

ZONING CHANGE REVIEW SHEETCASE: C14-2018-0051.SH – Chalmers Court WestDISTRICT: 3ZONING FROM: MF-4-NPTO: TOD-NPADDRESS: 1600 E. 3rd StreetSITE AREA: 4.04 acresPROPERTY OWNER:Austin Housing Authority
(Michael Gerber)AGENT:

Urban Design Group (Laura Toups)

CASE MANAGER: Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)STAFF RECOMMENDATION:

Staff supports the Applicant's request for rezoning to Transit oriented district-neighborhood plan (TOD-NP) combining district zoning in the TOD Mixed Use Subdistrict. For a summary of the basis of staff's recommendation, see case manager comments on page 2.

PLANNING COMMISSION ACTION / RECOMMENDATION:

June 12, 2018:

CITY COUNCIL ACTION:

June 28, 2018:

ORDINANCE NUMBER:

C14-2018-0050.SH

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ISSUES

The project is located immediately south of the Plaza Saltillo Transit Oriented District (TOD). In October 2017, City Council issued a resolution that directed staff to extend the boundaries of the Plaza Saltillo TOD Regulating Plan to include the blocks where the existing Chalmers Court Apartments are located. The proposed code amendment, if approved by Council, would assign the area to the TOD Mixed Use Subdistrict. The proposed expansion of the TOD boundaries is being processed as a code amendment concurrently with the rezoning and NPA cases.

Chalmers Court is an affordable housing development owned by the Austin Housing Authority. The Authority is proposing to demolish the existing 80 year old multifamily development and replace the buildings with modern units and amenities. The block addressed in this rezoning case is located between Comal Street and Chalmers Avenue; the proposed redevelopment on this block would replace 78 multifamily units with 168 multifamily units. A similar rezoning request has been filed for the portion of Chalmers Court between Chalmers Avenue and Chicon Street; it is being processed concurrently under City File # C14-2018-0050.SH. Both cases are SMART Housing projects. *Please see Exhibit E—SMART Housing Letter.*

CASE MANAGER COMMENTS:

As stated above, the block addressed in this rezoning case is located between Comal Street and Chalmers Avenue, south of East 4th Street and the Plaza Saltillo TOD. The property is less than ¼ mile from the Plaza Saltillo Station. The property is zoned MF-4-NP. Across Chalmers Avenue to the east is the remainder of the Chalmers Court development, which is also zoned MF-4-NP. To the west, across Comal Street are The Foundry, a mixed use development, and Comal Pocket Park. These are zoned TOD-NP and P-NP, respectively. South of the property, across East 3rd Street are properties zoned P-NP and MF-5-NP. The P-NP property is developed with the East Austin Neighborhood Center; the MF-5-NP property is currently being redeveloped with affordable multifamily by Austin Housing Authority. *Please see Exhibits A and B—Zoning Map and Aerial Exhibit.*

The rezoning requests that the property be added to the TOD and assigned to the TOD Mixed Use Subdistrict. East 3rd Street between Comal and Chicon Streets would be designated as TOD Local Street. The area would also have a base height entitlement of 40 feet, and development in these blocks would be eligible for a density bonus.

If the rezoning and related cases are approved by Council, the Regulating Plan for the Plaza Saltillo TOD Station Area Plan will be amended to reflect the changes to the boundary, subdistrict and height exhibit. The proposed subdistrict for the property is TOD Mixed Use, which is shown in brown on the attached TOD plan exhibit. The proposed base height for the property is 40 feet, which is shown as maroon on the attached height exhibit. *Please see Exhibits C and D—TOD Regulating Plan Exhibit and TOD Height Exhibit.*

BASIS OF RECOMMENDATION:

Staff supports the Applicant's request for rezoning to Transit oriented district-neighborhood plan (TOD-NP) combining district zoning in the TOD Mixed Use Subdistrict. The property is owned by the Austin Housing Authority and has been an affordable housing development for

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80 years. By rezoning the property and including in the TOD, the property can be redeveloped with modern residences and facilities. The redevelopment would also be able to increase the number of affordable units from 78 to 168. This meets the establish goals and priorities of City Council, who directed Staff to begin the process to add the property to the TOD.

1. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

The rezoning to place the Chalmers Court property within the boundaries of the Plaza Saltillo TOD was expressly directed by Council via a formal resolution in October 2017. City Council has established the creation of new affordable housing as a top priority.

2. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

The proposed rezoning will allow redevelopment of the 80 year old Chalmers Court site. This will improve the housing and facilities and increase the number of affordable residences.

3. *Zoning changes should promote compatibility with adjacent and nearby uses.*
- Redevelopment of the Chalmers Court property will preserve the existing affordable housing that is currently located on the site. It will upgrade the residences and facilities on the site, which will contribute to the neighborhood overall. The increased density reflects the density of the existing Plaza Saltillo TOD which is immediately to the north.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|-------|---------------|--------------------------------|
| Site | MF-4-NP | Multifamily residential |
| North | TOD-NP | Multifamily residential |
| South | P-NP, MF-5-NP | Civic, Multifamily residential |
| East | MF-4-NP | Multifamily residential |
| West | TOD-NP, P-NP | Mixed use, Park |

NEIGHBORHOOD PLANNING AREA: East Cesar Chavez

TIA: N/A

WATERSHED: Lady Bird Lake

OVERLAYS: N/A

SCHOOLS: Zavala Elementary Martin Middle School Eastside Memorial HS at Johnston

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NEIGHBORHOOD ORGANIZATIONS:

| | |
|---|-------------------------------|
| East Cesar Chavez Neighborhood Association | Capital Metro |
| Guadalupe Neighborhood Development Corporation | Preservation Austin |
| Greater East Austin Neighborhood Association | East Sixth IBIZ District |
| Homeless Neighborhood Association | East Austin Conservancy |
| Austin Neighborhoods Council | SELTexas |
| El Concilio Mexican-American Neighborhoods | United East Austin Coalition |
| Barrio Unido Neighborhood Association | Austin Innercity Alliance |
| A.N.T. Artists and Neighbors Together | Neighbors United for Progress |
| Claim Your Destiny Foundation | Tejano Town |
| Black Improvement Association | Sierra Club |
| East Cesar Chavez Neighborhood Planning Team | AISD |
| Friends of Austin Neighborhoods | |
| Guadalupe Association for an Improved Neighborhood (GAIN) | |

AREA CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|--|-----------------------------------|---|---|
| C14-00-2102 East Cesar Chavez Neighborhood Plan combining district - City initiated | From MF-4 to MF-4-NP | 07/11/2000: Apvd MF-4-NP as rec by Staff | 12/14/2000: Apvd MF-4-NP as rec by PC |
| C14-2017-0105 4 East 1600-1610 E. 4 th St. | From TOD-NP to TOD-CURE-NP | 11/14/2017: Forward to CC without a rec | 03/08/2018: Apvd 1 st reading only, with conditions 2 nd /3 rd readings pending |
| C14-2017-0113.SH Pathways at Chalmers Court South 1640 E. 2 nd St. | From CS-NP and MF-4-NP to MF-5-NP | 02/13/2018: Apvd MF-5-NP as rec by Staff on consent | 03/22/2018: Apvd MF-5-NP as rec by PC |
| C14-2010-0137 207 Chalmers 207 Chalmers Ave. | From SF-3-NP to GR-MU-CO-NP | 10/12/2010: Apvd GR-MU-CO-NP as rec by Staff | 11/04/2010: Apvd GR-MU-CO-NP as rec by PC |

RELATED CASES:

C14-00-2102- East Cesar Chavez Neighborhood Plan combining district - City initiated rezoning added -NP to existing MF-4 zoning.

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EXISTING STREET CHARACTERISTICS:

| Name | ROW | Pavement | Classification | Sidewalks | Bike Route | Cap Metro (¼ mile radius) |
|---------------------------|-----|----------|----------------|-----------|------------|---------------------------|
| Chalmers Avenue | 30' | 20' | Local | Yes | No | Yes |
| E. 4 th Street | 70' | 30' | Local | Yes | Yes | Yes |
| Comal Street | 70' | 30' | Local | Yes | Yes | Yes |
| E. 3rd Street | 30' | 20' | Local | Yes | No | Yes |

OTHER STAFF COMMENTS:URBAN DESIGN/COMPREHENSIVE PLANNING

The property is located at the corner of E 4th Street and Chalmers Avenue approximately ¼ mile from the Plaza Saltillo Station. The property is zoned MF-4-NP and is currently in use as multi-family residential. The proposed development would support greater transit use in this area and contribute to the desired mix of uses around the station area that is described in the plan.

