NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: Upper Boggy Creek

CASE#: NPA-2019-0012.01.SH **DATE FILED**: March 4, 2019 (Out-of-Cycle)

PROJECT NAME: The Abali

PC DATE: May 28, 2019
May 14, 2019

ADDRESSES: 4603, 4605, 4607, 4609, & 4611 North IH-35 SVRD NB

DISTRICT AREA: 9

SITE AREA: 0.916 acs/39,917 sq. ft.

OWNER/APPLICANT: Saeed Moshfegh, Behzad Bahrami, and Nemerow Investments, LLC

AGENT: Megan Lasch

CASE MANAGER: Maureen Meredith **PHONE:** (512) 974-2695

STAFF EMAIL: Maureen.meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Office **To:** Multifamily

Base District Zoning Change

Related Zoning Case: C14-2019-0046.SH
From: SF-3-NP, GR-CO-NP, and LO-NP To: MF-6-CO-NP

NEIGHBORHOOD PLAN ADOPTION DATE: August 1, 2002

PLANNING COMMISSION RECOMMENDATION:

May 28, 2019 – (pending)

May 14, 2019 – Postponed to May 28, 2019 at the request of Staff. [J. Shieh – 1st; C. Kenny – 2nd] Vote: 13-0.

STAFF RECOMMENDATION: Staff recommends the applicant's request for Multifamily land use.

BASIS FOR STAFF'S RECOMMENDATION: Staff supports the applicant's request for Multifamily land use because the proposed development will provide much-needed affordable housing for the City.

The applicant's proposal meets Goal Three of the plan by providing housing for a variety of incomes.

Goal One
COMMUNITY CHARACTER

Preserve the character of each neighborhood in the Upper Boggy Creek Neighborhood Planning Area.

Objective 1.1: Commercial or institutional uses adjacent to residential uses in the Upper Boggy Creek Neighborhood Planning Area should be complementary and compatible in scale. For example, the University of Texas should be encouraged to meet with the affected neighborhood associations when designing or expanding their facilities.

Goal Two
LAND USE

Ensure that the new businesses and commercial development within the Upper Boggy Creek Neighborhood Planning Area is neighborhood-appropriate, neighborhood-scaled, neighborhood-friendly, and serves the nearby neighborhoods.

Goal Three
HOUSING

Promote the rehabilitation of existing housing and construction of new housing to be compatible with the surrounding neighborhood and architecture for a variety of income levels.

Goal Four
TRANSPORTATION

Improve the quality of residential streets and commercial corridors to make them safe, accessible, and attractive to all forms of transportation. Residential and commercial streets and transit facilities should

- *Emphasize pedestrian and bicycle safety*
- *Serve pedestrian and bicycle convenience*
- *Encourage public transit use*
- *Allow residents ready ingress and egress from the neighborhood*
- *Limit through-traffic to roads designed for the purpose*
- *Be compatible with the residential / mixed-use character of our neighborhoods.*

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Office - An area that provides for office uses as a transition from residential to commercial uses, or for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals and non-profit organizations.

Purpose

1. Encourage office-related services in areas that cannot support the traffic generation of commercial uses;

2. Provide for small lot office conversions as a transition from commercial to residential uses; and

3. Preserve sites for employment and office related services.

Application

1. Appropriate for low volume streets such as collectors and minor arterials; and

2. Can be used to provide a transition between residential uses and more intense commercial and industrial uses.

PROPOSED LAND USE ON THE PROPERTY

Multifamily Residential - Higher-density housing with 3 or more units on one lot.

Purpose

1. Preserve existing multifamily and affordable housing;

2. Maintain and create affordable, safe, and well-managed rental housing; and

2. Make it possible for existing residents, both homeowners and renters, to continue to live in their neighborhoods.

4. Applied to existing or proposed mobile home parks.

Application

1. Existing apartments should be designated as multifamily unless designated as mixed use;

2. Existing multifamily-zoned land should not be recommended for a less intense land use category, unless based on sound planning principles; and

3. Changing other land uses to multifamily should be encouraged on a case-by-case basis.

IMAGINE AUSTIN PLANNING PRINCIPLES

1. Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.

    - ***The property is located along Interstate Highway 35 and is south of the Mueller Station Regional Center as identified on the Imagine Austin Growth Concept map. The proposed use is 56 affordable housing units near Capital Metro bus routes, retail uses, parks, and urban trails.***

2. Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.

    - ***The property is located near the Mueller Station Regional Center and is within walking distance to public transit and retail uses.***

3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.

    - ***The property is located near a regional center and is an infill site.***

4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.

    - ***The applicant's proposed use is an affordable housing development that will increase the number of affordable housing units in Austin.***

5. Ensure harmonious transitions between adjacent land uses and development intensities.

    - ***Multifamily land use along highways are not the best location for multifamily uses, however this property is near the Mueller Station Regional Center as designated on the Imagine Austin Growth Concept Map and is near shopping, urban trails, parks and retail uses.***

6. Protect Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.

    - ***The property is not located over an environmentally sensitive area.***

7. Integrate and expand green infrastructure—preserves and parks, community gardens, trails, stream corridors, green streets, greenways, and the trails system—into the urban environment and transportation network.

    - ***This plan amendment request does not expand green infrastructure.***

8. Protect, preserve and promote historically and culturally significant areas.

    - ***There are no historically or culturally significance to this property.***

9. Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.

    - ***The property is walking distance from Mueller Development trails and parks.***

10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.

