October 2017 • Volume VIII • Issue X

Published by Novogradac & Company LLP

Focus On: Westminster, Colo.

BRAD STANHOPE, SENIOR EDITOR, NOVOGRADAC & COMPANY LLP

estminster, Colo., is a prime spot for affordable housing.

"We're located right between Denver and Boulder," said Jenni Grafton, economic development coordinator for Westminster and the city's lead on developing affordable and workforce housing. "If you can't afford to live in either of those two cities, Westminster is a great option."

Westminster is 20 miles southeast of Boulder, where the median price for homes is approaching \$1 million (Westminster's median home price in 2016 was \$319,000), and 9 miles northwest of Denver, the center of the metro area.

"I think there's a greater need here [for affordable housing]," said Ron Mehl, vice president and project partner at Dominium Development, who lives in Westminster and whose company is preparing to build a 200-apartment affordable senior development in the city. "There are tons of people moving here and every affordable housing development that gets built fills up fast. I love it here. It's a great community."

Colorado's Eighth-Largest City

Westminster is part of the 10-county Denver Metropolitan Statistical Area (MSA) and its population in 2015 was 113,000, making it the eighth-most-populous city in Colorado.

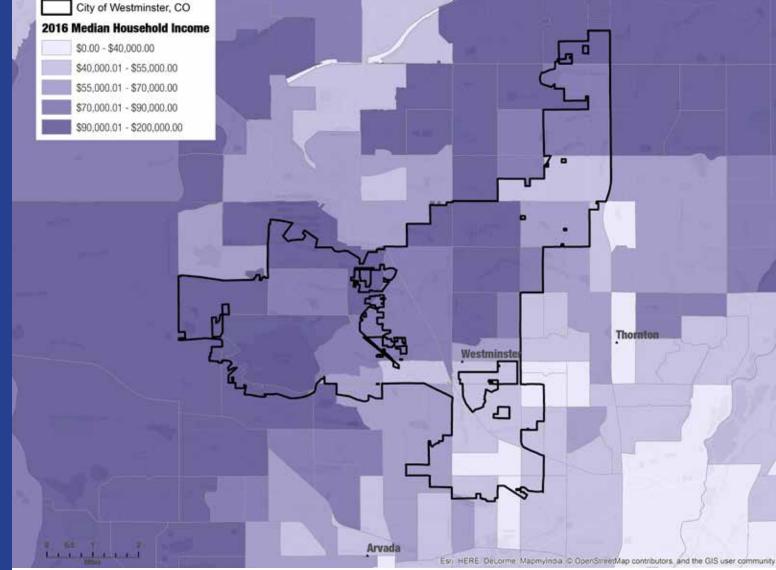
The city is split between Adams County and Jefferson County. As a suburb of Denver, Westminster's economy is directly impacted by the metro area. Employment in the MSA increased in every year since 2003 except 2009 and the unemployment rate is consistently lower than the national average. In June, the unemployment rate was 2.5 percent, compared to a 4.4 percent national rate.

Rental Market

With home prices rising, the demand for affordable multifamily housing has grown. "Westminster used to be known as an affordable suburb, but it's really not the case for any of Jefferson County communities now," said Lori Rosendahl, executive director and CEO of the Jefferson County Housing Authority. "Poor and moderate-income people are being priced out of every community."

With the senior population more than doubling (from 14 percent to 29 percent) since 2000, the need for senior affordable housing is at the top of the list. "Our market study said there's a huge demand for senior affordable housing," said Neal Mendel, managing general partner at Mendel Development, the co-developer with Elkco Properties of the 300-





Median Household Income in Westminster, Colo.



continued from page 1

plus, multiphase Panorama Pointe development in Westminster. "We were also surprised at the demand for the 60 percent [area median income] housing—and there's a huge waiting list (nearly 400 families) at our current building, the Residences at Panorama Pointe."

That's not all.

"There's a strong need for homeless permanent supportive housing," said Peter LiFari, the deputy director of the Adams County Housing Authority (ACHA). "The homeless situation has been exacerbated over the past two years due to the Denver urban-camping-ban ordinance. People come up the Platte River and have

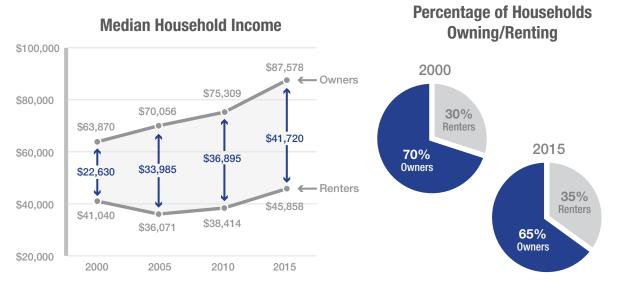
started to move into south Westminster to avoid the ordinance. While it's not unique to Westminster, we are at the outset of a challenge that is expanding with each day."

Being split between two counties actually benefits Westminster.

"I think [having two counties] is great for Westminster," Rosendahl said. "We just finished a 72-unit senior development and [ACHA] is working on a tax credit development. Westminster citizens have two housing authorities working on their behalf and both agencies are eager to help."

