

RESOLUTION NO. 2010-574

Adopted by the Sacramento City Council

September 28, 2010

ADOPTING THE INCLUSIONARY HOUSING PLAN FOR THE CURTIS PARK VILLAGE PROJECT (P04-109)

BACKGROUND

- A. The Mixed Income Housing Policy, adopted in the City of Sacramento Housing Element and required by the City's Mixed Income Housing Ordinance, requires that ten percent of the units in a residential project be affordable to very low income households and five percent to low income households;
- B. The City Council conducted a public hearing on September 28, 2010 concerning the above Inclusionary Housing Plan, and based on documentary and oral evidence submitted at the public hearing, the Council hereby finds:

The proposed Plan is consistent with Chapter 17.190 of the City Code which requires an Inclusionary Housing Plan setting forth the number, unit mix, location, structure type, affordability and phasing of the Inclusionary Units in the residential development;

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

~~Section 1. The City Council adopts the Inclusionary Housing Plan for Curtis Park Village, attached hereto as Exhibit A.~~

~~Section 2. Exhibit A is a part of this Resolution.~~

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Exhibit A: Inclusionary Housing Plan

Adopted by the City of Sacramento City Council on September 28, 2010 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.

Attest:


Shirley Concolino, City Clerk

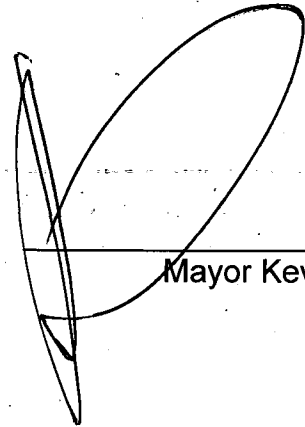

Mayor Kevin Johnson

Exhibit A: Inclusionary Housing Plan

Inclusionary Housing Plan #3
Onsite Multifamily Rental

City of Sacramento Inclusionary Housing Plan

Multifamily Rental Project Onsite Inclusionary Housing Component

Project Name: Curtis Park Village
Project Location: Sutterville Rd. (between 24th and the Railroad)
Developer Name: Calvine & Elk Grove-Florin, LLC
**Developer Address
And Phone Number:** 5046 Sunrise Blvd., Fair Oaks, CA 95628
(916) 966-4600
Gross Acreage: 71.7 acres
Number of Units: 527

Mixed Income Housing Policy

The Project site is located in a new growth area and thus is subject to the City's Mixed Income Housing Policy. The Mixed Income Housing Policy adopted in the City of Sacramento Housing Element and required by the City's Mixed Income Housing Ordinance, City of Sacramento City Code Chapter 17.190.010 requires that residential projects in such area contain a defined percentage of housing affordable to low income and very low income households.

Inclusionary Housing Plan

Pursuant to the City Code Section 17.190.110 (B), an Inclusionary Housing Plan ("Plan") must be approved prior to or concurrent with the approval of legislative, or as applicable in this case, adjudicative entitlements for the Project. City Code Section 17.190.110 (A) sets forth the number, unit mix, location, structure type, affordability and phasing of the Inclusionary Units in the Project. This document constitutes the Plan, and, as supplemented and amended from time to time, is intended to begin implementation of the Inclusionary Requirement for the Project. All future approvals for the Project shall be consistent with this Plan.

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The Inclusionary Requirement for the Project will be set forth in more detail in the Inclusionary Housing Agreement (Agreement) executed by the Developer and the Sacramento Housing and Redevelopment Agency ("SHRA") and will be consistent with this Plan. The Agreement shall be executed and recorded against the entire development no later than the approval of the first final map.

Number of Inclusionary Units

The Developer, or its successors and assignees, shall construct or cause to be constructed a multifamily rental development affordable to Very Low Income Households ("Very Low Income Units") and Low Income Households ("Low Income Units") as defined in the Sacramento City Code Section 17.190.020, equal to ten percent (10%) and five percent (5%) of the total number of housing units approved for the Project, respectively. Based on the current Project proposal, the Inclusionary Requirement for the Project is presented in the table below.

Table 1: Number and Income Affordability of Inclusionary Units

Total Number of Units within the Project	527
Very Low Income Units (10% of units)	53
Low Income Units (5% of units)	26
Total Number of Inclusionary Units	79

If the Project approvals are amended to increase the number of units in the Project, this Plan will be amended to reflect a number equal to ten percent (10%) of the increased total residential units in the amended entitlements for Very Low Income units and five percent (5%) for Low Income units. If the Project approvals are amended to decrease the number of residential units in the Project, this Plan will be amended to reflect a number equal to ten percent (10%) for the decreased total residential units in the amended entitlements for Very Low Income units and five percent (5%) for Low Income units. However, after a building permit has been issued for a structure to contain Inclusionary Units, those Units will be constructed and maintained as Inclusionary Units pursuant to the terms of Chapter 17.190 of the City Code regardless of any subsequent reduction in the number of approved total residential units in the Project.

