



TO: Members of the Plan Commission
FROM: Barbara Constans, Grants Administrator
SUBJECT: Analysis of request for gap analysis and then waiver for
1st Addition to Linden Park
DATE: July 3, 2008

SUMMARY:

Veridian Homes has requested a rezoning of a portion of the Linden Park Plat from R2T, R2Y, R2Z to R2T. As part of that process the developer submitted an inclusionary dwelling unit plan for the entire original subdivision rather than just the re-plat. At the request of CDBG Office staff the City Attorney's Office provided an opinion as to whether staff should review the entire original plat when conducting an IZ review, or just that portion being re-zoned. That opinion, attached, indicated that staff should be applying the IZ review to the area being re-platted. Consequently the developer submitted an IZ Plan for 9 affordable units out of the 57 being proposed. The next step in the IZ process, under the current ordinance is to conduct a gaps analysis.

The IZ gaps analysis policy permits an applicant to seek a combination of ways (on-site IZ units, off-site IZ units, or payment in lieu) to balance of the revenue gap between the market value of the expected IZ units and the set price of those units. Planning staff analyzed the current density of these parcels and concluded that the proposed re-zoning and re-plating was in conformance with the neighborhood plan for the area, and would receive no bonus density per the inclusionary zoning ordinance standards. Based on this information and data furnished by the developer and by the Planning Unit during July 2008 it was determined that there existed a "gap of \$840,306 to the developer's credit. When all the IZ units (9) were returned to market we were within the 95% parameter set by the gaps analysis, providing for a payment in lieu of units of \$298,296.00. The attached sheet shows the calculation of the gap and the payment in lieu.

Pursuant to the ordinance the developer then requested that a waiver analysis be conducted to determine if a reduction in the number of required inclusionary zoning units and a payment in lieu of units would be feasible. Based on the analysis of data furnished by the developer and by the Planning Unit during July 2008;

Staff recommend Plan Commission approval of the request for a waiver reduction to zero on-site IZ units and a payment in lieu of units of \$7,800.

METHOD OF ANALYSIS:

The Council adopted a waiver provision as part of the inclusionary dwelling unit ordinance that requires an analysis of project financial feasibility. The method consists of running three or more scenarios, using data provided by the developer. The first run is based upon a scenario whereby the project, using current zoning levels, is set at market rate prices. If this version is financially feasible according to the standards adopted by the Common Council, the project is then run with the full 15% inclusionary dwelling units included in the project. If this full IZ scenario

does not meet the Council standards for financial feasibility, staff are to recommend a third 'waiver' scenario with attributes (a combination of a partial percentage of IZ units, with units off-site, or payment in lieu of units on-site or reduction of expected number of units) that will provide a sufficient return for financial feasibility.

FIRST STEP: MARKET RATE SCENERIO:

Staff conducted an initial "market run at current density" of the proposed site, using the developer-provided information and the Planning Division-provided current base density analysis. Planning staff concluded that current zoning permitted up to 8.72 – 12.45 residential units/acre on the site; the proposed development seeks only 6.09 units per acre. The initial analysis at 57 units suggested that a development at current zoning would produce a result **outside of the adopted City standards** of a positive 12.5% to 17.5%, and therefore would not normally qualify for waiver consideration. However, the Plan Commission has on other occasions, considered the special characteristics of a development such as phasing, timing, and environmental features, and permitted consideration of a waiver using the gross profit margin produced by the initial market run at current density scenario, or 7.0%%.

SECOND STEP: SCENARIO with IZ units and incentives/offsets:

Staff then ran a second scenario with the pro forma for the development at the proposed density level, and included the effect of a full 15% inclusionary unit requirement. The combined effect of the scale of the project, the low density, and other incentives were not sufficient to produce an estimated gross profit margin within the adjusted target standard of 9.8%. The full 15% IZ scenario produced a gross profit margin of 6.6 %.

THIRD STEP SCENARIOS, with reductions in IZ units and incentives/offsets:

Staff then ran a series of scenarios with the pro forma for the development, using different decreases in the number of expected IZ units in combination with a payment in lieu and no units with a payment in lieu.

