

RESOLUTION NO. 2008-057

Adopted by the Sacramento City Council

January 29, 2008

ADOPTING AN INCLUSIONARY HOUSING PLAN FOR THE GREENBRIAR PROJECT

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 development project be affordable to very low income households and five percent to low income households;
- B. The City Council conducted a public hearings on January 22, 2008 and January 29, 2008 concerning the above Inclusionary Housing Plan and based on documentary and oral evidence submitted at the public hearing, the Council hereby finds:
 - 1. 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 the Greenbriar project, attached hereto as Exhibit A.

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Exhibit A: Inclusionary Housing Plan – 5 Pages

Adopted by the City of Sacramento City Council on January 29, 2008 by the following vote:

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

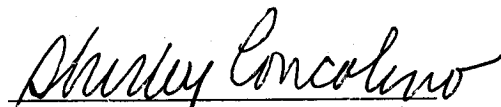
Noes: None.

Abstain: None.

Absent: None.

Mayor Heather Fargo

Attest:


Shirley Concolino, City Clerk

**EXHIBIT A – INCLUSIONARY HOUSING
PLAN**



October 10, 2007

Arwen Wacht
Sacramento City Planning Department
915 I Street, 3rd Floor
Sacramento, CA 95814

Re: Greenbriar Complete and Acceptable Inclusionary Housing Plan

Dear Ms. Wacht:

I am writing in regards to the Greenbriar development project, project number IR04-463. As you know, this project is subject to the City of Sacramento Mixed Income Housing Ordinance, Chapter 17.190 of the City Code.

On October 2, 2007, pursuant to Section 17.190.110(A), the Developer, North Natomas 575 Investors, I.I.C, prepared an Inclusionary Housing Plan (Plan) and submitted it to the Sacramento Housing and Redevelopment Agency (SHRA). SHRA has reviewed this Plan and finds it complete and acceptable under the Ordinance.

SHRA is now forwarding this Plan to the City for final review and recommendation for adoption by the Planning Director, subject to the follow condition.

- The Developer shall enter into an affordable housing agreement with the Sacramento Housing and Redevelopment Agency which will be recorded against the entire development project prior to the recordation of the first final map.

Should you have any questions, please feel free to contact me at (916) 440-1353.

Sincerely,



Christine Weichert
Assistant Director
Housing and Community Development

1000 Constitution Boulevard
Sacramento, CA 95811
(916) 440-1353
www.shra.org

Greenbriar
Mixed Income Housing Ordinance Compliance Plan
October 2, 2007

Proposed Project

North Natomas 575 Investors, LLC, (the “Developer”) is the owner and developer of certain real property in the City of Sacramento [ASSUMES POST SOI AMENDMENT] on which it proposes to develop and construct the Greenbriar Project (the “Project”), a low, medium, and high density residential community. The approximately 577 gross acre Project is generally located northwest of the intersection of State Route 99 (SR 99) and Interstate 5 (I-5). The Project consists of a total of 2,991 dwelling units.

Mixed Income Housing Policy

The Project site 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 requires that ten percent (10%) of the units in a Residential Project be affordable to very low income households and five percent (5%) to low income households (collectively the “Inclusionary Requirement” and “Inclusionary Units”).

Pursuant to 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 adjudicative entitlements for the Project. City Code Section 17.190.030 sets forth the guidelines for 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 Inclusionary Housing Plan.

The Inclusionary Requirement for the Project will be set forth in more detail in the Inclusionary Housing Agreement executed by Developer and the Sacramento Housing and Redevelopment Agency (“SHRA”) and recorded against all the residential units in the Residential Project. The Inclusionary Housing Agreement shall be executed no later than the approval of the master parcel map (i.e., Final Map) for the Residential Project and shall be recorded concurrently with the master parcel map. The Inclusionary Housing Agreement will describe with particularity the site and building schematics, phasing and income and sales restrictions for the construction and financing of the Inclusionary Units, pursuant to City Code Section 17.190.110 (C). The Inclusionary Housing Agreement shall be consistent with this Plan.

Number of Inclusionary Units

The Developer, or its successors and assignees, shall construct or cause to be constructed a number of dwelling units 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 of 2,991 residential units, the Inclusionary Requirement for the Project is 299 Very Low Income Units (10%) and 150 Low Income Units (5%).

Total Number of Residential Units within Project:	100%	2,991 Units
Very Low Income Units:	10%	299 Units
Low Income Units:	5%	150 Units
Total Number of Inclusionary Units:	15%	449 Units

If the Project approvals are amended to increase the number of units in the Project, this Plan will be amended to reflect a number of 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%) of 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.

Type and Location of Inclusionary Units

Based on the current Project proposal of 2,991 residential units, the Inclusionary Housing Units shall consist of 449 total rental units divided between Lots A, C and D of the proposed Project and shall be retained by the Developer, its heirs, successors, or assigns as rental units affordable to Low and Very Low Income households. If the total unit count of the Project changes, then the new number of Inclusionary Units will be adjusted upward or downward accordingly. The Developer, its heirs, successors, or assigns shall retain the units for a minimum of 30 years and shall ensure that they are professionally managed by an accredited property management company.