Location of Inclusionary Units within the Project

The Inclusionary housing component shall accommodate diverse family sizes by including units with different numbers of bedrooms. Units should be dispersed to the maximum extent feasible, but may be located in a single building or complex. Multifamily buildings may contain any proportion of inclusionary units. The unit mix and sizes for the inclusionary units are presented in the table below.

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 Onsite Multifamily Rental

Table 2: Unit Mix, Unit Numbers, and Unit Size of Inclusionary Units

Number of Inclusionary Units	Level of Affordability	Unit Numbers	Number of Bedrooms	Square Footage
36	Very Low Income	TBD	1	600
17	Very Low Income	TBD	1 or 2	600-750
17	Low Income	TBD	1	600
9	Low Income	TBD	1 or 2	600-750

Affordability Requirements

Rents of the Inclusionary Units shall be restricted to households with incomes, at the time of initial occupancy, that do not exceed 50 percent (50%) of the median income for Sacramento County, adjusted for actual household size for Very Low Income households and 80 percent (80%) of the median income for Low Income households and shall be consistent with the SHRA guidelines. Median income figures are those published annually by the United States Department of Housing and Urban Development. The rents of the Inclusionary Units will be set in accordance with the Guidelines for the Sale of Inclusionary Housing and Section 17.190.090 of the Ordinance, where the renter shall not pay more than 30 percent (30%) of gross monthly income for rent adjusted for an appropriate allowance for utilities and services. The duration of affordability of the inclusionary units will be for a period of thirty (30) years.

Phasing of Development of the Inclusionary Units

The Inclusionary Units shall be developed concurrently with the development of the remaining units in the Project, as defined in Sacramento City Code Section 17.190.020. The nature of the concurrency is defined by a series of linkages between approvals of the market rate units and the development of the Inclusionary Units.

Market Rate Housing/Inclusionary Unit Linkages

The following describes the relationship of market rate development activity to the activity of inclusionary unit development activity. The milestones outlined below are to ensure that the development of affordable units occurs concurrently with the development of market rate units.

- The Inclusionary Housing Plan shall be approved concurrently with the approval of the Project's tentative map.
- The Inclusionary Housing Agreement shall be executed and recorded against the entire development concurrently with the recordation of the Project's first final map.
- No more than seventy-five percent (75%) of the building permits for market rate residential units may be pulled prior to the issuance of 100 percent (100%) of the building permits for the Inclusionary residential units.

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Onsite Multifamily Rental

- A Release of Inclusionary Housing Agreement shall be recorded for the market rate residential lots when 100% of the building permits are pulled for the Inclusionary units.
- A Regulatory Agreement specifying rent restrictions for a period of no less than thirty (30) years shall be recorded against the Inclusionary units when building permits are pulled, or when multifamily housing financing is closed for the Inclusionary units.
- A Release of Inclusionary Housing Agreement shall be recorded for Inclusionary units concurrently with recordation of the Regulatory Agreement.
- Marketing of the inclusionary units within the Project shall occur as soon as the Inclusionary units are constructed.

Fee Reductions

The City of Sacramento may provide \$4,000 per unit in fee reductions for obligated very-low income inclusionary housing units and \$1,000 for obligated low income inclusionary housing units. Currently, no funding is available for the Low Income Housing Fee Waiver and Deferral Program; however, reductions depend on the availability of funding at the time of recordation of the Inclusionary Housing Agreement. The Planning Director shall approve fee reductions and approvals are valid for 18 months after the recordation of the Inclusionary Housing Agreement.

Fee reductions are being requested in the amount of \$238,000 as presented in the table below.

Table 3: Fee Reduction Request

Units	Income Affordability	Fee Reduction per Unit	Total Fee Reduction
53	Very-low income	\$4,000	\$ 212,000
26	Low income	\$1,000	\$ 26,000

Amendment and Administration of the Inclusionary Housing Plan

The Planning Director, with the advice of the Executive Director of SHRA, shall administer this Inclusionary Housing Plan. The Planning Director may make minor administrative amendments to the text of this Plan as provided in Sacramento City Code Section 17.190.110(B) (1).

Minor amendments include modifications in total number and location of units and the unit size and mix necessary to reflect changes in the design of the underlying development project, including changes in unit size, on-site location and other similar changes may be approved by the Planning Director. Recordation of an amendment will not be required to be recorded against the entire project. Major amendments must be approved by the governing body approving the Project and a new Agreement shall be recorded against the entire development project.

Inclusionary Housing Plan #3
Onsite Multifamily Rental

Developer Acknowledgement

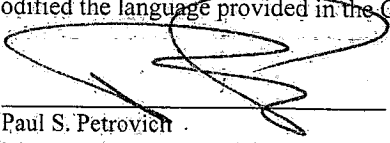
I attest that I have prepared this Inclusionary Housing Plan to comply with the Mixed Income Housing cited above and that all information provided is accurate and complete to the best of my knowledge. Except for project-specific information requested in the template, I have not modified the language provided in the City-provided template.

Developer Signature

Developer Name

Title

Phone Number


Paul S. Petrovich

Manager, Calvine & Elk Grove-Florin, LLC

916-966-4600

Date: 1-6-10