



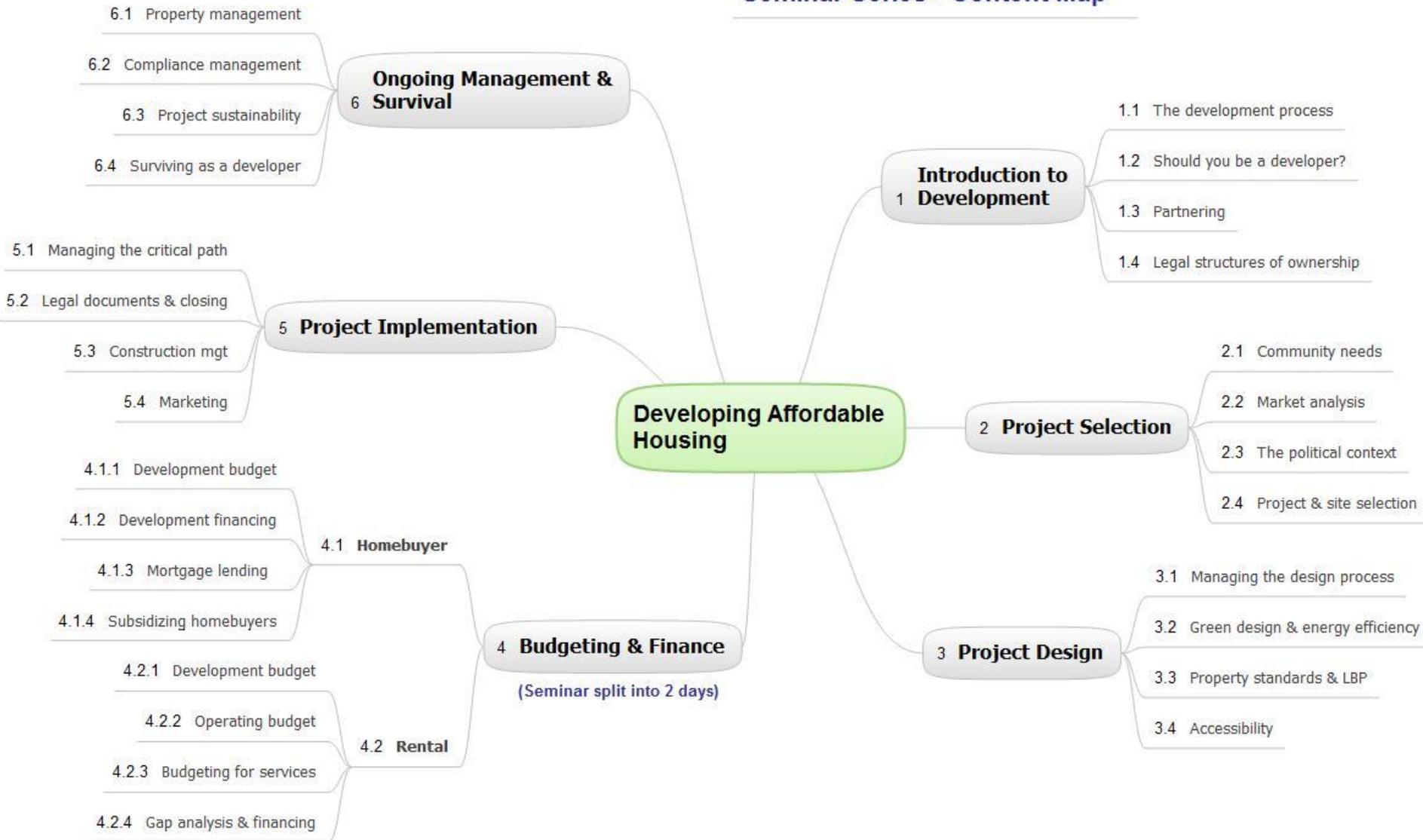
Development Seminar Series Workshop 3: Project Design

Monte Franke
Franke Consulting Group
under contract to NY DHCR/HTFC

Overview of the Seminar Series

- 6 workshops:
 - Introduction to Development – May
 - Project Selection – June
 - Project Design
 - Project Finance – September (split: Rental & Homebuyers)
 - Project Implementation – October
 - Ongoing Management & Org Survival - November