CONCLUSION:

Based on current information, staff recommend that the developer be expected to provide a total of **zero inclusionary dwelling units in the re-plat area of the First Addition to Linden Park and a payment in lieu of \$7,800** as part of the development.

First Addition to Linden Park Full Mkt No IZ For Sale Parameters for Determining Financial Infeasibility of Inclusionary Zoning For the periods from April 01, 2008 through December 31, 2018		
Parameter	Description	Value
Interest rate	Prime plus 0.5	5.8%
Land/Building acquisition - per square foot raw land	\$5 per square foot - raw land \$50 - \$55 per square foot, downtown - vacant land \$90 - \$125 per square foot, downtown - improved, with building	higher than standard actual cost of land within standards
Hard cost contingency	5% new, 8% of AIA contract	within standards
Soft cost contingency	5% new/rehab of soft costs	below standard
Contractor profit	6% of AIA contract (net of profit, overhead and general requirements)	NA
Contractor overhead	2% of AIA contract (net of profit, overhead and general requirements)	higher than standard
Contractor general requirements	4% of AIA contract (net of profit, overhead and general requirements)	within standards
Parking	\$1,000 per stall - surface \$15,000 per stall - first level underground \$20,000 per stall for second level underground \$27,000 per stall for three levels or more of underground	No Parking
Development fees	8% of total project costs, net of development fees and reserves	below standard
Square foot cost of construction, includes buildings including profit overhead and general requirements, site improvements and personal property	4 stories and under - \$52.50 per square foot, 5 to 8 stories - \$95, and 8 stories or higher \$110 - \$120	higher than standard actual cost of construction
Soft cost	10% of cost of construction	below standard
Profit margin for contractors	5 year average economic change factor for DOR website or 5 year average FUDI AMI increase for IZ units	1.5%
Profit margin for developers	5 year average economic change factor for DOR website or 5 year average FUDI AMI increase for IZ units	1.5%
Turnaround time for comps	MLS or assessors website comps for market rate IZ as indicated in the ordinance (City of Madison annual calculation based on AMT)	See schedule
Turnaround time for appraisals	6.5% of selling price	within standards
Turnaround time for financing	15% - 30% (assuming 80% leverage, 20% equity) depending upon product type	below standard
Turnaround time for closing	Submit similar comps for similar projects	9.6%
Turnaround time for inspection	12.5 - 17.5 sales minus direct project costs (not costs of sale or transaction costs)	below standard but will used as basis for determining feasibility of IZ
Turnaround time for title	Amount of fees	4.0
Turnaround time for closing		9.8%
Turnaround time for inspection		\$0.00

This is the first of several steps for an IZ waiver. It establishes base density and assumes 57 units at market rate, with no IZ units.

This project does not meet the Council established standard for minimum gross profit margin. In like cases, the Plan Commission has used the projected gross profit margin as the target standard for the development when including the IZ units.
Conclusion: The project will be analyzed as proposed, using a target gross profit margin of 9.8%.

