Texas Department of Housing and Community Affairs



Governing Board

Board Action Request

File #: 1070 Agenda Date: 7/10/2025 Agenda #:

Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Application for Clifton Riverside (HTC #21078/22836/23918)

RECOMMENDED ACTION

WHEREAS, Clifton Riverside (the Development) received an award of 9% Housing Tax Credits (HTCs) in 2021, a Force Majeure reallocation of credits in 2022, and Supplemental Credits in 2023 for the new construction of 94 units for the general population in Fort Worth, Tarrant County;

WHEREAS, after award, and during the financing due diligence period, work began to release an easement held by the Tarrant Regional Water District (TRWD), which restricted the development of a portion of the land originally submitted in the tax credit application, and in exchange for the 0.678-acre of the site that was within the 100-year floodplain on the western side of the Development, TRWD agreed to a release of the easement on the property site allowing for the development to proceed;

WHEREAS, OPG Clifton Riverside Partners, LP (the Development Owner or Owner) requests approval to decrease the size of the Development site from 2.939 acres identified at Application to 2.261 acres, which is a decrease of 0.678-acre and results in a 29.99% increase in residential density, from approximately 31.984 units per acre to 41.575 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, was not reasonably foreseeable or preventable by the Owner at the time of Application, and would not have adversely affected the selection of the Application; and

NOW, therefore, it is hereby

RESOLVED, that the requested amendment of the Application for Clifton Riverside is approved as presented at this meeting, and the Executive Director and his designees are each hereby authorized, directed, and empowered to take all necessary action to effectuate the foregoing.

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BACKGROUND

Clifton Riverside received an award of 9% Housing Tax Credits in 2021, a Force Majeure reallocation of credits in 2022, and Supplemental Credits in 2023 for the new construction of 94 units, of which 79 are designated as low-income units, for the general population in Fort Worth, Tarrant County. Construction of the Development has been completed.

In a letter dated June 6, 2025, April Engstrom, the representative for the Owner, requested approval for a material amendment to the Application to decrease the size of the Development site by 0.678-acre, going from 2.939 acres identified at Application to 2.261 acres, which results in a 29.99% increase in the residential density, from approximately 31.984 units per acres to 41.575 units per acre. 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).

The Owner states that after award, and during the financing due diligence period, work began to release an easement held by the Tarrant Regional Water District (TRWD), which restricted the development of a portion of the land originally submitted in the tax credit application, and in exchange for the 0.678-acre of the site that was within the 100-year floodplain on the western side of the Development site, TRWD agreed to the release of the easement on the Development site.

This land exchange required an extensive review by the US Army Corps of Engineers and the US Department of Fish and Wildlife, resulting in over six months of review. There were no funds associated with the exchange of land, and additionally, this change had no impact on the unit mix submitted in the original Application. There were no improvements on the 0.678-acre portion that is proposed to be removed from the Development site.

The Owner indicated that the increase to the residential density and the site plan change was necessary for the integrity of the original project submitted at application, as the restrictive easement would not have allowed for development to a portion of the site, which would have ultimately decreased the number of units, and was a risk to the financial viability of the overall project. At the time of application, the extent of these changes was not foreseeable due to all the parties involved in the review and approval of this land exchange.

Staff has reviewed the original Application against this amendment request and has concluded that the change described above would not have affected the award. The final tax credit recommendation will be determined upon finalization of the cost certification review process.

Staff recommends approval of the requested material amendment to the Application.



June 6, 2025

TDHCA

Attn: Lucy Weber, Asset Manager | Region 3 Asset Management Division 221 E. 11th St. Austin, TX 78701

Re: Clifton Riverside, 21078/22836/23918

Dear Ms. Weber,

Overland Property Group, on behalf of Clifton Riverside, is requesting a material amendment to the residential density and the site plan.

Prior to the financial closing, changes were made to the land size, resulting in a reduction of acreage by 0.678 acres, bringing to total acreage of the site to 2.261 acres, down from the original 2.939. This change affected the site plan as well.

After award, and during the financing due diligence period, work began to release an easement held by the Tarrant Regional Water District (TRWD), which restricted the development of a portion of the land originally submitted in the tax credit application. A portion of the western boundary of the site was within the 100-year floodplain near the Trinity River. In exchange for the 0.678 acres of flood plain land, TRWD agreed to a release of the easement on the property site allowing for the development to proceed.

This land exchange ultimately required an extensive review by the US Army Corps of Engineers, and the US Department of Fish and Wildlife, resulting in over six months of review. There were no funds associated with the exchange of land, and, additionally had no impact on the unit mix submitted in the original application.

The increase to residential density and the site plan change was necessary for the integrity of the original project submitted at application, as the restrictive easement would not have allowed for development to a portion of the site, which would have ultimately decreased the number of units, and was a risk to the financial viability of the overall project.