Plaza Saltillo Regulating Plan- The proposed zoning change would further the following statements of intent from the Plaza Saltillo regulating plan:

2.2.1: Encourage transit supportive uses, which generally have higher densities near transit stops, thereby promoting greater transit ridership.

2.2.2: Create opportunities for shorter, multi-purpose trips by encouraging a mix of uses within the Plaza Saltillo TOD district.

2.2.3: Locate the highest level of activity and mix of uses in the TOD district around transit and along major streets

Plaza Saltillo Station Area Plan- The proposed zoning change is supported by several of the TOD design principles identified in the plan: Greater density than community average; a mix of uses; and a defined center.

Imagine Austin- The subject property is located along an Activity Corridor in the Imagine Austin Growth Concept Map. Activity Corridors are intended to be connections between different centers as well as the site of mixed-use development. The proposed project is supported by the following Core Principles for Action described in the plan:

Grow as a compact, connected City. The following IACP policies are applicable to this case:

LUT P1: Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the Growth Concept Map.

LUT P3 Promote development in compact centers, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.

LUT P7. Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

LUT 10: Direct housing and employment growth to activity centers and corridors.

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Based on the information above, Staff believes that the proposed zoning change is supported by the Plaza Saltillo Regulating Plan, Plaza Saltillo Station Area Plan, and the Imagine Austin Comprehensive Plan.

ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Lady Bird Lake Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Some trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876.
6. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
7. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
8. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

SITE PLAN

- SP 1. Site plans will be required for any new development other than single-family or duplex residential.
- SP 2. FYI- This site is in the CURE overlay and the Plaza Saltillo TOD and the East Cesar Chavez Neighborhood Planning Area. Design regulations in accordance with the Plaza Saltillo TOD Regulating Plan will be applied at the time a site plan is submitted.

TRANSPORTATION

- TR1. Additional right-of-way maybe required at the time of subdivision and/or site plan to accommodate the transportation system and network.
- TR2. FYI- Comal Street is a Pedestrian Priority Street within the Plaza Saltillo TOD and serves as a primary pedestrian route leading directly to the transit facility.

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TR3. FYI- According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, the Lance Armstrong Bikeway is recommended for the adjacent alley connecting Comal Street to the trail at Concho Street; a buffered bike lane is recommended for Comal Street, and a bike lane is recommended for E 4th Street.