Barbara Constans
July 3, 2008

Veridian Homes First Addition to Linden Park with 15% IZ For Sale Parameters for Determining Financial Infeasibility of Inclusionary Zoning For the periods from April 01, 2008 through December 31, 2018				
Interest rate	Prime plus 0.5			within standards 5.8%
Project costs				
Land/Building acquisition - per square foot raw land	\$5 per square foot - raw land \$50 - \$55 per square foot, downtown - vacant land \$90 - \$125 per square foot, downtown - improved with building		higher than standard actual cost of land	\$11,777 \$11,777 \$11,777
Hard cost contingency	5% new, 8% rebal of AIA contract		within standards	0.9%
Soft cost contingency	5% new/rebal of soft costs		below standard	1.3%
Contractor profit	6% of AIA contract (net of profit, overhead and general requirements)		NA	0.0%
Contractor overhead	2% of AIA contract (net of profit, overhead and general requirements)		higher than standard	29.1%
Contractor general requirements	4% of AIA contract (net of profit, overhead and general requirements)		within standards	0.8%
Parking	\$1,100 per stall - surface \$15,000 per stall - first level underground \$20,000 per stall for second level underground \$27,000 per stall for third levels or more of underground		No Parking	
Development fees	8% of total project costs, net of development fees and reserves		below standard	0.2%
Square foot cost of construction, includes buildings including profit overhead and general requirements, site improvements and personal property	4 stories and under - \$62.50 per square foot, 5 to 6 stories - \$95, and higher than standard actual cost of construction 8 stories or higher \$110 - \$120		below standard actual cost of construction	\$123,022 2.0%
Soft cost	10% of cost of construction		below standard	1.5%
Inclusionary Housing Units	5 year average economic change factor for DOR website or 5 year average HUID AMI increase for IZ units			1.5%
Revised Unit Type Definitions	5 year average economic change factor for DOR website or 5 year average HUID AMI increase for IZ units			1.5%
Market Rate Units	MLS or assessors website comps for market rate IZ as indicated in the ordinance (City of Madison annual calculation based on AMI)		See schedule	
Construction costs	6.5% of selling price		within standards	\$1,094,239.00
Marketing costs	1.5% - 3.0% (assuming 80% leverage, 20% equity) depending upon product type		below standard	2.8%
Revised Unit Type Definitions	Submit similar comps for similar projects			4.0
Construction costs	12.5 - 17.5 sales minus direct project costs (net costs of sale or transaction costs)		below standard	6.6%
Marketing costs	Amount of fees			\$0.00

This is the second step of the waiver process and involves the full 15% IZ unit requirement.

This scenario also uses the proposed 57 unit base density, with 9 of them being IZ units.

This project, with 48 market rate units and 9 IZ units does NOT meet the Council adopted threshold for minimum gross profit margin.

In cases like this staff evaluate the reduction in units and the payment of a fee in lieu of units to get to a gross profit margin of 9.8%

Veridian Homes

First Addition to Linden Park 56 MKT 1 IZ For Sale Parameters for Determining Financial Infeasibility of Inclusionary Zoning For the periods from April 01, 2008 through December 31, 2018

Parameter	Value	Notes
Interest rate	Prime plus 0.5	
Land/Building acquisition - per square foot raw land	\$5 per square foot - raw land \$50 - \$55 per square foot, downtown - vacant land \$90 - \$125 per square foot, downtown - improved with building	higher than standard actual cost of land
Hard cost contingency	5% new, 8% rehab of AIA contract	within standards
Soft cost contingency	5% new/rehab of soft costs	higher than standard actual cost of land
Contractor profit	6% of AIA contract (net of profit, overhead and general requirements)	within standards
Contractor overhead	2% of AIA contract (net of profit, overhead and general requirements)	below standard
Contractor general requirements	4% of AIA contract (net of profit, overhead and general requirements)	NA
Parking	\$1,000 per stall - surface \$15,000 per stall - first level underground \$20,000 per stall for second level underground \$27,000 per stall for three levels or more of underground	higher than standard
Development fees	8% of total project costs, net of development fees and reserves	within standards
Square foot cost of construction, includes buildings including profit overhead and general requirements, site improvements and personal property	4 stories and under - \$62.50 per square foot, 5 to 8 stories - \$95, and 8 stories or higher \$110 - \$120	higher than standard actual cost of construction
Soft cost	10% of cost of construction	below standard
Intangible costs	5 year average economic change factor for DOR website or 5 year average HUD AMI increase for IZ units	1.8%
Intangible costs	5 year average economic change factor for DOR website or 5 year average HUD AMI increase for IZ units	1.5%
Intangible costs	MLS or assessors website comps for market rate IZ, as indicated in the ordinance (City of Madison annual calculation based on AMI)	See schedule
Intangible costs	6.5% of selling price	within standards
Intangible costs	1.5% - 30% (assuming 80% leverage, 20% equity) depending upon product type	below standard
Intangible costs	Submit similar comps for similar projects	8.7%
Intangible costs	12.5 - 17.5 sales minus direct project costs (not costs of sale or transaction costs)	4.0
Intangible costs	Amount of fees	below standard
Intangible costs		9.3%
Intangible costs		\$0.00

This is the third of several steps for an IZ waiver. It establishes base density and assumes 57 units at market rate, with 1 IZ units.