We are requesting approval of this amendment to memorialize the acreage changes that were implemented prior to the financial closing, and necessary to the construction of Clifton Riverside. While we are always looking to avoid instances that warrant a material amendment, at the time of application the extent of these changes was not foreseeable because of all the necessary parties involved in the review/approvals of the land exchange.

Please reach out to me should you have any questions as you review.

Sincerely,

April Engstrom | Director of Development

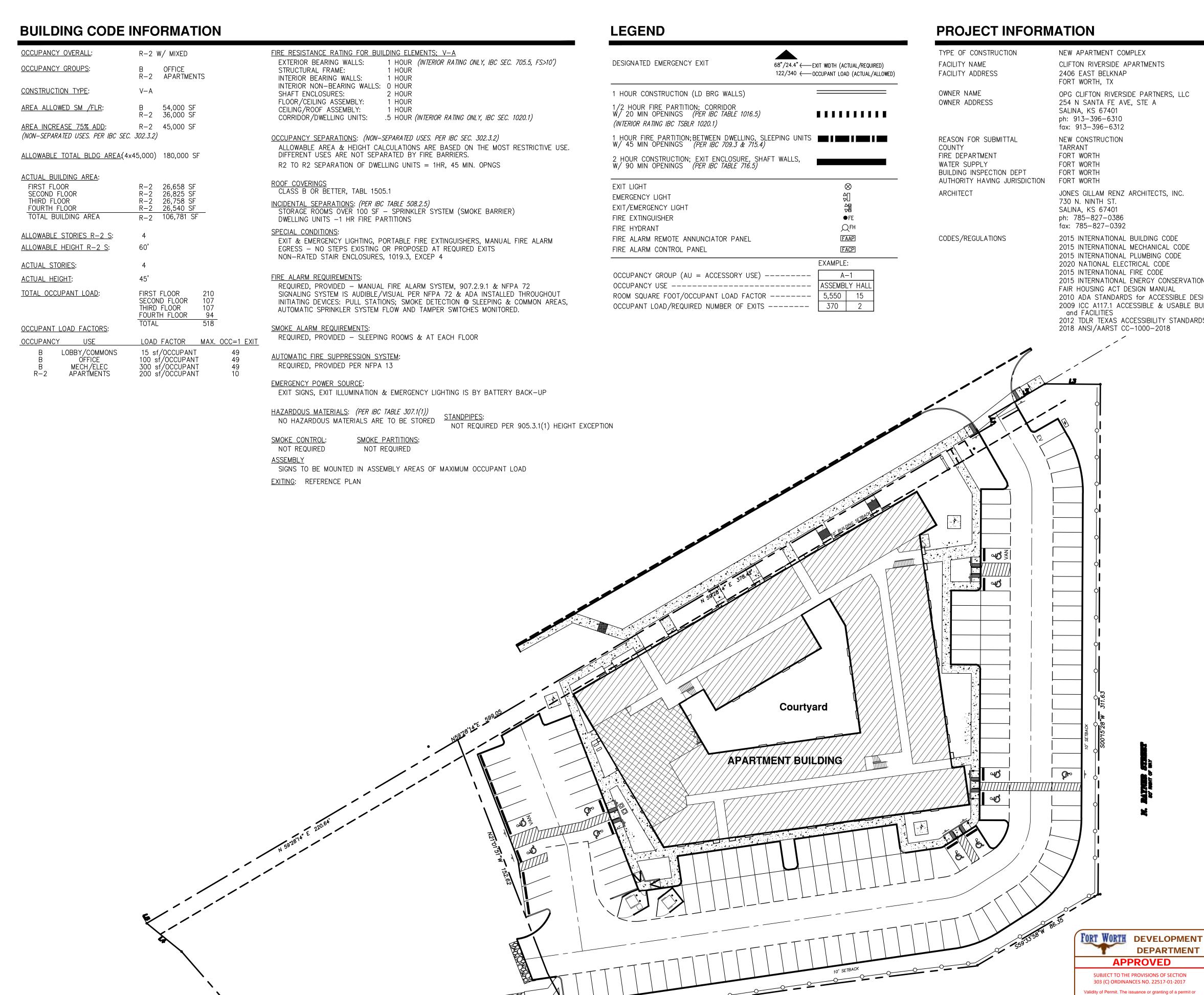
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Overland Property Group

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2015 INTERNATIONAL ENERGY CONSERVATION CODE 2010 ADA STANDARDS for ACCESSIBLE DESIGN 2009 ICC A117.1 ACCESSIBLE & USABLE BUILDINGS 2012 TDLR TEXAS ACCESSIBILITY STANDARDS

of any code or other ordinance of this jurisdiction. No permi

other data shall not prevent he building official form thereafte

and other data, or from prevent building operations being

carried on thereunder when in violation of the code or any other ordinances of this jurisdiction

All approvals are subject to site inspections by a building

DATE 09/26/2023 Rodney Brown

BUILDING OFFICIAL

his code shall be valid.

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Arc 730 P.0. Salin

RTM

REVISION:

DATE: 1-28-2022 JOB:

21-313

SHEET:

