

AHFA 2021 Draft HOME Action Plan, Low-Income Housing Credit Qualified Allocation Plan,
and National Housing Trust Fund Allocation Plan
Public Comment Form
Commenting Period July 2, 2020 – August 20, 2020

All comments regarding the Draft Plans must be submitted using this form. General Comments may be submitted at the bottom of the form. **Comments which include cut-and paste text (or redlined/re-worded sections) of the proposed Plans will be rejected.** AHFA will not respond (or seek to interpret) to suggested change in language without a complete explanation of the suggested language change. Please provide full explanatory and careful comments regarding your proposed changes, keeping in mind that your proposed changes might have an unintended consequence for a different project or location in the state. All forms should be submitted to ahfa.mf.gap@ahfa.com as an attachment to the email. Other documentation, e.g., product information or photos, may also be submitted. All comments will be posted at www.ahfa.com for review.

8/19/2020

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Plan Section	Section Reference	Page #	Specific Comments
HOME	III	18-19	<p>12) Site Location:</p> <p>The requirement that any active AHFA development within a 2 mile radius of a proposed site must have 90% occupancy at the time of application can unnecessarily limit development in areas due to one poorly performing property. Many of the older properties that are in their extended use period can have small total unit counts. For example, a 30 unit property funded in 1998 needs to have 27 units occupied to meet the 90% threshold requirement. The property vacancy falling to 4 vacant units and below 90% is not a good indicator that the market is unable to absorb new additional units. To prevent one under-performing property with minor impact on overall vacancy from disqualifying a new application, we recommend the following revisions to the 2 mile rule:</p> <p>"AHFA will not consider any application for a new construction project, if the proposed project is located within a radius of two (2) miles (2-Mile Radius Requirement), as hereinafter defined, of any other Project approved by AHFA for funding in the":</p> <ul style="list-style-type: none">-2017 year's cycle or any subsequent year's cycle, that has not been Placed in Service and/or is 90% or more Occupied at the time of application.-If, within the 2 mile radius, there are fewer than 56 total active AHFA units that were awarded prior to 2017, the 2 mile radius rule does not apply.-If, within the 2 mile radius, there are 56 or more total active AHFA units awarded prior to 2017 then the average occupancy rate must be 90% or higher.-The average will be calculated as the total number of active AHFA occupied units divided the total number of active AHFA units within the 2 mile radius.

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			These new requirements would reduce the impact of individual property performances and focus on the immediate market performance as a whole.
HOME	ENV Policy	B -9	AHFA interprets exterior noise requirements to be at the property line. This is not consistent with HUD. We request that AHFA adopt HUD Guidelines for exterior noise requirements. This would mean that only outdoor areas designated for recreation (such as patios, picnic areas, balconies, etc.) would be subject to the 65 dB threshold for acceptability. Further, AHFA requires less than 65 dB, but HUD says < or = 65 dB. Please consider this <=/ criteria.
HOME	ENV Policy	B-7	The QAP indicates that a Project Site (including integral offsite development areas) cannot contain wetlands, streams, lakes, ...". This requirement severely limits opportunities for site selection, without providing real protection for wetlands and other aquatic resources. Further, this requirement is much more stringent than HUD rules. We would like to propose the following language: "AHFA discourages the selection of sites that contain wetlands, streams, lakes, or other water bodies (which also includes waters of the United States). If wetlands or other waters are identified or suspected on a site (suspected wetlands/waters as defined below), then a wetland delineation must be performed by a qualified consultant. A copy of the wetland delineation report must be included in the application. Further, a preliminary jurisdictional determination request must be submitted to the U.S. Army Corps of Engineers (USACE) prior to application. A copy of the JD submittal must also be included in the application. The limits of wetlands and other waters must be clearly shown on the proposed site plan. No impacts to wetlands or other waters is allowed except as required for site access or for utility connection (such as sewer connection). If such impacts are proposed, an application (typically a preconstruction notification or PCN) for the appropriate permit must be prepared and submitted to the USACE. A copy of the permit request must be included with the application. Any written approval/denial received from the USACE must be provided to AHFA. Such documentation must be provided to AHFA prior to award. If wetlands or other waters are located on the site, those areas must be protected with a restrictive covenant or conservation easement (RC/CE). A draft copy of the RC/CE must be provided to AHFA prior to award and must be filed in the project county within 90 days following award.

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