



May 8, 2014

Ms. Gina Copic  
Mr. David Potter  
Neighborhood Housing and Community Development  
City of Austin  
1000 E. 11th St., Suite 200  
Austin, TX 78702

*Re: Cross Creek Apartments  
1124 Rutland Drive, Austin, TX 78758*

Dear Ms. Copic and Mr. Potter:

Thank you so much for your time last week regarding Cross Creek. We hope our plan for remediation of the flood plain and additional protection for the existing 600 residents at Cross Creek met with your approval. It is our hope that we can move forward on this plan and improve the quality and standard of living for the people of Cross Creek. This letter outlines the plan in more detail and serves as our pledge to make the proposed changes to the site.

As you know, as a result of FEMA map changes in 2008, several of the residential buildings on the site are considered to be in the 100-year floodplain. This is due not to changed elevations on the site, but to increased development upstream and downstream that has caused the old flood plain area to expand beyond the Quail Creek boundaries, thus incorporating some of our residential buildings.

The attached chart shows the Final Flood Elevations (FFE) for each building and the Base Flood Elevations (BFE). As you can see, the buildings in the floodplain range from 3 to 15 inches below the floodplain. This is not significant and would not pose life-threatening conditions if a flood were to occur. However, with the permission from Parks and Watershed our team is prepared to devise additional improvements to the current drainage plan at the site that will allow water coming through the site to drain to a detention area adjacent to the site that is controlled by Watershed Protection. This plan was born out of the conversation we had with Kevin Shunk, Supervising Engineer at Watershed Protection on May 1, 2014.

At that meeting, Mr. Shunk indicated that he would be willing to support the funding request for Cross Creek *as is* but was encouraged that we were willing to go beyond his expectations with our plan. His confidence in our plan is based upon our ability to provide safe access to emergency vehicles (all of the entrances to the property are not in the flood plain) and our agreement to insure that the residents would also be able to get to the safe access areas.

The plan to improve drainage on the site will be developed by our hydrological engineer. We are discussing the project with Brian Martin of Brown and Gay. Brown and Gay is administering a regional flood plain mitigation effort for the City of Austin in the adjacent area and is already familiar with the site and the area. Our hope is to receive a Letter of Map Revision or LOMR from FEMA as a result of the work on the site. A LOMR effectively changes the Flood Insurance Rate Map (FIRM) for the site. These letters take many months to receive and we are unable to wait for this adjustment to purchase the site. We

anticipate that process could take upwards of 12 months, with a start date on our about June 26, immediately upon closing on the property acquisition. In the event we are unable to obtain a LOMR from FEMA, we will mediate the site in any way that is consistent with the recommendations of Mr. Shunk and Watershed Protection.

To limit your exposure until the LOMR is received, we propose that City of Austin funds be used only to purchase the buildings that are currently completely out of the flood plain — Buildings 1, 2, 3, 5 and 18. These buildings contain a total of 60 units, for an investment on the part of the City of Austin, of \$33,333 per unit. There are an additional seven buildings that are partially in the flood plain. These contain an additional 47 units outside the flood plain. A total of 107 units are *completely* outside the flood plain. If these were counted in the funding application, the result would be a per unit subsidy of \$18,691. Both subsidies are still far below the threshold for points in the RHDA application.

Unlike many other areas in the City, the property has not been affected by any of the floods that have occurred in the past 10 years, even the severe ones. However, in order to protect the people who live at Cross Creek now, as well as the City's investment in the property, we are willing to make changes in addition to the proposed drainage work. Specifically, we will:

- Provide "safe access to the entire site", primarily by raising the road and installing a vehicular bridge that is elevated above the current low water crossing. Please see attached renderings of the bridge;
- Install a flood warning system, to be monitored by our management team;
- Provide flood information with our move in packages to residents; and
- Create an evacuation plan for each building and any additional educational materials Mr. Shunk or you require.

We are willing to memorialize these elements within our loan documents with the City of Austin, and will not request additional funding from the City in order to achieve the above resolution.

With the proposed acquisition/rehabilitation, Cross Creek Apartments will add 200 long-term affordable housing units to the City's housing stock, including 20 PSH units and 10 units reserved for PHA Vouchers, in a property that will otherwise continue to be a nuisance or is at risk of being acquired, rehabilitated as a higher-rent market development, with no flood mitigation. Preserving these "de facto" affordable housing units is essential as average rents in the Austin-Round Rock MSA continue to increase, leaving households making 60% or less of AMI with fewer safe and decent housing options.

Please let us know if this letter provides you with everything you need to make a decision about the project. Should you require any additional information, please do not hesitate to contact me at 212-661-5015.

Sincerely,



Royce Mulholland

# CROSS CREEK APARTMENTS

Building	Out	Partially Out	Partially In	In	Total
1	8				8
2	16				16
3	8				8
4		5	5		10
5	8				8
6		4	4		8
7		4	4		8
8				8	8
9				8	8
10				8	8
11				8	8
12		7	7		14
13		8	8		16
14				6	6
15				16	16
16		12	12		
17		3	3		
18	20		0		
Total Units	60	43	43	54	200
	30%	22%	22%	27%	



**MACIAS & ASSOCIATES, L.P.**

LAND SURVEYORS

Firm Registration No. 101141-0

Note: This data is based on City of Austin record information. No field work has been conducted to verify its validity. This data is not confirmed by Macias &

**CROSS CREEK APARTMENTS**

**100 Year Flood Plain Elevations & Finished Floor Elevations**

BUILDING	100 Year Flood Plain Elevations	Finished Floor Elevations	Difference in Tenths	Difference in Inches
Office				
1	691.8	Unknown		
2	Unknown	Unknown		
3	Unknown	Unknown		
4	691.50	691.38	0.12	0' - 1 7/16"
5	Unknown	Unknown		-
* 6	691.90	692.53	-0.63	-0' - 7 9/16"
*7	692.10	693.68	-1.58	-1' - 6 31/32"
8	692.50	691.67	0.83	0' - 9 31/32"
9	693.00	692.21	0.79	0' - 9 15/32"
10	693.10	692.23	0.87	0' - 10 7/16"
11	692.80	691.84	0.96	0' - 11 17/32"
* 12	693.00	693.34	-0.34	-0' - 4 3/32"
13	693.80	692.75	1.05	1' - 0 19/32"
14	693.30	692.79	0.51	0' - 6 1/8"
15	694.30	693.10	1.20	1' - 2 13/32"
16	695.00	693.71	1.29	1' - 3 15/32"
17	695.00	693.68	1.32	1' - 3 27/32"
* Finished Floor Elevation not in Floodplain				