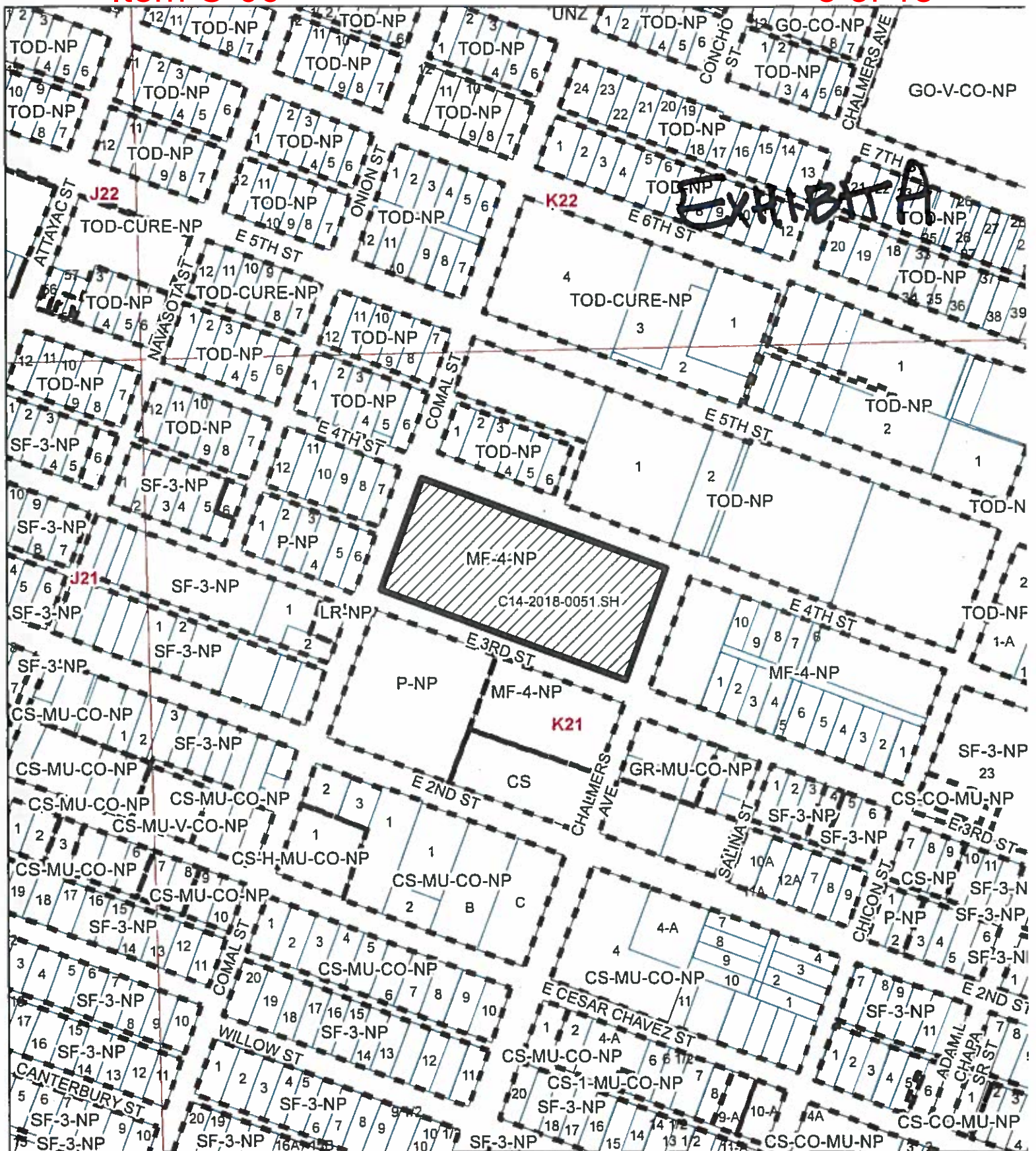
TR4. FYI – the Plaza Saltillo TOD regulations are required for this site at the time of the subdivision and site plan applications.

WATER UTILITY

1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. TOD Regulating Plan Exhibit
- D. TOD Height Exhibit
- E. SMART Housing Letter



CHALMERS COURT WEST

ZONING CASE#: C14-2018-0051.SH

LOCATION: 1600 E 3RD ST.

SUBJECT AREA: 4.04 ACRES

GRID: K21

MANAGER: HEATHER CHAFFIN

This map has been produced by the Communications Technology Management Dept. on behalf



