

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED  
ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

**A RESOLUTION**

**IN SUPPORT OF GROCER LOFTS, LP'S APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE COMPETITIVE 9% HOUSING TAX CREDITS PROGRAM FOR THE DEVELOPMENT OF NATIONAL GROCER BUILDING, A 48-UNIT MULTI-FAMILY RENTAL HOUSING DEVELOPMENT LOCATED IN COUNCIL DISTRICT 5; ALLOWING THE CONSTRUCTION OF THE DEVELOPMENT TO BE LOCATED WITHIN ONE LINEAR MILE OR LESS FROM ANOTHER DEVELOPMENT; ACKNOWLEDGING THE DEVELOPMENT WILL RESULT IN MORE THAN 20% OF TOTAL HOUSING UNITS IN THE PROPOSED CENSUS TRACT BEING SUPPORTED BY HOUSING TAX CREDITS; AND ACKNOWLEDGING THE HIGH POVERTY RATE IN THE CENSUS TRACT THE PROPOSED DEVELOPMENT WILL BE LOCATED IN AND AUTHORIZING THE DEVELOPMENT TO MOVE FORWARD.**

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**WHEREAS**, Grocer Lofts, LP (the "Applicant") has proposed a 48-unit affordable multi-family rental housing development named National Grocer Building (the "Development"), to be located at 421 N. Medina Street in the City of San Antonio, Texas (the "City"); and

**WHEREAS**, the Applicant will submit an application to the Texas Department of Housing and Community Affairs ("TDHCA") for the 2024 Competitive 9% Housing Tax Credits for the Development (the "Application"); and

**WHEREAS**, notice was provided to the City in accordance with Texas Government Code §2306.67071(a); and

**WHEREAS**, the City has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and

**WHEREAS**, it is necessary that the City hold a hearing for comments to be made on the proposed Development in accordance with Texas Government Code §2306.67071(b); and

**WHEREAS**, pursuant to section 11.3 (d) of the Texas Department of Housing and Community Affairs' 2024 Qualified Allocation Plan ("QAP"), an Application that proposes the New Construction or Adaptive Reuse of a development that is located one linear mile or less measured by a straight line on a map from the closest point on each development from another development that:

- (A) serves the same type of household as the Development, regardless of whether the Development serves families, elderly individuals, or another type of household; and
- (B) has received an allocation of Housing Tax Credits or private activity bonds for any

New Construction at any time during the three-year period preceding the date the Application Round begins; and

- (C) has not been withdrawn or terminated from the Housing Tax Credit Program; and
- (D) does not meet one of the other exceptions listed in §11.3(d)(2)(A) – (F) of the QAP, shall be considered ineligible, unless the City Council of the appropriate municipality or county where the Development is to be located has by vote specifically allowed the construction of a new development located within one linear mile or less from the Development described above; and shall be considered ineligible, unless the Governing Body of the appropriate municipality or county where the Development is to be located has by vote specifically allowed the construction of a new Development located within one linear mile or less from a Development described above; and

**WHEREAS**, the City finds that it is necessary to allow the construction of the Development within one linear mile or less from a Development described above in order to increase the amount of affordable housing within the area in which both Developments will be located; and

**WHEREAS**, in accordance with 10 TAC §11.3 (e) and §11.4 (c)(1), the City acknowledges that the Development is proposed to be located in a census tract that has more than 20% Housing Tax Credit Units per total households as established by the 5-year American Community Survey; and

**WHEREAS**, pursuant to section 11.101(a)(3)(D)(i) of the Texas Department of Housing and Community Affairs' 2024 Qualified Allocation Plan, mitigation for developments in a census tract with a poverty rate that exceeds 40% must be in the form of a resolution from the Governing Body of the appropriate municipality or county containing the Development by referencing this rule and/or acknowledging the high poverty rate and authorizing the Development to move forward; and

**WHEREAS**, the City acknowledges the proposed New Construction Development is located in a high poverty Census Tract, which has a poverty rate of greater than 40% per the 5-year American Community Survey published by the U.S. Census Bureau; and

**WHEREAS**, upon said hearing and after due consideration of the information provided by the Applicant and public comment, the City Council may adopt a Resolution of Support as required by the TDHCA 2024 Housing Tax Credit Application for the Development; **NOW THEREFORE:**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** In accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4), the City hereby certifies and finds that:

- (i) Notice of Grocer Lofts, LP's ("Applicant") application ("Application") to the Texas Department of Housing and Community Affairs ("TDHCA") for the 2024 Competitive 9% Housing Tax Credits has been provided to the City in accordance with Texas Government Code §2306.67071(a); and

- (ii) The City Council has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed National Grocer Building to be located at 421 N. Medina Street in the City of San Antonio (“Development”); and
- (iii) The City Council has held a hearing at which public comment may be made on the proposed Development in accordance with Texas Government Code, §2306.6707(b); and
- (iv) After due consideration of the information provided by the Applicant and public comment, the Governing Body supports the proposed Application.

**SECTION 2.** The City hereby confirms that it supports the Applicant’s Application to the TDHCA for the Development.

**SECTION 3.** The City hereby finds that the Development 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 for New Construction within the last three years.

**SECTION 4.** The City Council of the City of San Antonio, Texas has voted to specifically allow the construction of the Development and to authorize an allocation of Housing Tax Credits for the Development.

**SECTION 5.** The City Council acknowledges that the Development is proposed to be located in a census tract that has more than 20% Housing Tax Credit Units per total households as established by the 5-year American Community Survey and the City Council has voted to specifically allow the construction of the Development to be located at 421 N Medina Street in the City of San Antonio, Texas, and to authorize an allocation of Housing Tax Credits for the Development.

**SECTION 6.** The City Council acknowledges that the proposed New Construction Development is located in a high poverty in Census Tract 1106, which has a poverty rate of greater than 40% per the five-year American Community Survey published by the U.S. Census Bureau and authorizes the Development to move forward.

**SECTION 7.** For and on behalf of the City Council, the City Clerk is hereby authorized, empowered, and directed to certify this Resolution to the TDHCA.

**SECTION 8.** This Resolution is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

*(Signature page to follow)*

JYW  
02/01/2024  
Item No.

**PASSED AND APPROVED this 1st day of February, 2024.**

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney