**CITY OF BEACON**

**CITY COUNCIL**

**RESOLUTION NO. 28 OF 2018**

# RESOLUTION GRANTING WAIVER TO PROVIDE AFFORDABLE WORKFORCE HOUSING DUE TO PROVIDING A GREATER NUMBER OF AFFORDABLE UNITS

**WHEREAS,** the Kearney Group has received land use approvals for a project known as the West End Lofts which will provide 98 units of housing, of which 26 will be marketed as fair market rate housing and 72 will be marketed as varying degrees of affordable housing (the "Project"); and

**WHEREAS,** the City Zoning Ordinance requires that residential projects provide 10% of all units in a multifamily project greater than ten (10) units be affordable to individuals at or below 70% of Dutchess County's Area Median Income ("AMI") and comply with the City's affordable workforce housing regulations; and

**WHEREAS,** if this Project were constructed entirely of 98 units of housing under the City's Affordable Workforce Housing Code, ten (10) of those units would be required to be affordable workforce housing and the Kearney Group has agreed that fifty (50) of the units are below 70% of the Dutchess County AMI, all as detailed in the Kearney Group's January 15, 2017 letter attached hereto; and

**WHEREAS,** Section 223-41.10(N) of the City Code provides that the City Council may modify or waive specific provisions of this Article if it finds the Project meets the primary purpose of Section 221-41.8 and the project will result in more below market rate (BMR) units than is required.

**NOW THEREFORE BE IT RESOLVED**, that pursuant to Section 223-41.10(N) the City grants a waiver to the West End Lofts project such that it shall not be required to provide any affordable workforce housing units in accordance with Section 223-41.8 as the City Council finds that the West End Lofts project not only meets the primary purpose of the City's Affordable Workforce Housing Code, but greatly exceeds it as the West End Lofts development has structured its rent so that fifty (50) of the ninety-eight (98) units are below 70% of Dutchess County AMI and therefore there will be an additional forty (40) units that will be affordable at or below 70% of the Dutchess County AMI than required under the City Code, greatly exceeding the intent of the City's Affordable Workforce Housing Code.

| **Resolution No. 28 of 2018** | | | **Date: February 5, 2018** | | | | |
|---|---|---|---|---|---|---|---|
| **□ Amendments** | | | | | | **□ 2/3 Required.** | |
| **□ Not on roll call.** | | | **□ On roll call** | | | **□ 3/4 Required** | |
| Motion | Second | Council Member | Yes | No | Abstain | Reason | Absent |
| **x** | | **Amber T. Grant** | **x** | | | | |
| | | **John E. Rembert** | **x** | | | | |
| | | **Lee Kyriacou** | **x** | | | | |
| | | **George Mansfield** | **x** | | | | |
| | | **Jodi McCredo** | **x** | | | | |
| | **x** | **Terry Nelson** | **x** | | | | |
| | | **Mayor Randy J. Casale** | **x** | | | | |
| | | **Motion Carried** | **x** | | | | |