



## Recommendation for Action

**File #:** 19-2094, **Agenda Item #:** 114.

6/20/2019

### **Posting Language**

Conduct a public hearing and consider an ordinance approving a Project Consent Agreement waiving or modifying provisions of City Code Chapters 25-8 (Environment) and 25-1 (Administration) to facilitate development of an affordable housing project located on FM 620 at Storm Drive, in the City's 2-mile ETJ.

### **Lead Department**

Development Services Department

### **Fiscal Note**

This item has no fiscal impact.

### **For More Information:**

Brent Lloyd - Development Officer, Development Services Department- 512-974-2239

Chris Herrington - Environmental Officer, Watershed Protection Department - 512-974-2840

### **Council Committee, Boards and Commission Action:**

April 17, 2019 - Approved by the Environmental Commission on a 7-0 vote with Commissioners Guerrero and Maceo off the dais and Commissioner Smith absent.

June 4, 2019 - Approved by the Zoning and Platting Commission on a 9-0 vote with Commissioners Barrera-Ramirez and Goff absent.

### **Additional Backup Information:**

Project consent agreements (PCAs) are a tool available for resolving cases where permit applicants and City staff disagree on whether proposed development is entitled to vested rights under Chapter 245 of the Local Government Code. Staff has determined that the project meets the standard for consideration of a PCA under City Code § 25-1-544.

The proposed project is a 180-unit low-density affordable housing development that has received required approval by the Texas Department of Housing & Community Affairs. The City Council, by Resolution No. 20181115-071, previously certified that the City has no objection to the project's application for 4% Low-Income Housing Tax Credits. The site of the proposed development, located in northwest Austin within the 2-mile extraterritorial jurisdiction (ETJ), is located within the Drinking Water Protection Zone within the Water Supply Rural Watershed. The site contains no Critical Environment Features; however, the project would require waiver or modification of impervious cover restrictions, cut and fill restrictions, and construction on slopes in order to proceed.

Additionally, the PCA would require the project to comply with dark-sky standards and protected tree requirements which would otherwise not apply because the site is located in the ETJ.