Inclusionary Units shall be located on-site within Lots A, C and D of the Greenbriar Project as part of senior and family oriented multi-family residential developments.

Lot A, consisting of approximately 9.7 net acres, is designated as a Medium Density Residential (“MDR”) and zoned R-3-PUD, which will allow up to 29-units-per acre. Lot C, consisting of approximately 5.1 net acres, is designated as a Medium Density Residential (“MDR”) and zoned R-3-PUD, which will allow up to 29-units-per acre. Lot D, consisting of approximately 3.9 Net acres, is designated as Medium Density Residential (“MDR”) and zoned R-3-PUD, which will allow up to 29-units-per acre. These densities may be increased in the future pursuant to State density bonus law. The buildings will have up to four stories and measure up to 55 feet to the top of the roof, as allowed under the R-3-PUD zoning designation.

It is anticipated that the approximately 449 rental units will be spread across the three parcels. Approximate rental unit types and bedroom counts are as follows:

Approximate rental unit types, bedroom counts and unit sizes for Greenbriar:

Affordability Orientation	Approx. Unit Count	Inclusionary Units	Unit Distribution	Unit Type	Approx. Unit Size
Family Affordable (Lot A)	199	132 very low and 67 low units distributed proportionally by unit type/size	0% to 30%	1 Bedroom	550sf to 800sf
			30% to 70%	2 Bedroom	700sf to 1,000sf
			20% to 40%	3 Bedroom	1,000sf to 1,300sf
Senior Affordable (Lot C)	142	95 very low and 47 low units distributed proportionally by unit type/size	0% to 30%	1 Bedroom	550sf to 800sf
			30% to 70%	2 Bedroom	700sf to 1,000sf
			20% to 40%	3 Bedroom	1,000sf to 1,300sf
Family Affordable (Lot D)	108	72 very low and 36 low units distributed proportionally by unit type/size	60% to 80%	1 Bedroom	550sf to 800sf
			20% to 40%	2 Bedroom	700sf to 1,000sf
TOTAL	449	299 very low 150 low			

Affordability Requirements

The Inclusionary Units will be offered as rental units. These rental units will meet the requirements of City Code Section 17.190.030 regarding tenure and tenancy, number

and affordability of units, their location, timing of development, unit sizes, exterior appearance and development standards. The rental units will be available to low and very low income households. Monthly Affordable Rents (including utility allowances) of the Inclusionary Units shall be restricted to Low and Very Low Income Households. A unit whose occupancy is restricted to a Very Low Income Household has a monthly rent that does not exceed one-twelfth of thirty percent (30%) of fifty percent (50%) of the Sacramento area median income, adjusted for family size. A unit whose occupancy is restricted to a Low Income Household has a monthly rent that does not exceed one-twelfth of thirty percent (30%) of eighty percent (80%) of the Sacramento area median income, adjusted for family size. Median income figures are those published annually by the United States Department of Housing and Urban Development. With respect to each Inclusionary Unit, the affordability requirements of this Plan shall continue for no less than thirty (30) years from the time the project is in compliance. Compliance is reached after ninety (90) days have passed with the project at ninety percent (90%) occupancy.

Incentives

The Developer or builder may seek incentives, assistance, or subsidies pursuant to City Code Section 17.190.040 such as the allowance for fee reductions for those units fulfilling the Inclusionary Requirement. The Developer will work with the City to determine the fee reductions and other incentives available.

Marketing

The Developer shall be required to market Inclusionary Units in the same manner as non-Inclusionary Units. Such marketing activities may include newspaper and internet advertisements, toll free project information numbers, and on- or off-site project signage.

Phasing of Development of Inclusionary Units

The Inclusionary Units shall be developed concurrently with the development of the remaining units in the Project, as may be further defined in Sacramento City Code Section 17.190.030(D). 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 Inclusionary Unit development activity. These milestones are outlined to ensure that the development of affordable units occurs concurrent with development of market rate units:

- The Inclusionary Housing Plan shall be approved concurrent with the approval of the Project's Tentative Subdivision Map.
- The Inclusionary Housing Agreement shall be executed prior to the recording of the large lot map (or "Parcel Map") for the Residential Project.
- The Inclusionary Housing Agreement shall be recorded concurrently with the recordation of the large lot map (or "Parcel Map") for the Residential Project.

- Inclusionary Units shall generally be built concurrently with the market-rate units within the Project consistent with the following provision.
- Up to 65% of the market rate for sale residential building permits may be issued prior to issuance of building permits for all buildings containing inclusionary units. The remaining 35% of market rate for sale residential building permits may be issued after issuance of all building permits for the buildings containing inclusionary units.
- Marketing of inclusionary units within the Project shall occur concurrently with the marketing of market rate units.

Amendment and Administration of 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)(2)(d).