

# **317 Evans Street Rebuild**

## **Discussion Document for the Board of Trustees of the Town of Lyons December 30, 2022**

**(Planner Kimmett update of Applicant document from November, 2022 to reflect new dates and information)**

### **Overview**

Applicant Williams Family proposes to rebuild 317 Evans Street, by deconstructing the existing problematic structures and replacing them with three modular units, providing two 3-bedroom and seven 1-bedroom affordable homes. The applicant has engaged neighbors on the proposal and has offered to improve and manage the adjacent DRBOP parcel as a pocket park.

Given the current condition of the property, construction backlogs, and the uncertain economic environment, the applicant is requesting expedited reviews of the project, to facilitate reoccupation by the current residents by July, six months after closing the purchase in January.

The applicant is a Lyons resident with a proven commitment to affordable housing, and assembling a solid, largely local, team. The application supports a variety of comprehensive plan elements, including affordability, neighborhood compatibility, environmental sustainability, and community engagement in the parks. The application balances owner contributions and responsibility with a request that the Town quickly approve the incremental increase in approved density and the Final PUD Plan, and be prepared to quickly enter into a Development Agreement.

## **Section 1 - Existing Conditions**

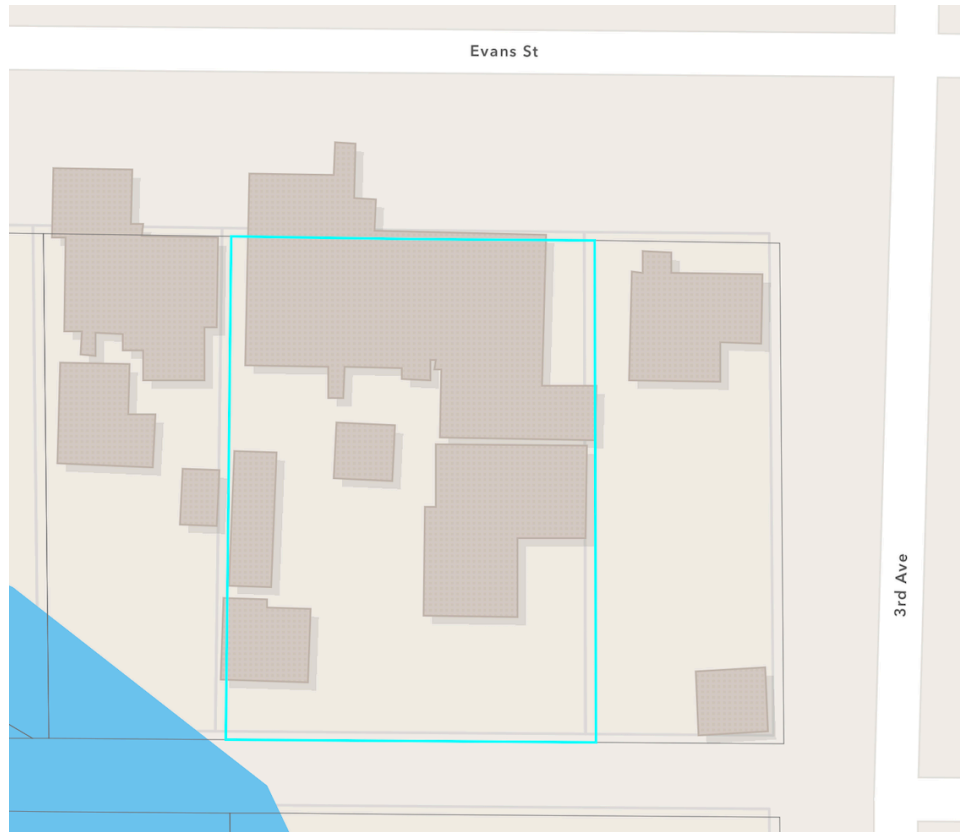
History. 317 Evans Street was originally 2 lots, 50' wide x 140' deep, each of which held a single family home. The lots were combined to 100' x 140', the structures were connected, interior walls were removed, and it was converted to a nursing home. Later, a new arrangement of interior walls was built, additions and a trailer were added, and 8 or 9 rental units were created. In 1983, the Board of Trustees sanctioned 6 units as legally nonconforming, but the property operated as 8 or 9 extra-legally until it was offered for sale in September of 2022.

