

City of Tarpon Springs, Florida STAFF REPORT

January 31, 2012

TO: MAYOR AND BOARD OF COMMISSIONERS
FROM: PLANNING AND ZONING DIVISION
HEARING DATES: JANUARY 23, 2012 (PLANNING & ZONING BOARD)
FEBRUARY 7, 2012 (BOARD OF COMMISSIONERS)
SUBJECT: APPLICATION #11-56, VOLUNTEERS OF AMERICA;
CONDITIONAL USE REQUEST FOR AN AFFORDABLE HOUSING
DENSITY BONUS

I. APPLICATION

- A. Application: The applicant is requesting conditional use approval for an affordable housing density bonus to be applied to property in the RM-15 (Residential Multifamily) zoning district.
- B. Applicant: Volunteers of America
- C. Agent: AVID Group
- D. Owner: Special Asset Lending, LLC

II. PROPERTY INFORMATION

- A. Location: 802 Mango Street
- B. Subject Parcel Zoning/ Land Use Plan Designation: RM-15 (Residential Multifamily) / RU (Residential Urban)
- C. Surrounding Zoning and Existing Uses:

	<u>Zoning/Land Use Plan</u>	<u>Existing Use</u>
North:	MHP/RU	Residential
East:	MHP/RU	Residential
South:	RM-15/RU	Residential
West:	RM-15/RM	Residential

- D. Tax Parcel ID Number(s): 18/27/16/47520/001/0020

III. BACKGROUND

The subject property received site plan approval for a 23-unit apartment complex on June 7, 2005. The developer applied for construction permits in the spring of 2006 but never completed construction of the apartment complex. In 2010, the property received an affordable housing density bonus and site plan approval for 36 units however; the project was not selected for financing. This applicant intends to complete

construction of the apartment complex and add 13 additional units by altering the configuration of some of the interior units. If approved, the maximum number of units for this property would be increased from 23 dwelling units to 36 dwelling units.

IV. STANDARDS FOR REVIEW

Pursuant to Section 209.01 of the Tarpon Springs Land Development Code, no conditional use shall be recommended for approval or receive a final action of approval unless a positive finding, based upon substantial competent evidence either presented at a public hearing held by the Board or reviewed personally by the Board members is made on each of the following standards:

1. Conformance with the requirements of the Land Development Code.

Analysis: Section 71.00 of the Comprehensive Zoning and Land Development Code authorizes the City to grant up to a 50% bonus density for affordable housing projects. The current density for the property stands at 7.5 dwelling units per acre and the applicant is requesting a density of 11.25 dwelling units per acre. If the Conditional Use is approved, the applicant will apply for Neighborhood Stabilization Program funds from Pinellas County to finance this project. The overall vision for this effort is to upgrade this area's housing stock while also increasing the number of dwellings that are available to their target population. Furthermore, the applicant has agreed to execute a recordable agreement in a form acceptable to the City binding upon the developer and subsequent purchasers, successors, and assigns of the developer that:

a. Requires that the development continue to comply with the affordable housing criteria set forth in this article for a period of thirty (30) years;

b. Provides for penalties to be imposed on the developer and subsequent purchasers, successors, and assigns of the developer if the development fails to comply with the affordable housing criteria set forth in this article for a period of thirty (30) years;

c. Provides for legal recourse by the City against the developer and subsequent purchasers, successors, and assigns of the developer if the development fails to comply with the affordable housing criteria set forth in this article for a period of thirty (30) years;

d. Provides that the City may audit or review the books and records of the developer, subsequent purchasers, successors, and assigns of the developer and any person or legal entity operating the development on behalf of the developer or subsequent purchasers, successors, and assigns of the developer in order to determine whether the development is in compliance with the affordable housing criteria set forth in this article;

e. In the case of a rental housing development, provides criteria for screening renters based upon their rental, credit, and employment history, their income, and the possession of a valid, verifiable social security number or valid, verifiable work visa, alien registration receipt card, temporary resident

card, employment authorization card number or other identification verifying eligibility to reside in the United States; and

f. In the case of a rental housing development, provides that tenants may be evicted if determined to have engaged in any unlawful activity.

2. The use to which the property may be put is appropriate to the property in question and is compatible with existing and planned uses in the area.

Analysis: The property in question is located in a residential area with close proximity to Tarpon Springs Fundamental Elementary School and Dorsett Park. The surrounding uses are primarily single family and multifamily residential dwellings with several neighborhood commercial uses within walking distance of the project site. A development of this type is not expected to create compatibility issues with adjoining uses or properties.

