

ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0027.SH – Arbor Park

DISTRICT: 6

ZONING FROM: I-RR

TO: MF-3

ADDRESS: 6306 McNeil Drive

SITE AREA: 4.56 acres (198,633.6 sq. ft.)

PROPERTY OWNER: Adey/Vandling, Ltd. (Pam Maulding)

AGENT: Drenner Group, PC (Leah M. Bojo)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends MF-3, Multifamily Residence-Medium Density District, zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

May 5, 2020

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is a 4.56 acre unzoned tract of land that fronts onto McNeil Drive. The property is developed with a retail sales use (Gifts A La Mode Collectibles) and a single-family residence. To the north and south of the site, there are single-family residential neighborhoods (I-SF-2 and SF-2 zoning). The lot to the east is zoned GR-CO and contains a convenience store (Wag A Bag), a service station (Valero) and an automotive repair use (Foundation Auto Repair). To the west, there is a mobile home park (Honeycomb Park) that was zoned MH last year through case C14-2019-0008. The applicant is requesting MF-3 zoning to redevelop the property with a 135 to 150 unit apartment complex. Approximately 80 percent of the residential units would be designated as affordable, from 30 to 80 percent MFI (Please see Applicant's Request Letter – Exhibit C).

The staff recommends the applicant's request for MF-3, Multifamily Residence-Medium Density District, zoning. The property meets the intent of the MF-3 district as it is located on a major arterial roadway, Mc Neil Drive. There are existing residential uses surrounding this site. To the north and south of this tract there are single-family residential neighborhoods. Across Corpus Christi Drive, to the east, there is a multifamily development (Sendera Trails Apartments). The tract of land to the west contains a mobile home park (Honeycomb Park). The proposed zoning will provide for affordable housing opportunities in this area of the city.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Multifamily Residence (Medium Density) district is intended to accommodate multifamily use with a maximum density of up to 36 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas, and in other selected areas where medium density multiple use is desirable.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed zoning of the site to the MF-3 zoning district would be compatible and consistent with the surrounding residential uses/zoning to the north, south, east and west.

3. *The proposed zoning should allow for a reasonable use of the property.*

The MF-3 zoning district would allow for a fair and reasonable use of this property as it will permit the applicant to redevelop the site with multifamily residential units that will provide for affordable housing opportunities in this area of the city.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	I-RR	Retail Sales (Gifts A La Mode Collectibles)
North	I-SF-2	Single-Family Residences
South	SF-2	Single-Family Residences
East	GR-CO, I-RR	Service Station (Valero), Convenience Store (Wag-A-Bag), Automotive Repair (Foundation Auto Repair)
West	MH	Mobile Home Park (Honeycomb Park)

NEIGHBORHOOD PLANNING AREA: N/A

TIA: N/A

WATERSHED: Walnut Creek

SCHOOLS: Round Rock I.S.D.

Jollyville Elementary School
Deerpark Middle School
McNeil High School

NEIGHBORHOOD ORGANIZATIONS:

Bike Austin
Friends of Austin Neighborhoods
Homeless Neighborhood Association
SELTEXAS
Sierra Club, Austin Regional Group
TNR BCP- Travis County Natural Resources

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0008 (Honeycomb Park: 6402 McNeil Drive)	I-RR to MH	5/07/19: Approved staff's recommendation of MH zoning by consent (9-0, N. Barrera-Ramirez-absent); D. King-1 st , A. Tatkov-2 nd .	6/06/19: The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20190606-088 for mobile home residence

			(MH) district zoning was approved on Council Member Flannigan's motion, Council Member Renteria's second on a 10-0 vote. Council Member Harper-Madison was absent.
C14-2017-0042 (12602 Blackfoot Trail)	LR-CO, SF-2 to CS-1-MU* *On May 16, 2017, the applicant submitted a letter amending the rezoning request to CS- MU.	8/15/17: Approved maintaining SF-2 zoning for the existing Tract 1 and GR-MU-CO zoning for the existing Tract 2, with the following conditions for Tract 2: 1) Prohibit Alternative Financial Services, Automotive Washing (of any type), Bail Bond Services, Drop-Off Recycling Collection Facility, Medical Office-exceeding 5,000 sq. ft. gross floor area, Medical Offices-not exceeding 5,000 sq. ft. gross floor area, Outdoor Entertainment, Pawn Shop Services, Service Station, Congregate Living, Guidance Services, Hospital Services (General), Hospital Services (Limited), Residential Treatment and Drive-In Services and 2) maintain the condition from Ordinance No. 9907722-46 that, "Pedestrian and vehicular traffic associated with a non-residential use on the Property may not access Blackfoot Trail." (7-0, D. Breithaupt, B. Evans, S. Lavani and S. Trinh-absent); J. Duncan-1 st , A. Aguirre-2 nd .	10/19/17: Approved GR-MU zoning on 1 st reading only (8-3, A. Alter, L. Pool, K. Tovo-No); J. Flannigan-1 st , P. Renteria-2 nd . 12/07/17: Motion to approve GR-MU zoning, with a public restrictive covenant document to include the provision to restrict vehicular access from the Property to Blackfoot Trail. J. Flannigan-1 st , G. Casar-2 nd . A Amendment to include the provision to restrict vehicular access from Blackfoot Trail in a conditional overlay in the draft ordinance (4-5, S. Adler, O. Houston, G. Casar, A. Kitchen, J. Flannigan-No; D. Garza and E. Troxclair-off dais); K. Tovo, L. Pool-2 nd . Main motion to approve GR-MU zoning, with access restriction in a public restrictive covenant document, on 2 nd reading only (6-3, A. Alter, L. Pool and K. Tovo-No; D. Garza and E. Troxclair-off the dais). 12/14/17: A motion to approve the ordinance for community commercial-mixed use combining (GR-MU) district zoning with conditions was made by Council Member Flannigan and seconded by Council Member Houston. The following additional conditions are added to the ordinance: Part 2: The Property with the boundaries of the conditional overlay combining district established by the ordinance is subject to the following conditions:

			<p>The following uses are prohibited uses for the Property:</p> <p>A. Restaurants (general)</p> <p>B. Liquor sales as an accessory use to commercial uses is prohibited.</p> <p>In addition, the motion included the approval of the new restrictive covenant to prohibit vehicular traffic associated with non-residential use on property to Blackfoot Trail.</p> <p>A substitute motion was made by Council Member Pool to approve the ordinance for neighborhood commercial –mixed use (LR-MU) combining district zoning with a conditional overlay to prohibit Restaurant (general) use, and liquor sales use as an accessory use to commercial use. The substitute motion failed on Council Member Pool’s motion, Mayor Pro Tem Tovo’s second on a 3-8 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Alter and Pool. Those voting nay were: Mayor Adler, Council Members Casar, Flannigan, Garza, Houston, Kitchen, Renteria, and Troxclair.</p> <p>A motion to approve the provision with vehicular traffic to be included in the conditional overlay rather than the restrict covenant failed on Mayor Pro Tem Tovo’s motion, Council Member Pool’s second on a 3-8 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Alter and Pool. Those voting nay were: Mayor Adler, Council Members Casar, Flannigan, Garza, Houston, Kitchen, Renteria, and Troxclair.</p> <p>Ordinance No. 20171214-102 was approved for community commercial-mixed use combining (GR-MU) district zoning with the additional conditions listed above on Council Member Flannigan’s motion, Council Member Houston’s second on an 11-0 vote.</p>
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C14-2011-0029 (Colonial at Quarry Oaks, 6263 McNeil Drive)	MF-3-CO to MF-3-CO	6/07/11: Approved staff's recommendation of MF-3-CO zoning, with CO that would limit the site to uses that generate no more than 3,545 vehicle trips per day and the property would be subject to the conditional overlay conditions set out in Ordinance No. 940203-I and in Ordinance No. 930610-M, with the exception of Part 2.4., that states "No multifamily development of Tract 2, or any portion thereof, shall be constructed or maintained within 25 feet of Melrose Trail." and public RC for TIA conditions, by consent (5-0, G. Bourgeois- absent); P. Seager-1 st , D. Tiemann-2 nd .	6/23/11: Approved MF-3-CO district zoning on consent on 1 st reading (7-0); B. Spelman-1 st , L. Morrison-2 nd . 7/28/11: Approved MF-3-CO zoning on consent on 2 nd /3 rd readings (7-0); B. Spelman-1 st , S. Cole-2 nd .
C14-2011-0046 (6207 McNeil)	RR to W/LO	6/07/11: Approved staff's recommendation of W/LO-CO zoning, the CO will maintain a 40-foot buffer/ building setback along the north property line of the site, by consent (5-0, G. Bourgeois- absent); P. Seager-1 st , D. Tiemann-2 nd .	6/23/11: The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for warehouse/limited office-conditional overlay (W/LO-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote. A motion to reconsider item 130 was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote. The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20110623-130 for warehouse/limited office-conditional overlay (W/LO-CO) combining district zoning was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote.
C14-05-0086 (McNeil House Apartments: 6280 McNeil Drive)	I-RR to MF-2	8/16/05: Approved staff's recommendation for MF-2 zoning by consent (8-0, K. Jackson- absent); J. Gohil-1 st , M. Hawthorne-2 nd .	9/29/05: Approved MF-2 zoning by consent (7-0); all 3 readings
C14-01-0063 (Baunach)	SF-3 to LO	6/26/01: Approved staff's alternate rec. of NO-MU-CO	8/02/01: Approved PC rec. of NO-MU (6-0); all 3 readings

