

Density Bonus Application

1315 Park Ave, Merced

1. Site plan showing total number of units, number, and location of target units, and number and location of proposed density bonus units.

Please see attached document

2. Level of affordability of target units and proposals for ensuring affordability. [See Section 20.56.060 (Affordability and Development Standards)]

All units will be income restricted for 55 years at 30% area median income. These deed restrictions will be recorded when HCD and tax credit funding is awarded.

3. Description of any requested incentives, waivers, or modifications of development standards, or modified parking standards.

Density Bonus Background

The City of Merced’s Density Bonus Program was adopted in September 2016 by Ordinance No. 2465. Since that time, state legislation has significantly modified the requirements of State Density Bonus Law (California Government Code Sections 65915 – 65918), most notably with AB 1763 (2019), AB 2345 (2019), and SB 290 (2021). This legislation expanded the density and bonuses available for affordable housing projects beyond that which was previously available in the City’s Density Bonus Program. In instances where state and local density bonus are in conflict, state requirements supersede local requirements.

Gov. Code §65915.a.1 “failure to adopt an ordinance shall not relieve a city, county, or city and county from complying with this section.”

Mercy Village is a multifamily rental project where one hundred percent of all units in the development, including total units and density bonus units, but exclusive of a manager’s unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code. As such, the project is eligible for an 80% density bonus, four incentives or concessions, and an unlimited number of additional waiver or reduction of development standards.

Government Code §65915.b.1: A city, county, or city and county shall grant one density bonus, the amount of which shall be as specified in subdivision (f), and, if requested by the applicant and consistent with the applicable requirements of this section, incentives or concessions, as described in subdivision (d), waivers or reductions of development standards, as described in subdivision (e),

Government Code §65915.b.1.G: One hundred percent of all units in the development, including total units and density bonus units, but exclusive of a manager’s unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code, except that up

to 20 percent of the units in the development, including total units and density bonus units, may be for moderate-income households, as defined in Section 50053 of the Health and Safety Code.

Government Code §65915.d.1: An applicant for a density bonus pursuant to subdivision (b) may submit to a city, county, or city and county a proposal for the specific incentives or concessions that the applicant requests pursuant to this section, and may request a meeting with the city, county, or city and county. The city, county, or city and county shall grant the concession or incentive requested by the applicant unless the city, county, or city and county makes a written finding, based upon substantial evidence, of any of the following:

(A) The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

(B) The concession or incentive would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.

(C) The concession or incentive would be contrary to state or federal law.

Government Code §65915.d.2: The applicant shall receive the following number of incentives or concessions: ... Four incentives or concessions for projects meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b).

Government Code §65915.e.1: In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section. Subject to paragraph (3), an applicant may submit to a city, county, or city and county a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted under this section, and may request a meeting with the city, county, or city and county.

Government Code §65915.f.3.D: For housing developments meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b), the following shall apply:

(i) Except as otherwise provided in clause (ii), the density bonus shall be 80 percent of the number of units for lower income households.

Requested Density Bonus, Incentives, and/or Waivers

General Plan Designation and Zoning Designation - The General Plan Designation of the site is "High-Medium Density Residential" and the zoning is Planned Development #4 (PD-4). PD-4 does not have design standards. Therefore, the design standards revert to the zone that corresponds to the General Plan Designation which is R-3-1.5.

- Density Bonus – High-Medium Density residential allows for a density between 12-24 units/acre. State Density Bonus Law enables an increase in density of 80% above the base density for development where 100% of the units are affordable to Very Low-Income Households, exclusive of managers units. Applicant requests a density bonus of 43.2 units/acre. The proposed density is 66 units on approximately 1.54 acres which is a density of approximately 42.8 units/acre.
- Incentive #1: Parking – The development code requires “1.75 spaces per unit of 2 bedrooms or less up to 30 units and 1.5 spaces per unit thereafter”. The development code would require 106 parking spaces. The developer proposes 30 parking spaces.
- Incentive #2: Height – The development code has a maximum height of 35 feet. The proposed height is 45 feet.
- Incentive #3: Setbacks – Per the development code, the minimum setbacks are 15 feet (front), 10 feet (side), and 14 feet (rear). The proposed minimum setbacks are 10 feet (front), 10 feet (side), and 35 feet (rear).
- Incentive #4: Lot area per dwelling – Per the development code, the minimum lot area per dwelling unit is 1,500 square feet. The proposed ratio is 1,260 square feet per dwelling unit.
- Waivers: The applicant has not requested any waivers.