3. The conditional use is consistent with the goals, objectives and policies of all Elements of the City Comprehensive Plan.

Analysis: The request is consistent with several objectives and policies of the Housing Element of the Tarpon Springs Comprehensive Plan.

4. The conditional use will not result in significant adverse impacts to the environment or historical resources.

Analysis: No environmental or historical resources will be adversely impacted.

5. The conditional use will not adversely affect adjoining property values.

Analysis: Adjoining property values will not be adversely affected because the project entails completing a defunct project with mixed-income rental housing.

6. The conditional use will not adversely impact nor exceed the capacity or the fiscal ability of the City to provide available public facilities, including transportation, water and sewer, solid waste, drainage, recreation, education, fire protection, library service and other similar public facilities.

Analysis: A development of this type will not adversely impact the availability of public facilities.

7. The conditional use shall provide for efficient and orderly development considering the impact upon growth patterns and the cost to the City to provide public facilities.

Analysis: No adverse impacts upon growth patterns are expected for the City of Tarpon Springs.

V. OTHER EVIDENCE

A. Technical Review Committee

The TRC reviewed this request at the December 22, 2011 meeting and had the following comments:

PLANNING & ZONING REVIEW COMMENTS:

APPROVE DENY DEFER SEE BELOW NO COMMENTS

INITIALS: RSC

1. The applicant is requesting Conditional Use approval for an affordable housing density bonus for property located at 802 Mango Street.
2. This application is being submitted on behalf of Volunteers of America. These apartments will be rented to veterans who meet certain eligibility criteria.
3. The applicant has several units throughout the region including Clearwater, Tampa, Bradenton, etc.
4. The applicant is requesting 36 units which is 13 additional units over the base density.
5. The applicant will apply for funding through the Neighborhood Stabilization Program of Pinellas County.
6. The applicant's presentation to the Planning & Zoning Board should include the following information at a minimum; 1) screening process for potential residents, 2) history of the organization, 3) target rental market, 4) operational plan (i.e. on-site management, 5) project financing.

BUILDING REVIEW COMMENTS:

APPROVE DENY DEFER SEE BELOW NO COMMENTS

INITIALS: JAD

ENGINEERING REVIEW COMMENTS:

APPROVE DENY DEFER SEE BELOW NO COMMENTS

INITIALS: RWH

FIRE DEPARTMENT REVIEW COMMENTS:

APPROVE DENY DEFER SEE BELOW NO COMMENTS

INITIALS: RCB

1. Additional hydrant is required. {Sec. 135.01}
2. Buildings are to be sprinkled and alarm-monitored. {NFPA 101 30.3.5.1}
3. Sprinkler system to be stand alone system with its own supply with one FDC at the entrance to the complex.

POLICE DEPARTMENT REVIEW COMMENTS:

APPROVE DENY DEFER SEE BELOW NO COMMENTS

INITIALS: JU

PUBLIC SERVICES REVIEW COMMENTS:

APPROVE DENY DEFER SEE BELOW NO COMMENTS

INITIALS: RP

PUBLIC WORKS COMMENTS:

APPROVE DENY DEFER SEE BELOW NO COMMENTS

INITIALS: SW

B. Public Correspondence

Notices have been sent to property owners within 200 feet and the property has been posted.

VI. STAFF RECOMMENDATION

Staff recommendation is to approve the conditional use to grant an affordable housing density bonus from 23 dwelling units to 36 dwelling units subject to the following condition:

1. The applicant must execute a recordable agreement in a form acceptable to the City binding upon the developer and subsequent purchasers, successors, and assigns of the developer that:
 - a. Requires that the development continue to comply with the affordable housing criteria set forth in this article for a period of thirty (30) years;
 - b. Provides for penalties to be imposed on the developer and subsequent purchasers, successors, and assigns of the developer if the development fails to comply with the affordable housing criteria set forth in this article for a period of thirty (30) years;
 - c. Provides for legal recourse by the City against the developer and subsequent purchasers, successors, and assigns of the developer if the development fails to comply with the affordable housing criteria set forth in this article for a period of thirty (30) years;

d. Provides that the City may audit or review the books and records of the developer, subsequent purchasers, successors, and assigns of the developer and any person or legal entity operating the development on behalf of the developer or subsequent purchasers, successors, and assigns of the developer in order to determine whether the development is in compliance with the affordable housing criteria set forth in this article;

e. In the case of a rental housing development, provides criteria for screening renters based upon their rental, credit, and employment history, their income, and the possession of a valid, verifiable social security number or valid, verifiable work visa, alien registration receipt card, temporary resident card, employment authorization card number or other identification verifying eligibility to reside in the United States; and

f. In the case of a rental housing development, provides that tenants may be evicted if determined to have engaged in any unlawful activity.

