

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

Date of Publication: May 26, 2023

City of Fort Collins
Social Sustainability Dept.
P.O. Box 580
Fort Collins, CO 80522
970-221-6753

Colorado Department of Local Government
Department of Local Affairs, (Cooperating Agency)
1313 Sherman Street, Room 521
Denver, Colorado, 80203
303-864-7730

This notice shall satisfy procedural requirements for activities to be undertaken by the City of Fort Collins, Social Sustainability Department, and the Colorado Department of Local Affairs.

REQUEST FOR THE RELEASE OF FUNDS

On or about June 13, 2023, the City of Fort Collins, Social Sustainability Department, and the Colorado Department of Local Affairs (DOLA) will submit separate requests to the Department of Housing and Urban Development (HUD), Region VIII, for the release of HOME Investment Partnership funds under Title II of the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended; and Project-Based Voucher program funds under Section 8(o)(13) of the U.S. Housing Act of 1937, as amended, to undertake the following project:

Project Title: Heartside Hill Apartments

Purpose: Acquisition and development of approximately 8.84 acres of vacant land at 6501 Brittany Street (more specifically, Parcel 9612431002 and Lot 1, Block 3 of Parcel 9612431901, which is all located at the northwest corner of W. Trilby Rd. and S. Lemay Ave.) in Fort Collins. The southern portion of the property will be developed into Heartside Hill Apartments by CARE Housing, a planned 71-unit rental project that will consist of six, three-story walk-up buildings. Each unit will have central air conditioning, blinds, vinyl plank floors, free Wi-Fi internet, cable television and high-speed internet hook-ups, a ceiling fan, coat closet, storage closet, fully equipped kitchen, and waster/dryer. Common building amenities will include bicycle maintenance/storage, a community room with an exercise facility, kitchenette and business center, surveillance cameras, and tenant services (such as affordable childcare, workforce assistance, community meeting space, and food assistance). The project will also include walking trails, a picnic area, playground, and community garden. In addition to Heartside Hill Apartments, the project will likely involve affordable housing development by other applicants. Nine single-family homes may be constructed by Fort Collins

Habitat for Humanity, as well as two single-family homes for adults with Intellectual and Development Disabilities by L'Arche Fort Collins, on the northern portion of the property. Natural open space will be preserved in the center of the property for all to enjoy. All of these activities were taken into consideration for this environmental review.

Location: 6501 Brittany Street, Fort Collins, Colorado 80525.

Estimated Cost: The total development budget for this project is approximately \$35,800,000. Estimated federal assistance is anticipated as follows, subject to final underwriting and availability of funds: City of Fort Collins HOME-ARP Investment Partnership Program funds of \$1,000,000; Colorado Department of Local Affairs HOME Investment Partnership HUD funds \$5,668,128; and 16 Project-Based Vouchers.

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements. The Environmental Review Record (ERR) that documents the environmental determinations for this project will be made available to the public by the City of Fort Collins Social Sustainability Department, 222 Laporte Ave. Street, Fort Collins, Colorado. The record is available electronically at the following: https://www.fcgov.com/socialsustainability/files/heartside-hill_hud-part-58-ea_compressed.pdf. Arrangements for physical review must be made by contacting Beth Rosen at 970-221-6812 or via email at brosen@fcgov.com. The DOLA ERR will be made available to the public for review electronically via email. Please submit your request to DOLA at bret.hillberry@state.co.us or by phone weekdays 8 A.M. to 5 P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the City of Fort Collins, Social Sustainability Department, Attn: Beth Rosen or DOLA. All comments received by 5 P.M. on June 12th, 2023, will be considered by the City of Fort Collins, Social Sustainability Department and DOLA, prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

ENVIRONMENTAL CERTIFICATION

The City of Fort Collins, Social Sustainability Department and DOLA, certify to the Department of Housing and Urban Development that Beth Yonce, in her capacity as the, Social Sustainability Department Director and Designated Certifying Officer for the City of Fort Collins and Bret Hillberry in his capacity as DOLA's Environmental Compliance Officer consent to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. The U.S. Department of Housing and Urban Development's approval of the certification satisfies its responsibilities under

NEPA and related laws and authorities, and allows the City of Fort Collins Social Sustainability Department, and DOLA, to use HUD program funds.

OBJECTIONS TO THE RELEASE OF FUNDS

HUD will accept objections to its release of funds and the City of Fort Collins' and DOLA's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Fort Collins or DOLA; (b) the City of Fort Collins or DOLA has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency, acting pursuant to 40 CFR part 1504, has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.

Objections related to the HOME funds must be prepared and submitted via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Noemi Ghirghi, CPD Region VIII Director, at CPD_COVID-19OEE-DEN@hud.gov. Potential objectors should contact CPD_COVID-19OEE-DEN@hud.gov to verify the actual last day of the objection period.

Objections related to the PIH Project Based Vouchers funds must be prepared and submitted via email in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to HUD Region VIII, Office of Public Housing, at DenverOPH@HUD.gov. Potential objectors should contact DenverOPH@hud.gov to verify the actual last day of the objection period.

Bret Hillberry, Certifying Officer

Beth Yonce, Designated Certifying Officer, City of Fort Collins, Colorado