

12-05-2018 Town Council Meeting
Responses to Council Questions (#2)

ITEM #11: Discussion and Consideration of an Application for Zoning Atlas Amendment - Homestead Road Active Adult Housing, 2217 Homestead Road

ITEM #12: Discuss and Consider an Application for Special Use Permit - Homestead Road Active Adults Housing, 2217 Homestead Road

Council Question: Can we strengthen the language in the SUP, like we would in a development agreement to specify:

- lease signer must be 55 years old or older and must live in the unit;
- how age will be verified, and how it will be enforced;
- no subletting allowed.

Staff Response: *The revised documents which the Council will receive prior to the meeting will incorporate adjustments to the draft resolution of approval for the special use permit. The adjustments will include changes drafted by the staff based on what the applicants said they are willing to agree to after the question was posed to them.*

Council Question: The copies of the deeds on pp. 165-168 talking about the 2 acres and the correction, does that explain the discrepancy in our materials that in most places refers to the parcel as 15.76 acres, but in one instance (p. 186) refers to it as 17.1 acres? Which is correct?

Staff Response: *The difference in the two acreage numbers is a result of the Town's rules on calculating acreage. The net land area is 15.76 acres. The gross land area includes credit for right of way and is 17.1 acres.*

Council Question: The new recommendation from staff is a one-way connection from the Courtyards to the new development. Do we have any estimates of how many daily trips through the Courtyards this might generate?

Staff Response: *As a two-way proposal, staff had estimated approximately 60 vehicles per day. We anticipate the one-way proposal would be considerably less than that. Revised Resolution A includes a stipulation for Town staff to prepare a report for Town Council one year after issuance of a Certificate of Occupancy, detailing impacts of the connection. We would anticipate that the report would include traffic data, including volume and speed.*

Council Question: There appears to be an inconsistency in terms of parking spaces between pg. 190, the table on pg. 191, and the table on pg. 200.

Staff Response: *The Table on page 191 was an earlier rendition and the corrected number is 254 parking spaces.*

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Council Question: P. 144, Payment-in-Lieu paragraph, says \$315K would support 14 affordable units. For how many years? At the town Inclusionary Zoning Ordinance level of half affordable at 80% AMI and half at 65% AMI?

Staff Response: *This estimate is based on \$22,500, the middle of the typical range (\$20,000-\$25,000) of per unit subsidy that the Town has provided for affordable housing development over the past several years. The data used to derive this figure includes housing affordability for rental and homeownership projects that ranges from 30 years (with the possibility for extension) to permanently affordable units.*

Council Question: The town's IZO would require 28.5 affordable units (p. 248) for a 190-unit rezoning. How did it get reduced to 14 (p. 144) or 7 for 20 years or 2 for 10 years (p. 145)?

Staff Response: *The affordable housing requirement of the Inclusionary Zoning Ordinance is that 15% of units within the development are to be affordable with half of the units serving households earning less than 80% of the Area Median Income (AMI) and one half serving less than 60% of the AMI. In this case, that would be 28.5 units. Our preliminary recommendation is that if the applicant chooses to follow the Inclusionary Zoning Ordinance, that the applicant provide units on-site consistent with the Ordinance.*

The Council has the option to consider alternative proposals that better achieve the goals of the Comprehensive Plan. In this case, the applicant initially offered an alternative proposal of providing a \$315,000 payment-in-lieu of providing housing. The amount of the payment is supported by the Housing Advisory Board. Last week, the applicant offered to provide a payment or housing units on-site. The scenarios shared in the Council materials are in response to the applicant's proposal of providing either \$315,000 as a payment-in-lieu of providing affordable housing on site or the applicant's latest option of providing units on site at a value equal to \$315,000.

We do not support the applicant's offer to cap the value of on-site units at \$315,000. We seek direction from the Council about how to proceed with the affordable housing component of this application and recommend that if the Council wishes to pursue providing units on-site, we work with the applicant and possibly the Housing Advisory Board to refine the proposal and return to the Council for further discussion.

Council Question: What other 55+ communities has Bainbridge built?

Staff Response: *Bainbridge's webpage <http://www.bainbridgecompanies.com/> indicates they manage approximately 25,000 apartments in 70 communities. It was not clearly delineated which communities are designated as age restricted.*

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Council Question: Why is this being considered for R5C instead of the new senior apartment zone we instituted when Hawthorne was built?

Staff Response: *The Hawthorne development is a different land use, Independent Senior Living Facility. The definition of Independent Senior Living Facility includes:*

“A commercial facility made up of senior units, in which the residents are limited in occupancy to persons at least fifty-five (55) years or older, such that no more than half of individuals in a unit of the facility requires living assistance. The age restriction is excluded for rooms occupied by resident staff personnel performing duties directly related to the operation of the facility. The facility shall consist of a single building or a group of buildings with one (1) ownership and management. The facility shall maintain a common dining room and common kitchen. The facility may provide senior units with or without independent kitchen facilities. The ownership and management may also provide other services, all of which must be exclusive to the residents, guests, and facility personnel, as a part of the fees associated with residency. Examples of these services include personal services, such as transportation, banking, and/or a barber shop/hair salon; recreation activities and amenities; concierge services; and housekeeping. The facility owners or management cannot provide health maintenance services and/or treatment.”

Council Question: What does the current plan have that would make it incompatible with the senior apartment zoning?

Staff Response: *The Hawthorne facility was approved meeting this definition including a shared dining room and other services. The Active Adults Housing proposal does not include a shared common dining facility and does not have any living assistance.*

Council Question: How is the age restriction monitored in senior apartment zoning?

Staff Response: *We have included a new stipulation in the Revised Resolution A that requires submittal of an annual report demonstrating compliance with the age restriction.*

Council Question: Could we get detailed plans that show where the pool will be, where the activity rooms are, where the elevators are, where the dining facility is and where the covered parking is and how many spaces will be covered?

Staff Response: *We have requested the applicant provide this information at the upcoming Council meeting.*

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Council Question: Could we get the architectural drawings to show the exterior, the entrance and some of the interior areas that we typically get with other SUP applications?

Staff Response: *We have requested the applicant provide this information at the upcoming Council meeting.*

Council Question: A couple things are implied in the narrative but didn't make it into stipulations: how to prevent light from parking lot, which is on higher ground than Courtyards property, from shining into Courtyard windows; and number of electric car chargers.

Staff Response: *The project is subject to the Town's Land Use Management Ordinance (LUMO), which has a lighting foot candle standard at the property line of 0.3.*

Revised Resolution A includes a stipulation (#9) requiring a minimum of 4 electric vehicle parking spaces and 2 charging stations.

Council Question: How tall is the building? How many feet is the parking lot set back from the east & west property lines?

Staff Response: *The application indicates the building will be a maximum of 60 feet in height. The parking lot is approximately 70 feet from the western property line and approximately 55 feet from the eastern property line.*

Council Question: At the end of the rent affordability period, would the applicant then have the option to convert those affordable housing units to market-rate units?

Staff Response: *Yes, after the agreed upon affordability period expired, the units could be converted to market rate units.*

Council Question: If the Council decided to pursue the applicant's offer to provide affordable housing units on-site, what impact would this have on the SUP application?

Staff Response: *Providing units on-site would not have an impact on the SUP application. The applicant continues to propose a total of 190 units and does not propose any changes to the physical structure of the building.*

If the Council agrees to the applicant's offer to provide affordable units on-site, the Special Use Permit would include a stipulation(s) explaining the affordable housing terms. Specifically, the applicant and the Town would have to execute an Affordable Housing Performance Agreement prior to issuance of a Zoning Compliance Permit that would include provisions such as the number of affordable units to be provided on-site and the term of affordability.

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Council Question: Currently, along Homestead Road, how many affordable housing units are there? How many current housing units total are along Homestead Road?

Staff Response: *We estimate that there are approximately 700 total housing units in the Homestead Road area. The chart below summarizes developments approved by the Town in the Homestead Road area that include affordable housing.*

<i>Development</i>	<i>Year Approved</i>	<i>Total Units</i>	<i>Affordable Units</i>
<i>Vineyard Square</i>	<i>2001</i>	<i>191</i>	<i>30</i>
<i>Burch Kove (Homestead Twins)</i>	<i>2007</i>	<i>74</i>	<i>11</i>
<i>Bridgepoint (not yet constructed)</i>	<i>2010</i>	<i>23-32</i>	<i>15 %</i>
<i>Courtyards at Homestead</i>	<i>2014</i>	<i>63</i>	<i>15 % (PIL \$803,250); 2 units on site</i>
<i>Chandler Woods (Merin Road Development) (under construction)</i>	<i>2016</i>	<i>71</i>	<i>9 units</i>
<i>Church of the Advocate Pee Wee Homes (under construction)</i>	<i>2018</i>	<i>3</i>	<i>3</i>

Council Question: Just to clarify - are you asking for our input prior to the meeting re. the units-on-site option or will this be determined during the meeting? I am more concerned with the value of the offer than whether it comes in the form of units or PIL. The insistence on capping at \$315,000 remains problematic. Has there been any movement on that amount?

Staff Response:

We do not support the applicant's offer to cap the value of on-site units at \$315,000. We seek direction from the Council about how to proceed with the affordable housing component of this application and recommend that if the Council wishes to pursue the applicant's offer to provide units on-site, we work with the applicant and possibly the Housing Advisory Board to refine the proposal and return to the Council for further discussion.