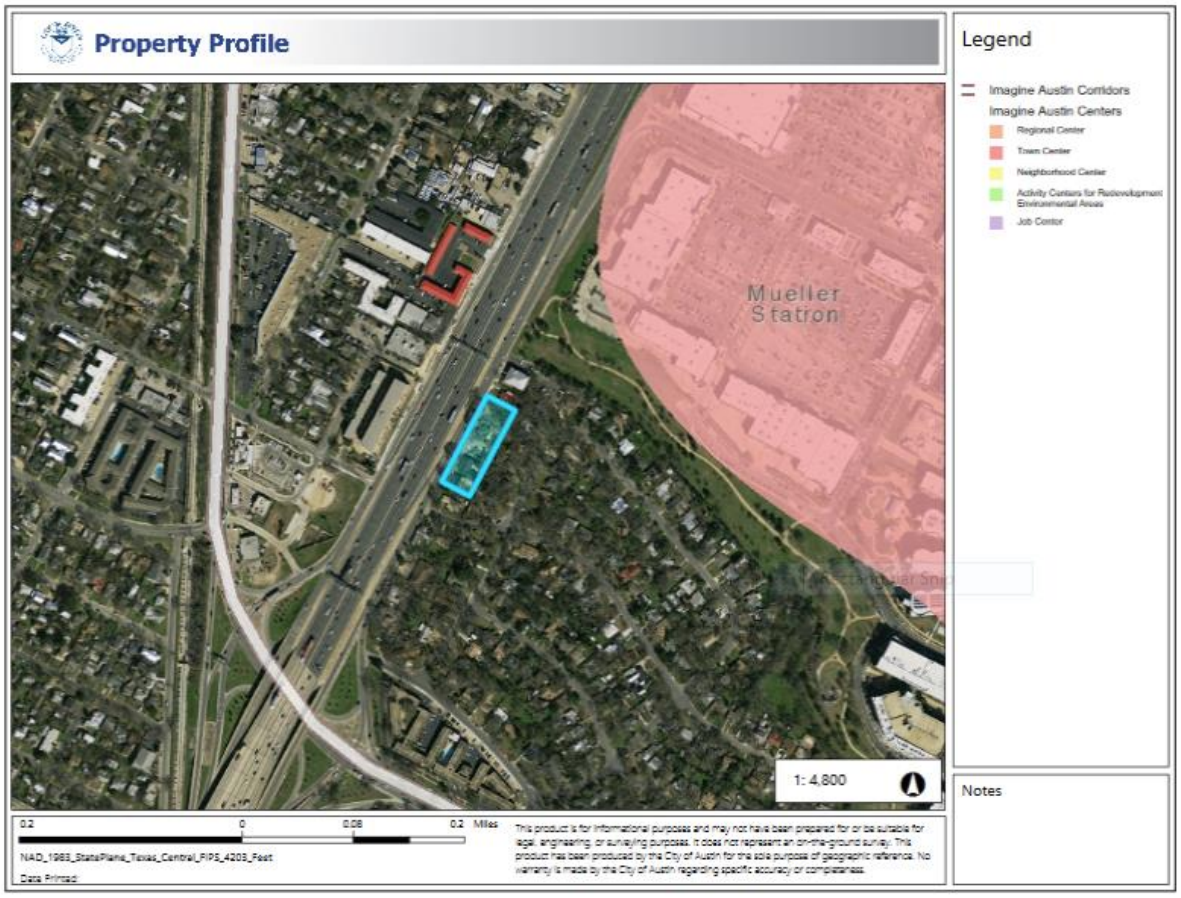
    - ***Not applicable.***

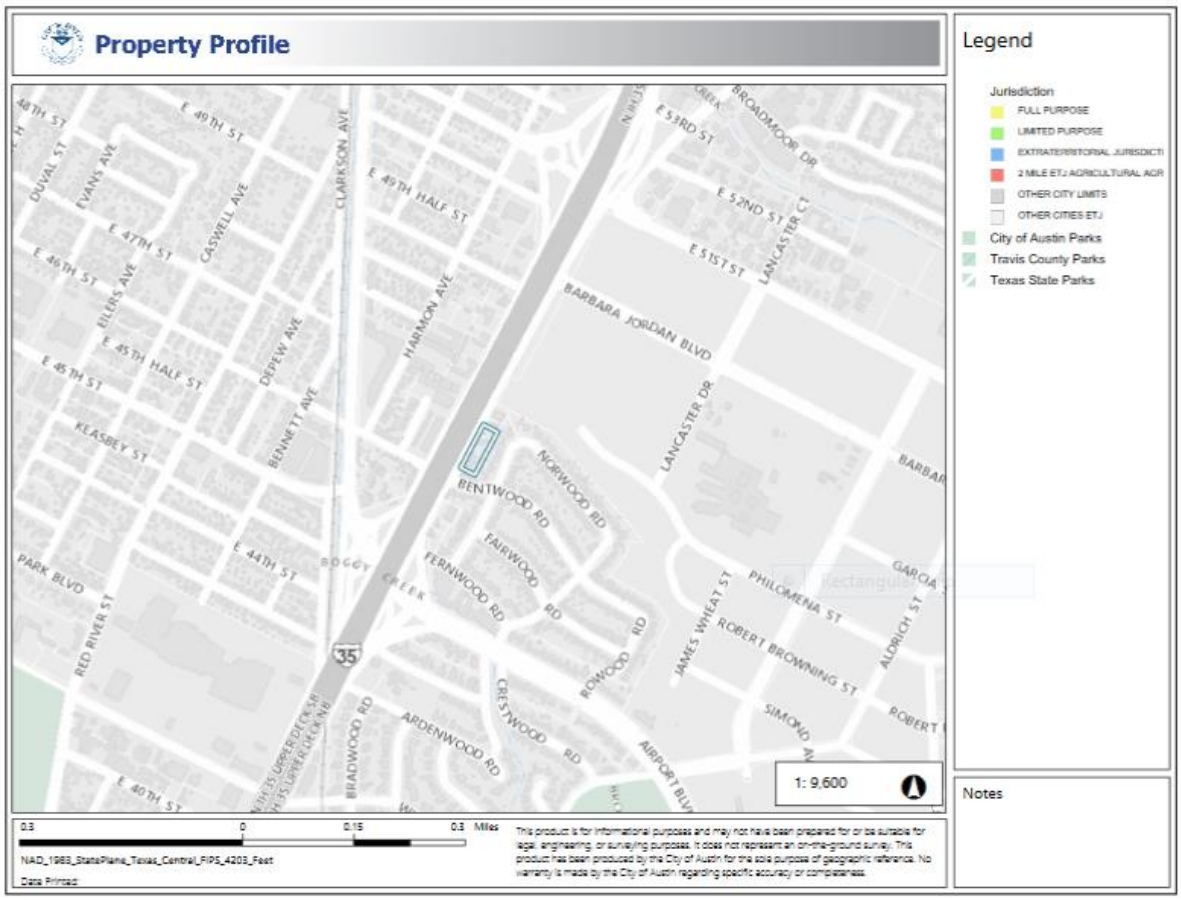
11. Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.

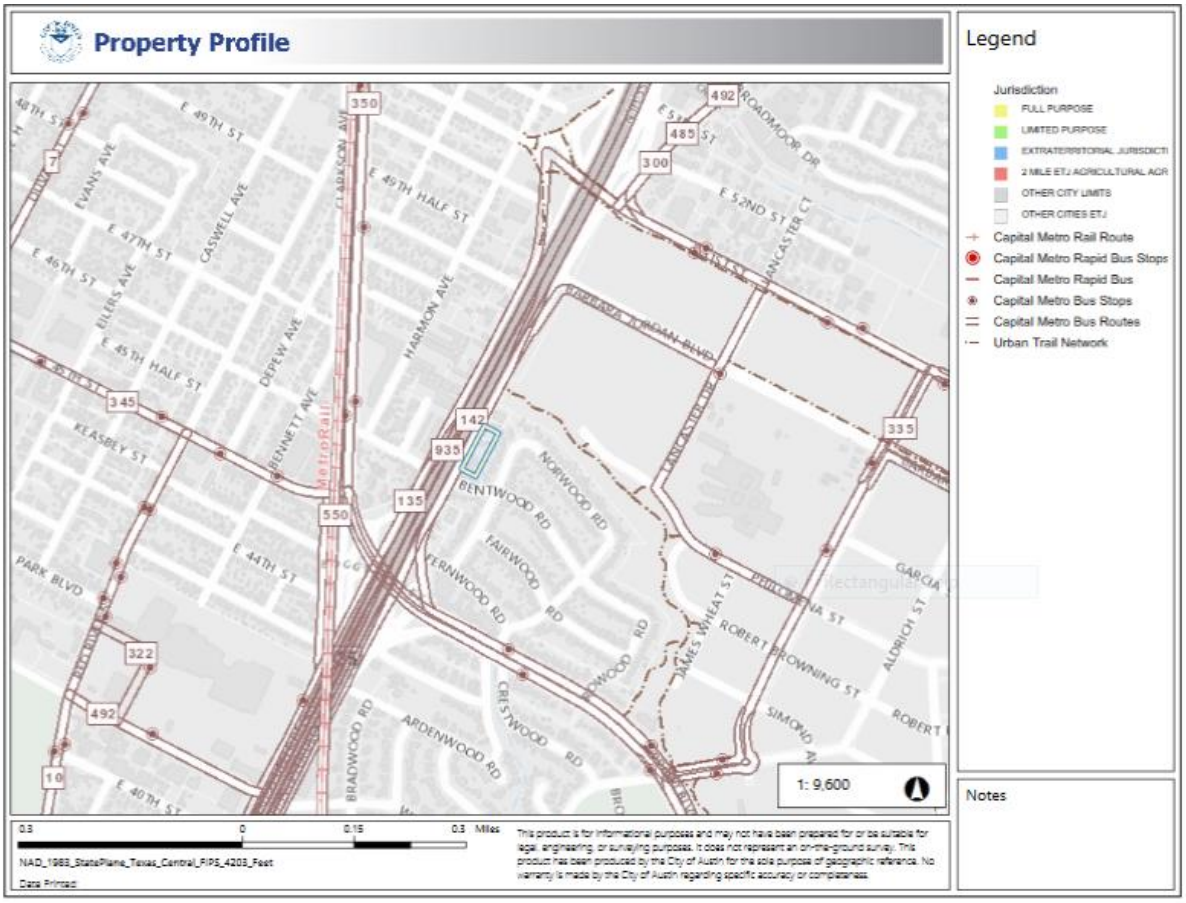
    - ***Not applicable.***

12. Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.

    - ***Not applicable.***


Property Profile
Legend
Imagine Austin Corridors
Imagine Austin Centers
Regional Center
Town Center
Neighborhood Center
Activity Centers for Redevelopment in Environmental Areas
Job Center
Mueller Station
1: 4,800
Notes
0.2 0 0.08 0.2 Miles
NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet
Date Printed:
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Property Profile
Legend
Jurisdiction
FULL PURPOSE
LIMITED PURPOSE
EXTRATERRITORIAL JURISDICTI
2 MILE ETJ AGRICULTURAL AGR
OTHER CITY LIMITS
OTHER CITIES ETJ
City of Austin Parks
Travis County Parks
Texas State Parks
E 49TH ST
E 48TH ST
DUVAL ST
EVANS AVE
E 47TH ST
CASWELL AVE
CLARKSON AVE
E 49TH HALF ST
E 46TH ST
LILLERS AVE
E 45TH HALF ST
E 45TH ST
DEPEW AVE
HARMON AVE
KLEASBY ST
BENNETT AVE
E 53RD ST
BROADMOOR DR
E 52ND ST
LANCASTER CT
E 51ST ST
BARBARA JORDAN BLVD
LANCASTER DR
BENTWOOD RD
NORWOOD RD
FAIRWOOD RD
FERNWOOD RD
E 44TH ST
PARK BLVD
RED RIVER ST
35
ROWOOD RD
JAMES WHEAT ST
PHILOMENA ST
ROBERT BROWNING ST
ALDRICH ST
CRESTWOOD RD
ARDENWOOD RD
BRADWOOD RD
AIRPORT BLVD
SIMOND
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1: 9,600
Notes
0.3 0 0.15 0.3 Miles
NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet
Date Printed:
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IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although

fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

Job Centers - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The application was filed on March 4, 2019 which is out-of-cycle for neighborhood planning areas located on the east side of IH-35, which would have been July. The case was allowed to file out-of-cycle because it is an approved S.M.A.R.T. Housing project. The letter is provided in this report.

The applicant proposes to change the future land use on the property from Office to Multifamily.

The applicant has an associated zoning case, C14-2019-0012.01.SH, which proposes to change the zoning on the property from SF-3-NP, LO-NP, and GR-CO-NP to MF-6-CO-NP to build a multifamily development with 56 dwelling units.

PUBLIC MEETINGS: The ordinance-required community was held on April 11, 2019. Approximately 300 meeting notices were mailed to people who own property and have utility accounts with 500 feet of the property, in addition to neighborhood organizations and environmental groups who registry on the Community Registry who requested notifications for the area. Eight people attended the meeting in additional to Megan Lasch, the applicant's agent and one city staff member.

