



August 21, 2018

VIA EMAIL

Florida Housing Finance Corporation
c/o Trey Price
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RE: FHFC General RFA Comments

Dear Mr. Price,

Below are our comments regarding the Site Plan Approval Form and Zoning Verification Form that were discussed at the last workshop held by Florida Housing.

1. We support Florida Housing's to remove the Site Plan Approval ("SPA") Form for the following reasons:
 - a. The new Zoning Form revision which includes the number of units in the Development contains all the affirmative statements Florida Housing needs to be able to verify that the site does not need some type of rezoning or entitlement process that puts any potential allocation at risk of not being able to close in the period of time required per the Carryover Agreements.
 - b. We agree with Ms. Stacy Banach's point in her public comment dated August 14, 2018 regarding the SPA Form. Site Plans are usually allowed to be modified during underwriting and, as Ms. Banach explained, the SPA form allows municipalities to select that they do not have a conceptual or preliminary approval process, which means the applicant can get the forms signed without any type of review. Therefore, the current draft of the SPA Form will likely create confusion, uncertainty and unnecessary work for municipalities, without defining the actual site plan that is going to get built.
 - c. The changes in the SPA Form, although an improvement from the previous form, may lead to more uncertainties and litigation, because most municipalities have different processes for conceptual or preliminary site plan approval. These and more questions may arise during litigation:
 - i. Whether or not the correct conceptual site plan approval process was followed;
 - ii. Whether or not the municipality should have selected option 3 (no conceptual SPA process), when in fact the municipality has a process -stipulated in its code- that can be considered a conceptual or preliminary SPA process.



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2. The proposed Zoning Form should be amended as follows:
- a. Instead of requesting the “Number of Units in the Development”, we recommend the Zoning Form request the “Maximum Number of Units for the Development Site”. Also, we recommend adding the following underlined words to the current language underneath the blank space: “This number must be equal to or greater than the number of units of the proposed Development stated by the Applicant in Exhibit A of the RFA. This number may include zoning density boosts allowed for affordable housing.”
 - b. Add other two additional verifications for the municipality to identify the proposed Development:
 - i. General Development Category: New Construction or Rehab;
 - ii. Max number of Stories: To allow FHFC to determine if the Applicant’s chosen Development Type is allowable.
 - c. Finally, contrary to Ms. Banach’s comment, we recommend the statement before the CERTIFICATION stays as written and proposed in the draft Zoning Form.

Respectfully Submitted,

Housing Trust Group, LLC,

A Florida limited liability company

A handwritten signature in blue ink, appearing to read "MR", is written over the printed name.

Matthew Rieger, Manager

HOUSING TRUST GROUP

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