

November 9, 2022

**WHEREAS**, on May 9, 2018, City Council authorized the adoption of the Comprehensive Housing Policy (CHP) by Resolution No. 18-0704; and

**WHEREAS**, after the adoption of the CHP City Council authorized multiple amendments to the CHP by Resolution No. 18-1680 on November 28, 2018, by Resolution No. 19-0884 on June 12, 2019, by Resolution No. 19-1041 on June 26, 2019, by Resolution No. 19-1498 on September 25, 2019, by Resolution No. 19-1864 on December 11, 2019, by Resolution No. 21-1450 on September 9, 2021, by Resolution No. 21-1656 on October 13, 2021, and by Resolution No. 22-0744 on May 11, 2022; and

**WHEREAS**, the CHP provides a policy for developers requesting a Resolution of Support or No Objection (Resolutions) for multifamily rental housing developments seeking Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA); and

**WHEREAS**, LDG The Terrace at Highland Hills, LP, or its affiliate (Applicant) has proposed the development of a 300-unit multifamily complex known as The Terrace at Highland Hills located at 3100 Persimmon Road in the City of Dallas, Texas (Development); and

**WHEREAS**, the Applicant proposes to develop new construction of 300 units, including 36 1-bedroom, 120 2-bedroom, 132 3-bedroom units, and 12 4-bedroom units; and

**WHEREAS**, on September 13, 2022 the Dallas Housing Finance Corporation (DHFC) adopted a resolution declaring its preliminary intent to issue private activity bonds to finance the development of The Terrace at Highland Hills as well as authorized the filing of an application for allocation of private activity bonds with the Texas Bond Review Board; and

**WHEREAS**, upon completion of the new construction, at least 270 of the 300 units will be available to rent to low-income households earning 60% or below of area median income subject to a Low-Income Housing Tax Credit Land Use Restrictive Agreement; and

**WHEREAS**, in accordance with 10 TAC §11.3(d) and the Qualified Action Plan (QAP), the governing body must vote to specifically allow the construction of a new tax credit development within one linear mile or less of a tax credit development authorized within the past three years; and

**WHEREAS**, in accordance with 10 TAC §11.3(e) and §11.4(c)(1) and the QAP, the governing body must vote to specifically acknowledge that the Development is located in a census tract that has more than 20% Housing Tax Credit Units per total households and the proposed Development is consistent with the City's obligation to affirmatively further fair housing; and

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**WHEREAS**, in accordance with 10 TAC §11.101(a)(3) and the QAP, the governing body must vote to specifically acknowledge that the proposed Development is located in a census tract that has a poverty rate above 40% for individuals; and

**WHEREAS**, pursuant to Section 11.204(4) of the Qualified Allocation Plan, and Chapter 2306 of the Texas Government Code, the City desires to provide a Resolution of No Objection to the Applicant for 4% Non-Competitive HTC application for The Terrace at Highland Hills located at 3100 Persimmon Road, Dallas, Texas 75241.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City of Dallas, acting through its Governing Body, hereby confirms that it has no objection as to Applicant's application to TDHCA's 4% Non-Competitive HTC for the proposed development of The Terrace at Highland Hills located at 3100 Persimmon Road, Dallas, Texas 75241 for the development of a 300-unit multifamily complex and that this formal action has been taken to put on record the opinion expressed by the City of Dallas on November 9, 2022.

**SECTION 2.** As provided for in the QAP and 10 TAC §11.3(d) the Development is specifically allowed, and it is hereby acknowledged that the proposed New Construction is located one linear mile or less from a development that serves the same type of household as the proposed Development and has received an allocation of Housing Tax Credits (or private activity bonds) for New Construction in the three-year period preceding the date the Certificate of Reservation is issued. The Development is within one linear mile or less of The Ridge at Lancaster and Palladium Simpson Stuart located at 5703 South Lancaster Road and 3380 Simpson Stuart Road, respectively.

**SECTION 3.** As provided for in the QAP and 10 TAC §11.3(e) and §11.4(c)(1), it is hereby acknowledged that the proposed New Construction Development is located in a census tract that has more than 20% Housing Tax Credit Units per total households and the proposed Development is consistent with the City's obligation to affirmatively further fair housing and the city has no objection to the Application.

**SECTION 4.** As provided for in the QAP and 10 TAC §11.101(a)(3), it is hereby acknowledged that the proposed Development is located in a census tract that has a poverty rate above 40% for individuals.

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**SECTION 5.** That in accordance with the requirements of the Texas Government Code §2306.67071 and the QAP §11.204(4), it is hereby found that:

- a. Notice has been provided to the Governing Body in accordance with Texas Government Code §2306.67071(a);
- b. The Governing Body has had sufficient opportunity to obtain a response from Applicant regarding any questions or concerns about the proposed development of The Terrace at Highland Hills;
- c. The Governing Body has held a hearing at which public comment may be made on the proposed development of The Terrace at Highland Hills in accordance with Texas Government Code §2306.67071(b); and
- d. After due consideration of the information provided by Applicant and after the public hearing on the proposed development of The Terrace at Highland Hills, the City of Dallas, acting through its Governing Body, does not object to the application by Applicant to the TDHCA for 4% Non-Competitive HTC for the purpose of the development of The Terrace at Highland Hills.

**SECTION 6.** That it is FURTHER RESOLVED that the City of Dallas hereby confirms that its Governing Body has voted specifically to authorize the Development to move forward.

**SECTION 7.** That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager, are hereby authorized, empowered and directed to certify this resolution to the TDHCA.

**SECTION 8.** That this resolution shall take effect immediately from and after its passage in accordance with the provision of the charter of the City of Dallas, and it is accordingly so resolved.