After city staff explained the neighborhood planning process, Megan Lasch, the applicant's agent gave a PowerPoint presentation outlining the proposed development. The presentation is provided in this report. The proposed development is for 56 units. Six units at 30% AMI, 23 units at 50%, 22 units at 60% and five market rate units.

Megan Lasch said the five lots are owned by Saigebrook Development. They are long-term owners of their developments and typically owner properties for 15 years. They have built 14 communities and five are under construction. Thirty to 60% of the units will be AMI with some market rate units. They will be a mix of 1, 2, and 3 bedroom units. The entrance will be from the service road of I.H.-35 access road. Austin's current AMI if $86,000, it is projected to go up 5%, which would be $90,000 year.

We are proposing 16 efficiency units, 10 one-bedroom, 19 two-bedroom and 11 three-bedroom units and 59 parking spaces.

In the past there was little money for tax credit to build urban project, but now there is money. This is considered an urban project.

It takes 11- 12 months after approval to get building permits approved.

After the presentation, the following questions were asked;

Q. Will people be displaced by your project?
A. There are businesses located on the properties now, not residences. The Stem Child Learning Center is not serving very many kids. Pride and Joy is moving to a difference location.

Q. What about your other developments and displacement?
A. Yes, we have to help relocate people for other developments.

Q. What is the construction time?
A. Twelve to 15 months of construction times is projected. We have to be open by December 2021.

Q. What about the compatibility standards?
A. We are currently at a maximum of three stores because of compatibility standards, but we plan to go to Board of Adjustment to ask for a compatibility standards.

Q. What about water detention?
A. We use the regional participation.

Q. I have a concern about the development's front door being along I.H.-35.
A. There could be a change to have the backdoor or patio to fronting along I.H.-35 because you don't want children running outside.

Q. Why not a development that is mixed use with some retail?
A. We are doing this in Fort Worth on a small scale.

Q. Your preliminary plan in your presentation doesn't look like 80% IC, it looks higher?
A. We will adjust it. It is probably showing around 80 – 90%. It hasn't gone through review yet.

Q. Is the Fire Department OK with your entrance?
A. The was designed by our Engineering with City Staff.

Q. The one driveway along the access road is a good thing.
A. Yes, I agree.

Q. Where would the garbage dumpster be?
A. It will be on the bottom right of the preliminary site plan you see.

Q. Have you looked at how the electric scooters will affect your development?
A. Some projects are in the Urban Core and I see them there. Other projects are outside the Urban Core and I haven't seen too many of them. We have lots of bike parking.

Comments:

- The property owners whose backyards are next to the development are OK with the proposal because of what could be there with the current zoning.

CITY COUNCIL DATE: June 6, 2019 **ACTION:**

Applicant Summary Letter from Application

Neighborhood Plan Amendment

SUMMARY LETTER

This application is to request a Neighborhood Plan Amendment concurrent with our rezoning request for properties located at 4603, 4605, 4607, 4609 & 4611 N IH35 SVRD N. These properties have existing SF-3-NP, GR-CO-NP and LO-NP zoning designations and current uses include office/commercial. The requested zoning is MF-6 and will provide for the development of a SMART Housing multifamily project.

S.M.A.R.T. Housing Letter

City of Austin

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

Neighborhood Housing and Community Development Department

February 25, 2019 (Revision to letter dated February 06, 2019)

S.M.A.R.T. Housing Certification
Saigebrook Development and O-SDA Industries - The Abali – 4603-4611 N IH 35 (ID 638)

TO WHOM IT MAY CONCERN:

Saigebrook Development and O-SDA Industries (development contact: Megan Lasch: 830-330-0762 (o); megan@o-sda.com) is planning to develop a **55 unit multi-family** development named The Abali, LLC at 4603-4611 IH 35, Austin TX 78744. The project will be subject to a minimum 5 year affordability period after issuance of a certificate of occupancy, unless funding requirements are longer.

The applicant has submitted evidence that they have contacted the Delwood 2 Neighborhood Association and the Upper Boggy Creek Neighborhood Plan Contact Team. The applicant provided documentation where they are being responsive to neighborhood residents concerns.

This revision adds Neighborhood Plan Amendment Fee to the list of eligible fees to be waived.

NHCD certifies that the proposed development meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since an estimated 11% of the units (6) will serve households at or below **30%** Median Family Income (MFI), an estimated 42% of the units (23) will serve households at or below **50%** MFI, an estimated 40% of the units (22) will serve households at or below **60%** MFI and the remaining 4 units will be market rate, the development will be eligible for 100% waiver of fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance with the exception of the Capital Recovery Fees for the 4 market rate units. **This development is not fully 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 4 market rate units are not eligible to receive any CRF fee 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	Misc. Site Plan Fee	Building Plan Review
Building Permit	Construction Inspection	Parkland Dedication (*by separate ordinance*)
Concrete Permit	Subdivision Plan Review	Neighborhood Plan Amendment Fee
Electrical Permit	Misc. Subdivision Fee	
Mechanical Permit	Zoning Verification	
Plumbing Permit	Land Status Determination	
Site Plan Review		

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@austinenergy.com).
- Submit plans demonstrating compliance with the required accessibility or visitability 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 or visitability standards have been met.
- An administrative hold will 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 S.M.A.R.T. Housing standards after the after the certificate of occupancy has been issued 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

Sandra Harkins, Project Coordinator
Neighborhood Housing and Community Development

Cc: Rosa Gonzales, AE
Jonathan Orenstein, AWU
Ellis Morgan, NHCD
Melanie Montez, ORS
Mashell Smith, ORS

Upper Boggy Creek Neighborhood Plan Contact Team
Letter of Recommendation

Mayor Steve Adler
Council Member Natasha Harper-Madison
Mayor Pro Tem Delia Garza
Council Member Sabino Renteria
Council Member Greg Casar
Council Member Ann Kitchen
Council Member Jimmy Flannigan
Council Member Leslie Pool
Council Member Paige Ellis
Council Member Kathie Tovo
Council Member Alison Alter

Via Electronic Delivery

22 April 2019

Re: NPCT Rec Ltr: NPA-2019-0012.01.SH_The Abali

Dear Mayor Adler and Members of Council;

This letter is to affirm the support of the Upper Boggy Creek Neighborhood Plan Contact Team for the above-referenced proposed Neighborhood Plan Amendment. The amendment relates to the proposed change of the Future Land Use Map for the properties at 4603-4611 Northbound IH35 service road in the Delwood II Neighborhood from Office to Multi-family.

At our 4/15/19 Regular Meeting, the Contact team voted to support the Delwood II Neighborhood Association in approving the zoning change to MF-6-CO and to approve the change to the Upper Boggy Creek Neighborhood Plan Future Land Use map. The vote was unanimous in favor with one abstention by a member who is employed by the Texas Department of Housing and Community Affairs (TDHCA).

The Contact Team understands that the zoning change will carry a height requirement of a maximum of forty two (42) feet. We also understand that the project, at four stories, may be subject to review by the Board of Adjustment to waive compatibility requirements if they are not otherwise addressed by Council in the "Affordability Unlocked" resolution.

We would like to acknowledge our appreciation for the tireless outreach by Meghan Lasch of Saigebrook Development of O-SDA in presenting this project to the Contact Team and Delwood II Neighborhood Association. We appreciate your consideration of the Contact Team's strong support for this Neighborhood Plan Amendment.

Yours,



Isaiah Tibbs, Chair
Upper Boggy Creek Neighborhood Plan Contact Team

Cc: Greg Guernsey, Planning and Zoning Department
Maureen Meredith, Planning and Zoning Department
William Burkhardt, Planning Commission
Conor Kenny, Planning Commission
Patricia Seeger, Planning Commission
Jeffrey Thompson, Planning Commission
Todd Shaw, Planning Commission
Awais Azhar, Planning Commission
Patrick Howard, Planning Commission
Robert Schneider, Planning Commission
James Shieh, Planning Commission
James Schissler, Planning Commission
Fayez Kazi, Planning Commission
Yvette Flores, Planning Commission
Greg Anderson, Planning Commission
Karen Mcgraw, Planning Commission
Ann Teich, Planning Commission

Letters from Neighborhood Assns.

The Cherrywood Neighborhood is bounded by IH-35, Airport Road and Manor Road and is flourishing neighborhood of homes, businesses, and green spaces in Central Austin.

P.O. Box 4631 | Austin, TX 78765 | steering@cherrywood.org | www.cherrywood.org

Mayor Steve Adler
Council Member Natasha Harper-Madison
Mayor Pro Tem Delia Garza
Council Member Sabino Renteria
Council Member Greg Casar
Council Member Ann Kitchen
Council Member Jimmy Flannigan
Council Member Leslie Pool
Council Member Paige Ellis
Council Member Kathie Tovo
Council Member Alison Alter

22 April 2019

Re: **NPCT Rec Ltr: NPA-2019-0012.01.SH_The Abali**

Dear Mayor Adler and Members of Council;

This letter is to affirm the support of the Cherrywood Neighborhood Association (CNA)for the above-referenced proposed Neighborhood Plan Amendment. The amendment relates to the proposed change of the Future Land Use Map for the properties at 4603-4611 Northbound IH35 service road in the Delwood II Neighborhood from Office to Multi-family.

