Texas Department of Housing and Community Affairs



Governing Board

Board Action Request

File #: 1156 Agenda Date: 10/9/2025 Agenda #:

Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application for Uvalde Villas (HTC #21039/22813/23909)

RECOMMENDED ACTION

WHEREAS, Uvalde Villas (the Development) received a 9% Housing Tax Credit (HTC) award in 2021, a Force Majeure reallocation of tax credits and a Multifamily Direct Loan HOME award in 2022, and supplemental credits in 2023 to construct 102 units, of which 96 are designated as low-income units, of multifamily housing in McAllen, Hidalgo County;

WHEREAS, TGO Uvalde 21, LP (Development Owner or Owner) requests approval to decrease the size of the Development site from 7.39 acres to 6.96 acres, due to a dedication for right-of-way required by the City of McAllen, which resulted in a 6.27% increase in residential density from 13.797 units per acre to 14.661 units per acre;

WHEREAS, Board approval is required for a modification of the residential density of at least 5% as directed in Tex. Gov't Code §2306.6712(d)(6) and 10 TAC §10.405(a)(4)(F), and the Owner has complied with the amendment requirements therein; and

WHEREAS, the requested change does not materially alter the Development in a negative manner, and would not have adversely affected the selection of the Application;

NOW, therefore, it is hereby

RESOLVED, that the requested material amendment of the Application for Uvalde Villas is approved as presented at this meeting, and the Executive Director and his designees are each authorized, directed, and empowered to take all necessary action to effectuate the Board's determination.

BACKGROUND

Uvalde Villas (HTC/HOME #21039/22813/23909) received a 9% Housing Tax Credit (HTC) award in 2021, a Force Majeure reallocation of tax credits and a Multifamily Direct Loan HOME award in 2022, and supplemental credits in 2023 to construct 102 units, of which 96 are designated as low-income units, of multifamily housing in McAllen, Hidalgo County. Construction of the Development has been completed, and the cost certification documentation is currently under review by the Department.

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The Owner has reported that a greater than 5% change in residential density occurred from the representation at initial Application to the time of the Cost Certification, and in a letter dated August 22, 2025, Lora Myrick, the representative for the Development Owner, requested approval to modify the total acreage to represent the actual size of the Development site after dedication for right-of-way along Uvalde Avenue.

At the time of application, the original Development site was identified as 7.393 acres, but at cost certification, the as-built ALTA survey dated July 14, 2025, identified an acreage of 6.967, after dedication of 30 feet for right-of-way along the south of Uvalde Avenue. As a result, the residential density increased 6.27%, from 13.797 units per acre to 14.661 units per acre, requiring approval by the Board under Tex. Gov't Code §2306.6712(d)(6) and 10 TAC §10.405(a) (4)(F).

The Owner has stated that inclusion of the dedicated area of Uvalde Avenue and its associated right-of-way as part of the Development site area at Application was an error. It was not until the as-built survey was reviewed that this discrepancy was identified.

The requested amendment does not materially alter the Development in a negative manner and would not have affected the selection of the Development for the HTC or HOME award.

Staff recommends approval of the requested material amendment to the Application, and if approved, the HOME Contract, HOME and LIHTC Land Use Restriction Agreements and HOME loan documents will be amended to reflect the acreage as corrected.



Prescribed Consulting For Affordable Housing Development

August 22, 2025

Mr. Rosalio Banuelos Director of Multifamily Asset Management Texas Department of Housing & Community Affairs 221 E. 11th Street Austin, TX 78701

Via Email: Rosalio.Banuelos@tdhca.texas.gov

RE: TDHCA Application #23909 / 22510 / 21039 – Uvalde Villas, McAllen, TX

Material Amendment Request

Dear Mr. Banuelos,

On behalf of TGO Uvalde 21, LP ("Applicant"), we are requesting a material amendment to the above-referenced Housing Tax Credit Applications. A check for the \$2,500 fee has been sent separately from this request. Enclosed is the receipt and copy of the check.

This amendment request is for a change to the overall development size. The reason the change is necessary is because the City of McAllen was dedicated a portion of the original site for a public road. The site plan as originally designed did not change from full Application, but the acreage determined by the As-Built survey is lower by 0.439 acres. Both the plat and the As-Built survey are attached.

