

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: East MLK Combined (MLK)

CASE#: NPA-2020-0015.02.SH

DATE FILED: July 29, 2020

PROJECT NAME: 2011 & 2015 EM Franklin

PC DATE: April 26, 2022
April 12, 2022
March 22, 2022
March 8, 2022

ADDRESS/ES: 2011 & 2015 E.M. Franklin Ave

DISTRICT AREA: 1

SITE AREA: 4.03 acres

OWNER/APPLICANT: 2011 & 2015 EM Franklin, LLC (Anmol Mehra)

AGENT: Drenner Group, PC (Leah Bojo)

CASE MANAGER: Maureen Meredith, Housing and Planning Dept.

PHONE: (512) 974-2695

STAFF EMAIL: Maureen.Meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family

To: Multifamily and Neighborhood Mixed Use, as amended on December 8, 2021.

Base District Zoning Change

Related Zoning Case: C14-2022-0008.SH

From: SF-4-NP

To: MF-4-NP and LR-MU-NP, as amended

NEIGHBORHOOD PLAN ADOPTION DATE: November 2002

CITY COUNCIL DATE:

June 9, 2022

ACTION: Approved 1st Reading only. Vote: 11-0.

July 28, 2022

ACTION: (proposed 2nd and 3rd readings)

PLANNING COMMISSION RECOMMENDATION:

April 26, 2022 – After discussion, approved the applicant’s request for Multifamily Residential and Neighborhood Mixed Use land use. [C. Hempel – 1st; A. Azhar – 2nd] Vote: 8-0-2 [G. Anderson recused due to a conflict of interest, rendered professional services to Applicant. C. Llanes Pulido and S. R. Praxis abstained. T. Shaw and J. Shieh absent].

April 12, 2022 – Postponed to April 26, 2022 on the consent agenda at the request of neighborhood. [C. Hempel – 1st; R. Schneider – 2nd] Vote: 10-0 [A. Awais, J. P. Connolly, and G. Cox absent].

March 22, 2022 – Postponed to April 12, 2022 on the consent agenda at the request of staff. [R. Schneider 1st; A. Azhar – 2nd] Vote: 10-0 [J. Mushtaler off the dais. J. Thompson and JU. Shieh absent].

March 8, 2022 – Postponed to March 22, 2022 on the consent agenda at the request of staff. [R. Schneider – 1st; A. Azhar – 2nd] Vote: 10-0 [Mushtaler off the dais. J. Thompson and J. Shieh absent].

STAFF RECOMMENDATION: Staff supports the applicant’s request for Multifamily and Neighborhood Commercial land use.

BASIS FOR STAFF’S RECOMMENDATION: The applicant proposes a 143-unit housing development with 100% of the units owner-occupied. Forty-three units will be affordable, and 100 units will be market rate,

The surrounding land uses are Mixed Use to the north, Recreation & Open Space to the east, Single Family to the south and Single Family land use on the west side of E. M. Franklin Avenue.

The existing land use on the two tracts is Single Family. The proposed land use is Multifamily Residential on 2011 E. M. Franklin Avenue and Neighborhood Mixed Use on 2015 E. M. Franklin Ave. Staff supports the applicant’s request because the Neighborhood Mixed Use and Multifamily Residential land uses will step-down the land use intensity from the Mixed Use land use to the north and the Single Family land use to the south. The property is near the Mueller Activity Center, two activity corridors, and near public transportation. The proposed development will provide much-needed housing opportunities for the planning area and the city.



Below are sections of the E. MLK Combined Neighborhood Plan that supports the applicant's request.

Goal 1- Preserve established residential areas and improve opportunities for home ownership by promoting the rehabilitation of existing housing and new, infill housing compatible with the existing style of this neighborhood.

Objective 1.1: Maintain single-family zoning in established residential areas.

Objective 1.2: Promote new infill housing in appropriate locations.

Objective 1.3: Establish an ongoing system for providing information on housing rehabilitation and home ownership resources to residents and property owners.

Goal 2 - Promote a mix of land uses that respect and enhance the existing neighborhood and address compatibility between residential, commercial, and industrial uses.

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Single family - Detached or two family residential uses at typical urban and/or suburban densities.

Purpose

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

Application

1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and
2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development.

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
3. 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.

Neighborhood Mixed Use - An area that is appropriate for a mix of neighborhood commercial (small-scale retail or offices, professional services, convenience retail, and shopfront retail that serve a market at a neighborhood scale) and small to medium-density residential uses.

Purpose

1. Accommodate mixed use development in areas appropriate for a mix of residential uses and neighborhood commercial uses that serve surrounding neighborhoods; and
2. Provide transition from residential use to high intensity commercial or mixed use.

Application

1. Appropriate for areas such as minor arterials and collectors, small parcels along major arterials that abut single-family residential development, and areas in environmentally sensitive zones where high intensity commercial uses are discouraged; and
2. May be used as a transition from high intensity commercial and residential uses to single-family residential uses.

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 proposed development is a 143 mixed-income housing development (multifamily and single-family units) with 43 affordable unit. This development will provide a mix of housing types for the planning area and the City. The property is located between Manor Road and E. MLK Jr. Blvd where there are public transportation routes.***
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 south of the Mueller Town Center and between two activity corridors, Manor Road and E. MLK Jr. Blvd.***
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 near the Mueller Activity Center and between two activity corridors, Manor Road and E. MLK Jr. Blvd.***
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
 - **The proposed mixed-income development will provide additional housing.**
5. Ensure harmonious transitions between adjacent land uses and development intensities.
 - ***There is mixed use land use to the north of the site. The applicant's request for Neighborhood Mixed Use and Multifamily land use will step-down the land uses from the Mixed Use to the Single Family land use.***

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 in the Drinking Water Protection Zone.***
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.
 - ***The development will have an acre of green space and is adjacent to the Morris Williams Golf Course.***
8. Protect, preserve and promote historically and culturally significant areas.
 - ***To staff’s knowledge there is no historic or cultural 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 in a bikeable and walkable area near hospital facilities at Mueller Development and adjacent to the Morris Williams Golf Course.-+***
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.***

2011 E. M. Franklin Avenue

[Add scores to your site](#)

MLK, Austin, 78723

Commute to **Downtown Austin**

15 min 28 min 21 min 60+ min [View Routes](#)

Favorite **Map**

[More about 2011 E. M. Franklin Avenue](#)

Walk Score
28

Car-Dependent

Most errands require a car.

Transit Score
42

Some Transit

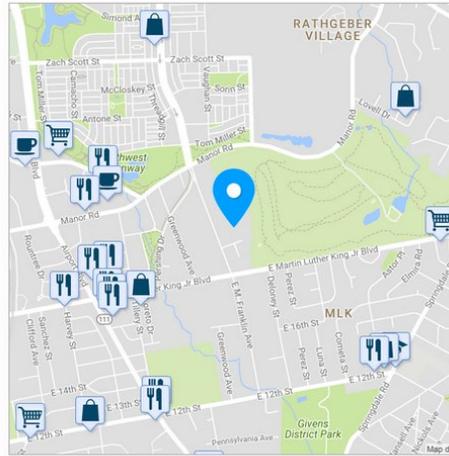
A few nearby public transportation options.

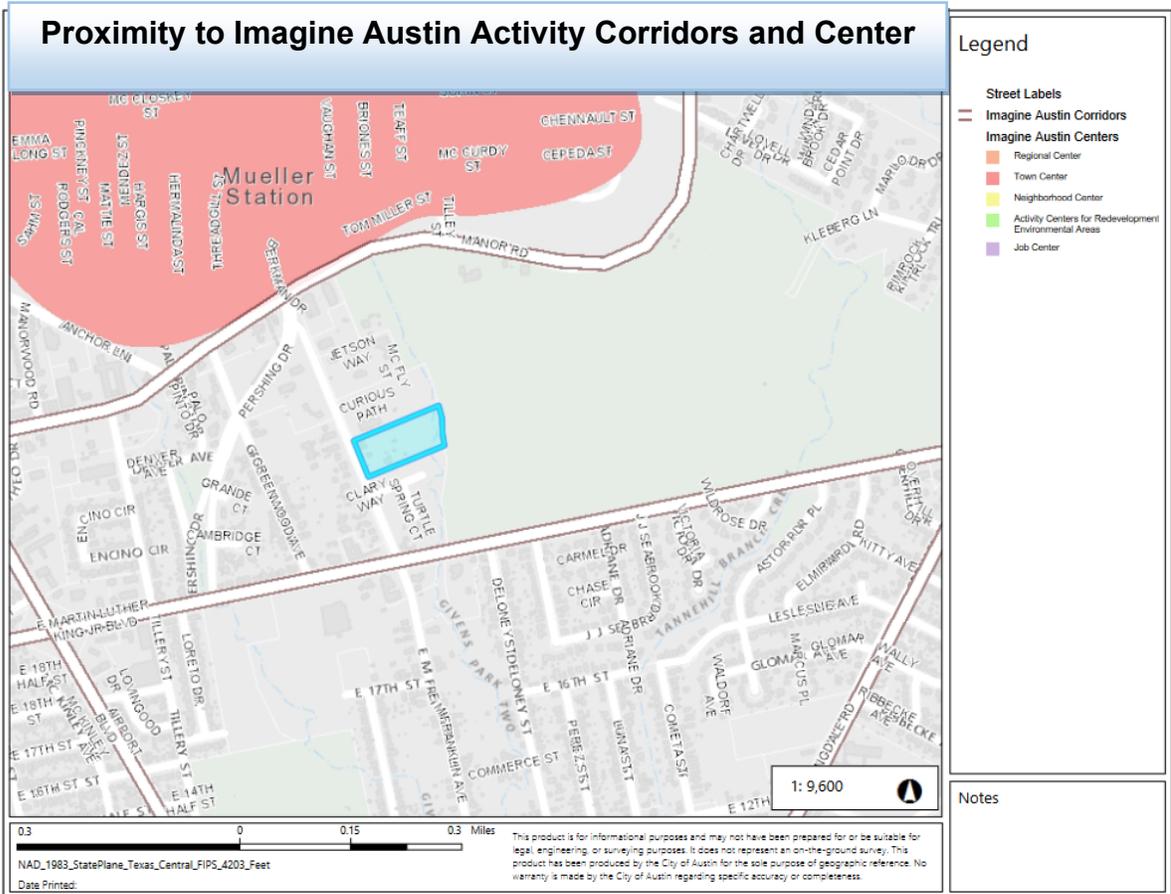
Bike Score
68

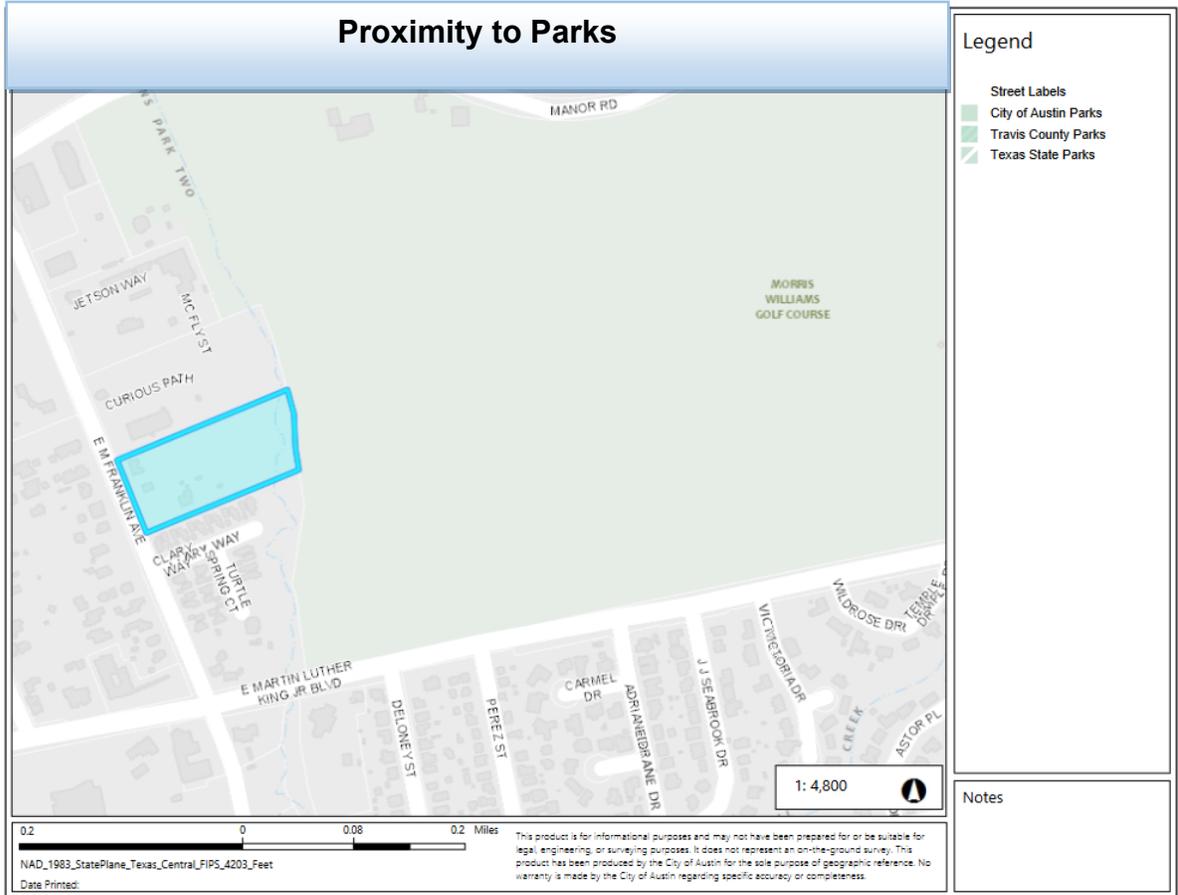
Bikeable

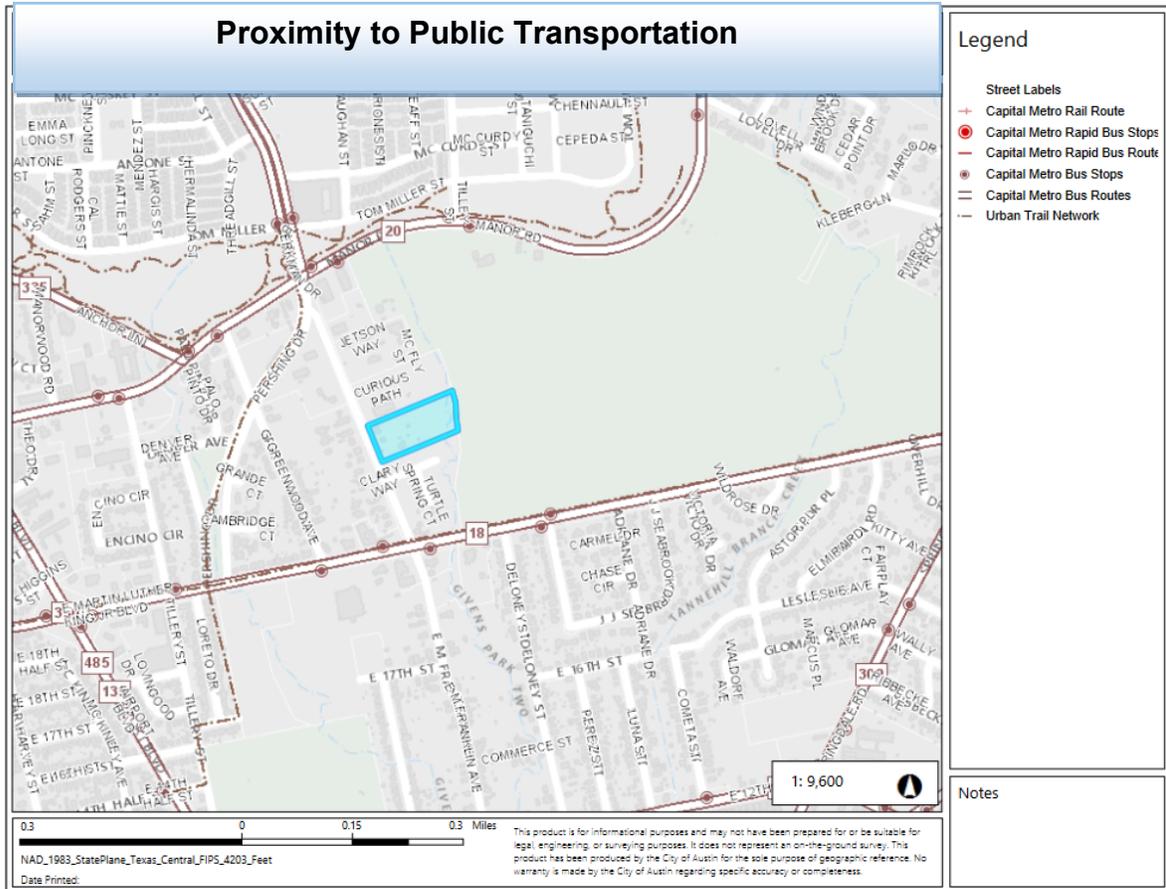
Flat as a pancake, excellent bike lanes.