4. For all incentives, the application shall include substantial evidence that the requested incentives result in identifiable, financially sufficient, and actual cost reductions.

- Density – Increasing the density on the site reduces the cost of land per unit. Because of construction efficiencies, the cost of construction per unit decreases as the total number of units increases. A tax credit project is not feasible with less units. Since the land area is fixed, in order to meet the target number of units, density must be increased.
- Incentive #1: Parking – Decreasing parking provided on site decreases the amount of paving required which reduces overall project costs. Decreasing parking also enables greater utilization of the land for housing, which further decreases project costs.
- Incentive #2: Height – Increasing the height of the buildings allows for greater efficiencies by enabling a greater building mass. This enables greater densities which reduces the cost of land per unit.
- Incentive #3: Setbacks – Decreasing setbacks allows for a greater building envelope which increases the efficiency of the development and decreases project costs per unit.
- Incentive #4: Lot Area per Dwelling – Decreasing lot area per dwelling allows for a greater building envelope which increases the efficiency of the development and decreases project costs per unit.

5. For waivers or modifications of development standards, the application shall provide substantial evidence to show that the waiver or modification is necessary to make the housing units economically feasible and that the development standards, without waiver or modification, will have the effect of precluding the construction of a housing development meeting the criteria of Section 20.56.020 (Density Bonus; Incentives) at the densities or with the incentives permitted by this section

Successful affordable housing requires appropriate scale. Without the waivers and modifications to the development standards requested herein, the per-unit cost of construction would not be feasible given the funding resources available for the development of affordable housing. The economies of scale are

also realized on the operating side – this allows for sufficient flow of residential income to ensure that all day-to-day property management and maintenance. Without a density bonus and the related waivers and modifications, the development team will not be able to move forward on the creation of supportive housing units at this site.

6. The applicant shall submit a development pro forma in a form prescribed by the City or the City's Economic Consultant. The applicant shall pay the cost of peer review of the development pro forma.

See attached proforma

7. If a density bonus or concession is requested for a land donation, the application shall show the location of the land to be dedicated and provide evidence that each of the findings included in Section 20.56.030 (Land Donations) can be made.

Not applicable

8. If a density bonus or incentive is requested for a child care facility, the application shall show the location and square footage of the child care facility and provide substantial evidence that each of the findings included in Section 20.56.040 (Child Care Facilities) can be made.

Not applicable

9/11/2020

	# of units	#	Square	AMI %	Tenant rent	Tenant	Total rent+util	Max HTC rent	Market	FMR	Rental	Subsid	Rent to	Monthly
NPLH		1	660	15%			\$ -				\$ 914	Sec 8	\$ 914	\$ -
	32	1	660	30%							\$ 914	Sec 8	\$ 914	\$ 29,248
Manager units	13	1	660	30%			\$ -	\$ -			\$ 914		\$ 914	\$ 11,882
	20	1	660	30%	\$ 362	\$ 30	\$ 392	\$ 392					\$ 362	\$ 7,244
							\$ -						\$ -	\$ -
	1	2	900				\$ -						\$ -	\$ -
							\$ -						\$ -	\$ -
							\$ -						\$ -	\$ -
							\$ -						\$ -	\$ -
	66			Avg AMI: 30.0%										\$ 48,374

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Rental	Annual rental income		\$580,488
	Residential vacancy	6%	-\$34,829
	Commercial income		
Financial	Vacancy	20%	\$0
	Interest income		
Service	Interest from reserve accounts		
	Other financial income		
	Laundry		\$ 6,864
	Tenant charges/fees		
	Elderly care/service delivery		
	Laundry Vacancy	20%	\$ (1,373)
	Effective gross income		\$551,150