At a regular Steering Committee meeting we voted, in behalf of CNA, to support our Land Use and Transportation (LUT) Committee's recommendation that (1)we recommend approval of the zoning change to MF-6-CO and (2) that we recommend approval of the change to the Upper Boggy Creek Neighborhood (UBC) Plan Future Land Use Map (FLUM). The vote was unanimous in favor with one abstention by a member who is employed by the Texas Department of Housing and Community Affairs (TDHCA).

We understand that the zoning change will carry a height requirement of a maximum of forty two (42) feet. We also understand that the project, at four stories, may be subject to review by the Board of Adjustment to waive compatibility requirements if they are not otherwise addressed by Council in the "Affordability Unlocked" resolution.

We would like to express our appreciation for the tireless outreach by Meghan Lasch of Saigebrook Development of O-SDA in presenting this project to the Contact Team and Delwood II Neighborhood Association. We appreciate your consideration of the Contact Team's strong support for this Neighborhood Plan Amendment.

Yours,

Jim Reed, Chair
Steering Committee, CNA

Cc: Greg Guernsey, Planning and Zoning Department
Maureen Meredith, Planning and Zoning Department
William Burkhardt, Planning Commission
Conor Kenny, Planning Commission
Patricia Seeger, Planning Commission
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Yvette Flores, Planning Commission
Greg Anderson, Planning Commission
Karen Mcgraw, Planning Commission
Ann Teich, Planning Commission

Delwood 2 Neighborhood Association

May 10, 2019

City Council Zoning Commission
Austin City Hall
301 West 2nd Street
Austin, Texas 78701

Via Electronic Delivery

RE: The Abali Project and Application for Zoning Change

Dear Members of the City Council Zoning Commission:

It is my pleasure to provide documentation that the Delwood 2 Neighborhood Association overwhelmingly voted to approve the requested zoning change from Limited Office to MF-6 required for the proposed affordable housing complex, the Abali. This involves properties 4603, 4605, 4607, 4609, 4611 on the North I-35 Service Road.

Megan Lasch with Saigebrook Development and O-SDA initially contacted the leadership of the Neighborhood Association about the proposed project and provided a tour of a like development. Shortly thereafter, she presented the proposal to neighborhood residents. Although the majority of Delwood 2 residents support affordable housing, there were questions regarding traffic flow and parking. In addition to the two encounters previously mentioned, Ms. Lasch met with Delwood 2 residents on three more occasions providing additional information and listening to neighborhood input. Based on feedback from neighbors, Ms. Lasch was able to make changes that resulted in increased parking for the complex. In addition to the meetings with neighbors, Ms. Lasch provided contact information for individuals who might want to follow-up with her about concerns. Several neighbors who originally were skeptical about the project, spoke with her and contacted me

1

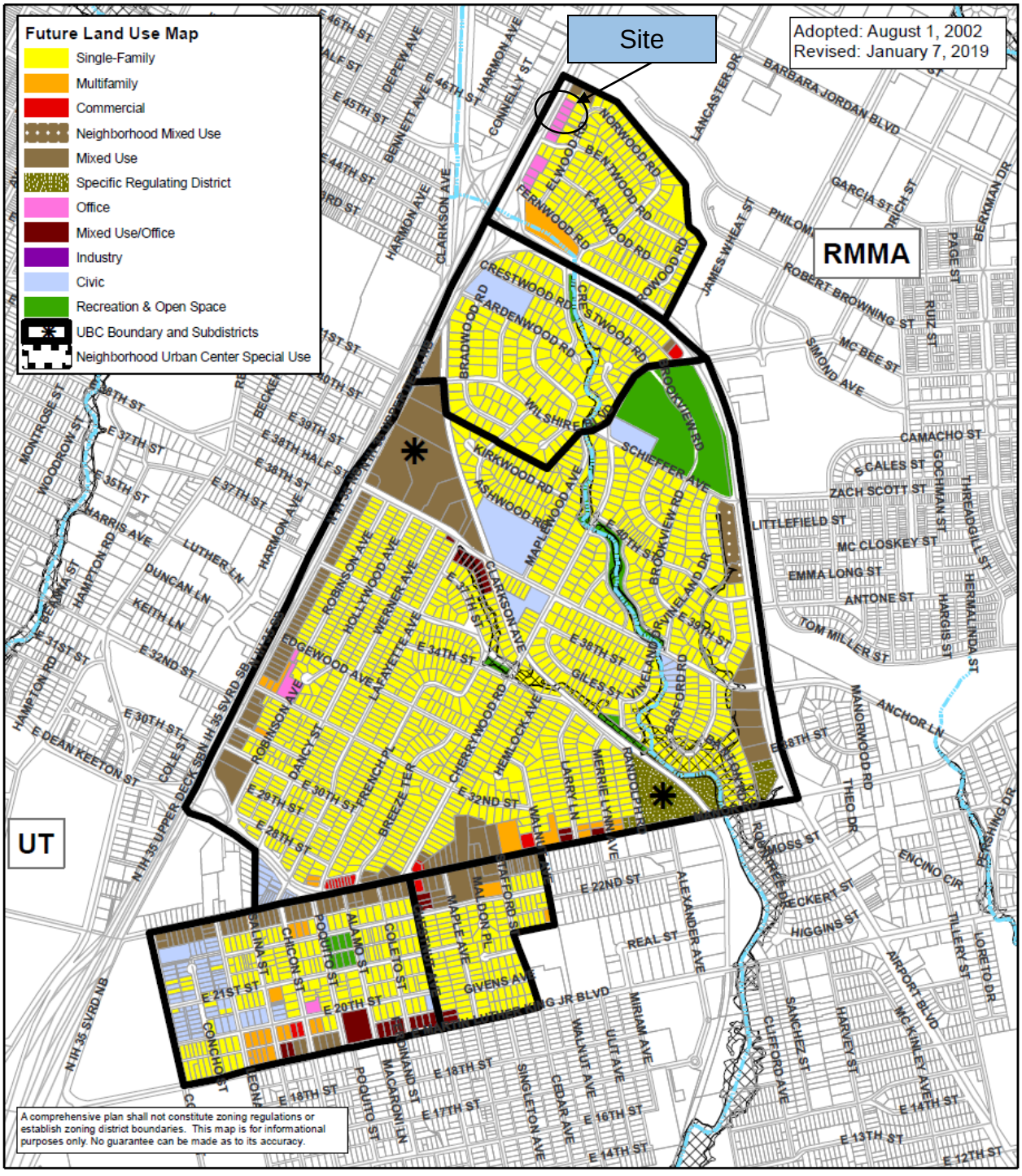
explaining that they were impressed with her comprehensive response to their issues, her integrity, and her business model.
On behalf of the Neighborhood Association, we want to thank Megan Lasch for the time she devoted to providing information, answering questions, and developing a relationship with Delwood 2 residents. We will be pleased to have the Abali and its residents as part of our neighborhood community.

Please contact me if you have questions or need additional information.

Respectfully,

Karen Brinkman
President, Delwood 2 Neighborhood Association
Email:
Mobile: 512-924-8407