Neighborhood Office - 12719 Dakota Lane)		zoning, with a CO to limit the permitted uses to Administrative and Professional Office and Software Development, allow for a rollback provision to SF-1 if the office use ceases, and limit the site to 20 trips per day; by consent (8-0)	
C14-00-2219 (12716-12728 Dakota Lane)	RR, SF-1 to GO	2/13/01: Approved staff alternate rec. of GO-CO (TR1) & LO-CO (TR2) with conditions (9-0)	3/22/01: Approved GO-CO (TR1) & LO-CO (TR2) with conditions (7-0); all 3 readings
C14-00-2218 (6514 McNeil Drive)	I-RR to GO	2/13/01: Approved staff rec. of GO-CO by consent (9-0)	3/22/01: Approved GO-CO zoning, with the following conditions: 660 vehicle trip limit and 40 foot height limit (7-0); all 3 readings

RELATED CASES: N/A

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
McNeil Drive	~97'	104'	80'	4	No	Yes	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning case is located on the north side of McNeil Drive on a parcel that is approximately 4.56 acres in size, which contains one single family house and a small retail/office building. The property is located one half of a mile from the **Parmer Lane Activity Corridor** and is not located with the boundaries of a neighborhood planning area. Surrounding land uses includes a single family subdivision to the north and south; to the east is gas station/convenience store, an auto repair shop and an apartment complex; and to the west is a RV park and single family houses. The proposal is to demolish the existing single family residence and commercial/office building and construct a 135 to 150 unit apartment complex on the site. Approximately 80 percent of the units would be designated as affordable, from 30 to 80 percent MFI.

Connectivity

Public sidewalks are mostly absent along this section of McNeil Drive, a major arterial road. Bike lanes are located along both sides of the street. There are no a Cap Metro Transit stops or urban trails located within a half of a mile from this site. A grocery store is located 6/10ths

of a mile from the subject property, while a public elementary school is located 3/10th of a mile away. The mobility and connectivity options in this area are fair.

Imagine Austin

The project is not located not located by an Activity Center or along an Activity Corridor. The following IACP policies are applicable to this project:

- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **LUT P6.** Ensure that neighborhoods of modest means have a mix of local-serving retail, employment opportunities, and residential uses.
- **HN P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.
- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to healthy food, schools, retail, employment, community services, and parks and recreation options.

The Austin Strategic Housing Blueprint, which is an amendment to Imagine Austin, includes goals for affordable housing in every City Council district. Some of these goals include: (1) preventing households from being priced out of the Austin; (2) providing an affordable housing choice; and (3) protecting diverse communities. Affordable housing is especially beneficial when it is located in an area located within walking distance to jobs, commercial and civic uses, which also includes a variety of mobility options. While this project lacks mobility options (public transit and sidewalks), it does have a variety of civic and commercial uses located within a short drive and biking distance from the subject property. Based on this project providing much needed affordable housing and meeting some of the policies above, this rezoning appears to support the Imagine Austin Comprehensive Plan. It is hoped in the future that a public sidewalk system is installed on both sides of the street to access nearby goods and services by foot.

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

At this time, no information has been provided as to whether this property has any ls that preempt current water quality or Code requirements.

Fire

Approved. No comments.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property which is in an SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Compatibility Standards

The site is subject to compatibility standards. Along the northern and southern property lines, the following standards apply:

- No structure may be built within 25 feet of the triggering property line.

- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the triggering property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the triggering property line.
- No parking or driveways are allowed within 25 feet of the triggering property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the triggering property line.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining triggering property.

Additional design regulations will be enforced at the time a site plan is submitted.

Transportation

The Austin Strategic Mobility Plan (ASMP) adopted 04/11/2019, calls for 104 feet of right-of-way for McNeil Drive. It is recommended that 52 feet of right-of-way from the existing centerline should be dedicated for McNeil Drive at the time of subdivision or site plan. The TIA determination will be deferred to site plan submittal when land uses and intensities have been finalized.

Water Utility

Site is currently served with City of Austin water utilities and multiple On-Site Sewage Facilities. Future development plans will require approval of existing or proposed On-Site Sewage Facilities (OSSF).

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. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot for both water and wastewater service, unless OSSF is continued to be utilized. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7th floor. Ph: 512-972-0211.

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.

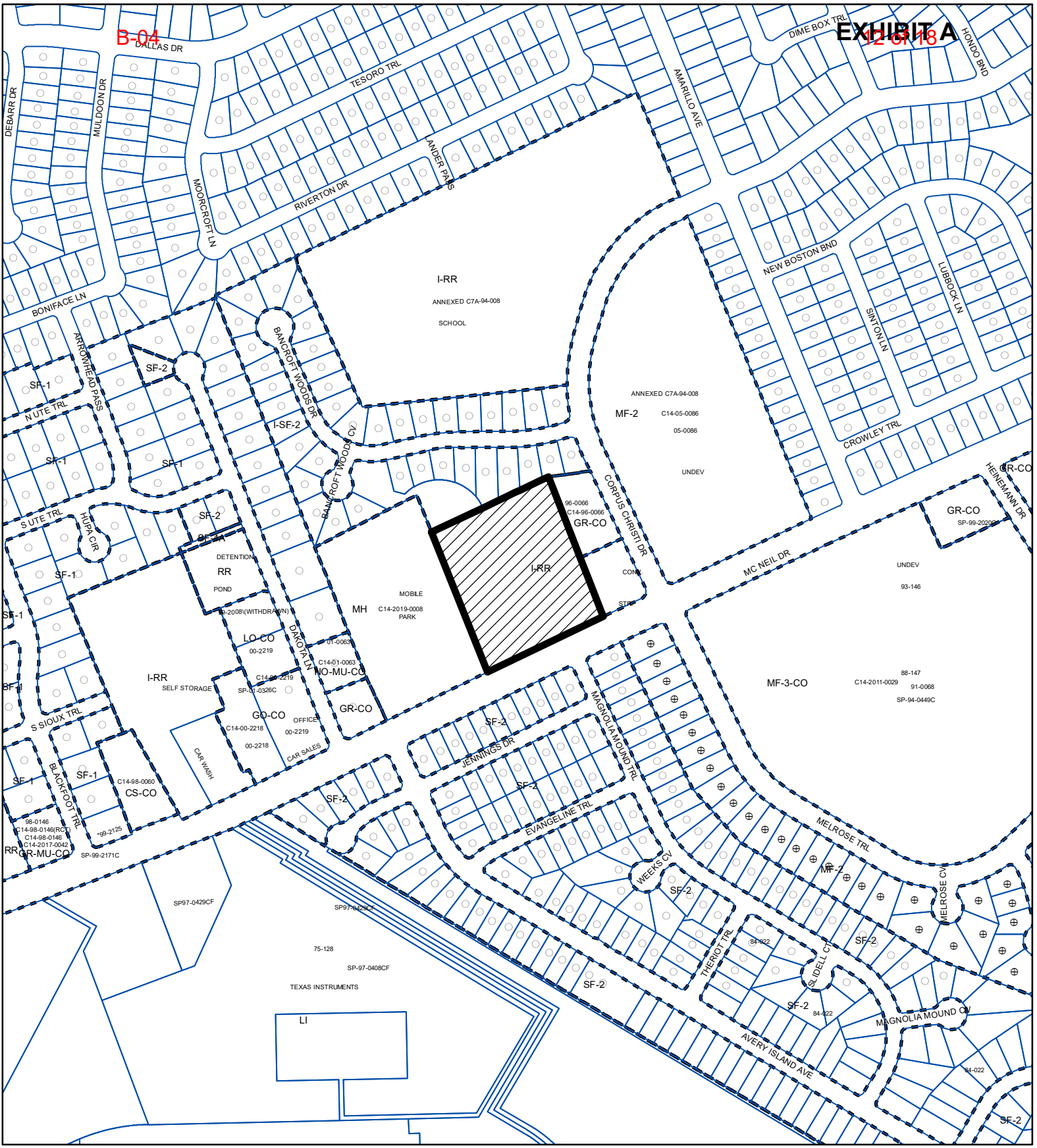
FYI: For more information pertaining to the On-Site Sewage Facilities process and submittal requirements contact the AW OSSF team at OSSF@austintexas.gov or call 512-972-0050. Austin Water reserves the right to make additional comments and to establish other requirements with the On-Site Sewage Facilities review.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Applicant's Request Letter
- D. Land Status Determination
- E. S.M.A.R.T. Housing Certification
Letter

B-04

EXHIBIT A
12-6-18



ZONING

ZONING CASE#: C14-2020-0027



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

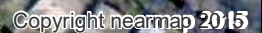
1" = 400'

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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 3/4/2020



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

DRENNER GROUP

February 28, 2020

Ms. Denise Lucas
Planning and Zoning Department
City of Austin
505 Barton Springs Road
Austin, TX 78704

Via Hand Delivery

Re: 6306 McNeil Drive – Zoning application for the approximately 4.56-acre property located at 6306 McNeil Drive, in Austin, Travis County, Texas (the "Property")

Dear Ms. Lucas:

As representatives of the owner of the Property, we respectfully submit the enclosed zoning application package. The project is titled 6306 McNeil Drive and is approximately 4.56 acres of land. The Property is in the Full Purpose Jurisdiction of the City of Austin and is located on McNeil Drive, near the northwest corner of McNeil Drive and Corpus Christi Drive.

The Property is currently zoned I-RR (Interim – Rural Residential). The requested rezoning is from I-RR to MF-3 (Multifamily Residence Medium Density). The Property was annexed on December 30, 1997 and is currently developed with a single-family structure on the northern portion of the Property and a retail/office structure on the southern portion of the Property, fronting McNeil Drive. The purpose of this rezoning request is to allow multifamily use, consistent with the tracts east of the Property. The prospective buyer and developer of the project, DMA Development Company, LLC, is proposing to develop this site with 135-150 units, approximately 80% of which will be affordable between 30% - 80% MFI.

The Property is not located in a neighborhood planning area. The Traffic Impact Analysis ("TIA") has been waived until site plan, per the attached TIA waiver dated February 25, 2020 and executed by Amber Mitchell.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Sincerely,



Leah M. Bojo

cc: Jerry Rusthoven, Planning and Zoning Department (*via electronic delivery*)
Joi Harden, Planning and Zoning Department (*via electronic delivery*)
Sherri Sirwaitis, Planning and Zoning Department (*via electronic delivery*)



**City of Austin
Development Services Department
Land Status Determination
1995 Rule Platting Exception**

August 10, 2016

File Number: C8I-2016-0185

Address: 6306 MC NEIL DR

Tax Parcel I.D. #0170011304

Tax Map Date: 07/31/2012

The Development Services Department has determined that this parcel, as described in the attached description and map, **IS EXCEPTED FROM THE REQUIREMENT TO PLAT** in accordance with the Land Development Code, Section 25-4-2(C), and is eligible to receive utility service.

The parcel of land consists of five acres or less, and is described as being **4.56 acres of land, more or less, out of the W.J. Baker Survey, Abstract No. 64** in the current deed, recorded on **Dec 13, 2005**, in **Document #2005229104**, Travis County Deed Records. This parcel existed in its current configuration on January 1, 1995, as evidenced by a deed recorded on **Aug 14, 1991**, in **Volume 89, Page 396**, Travis County Deed Records. The parcel was lawfully receiving utility service, as defined in Section 212.012 of the Texas Local Government Code, on January 1, 1995, as evidenced by **water service on May 30, 1979**. The parcel meets the requirements of the Land Development Code for roadway frontage and is located on an existing street.