Developing Affordable Housing Seminar Series - Content Map





LPA Mini-Series

- Working with Homebuyers - June
- Lead Based Paint Overview – July/August
- Managing Housing Rehab Programs - October

Materials

- Reference manual
 - Supplemental discussions of institute topics
 - For review outside of class
- Each seminar, add:
 - Overheads for note-taking
 - Tools for project planning

Seminar 3 Topics

- Affordable housing design principles for developers
- Managing the design process
- Property standards
- Accessibility
- Lead-based paint



Design Principles for Developers



Importance of Affordable Hsg Design

- Design must support the marketing of the property
 - Responsive to the needs/wants of the target audience
- Design must be cost effective
- Design must lead to a sustainable project over time

Impact of Needs/Market on Design

- Understanding of needs/market influence:
 - Size of project
 - Size/mix of units
 - Target prices/rents
 - Unit finishes/amenities
 - Project amenities & services
- All these are elements of design

Elements of Efficient Design

- Building shape
- Solar orientation
- Insulation/thermal
- Materials
- Shading
- Fenestration
- Reflectivity
- Ventilation

Efficient Design, cont.

- Windows: placement & efficiency
- Mechanical
 - Efficient systems
 - Stacked utilities
- Unit layouts
 - Size (sf) & shape
 - Hallways, wasted space
- Outdoor living spaces

Sustainable Design Principles

- New urbanism & sustainable infrastructure
- Local, low impact, renewable, recyclable materials
- Quality & durability
- Energy efficiency
- Healthy buildings

Building Sustainable Housing

- Focus on quality construction
 - Systems & structure have reasonable useful life
 - Quality, durable materials
 - Finishes stand up to reasonable wear and tear
 - Energy efficiency & low operating cost
 - Exterior finishes/landscaping create curb appeal
- Non-design elements:
 - Reserves funded in development & operating budgets
 - Property management & preventive maintenance plan



Managing the Design Process

Importance of the Architect

- Critical member of development team. Affects:
 - Marketability
 - Design & amenities to capture your target market
 - Schedule
 - Timely performance helps you stay on schedule
 - Cost
 - Careful design helps control costs and minimize change orders
 - Viability
 - Quality design/specifications affect long-term maint cost & viability
- Choose the architect for the team early, carefully

Hiring an Architect

- Price is only one factor
- Experience and performance:
 - With similar project type & structure (unique aspects)
 - With the local community (incl. zoning/review process)
 - With your type of organization (e.g., nonprofit)
- Availability – to meet your project schedule
- Compatibility – shared design & business values
- The architect's team – engineers, consultants

Check References

- Resumes are not enough; check references
- Was design appropriate? Met budgetary/design goals?
- Was the architect timely, responsive, supportive?
- Did the architect help keep the project on budget?
 - Volume of change orders; oversight of GC
- Has their work stood the test of time?
- Would the reference use the architect again?

Inspect Their Work

- Visit previous projects:
 - Quality of design & materials (considering budget)
 - Integration into the community (compatibility)
 - How it has held up? (design v. management)

Negotiations & Contract

- Clarify services required:
 - Interaction with client (board?)
 - Extent of community involvement/meetings
 - Hiring/supervising engineer & other consultants
 - Role in contractor selection
 - Supervision of construction
- Schedule
- Fees & payment
- Use of AIA standard contract forms

Architect's Services

Standard phases of an architect's contract:

1. Schematic design (conceptual)
2. Design development
3. Construction documents (plans & specs)
4. Bidding & negotiation
5. Construction & construction supervision

What the Architect Needs from You

- Honest, clear communication
- Clear budget & contingency guidance
- Identify must-haves, alternates, negotiables
- Regular, timely review and feedback
- “Phase – appropriate” information
- Meetings with dev team & key stakeholders
- Timely payment



Property & Design Standards

Property Standards

- Collectively, set of codes, standards and regulatory requirements that define standards for improvement and maintenance of assisted housing, including:
 - Building and Rehabilitation Codes
 - Rehabilitation Standards
 - Housing Codes or Standard