This project does not meet the Council established standard for minimum gross profit margin. In like cases, the Plan Commission has used the projected gross profit margin as the target standard for the development when including the IZ units.

Conclusion: The project with on ly one IZ unit is below the target of 9.8% GPM

Barbara Constans
July 3, 2008

Veridian Homes

**First Addition to Linden Park No IZ Units, Payment in Lieu
For Sale Parameters for Determining Financial Infeasibility of Inclusionary Zoning
For the periods from April 01, 2008 through December 31, 2018**

Financing	Interest rate	Prime plus 0.5	within standards	5.8%
Land/Building acquisition - per square foot raw land	\$5 per square foot - raw land	\$50 - \$55 per square foot, downtown - vacant land	higher than standard actual cost of land	\$11.63
Hard cost contingency	\$80 - \$125 per square foot, downtown, improved with building		within standards	\$11.63
Soft cost contingency	5% new, 8% rehab of AIA contract		below standard	\$11.63
Contractor profit	5% net/rehab of soft costs		within standards	0.5%
Contractor overhead	6% of AIA contract (net of profit, overhead and general requirements)		NA	1.4%
Contractor general requirements	2% of AIA contract (net of profit, overhead and general requirements)		higher than standard	0.0%
Parking	4% of AIA contract (net of profit, overhead and general requirements)		within standards	29.0%
Development fees	\$1,000 per stall - surface		within standards	0.8%
Soft cost	\$15,000 per stall; first level underground			
Contractor profit	\$20,000 per stall for second level underground			
Contractor overhead	\$27,000 per stall for three levels or more of underground			
Contractor general requirements	8% of total project costs, net of development fees and reserves			
Parking	\$1,000 per stall - surface		below standard	0.1%
Development fees	\$15,000 per stall; first level underground		higher than standard actual cost of construction	\$124,34
Contractor profit	\$20,000 per stall for second level underground			
Contractor overhead	\$27,000 per stall for three levels or more of underground			
Contractor general requirements	8% of total project costs, net of development fees and reserves			
Soft cost	\$1,000 per stall - surface			
Contractor profit	\$15,000 per stall; first level underground			
Contractor overhead	\$20,000 per stall for second level underground			
Contractor general requirements	\$27,000 per stall for three levels or more of underground			
MLS or assessor website comps for market rate IZ as indicated in the ordinance (City of Medina annual calculation based on AMI)			See schedule	
Product type	6.5% of selling price		within standards	
Transaction costs	15% - 30% (assuming 80% leverage, 20% equity) depending upon product type		below standard	
Amount of fees	Submit similar comps for similar projects			4.0
gross profit margin	12.5 - 17.5 sales minus direct project costs (not costs of sale or transaction costs)		below standard but at required rate for this project	9.8%
Conclusion:	Amount of fees			\$0.00

This is the final step for an IZ waiver. It assumes the base density for the development at 57 units and move forward to try and close the gap between the internal rate of return for a no IZ project and one with the full 1.5% IZ units included.

This project does not meet the Council established standard for minimum gross profit margin. In like cases, the Plan Commission has used the projected gross profit margin as the target standard for the development when including the IZ units, which in the case of this development was 9.6%.

Conclusion: In this case the project could support no IZ units but could support a payment in lieu of units of \$7,800.00

Barbara Constanas
July 7, 2008

7/2/2008 1st Addition to Linden Park IZ Lots Under Replat

16-Mar-06	88	19-Jan-07	16-Sep-07	70	4 \$179,125 Released 9/16/2007
16-Mar-06	92	19-Jan-07	16-Sep-07	70	4 \$179,125 Released 9/16/2007
16-Mar-06	99	26-Jun-06	21-Feb-07	80	4 \$175,940 Released
16-Mar-06	110	26-Jun-06	21-Feb-07	80	4 \$175,940 Released
16-Mar-06	114	26-Jun-06	21-Feb-07	80	4 \$175,940 Released
16-Mar-06	146			70	
16-Mar-06	163	XXXXXX	XXXXXXXX	70 XXXXXX	XXXXXX To be released Under Waiver
16-Mar-06	166	XXXXXX	XXXXXXXX	70 XXXXXX	XXXXXX To be released Under Waiver
16-Mar-06	170	XXXXXX	XXXXXXXX	70 XXXXXX	XXXXXX To be released Under Waiver
16-Mar-06	175	XXXXXX	XXXXXXXX	70 XXXXXX	XXXXXX To be released Under Waiver
16-Mar-06	187	XXXXXX	XXXXXXXX	70 XXXXXX	XXXXXX To be released Under Waiver
16-Mar-06	191	XXXXXX	XXXXXXXX	70 XXXXXX	XXXXXX To be released Under Waiver
16-Mar-06	194	XXXXXX	XXXXXXXX	70 XXXXXX	XXXXXX To be released Under Waiver
16-Mar-06	246	XXXXXX	XXXXXXXX	70 XXXXXX	XXXXXX To be released Under Waiver
16-Mar-06	17	19-Jan-07	16-Sep-07	80	3 \$183,556 Released 9/16/2007
16-Mar-06	20	26-Jun-06	21-Feb-07	80	4 \$201,015 Released 9/16/2007
16-Mar-06	28	19-Jan-07	16-Sep-07	80	3 \$183,556 Released 9/16/2007
16-Mar-06	34	19-Jan-07	16-Sep-07	80	4 \$204,654 Released 9/16/2007
16-Mar-06	46			80	
16-Mar-06	51			80	
16-Mar-06	57			80	
16-Mar-06	68			80	
16-Mar-06	38	19-Jan-07	16-Sep-07	80	4 \$204,654 Released 9/16/2007
16-Mar-06	81			80	
16-Mar-06	96	26-Jun-06	21-Feb-07	80	3 \$180,292 Released
16-Mar-06	106	26-Jun-06	21-Feb-07	80	3 \$180,292 Released
16-Mar-06	117	26-Jun-06	21-Feb-07	80	3 \$180,292 Released
16-Mar-06	121	26-Jun-06	21-Feb-07	80	4 \$201,015 Released
16-Mar-06	128	26-Jun-06	21-Feb-07	80	4 \$201,015 Released
16-Mar-06	152	XXXXXX	XXXXXXXX	80 XXXXXX	XXXXXX To be released Under Waiver
16-Mar-06	158	XXXXXX	XXXXXXXX	80 XXXXXX	XXXXXX To be released Under Waiver
16-Mar-06	205			80	
16-Mar-06	212			80	
16-Mar-06	216			80	
16-Mar-06	219			80	
16-Mar-06	225			80	
16-Mar-06	232	XXXXXX	XXXXXXXX	80 XXXXXX	XXXXXX To be released Under Waiver
16-Mar-06	237	XXXXXX	XXXXXXXX	80 XXXXXX	XXXXXX To be released Under Waiver
16-Mar-06	252	XXXXXX	XXXXXXXX	80 XXXXXX	XXXXXX To be released Under Waiver
16-Mar-06	255	XXXXXX	XXXXXXXX	80 XXXXXX	XXXXXX To be released Under Waiver

I. 20% IZ Free Zone Plot	City share of assumed margin of 15% of 20%	11.50%		\$ 30921.05				
J. 75% SF to MF IZ Unit Shift				\$ -				
K. Residential Parking Permits (revenue gained by lease)				\$ -				
L. Advance neighborhood plan				\$ -				
M. Expedited Review				\$ -				
N. Modification of Neighborhood Plan				\$ -				
1.) Land cost coverage for modified neighborhood units		50%	21%	\$ -				
2.) Opportunity for greater margin provided in bonus market rate units	11.50%	50%		\$ -				
O. Reduced Street Widths				\$ 14,356.00				
P. Other:				\$ -				

SUM TOTAL OF VALUE OF INCENTIVES \$ 44,985.05

TOTAL INCENTIVE SUMMARY		
"Gap"		\$ (840,306.00)
Incentives		\$ 44,985.05
Difference		\$ (795,320.95)
(Note: Positive number indicates value of incentives outweighs calculated costs.)		
Minimum Threshold		\$ 42,015.30
Overall Under adjustment		\$ (753,305.65)

Average price per unit: \$ 331,440.00
 Expedited IZ units 9
 Payment in lieu at 10% of value \$ 298,296.00