Additional Notes/Conditions:

NONE

This determination of the status of the property is based on the application of Chapter 212, Municipal Regulation of Subdivisions and Property Development, Texas Local Government Code; and the City of Austin Land Development Code, Chapter 25-4, Subdivision. Recognition hereby does not imply approval of any other portion of the City Code or any other regulation.

By:

**Michelle Casillas, Representative of the Director
Development Services Department**



City of Austin

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

Neighborhood Housing and Community Development Department

February 26, 2020

S.M.A.R.T. Housing Certification
 Austin McNeil DMA Housing, LLC – Arbor Park (Project ID 706)

To Whom It May Concern:

Austin McNeil DMA Housing, LLC - (development contact: Janine Sisak: 512.328.3232 x4505 (o); janines@dmacompanies.com) is planning to develop a **147-unit, multi-family** development at 6306 McNeil Drive, Austin TX 78729. The project will be subject to a minimum 5-year affordability period after issuance of a certificate of occupancy, unless funding requirements are longer.

This project is seeking a zoning change and the developer has advised there are no Neighborhood Associations or Neighborhood Contact Plan Teams affected by this development.

Neighborhood Housing and Community Development (NHCD) certifies the proposed project meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since 8% of the units (12) will serve households at or below 30% MFI, 8% of the units (12) will serve households at or below 40% MFI, 29% of the units (43) will serve households at or below 50% MFI, 27% of the units (40) will serve households at or below 60% MFI and 9% of the units (13) will serve households at or below 80% MFI, and the remaining 27 units will be market rate units, 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 27 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 27 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:

AWU 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@austinenrgy.com).
- ◆ Submit plans demonstrating compliance with the required accessibility 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 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.

This project has received a Transit Oriented Waiver, see Attachment-1

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 512.974.3173 or by email at alex.radtke@austintexas.gov if you need additional information.

Sincerely,



Alex Radtke, Senior Planner
Neighborhood Housing and Community Development

Cc: Kristin Martinez, AE Ellis Morgan, NHCD Jonathan Orenstein, AWU
Mashell Smith, ORES

Attachment 1 – S.M.A.R.T. Housing Transit Oriented Waiver Approval

February 20, 2020

Ms. Nicole Mwei
Assistant Project Manager
DMA Development Company, LLC
4101 Parkstone Heights Drive, Suite 310
Austin, TX 78746

RE: Future of a MetroRapid Route at Parmer Lane and McNeil Drive

Dear: Ms. Mwei

Project Connect, the high capacity plan for Central Texas, includes a MetroRapid (bus-rapid transit) route to Parmer lane that would serve the proposed new apartment complex near the intersection of Parmer Lane and McNeil Drive.

The spine of the Project Connect plan is composed of the high capacity Orange and Blue Lines. The Orange Line is a 21-mile north-south link with 16 stations and new transit hubs that would travel along North Lamar and Guadalupe through the UT campus. Additionally, it would travel downtown, along South Congress district toward Stassney Lane, with possible extensions north to Tech Ridge and south to Slaughter Lane. However, the Blue Line would provide transit options from Austin-Bergstrom International Airport (ABIA), along East Riverside Drive, with potentially 15 stations and new transit hubs with possible extension to ACC-Highland.

New MetroRapid routes are proposed for Parmer Lane, connecting Tech Ridge with ACC-Highland, to Oak Hill, to McKinney Falls and to the Travis County Exposition Center. Additionally, TXDOT has a planned construction of a diverging diamond intersection at I-35 and Parmer Lane. It would replace the traditional intersection with a diverging diamond intersection, widening and extending the northbound frontage road, adding a southbound bypass lane, and reconstructing two entrance and exit ramps south of Parmer Lane. Further, it would include constructing right-turn lanes at the intersection of Lamar Boulevard and Parmer Lane, constructing dual left-turn lanes from Parmer Lane to Lamar Boulevard, and improving bicycle and pedestrian accommodations in support of additional mobility options that are being planned for the area.

Capital Metro is working diligently to provide a better-connected transit experience to all residents of the Greater Austin Metropolitan Area. Hopefully, this correspondence has satisfactorily addressed how we are planning to serve your SMART-Transit complex. Thank you for reaching out to us, and best wishes on your new venture.

Sincerely,


Sharmila Mukherjee, AICP
EVP, Strategic Planning & Development