Purpose of Property Standards

- To ensure decent housing & a standard level of habitability in assisted housing units
- Collectively codes and standards:
 - Guide the scope of rehabilitation and construction
 - Ensure quality work
 - Provide for safe living environments
 - Ensure the program conforms to Federal regulations over term of affordability period

Building Codes

- Used to evaluate:
 - New construction
 - Significant changes to existing structures
- Designed for specific trades and systems
 - Structure, plumbing, electric, HVAC, fire & safety
- Developed by model code organizations
- Adopted locally with modifications

Rehabilitation Codes

- Specific building codes to guide repairs, remodeling and rehabilitation
 - Often developed with input of program staff and local inspectors
 - Provide detail on applicability of building codes to existing properties and may provide special instructions for repairs to existing work

Rehabilitation Standards

- Set standards for rehabilitation work
- Define quality and workmanship
- Developed locally
 - Input for program and local building officials staff
- Required by HOME Program

Ongoing Property Standards

- Standard for ongoing maintenance and inspection of rental housing:
 - HOME uses Section 8 HQS
- Property standards apply throughout affordability period



DHCR/HTFC Design Standards

- Design Handbook
 - Submission requirements
 - Design standards & specifications
 - Contracting requirements

HTFC Green Building Initiative

- Green Building Criteria Reference Manual

Threshold standards

- Energy star, landscaping, water conservation, lighting, radon/LBP

Initiative Criteria

- Integration in nghd fabric
- Site environmental impacts
- Healthy living environment
- Ventilation

HTFC Application – Common Design Flaws

- Site: size, compatibility, conditions
- Design: unit sizes, elevators, other major deviations
- Codes & regulations: sprinklers, egress, LBP, accessibility
- Cost: estimates off, undocumented, Davis-Bacon
- Approvals lacking
- Needs assessment incomplete



Accessibility

Accessibility Statutes

- Rehabilitation Act (1973) Section 504
 - No “qualified individual with disabilities” excluded from or denied participation in federally assisted program/activity
- Fair Housing Amendments Act (1988)
 - (Amended Civil Rights Act of 1968)
 - Disability is prohibited basis of discrimination
 - Accessibility standards for new projects
- Americans with Disabilities Act (1998)
 - Title II: equal opportunity to benefit from State/local programs (not just Federal)

References

- Section 504: 24 CFR Part 8
- Fair Housing: 24 CFR 100.200+
- HOME: 92.251
 - Notice CPD-00-9 (12/26/00)
 - HOMEfires Vol 1, No 5 (2/2/98)
- Uniform Fed Accessibility Standards (UFAS)
- www.hud.gov/offices/cpd/affordablehousing/lawsandregs/fedreq/index.cfm

Fair Housing Act Standards

- New construction rental 4+ units; for-sale 5+ units
 - Public & common use areas
 - Passageways
 - Ground floor & elevator accessible units (4+ units)
 - Accessible route
 - Accessible switches
 - Grab bar reinforcements
 - Maneuverable kitchens/baths
 - Rules/policies: reasonable accommodations; allow reasonable modifications

Section 504 Requirements

- New construction:
 - Multi-family rental 5+ units
 - Requirements (in addition to Fair Housing requirements)
 - 5% physically impaired
 - 2% sensory impaired

504 & Rehabilitation

- Substantial Rehabilitation:
 - 15+ units &
 - > 75% of replacement cost
 - Requirements
 - 5% physically impaired
 - 2% sensory impaired
- Other rehab: “to the maximum extent feasible”

Other Standards

- Program Accessibility
 - Non-discrimination
 - Outreach for acc units
 - Waiting list/priority for acc units
 - Reasonable accommodation
 - Information dissemination
 - Offices/activity locations accessible
- Visitability – to maximum extent feasible
 - 1 accessible route
 - Interior doors 32”+

Reasonable Accommodations & Modifications

Reasonable accommodations

- Change/exception to rules, policies, practices, & services for PWDs
 - Assigned parking
 - Pets
- Does not apply to owner-occupied < 5 units
- Not fundamental alteration
- Not undue cost/admin burden