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY
- CREEK BUFFER

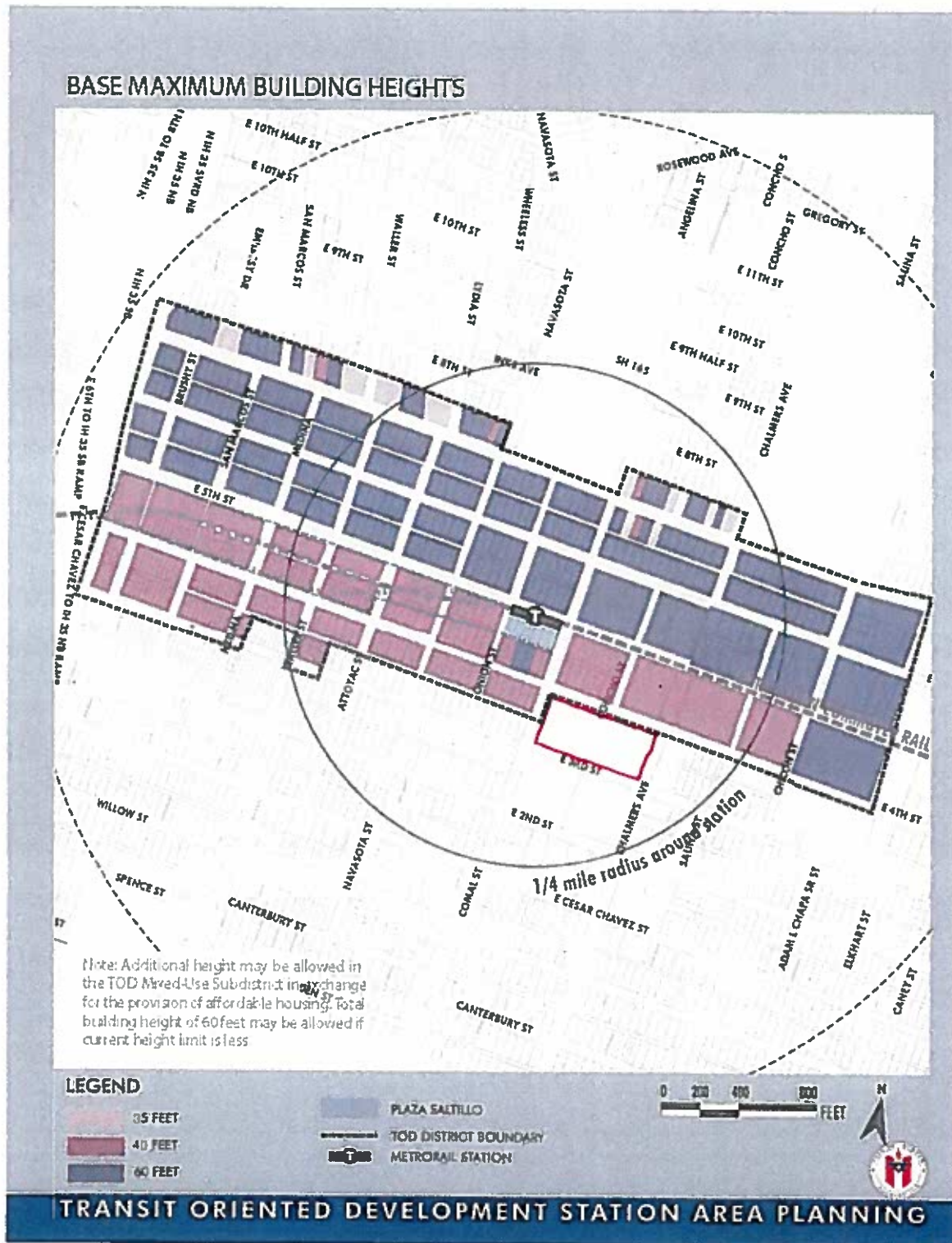


Article 2: Land Use and Building Density
Section 2.3. Transit-Oriented Development Subdistricts
Subsection 2.3.8. Land Use Summary Table

EXHIBIT D

Article 4: Site Development Standards
Section 4.2. General Development Standards
Subsection 4.2.11. Historic Zoning

Figure 4-1: Base Maximum Building Height (with no development bonus)





City of Austin

P.O. Box 1088, Austin, TX 78767
www.cityofaustin.org/housing

EXHIBIT E

Neighborhood Housing and Community Development Department

May 2, 2018

S.M.A.R.T. Housing- Certification

Housing Authority of the City of Austin – Pathways at Chalmers Courts West
 [Project ID # 595]

TO WHOM IT MAY CONCERN:

Housing Authority of the City of Austin (development contact: John McQuage, 512.767.7750 or johnm@hacanet.org) has submitted a S.M.A.R.T. Housing application to construction the Pathways of Chalmers Court West, a 168 unit multi-family residential development located at southeast corner of East 4th Street and Chicon Street, Austin TX 78702. The applicant has agreed to a minimum 5 year affordability period after issuance of a certificate of occupancy, unless project funding requirements are longer.

The applicant has submitted evidence that concerns of the neighborhood residents are being addressed therefore the project is eligible to receive fee waivers associated with the zoning application.