Physical Conditions. There are currently 4 structures: the main structure including its various connections and additions, the trailer, a storage building in the courtyard, and a storage building on the SW corner. All structures are in disrepair. Although there are no unaddressed code compliance violations, there are a variety of unsafe, unhealthy and unattractive conditions relating to egress, insulation and building materials, and parking in the front yard.

Residents. To list the property, the long-time owner vacated two units, expelling a family of 4 from 1-bedroom Unit 2, and a town employee from the trailer, Unit 8. The applicant estimates that 10 residents remain, including another family of 4, a couple, and 4 individuals. Among them are long-time residents, seniors, a county employee, and LEAF beneficiaries. With one exception, leases are month-to-month. Rents range from \$920 to \$1,330 - affordable to people making 44% of the Boulder County area median income.

Default Future. Without the intervention of the applicant and the Town, including re-entitlement by the PCDC and the BOT, the three most likely futures for this property are: continued operation with subpar maintenance, conversion to 6 market-rate units, or conversion to 1 single family luxury home. The first of these would continue to put the current residents at risk; the others would displace them.

### 317 Evans Street Existing Conditions



## **Section 2 - Proposed Rebuild**

Physical Environment. The applicant proposes to replace all existing structures with new construction, built to the 2018 IBC code. Two attached 2-story 3-bedroom modular homes would be installed facing Evans Street, respecting the style and scale of the neighborhood (BonnaVilla Ames model). A 1-story modular building of four 1-bedroom units and a 1-story modular building of three 1-bedroom units would be tucked into the center of the property, minimally visible to Evans Street given their placement, and minimally visible to immediate neighbors given their height (BonnaVilla Douglas model).

A 1-story 2-car garage would be built on-site, facing Evans Street, with a paved driveway, replacing the existing front-yard gravel parking. Five parking spaces would be provided along the southern boundary. The combined total would be 9 spaces -- 1 more than is provided today, including the current front yard and back yard parking.

Flood risks would be mitigated by devoting the corner closest to the St. Vrain to parking, and by elevating all structures as necessary. A full topographic survey is underway (of the parcel and 50' to the south).

Residents. The applicant is committed to managing the property in service to the current residents and to future residents in need of affordable housing. Prior to the rebuild, the applicant will undertake critical repairs to ensure the residents' health and safety are paramount. During the 2-3 month construction window, the applicant will work with partners (potentially including LEAF, the Town and the County) to cover outbound and return moves, and to provide interim housing at or below residents' current monthly rates. After construction, current residents will be offered new units at their old rates, with any future escalations driven only by inflation, not by rebuild expenses. New residents will be offered naturally affordable rates, in the workforce housing range, and Boulder County housing vouchers will be welcome.

Neighborhood. The applicant has - by letter, phone call and in-person visit - invited conversations with each abutting neighbor, offering to discuss and collaboratively refine this proposal. Additionally, the applicant held two open house "coffee chats" in December with neighbors.



The applicant has submitted a draft application to the Town to lease the adjoining disaster recovery buyout property at 318 3rd Avenue, with the intention of minimally landscaping, equipping and maintaining it, within the flood-related deed restrictions, for the use of 317 Evans Street residents and the broader Lyons community. The applicant is equally open to executing a DRBOP lease, or simply working on the property under the direction of the Lyons Parks Department. Neighbors have voiced opinions on how the 318 3rd Avenue should, in their opinion, be kept as-is.

