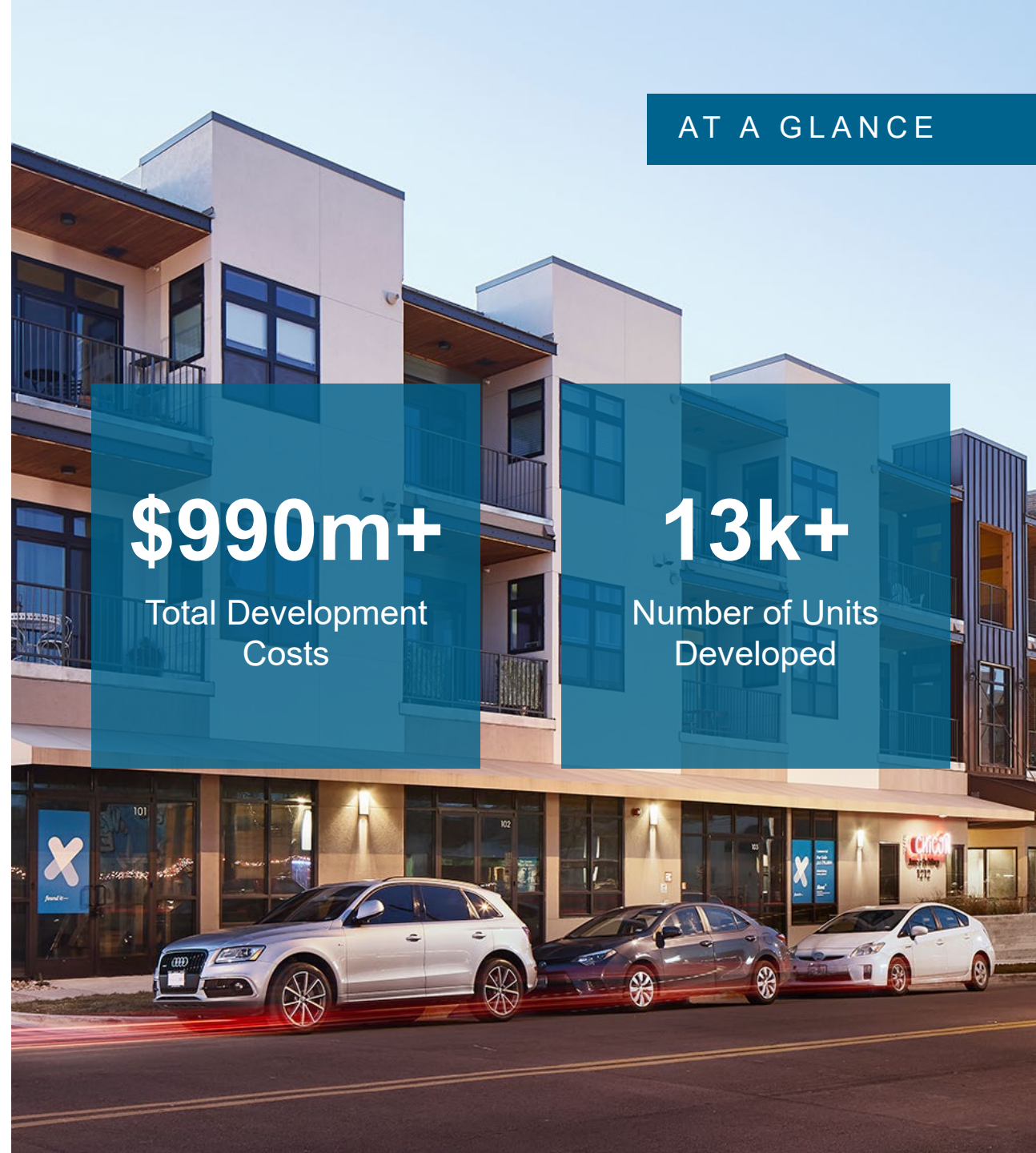
AT A GLANCE

\$990m+

Total Development
Costs

13k+

Number of Units
Developed





Structure Development specializes in affordable housing finance and has expertise with Housing Tax Credits and other financing tools.

With developments in 43 Texas cities, we are known nationally for our knowledge of local markets.



FROM ENTITLEMENTS TO CERTIFICATES OF OCCUPANCY, OUR TEAM HAS NAVIGATED THE TEXAS DEVELOPMENT LANDSCAPE SINCE 1994.

Our core competencies are deal structuring, geospatial analysis, and entitlements.

Different developments require different financing tools. We have analyzed hundreds of deals and paired them with equity and lending tailored to meet the project needs.

Structure's geospatial technologies enable us to efficiently sift through properties and find the right site to fit our needs.

Structure marshals developments through the local, state, and federal processes and secures financial and regulatory support.

FEATURED

Projects

The Palms on Lamar

Austin, TX

- 476 unit rehabilitation project
- Permanent supportive housing
- Largest Tax Credit exchange deal in the United States



The Chicon

Austin, TX

- Mixed-Use Condominium Infill Development
- ULI Jack Kemp Award 2019



Franklin Gardens

Austin, TX

- Envision Central Texas Community Stewardship Award
- Liveable City Liveable Vision Award
- Partnership with Chestnut Neighborhood Revitalization Corp.





LAGUNA LOFTS



TERRACE AT OAK SPRINGS

FEATURED

Projects

Laguna Lofts

Cisco, TX

- Historic Adaptive Reuse Downtown Residential Development
- Preservation Texas Honor Award 2019

Terrace at Oak Springs

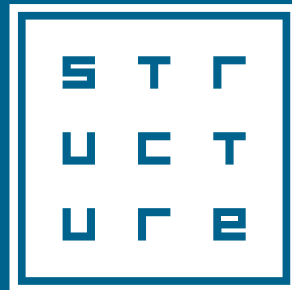
Austin, TX

- The first Housing First supportive model in Texas
- 50 units of Supportive Housing

From the Panhandle down to the Valley and from El Paso all the way to East Texas, Structure Development has contributed to over 13,000 affordable multi-family units.

Our efforts provide homes to families, elderly communities, and those needing supportive housing. Our national partnerships and Texas experience ensure that our next development will be a great place to call home.