2

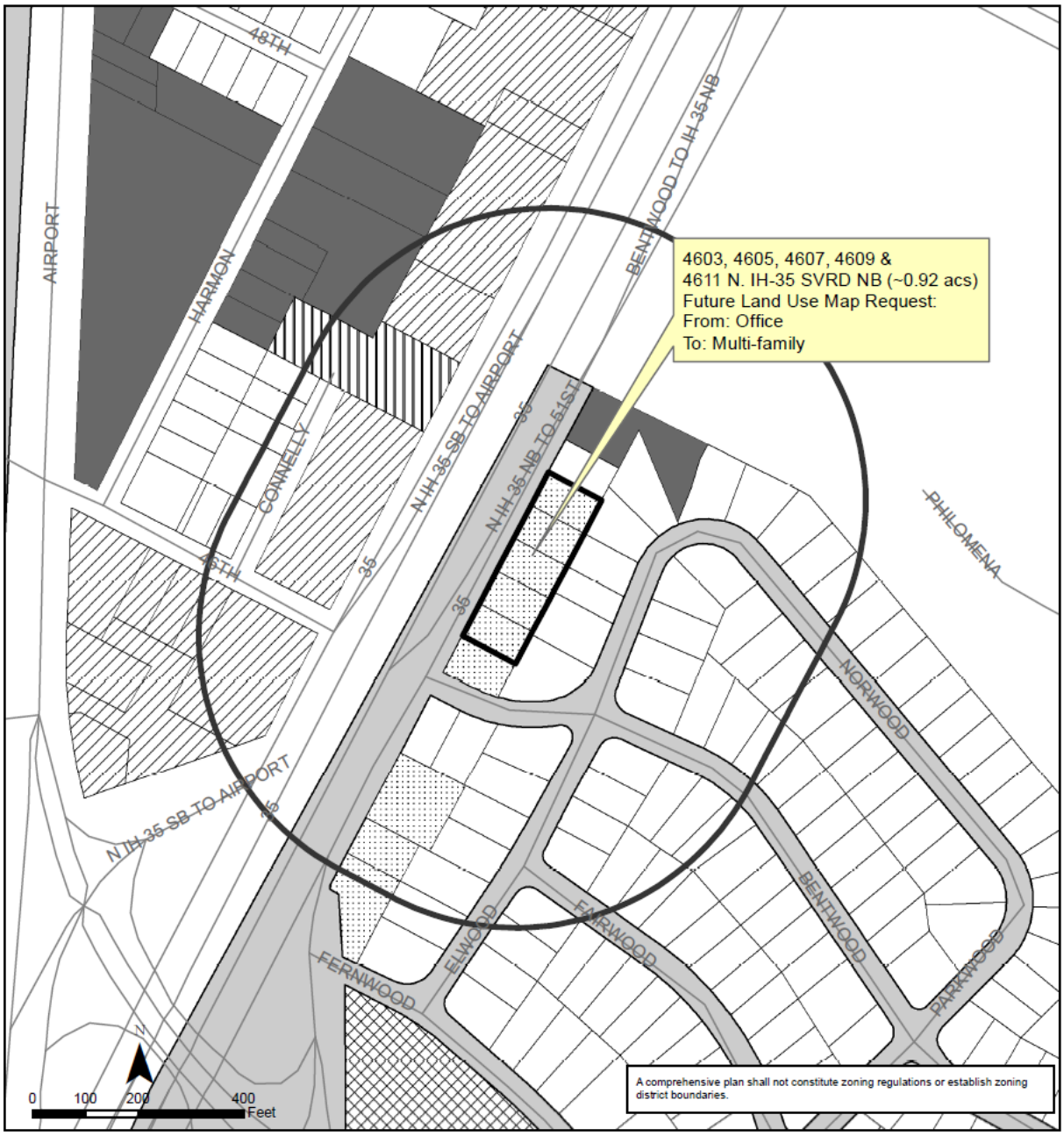


Upper Boggy Creek Neighborhood Planning Area: Future Land Use Map

City of Austin
Planning and Zoning Department

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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Upper Boggy Creek Neighborhood Planning Area
NPA-2019-0012.01.SH

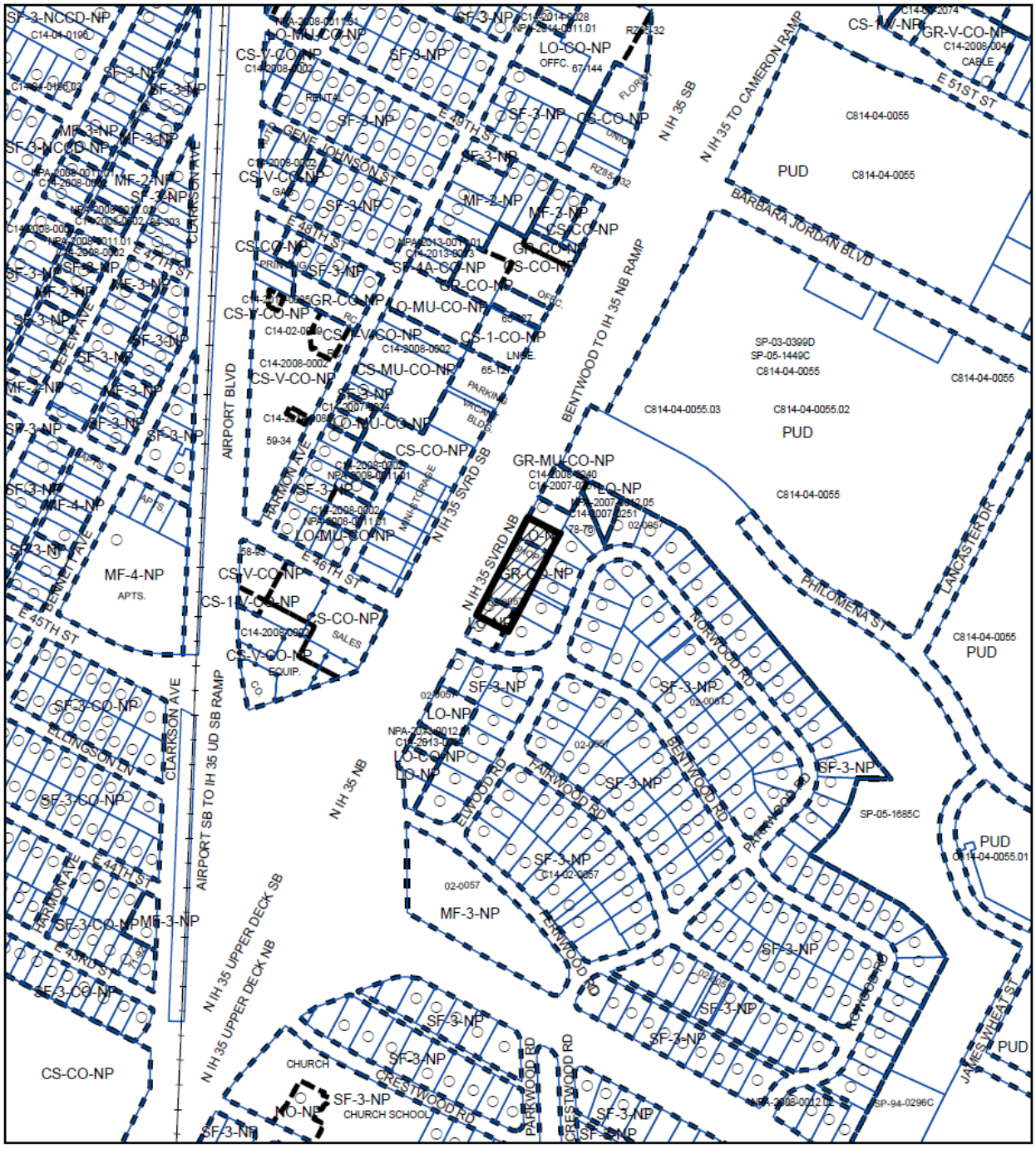
Future Land Use

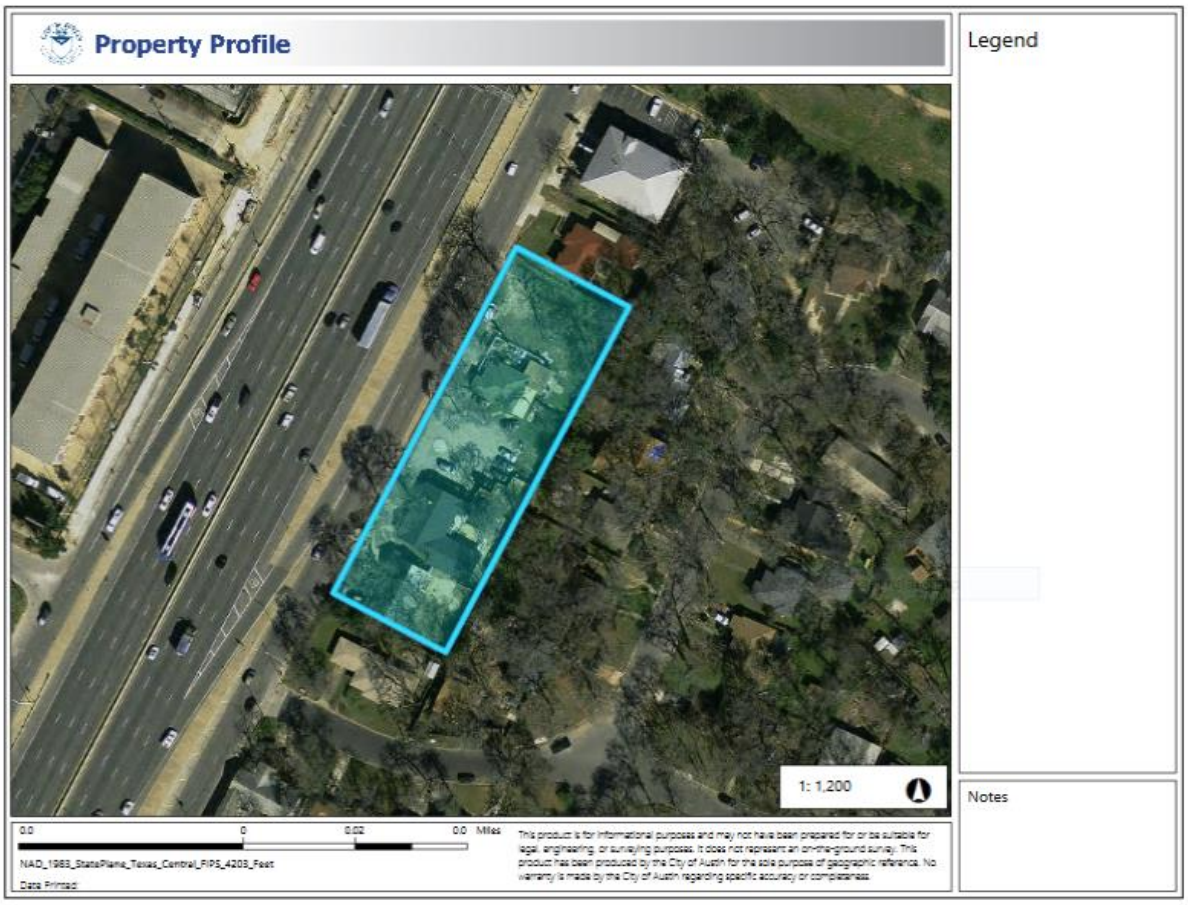
500 ft. notif. boundary
Subject Property
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Multi-Family
Commercial
Mixed Use
Office
Civic
Recreation & Open Space
Transportation
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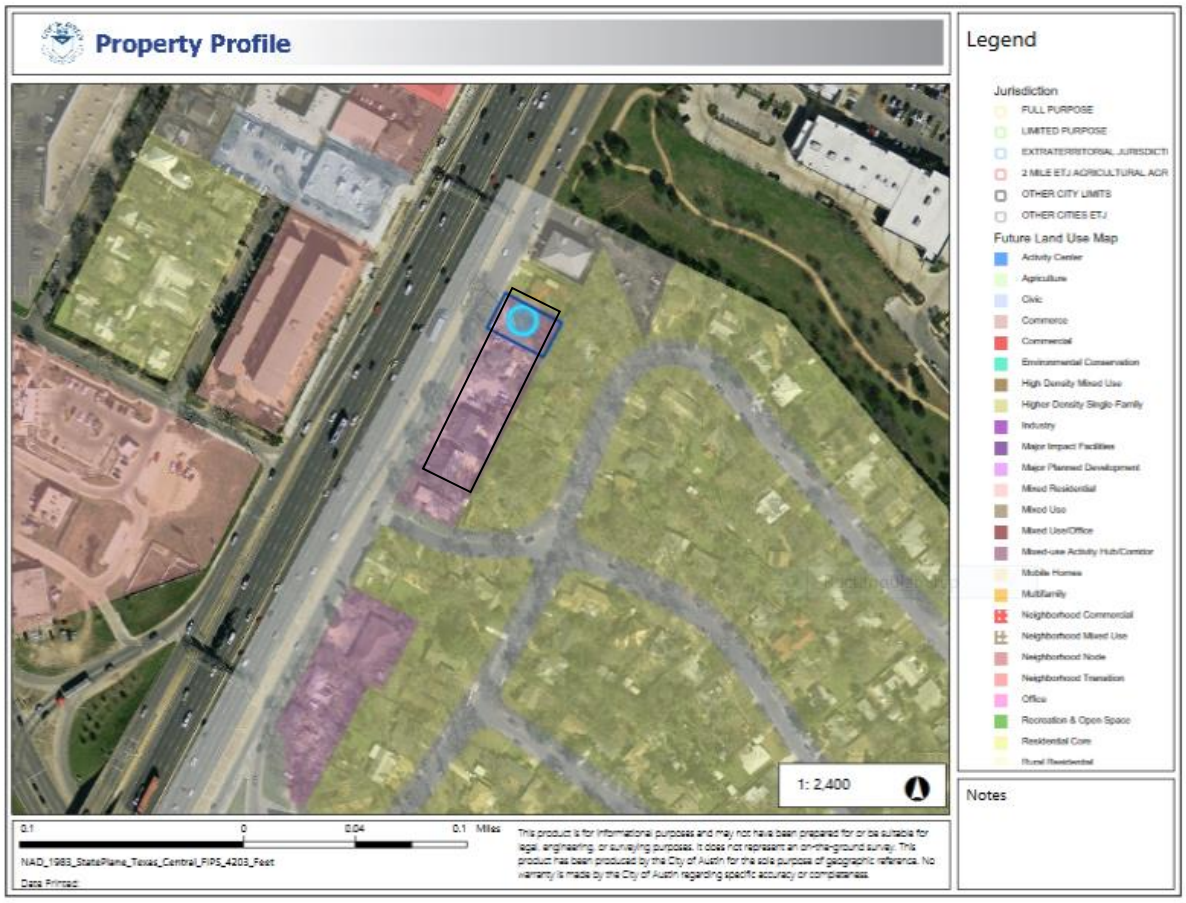
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