Reasonable modifications

- Structural modifications to property for PWDs
- Changes at occupant's expense
 - Unless owner should have provided
- Must be removable after occupancy

Inquiring Into Disabilities

- Can't inquire into disabilities, unless:
 - Occupancy of designated accessible unit or
 - Evaluate need for reasonable accommodation or modification
- Only what is needed for evaluation



Lead-based Paint

7 Steps to Lead Safety & Compliance

1
Applicability

2
Evaluation

3
Disclosure

4
Work Practices

5
Clearances

6
Recordkeeping

7
Maintenance

When Does Part 35 Apply?

- Pre 1978 residential structures
- When Federal assistance or disposition
 - Exemptions
 - Some applications to State programs
- When LBP Hazards are present
 - De Minimus level
- Whether or not children are present
 - May be specific requirements if children under 6 or children with EIBLL present

Exemptions: 24 CFR 35.115

- Post-1977 housing
- Zero-bedroom units
- Housing exclusively for elderly/disabled
 - unless child under 6
- Certified LBP free
- LBP removed
- Unoccupied for demo
- Nonresidential part of property
- Rehab/maint. not disturb paint surfaces
- Emergency action
- Under 100 days occ.

Partial Waivers

- SHPO request to not use abatement methods
- Elderly relocation
- Exterior work – no abatement
- De minimus exception to Safe Work Practices
- No children – no chewable or play area treatments

Typical Housing Activities

- Rehab: Rule Subpart J (35.900)
 - Standards: Fed rehab assistance (worksheet)
- Acquisition (e.g., HBA): Subpart K (35.1000)
 - Visual assessment, pt stabilization, clearance
- TBRA: Subpart M (35.1200)
 - HHs w/ child < 6: visual asmt, pt stab, clearance

Applicability to Key Federal Programs

| Program | LBP Rules Apply to: |
|---------------------|----------------------------|
| <i>HOME</i> | Acq, Rehab, OM (rental) |
| <i>CDBG</i> | Acq, Rehab |
| <i>McKinney Act</i> | Acq, Rehab |
| <i>Section 8</i> | Project & Tenant-based |
| <i>Tax Credits</i> | OM* |

HUD Lead Information Resources

- HUD OHHLHC Web site: www.hud.gov/lead/
 - Interpretive Guidance; training; disclosure docs
- HUDUSER: 800-245-2691 www.huduser.org
- Comm Connections: 800-998-9999 www.comcon.org
 - A Field Guide for Painting, Home Maint & Ren.
- National Lead Information Center: 800-424-LEAD
- EPA: www.epa.gov/lead
 - Lead professionals listing: click on “Other Links”
- Nat Ctr for Healthy Housing: www.centerforhealthyhousing.org
 - Model documents, incl. rehab stds & specifications
 - Online guide: www.centerforhealthyhousing.org/1012/

DHCR LBP Guidance

- HOME Monitoring Guide for LPAs
 - <http://www.dhcr.state.ny.us/ocd/pubs/homemg.htm>
 - Section 17 (handout)
 - Monitoring: Part IV Q 5; Part V Q 7 (inspection)

In Search of A (Lead) Safe Harbor...

1. Remember the 7 Steps to LBP Safety
2. Do risk assessments of over \$5,000 rehab
3. Be sure to give notices to all participants; get signed receipt
4. Require/promote safe work practices always
5. Get clearance promptly
6. Keep records of all activities/notices/clearances
7. Train, train, train





Wrap Up & Evaluation

- Final questions?
- Evaluation
- MLFranke@aol.com
- Next development seminar

4. Project Finance (homebuyer – rental)

- Buffalo: 9/9 – 9/10
- Albany: 9/16 – 9/17
- New York City: 9/23 – 9/24
- Syracuse: 10/1 – 10/2

LPA series:

- Lead-Based Paint
 - Buffalo: 8/4
 - Syracuse: 8/5
- Managing Rehab Prgms
 - Saratoga 10/7
 - Rochester: 10/8
 - Poughkeepsie: 10/28