A Growing Gap

The gap between the income of renters and owners is increasing in Westminster, Colo., while the proportion of renters keeps going up.



Source: City of Westminster Economic Development Department, Novogradac & Company LLP

continued from page 2

Willing Leaders, State Tax Credit

Westminster has a city government eager to grow affordable housing. "What is exciting is that in 2014, Westminster, various stakeholders and the ACHA identified the need to collaborate to maximize opportunities of the future rail station," said Don May, ACHA executive director. "That culminated in the partnership receiving a Sustainable Communities Initiative (SCI) grant. Those resources and the collaborative nature of the grant played a role in kickstarting the effort to ensure a spectrum of housing availability in South Westminster."

Building on that success, ACHA was awarded lowincome housing tax credits (LIHTCs) in 2015 to develop Alto, a 70-apartment mixed-used deeply affordable infill project with 18,000 square feet of commercial space. It's set to open in December.

"Westminster is focused on playing a leading role in affordable housing in this region," Grafton said. "There is a very progressive [city] council and they have made affordable and workforce housing a high priority in the city's strategic plan. It's an important part of achieving our vision of being the next urban center of the Front Range and one of the most sustainable cities in the country."

That commitment led to a housing needs assessment in January that resulted in a task force to find the best approaches. An in-depth report will guide a housing plan due later this year.

A broad-based committee met seven times, vetted the best practices and compiled a draft report that went to the city council in late August. "The goal is to get an affordable housing and workforce housing strategic plan that can be adopted to implement policies and effect meaningful change," Grafton said.



continued from page 3

The civic leadership is recognized by the state housing agency.

"There tends to be a lot of local government leadership and support," said Jerilynn Martinez, the director of marketing and community relations for the Colorado Housing Finance Authority (CFHA). "The connection between affordable housing and sustainable communities is important."

Martinez said Colorado's state LIHTC-which is generally paired with 4 percent federal LIHTCs-is a significant opportunity for developers. "We're one of the states that modeled our LIHTC after the federal LIHTC and we used that to support the development almost 3,000 units between 2015 and 2016," Martinez said.

Colorado's tax situation also presents a unique possibility. "In Colorado, if you partner with the housing authority, you get a property tax exemption," Mehl said, explaining that the state's taxpayer bill of rights (TABOR) requires a public vote for any tax increment financing plan. "What you do is meet with the housing authority and ask how you can make them a 0.01 percent special limited partner. That's true for all suburban areas in Colorado. It's standard for developers and it's necessary [for developments to work financially]."

There are other considerations while collaborating with a housing authority, including sharing the developer's fee and/or an annual payment for a portion of the real estate tax savings. These funds are an important source to help the housing authorities create additional affordable housing.

Fees, Competition Provide Hurdles

Fees, bureaucracy and competition have made Westminster difficult for some developers, despite the friendly city government. "Westminster is challenging," but a lot of places are challenging," Mendel said. "I don't know if [Westminster is] any more [challenging than the others]."

Mendel referenced the tap fees required to connect to the water system. Colorado, like many states, provides water through local agencies that charge a fee to developers to join the system.

"The costs for taps vary from district to district," Martinez said. "A lot of what drives it is the cost to acquire the water and provide the infrastructure to serve new demand. That's one development factor at play, on top of school fees, park fees and others, depending on where the development is being constructed."

Mendel's Westminster development cost an additional \$690,000 to connect. His Panorama Pointe development started in 1996 and went through several phases, capped by a senior property that broke ground in August. Mendel faced various hurdles to get the property—lowincome, market-rate and a senior center—developed.

A change to exempt affordable housing from competition took effect earlier this year, ending what Mehl described as "an impossible" situation. Some in affordable housing cite the need for additional help. "What Westminster needs is affordable housing guidance for taps, land, discounts on costs like the tap fees, sewer fees, plan fees, school fees," Mendel said.

The strategies from the task force are intended to provide development assistance. "We are limited in our ability to adjust certain fees, like taps, because of the city's costs to acquire the water, and school fees, because those are passed to the school districts, but we have discounted and rebated a number of others," said Grafton. "We are looking into how we can provide land in some areas where it may not otherwise be financially feasible to develop affordable housing."

continued from page 4

And, there's no obvious help on the way. If there was a way for other funds to be available for affordable housing, it would be wonderful," said Mehl. "But that pie is very thin. There just isn't a lot left."

Mehl said the city's relative affluence adds a layer of difficulty.

"We look for land in a DDA [difficult development area] or QCT [qualified census tract] to get the 30 percent basis boost for tax credits," Mehl said. "But there aren't any in Westminster."

Rosendahl advised that while city government is friendly, as with any local governmental entity, it can take time to get developments approved.

"The city of Westminster is very eager to work [with developers] in the affordable housing process. It's always a good idea to work with the city in advance and understand their vision for their community," Rosendahl said. "It gives city staff an opportunity to weigh in on the development and offer support and guidance. They are eager to help and we should work to fit into the plan for their community."