City of Austin
Planning and Zoning Department
Created on 3/14/2019, by: meredithm


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E 51ST ST
JOHNSON ST
HARMON AVE
ELLINGSON LN
N IH 35 SB
N IH 35 SVRD SB
N IH 35 SVRD NB
N IH 35 NB
N IH 35 UPPER DECK SB
N IH 35 UPPER DECK NB
AIRPORT SB TO IH 35 UD SB RAMP
N IH 35 TO CAMERON RAMP
BENTWOOD TO IH 35 NB RAMP
BARBARA JORDAN BLVD
PHILOMENA ST
LANCASTER DR
JAMES WHEATLEY PL
BENTWOOD RD
FAIRWOOD RD
ELMWOOD RD
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Property Profile
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This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.


Property Profile
Legend
Jurisdiction
FULL PURPOSE
LIMITED PURPOSE
OTHER CITY LIMITS
OTHER CITIES ET.J
Future Land Use Map
Activity Center
Agriculture
Civic
Commerce
Commercial
High Density Mixed Use
Industry
Major Planned Development
Mixed Residential
Mixed Use
Mixed Use/Office
Mobile Homes
Multifamily
Neighborhood Commercial
Neighborhood Mixed Use
Neighborhood Node
Office
Recreation & Open Space
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Notes
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NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet
Date Printed:
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.


The Abali
Contact:
Lisa Stephens
352-213-8700
lisa@saigebrook.com
Contact:
Megan Lasch
830-330-0762
megan@o-sda.com


O-SDA Industries – Developer and Owner
Saigebrook Development- Consultant
• 15+ years experience in multi-family development
• Developer of approx. 5,000 units, more than 1,200 units in Texas
• Innovative, neighborhood appropriate development with proven track record
• Ownership 15 years +
• Art in Public Places
• Texas owned (Austin)
• Green Development Practices
• Onsite Management
• At minimum two full time staff
one maintenance and one manager






Texas Portfolio

14 Communities in Operation:

- Amberwood Place – Longview
- La Ventana – Abilene
- Pinnacle at North Chase – Tyler
- Saige Meadows – Tyler
- The Roxton – Denton
- Tylor Grand – Abilene
- Barron's Branch I – Waco
- Summit Parque – Dallas
- Liberty Pass – Selma
- Barron's Branch II – Waco
- Art at Bratton's Edge – Austin
- Stillhouse Flats – Harker Heights
- LaMadrid Apartments – Austin
- Kaia Pointe – Georgetown

5 Communities Under Construction:

- Mistletoe Station– Fort Worth
- Edgewood Place – Longview
- Aria Grand – Austin
- Alton Plaza- Longview
- Elysium Grand- Austin

1 Community in Development

- Canova Palms- Irving






Proposed Development Key Points

- Work force development serving residents between 30%-60% AMI and Market Rate
- Consist of 56 units
- Mix of efficiency, 1,2,3 bedroom options
- Buildings would be at least 30% brick or stone
- Onsite amenity center
  - •Fitness, kids playroom, business center, and community room
- Onsite management and maintenance
- Onsite social services



Preliminary Site Plan








Key Points to Housing Tax Credit Program

- Residents must meet screening, background, credit and income requirements
- Rents are based on Area Median Income (AMI)
- Area median income is 86,000
- Program has created 2.4 million affordable homes since 1986
- Public Private Partnership - pay for performance accountability has driven private sector discipline to the program, resulting in a foreclosure rate of less than 0.1%
- Privately owned – typical ownership minimum 15 years

Unit type	30% AMI	50% AMI	60% AMI	Market Rate
Number of units	11% of units	41% of units	39% of units	9% of units






Process Timeline

January 9th - Pre-application to Texas Department of Housing and Community Affairs (TDHCA)