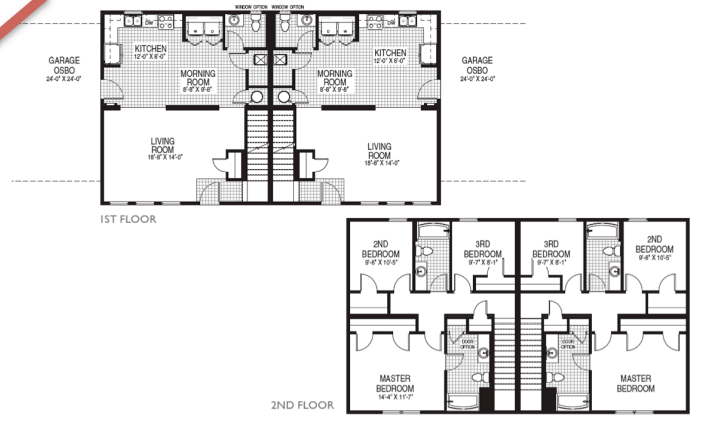
## 317 Evans Street Proposed Site Plan



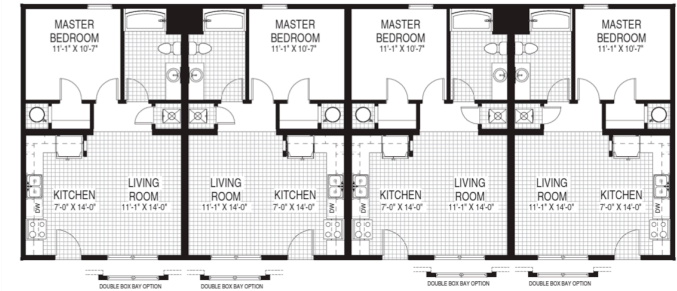
BonnaVilla Ames



317 Evans Proposed



BonnaVilla Douglas



### Section 3 - Timeline

Concerns. Given the property's current condition, construction backlogs, and the dynamic economic environment, the applicant seeks to dramatically accelerate the application, approval and construction timeline. Normal pacing would exacerbate at least three problems.

First, either residents would have to continue to occupy substandard units, or the applicant would have to undertake a renovation program, the costs of which are prohibitive and additive to the rebuild cost. Second, modular production is backlogged, like all construction is backlogged (especially given the shunting of resources toward Marshall Fire rebuilds). The applicant has negotiated a one-time offer for a Fort Morgan builder to give us his April 2023 slots in a modular production queue, beating the alternative of February 2024 by 10 months. Third, the applicant is concerned that, with the economy slowing, appraisals dropping, rates increasing, and lending tightening, what is now difficult may be impossible in several months or a year.

Solutions. The applicant appreciates and respects the PCDC, BOT and Building Department approval processes. If these processes can be accelerated without sacrificing effectiveness or community input, so the applicant can commit early to the manufacturer, builder, contractors and lender, this project can take advantage of the April production window, and residents can be in their new homes this summer.

	November	December	January	February	March	April	May	6/15 Completion	July
<b>Approvals</b>	<ul style="list-style-type: none"> <li>• Apply to Town for PUD-R               <ul style="list-style-type: none"> <li>• PUD-R Approval</li> </ul> </li> <li>• Apply to State for Mod               <ul style="list-style-type: none"> <li>• Mod Approval</li> </ul> </li> </ul>		<ul style="list-style-type: none"> <li>• Apply to Town for Building Permit               <ul style="list-style-type: none"> <li>• Building Permit Approval</li> </ul> </li> </ul>						
<b>Modular Build</b>	<ul style="list-style-type: none"> <li>• Select Models and Finishes</li> <li>• Deposit</li> <li>• Schedule Build</li> </ul>		<ul style="list-style-type: none"> <li>• Modify for State Comments</li> <li>• Modify for Town Comments</li> </ul>		<ul style="list-style-type: none"> <li>• Build</li> <li>• Ship</li> </ul>				
<b>Site Prep and Installation</b>	<ul style="list-style-type: none"> <li>• Schedule Site Work</li> <li>• Schedule Installation</li> </ul>				<ul style="list-style-type: none"> <li>• Relocate Residents</li> <li>• Deconstruction, Grading, Utilities, Foundation</li> </ul>		<ul style="list-style-type: none"> <li>• Crane, Stitch, Roofing, Siding, Plumbing, Electrical, Drywall, Finishing</li> </ul>		

## **Section 4 - Team**

Partners. The team already contracted to the project includes: Gateway Realty (Lyons), Art of Construction (Lyons and Denver), Flatirons (Longmont), Soilogic (Louisville), Harrison Homes (Fort Morgan) and BonnaVilla (Aurora, NE).