With a motivated city government, but some practical hurdles, Westminster is like a lot of cities when it comes to affordable housing: Plenty of need, but challenges to make it happen.

This article first appeared in the October 2017 issue of the Novogradac Journal of Tax Credits.

© Novogradac & Company LLP 2017 - All Rights Reserved

Notice pursuant to IRS regulations: Any U.S. federal tax advice contained in this article is not intended to be used, and cannot be used, by any taxpayer for the purpose of avoiding penalties under the Internal Revenue Code; nor is any such advice intended to be used to support the promotion or marketing of a transaction. Any advice expressed in this article is limited to the federal tax issues addressed in it. Additional issues may exist outside the limited scope of any advice provided – any such advice does not consider or provide a conclusion with respect to any additional issues. Taxpayers contemplating undertaking a transaction should seek advice based on their particular circumstances.

This editorial material is for informational purposes only and should not be construed otherwise. Advice and interpretation regarding property compliance or any other material covered in this article can only be obtained from your tax advisor. For further information visit www.novoco.com.



www.novoco.com September 2017

Novogradac Journal of Tax Credits

EDITORIAL BOARD

Michael J. Novogradac, CPA

EDITORIAL DIRECTOR

Alex Ruiz

TECHNICAL EDITORS

Mark Shelburne Thomas Boccia, CPA Daniel J. Smith, CPA James R. Kroger, CPA

Owen P. Gray, CPA

COPY

SENIOR EDITOR

Brad Stanhope

ASSIGNMENT EDITOR SENIOR WRITER Teresa Garcia Mark O'Meara

CONTENT MANAGEMENT SPECIALIST

Elizabeth Orfin

CONTRIBUTING WRITERS

Thomas Stagg Bruce Gerhart Diana Letsinger John Tess Iris Tsui Albert Rex

ART

CARTOGRAPHER

David R. Grubman

PRODUCTION

Alexandra Louie Jesse Barredo

CONTACT

James Matuszak

CORRESPONDENCE AND EDITORIAL SUBMISSIONS

Alex Ruiz

alex.ruiz@novoco.com

415.356.8088

ADVERTISING INQUIRIES

Carol Hough

carol.hough@novoco.com

415.223.6145

EDITORIAL MATERIAL IN THIS PURLICATION IS FOR INFORMATIONAL PURPOSES ONLY AND SHOULD NOT BE CONSTRUED OTHERWISE.

ADVICE AND INTERPRETATION REGARDING THE LOW-INCOME HOUSING TAX CREDIT OR ANY OTHER MATERIAL COVERED IN THIS PUBLICATION CAN ONLY BE OBTAINED FROM YOUR TAX ADVISOR.

ADVISORY BOARD

LOW-INCOME HOUSING TAX CREDITS

Bud Clarke BOSTON FINANCIAL INVESTMENT MANAGEMENT

Jana Cohen Barbe DENTONS Tom Dixon **BOSTON CAPITAL**

Rick Edson HOUSING CAPITAL ADVISORS INC. Richard Gerwitz CITI COMMUNITY CAPITAL Rochelle Lento DYKEMA GOSSETT PLLC

John Lisella U.S. BANCORP COMMUNITY DEV. CORP.

Philip Melton BELLWETHER ENTERPRISE

Thomas Morton PILLSBURY WINTHROP SHAW PITTMAN LLP Mary Tingerthal MINNESOTA HOUSING FINANCE AGENCY Rob Wasserman U.S. BANCORP COMMUNITY DEV. CORP.

PROPERTY COMPLIANCE

Michael Kotin KAY KAY REALTY

Michael Snowdon HIGHRIDGE COSTA HOUSING PARTNERS

Gianna Solari SOLARI ENTERPRISES INC.

HOUSING AND URBAN DEVELOPMENT

Flynann Janisse BAINBOW HOUSING Ray Landry DAVIS-PENN MORTGAGE CO.

Denise Muha NATIONAL LEASED HOUSING ASSOCIATION

Monica Sussman NIXON PEARODY LLP

NEW MARKETS TAX CREDITS

Frank Altman COMMUNITY REINVESTMENT FUND

Merrill Hoopengardner NATIONAL TRUST COMMUNITY INVESTMENT CORP.

Scott Lindquist DENTONS

Matthew Philpott U.S. BANCORP COMMUNITY DEV. CORP. **Ruth Sparrow** FUTURES UNLIMITED LAW PC

Elaine DiPietro BLOOMING VENTURES LLC

HISTORIC TAX CREDITS

John Leith-Tetrault NATIONAL TRUST COMM. INVESTMENT CORP. **Bill MacRostie** MACROSTIE HISTORIC ADVISORS LLC John Tess HERITAGE CONSULTING GROUP

RENEWABLE ENERGY TAX CREDITS

Bill Bush STEM INC. **Beniamin Cook** NEXTPOWER CAPITAL Jim Howard DUDLEY VENTURES Forrest Milder NIXON PEARODY LLP

© Novogradac & Company LLP 2017 All rights reserved. ISSN 2152-646X