February 7th- Council considers support request

March 1st- Submit full application to TDHCA

April-May- Zoning change process

July 26th- TDHCA awards projects for 2019 cycle

Mid-July- Construction drawings begin

June/July 2020- Pull permit to begin construction





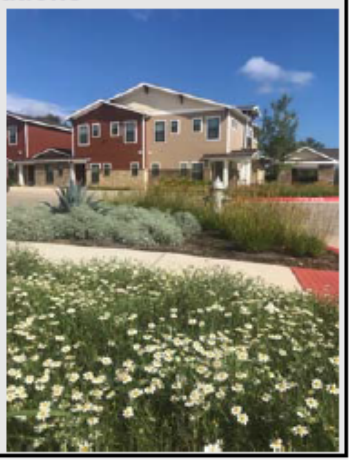


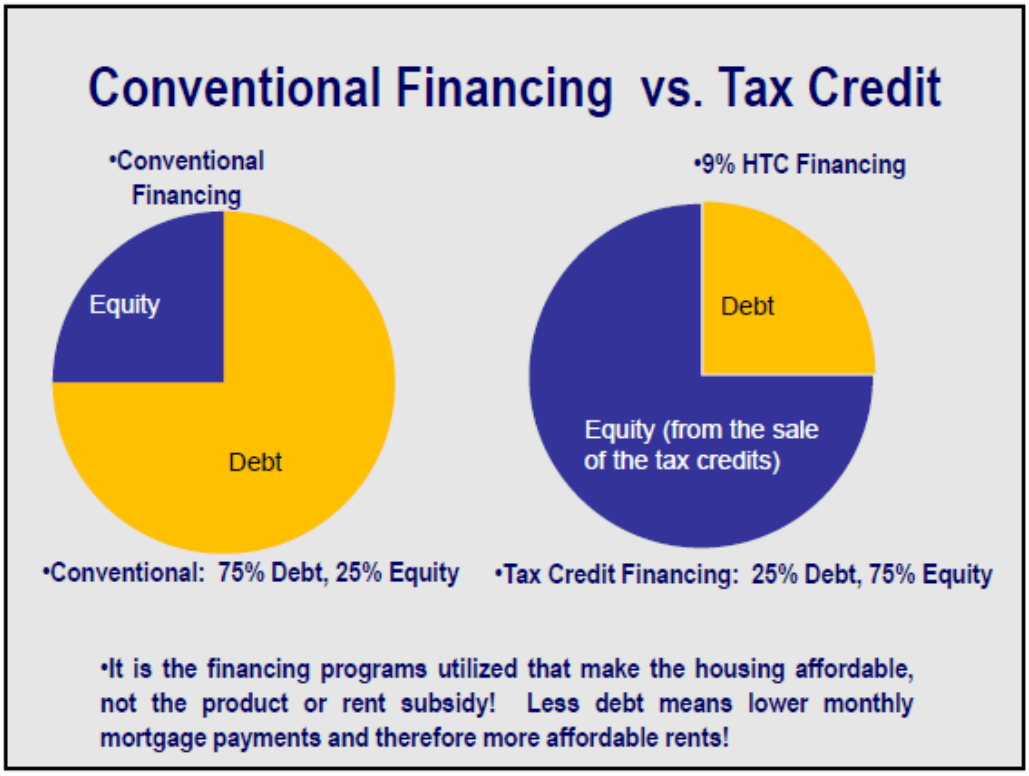


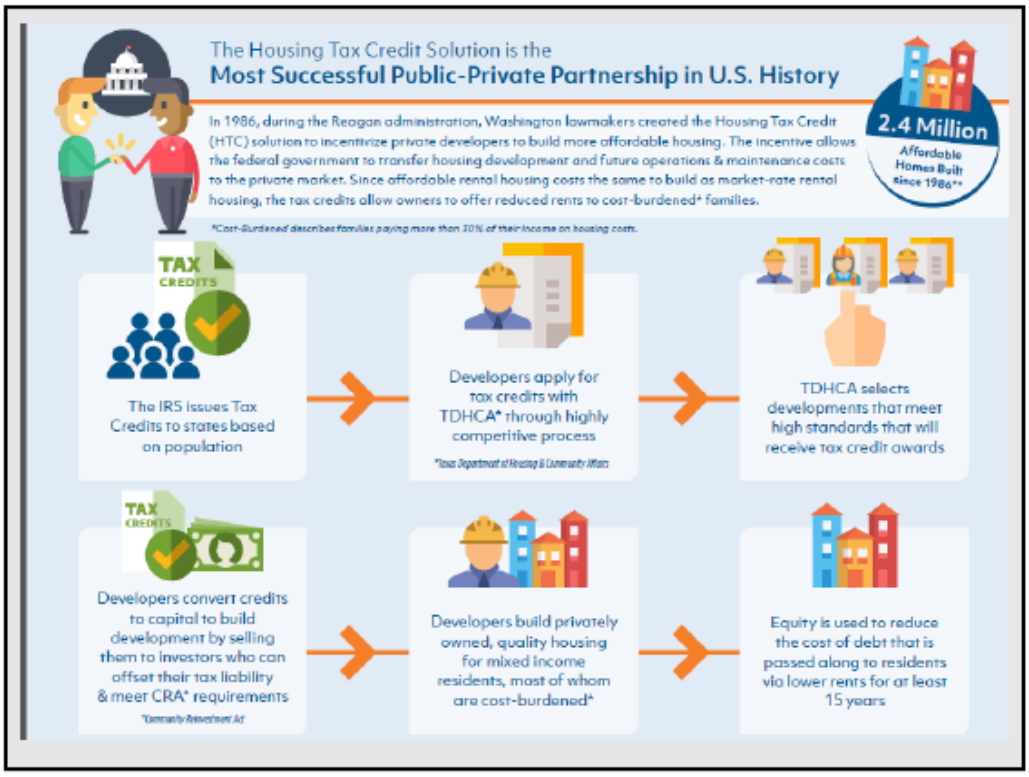



Key Points to Housing Tax Credit Program

- Federal program administered by the State
- Application cycle happens once a year
- Qualified Allocation Plan determines target locations
  - ❖ Largely based on census tract evaluation
  - ❖ De-concentration of units in this program
  - ❖ Proximity to urban core
  - ❖ City revitalization efforts or high opportunity
  - ❖ Area services and amenities




Conventional Financing vs. Tax Credit
•Conventional Financing
Equity
Debt
•9% HTC Financing
Debt
Equity (from the sale of the tax credits)
•Conventional: 75% Debt, 25% Equity
•Tax Credit Financing: 25% Debt, 75% Equity
•It is the financing programs utilized that make the housing affordable, not the product or rent subsidy! Less debt means lower monthly mortgage payments and therefore more affordable rents!


The Housing Tax Credit Solution is the
Most Successful Public-Private Partnership in U.S. History
In 1986, during the Reagan administration, Washington lawmakers created the Housing Tax Credit (HTC) solution to incentivize private developers to build more affordable housing. The incentive allows the federal government to transfer housing development and future operations & maintenance costs to the private market. Since affordable rental housing costs the same to build as market-rate rental housing, the tax credits allow owners to offer reduced rents to cost-burdened* families.
*Cost-Burdened describes families paying more than 30% of their income on housing costs.
2.4 Million
Affordable Homes Built since 1986**
TAX CREDITS
The IRS issues Tax Credits to states based on population
Developers apply for tax credits with TDHCA* through highly competitive process
TDHCA selects developments that meet high standards that will receive tax credit awards
TAX CREDITS
Developers convert credits to capital to build development by selling them to investors who can offset their tax liability & meet CRA* requirements
Developers build privately owned, quality housing for mixed income residents, most of whom are cost-burdened*
Equity is used to reduce the cost of debt that is passed along to residents via lower rents for at least 15 years



Program Oversight

- Yearly tax credit investor audit and inspection
  - 15 years of oversight
  - Investors screen and scrutinize to ensure viability
- Personal Guarantee
  - 15 year guarantee
- TDHCA inspections
  - 35 years of oversight
- Leasing compliance and management





Unit Breakdown

Unit type	Eff	1 BR	2 BR	3BR	Total Number of Units per AMI
30% AMI	2	1	2	1	6 units
50% AMI	7	4	8	4	23 units
60% AMI	6	3	8	5	22 units
Market	1	2	1	1	5 units

** Example based on 56 total units





Rent Ranges

Unit type	Eff	1 BR	2 BR	3BR	Total Number of Units per AMI
30% AMI	$451	$483	$580	$671	6 units
50% AMI	$752	$806	$967	$1118	23 units
60% AMI	$903	$967	$1161	$1341	22 units
Market Rate	TBD	TBD	TBD	TBD	5 units

** Example based on 56 total units





Traffic Info

TRIP GENERATION SUMMARY
THE ABALI

EXISTING

Land Use	Size	Daily Trips
Day Care Center	22,324 sf	1,063
Royal Hookah Café**	11,000 sf	-
Total Proposed		1,063

EXISTING

Land Use	Size	Daily Trips
Day Care Center	125 stu	511
Royal Hookah Café**	11,000 sf	-
Total Proposed		511

PROPOSED

Land Use	Size	Daily Trips
Multifamily	82 du	579
Total Proposed		579

•This number goes down with only 56 units

POTENTIAL WITH CURRENT ZONING

Land Use	Size	Daily Trips
General Retail	40,000 sf	1,510
General Office	20,000 sf	223
Total Proposed		1,733

*Trip Generation calculated by utilizing the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition
**ITE does not provide Daily Trip data for this type of use



