

August 29, 2022

Stratford Borough Land Use Board  
307 Union Avenue  
Stratford, NJ 08084

Attn: Sharon McCart, Board Secretary

Re: Tiangang Zhuang/Shangzi Zou  
Block 3, Lot 1  
One Colby Avenue  
Amendment to "D(1)" Use Variance Approval

Dear Chairman Mancini and Members of the Board:

We have received the application submitted by Tiangang Zhuang seeking to amend the variance and site plan approval granted in 2018 for the property located at One Colby Avenue. The subject property is developed with a now vacant one story 11,130 square foot multi-tenant office building together with a parking lot and other accessory improvements. The lot is 1.08 acre and is within the Office zoning district. Properties to the north and east are within the Commercial zoning district and properties to the west and south are within the R-1 residential zoning district.

In 2018 Veteran's Village of Camden County applied for and was granted approval to convert the building from vacant offices into twenty (20) affordable residential units for Veterans of the United States Armed Forces. The proposed residential use was not and is not a permitted use in the Office zoning district (Chapter 17.28), therefore a "D(1)" use variance was required to permit the residential use. At the hearing on the application, the applicant proffered a number of conditions, which were made part of the approval and were memorialized by Resolution 2018:01.

The current applicant has purchased the property and proposes to modify some of the conditions of the approval. The purpose of this letter is to provide information to assist the Board in its review of the proposed amendment and to ensure that the affordable housing units that are part of the proposed development will be restricted and administered consistent with State rules and the Borough's Affordable Housing Ordinance.

1. **Current Proposal.** According to the application filed on August 5, 2022 the applicant is requesting that the Board modify the approval to allow the apartments to be inclusionary rather than 100% affordable. The 2018 approval permitted the office building to be converted into 20 one-bedroom affordable apartments. The current applicant proposes a twenty percent (20%) affordable housing set aside. This would provide 4 affordable units and 16 market rate units.
  - a. The applicant should confirm that 20 units are still proposed.

- b. The applicant should indicate the anticipated difference in rents between the market rate units and the affordable units. The units are only 450 square feet in area.
- c. The applicant should indicate whether the units will be reserved for veterans of the U.S. Armed Forces (and a spouse or partner, but no children). This was a condition of the 2018 approval. Any amended approval should be clear as to the intent.
- d. If the units are no longer intended for a special needs population, the overall site improvements and amenities should be revisited to confirm the adequacy of the parking, outdoor spaces, etc.

**2. Stratford's Fair Share Obligation.** On November 9, 2016 Stratford entered into an agreement with Fair Share Housing Center regarding the Borough's fair share compliance obligations for the "Prior Rounds" and the "Third Round"; which concludes in 2025. The agreement provides that Stratford's prior round (1986 to 1999) prospective need for affordable housing was 70 units and the third round (1999 to 2025) prospective need for affordable housing is 91 units, for a total of 161 units. Since the Borough is substantially "built out", a vacant land analysis was conducted, and it was determined that the Borough had a realistic development potential (RDP) of 22 units. The RDP has been satisfied through the adoption of the R-4 inclusionary zoning district standards. The "unmet need" is the difference between the total obligation (161 units) and the RDP that can be met on suitable vacant land (22 units). The unmet need may be addressed over time through redevelopment or conversion projects that propose residential development. When redevelopment or conversion projects are designed it is the Borough's obligation to ensure that affordable housing units are included as part of the overall development; particularly if the proposed residential density exceeds 6 units per acre. It is therefore essential that the proposed residential development at One Colby Avenue include at least 20% affordable units that comply with the applicable affordability rules and regulations.

**3. Fair Share Compliance Mechanisms and Restrictions.** In order for affordable housing units to be creditworthy, they must comply with the rules and regulations cited in comment 4 below. Since the applicant is no longer proposing all the units as affordable units for veterans, the project will not be considered as a "supportive and special needs" housing facility. The Fair Housing Act (N.J.S.A. 52:27D-311(j)) provides that a municipality may enter into an agreement with a developer to provide a preference for affordable housing to low and moderate income veterans who served in a time of war or other emergency, of up to 50 percent of the affordable units in that particular project. The preference may be established in the applicant selection process for available affordable units.

Affordable units that are not veteran's preference units and are not age-restricted are considered family units and must comply with the bedroom mix requirements set forth in N.J.A.C. 5:93-7.3 as follows:

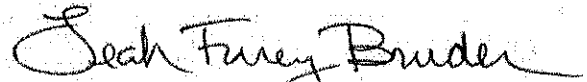
- The combination of efficiency and one-bedroom units is at least ten percent and no greater than 20 percent of the total low and moderate income units;
- At least 30 percent of all low- and moderate-income units are two bedroom units; and
- At least 20 percent of all low- and moderate-income units are three bedroom units.

Depending on the applicant's overall plan for the development, some of the units may need to be expanded to create additional bedrooms.

4. **Affordability Requirements.** The applicant should agree that the deed restricted affordable apartments will be affordable to low- and moderate-income households and shall strictly conform to the Borough's affordable housing ordinance requirements (Borough Code section 17.05.010), the NJ Uniform Housing Affordability Controls (UHAC- N.J.A.C. 5:80-26.1), and the rules adopted by the New Jersey Council on Affordable Housing (COAH) or its successor. These requirements include but are not limited to requirements for phasing the affordable units, bedroom mix (may be modified for veterans or age-restricted housing), 50-50 low-moderate income split, very low-income requirements, affirmative marketing, tenant selection, controls on affordability, adaptability requirements, etc. A thirty-year deed restriction with covenants restricting rentals, conveyance, and improvements, and requiring notice of foreclosure and bankruptcy shall be filed prior to the issuance of a Certificate of Occupancy for the project or any unit within the project.
5. **Administration of Affordable Units.** The applicant should agree that the affordable housing units within the project shall be administered by a qualified administrative agent. The applicant may contract with the Borough's administrative agent or may identify another qualified administrator who will administer the units and provide required annual reporting to the Borough's administrative agent. Prior to initiating the project, the applicant should speak with the administrative agent about the required marketing and tenant selection process, maximum rents, and other requirements to ensure project viability.

Please contact me with any questions.

Very truly yours,



Leah Furey Bruder, PR AICP

Cc: John Keenan, Acting Administrator  
Anthony P. Costa, Esq  
Steven M. Bach, PE, RA, PP  
Stuart Platt, Esq  
Beth Mingey, MHSA, MBA, Triad Associates