VII. PLANNING AND ZONING BOARD REVIEW

The Planning and Zoning Board reviewed this application on Jan. 23, 2012. Discussion items included clarification of project funding, onsite management operations, what type of tenants will be housed and clarification that this project will not provide “transient” housing. The applicant confirmed/answered all questions. The Planning and Zoning Board recommended approval by a 5-0 vote.

List of Exhibits:

- 1) Aerial Photo
- 2) Photos of existing buildings
- 3) Pages from the applicant’s application for affordable housing funding
- 4) Resolution 2012-05

cc: Rick Tommell, P.E.
Subject File - Application #11-56

Aerial Photo



Photos of Existing Buildings







Volunteers of America[®]

FLORIDA

Lois J. Gaston, Ph.D.
Board Chair

Kathryn E. Spearman
President/CEO

Date: December 5, 2011

Mr. Franklin C. Bowman
Housing Development Manager
Pinellas County Community Development, and
The Housing Finance Authority of Pinellas County
600 Cleveland St.
Suite 800
Clearwater, FL 33755

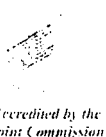
RE: Application for Funding
802 Mango Street, Tarpon Springs

Dear Mr. Bowman,

We are submitting the attached Application for Affordable Housing Funding for a 2.8 acre property located at 802 Mango Street in Tarpon Springs. This foreclosed property consists of three partially completed 2 story apartment buildings on 2.8 acres of land which was part of a previous unsuccessful funding application submitted by Pinnacle Development and the Tarpon Springs Housing Authority. Volunteers of America of Florida has contracted to purchase this property from Special Asset Lending with the intent of completing the development as an energy efficient, 36 unit affordable housing project which offers services to the residences of the property as well as the entire Tarpon Springs community.

Volunteers of America of Florida will own and operate this property but has partnered with Urban Edge Development to complete the design, permitting and construction process. This partnership is detailed in a Development Agreement included in the attached application. It is the goal of the development team to provide our future tenants with an energy efficient living space in accordance with the guidelines of the Florida Green Building Council which Volunteers of America of Florida is an active member. This formula has been a great success at other Neighborhood Stabilization Program properties owned, developed and operated by Volunteers of America of Florida.

We hope that the information provided in this application meets the requirements of The Housing Finance Authority of Pinellas County with the intent of providing new affordable housing and services to the people of the Tarpon Springs community.

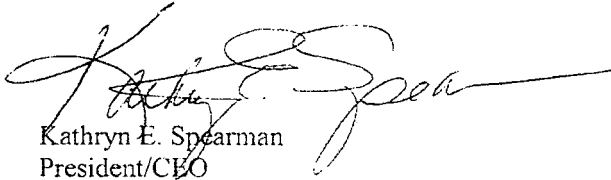


1205 E. 8th Ave. • Tampa, Florida 33605
813-282-1525 • Fax 813-287-8831
www.voa-fla.org
There are no limits to caring.



Do not hesitate to contact me or Jose Borrego, Director of Housing and Property Management directly at 813-282-1525 with any questions or comments.

Sincerely,



Kathryn E. Spearman
President/CEO



1205 E. 8th Ave. • Tampa, Florida 33605
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www.nor-fla.org
There are no limits to caring.



**APPLICATION FOR AFFORDABLE HOUSING FUNDING
PINELLAS COUNTY CONSORTIUM**

1. Name of Applicant: Volunteers of America of Florida, Inc
 2. Address: 1205 E. 8th Avenue, Tampa, FL 33605
 3. Contact Person: Kathryn E Spearman Tei: 313-282-1525 Fax: 813-287-8831
Title: President/CEO E-mail: kspearman@voa-fla.org

4. Type of Application (mark all that apply):
 Acquisition New Construction Homebuyer's Assistance
 Rehabilitation Rental Assistance Pre-development Loan (CHDOs only)
 Other

5. Anticipated project start date: 1-Feb-12

6. Type of Applicant (mark all that apply):
 Non-profit CHDO Local Gov't Public Agency L.L.C.
 For-profit Partnership Proprietorship PHA
 Corporation Other

Attach Applicant Articles of Incorporation, Partnership Agreement, By-laws, Operating Agreement, 501(c)(3) Letter, etc. as applicable as Tab 1.