Development Examples







Development Examples







Development Examples







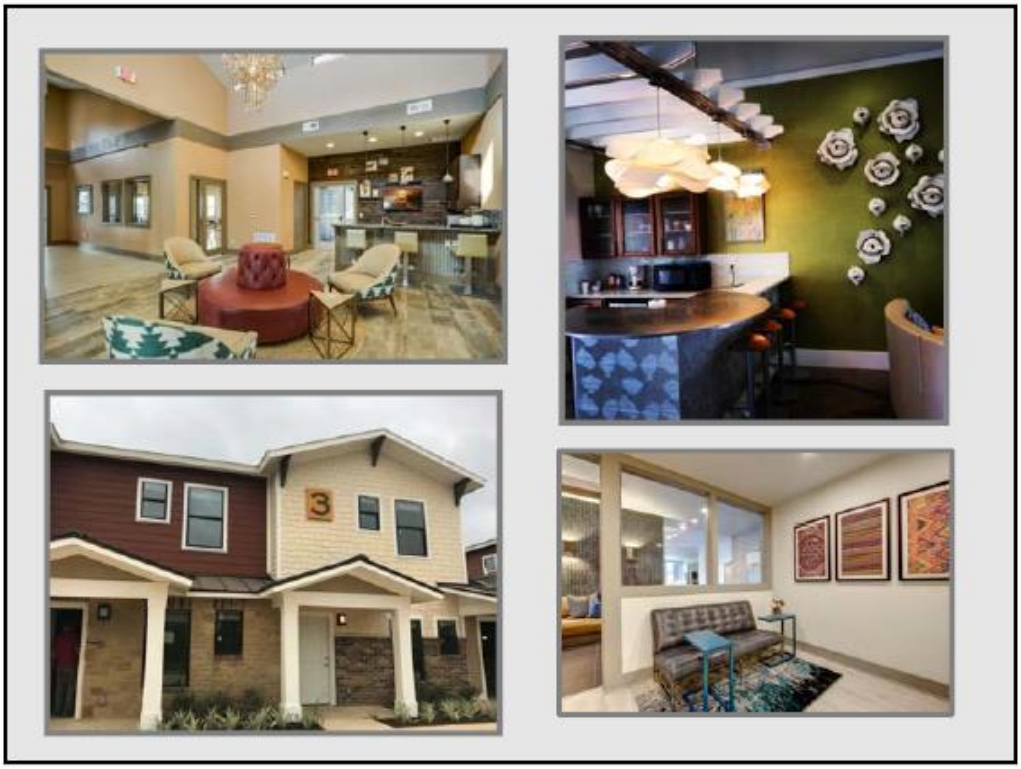
Amenity Space Examples





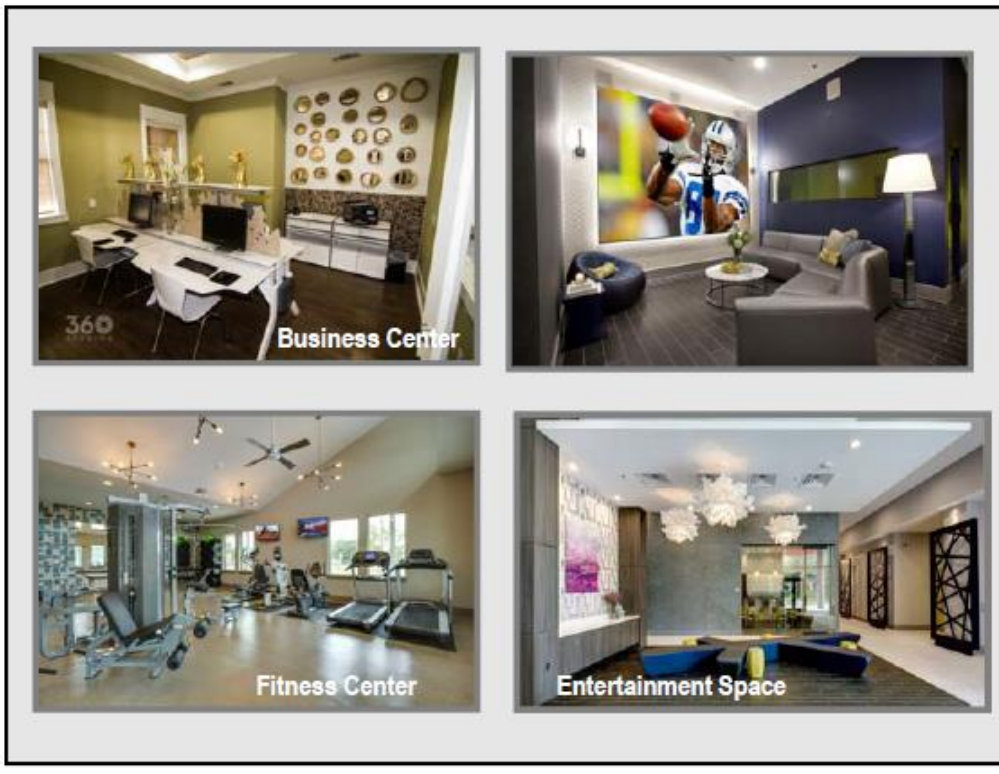









Clubhouse Amenities
• Business center
• 24 hr. Fitness Center
• Multi-purpose room with kitchen
• Indoor/Outdoor entertainment options
• BBQ grills and picnic tables


Business Center
Fitness Center
Entertainment Space

Unit Interior Examples



- Resilient flooring (no carpet)
- Kitchen tile backsplash





- Tile tub surrounds
- Granite or Quartz kitchen countertops and bathroom vanities

Unit Interior Examples





- Washer and dryer hookups
- Energy efficient lighting
- Energy efficient appliances


New and Upcoming
Mistletoe Station, Fort Worth Texas
Aria Grand, Austin, Texas
Canova Palms– Irving, Texas
Edgewood Place– Longview, Texas
Alton Plaza At the Petroleum Building
For more information please visit:
www.saigebrook.com or
www.facebook.com/SaigebrookDevelopment

Provide this information with your plan amendment application.

Taken From: Article 16: Neighborhood Plan Amendment Ordinance

§ 25-1-810 - RECOMMENDATION CRITERIA.

(A) The director may not recommend approval of a neighborhood plan amendment unless the requirements of Subsections (B) **and** (C) are satisfied.

(B) The ***applicant*** must demonstrate that:

(1) the proposed amendment is appropriate because of a mapping or textual error or omission made when the original plan was adopted or during subsequent amendments;

Does this criterion apply to your proposed plan amendment application?___Yes ___ No

If there was a mapping error, explain here and provide documentation:_____

(2) the denial of the proposed amendment would jeopardize public health, safety, or welfare;

Does this criterion apply to your application? ___Yes ____No

If this condition applies, explain here_____

(3) the proposed amendment is appropriate:

(a) because of a material change in circumstances since the adoption of the plan; **and**

(b) denial would result in a hardship to the applicant;

Does this criteria apply to your application?___Yes ___No

If yes, explain here_____

(4) the proposed project:

(a) provides environmental protection that is superior to the protection that would otherwise be achieved under existing zoning and development regulations;

Does this criterion apply to your application?___Yes ___No

If yes, explain here_____

1

or

(b) promotes the recruitment or retention of an employment center with 100 or more employees;

Does either one of these criterion apply to your application?_____Yes ____No

If yes, explain here_____

(5) the proposed amendment is consistent with the goals and objectives of the neighborhood plan;

List the goals and objectives from the plan that you feel support your plan amendment request, along with your rationale for why it meets these goals/objectives. Use separate document if necessary:_____
This project is 90% affordable which is consistent with the neighborhood plan to provide a diversity of housing

***(You can find the plan document here**: http://austintexas.gov/page/adopted-neighborhood-planning-areas-0)*

or

(6) the proposed amendment promotes additional S.M.A.R.T. Housing opportunities.

Is this a S.M.A.R.T. Housing project? __X__Yes ____No

If yes, explain here and provide the letter from Neighborhood Housing and Community Development_____
See attached

(C) The applicant must demonstrate that:

(1) the proposed amendment complies with applicable regulations and standards established by Title 25 (Land Development), the objectives of Chapter 25-2 (Zoning), and the purposes of the zoning district proposed for the subject property;
https://www.municode.com/library/tx/austin/codes/code_of_ordinances?nodeId=TIT25LADE)

The proposed development will comply with MF-6 CO

_____

_____

and

(2) the proposed amendment is consistent with sound planning principles. (See attached)

LAND USE PLANNING PRINCIPLES

You can find the Guide to Land Use Standards here:
http://www.austintexas.gov/department/neighborhood-planning-resources)

Please DESCRIBE how your proposed plan amendment request will meet these principles. If you believe a principle does not apply to your proposed plan amendment application, write "Not applicable".

1. Ensure that the decision will not create an arbitrary development pattern;
Provide your analysis here: There is multi-family within close proximity to the site

2. Ensure an adequate and diverse supply of housing for all income levels;
Provide your analysis here: Project is 90% affordable

3. Minimize negative effects between incompatible land uses;
Provide your analysis here: N/A

4. Recognize suitable areas for public uses, such as hospitals and schools that will minimize the impacts to residential areas;
Provide your analysis here: N/A

5. Discourage intense uses within or adjacent to residential areas;
Provide your analysis here: The plan we have laid out was based on feedback from the neighborhood organization. The density was increased/decreased according to feedback from the group.

6. Ensure neighborhood businesses are planned to minimize adverse effects to the neighborhood;

Provide your analysis here: The property will have several management practices that will minimize the impact to the neighborhood.

7. Minimize development in floodplains and environmentally sensitive areas;
Provide your analysis here: N/A

8. Promote goals that provide additional environmental protection;
Provide your analysis here: N/A

9. Consider regulations that address public safety as they pertain to future developments (e.g. overlay zones, pipeline ordinances that limit residential development);
Provide your analysis here: We are putting a CO on the site to limit the height to 45'

10. Ensure adequate transition between adjacent land uses and development intensities;
Provide your analysis here: The buildings were placed according to discussions with the neighborhood association and provide adequate transitions.

11. Protect and promote historically and culturally significant areas;
Provide your analysis here: N/A

12. Recognize current City Council priorities; (Look at the Imagine Austin Comprehensive Plan Document found here: http://austintexas.gov/department/imagine-austin-download-center. Appendix E. Framework for Decision Making, pages A-57 through A-58.)

Provide your analysis here: This project is in line with the City's goals for providing more affordable housing and Imagine Austin

13. Avoid creating undesirable precedents;
Provide your analysis here: N/A

14. Promote expansion of the economic base and create job opportunities;
Provide your analysis here: This project will create construction jobs and management jobs once complete.

15. Ensure similar treatment of land use decisions on similar properties;
Provide your analysis here: N/A

16. Balance individual property rights with community interests and goals;
Provide your analysis here: We worked closely with the neighborhood while working out the site plan to arrive at the final design.

17. Consider infrastructure when making land use decisions;
Provide your analysis here: Infrastructure is readily available to the site.

18. Promote development that serves the needs of a diverse population.

Provide your analysis here: This property will serve residents from 30% AMI- 60% AMI