DEVELOPMENT

Structure Development

1301 Chicon Street, Suite 101, Austin, Texas 78702
structuretexas.com

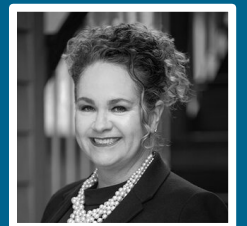
Sarah Andre

sarah@structuretexas.com
512.698.3369



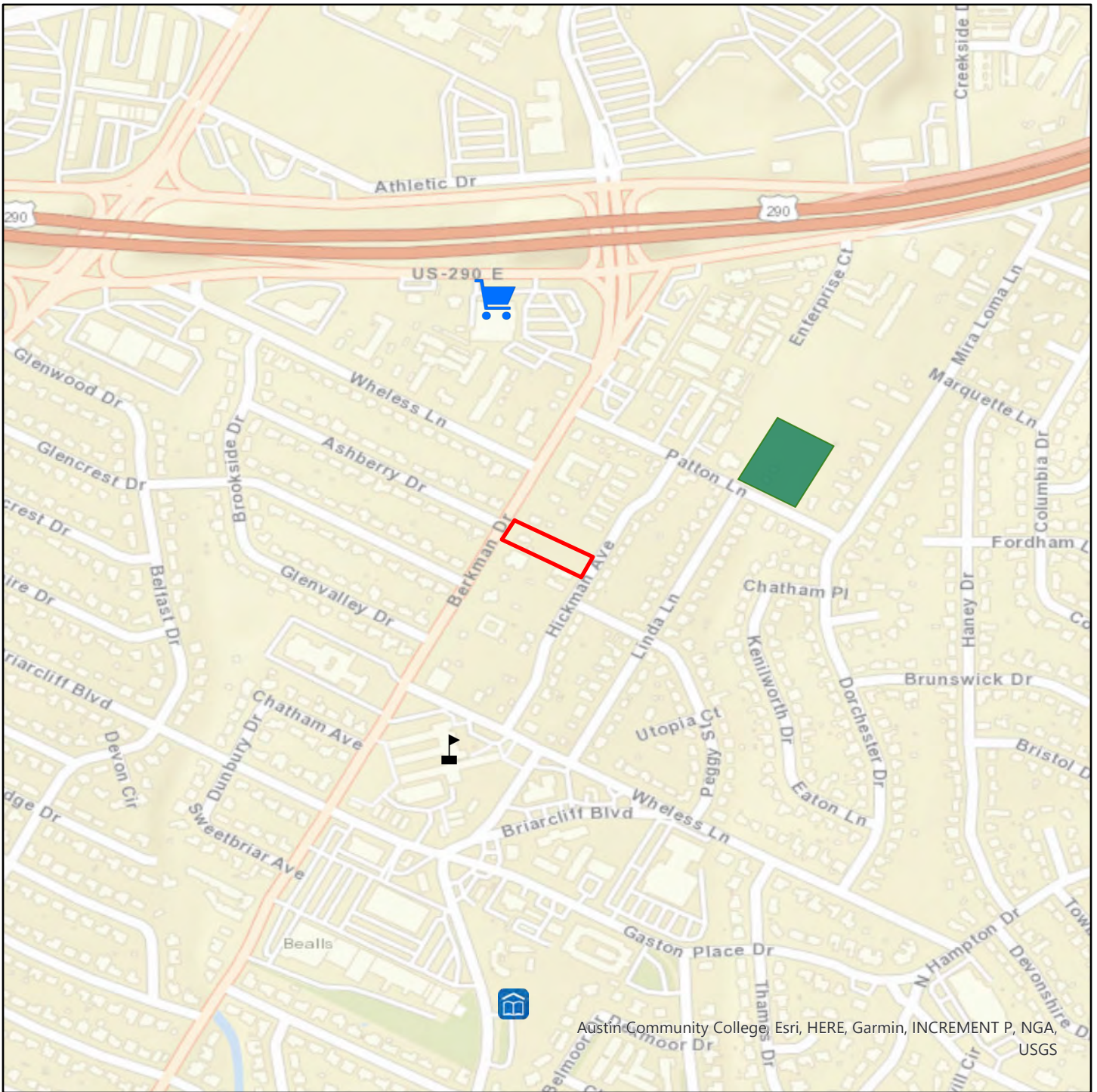
Sallie Burchett, AICP

sallie@structuretexas.com
512.473.2527



Attachment 7 – Tie Breaker Factors






(Provide exhibits showing the property's proximity to a park, elementary school, full service grocery store, and public library as defined by the tie breaker factors of §11.7 (2) of the 2024 Qualified Allocation Plan.)



Austin Community College, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

Tiebreaker Amenities

6405 Berkman Dr
Austin, TX

-  Development Site
-  Earl J Palmerleau Pocket Park (0.13 mi)
-  Harris Elementary (0.15 mi)
-  Los Vaqueros Supermarket (0.13 mi)
-  APL - Windsor Park Branch (0.35 mi)

Attachment 8 – Resolution from County

(If the proposed development is located in the ETJ of Austin, please include the executed resolution from the applicable County Commissioners' Court, as required by TDHCA)

Not Applicable

**Attachment 9 – Rents by Unit Type: Before and After Rehabilitation
(if applicable)**

(If the proposed development involves the rehabilitation of a currently occupied development, attach an Excel table of the current rents by unit type and the proposed rents by unit type following the completion of rehabilitation)

Not Applicable

**Attachment 10 – State Housing Tax Credits Proposal
(if applicable)**

(If the applicant intends to apply for State Housing Tax Credits, provide a secondary Project Summary Form sheet which shows the anticipated request amount in a revised Sources and Uses table as well as a revised unit mix with the award.)

Guidance for applying for State Housing Tax Credits is not yet available. If guidance does become available and the project qualifies, we will apply.