NHCD certifies the proposed project meets the S.M.A.R.T. Housing requirements at the pre-submittal stage. Since 8% of the units (13 units) will serve households at or below 30% Median Family Income (MFI); 32% of the units (54 units) will serve households at or below 50% Median Family Income (MFI); 40% of the units (67 units) will serve households at or below 60% Median Family Income (MFI); and the remaining 34 units are at market rate, the development will be eligible for 100% waiver of all fees listed in the S.M.A.R.T. Housing Ordinance adopted by the City Council. This development is not 100% in accordance with the requirements under the Texas Local Government Code, Chapter 395.16(g) and 42 U.S.C. Section 12745 (A)(1) as it relates to how housing qualifies as affordable housing and therefore the 34 market rate units are not eligible to receive Capital Recovery Fee (CRF) waivers under the S.M.A.R.T. Housing Ordinance. The expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees
 Building Permit
 Concrete Permit
 Electrical Permit
 Mechanical Permit
 Plumbing Permit

Site Plan Review
 Misc. Site Plan Fee
 Construction Inspection
 Subdivision Plan Review
 Misc. Subdivision Fee
 Zoning Verification

Land Status Determination
 Building Plan Review
 Parkland Dedication (by separate ordinance)

Prior to issuance of building permits and starting construction, the developer must:

- ♦ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Contact Austin Energy Green Building: 512-482-5300 or greenbuilding@austinenenergy.com).
- ♦ Submit plans demonstrating compliance with the required accessibility and adaptability standards.

Before a Certificate of Occupancy will be granted, the development must:

- ♦ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ♦ Pass a final inspection to certify that the required accessibility and adaptability standards have been met.
- ♦ An administrative hold may be placed on the building permit, until the following items have been completed: 1) the number of affordable units have been finalized and evidenced through a sealed letter from project architect and/or engineer, 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

The applicant must demonstrate compliance with the reasonably-priced standard after the completion of the units, or repay the City of Austin in full the fees waived for this S.M.A.R.T. Housing certification.

Please contact me by phone 512.974.3128 or by email at Sandra.harkins@austintexas.gov if you need additional information.

Sincerely,



Sandra Harkins, Project Coordinator
Neighborhood Housing and Community Development

Cc: Rosa Gonzales, AE
Ellis Morgan, NHCD
Marilyn Lamensdorf, PARD
Mashell Smith, ORS

Meredith Quick, DSD
Alice Flora, AWU
Jackie Chuter, PARD

Gina Copic, NHCD
Jonathan Orenstein, AWU
Melanie Montez, ORS

EXHIBIT F**RESOLUTION NO. 20171012-018**

WHEREAS, the Austin Strategic Housing Blueprint was adopted by council on April 14, 2017, and stresses the importance of continuing to develop sustainable partnerships with the Housing Authority of the City of Austin (HACA) “in planning efforts to align goals and targeted investment strategies” to “leverage resources to achieve the goals outlined” by it; and

WHEREAS, the Austin Strategic Housing Blueprint calls for development of policies to prioritize the preservation and creation of affordable housing near current and future transit service to help the Neighborhood Housing and Community Development (NHCD) Department “reach its goal of 25% of affordable housing units created or preserved within 1/4 mile of a transit stop”; and

WHEREAS, the Housing and Neighborhoods Policies of the Imagine Austin Comprehensive Plan call for the City to “connect housing to jobs, childcare, schools, retail, and other amenities and services needed on a daily basis, by strategies such as directing housing and employment growth to sites appropriate for Transit-Oriented Development (TOD) and coordinating and planning for housing near public transportation networks and employment centers to reduce household transportation costs and vehicle miles traveled”; and

WHEREAS, the Land Use and Transportation Policies of the Imagine Austin Comprehensive Plan call for the City to “promote development in compact centers, communities, or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing, and transportation costs” as well as “direct housing and employment growth to activity centers and corridors, preserving and integrating existing affordable housing where possible”; and

WHEREAS, the Imagine Austin Comprehensive Plan defines Transit Oriented Development (TOD) as “a mixed-use residential or commercial area designed to maximize access to public transport, increase economic activity, and often incorporates features to encourage transit ridership. A TOD typically has a center with a transit station or stop (train station, metro station, or bus stop), surrounded by relatively high-density development with progressively lower density development spreading outward from the center”; and

WHEREAS, the Regulating Plan for the Plaza Saltillo TOD Station Area was approved by Council on December 11, 2008, and was revised on May 25, 2013; and

WHEREAS, the Plaza Saltillo TOD Station Area is located east of I-35 and contains portions of the East Cesar Chavez, Holly, and Central East Austin neighborhood plan areas, all of which are contained within the boundaries of the Austin Independent School District (AISD) near schools currently designated as under-enrolled; and

