

Exhibit 9-
North Village Mixed Use Project
North Village Development Agreement Consistency Analysis

DA Provision	Consistency Analysis	
	✓ - Consistent	✗ - Inconsistent
<p>5.2 <u>Middle Income Housing Units</u></p> <p>(a) Developer shall cause construction of a minimum of fifty (50) units of Middle Income Housing within the Project, which shall be made available at an affordable rent to households with moderate and middle incomes, as follows:</p> <p>(i) Twenty four (24) dwelling units shall be made available for occupancy at an affordable rent, adjusted for household size, to Moderate Income Households.</p> <p>(ii) Twenty one (21) dwelling units shall be made available for occupancy at an affordable rent, adjusted for household size, to Middle Income Households.</p> <p>(iii) Five (5) live-work units shall be made available for occupancy at an affordable rent, adjusted for household size, to Middle Income Households.</p> <p>(b) Developer shall provide fifteen (15) studio dwelling units, sixteen (16) one-bedroom dwelling units, fourteen (14) two-bedroom dwelling units, and five (5) live-work dwelling units of approximately 1,000 square feet per unit within the Middle Income Housing.</p> <p>(c) The Middle Income Housing will require Growth Management Ordinance (“GMO”) Category C allocations. If the GMO is modified in the future to allow units sold at an affordable sales price to Middle Income Households to qualify for Category C allocations, Developer may, in its sole discretion, develop the Middle Income Housing for sale rather than for rent.</p> <p>(d) Developer shall enter into a “Middle Income Housing Agreement” with City setting forth its obligations to provide and maintain the Middle Income Housing units for a term of 55 years. The regulatory agreement shall meet any applicable requirements of the GMO Policies and Procedures as may be amended, or applicable new GMO policies and procedures that may be adopted, by the City Council specifically for Middle Income Housing units that do not otherwise conflict with the terms of this Agreement. The Middle Income Housing Agreement shall be executed by Developer and be recorded against the Property prior to City issuance of the first building permit for the Project. The Middle Income Housing Agreement shall be assignable to the owner and operator of the Middle Income Housing units, and City shall release the Middle Income Housing Agreement from the Property, except for the parcel containing the Middle Income Housing units, upon the issuance of a certificate of occupancy for the Middle Income Housing units or issuance of a guaranty pursuant to Section 5.5 of this Agreement, whichever is earlier.</p>	<p>The Mixed Use project provides moderate and middle-income housing units that are consistent with Section 5.2 of the DA.</p> <p>The Middle Income Housing Agreement will be executed and recorded prior to issuance of the first building permit for the Mixed Use Project.</p>	<p>✓</p>