This change from the original 7.393 acres to an As-Built of 6.957 acres reduces the density of units per acre by greater than 3%. There has been no change to the architectural design from Application and there are 102 units. The result is an overall reduction in density of 5.87%.

I believe that this was an oversight at Application since the road was there or was planned be there and would never have been part of the actual development site.

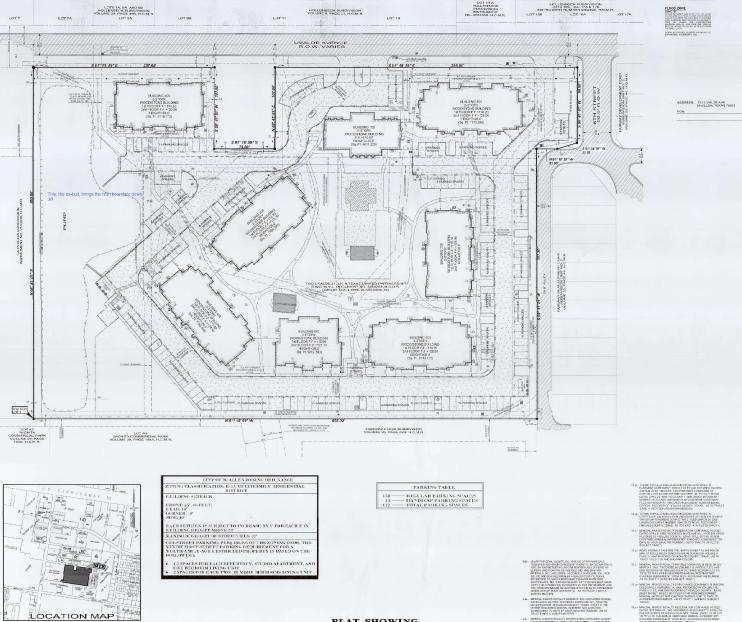
This change in site acreage also affects the HOME LURA and the HOME contract, along with the draft LIHTC LURA currently in process.

If you have any questions or would like to discuss these items further, please do not hesitate to contact me directly at (512) 785-3710 or via email at lora@betcohousinglab.com any time.

Sincerely,

Lora Myrick, Principal BETCO Consulting, LLC

CC via email: Jonathan Chilson; Sally Hedrick; Steve Lollis



PLAT SHOWING BEING ALL OF LOT 1,
UVALDE VILLAS SUBDIVISION
INSTRUMENT No. 3489902, H.C.M.R.
CITY OF McALLEN HIDALGO COUNTY, TEXAS

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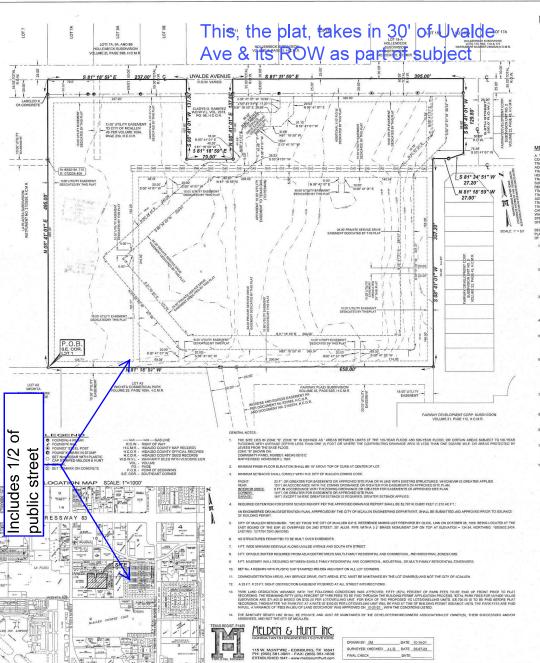
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JUNE 10, 1990 RECORDED BY YOU ME \$109, PAGE 56, OFFICIAL RECORDS OF HIDALDS COUNTY, TEXAS, AS TOTRACT 3 COURS NOT AFFICE SUBJECT TRACE.

Alta/ As-Built Survey

21049.21





SUBDIVISION MAP OF

UVALDE VILLAS SUBDIVISION

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9/7/23 DATE



9-6-25



ON: 10-6-2023 4: 20 AM PW INSTRUMENT NUMBER 3489902
OF THE MAP RECORDS OF HIDALGO COUNTY

Benilda L. Deputy