WHEREAS, the Homestead Preservation Reinvestment Zone No. 1 Preliminary Project Plan and Reinvestment Zone Financing Plan (Homestead Preservation Reinvestment Zone) was approved by Council on October 16, 2008, under Ordinance 20081218-114 and remains in full force and effect; and

WHEREAS, the Homestead Preservation Reinvestment Zone boundaries include the Chalmers Courts site of HACA within the boundaries of Chicon Street, East 4th Street, East 3rd Street, and Comal Street; and

WHEREAS, the Plaza Saltillo TOD Station Area is wholly within the Homestead Preservation Reinvestment Zone; and

WHEREAS, the affected local residents in the Homestead Preservation Reinvestment Zone, using a community engagement process to express their views on area problems, identified and prioritized the problems as being long-term disinvestment and declining quality of life for area residents; and

WHEREAS, the targeted efforts of the Homestead Preservation Reinvestment Zone are:

- 1) The creation and preservation of needed affordable housing by new construction and improvement of existing affordable housing that is in need of replacement or major renovation;
- 2) The attraction of private sector development of housing and/or business;
- 3) Providing for public transportation; and
- 4) Developing significant recreational facilities; and

WHEREAS, the Homestead Preservation Reinvestment Zone has sufficient, documented, and committed funding to accomplish its purposes and lead to an appropriate area for the placement of housing, and committed funding is flowing; and

WHEREAS, HACA is committed to cultivating “sustainable affordable housing communities and partnerships that inspire self-reliance, growth, and optimism”; and

WHEREAS, HACA envisions neighborhoods where “poverty is alleviated... residents are healthy and safe, and all people have the opportunity to achieve their full potential”; and

WHEREAS, for 80 years, HACA has provided affordable housing to extremely low-income families and individuals at Chalmers Courts; and

WHEREAS, Chalmers Courts residents pay income-based rent in the amount of 30% of their adjusted household income; and

WHEREAS, in addition to providing affordable housing at 18 properties across Austin, HACA also offers access to community development programs which include educational opportunities, job training, youth programs, health and wellness programs, and other resources; and

WHEREAS, through the Rental Assistance Demonstration (RAD) program, HACA proposes to significantly increase the number of affordable housing units at Chalmers Courts, which has access to multimodal transportation choices, including the nearby Plaza Saltillo transit station, and is located in close proximity to downtown, where thousands of employment opportunities exist; and

WHEREAS, the RAD program is a tool established by Congress and the Department of Housing and Urban Development (HUD) to empower public housing agencies, like HACA, to provide protections for current low-income residents, to make improvements to low-income housing, and to provide choices that improve the quality of life for its residents; and

WHEREAS, inclusion of Chalmers Courts in the Plaza Saltillo TOD Regulating Plan would significantly enhance HACA's ability to provide affordable housing to low-income families in a rapidly gentrifying East Austin; and

WHEREAS, the council through prior approval of low-income housing tax credits, bond proceeds, and other housing finance tools, has demonstrated a high

priority to the improvement and redevelopment of HACA public housing properties, including Chalmers Courts; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The council initiates amendments to the Plaza Saltillo TOD Regulating Plan consistent with Code Section 25-2-766.23 (Amendments to Station Area Plan) that would extend the plan's boundaries to include the Chalmers Courts site of HACA within the boundaries of Chicon Street, East 4th Street, East 3rd Street, and Comal Street.

BE IT FURTHER RESOLVED:

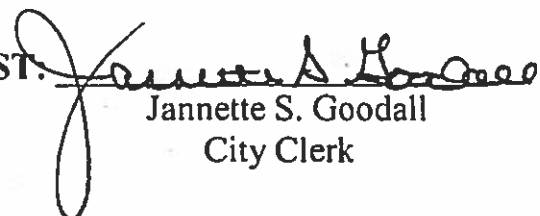
The council initiates neighborhood plan amendments and rezoning of the property from multifamily residence moderate-high density (MF-4) district to transit-oriented district (TOD), and directs the City Manager to assign the appropriate TOD subdistrict to bring back to council for action.

BE IT FURTHER RESOLVED:

The city manager is directed to process the amendments within 90 days of the adoption of this resolution.

ADOPTED: October 12, 2017

ATTEST:


Jannette S. Goodall
City Clerk