Source: 2022 HUD FMRs for Merced County

FMR	Studio	1-bed	2-bed	3-bed
		\$ 914	\$ 1,120	\$ 1,591

Area	15%	30%	40%	50%	60%	80%
		\$ 392	\$ 471	\$ 545	\$ 653	\$ 785
				\$ 785	\$ 906	\$ 1,087
					\$ 1,087	\$ 1,450
					\$ 1,450	\$ 1,450

Market Rent

Unit Count by Size	Unit Count by Income	Parking
1 bed 65 100.00%	15%	0
2 bed 0 0.00%	30%	65
3 bed 0 0.00%	60%	0

Utility Allowance

Tenant-Paid	0	1	2	3	4	5
Heat (heat pump)						
Cooking (natural gas)						
Electric	\$ 10.26	\$ 13.05	\$ 19.76			
Water Heating (electric)	\$ 19.54	\$ 23.70	\$ 26.56			
Air Conditioning						
Water/Sewer						
Trash						
Other: Gas Customer Charge	\$ -	\$ - .00	\$ - .00	\$ - .00	\$ - .00	\$ - .00
TOTAL	\$ -	\$ 30	\$ 37	\$ 46	\$ -	\$ -

		Amount	Basis
Acquisition	Land	\$ 800,000	
	Demolition		\$ -
	Legal	\$ 20,000	\$ 20,000
	Land Lease		\$ -
	Existing Improvements		\$ -
	Off-site Improvements		\$ -
	Predevelopment Interest/Holding Cost	\$ 200,000	\$ 200,000
	Existing Debt Interest		\$ -
	Excess Purchase Price Over Appraisal		\$ -
	Other		\$ -
Total		\$ 1,020,000	\$ 220,000

Hard construction	Site Work		\$ -
	Structures	\$ 18,000,000	\$18,000,000
	Price escalation		\$ -
	General requirements		\$ -
	Contractor overhead		\$ -
	Contractor profit		\$ -
	Insurance	\$ 300,000	\$ 300,000
	SDI- Subcontractor Bonding		
	Photovoltaic		\$ -
	Prevailing Wages		\$ -
	Other:		\$ -
Total		\$ 18,300,000	\$18,300,000

Arch Fees	Architectural fee	\$ 800,000	\$ 800,000
	Supervision	\$ 75,000	\$ 75,000
	Civil Engineering	\$ 85,000	\$ 85,000
	Survey		\$ -
	Utility Coordination	\$ 50,000	\$ 50,000
Total		\$ 1,010,000	\$ 1,010,000

Const Interest & Fees	Construction Loan Interest	\$ 940,000	\$ 470,000
	HOME loan interest		\$ -
	Origination Fee	\$ 235,000	\$ 235,000
	Credit Enhancement/Application Fee		\$ -
	Bond Premium		\$ -
	Cost of Issuance		\$ -
	Title & Recording	\$ 75,000	\$ 75,000
	Lender Inspection & third-party estimate	\$ 75,000	\$ 75,000
	Financial consultant	\$ 60,000	\$ 60,000
Total		\$ 1,385,000	\$ 915,000

Permanent Financing	Loan Origination Fee	\$ 250,000	
	Credit Enhancement/Application Fee		
	Title & Recording	\$ 20,000	
	Taxes		\$ -
	Insurance		\$ -
	Other		\$ -
	Other		\$ -
Total		\$ 270,000	\$ -

Legal Fees	Lender Legal Paid by Applicant	\$ 70,000	\$ 70,000
	Legal Costs	\$ 90,000	\$ 90,000
Total		\$ 160,000	\$ 160,000

Reserves	Transition reserve	\$ 175,488	
	Capitalized Operating Subsidy Reserve		
	Operating reserve	\$ 224,667	
	Commercial Year 1 reserve		
	Other Reserves		
Total		\$ 400,155	\$ -