Applicant. Leigh Williams has deep experience in finance, project management, and affordable and workforce housing, and currently serves as board president of Boulder's largest affordable housing non-profit, Thistle Community Housing. Yves Nath has deep experience in entrepreneurship, program management and real estate law, and currently works full-time in affordable housing development at The Colorado Coalition for the Homeless. Leigh and Yves own 39 affordable and workforce units in Ohio, the majority of which are being sold to fund their commitment to Lyons.

The applicant also developed, and now owns and manages, a small affordable housing development in Allenspark. When purchased in 2019, the 4 homes and 1 workshop had underpowered electrical connections, no kitchens, baths or running water, and the only heat was from woodstoves. The applicant rebuilt to code, completely replacing all systems, appliances, roofs, surfaces, doors and windows, converting to all-electric, and converting the workshop into an ADA-accessible laundry and common room.

Because the Allenspark property was unoccupied at purchase, the primary concern was not avoiding any displacement of current residents, but preserving affordability for future residents. The property was re-occupied in 2021, and now houses a chef, a server, a bookkeeper and an assistant hotel manager, at average rents of \$1,200 (54% of AMI) in new, single family detached studios and a 2-bedroom home.



**182CR84W Allenspark Unit E, Pre-renovation**



**182CR84W Allenspark Unit E, Post-renovation**



## Section 5 - Approval Considerations

Comprehensive Plan. The proposal supports the following paraphrased elements of the 2010 Comprehensive Plan, and does not violate other elements:

Determine if proposed land uses that differ from the Land Use map are appropriate. *This proposal does not differ from the map, as the map designates the neighborhood as residential, without specifying a target density.*

Streamline, facilitate and support infill and redevelopment strategies. Encourage denser housing near the center of Town. *Project will substantially improve residents' and neighbors' quality of life with a modest increase in approved density but little or no increase in actual density.*

Provide a range of housing options. Make construction more affordable. Work with non-profit partners to integrate affordable into market-rate projects. *By preserving affordability and focusing on natural mechanisms - including modest size, modular approach, responsible partners and committed developer/owners - this project will reconcile affordable housing objectives and market dynamics.*

Ensure compatibility with the neighborhood. *Proposed structures and conditions will be more consistent with the scale and style of the neighborhood than the existing structures are. Proposed number of units, beds, residents and parking spaces are all nearly equal to existing.*

Encourage landlords to maintain their properties and preserve housing values. *Project demonstrates the viability of substantially upgrading a property while preserving affordability and respecting neighborhood character.*

Balance environmental and sustainability goals with community character and owners' rights. Encourage residents to live in an environmentally sustainable fashion. *The neighborhood-appropriate project will naturally be highly environmentally responsible, since small, well-built modular homes are energy efficient and materials efficient.*

Evaluate the potential financial implications of new development. *There are no negative financial implications, as the number and service demands of the residents should remain essentially unchanged.*

Work with stakeholders, citizens and community groups to find creative ways to design, fund and maintain parks. *Applicant and residents' engagement on the adjacent DRBOP parcel will exemplify community engagement in a neighborhood park.*

Balance. The applicant is seeking to make substantial contributions of time and capital, and is committed to improving and managing the property affordably and responsibly. Applicant is asking the Town to expedite its approval of the modest change to density, and of the development and building plans, within the bounds of responsible oversight.

Applicant Offer	Applicant Request
Commit time and capital immediately	Expedite reviews
Eliminate problematic conditions	Raise the approved number of units from 6, to match the decades-long operation at 9
Replace with high quality, neighborhood appropriate housing	Approve the development plan and ultimately the permitting application
Preserve affordability	
Migrate most or all resident parking to on-site or adjacent spaces	Approve the combination of garage, driveway, on-site parking and potential adjacent parking
Prevent displacement of residents	Assist in the temporary relocation of residents
Improve and manage DRBOP property for the enjoyment of the neighborhood	For infrastructure work already under consideration (adding sidewalk, burying utilities, maintaining alley, clearing DRBOP), be cognizant of the interdependencies with this project