7. Project Name: Sunrise Place Apartments
Project Location (address or other description): 802 Mango Street
Tarpon Springs, Florida, Pinellas County

8. Project Cost:

a. Total Cost of Project:	\$3,675,036
b. Pinellas County Grant/Loan Funds Requested:	\$3,675,036

9. Project Abstract: In the space below, provide a brief description of this project, including whether this is new construction, rehab of existing units, etc., total units, how many of each unit type, and how Pinellas County funds will be used for this project.

This application is to acquire, complete and/or renovate a foreclosed, partially constructed, 24-unit apartment property in Tarpon Springs. The project design will be modified to create 36 new units on an infill site adjacent to property owned by the Housing Authority of Tarpon Springs. The unit mix will be 12 - one bedrooms, 12 - two bedrooms, and 12 - three bedrooms. PCCD funds will be used to fund acquisition, construction/renovation and for permanent financing. There are no current occupants to be relocated. All residents will be required to be under 120% of median income with 11 units being under 50% median income.

10. Households/Persons Benefited: Number benefited by this project: 36 in Households
 in Persons

11. APPLICANT'S CERTIFICATION:

The Applicant certifies that all information in this application, and all information furnished in support of this application, is given for the purpose of obtaining a loan or grant under Pinellas County's affordable housing programs and is true and complete to the best of the Applicant's knowledge and belief. Verification may be obtained from any source named herein. The Applicant agrees that this application is a public document and is subject to the Freedom of Information Act.

Kathryn E. Spearman
 Authorized Applicant Representative
Kathryn E. Spearman
 Signature

President / CEO
 Title
12/5/11
 Date

12. Development/Implementation Team: List all members of the development/implementation team (as applicable) in the table below. Do not include lenders.

Function	Company/Organization	Contact Person	Telephone
Architect	Fouse Architecture	Robert L. Fouse, AIA, CSI	678-391-5365 770-722-9986
Engineer	Avid Engineering Group	Rick Tommell, PE	727-789-9500 727-487-4777
Financial Consultant	Urban Edge Development Group, Inc.	Russell S. Versaggi	813-254-1900 813-786-4033
Construction Management	Rairigh Construction Management, Inc.	Raymond L. Rairigh, Sr.	813-971-7733 813-695-7286
Operational/Rental Management	Volunteers of America of Florida, Inc	Kevin Letch	617-851-4989 813-321-6941
Program Delivery	Volunteers of America of Florida, Inc	Kevin Letch	617-851-4989 813-321-6941
Legal	Trenam Kemker 101 East Kennedy Blvd. #2700 Tampa, FL 33602	Richard "Rick" Sollner	813-223-7474 813-227-7445
Other			

Attach resumes and references for Development Team as Tab 2.

13. License/Certification: Required from the State or other oversight agency? Yes: No:
 Have you obtained this license/certification? Yes: No: If no, explain the schedule below.

14. Project Market: Briefly describe the households/individuals that will be targeted by the project, and how strong the market demand is for your project.

Per the previous application, There are 641 applicants on the current Public Housing Waiting List. The breakdown of the list is as follows: 0 Bedroom Applicants: 3; 1 Bedroom Applicants: 255; 2 Bedroom Applicants: 235. VOAF will not only market this project locally, we will also utilize our extensive state wide program base of over 1000 units to pull potential tenants that have reach success in becoming independent

Attach backup information regarding the market for this project as Tab 3.
 (All projects creating new units require a market study in a form acceptable to the County)

15. Persons/Households Benefited: Estimate the number benefited by income group in the following table. The information in this table is in: Households: Persons: (check one)

Targeted Income Level	Renters				Existing Home-owners	Owners		Homeless		Non-Homeless Special Needs
	Elderly (1 & 2 Pers)	Small Family (2 to 4 Pers)	Large Family (5 or More)	All House-holds		Low-income Homebuyers		Indi-viduals	Fam-ilies	
						With Children	All Others			
0 to 30% MFI*										
31 to 50% MFI		4	7							
51 to 60% MFI										
61 to 80% MFI										
81%+ of MFI		20	5							
TOTAL		24	12							

* MFI means Median Family Income. Exhibit 1, attached, provides specific definitions.

Attach documentation of participant income information as Tab 4.

16. Participant Selection: Describe how the participants (tenants, homebuyers, clients, etc.) will be selected. If selection will be subject to preference policies, describe these policies.

Please see resident selection policies in Tab 5

Attach Participant Selection Plan and Affirmative Fair Housing Marketing Plan (form attached) as Tab 5.

17. Services Provided: Describe services that will be provided to the participants/residents of this project or program.

The project includes 1 staff person to provide the services as determined based on the needs of the residents and the community. Examples of services that shall be provided are: basic computer training, job search training, education connectivity, recreational activities, afterschool and home share programs, financial counseling, literacy training, first time home buyer down payment assistance, health and wellness programs, job training, etc. VOF is committed to providing a continuum of care to its residents and participants to foster independent living through housing, health services and training/education/employment. This model has been successful in the over 1000 HUD 202 units which VOF manages and operates in Florida.

18. Coordination with Other Agencies: Describe how your organization will coordinate with other organizations to provide needed services to participants/residents.

Volunteers of America of Florida ("VOAF") shall coordinate with the Pinellas County Housing Authority in the administration of any Section 8 Housing Choice Vouchers. VOF shall establish relationships with the following organizations: City of Tarpon Springs Police, YMCA, JWB, CAP, Local Churches, Family Resources, and PSS.

19. Proposed Project Schedule: As applicable, provide the schedule for completing the following actions.

a. Project Start-up		Completion Date
Purchase Contract/Option Signed		November-11
Property Acquisition Completed		February-12
Zoning Approvals Obtained		January-12
Final Bid Specifications Completed		December-11
Detailed Program Design Completed		November-11
Environmental Reviews Completed		December-11
Building Permits Obtained		January-12
b. Financing Sources Obtained		Completion Date
Construction Loan		February-12
Bridge Loan		n/a
Private Lender Financing		n/a
Tax Credit Application Submitted		n/a
Tax Credit Allocation Approval		n/a
Govt Grants/Loans: Pinellas County \$		February-12
Other Financing: Pinellas County \$		February-12
Other Financing:		

RESOLUTION No. 2012-05

A RESOLUTION OF THE CITY OF TARPON SPRINGS, FLORIDA, APPROVING APPLICATION #11-56 FOR A CONDITIONAL USE TO INCREASE DENSITY FOR AN AFFORDABLE HOUSING PROJECT TO BE LOCATED AT 802 MANGO STREET, TARPON SPRINGS, FLORIDA; APPROVING AN AFFORDABLE HOUSING PLAN FOR 802 MANGO STREET; PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Volunteers of America has applied for a conditional use approval for an affordable housing density bonus for an affordable housing project to be located at 802 Mango Street; and,

WHEREAS, Section 71.00 of the Comprehensive Zoning and Land Development Code requires allows for up to a 50% increase in density; and,

WHEREAS, An Affordable Housing Plan, in accordance with the Countywide Plan Rules of Pinellas County is required to establish a bonus density; and,

WHEREAS, Section 71.00 requires a conditional use approval for such bonus density increases; and,

WHEREAS, the Planning and Zoning Board held a public hearing on this application on January 23, 2012; and,

WHEREAS, the Board of Commissioners must approve, deny or approve subject to conditions each application for conditional use approval; and,

WHEREAS, legal notice of this action has been provided in accordance with Article XII of the Land Development Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF TARPON SPRINGS, FLORIDA, THAT:

Section 1. FINDINGS

1. The project site contains 3.2 acres and is zoned RM-15, Residential Multi-Family
2. The Future Land Use Map designation of the property is RU, Residential Urban, 7.5 units per acre

3. The existing site was previously approved for a 23 unit apartment complex (24 units allowed by base density) that has been partially constructed, but is now abandoned and has been foreclosed upon.
4. The proposed project will have a density of 11.25 units per acre / 36 units a net increase of 13 units.
5. The applicant has agreed to execute a recordable agreement in a form acceptable to the City binding upon the developer to insure compliance with Section 71.03 (2)
6. Application #11-56 meets the criteria for approving a bonus density for an affordable housing project as set forth in Section 71.00 and 209.01 of the Comprehensive Zoning and Land Development Code.

Section 2. ESTABLISHMENT OF AFFORDABLE HOUSING PLAN

1. This project site was formerly established as part of the affordable housing plan set-out by the Tarpon Springs Housing Authority.
2. This project site, as presented meets the qualifications to be established as an “affordable housing plan” as required by the Countywide Plan Rules of Pinellas County and is hereby established as such.

Section 3. APPROVAL

Application #11-56 to permit a 50% bonus density (additional 12 units) is hereby approved, subject to conditions set out in Section 3 below for the property located at 802 Mango Street, Tax Parcel ID 18/27/16/47520/001/0020

Section 4. CONDITIONS

1. Execution of a recordable agreement in a form acceptable to the City binding upon the developer to insure compliance with Section 71.03 (2)
2. The applicant must apply for site plan approval within one year of the effective date of this Resolution

Section 5. EFFECTIVE DATE

This Resolution shall be effective upon adoption.