Contingency	Soft Cost Contingency	\$ 150,000	\$ 150,000
	Hard Cost Contingency 5%	\$ 915,000	\$ 915,000
Total		\$ 1,065,000	\$ 1,065,000

Other Project Costs	TCAC Application Fee	\$ 3,500	
	TCAC Reservation Fee	\$ 35,000	
	TCAC Monitoring Fee	\$ 15,000	
	TCAC Allocation Fee		
	TCAC Performance Fee		
	Environmental Audit	\$ 20,000	\$ 20,000
	Local Development Impact Fees	\$ 252,648	\$ 252,648
	Permit Processing Fees	\$ 200,000	\$ 200,000
	School district impact fees	\$ 250,000	\$ 250,000
	Marketing & Lease Up	\$ 50,000	
	FF&E	\$ 495,000	\$ 495,000
	Market Study	\$ 10,000	\$ 10,000
	Accounting/Reimbursable	\$ 35,000	\$ 35,000
	Appraisal	\$ 4,000	\$ 4,000
	Soil Studies/geotech	\$ 5,000	\$ 5,000
	Energy consultant	\$ 25,000	\$ 25,000
	Materials Testing	\$ 50,000	\$ 50,000
	Construction monitor	\$ 80,000	\$ 80,000
IT/Networking		\$ -	
Total		\$ 1,530,148	\$ 1,426,648

Developer Costs	Developer Fee	\$ 3,450,000	\$ 3,450,000
	Consultant/Processing Agent	\$ -	\$ -
	Project Administration	\$ -	\$ -
	Broker Fees Paid to a Related Party	\$ -	\$ -
	Construction Oversight by Developer	\$ -	\$ -
	Other	\$ -	\$ -
Total		\$ 3,450,000	\$ 3,450,000

Syndication	Legal - Syndication/Organization	\$ 50,000	\$ -
	Audit	\$ 10,000	
	Consultant - Syndication		
Total		\$ 60,000	\$ -

Total	\$ 28,650,303	\$26,546,648
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Total development costs per unit	\$ 434,096	\$402,221.94
Hard costs/unit	\$ 272,727	
Hard costs/SF		

4% LIHTC	Eligible basis	\$ 26,546,648
	Deducted federal financing	
	Non-qualifying units	
	Historic tax credit	
	Net eligible basis	\$ 26,546,648
	Boost	30%
	Adjusted basis	\$ 34,510,642
	Applicable tax credit percentage	9.00%
	Annual credit allocation	\$ 3,105,958
	Tax credit reductions	
	Total housing credits eligible	\$ 2,500,000
	Total ten-year tax credit equity	\$ 25,000,000
	Net cent raise	\$ 0.90
	Gross equity	\$ 22,497,750
Bridge loan interest		
Net tax credit equity		\$ 22,497,750

State Tax Credit	Eligible basis	\$ 26,546,648
	Deducted federal financing	
	Non-qualifying units	
	Historic tax credit	
	Net eligible basis	\$ 26,546,648
	Boost	
	Adjusted basis	\$ 26,546,648
	Applicable tax credit percentage	13.00%
	Annual credit allocation	\$ 3,451,064
	Tax credit reductions	
	Total housing credits eligible	
		\$ -
	Net cent raise	\$ 0.80
	Gross equity	\$ -
Bridge loan interest		
Net tax credit equity		

Construction sources			Amount	Interest	Debt service	Loan term	Amort. Term
		Construction loan (tax-exempt)	\$	23,500,000			
	Tax credit equity	\$	3,043,576				
	Deferred developer fee	\$	1,353,397				
	City of Merced	\$	1,325,000				
	City of Merced additional						
	GP equity	\$	50,000				
	Deferred costs						
	HCD (MHP or HHC)	\$	-				
	Other						
Total construction period sources		\$	29,271,972				

			Amount	Interest	D/S 1-15	D/S 16-30	Loan term	Amort. Term
	Permanent sources	Tax credit equity	\$	20,290,506				
NPLH (competitive)		\$	5,000,000	3.00%	\$ -		30	55
NPLH (non-competitive)		\$	631,401	3.00%	\$ -		30	55
City of Merced (PLHA)		\$	1,325,000	3.00%	\$ -			
Deferred developer fee		\$	1,353,397					
GP equity		\$	50,000					
HCD (MHP or HHC)								
Other:								
Total permanent sources	\$	28,650,303	Ann. Debt	\$ -	\$ -			

Total development costs	\$	28,650,303
Gap		\$0.00

Other															
Replacement reserves	\$ 33,000	\$ 33,000	\$ 33,000	\$ 33,000	\$ 33,000	\$ 33,000	\$ 33,000	\$ 33,000	\$ 33,000	\$ 33,000	\$ 33,000	\$ 33,000	\$ 33,000	\$ 33,000	\$ 33,000
Other: service coordination	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000	\$ 15,000
Bond monitoring fee	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000	\$ 4,000
HCD monitoring fee	\$ 23,652	\$ 23,652	\$ 23,652	\$ 23,652	\$ 23,652	\$ 23,652	\$ 23,652	\$ 23,652	\$ 23,652	\$ 23,652	\$ 23,652	\$ 23,652	\$ 23,652	\$ 23,652	\$ 23,652
	\$ 75,652	\$ 75,652	\$ 75,652	\$ 75,652	\$ 75,652	\$ 75,652	\$ 75,652	\$ 75,652	\$ 75,652	\$ 75,652	\$ 75,652	\$ 75,652	\$ 75,652	\$ 75,652	\$ 75,652
Total annual expenses	\$ 698,107	\$ 719,658	\$ 741,957	\$ 765,029	\$ 788,901	\$ 813,602	\$ 839,160	\$ 865,605	\$ 892,967	\$ 921,279	\$ 950,574	\$ 980,885	\$ 1,012,248	\$ 1,044,700	\$ 1,078,279
Less reserves	\$ 662,416	\$ 683,913	\$ 706,156	\$ 729,172	\$ 752,988	\$ 777,630	\$ 803,129	\$ 829,513	\$ 856,813	\$ 885,062	\$ 914,293	\$ 944,538	\$ 975,835	\$ 1,008,218	\$ 1,041,727
Income															
Residential income	\$ 790,277	\$ 810,033	\$ 830,284	\$ 851,041	\$ 872,317	\$ 894,125	\$ 916,478	\$ 939,390	\$ 962,875	\$ 986,947	\$ 1,011,621	\$ 1,036,911	\$ 1,062,834	\$ 1,089,405	\$ 1,116,640
Commercial income	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Effective gross income	\$ 790,277	\$ 810,033	\$ 830,284	\$ 851,041	\$ 872,317	\$ 894,125	\$ 916,478	\$ 939,390	\$ 962,875	\$ 986,947	\$ 1,011,621	\$ 1,036,911	\$ 1,062,834	\$ 1,089,405	\$ 1,116,640
Debt service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
NOI															
NOI	\$ 92,169	\$ 90,375	\$ 88,328	\$ 86,013	\$ 83,416	\$ 80,523	\$ 77,319	\$ 73,786	\$ 69,908	\$ 65,668	\$ 61,047	\$ 56,026	\$ 50,586	\$ 44,704	\$ 38,361
Cash flow															
Cash flow	\$ 92,169	\$ 90,375	\$ 88,328	\$ 86,013	\$ 83,416	\$ 80,523	\$ 77,319	\$ 73,786	\$ 69,908	\$ 65,668	\$ 61,047	\$ 56,026	\$ 50,586	\$ 44,704	\$ 38,361
Asset Mgmt Fee	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500	\$ 7,500

	Year 16	Year 17	Year 18	Year 19	Year 20	Year 21	Year 22	Year 23	Year 24	Year 25	Year 26	Year 27	Year 28	Year 29	Year 30
Debt coverage ratio	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Expense coverage ratio	1.13	1.13	1.12	1.11	1.11	1.10	1.09	1.09	1.08	1.07	1.06	1.06	1.05	1.04	1.04

Expenses per unit
Expenses per unit w/o utilities