[About your score](#)









E. M. Franklin Avenue

MLK, Austin

Commute to **Downtown Austin**

15 min
 25 min
 20 min
 60+ min
 [View Routes](#)

♥ Favorite

🗺 Map

[Looking for a home for sale in Austin?](#)

Walk Score
38

Car-Dependent

Most errands require a car.

Transit Score
46

Some Transit

A few nearby public transportation options.

Bike Score
62

Bikeable

Mostly flat, good bike lanes.

[About your score](#)

[Add scores to your site](#)

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.

Regional Centers - Regional centers are the most urban places in the region. These centers are and will become the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Housing in regional centers will mostly consist of low to high-rise apartments, mixed use buildings, row houses, and townhouses. However, other housing types, such as single-family units, may be included depending on the location and character of the center. The densities, buildings heights, and overall character of a center will depend on its location.

Activity Centers for Redevelopment in Sensitive Environmental Areas - Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context.

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 plan amendment application was filed on July 29, 2020, which is out-of-cycle for neighborhood planning areas located on the east side of IH-35. The out-of-cycle application was allowed because it is a S.M.A.R.T. Housing Certified development,

The applicant proposes to change the land use on the future land use map from Single Family to Multifamily Residential land use on 2011 E.M. Franklin Avenue and Neighborhood Mixed Use on 2015 E.M. Franklin Avenue.

The applicant proposes to change the zoning on the property from SF-3-NP, Family Residential district- Neighborhood Plan to MF-4-NP, Multifamily Residence Moderate-High Density district and LR-MU-NP, Neighborhood Commercial district - Mixed Use combining district – Neighborhood Plan for a 143-unit housing development, 43 units of which will be affordable.

PUBLIC MEETINGS: The ordinance required community meeting was held on November 18, 2021. Approximately 244 meeting notices were mailed to people who rent or own property within 500 feet of the submit tract, in addition to neighborhood and environmental organizations who requested notification for the area. Two city staff members attended the meeting, Maureen Meredith and Mark Walters. Conor Kenny from Civilitude attended, in addition to the property owner, Anmol Mehra. Twelve people from the neighborhood attended.

Conor Kenny, Civilitude: *(See his presentation in this report for details)*

- Franklin Common is a mixed-income, 143-unit development. 30% of them (43 units) will income restricted affordable community with an acre dedicated to green open space.
- 2011 E.M. Franklin Avenue is single family and we are proposing multifamily to accommodate and MF-4-NP with a conditional overlay.
- 2015 E.M. Franklin Avenue is currently single family, and we are proposing Mixed Use/Office to accommodate a LO-MU-NP zoning. ***Note: On December 8, 2021 the zoning request and FLUM change was amended to LR-MU-NP zoning and Neighborhood Mixed Use future land use.***

- 2011 is currently vacant and 2015 has a current structure that has been used as storage which may have been a residence prior to 2017.
- The property is less than ¼ mile walk from two metro rapid bus transit corridors and less than ¼ mile from two Imagine Austin growth corridors, which the Strategic Housing Blueprint and Austin Strategic Mobility Plan says we should put our new housing near these corridors.
- Single family homes in this area can't be found under \$600,000, but the small apartments and townhomes we are hoping to build will run somewhere in the \$200,000 to \$500,000, even though they are not officially income restricted.
- There will be a coffee shop that will double as a community center which will be available for reservations.
- Units will be 100% ownership
- 25% of the total land area will be dedicated green space.
- One acre of land will be dedicated open and green space, the bulk of which will be along the creek beds. There will be native plantings and native trees along the creek bed to increase habitat and to also prevent pedestrian access to the south which is an agreement the Franklin Grove Neighborhood to the south.
- There will be a dog park.
- We are aware of the displacement of people in the neighborhood so there will be priority for affordable units in a pre-sale period where it is open to the public for people who have been displaced.
- In the renderings for 2011 E.M. Franklin we have two-story townhomes to the south, three-story small multifamily homes in the middle and on 2015 E.M. Franklin there is a three-story building and a four-story building with Affordability Unlocked, where we can get extra story of height to be able to see the affordably on the project.
- There is a provision in the Code that says when you're on SF-3 lot adjacent to a large open space, such as a park or a golf course, your impervious cover increases to 55%, not 45%.

Q: Can you share the requests the neighborhood made and identify the places in your in presentation that address those requests?

A: There were a number of requests that we tried to speak to with regard to tree plantings and stepping back in height. We were very happy to grant that in terms of agreeing to forgo the affordable bonus that's given with Affordability Unlocked for the same distance from the western homes as from the southern homes. We were asked to downgrade the height to two-stories in some areas, but we already have two-stories. That's lower height than the current zoning. We were asked to provide two parking spaces plus 20% for visitor parking. That is more parking than the current zoning allows or really than any zone requires. We tried to accommodate some of those requests, but some would economically kill the project.

Q: Can you share the inputs and outputs that under grid your interpretation of the slide about why MF-4 zoning is being requested?

A: With the MF-4, the units per acres isn't just governed by the zoning, there is minimum site area that depends on the units, so the number we have listed are the maximum number of

units that you can do under that zoning which is based on efficiency and one-bedroom. To do two bedrooms you're actually allowed to do less, so that determines the number of units. We wanted to keep it at least 20 or 10% affordable because we didn't want to segregated community. We wanted the income levels to be interspersed throughout. With the increase construction costs, on 2015 EM Franklin, the affordable units are built at a loss. With City subsidies you can maybe build at cost, but you're reducing the number of units that are profitable on 2011, then essentially 2015 is likely built at a loss and 2015 loss subsidized so you can reduce the amount of income off 2015 E.M. Franklin.

Q: Tell us more about mid-block precedence for rezonings like this in our neighborhood on two-lane roads with freshly striped like lanes.

A: The George is going to be mid-block. There was a school of thought about 60 years ago that said folks who lived a multifamily should be restricted to living on busy streets and single-family homes should be protected from that is kind of falling out of favor.

Q: Have you developed this type of projects Austin?

A: My organization is handling the engagement on the zoning and the land planning. Anmol has hired experience engineers and architects who have done this type of development.

Q: How much green space lies in the creek bed?

A: About 0.24 acres.

Q: How are you getting the word out about the displaced people and the affordable units?

A: We are in discussions right now with a local Black-lead nonprofit in Austin do marketing because they have a lot of connections with the local community that's been here for awhile as well as folks that have already been displaced as well as folks from Pflugerville and Manor.

Q: Why can't you build affordable single-family homes?

A: It costs at minimum \$250,000 to build a single-family home, then there's about \$50,000 in City fess, the lot costs of \$200,000 and you're looking at \$500,000 in costs. Then you add the risk and soft costs. Also, it is what the market can bear because our housing growth has not kept pace with our job growth. There is a shortage of housing. When you have more buyers than there are homes, it is only the richest people are able to buy. Most upper-income folks want single family homes outside of Downtown. If you are attached or stacked, that automatically lowers your price on the market. Form dictates the price in Austin.

Comments:

- This development proposal is very ambitious and is much higher intensity than the surrounding properties. It doesn't seem compatible with the existing land uses.
- A resident from the Franklin Grove HOA read a letter from the President of the HOA who said Anmol Mehra has worked with them in shaping the development and the Franklin Grove HOA took a vote where 93% of the residents voted in favor of the development.

- We are generally supportive. As Conor noted, pricing and other buildings in the neighborhood is not affordable. We are excited about the potential for this creation of housing for folks who can't afford the 600K going rates these days.
- This neighborhood is less than four miles from downtown on two growth corridors and two rapid transit quarters and one of the fastest growing cities in the country. To say this isn't the right neighborhood for missing middle housing is naïve at best. I welcome the idea of bringing so many new neighbors to the area I fully support the rezoning.
- We are supporting affordable housing right down the block on Manor, but this is mid-block and you have one ingress/egress in this low density in order to achieve it.
- Good project, wrong location.

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

City of Austin



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

Neighborhood Housing and Community Development Department

July 22, 2020

S.M.A.R.T. Housing Certification
 Anmol Mehra – 2011 & 2015 E M Franklin (Project ID 733)

To Whom It May Concern:

Anmol Mehra - (development contact: Glen Coleman: 512.407.9357 (c); glen@southllano.com) is planning to develop a **160-unit, multi-family and single-family ownership development** at 2011 & 2015 E M Franklin Avenue, Austin TX 78723. The project will be subject to a minimum 1-year affordability period after issuance of a certificate of occupancy, unless funding requirements are longer.

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 **30%** of the units (**49 units**) will serve households at or below **80% Median Family Income (MFI)**, the development will be eligible for **75%** waiver of all fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance except for Austin Water Utility (AWU) Capital Recovery Fees. **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 project will not be eligible to receive Austin Water Utility Capital Recovery Fee (CRF) waiver.** The expected fee waivers include, but are not limited to, the following fees:

<p>AWU Capital Recovery Fees Building Permit Concrete Permit Electrical Permit Mechanical Permit Plumbing Permit</p>	<p>Site Plan Review Misc. Site Plan Fee Construction Inspection Subdivision Plan Review Misc. Subdivision Fee Zoning Verification</p>	<p>Land Status Determination Building Plan Review Parkland Dedication (<i>by separate ordinance</i>)</p>
--	--	--

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@austinenrgv.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.

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 512.974.2108 or by email at alex.radtke@austintexas.gov if you need additional information.

Sincerely,

Alex Radtke

Alex Radtke, Senior Planner
Neighborhood Housing and Community Development

Cc: Kristin Martinez, AE
Mashell Smith, ORES

Ellis Morgan, NHCD

Jonathan Orenstein, AWU

**Neighborhood Plan Amendment
SUMMARY LETTER**

Both lots of the project site are zoned SF-3 and the 2015 lot has existing structures. Proposed zoning for the site is (2011) MF and (2015) LR-MU proposing 74 units on the 2011 lot (Multifamily, ~2.82 Acres) and 32 units on the 2015 lot (Mixed Use/Offices/Restaurants (Gen), ~1.21 Acres). The project site is located within the full jurisdiction of the City of Austin. Change in neighborhood plan from (2011) Single Family to Multi Family and (2015) Single Family to Mixed Use/Offices/Restaurants.

**Letter of Recommendation from the Neighborhood
Plan Contact Team (NPCT)**

Proposed EMLKNPCT FLUM amendment
NPA-2020-0015.02.SH_2011 & 2015 EM Franklin
March 12, 2022

To Austin Planning Commission, City Council, and City of Austin Staff,

Our EMLK Contact team met with Mr Anmol Mehra and his development team throughout 2020 and 2021; we understand that the conversations between the developer and the neighborhood were very complex and that there is a history of potential development for these properties in the past decade.

We would like to highlight a few points regarding the project:

- JJSeabrook NA
 - The leadership of this neighborhood association has been among the most dedicated and inclusive of any neighborhood in our boundaries. We commend their leadership's time, effort, and professionalism on this case over multiple years, as well as their proactive, ongoing efforts to work with City of Austin departments to improve the quality of life for their residents.
 - The neighborhood conducted a survey in late 2021, in an equally comprehensive and inclusive manner (paper and online, HOA included, multiple weeks to submit input) in order to get a "final" decision regarding the project from the neighborhood, and we commend their success in getting input from 79 residents. As you know, the majority of residents voted against the project.
- Developer team
 - This project, from early conversations, has been an exciting example of a developer working to maximize the City of Austin programs and provide a high percentage of residential units at deeply affordable levels. We have found JJSNA to prioritize affordable housing in this and other projects in their area.
 - Unfortunately, in an effort to create a "consensus" on the project, we observed that the project changed in confusing and key ways over time for many nearby residents, which created misunderstandings and mistrust between the developer's team and the neighborhood association. Even when we took our Contact Team vote on this case in November 2021, we understood the FLUM change to multi-family, but the zoning details, the total unit count, the number of affordable units, and other key details about the size and scope of the project were not clear. We think this contributed to the neighborhood's concerns with the project.

At the November 15, 2021 meeting, the EMLK Contact Team voted against the FLUM change from Single Family to Multifamily (2011 EM Franklin), and Multifamily/Mixed Used/Office/Restaurant (2015 EM Franklin). Specifically, the votes were 0 in support, 9 against, and 2 abstained. Our concerns as stated from the members were:

- We support the vote of the neighborhood association, as we believe the neighborhoods are the best decision making body about potential changes to their area.

- The location of the property being midblock on EM Franklin, with multiple single family residences located on the street, made us concerned about the safety and wellbeing of existing residents with a project of this size.
- The number of new, already approved projects in this specific neighborhood is very high- over 1,000 residential units are in progress to be built- and an additional multi-family project seems to add a modest amount, against the desires of the immediate neighborhood. We hope that more districts would take on the issue in Austin of lack of housing and the affordability crisis.

Our understanding now in March 2022, is that the neighborhood is willing to negotiate with the developer on a level of multifamily housing that is compatible with the existing neighborhood. At this point, we respectfully will yield to the JJ Seabrook Neighborhood Association for any additional steps and actions that may be in progress between the developer and the neighbors.

Thank you,
EMLK Contact Team

Postponement Requests

From: Elisabeth Johnson <elisabeth.johnson@gmail.com>
Sent: Friday, April 8, 2022 7:56 PM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Cc: lauren <lauren@[REDACTED]>; Angela Benavides Garza <msangelabgarza1@[REDACTED]>; EMLKCT Chair <emlkchair@gmail.com>; Melonie Dixon <dixonm.emlkcontactteam@[REDACTED]>; Nadia Barbot <naja2183@[REDACTED]>; Rob Schuwerk <rob.Schuwerk@[REDACTED]>; ivan.lafrinere@[REDACTED]; Justin Hennard <hurrahjustin@[REDACTED]>; Lars Stanley <larsstan1@[REDACTED]>; Delia Brownson <deliamailed@[REDACTED]>; Mary Summerall <marysummerall@[REDACTED]>; Anne Woods <awoodstx@[REDACTED]>; Kevin Autry <kevinautry001@[REDACTED]>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Re: April 12, 2022 Planning Commission Agenda

*** External Email - Exercise Caution ***

Hi, Heather.

Thanks again for taking the time to meet with Michael and I the other day. It was helpful to get your perspective on the range of cases going on in our neighborhood.

After speaking with neighbors who are organizing, I plan to send a letter requesting a postponement on the 2011/2015 E M Franklin zoning and plan amendment case so we have a little more time to engage with neighbors in the 200 foot and gather COA and HOA docs.

Should I send a formal letter or does this suffice?

Neighbors have been working hard and we just need a little more time to make this milestone on an extended engagement process.

Looking forward to hearing from you,

Liz

From: Conor Kenny conor@civiltudegroup.com
Sent: Tuesday, April 12, 2022 8:24 AM
To: Chaffin, Heather Heather.Chaffin@austintexas.gov
Cc: Anaiah Johnson ajohnson@drennergroupp.com; Anmol Mehra anmolmehra1@gmail.com; Leah Bojo lbojo@drennergroupp.com; Meredith, Maureen

Maureen.Meredith@austintexas.gov; Rivera, Andrew
Andrew.Rivera@austintexas.gov

Subject: Re: Follow-up re: Request to Postpone NPA-2020-0015.02.SH and C14-2022-0008.SH

*** External Email - Exercise Caution ***

Client says Ok. We agree to the postponement.

On Tue, Apr 12, 2022 at 8:02 AM Conor Kenny <conor@civilitudegroup.com> wrote:
Hi heather,

I'm meeting with the client later today - will have an answer about noon.

Thank you!
Conor

On Mon, Apr 11, 2022 at 11:11 PM Chaffin, Heather
<Heather.Chaffin@austintexas.gov> wrote:

Please let us know as soon as possible if you agree to a 2 week postponement (April 26th).

.....

From: Liz Johnson
Sent: Thursday, March 24, 2022 7:20 PM
To: Anmol Mehra <anmolmehra1@gmail.com>
Cc: Conor Kenny <conor@civilitudegroup.com>; Chaffin, Heather <Heather.Chaffin@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Michael Brennan Elizabeth Greenwood Marilu Tavagna < Dianna Holman <
Subject: Applicant Postponement Follow-Up for NPA-2020-0015.02.SH and C14-2022-0008.SH

*** External Email - Exercise Caution ***

Hi, Anmol.

Commissioners shared that your team requested a postponement from 3/22 to 4/12 to engage more closely with neighbors in the vicinity of the development site. Hearing this, I reached out to neighbors who circulated the petition in the 200-foot zone. The text proffers a compromise. 13 residences in the 200-foot zone have signed. I hope this facilitates the engagement the team pursues regarding the proposed neighborhood plan amendment and re-zoning application [NPA-2020-0015.02.SH](#) and C14-2022-0008.SH concerning 2011 & 2015 E M Franklin Avenue.

Thanks for your time and consideration,

Liz Johnson
JJ Seabrook Neighborhood Association President
<https://jjseabrookneighborhood.org/>

To Members of Austin City Council
February , 2022
Case # C14-2022-0008.SH at 2011/2015 EM Franklin Ave.
Zoning Case Manager: Heather Chaffin

PETITION

by Residents of EM Franklin Avenue, JJ Seabrook Neighborhood

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than:

SF-3 up to MF-1 with LO-MU *

* with consideration for Conditional Overlays and Restrictive Covenants;
minimum 60% MFI affordable housing through participation in Affordability Unlocked.

Reasons for Protest and Rationale for Alternate Zoning:

- Environmental protection
- Traffic, safety
- Community resilience

We must achieve a sense of balance as we experience unprecedented growth on our street and in JJ Seabrook. The proposed zoning jump from SF-3 to MF-4/LR/MU goes too far too fast, and would be not only unjust to current residents but unwise for the city. We support a moderate upzoning that enhances our community, one that:

- Limits ingress/egress traffic at the middle of a block with no cross streets and bookended by long-timed traffic signals, especially peak-hour
- Limits impervious cover to protect the spring-fed creek and wildlife habitat, to preserve needed green space, and to mitigate the local urban heat island
- Limits deep excavation affecting groundwater soil integrity near riparian area
- Limits pet waste, landscape chemicals, and other pollutant impacts on the creek and riparian woodlands
- Provides housing that complements the existing neighborhood fabric and does not precipitate domino multifamily development throughout JJ Seabrook
- Balances homogenous housing with local services and businesses (not just a single coffee shop)

In a time when we face grid deficiencies, a taxed city infrastructure, and climate change, we should be taking the need for community resilience extremely seriously. Our neighborhood is currently building or planning 800 + 300 + 116 new, and ~150 renovated, residential units, spanning from luxury to deeply affordable. This is well over 1000 new units, not counting this project, and almost none of it includes space for

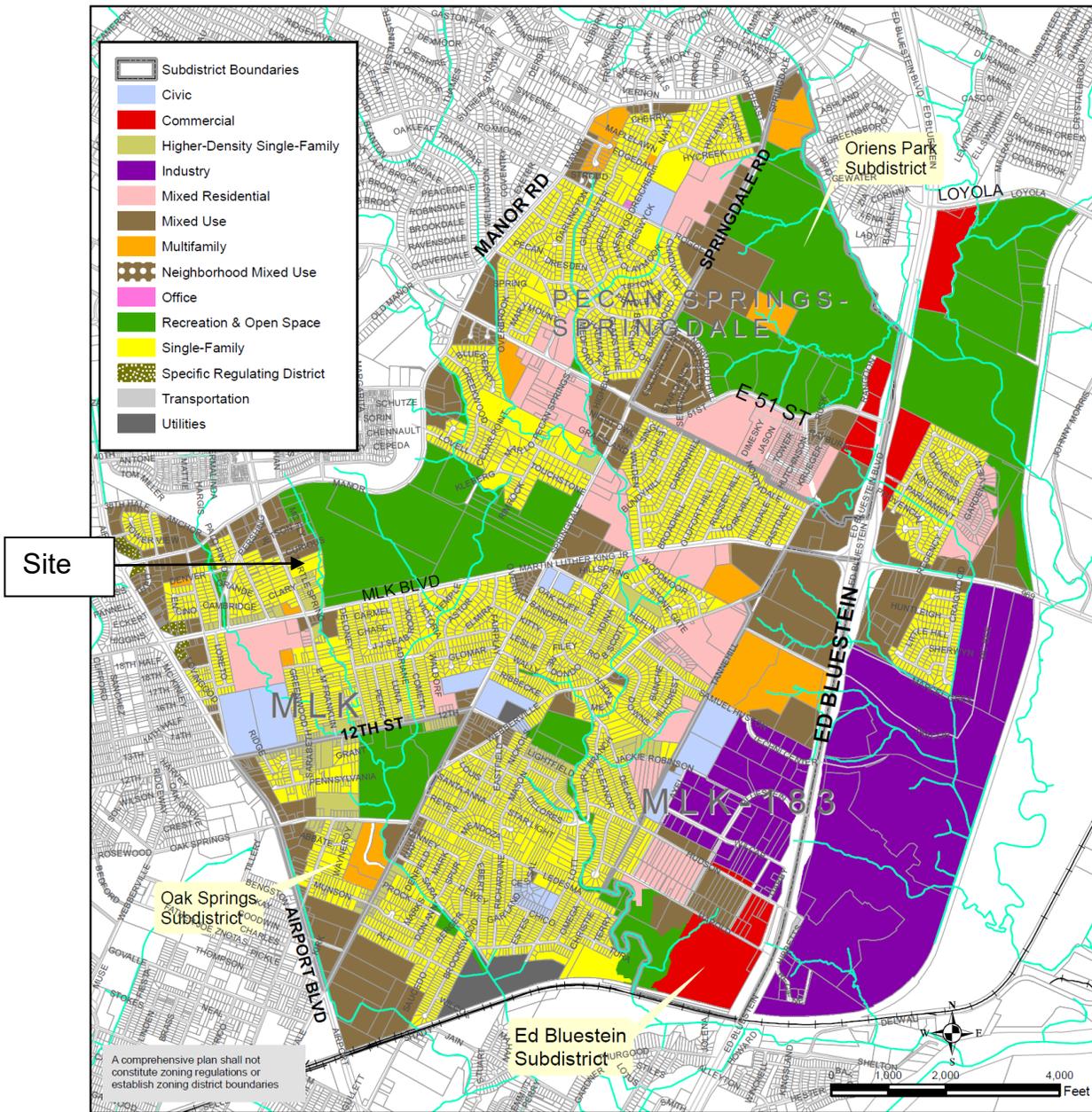
services and small businesses that support our community. We need these, not hundreds of additional households that will exacerbate the needs. We see damage in setting a precedent of turnover to dense multifamily projects, displacing residents with deep ties and eroding our impervious cover open space. We are excited about offsetting a massive influx of housing with green space, community benefit, and a clustered housing scale that doesn't jeopardize the social capital - the people - who are here.

In spite of the dismissal of how SF-3 zoning could be optimized to serve the above goals using cottage lots, bonus density programs, etc., we are willing to compromise, and fully expect the developer team to compromise on its ambitious goals. We are hopeful a moderate approach to this development will be supported by the city, for the sake of our quality of life as an intact and thriving Austin community.

Please see the following pages for list of signatories and relevant exhibits.



NAME (signed) ADDRESS PARCEL #



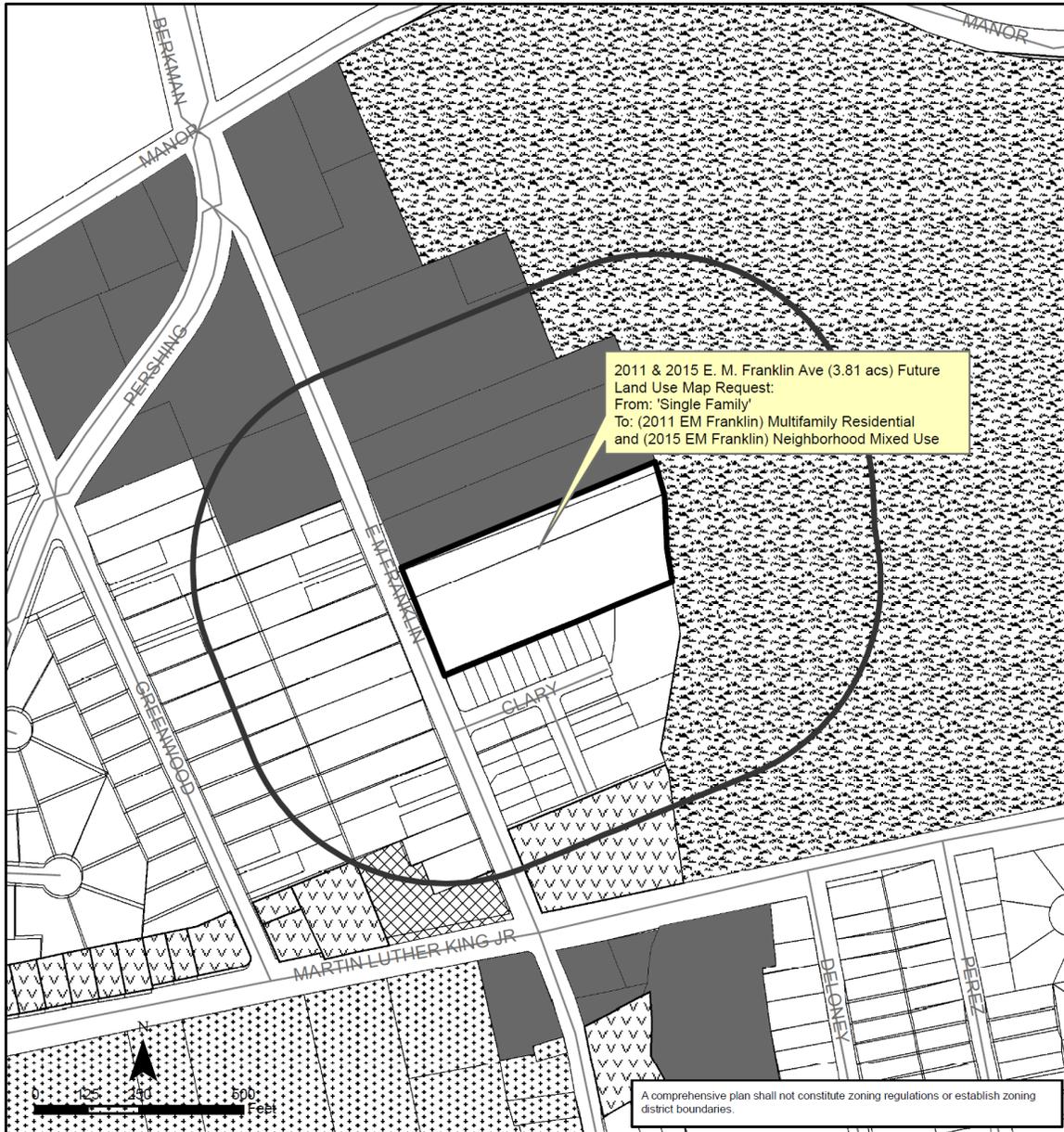
East MLK Combined Neighborhood Planning Area Future Land Use Map

City of Austin
Housing and Planning 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.

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

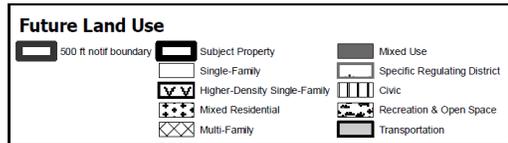
Last Updated: 5/27/2021



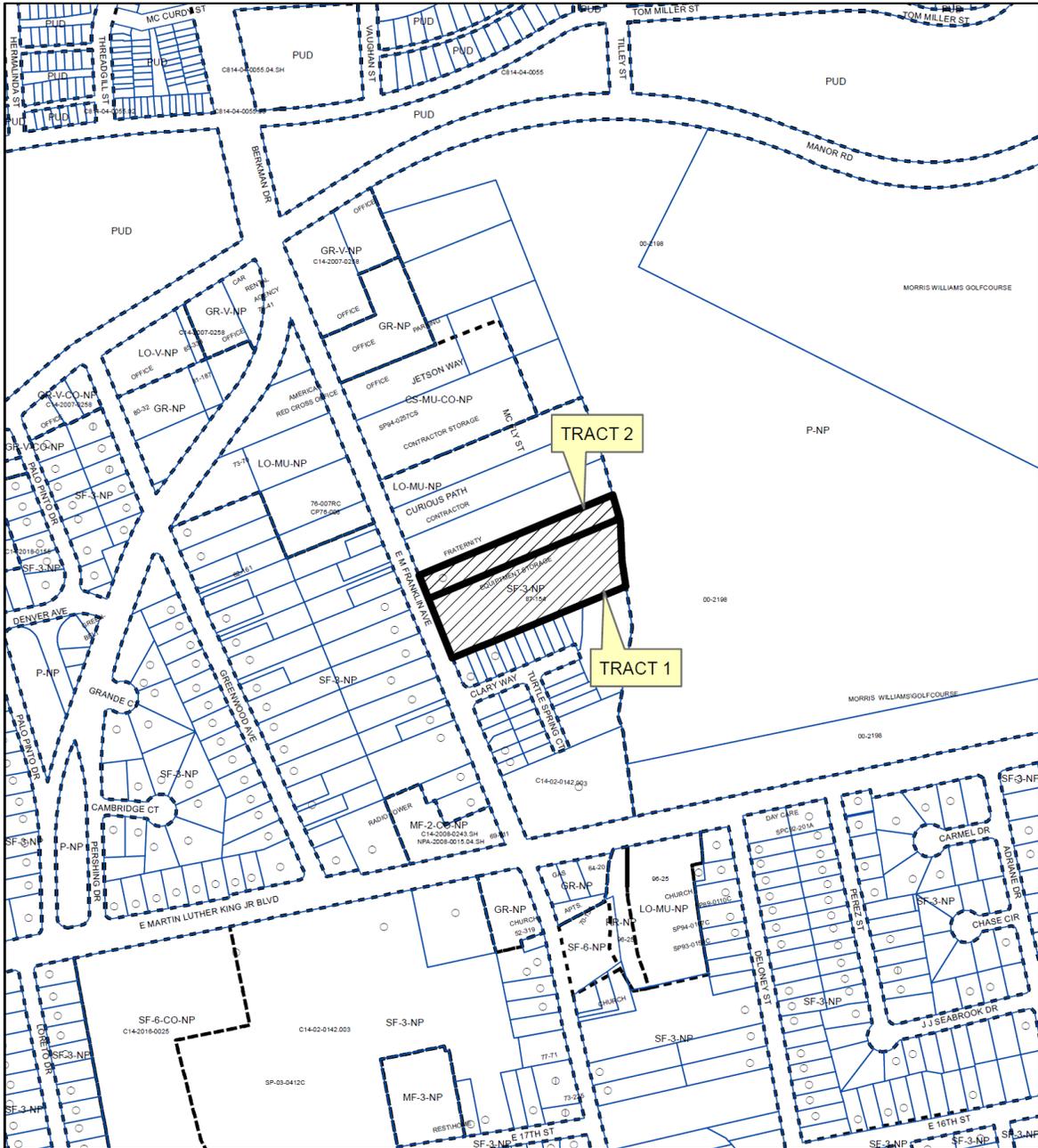
**E MLK Combined (MLK) Neighborhood Planning Area
NPA-2020-0015.02.SH**

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 8/6/2020, by: meredithm



ZONING

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

ZONING CASE#: C14-2022-0008.SH

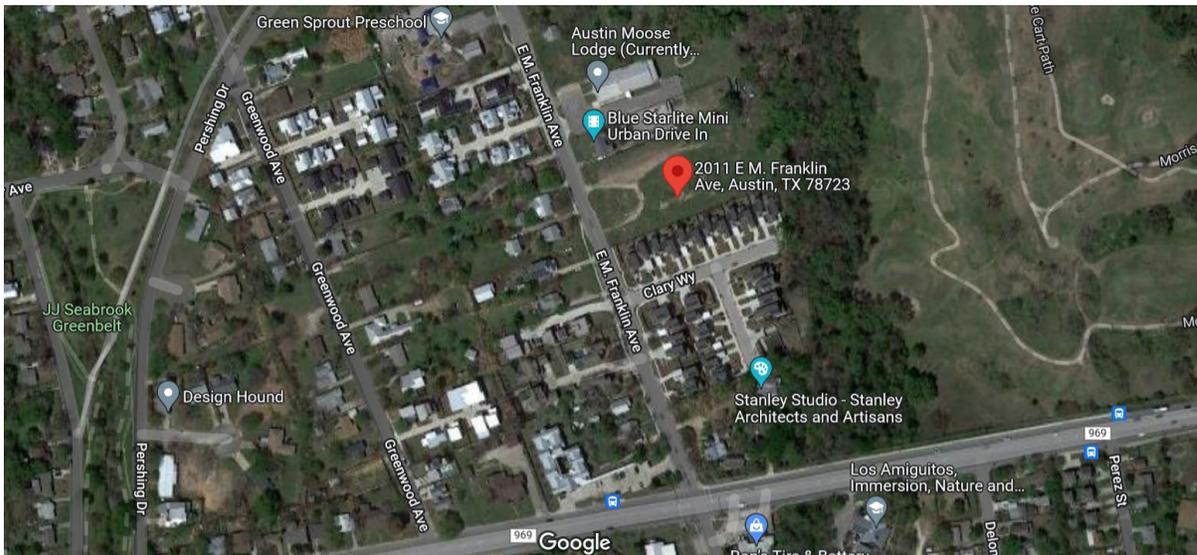
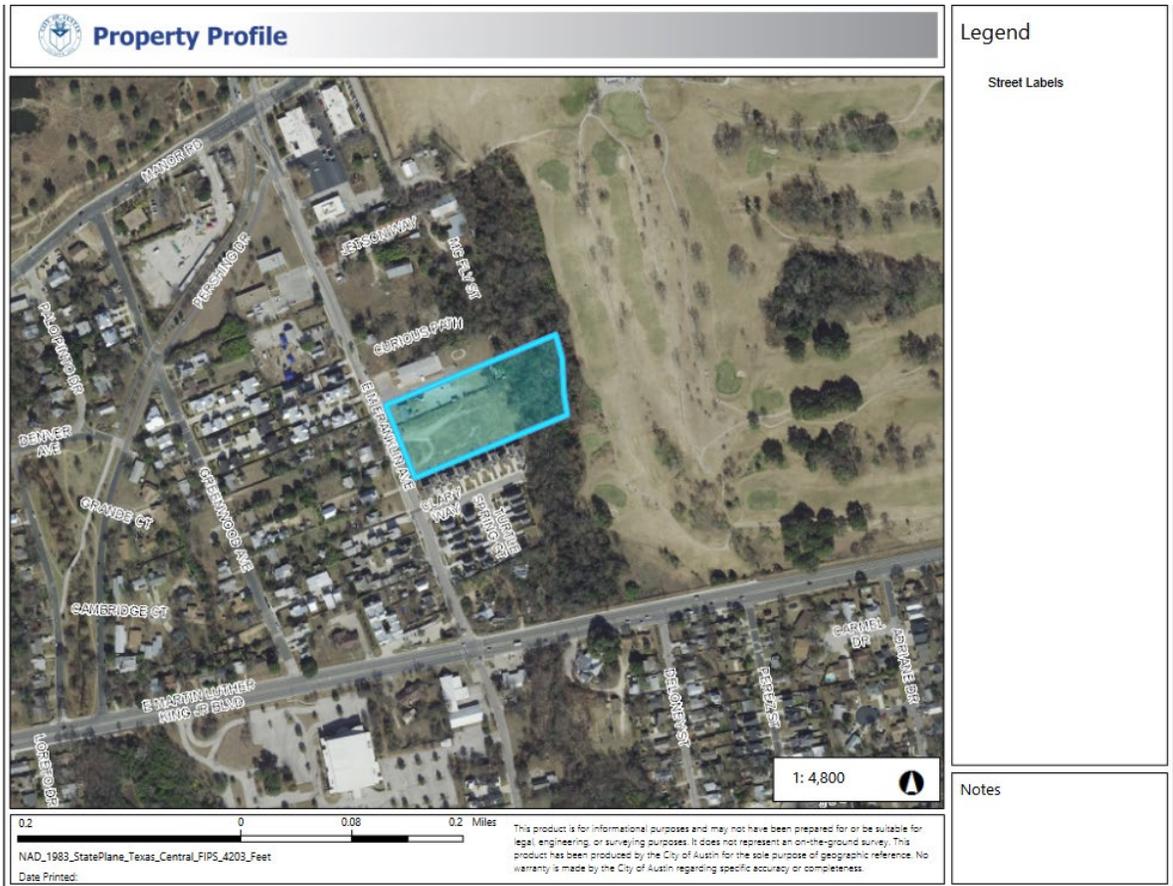
1" = 400'

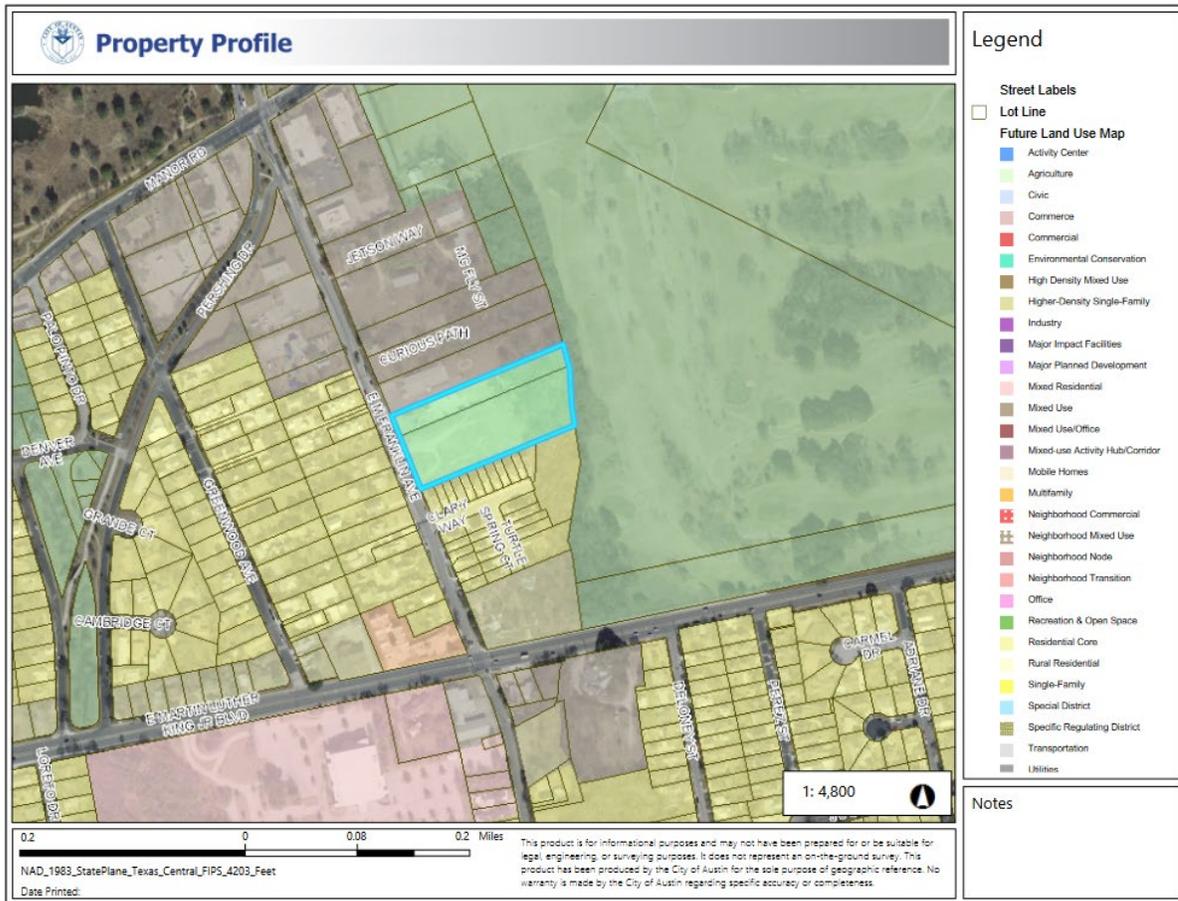
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

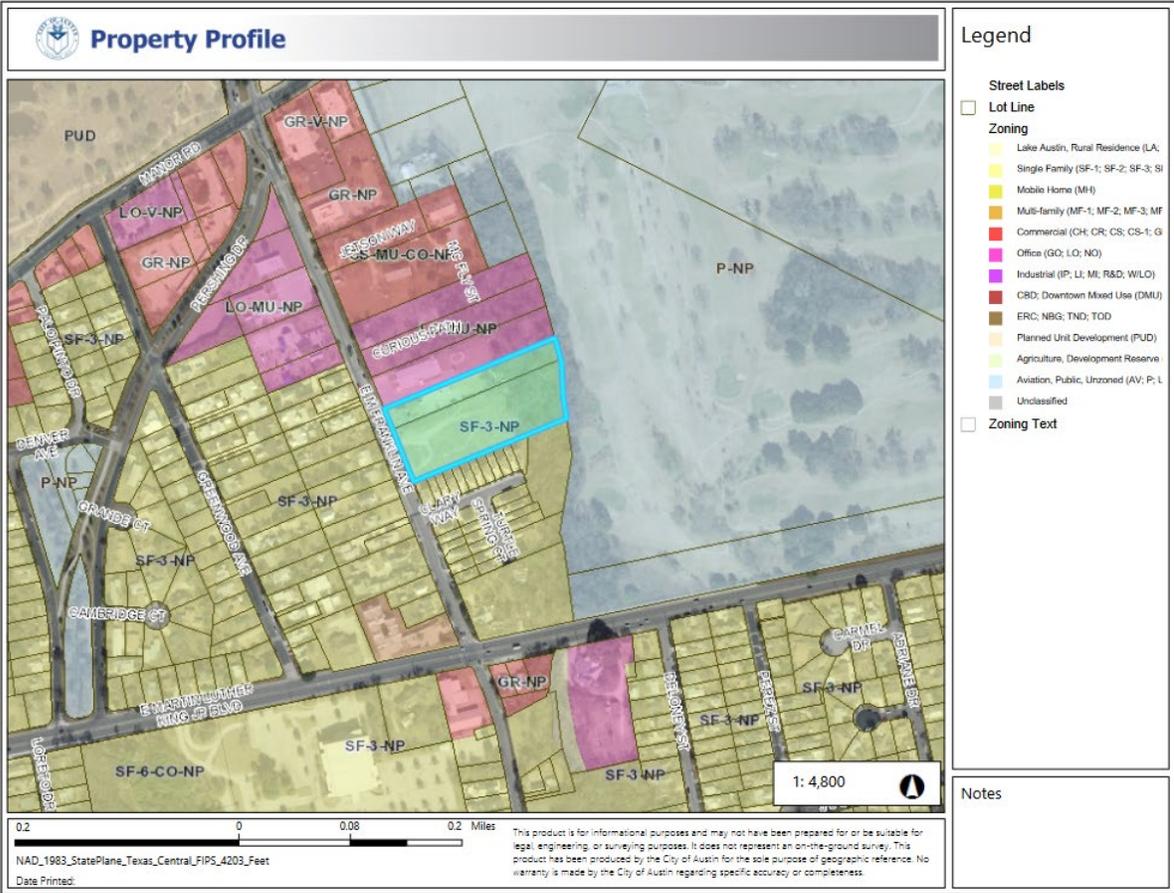
This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



Created: 1/20/2022



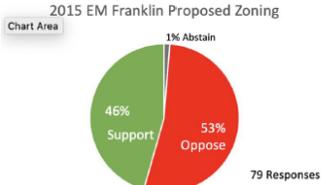
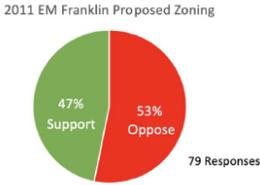




Applicant's Presentation at the Community Meeting

Neighborhood Association poll: Slight majority oppose

- Polled respondents (~10% of the JJSNA pop) oppose the proposal as summarized by the JJSNA in recent poll by five votes: 42-37.
- The proposal does contain near unanimous support from two nearby resident associations: Franklin Gardens and Franklin Grove (immediate neighbor)
- Some residents support the proposal very strongly (from survey):
 - "Affordable housing is critical to a just, equitable, and sustainable Austin, and this development is creating as much affordable housing as possible on this lot."
 - "I believe this project is good for the neighborhood."
 - "I support the affordable housing incentives and think urban infill is better than sprawl"
 - "I believe this project will provide a model for neighborhood housing development not seen but much needed in Austin."



Is it all or nothing? Do the 53% get everything and the 47% get nothing? Or can the Contact Team find a middle path?

What would the Contact Team support?

Site location: Roads, transit and biking

Site is less than ¼ mile walking distance from two Imagine Austin corridors and two Project Connect MetroRapid routes w/ frequent buses and planned transit upgrades.

City planning policy calls for adding residential development within ½ mile of Imagine Austin corridors and transit corridors.



Review of proposal to neighborhood

- 143 units
 - 43 affordable (30% of total)
 - 100 market-rate (est. \$200s-500s)
- 100% ownership
- Coffee shop/Community center
- 1 acre open/green space (25% of total)
- Native plantings to protect creek
- Dog park
- Priority for displaced or at-risk neighborhood residents



Franklin Common
 2011-2015 E. M. Franklin Ave.
 Austin, TX 78723

PRINCIPAL-IN-CHARGE: Rommel Sullit
 SENIOR ASSOCIATE: Clayton Holmes
 PRINCIPAL: Scott Ginder
 PROJECT DESIGNER: Carey Alcott

Review of planned heights/densities

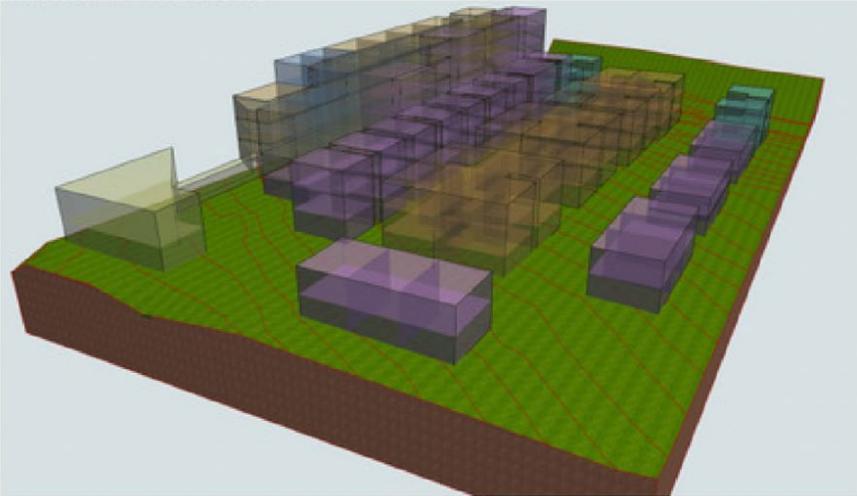
(view from southwest corner of lot on EM Franklin)

2011 EM Franklin

- 2-story townhomes along fence line with southern neighbors (Franklin Grove) and along EM Franklin.
- 3-story small multi-family homes in the middle.

2015 EM Franklin

- 3-story multi-family building under requested zoning
- 4-story building with Affordability Unlocked (50% affordable units)



Current & Proposed Zoning including CoA Development Standards

	2011 EM Franklin (2.82 acres)			2015 EM Franklin (1.21 acres)		
	Current	Proposed - Base	Proposed Cond. Overlay	Current	Proposed - Base	Proposed Cond. Overlay
Zoning	SF-3	MF-4	MF-4-CO	SF-3	LO-MU	MF-4-CO
Max Allowed Units	32 (16 main, 16 ADU)	152	n/a (74 planned)	12 (6 main, 6 ADU)	32 (efficiency/1br)	n/a (69 planned w/ bonus)
Max Bldg Coverage	40%	60%	n/a	40%	50%	n/a
Max IC	45% (55% available)	70%	65% (w/ CT endorsement)	45% (55% available)	70%	n/a
Max Building Height	35'	60'	0-40' (see diagram for changes w/ CT support)	35'	40'	40' (~50-60' w/ bonus) (see diagram for changes w/ CT support)
FAR	0.4	0.75	n/a	0.4	0.7	n/a

Conditional overlay and restrictive covenant regulations

Per agreement with Franklin Grove and Franklin Gardens neighborhood associations:

- Native plantings, coordination of tree plantings, utilization of arborist, and landscaping to preserve creek habitat and prevent access to Franklin Grove stretch of creekbed via vegetative buffer
- 1 acre of publicly accessible green space
- 30% of homes affordable
- Traffic mitigation/controls for pedestrian comfort and safety
- Height step-backs from south: 25' no-build / 25'-85' under three stories / 85'-200' max three full stories

Additional concessions from neighborhood association poll:

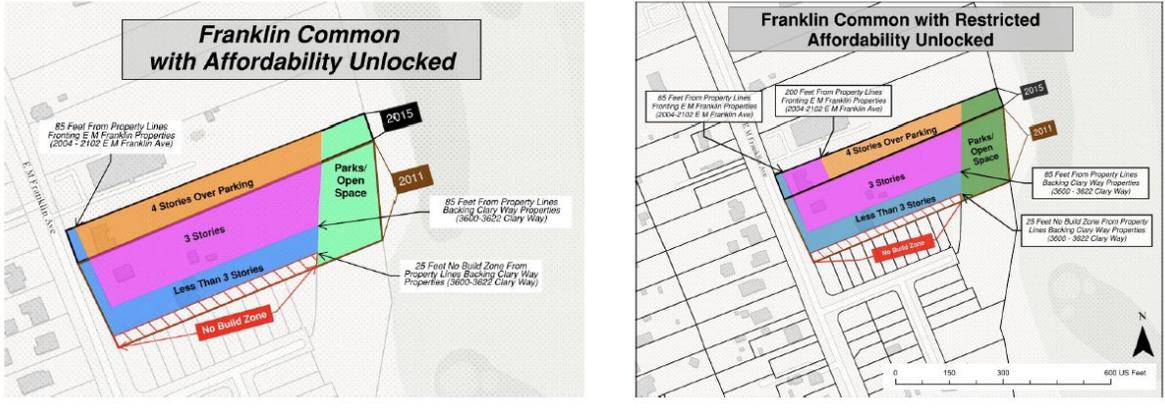
- 65% impervious cover restriction on 2011 EM Franklin
- 75% of city-required parking even if parking is waived per Affordability Unlocked
- Public access easement connection to golf course and green space dedicated as parkland / public space
- Hire transportation consultant for pedestrian safety and comfort recommendations

Additional concessions offered to contact team **if** support for project:

- Street/shade tree plantings along EM Franklin w/ maintenance plan (#1 requested item from NA poll)
- Unleashed dog park commitment (#3 requested item from NA poll)
- 1-star Austin Green Building
- 10% of units accessible per SMART housing ordinance
- Height step-backs from west neighbors: 25' no-build / 25'-85' under three stories / **85'-200' max three full stories**
- Art installation honoring JJ Seabrook and/or other neighborhood historical figures (i.e. permanent installation RESILIENCE mural)
- Pre-sale period reserving 10% of total units at 60% MF1
- Contract with affordable housing nonprofits and community organization to market and recruit displaced/at-risk families to affordable homes
- Potential Better Builder Program participation
- Installation of children's playground and community gardens

Illustration of previous and newly proposed compatibility setbacks

- In a new concession in exchange for Contact Team support, we propose to forgo part of the height bonus under Affordability Unlocked to push more than 3 stories more than 200 feet from the nearest neighbor.
- **Note:** The height on 2011 EM Franklin averages out to less than current 35' tall SF-3 zoning, with lower/no height closest to neighbors.



Why MF-4 Zoning Matters

- Housing form determines price in Austin: multi-family and attached homes are only new construction middle class housing in this area
- The detached but smaller SF-3 homes in Franklin Grove are currently selling for \$750,000 each
- The bigger lots are selling for \$1.2 million - \$1.7 million
- Affordable units are built/sold at a loss - market-rate units carry project costs
- Any reduction in units will need to come from affordable units - market-rate units can't be cut or project doesn't work
- We don't need the height or impervious cover greater than MF3 - we need the unit density for the affordable units
- **Potential** affordability impacts (rough calcs):

Zone	Density	Total 2011 Units	Afford. 2011 Units	% Afford. 2011	Total 2015 Units w/LO	Afford. 2015 Units w/ LO	Total 2011 & 2015 Units	Total Afford.
MF-4	36-54 / acre	74	7	10%	69	36	143	43 (30%)
MF-3	Up to 36 / acre	68	6	10%	48	24	116	30 (26%)
MF-2	Up to 23 / acre	51	5	10%	32	3	83	8 (10%)
MF-1	12.4 / acre	35	4	10%	32	3	67	7 (10%)
SF-6	12.4 / acre	35	4	10%	32	3	67	7 (10%)
SF-3	7/acre (w/ ADU)	16	0	0%	6	0	0	0%

Why LO Zoning Matters

- Allows coffee shop and community center
- Good guarantee on affordability - if Affordability Unlocked is not used, basically limited to MF-2 levels of density (26 units/acre)

What's the path forward?

Is the contact team just saying “no”, leaving further negotiations up to Planning Commission and City Council?

Can anyone point to a development that offers anywhere near this level of affordable housing, parkland, and community benefits?

Or can the contact team say what you could support?

Additional info: Misc.

Any existing buildings to be demolished, and whether they include housing

One existing vacant building on 2015 used as storage (last used maybe as residence in ~2017, 2 owners ago). Existing buildings on 2011 were demolished/moved by prior owner.

Gross floor area of new construction, broken down by use (retail, office, residential, etc.)

Residential - 144,644; Retail - 2,469

Parking

Requirement: City of Austin req: 1.5 + 0.5 per bedroom;
 Proposed: Even if parking is waived at 2015 under Affordability Unlocked, at least 75% of regular city required parking will be supplied (contingent on NA support)

Tree preservation

The site has no existing heritage trees. Prior owner cut down most trees but current developer has placed new trees and is coordinating species/placement with immediate neighbors. All existing trees in the floodplain/creek area will be preserved.

Additional info: Number of units and unit mix, including number of units that qualify as “affordable” - average 80% MFI

Unit Type	Price	2011 EM Franklin	2015 EM Franklin	Total
1-1	Affordable		15	15
1-1	Market		8	8
2-2	Affordable	7	16	23
2-2	Market	63	18	81
3-3	Affordable		5	5
3-3	Market	4	7	11
Total Affordable Units		7	36	43
Total Units		74	69	143

Correspondence Received

From: rsm other
Sent: Monday, September 20, 2021 4:01 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: EM Franklin construction effect on spring-fed creek

*** External Email - Exercise Caution ***

I live at 3620 Clary Way and noticed that the quality of the water in the normally clear, spring-fed creek at our development (Franklin Grove) is currently running cloudy.

A large development is being constructed north of us at 2211 EM Franklin (George by StoryBuilt), involving a great deal of dirt removal and excavation.

I don't know if there's a connection of construction work to disrupted creek, but I'd like to have someone check it out. We value our normally clear creek and want the city to protect it. Please note the attached photo of today.

Thanks,

Randy Mallory



From: Rob Schuwerk <r
Sent: Monday, February 21, 2022 3:48 PM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Cc: lauren <lauren@ivan.lafrinere>; Justin Hennard <hurrahjustin@Lars Stanley
<larsstan1@ >; Delia Brownson <deliamailed@ >; Meredith, Maureen
<Maureen.Meredith@austintexas.gov>; Mary Summerall <marysummerall@ >;
Anne Woods <awoodstx@ >
Subject: Re: Valid Petition - 2011/2015 E.M. Franklin Ave Upzoning

Heather,

Please see attached our CURRENT petition, with four signatures. We are in the process of collecting more but I'm sending to you now on the understanding that you can provide the 200' radius that staff would require.

Can you also indicate, as part of that, what percentage is represented by the signatures currently on the petition page 3?

Thanks,

Rob

To Members of Austin City Council

February 22, 2022

Case # C14-2022-0008.SH at 2011/2015 EM Franklin Ave.

Zoning Case Manager: Heather Chaffin

PETITION

by Residents of EM Franklin Avenue, JJ Seabrook Neighborhood

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than:

SF-3 up to MF-1 with LO-MU *

*with consideration for Conditional Overlays and Restrictive Covenants;
minimum 60% MFI affordable housing through participation in Affordability Unlocked.

Reasons for Protest and Rationale for Alternate Zoning:

- Environmental protection
- Traffic, safety
- Community resilience

We must achieve a sense of balance as we experience unprecedented growth on our street and in JJ Seabrook. The proposed zoning jump from SF-3 to MF-4/LR/MU goes too far too fast, and would be not only unjust to current residents but unwise for the city. We support a moderate upzoning that enhances our community, one that:

- Limits ingress/egress traffic at the middle of a block with no cross streets and bookended by long-timed traffic signals, especially peak-hour
- Limits impervious cover to protect the spring-fed creek and wildlife habitat, to preserve needed green space, and to mitigate the local urban heat island
- Limits deep excavation affecting groundwater soil integrity near riparian area
- Limits pet waste, landscape chemicals, and other pollutant impacts on the creek and riparian woodlands
- Provides housing that complements the existing neighborhood fabric and does not precipitate domino multifamily development throughout JJ Seabrook
- Balances homogenous housing with local services and businesses (not just a single coffee shop)

In a time when we face grid deficiencies, a taxed city infrastructure, and climate change, we should be taking the need for community resilience extremely seriously. Our neighborhood is currently building or planning 800 + 300 + 116 new, and ~150 renovated, residential units, spanning from luxury to deeply affordable. This is well over 1000 new units, not counting this project, and almost none of it includes space for services and small businesses that support our community. We need these, not

hundreds of additional households that will exacerbate the needs. We see damage in setting a precedent of turnover to dense multifamily projects, displacing residents with deep ties and eroding our impervious cover open space. We are excited about offsetting a massive influx of housing with green space, community benefit, and a clustered housing scale that doesn't jeopardize the social capital - the people - who are here.

In spite of the dismissal of how SF-3 zoning could be optimized to serve the above goals using cottage lots, bonus density programs, etc., we are willing to compromise, and fully expect the developer team to compromise on its ambitious goals. We are hopeful a moderate approach to this development will be supported by the city, for the sake of our quality of life as an intact and thriving Austin community.

Please see the following pages for list of signatories and relevant exhibits.

NAME (signed)	ADDRESS	PARCEL #
Mary Virginia Summers	2008 E.M. FRANKLIN AVE.	0213160237
Mike Schmidt	2012 E.M. FRANKLIN AVE.	0213160226
Jill	2004 E.M. Franklin Ave	0213160238
Justin Head	2014 E.M. Franklin Ave	0213160225

From: Liz Johnson <jjseabrookpresident@gmail.com>
Sent: Saturday, November 13, 2021 7:44 AM
To: Anmol Mehra <anmolmehra1@gmail.com>; Harper-Madison, Natasha <Natasha.Madison@austintexas.gov>; Tovo, Kathie <Kathie.Tovo@austintexas.gov>; Kitchen, Ann <Ann.Kitchen@austintexas.gov>; Alter, Alison <Alison.Alter@austintexas.gov>; Ellis, Paige <Paige.Ellis@austintexas.gov>; Pool, Leslie <Leslie.Pool@austintexas.gov>; Kelly, Mackenzie <Mackenzie.Kelly@austintexas.gov>; Casar, Gregorio <Gregorio.Casar@austintexas.gov>; Renteria, Sabino <Sabino.Renteria@austintexas.gov>; Rivera, Andrew <Andrew.Rivera@austintexas.gov>
Cc: Michael Brennan <jjseabrookvicepresident@gmail.com>; Dianna Holman <jjseabrooktreasurer@gmail.com>; Elizabeth Greenwood <jjseabrooksecretary@gmail.com>; EMLKCT Chair <emlkchair@gmail.com>; Pritchard, Caleb <Caleb.Pritchard@austintexas.gov>; Hartnett, Lauren <Lauren.Hartnett@austintexas.gov>; Conor Kenny <conor@civiltudegroup.com>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Subject: JJ Seabrook Neighborhood Response to 2011/2015 EM Franklin Proposed Development

*** External Email - Exercise Caution ***

Hello, Mr. Mehra, Mayor Pro Tem Harper-Madison, Policy Aides, Council Members & Planning Commission.

I've attached the JJ Seabrook neighborhood's most recent response to the proposed development for 2011 & 2015 EM Franklin Avenue in anticipation of the upcoming EMLK Contact Team vote. It centers data from a recent neighborhood survey. I am also attaching our August neighborhood response, so we can keep this engagement in context. We greatly appreciate the role neighbors and our contact team are playing in this engagement. We look forward to ongoing moves toward a mutually agreeable outcome and discussions with city leadership as we navigate this process.

Sincerely,

Liz Johnson
JJ Seabrook Neighborhood Association President
jjseabrookpresident@gmail.com
<https://jjseabrookneighborhood.org/>

J.J. SEABROOK NEIGHBORHOOD ASSOCIATION
Flowing together as one community

November 13, 2021

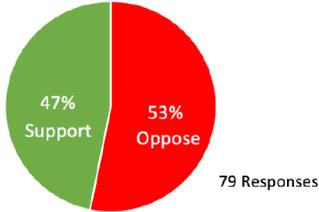
EMLK Contact Team Leaders, Mayor Pro Tem Harper-Madison, City Council, Planning Commission and Mr. Mehra:

I write to relay the results of a survey conducted in the JJ Seabrook neighborhood in anticipation of the upcoming EMLK contact team vote on the proposed rezoning of 2011 and 2015 EM Franklin Avenue.

We distributed this linked survey: <https://forms.gle/28SmYPE5MCFJK11o6> digitally, paper reminders to approximately 250 doors/mail areas across the neighborhood boundaries, and paper copies to neighbors who requested them. We received 70 digital responses and 9 paper responses for a total of 79 responses to the following two questions (results charts included):

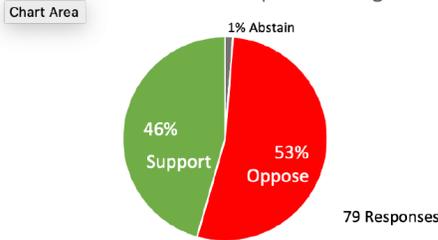
Below, indicate your support, opposition or abstention regarding the proposed rezoning and development of 2011 EM Franklin Ave. from SF-3 (Single Family-3) to MF-4 (Multi Family-4) with a conditional overlay requiring proposed parking, traffic, building heights, impervious cover, green space, creek protection and affordability.

2011 EM Franklin Proposed Zoning



Below, indicate your support for, opposition to or abstention regarding proposed rezoning and development of 2015 EM Franklin Ave. from SF-3 to LO (limited office) with conditional overlay requiring proposed parking, traffic, building heights, impervious cover, green space, creek protection and affordability.

2015 EM Franklin Proposed Zoning



Based on this survey's results, the majority of surveyed neighbors are opposed to the proposed rezoning of 2011 and 2015 EM Franklin Avenue.

I am attaching appendices that include neighbor responses to questions about: a) the rationale behind responses, b) revisions that might shift opposition to support, and c) community benefits priorities. I am also attaching the August, 2021 letter from the JJ Seabrook neighborhood, to keep the proposal and engagement in historical context. I hope this data can inform the EMLK Contact Team, planning commission, the developer's team and city council's consideration of this proposed rezoning case.

Sincerely,



Elisabeth Johnson
President, JJ Seabrook Neighborhood Association
jjseabrookpresident@gmail.com
203-415-3951

#	Please explain your response to the rezoning of 2011 EM Franklin Avenue.
1	I am in full support of Anmol's project.
2	I support as long as a significant portion of the development is affordable housing
3	Affordable housing is critical to a just, equitable, and sustainable Austin, and this development is creating as much affordable housing as possible on this lot.
4	It is too much and unprecedented. It will open the floodgates for a wholesale levelling and multifamily redevelopment of the neighborhood, since every developer hereafter will argue the neighborhood supports such change and it would be unfair to deny them the upzoning.
5	More density is good; a little concerned about the upper end of the plans (60' high, 70% IC)
6	Creek protection, and raised beds
7	There is no amount of overlay "fixes" to the requested upzoning that will adequately limit such intense zoning.
8	Developer has listened to residents and made changes based on feedback.
9	I believe this is a thoughtfully designed development by an engaged developer with an emphasis on affordability and density which are both very much needed in our area. I live directly across the street from the site and have much appreciated the ways the developer has utilized the empty lot for the community with art, community garden bed, and events. The developer is well connected to East Austin and is seeking to positively impact our neighborhood.
10	I believe this project is good for the neighborhood.
11	I'm am opposed to any increase in impervious cover as well as any increase in height allowances. Only if this project provided at least 90% of its units as LOW INCOME housing, would I support it.
12	Do not want this to happen. Will dominate skyline in front of the house not to mention the added traffic to the street
13	I want this area to keep its neighborhood feel. There have been plenty of developments done in the area to increase density without building huge building with parking garages. Changing the zoning for these lots sets a precedent that could then be used for any lot in the neighborhood which I think is a dangerous precedent to set. The developer bought the land knowing the current zoning rules and should have worked within those constraints, not just assumed they could do whatever they wanted with the land.
14	Affordable housing is important
15	City needs more housing supply
16	I support the affordable housing incentives and think urban infill is better than sprawl
17	Concern for increased traffic and dangers to children's safety
18	It is a project that respects de density by proposing different building heights and setbacks to respond positive to each surrounding condition.
19	I believe this project will provide a model for neighborhood housing development not seen but much needed in Austin.
20	I feel that the request to upzoning request from the existing SF-3 to MF-4 is too much of an increase in development intensity and impervious cover and is inconsistent with the existing approved neighborhood plan.
21	It's too dense and will make the street too crowded
22	Traffic increase to an unsustainable level on a narrow street, negative environmental impact on the creek, and increased density changing the character of this residential neighborhood

23	Traffic on an already small street.
24	You are trying to jump 7 zoning classifications. That is not Reasonable. You are Hammering the impervious cover restrictions.
25	Ten plus buildings up to 60' tall with more than 180 units on that property seems inconsistent with and disruptive of our neighborhood
26	I appreciate fostering diversity to my neighborhood and providing affordable housing.
27	There will be even more traffic on our already crowded street next to a difficult intersection, the runoff from new resident's pet waste will filter into the creek, increased foot traffic near the creek will also affect it, and the increase in density is not appropriate for a residential street such as ours
28	Full support for current proposal
29	The proposed density of home planning to be developed to will detrimental issues to the traffic on the street with a good volume of small children in the neighborhood which will have lasting effects to the current suburban feel of the neighborhood. Additionally, the over density will cause long term negative environmental impacts to the area, scenarios the current residents of this neighborhood are not willing to sacrifice for the developer to squeeze in as many homes as they feel possible to increase profitability. We are highly opposed to the over saturation of homes this developer has proposed and is attempting to zone against.
30	We are very concerned about the huge influx of new traffic and lack of parking that will very likely negatively impact the neighborhood.
31	MF-4 is inappropriate for this neighborhood, building height is too high in a residential area.
32	This will be detrimental to the neighborhood and will negatively impact other streets and neighborhoods in our east austin area due to the increased investment pressures from other developers. We will end up like Rainey St.
33	Traffic concerns, building height concerns, property value concerns
34	Heavy water runoff will damage the green space along the creek. There's not enough parking to support the rezoning even with the proposed underground parking solution. We'd like to see more green space.
35	This home is the first house purchase for my wife and I, we want to find our legs in the neighborhood before introducing any new changes.
36	I totally support the development plan. Austin needs affordable living that will not hinder any other part of someone's lives.
37	I think it's a good idea to combat the housing shortage our city is facing
38	Overall this proposal looks to me like a good faith effort to provide affordability and increased housing while protecting neighborhood values. Issues with density and increased traffic are the growing pains of Austin becoming a larger city.
39	The neighborhood is undergoing too much development without any consideration for the overall impact on traffic, safety, and quality of life for the existing and future residents
40	The infrastructure of neighborhood does not support additional multi-family units
41	I oppose the rezoning because it will bring too much density to the neighborhood, impact the creek, and increase traffic.
42	I'd rather have this than homelesscamps
43	This area is not meant for multi-family homes. The implications of this re-zoning will be overcrowded areas and environment damage. This change will cause a huge disruption in this neighborhood and I strongly oppose this change.
44	This is an exciting project with potential to positively impact the area

45	If the proposed density and affordability are met that could make this a very healthy addition to the neighborhood.
46	I don't like the changes to impervious cover
47	There are other MF-4 developments in our neighborhood already. Our neighborhood is saturated, especially knowing the city is considering developing Manor Road
48	I think the developer has done a good job of reaching out to us and has a good plan in place with some concessions.
49	I am more than happy to support the up-zoning of this property. I think it would support more businesses within walking distance.
50	This is a great location to provide walkable, transit connected housing and services to bring more neighbors and more vibrant community to our neighborhood. I'd support even more housing here, as we need many, many more units of all kinds of housing to serve the diverse housing needs of all Austinites. These parcels don't need any more confusing and silly conditional overlays, upzone them.
51	This was a SF3. The proposed category is 7 categories higher. SEVEN. That is too big of a jump. Should only go SF4.
52	More affordable housing
53	I'm not convinced the MF-4 zone mid block is needed to make this project successful. It is highly unusual to upzone 7 categories from sf3 and still have adjacent sf3 properties. This sets a dangerous precedent!
54	I think the scale of the proposed development with MF-4 zoning in relation to the neighborhood and scale of neighboring housing developments would detract from the neighborhood, and feels insensitive to the site. I would support a proposal that complies with the current zoning of the site that creates housing units with affordability in mind.
55	I think with the CO covering the discussion points from neighbors it'll work with the neighborhood and importantly will add housing
56	traffic and building height are negatives.
57	it is too much for the location
58	it is too much for the location.
59	As Austin grows, affordable housing, community and therefore multi-family units will also have to increase
60	I support the proposed rezoning assuming there are strict requirements to stay with the commitments made.
61	The developer needs to make tangible changes to impervious cover on both properties. I'd also like to see affordability unlocked on the entire development and an integrated design plan. The AU for one that's not even guaranteed feels disingenuous given the ardent use of affordability rhetoric to request a steep zoning change.

#	I do not support the current proposed rezoning and redevelopment of 2011 EM Franklin Avenue, but would support a proposal if the following conditions were met:
1	SF-3 zoning
2	The developer has not waived in asking for an extreme level of upzoning, so hold little hope that he would offer something less. It needs to start from what he could practically build with SF-3, and articulate a case for why an upzoning results in improvements that benefit the neighborhood. He has instead presented it as a "discount" from MF-4, which he does not have. Proceeding on this false premise has resulted in his inability to garner neighborhood support.
3	I would support a proposal that looked at the existing zoning or one level up, with serious design thought to our neighborhood values of green space, community vibe, and affordability.
4	Less dense. Less buildings.
5	See above.
6	It remained within current zoning height limits
7	I would support a similar development to what is being done next door by Storybuilt.
8	I support the rezoning.
9	A less intense zoning category that is compatible with the existing development on the street and the existing approved neighborhood plan.
10	keep existing zoning
11	You should not jump 7 classifications, PERIOD. I would support jumping 1 classification from where it is zoned now - ONE.
12	Fewer units, less height
13	Utilize SF-3 zoning
14	I do not support rezoning of this property.
15	Keep current SF3 NP but use affordability unlocked
16	Again, this home is the first house purchase for my wife and I, we want to find our legs in the neighborhood before introducing any new changes.
17	Build more homes at SF3.
18	I would not support this rezoning and development
19	Less density
20	DO NOT REZONE AND REDEVELOP THIS AREA
21	MF-1
22	SF4 only.
23	Request a less intensive zoning - MF2 or lower, & specific traffic& street parking mitigation proposals.
24	Complies with SF-3 zoning
25	no amount of conditions could justify MF4. SF-6 / MF1 would be maximum but even that the developer should justify why affordability and density cannot be done at existing SF-3.
26	none. it should remain SF-3
27	MF 1 or 2 with affordability unlocked on both properties. This would address neighborhood and city aspirations.

#	Please explain your response to the rezoning of 2015 EM Franklin Avenue.
1	Same as above
2	I support the affordable housing incentives and think urban infill is better than sprawl
3	Again - you are trying to make an end run around the zoning restrictions. You will alter the neighborhood so you can make more money. I do not support this.
4	Again - the developers should not make an end run around the impervious cover restrictions. SF3 Will keep it where it should be.
5	it is too much for the location.
6	The developer needs to make tangible changes to impervious cover on both properties. I'd also like to see affordability unlocked on the entire development and an integrated design plan. The AU for one that's not even guaranteed feels disingenuous given the ardent use of affordability rhetoric to request a steep zoning change.
7	We are very concerned about the huge influx of new traffic and lack of parking that will very likely negatively impact the neighborhood.
8	City needs housing supply
9	LO is inappropriate for this property.
10	This rezoning supports the overall site plan and will help enable more lower cost housing in our neighborhood. I support the full plan and believe it will benefit the neighborhood in the long run.
11	I believe this project is good for the neighborhood
12	Same as above.
13	I want to support this project because it will enrich the neighborhood with different outdoor spaces that respect nature and culture
14	I think the current plan addresses neighborhood concerns and provides housing for many people
15	No benefit to our homes, see above
16	Yet again, this home is the first house purchase for my wife and I, we want to find our legs in the neighborhood before introducing any new changes.
17	Same answer.
18	Full support for current proposal
19	I think the zoning currently is appropriate.
20	More affordable housing
21	Better access to movie and parking
22	Too much traffic and congestion on EM Franklin, not enough parking will be available.
23	This is an exciting project with potential to positively impact the area
24	I like multi use buildings
25	There will be even more traffic on our already crowded street next to a difficult intersection, the runoff from new resident's pet waste will filter into the creek, increased foot traffic near the creek will also affect it, and the increase in density is not appropriate for a residential street such as ours
26	I support any way we can build our community as much as possible to limit further gentrification/negative impacts of gentrification
27	Traffic and building height
28	Again too much traffic
29	Not sure what the impact is.
30	More density is a good thing
31	Another great place for our neighborhood to get more housing and more amenities.

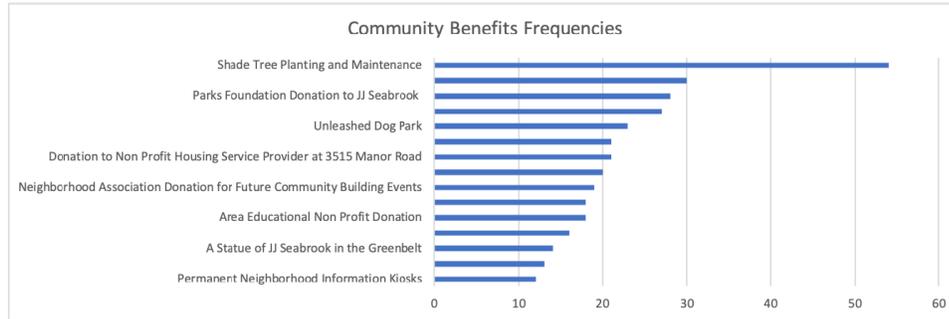
32	I don't like the changes to impervious cover
33	The infrastructure of neighborhood does not support additional offices
34	i support this adjustment.
35	The proposed density of home planning to be developed to will detrimental issues to the traffic on the street with a good volume of small children in the neighborhood which will have lasting effects to the current suburban feel of the neighborhood. Additionally, the over density will cause long term negative environmental impacts to the area, scenarios the current residents of this neighborhood are not willing to sacrifice for the developer to squeeze in as many homes as they feel possible to increase profitability. We are highly opposed to the over saturation of homes this developer has proposed and is attempting to zone against.
36	Traffic increase to an unsustainable level on a narrow street, negative environmental impact on the creek, and increased density changing the character of this residential neighborhood
37	Same as above, but I like the LO zoning honestly.
38	We don't need this land use/zoning in the middle of our block. The Moose lodge property right next door is as far as we can take it here. Too much traffic and activity on a constrained street.
39	I feel that the request to upzoning request from the existing SF-3 to LO is too much of an increase in development intensity and impervious cover and is inconsistent with the existing approved neighborhood plan.
40	it is too much for the location. I feel the developer only wants LO for the coffee shop that some neighbors want - this is not good for the neighborhood
41	I oppose rezoning because it will bring too much density to the neighborhood and increase traffic.
42	Traffic on too small of a street
43	Affordable housing is critical to a just, equitable, and sustainable Austin, and this development is creating as much affordable housing as possible on this lot.
44	I am more than happy to support the up-zoning of this property. I think it would support more businesses within walking distance.
45	Similarly I think with a CO coordinated on our asks this will work w/ the values & vision of the neighborhood while adding substantial housing
46	Same as above.
47	This matches the zoning of 2013 EM franklin
48	Good developer.
49	I believe this project will provide a model for neighborhood housing development not seen but much needed in Austin. Zoning codes don't matter, they originated as a way to keep black people out of white neighborhoods as did minimum lot sizes and the suburbanization of American housing. I would like to see this damage undone.
50	I am in full support of Anmol's project.
51	Overall this proposal looks to me like a good faith effort to provide affordability and increased housing while protecting neighborhood values. Issues with density and increased traffic are the growing pains of Austin becoming a larger city.
52	Affordable housing is important
53	Early conversations with the developer identified 2 big issues - the 4story height and the traffic w added cars on EM Franklin. I don't see either of these successfully addressed
54	Again concerned regarding building height impact

Conditions to Shift toward Consensus

#	I do not support the current proposed rezoning and redevelopment of 2015 EM Franklin Avenue, but would support a proposal if the following conditions were met:
1	SF-3 zoning
2	If you JUMPED ONE classification - from SF3 to SF4. That is reasonable.
3	SF4 only. Nothing else. This should not be an issue. I vehemently oppose the rezoning.
4	none. it should remain SF-3
5	MF 1 or 2 with affordability unlocked on both properties. This would address neighborhood and city aspirations.
6	I do not support rezoning of this property.
7	Same as above.
8	This is too dense and too large a proposal for this site.
9	Same as above
10	See above
11	See above. This home is the first house purchase for my wife and I, we want to find our legs in the neighborhood before introducing any new changes.
12	Same answer.
13	N/a
14	No parking and very little access to the area
15	SF3
16	I would not support this development.
17	SF-3 Zoning
18	I would support a proposal that looked at the existing zoning or one level up, with serious design consideration to our neighborhood values of green space, community vibe, and affordability. There is a lot that can be done with existing zoning that has not been explored.
19	A less intense zoning category that is compatible with the existing development on the street and the existing approved neighborhood plan.
20	no amount of conditions could justify LO. SF-6 / MF1 would be maximum but even that the developer should justify why affordability and density cannot be done at existing SF-3.
21	less density, smaller building
22	Same as above.
23	I support the project.
24	Reduction of 4story portion, lower zoning category - MF -2 or lower, specific traffic mitigation.
25	Building height was limited and office purpose/ intern was better understood

Frequencies of Support for Community Benefits

Please check ALL community benefits you would SUPPORT the neighborhood requesting from this and future developers who request rezoning. Leave those you would NOT support unchecked. List benefit ideas that do not appear here in the space marked Other.



Additional Community Benefits Ideas

#	OTHER Community Benefits Comments
1	I would support many of these things, but not as a quid pro quo for 7 level upzoning.
2	I want to be clear that my support for Anmol's project is NOT contingent upon any of these community benefits.
3	These are all great ideas to support whether zoning stays the same or changes.
4	Sidewalk connectivity, street repair during and after construction, green street support.
5	Food forest or maintained food garden
6	More missing middle housing, more affordable housing, supportive transitional housing w/ wrap around services, shared street/limited vehicular access portion of Tillery, commercial area along manor, more bike and pedestrian infrastructure
7	Sidewalk and walkway with trees to mirror what is on Berkman in the Mueller proper area.
8	This disguises the true and significant consequences of such a drastic upzoning change
9	1) acquisition of land to connect Greenwood to Pershing and provide interior access to the greenbelt to neighbors on that street; 2) retain Red Cross facilities and redevelop with a community-use building; 3) rename the 2 branches of Tannehil Creek w/in JJS neighborhood to Roger Taylor Sr & Roger Taylor Jr Creeks - the Taylor Creeks; 4) small grocery store (e.g. Royal Blue); 5) gazebo in the greenbelt
10	MORE HOUSING, as additional housing is a MASSIVE community benefit, especially in the midst of a housing and affordability crisis.
11	Fix the sidewalks to make it a true walkway like Berkman in Mueller. Creating a pedestrian friendly walkway like that is a must have.
12	Project specific active or public spaces relating directly to immediate neighbors
13	I think all of the above (and then some, like PHBs) would be good to get developers commitments for, I don't think all should be demanded of any one developer as we do need the housing but I think making an ask of each developer for some portion of this conditioned on our support would make sense
14	traffic calming with rain garden bump-outs, sidewalks, no-trucks signage, fruit trees and edible garden space, comprehensive traffic survey

Top 3 Community Benefits Priorities

#	Name 3 community benefits you consider top priority for the JJ Seabrook neighborhood. You can select from the list above or share your own ideas.
1	Green space
2	Sidewalk and walkway with tree Ms to mirror what is on Berkman in Mueller proper. Stop signs on the road to limit drive throughs.
3	Sidewalks, pedestrian walkway, speed bumps.
4	sidewalks, traffic calming
5	Better Builder, Donation to Non-Profit housing service for 3515 & 3511 Manor Road, 99 year non-profit discount lease for Motion Media Arts
6	Nothing in this proposal benefits our community. I do not support rezoning (even with these concessions).
7	Support mobility options including walking and biking, create connectivity between neighbors of different income levels and backgrounds, support affordable housing, support climate resilience with positive management of natural resources.
8	Avoiding block busting upzonings that make it impossible for single family homeowners to sell to anyone but developers. Mitigate congestion impact. Maximize greenery.
9	Donation for mental health, parks foundation donation, natural playscape
10	Diversity! - Race, Income, and Type of work
11	Read the JJSNA master plan for a detailed description of priorities established by multiple neighborhood meeting on the subject
12	Continued expansion of Mueller park and music venues
13	Unleashed (fenced) dog park, natural plays cape, shade trees
14	Making EM Franklin a better pedestrian experience. Landscaping.
15	N/a
16	Shade tree planting, Unleashed dog park, Greenbelt bridge lighting
17	Off leash dog park
18	Avoid displacement of local residents, connecting old and new residents, support neighbors at risk of displacement
19	Additional green space and walking paths
20	Minimal impacts on traffic and safety
21	Green space, trees.
22	1. More housing, and more diverse housing types. 2. More neighbors. 3. More places for local businesses and more customers to work at, enjoy and support them.
23	Affordable Housing, Parking, walkability
24	Our neighborhood is about to boom in regards to housing and population. I am very concerned with the growth impacting the cleanliness and peacefulness we currently enjoy. My top priorities are 1) maintaining the "curb appeal" of the neighborhood (i.e. preserving parks, walkways, greenery, and ensuring proper sanitation/cleaning of public spaces), 2) creating more areas for children to play and explore, and 3) providing affordable housing (as proposed), but not "transitional housing" that may create a negative environment for the community, especially the growing number of young children in the area.
25	Retention of green areas
26	Limited impervious cover. Park land and green space. Small unit housing.
27	1) Sidewalks and shade trees along right of way of E M Franklin 2) Affordable housing 3) Neighborhood information/history kiosk
28	traffic mitigation - will it take someone getting killed on MLK/EM Franklin or along Pershing? more cars = more risk. sidewalks. edible gardens. bigger picture: I know having developers provide community benefits is done but it feels unethical - selling out

	the future of JJSN to allow the developer to make more money - "you grease our hands, we will grease yours"
29	more housing, more neighbors, more density - better supports local businesses, better supports parks, better supports community
30	Not in any order: Cohesive sidewalk / bike-lane / crossing infrastructure funding to be used throughout the neighborhood Shade tree planting Park / trail grants for building cohesion through to Anchor and down south of E MLK
31	Affordable housing, transportation, healthy food options
32	preserving and improving green spaces. Full sidewalks on both sides of EM Franklin between manor and MLK. A pedestrian crosswalk mid-way on EM Franklin.
33	Shade trees, playscape, dog poop signage and slower traffic speeds
34	Shade tree planting and maintenance, 99 year non profit discount lease for Motion Media Arts or a local Non-Profit organization threatened by displacement, Greenbelt Bridge Lighting
35	A welcoming neighborhood attitude that promotes diversity of race and income embodied by areas of dense affordable housing, shared street/limited vehicular access portion of Tillery, commercial area along Manor.
36	shade trees, greenbelt bridge lighting, playscape
37	1) small grocery store; 2) JJ Seabrook statue; 3) shade tree planting & maintenance
38	Affordable housing, green spaces, parks and playgrounds
39	1. Maintaining neighborhood scale 2. Increase walkable connections, esp mid-block connection between Greenwood & EM Franklin. 3. bike and trail extension of JJ Seabrook park along creek Ed to connect with Manor Rd.
40	Community facilities eg children's play areas



August 20, 2021

Mr. Mehra, City of Austin Planning Commission, EMLK Contact Team and Austin City Council:

After a series of neighborhood engagement sessions with Mr. Anmol Mehra and his team about plans for the development of 2011 and 2015 EM Franklin, the JJ Seabrook Neighborhood Association surveyed neighborhood residents about their thoughts on key components of the project (greenspace, traffic, parking, building heights, creek access, overall zoning, affordability). Based on responses from 37 neighbors living on the project block (EM Franklin and the streets in the HOA abutting the property line, i.e., Turtle Springs and Clary Way) and 23 neighbors living west of the project block (Denver, Palo Pinto, Tillery, Grande Court, Towerview, Greenwood, Encino Circle, Cambridge Court) the JJ Seabrook Neighborhood Association cannot support the project proposal as is.

We look forward to working toward a solution that addresses:

- IMPERVIOUS COVER: Caps impervious cover closer to the 55% offered with SF-6 zoning than the 70% allowed for MF-4 zoning.
- BUILDING HEIGHTS:
 - Caps building heights at 35ft.
 - Caps building heights at 20 feet alongside pre-existing properties and at street frontage
- PARKING: Guarantees 2 parking spots/dwelling unit with an addition of 20% guest parking.
- CREEK: Increases rear setbacks for proposed zoning to protect the creek & native plantings onsite including vegetative buffers and a design for public access that restricts direct access to creek and habitat with fencing that allows for movement of wildlife.
- TRAFFIC: Work with the city to obtain a **comprehensive** (inclusive of current, on-going and proposed projects) traffic impact analysis, reduce speeds and cut throughs, add a stop sign or hybrid beacon.

The recommended restrictions draw on the following requests from the majority of surveyed neighborhood residents:

- an increase in proposed green space
- a building height cap at 35 feet (a height the majority are happy to support on the property)
- **Comprehensive** Traffic Impact Analysis (takes into account the current, on-going and proposed development on the block and in the neighborhood) and/or a City/Developer/Neighborhood documented plan for traffic mitigation across the neighborhood and on the block

DocuSign Envelope ID: F86A1035-0306-45B5-8094-D37C267EB30E

- Plans to protect and preserve the creek and its ecosystem (collaboration with water quality and watershed are crucial here). Given current on-going development on that side of the street, we would appreciate a current or recent hydrology report from another project.
- Complete and comprehensive information regarding parking structures and types for site plan (integrated and proposed above, underground and below grade parking that includes building heights across lots as well as proposed above ground parking for ADA compliance).
 - A stake or screen in the ground with proposed locations, proximities, heights and falls that also illustrates the final building heights and parking structures on both lots would help all neighbors visualize proposed changes and conceptualize the parking type and plan. For example, [Story Poles](#) are used extensively in [California](#) to depict the bulk and mass of a proposed structure or project.
- A specific unit parking count that guarantees resident parking for all proposed units and some guest parking.

And from the majority of respondents residing on streets lining the proposed development (EM Franklin, Clary Way, Turtle Springs):

- A reduction in proposed zoning for 2011 EM Franklin more aligned with a mid-block residential development

It is important to note that the **neighborhood**:

- is currently working to support the development of truly affordable housing at 3511-3515 Manor Road that includes permanent supportive housing and a mix of deeply affordable residences closer to the 50% MFI needed to support Austinites transitioning from homelessness to permanent housing
- has been working to maintain current temporary low income housing at the Kensington Apartments and to ensure there is no additional displacement of or increase in neighbors' rents without subsidies promised by Elizabeth Property Group owners.
- has been working with Austin Public Health to bring a health fair and vaccine clinic to Kensington residents.

Current **block** development includes:

- The George 2211 EM Franklin Avenue - 116 single family units broke ground in July 2021

Current **neighborhood** development includes:

- The Emma at 3219 Manor - 146 units
- eVolv East at 2108 Tillery - 16 units

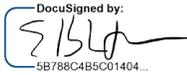
DocuSign Envelope ID: F86A1035-0306-45B5-8094-D37C267EB30E

- 3115 Manor Rd. - 450-500 apartments + live work and commercial
- 3303 Manor Road - 200 apartments with food truck court
- MLK/Tillery - 4 units

Future **block** development is slated to include 200+ units of deeply affordable housing at 3511 and 3515 Manor Road.

Given the range and scope of current on-going and proposed development and taking into account neighborhood engagement efforts up to this point as well as neighbor input from conversations and surveys, we look forward to discussing zoning of this mid block, creekline SF-3 property that takes these factors and requests into account.

Sincerely,

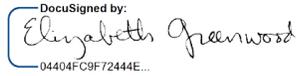
DocuSigned by:

5B788C4B5C01404...

Elisabeth Johnson, President, JJ Seabrook Neighborhood Association

DocuSigned by:

EEBEC55A89F1443...

Michael Brennan, Vice President, JJ Seabrook Neighborhood Association

DocuSigned by:

04404FC9F72444E...

Elizabeth Greenwood, Secretary, JJ Seabrook Neighborhood Association

Dianna Dean, Treasurer, JJ Seabrook Neighborhood Association - *[abstaining due to conflict of interest]*

From: Liz Johnson
Sent: Wednesday, January 26, 2022 2:22 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Subject: Re: NPA-2020-0015.02.SH

Hello, Maureen.

Thank you for the information. Can you clarify the zoning request for C14-2022-0008.SH? Austin Build Connect is currently down. We will stay tuned for information regarding a future hearing date. Will we hear electronically or by regular post?

On a related note, I am attaching a response letter following the public PC community engagement session held on November 18, 2021. I hope the attached letter can be entered into the file and shared with anyone who might review that video as evidence of community engagement around this FLUM amendment NPA-2020-0015.02.SH_2011 & 2015 EM Franklin.

Looking forward to hearing from you all soon,

Liz (203-415-3951)

Liz Johnson
JJ Seabrook Neighborhood Association President
<https://jjseabrookneighborhood.org/>



January 26, 2022

Dear Planning Commission, Contact Team, and City Council:

There were some points raised in the November 18, 2021 virtual community meeting for NPA-2020-0015.02.SH_2011 & 2015 EM Franklin that I would like to formally respond to and have entered into the file. Some of the points made during the meeting cast neighbors' requests in an unfair, sometimes inaccurate light given the duration of developer engagement and the developers' lack of willingness to be forthcoming about substantive, proposed guarantees in exchange for neighborhood support.

Parking # - During the meeting, developers highlighted the neighborhood's request for 2 parking units per residence as unreasonable given that it exceeds current COA building requirements. **Historically, developers were unwilling to guarantee any parking on 2015 EM Franklin until September 2021.** We have been engaging in good faith since prior to September 2020. The developer's response was that they would "do what the city requires" (zero with Affordability Unlocked status), was a non-response warranting a guarantee given neighbors earnest requests for guarantees with the number of units requested. We asked for 2 spots hoping to get 1. We are grateful to hear there will be ~1.25. Do we have to support the project and sign a restrictive covenant to have any guaranteed parking on 2015 EM Franklin?

Affordability & Density – Our neighborhood is currently working to preserve the low-income status of the Kensington apartments [as it transfers hands from one owner to another \(Elizabeth Property Group\)](#). 148 residences there range from \$780 to \$850. Our neighborhood is current conducting outreach on behalf of AHFC as they move to develop up to 360 affordable and permanent supporting housing units at 3515 Manor Road. We are gathering data about resident needs, so AHFC partners with non-profits that will build on and beyond the resources our low-income community members need. **The JJ Seabrook neighborhood supports ~508 deeply affordable residences currently and in the future and works to ensure all residents (renters and owners) who want to stay in JJ Seabrook can stay in JJ Seabrook.**

Parking Type – The developer originally promised underground parking. Terms like below grade entered into proposals in summer 2021. Requests that the developer clarify the parking type come from the back and forth of proposed parking types across the process without developer explanation until neighbors requested that the developer define and settle on terms in communicated plans. **This was not an organized neighborhood effort to "jump the process before site planning and engineering."**

Greenspace – Neighbors have been requesting Greenspace since September 2020. The **location** of greenspace and **type** of greenspace has been in question given its proximity to the creek. **While it sounds like a wonderful offer, we have asked the**

developer to be clear about how much of the greenspace is in fact useable by residents of the proposed 143 units and what sorts of uses will be supported while preserving the creek and the current wildlife that sustain our green Austin ecosystem. This was an issue crucial to neighbors in the HOA within the JJ Seabrook neighborhood. As you can see, there will be a barrier prohibiting traffic into the portion of the creek behind their properties. **Does this plan for easements and dedication to city parkland preserve the creek and wildlife? How much of what is offered is buildable and in fact an added benefit or donation to the community? How much of what is offered is required setback and needed for watershed/creek preservation? How much have to potentially change at the site planning phase when Watershed actually comes out to explore the existing creek area currently changing as a different 116 unit development is erected on an adjacent property?** Casting requirements and responses to an HOA as offers to the entire neighborhood that has been historically negotiating with the developer separate and apart from the broader neighborhood association engagement process seems disingenuous.

Impervious Cover – From the start of our engagement with the developer, he has offered 1 acre at the back of the lot. We surveyed neighbors in an effort to work toward consensus and asked neighbors to respond to the developer’s proposal with more than a yes/no. We aimed to capture neighbor interests, so we could have earnest developer engagement toward consensus. **Neighbors responded to the current proposal of 1 acre at the back of the lot and overwhelmingly favored more green space. Our neighborhood’s impervious cover request¹ is zoning language most relevant to neighbor survey responses requesting increased greenspace.**

Heights – If the developer’s building height proposals are work to promote compatibility with the existing neighborhood given the zoning category jump, it would seem they should be part of any multifamily upzoning in a primarily SF-3 neighborhood rather than leverage to restrictive covenants or conditional overlays a neighborhood is not financially equipped to enforce. Failing to protect compatibility and leave neighborhoods to both demand and enforce compatibility seem an effort to overwhelm rather than support current Austin residents. We are currently working with a different developer whose site plan completely ignored restrictive covenants the city entered into and traffic impact analyses the planning commission recommended. This experience and others have taught us this lesson.

Mid-block Precedents – **During the meeting, we asked the developer to provide mid-block precedents for this sort of development in the area and the developer offered “The George.” This precedent is distinct in its location, density, and # of ingresses/egresses.** At the start of the 2011/2015 engagement process, the developer purported to be negotiating a connection to have an additional ingress/egress that ran along the eastside of the property through the George, so the 143 residences had more than one ingress/egress. The developer was unable to secure that connection, but the proposed zoning and unit count has not changed. Now the developer purports that one

¹ “IMPERVIOUS COVER: Caps impervious cover closer to the 55% offered with SF-6 zoning than the 70% allowed for MF-4 zoning.”

of the main cost drivers for the project is a turnaround and firelane (given the single ingress/egress). It would seem both of these moves warrant consideration when reviewing this case and the proposed zoning. **We are concerned about what it means to have this many trips in and out of one location in the middle of the block. These properties are certainly deep which makes them large, but they are not wide which makes them more difficult to enter and exit. This is what neighbors are referring to when they say “great project, wrong location.”**

REQUEST FOR CITY COMMITMENTS:

- Will the city commit to data-based grey infrastructure improvements in the JJ Seabrook neighborhood?
- Will the city commit to green infrastructure preservation in the JJ Seabrook neighborhood?
- Will the city send necessary resources to current and future low income residents residing in JJ Seabrook?
- Will the city require the developer to contextualize financial claims made within the agent’s proposal? The developer’s agent claims the project falls apart at MF-2. We respectfully request that planning commission, city council, and the contact team expect the financial information necessary to assess these claims. Without that information, efforts to attain consensus that honors earnest neighborhood requests are inhibited. The JJ Seabrook neighborhood has engaged in earnest for over a year, including collecting and sharing all neighborhood data with identifiers stripped at the developer’s request. We look forward to similar information sharing or the support of city officials in such requests.

I look forward to city recommendations that honor the neighborhood’s on-going efforts to engage transparently and earnestly toward a mutually beneficial response to NPA-2020-0015.02.SH_2011 & 2015 EM Franklin.

Sincerely,



Elisabeth Johnson
JJ Seabrook Neighborhood Association President

From: Lauren Stanley
Sent: Thursday, November 18, 2021 5:59 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Comment for community meeting: 2011&2015 EM Franklin Ave.

*** External Email - Exercise Caution ***

Hi Maureen,

I am submitting written comments for the upcoming community meeting for this case, as I will need to be joining by phone.

This proposed development is simply too much for this particular site. A

- It's an intensive jump in zoning that would set a critical precedent for similar mid-block, inner neighborhood development and definitively alter the social fabric and long-term investment of many of the current residents.
- We as a neighborhood are seeing an immense amount of development activity, absorbing a tremendous amount of housing. On this street alone, we'll have 116 new units with The George; much more is underway (800+) along Manor Rd. Near Tillery; the city of Austin is planning another 200-300 new deeply affordable units closer by on Manor. We are doing our part.
- This is hardly a developed site. It is completely green and backs onto a spring-fed creek. A considerable retention / water quality facility would be located downhill near the creek and floodplain line, as other developments have done. The required excavation for a multifamily and commercial build-out will definitely impact the groundwater table and creek.
- The carrot of affordable housing does not warrant the kind of intensity being sought, especially if the upzoning, if granted, triggers more MF development in the middle of the neighborhood that could be all market rate. Furthermore, a percentage of units at 80% MFI does not touch the deeply affordable housing planned for the city lot on Manor.

We have yet to see what creative clustered housing solutions, which use the Affordability Unlocked program, are possible using SF-3 or SF-6. The development team has claimed this is a non-starter, which does not make sense. It is illogical not to consider a development scenario at the existing zoning of the property, which JJ Seabrook neighbors urged them to do before the purchase was finalized.

We remain firmly committed as residents who care deeply about our community to envisioning balanced density and environmental protections as we grow.

Thank you,
Lauren

Lauren Woodward Stanley, AIA

STANLEY STUDIO
www.larsstanley.com
P 512.445.0444
C 512.632.1772

-----Original Message-----

From: Lars Stanley

Sent: Thursday, November 18, 2021 7:29 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Cc: lars <lars@larsstanley.com>

Subject: FLUM and Zoning change, 2011-2015 EM Franklin

Ms. Meredith,

Please register my opposition to changing the FLUM for this property from SF3 to a higher MF use, which I feel would not be appropriate for this mid block location, nor in step with the majority of folks who live here.

It would also be a devastating precedent for the neighborhood which would encourage other developers to do similarly, and open the potential to eliminate its humanizing characteristics,

Thanks

Lars Stanley

.....

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
 Housing and Planning Department
 Maureen Meredith
 P. O. Box 1088
 Austin, TX 78767-8810

MAR 3 - 2022

NHCD / AHFC

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2020-0015.02.SH
 Contact: Maureen Meredith, 512-974-2695 or
 Maureen.Meredith@austintexas.gov
 Public Hearing: Mar 08, 2022 - Planning Commission

I am in favor
 I object

MATT KEMP

Your Name (please print) _____
1709 GREENWOOD AVE
 Your address(es) affected by this application _____
 Signature _____ Date 2/16/22

Comments: **WE ARE STRONGLY OPPOSED TO THE PROPOSED CHANGE, IF YOU HAVE DRIVEN DOWN E.M. YOU'LL KNOW - IT IS BARELY A TWO LANE ROAD-ALREADY DANGEROUS, SPED DOWN, VERY LITTLE ROOM FOR PARKING & ALREADY CROWDED WITH PSW'S DEVELOPMENT WE ARE NOT MUELER! WERE NOT STARTING FROM SCRATCH & ARE ALREADY A NEIGHBORHOOD, GREENWOOD, WHICH IS ALREADY USED AS A DANGEROUS CUT-THROUGH, WILL ONLY GET WORSE. PLEASE DON'T ALLOW THIS.**

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
 Housing and Planning Department
 Maureen Meredith
 P. O. Box 1088
 Austin, TX 78767-8810

MAR 3 - 2022

NHCD / AHFC

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2020-0015.02.SH
 Contact: Maureen Meredith, 512-974-2695 or
 Maureen.Meredith@austintexas.gov
 Public Hearing: Mar 08, 2022 - Planning Commission

I am in favor
 I object

Your Name (please print) _____
DEBRA NOLL
 Your address(es) affected by this application _____
2105 GREENWOOD AVENUE UNIT B
 Signature _____ Date 2/28/2022

Comments: _____

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:


 City of Austin
 Housing and Planning Department
 Maureen Meredith
 P. O. Box 1088
 Austin, TX 78767-8810



If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2020-0015.02.SH
Contact: Maureen Meredith, 512-974-2695 or Maureen.Meredith@austintexas.gov
Public Hearing: Mar 08, 2022 - Planning Commission

I am in favor
 I object

Your Name (please print) Randy Mallory Sallie Evans
 Your address(es) affected by this application 3620 clary way
 Signature [Signature] Date 2-27-22

Comments: Fivey the proposal as it stands, we believe this change add too many units to our neighborhood. We must respect those who desired the neighborhood plan and strive to maintain the neighborhood nature of developments.

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:

City of Austin
 Housing and Planning Department
 Maureen Meredith
 P. O. Box 1088
 Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2020-0015.02.SH
Contact: Maureen Meredith, 512-974-2695 or Maureen.Meredith@austintexas.gov
Public Hearing: Mar 08, 2022 - Planning Commission

I am in favor
 I object

Your Name (please print) Hawk Mendenhall
 Your address(es) affected by this application 1800 Delonay Street 78721
 Signature [Signature] Date 3/1/22

Comments: Increasing the ability of developers to overwhelm this neighborhood on E.M. Franklin with the George development already in the process of bringing in too many people for the street infrastructure is reckless, misinformed and counter to what makes a good neighborhood. DON'T!! This is a developer money grab.



May 20, 2022

Planning Commissioners and City Council Members:

I write on behalf of the JJ Seabrook Neighborhood Association. Specifically, I am requesting answers to unanswered questions aired at the 4/26/ 2022 planning commission hearing regarding Plan Amendment NPA-2020-0015.02.SH-2011 & 2015 E. M. Franklin; District 1 and Rezoning Application: C14-2022-0008.SH-2011 & 2015 E. M. Franklin; District 1.

Answers to several questions were ambiguous or left unanswered. Please ensure that the applicant provides city staff, planning commissioners, and city council members concrete answers prior to discussion and decisions to grant or compromise on zoning of the properties located at 2011 & 2015 EM Franklin Avenue and amendments to the EMLK neighborhood plan.

- I have lifted up commissioners’ questions and a few statements below.
- A highlighted transcript follows. PC questions for consideration are in yellow. Neighborhood comments are in blue. **Please review Commissioner Pulido’s statement on page 15** as we work toward a sustainable compromise.

Commissioners raised questions neighbors¹ have raised across the engagement period that began in earnest back in October 2020. A video of the testimony I prepared for the 4/26/2022 public hearing is linked here should you wish to review our comprehensive neighborhood process and response: <https://youtu.be/Zvs7dc5V7T0>

Thank you for your time and consideration. I am around and available to talk through your questions about this case. **We warmly invite you to walk and talk in our neighborhood. There is much to understand on the ground here in the JJ Seabrook neighborhood.**

Sincerely,

Liz Johnson
JJ Seabrook Neighborhood Association President

[Redacted]
(203) 415-3951

¹ You will hear reference to “the neighborhood” throughout the planning commission transcript. Please note that a small, newer HOA of 5F-3 homes (Franklin Grove) that borders the properties of this proposed rezoning engaged toward a private restrictive covenant with the developer. Most references to “the neighborhood” are exclusive to this HOA (Franklin Grove) and do not accurately reflect the range of resident perspectives in JJ Seabrook neighbors.

COMMISSIONER QUESTIONS

Answers to the following questions were ambiguous or left unanswered and I want to ensure that the applicant can provide city staff, commission, and council members concrete answers prior to deciding on granting or compromising on zoning and amendments to the EMLK neighborhood plan and the properties located at 2011 & 2015 EM Franklin Avenue.

Commissioner Pulido asked:

- What portion of the 30% guaranteed affordable units are contingent on city subsidies?
- When will the applicant know if the city subsidies have come through?

Commissioner Schneider asked:

- How will heights, set backs, and step ups from bordering neighbors be memorialized?
- How will the protections to the creek be memorialized?
- How will limits to impervious cover be memorialized?

Commissioner Cox asked:

- Is there any provision in the restrictive covenant if homeowners or neighborhood need to use an attorney to enforce it?
- I'm wondering if the applicant on the spot, might provide a no build set back from eastern property line that would generally effect at parks and open space they presented as part of the project and we can include that in the CO as a no build set back instead of ambiguous preserve an acre of greenspace.

Commissioner Praxis asked:

- have you all thought of mechanisms to put in place to ensure the long-term affordability? Have you thought about community land trusts, deed restrictions and such?
- For the units that would be in the \$200-500K or maybe more market-rate range, would you consider for some of those units that are closer to 200K having some kind of similar deed restriction or finding a way to make sure; finding a way to make sure that the most affordable of those market-rate units remain affordable long term?
- What are you seeing if you can tell us, the total project revenue would be once all of these units have been sold? There's not any kind of estimates you've made?

Commissioner Hempel asked:

- The topic about singular mid block ingress/egress came up. I know we're not getting into traffic counts with PC, but do you have examples of where things like this have been built in town?

Commissioner Mushtaler asked:

- Has this been looked at preliminarily by environmental? Was there anything that came up? Or is that later?
- Are there approved projects that are ready to be built in the areas around that bring the density in or are these theoretical projects?

Staff: As part of my research, I didn't do everything in process. I just did the ones in the immediate area and the site to the north has the approved site plan. I believe it has the approved site plan. I believe it's under construction when I was out there.

Mushtaler: Is that the George that was being discussed?

Staff: Is that the name of it?

Mushtaler: So that one is approved. Its' coming. It's going to have that number of units on that street?

Staff: I can say there are no new or recent rezoning cases in this area. The property that was mentioned at 3511 Manor Road is the address is the old street & bridge building of public works and it has recently, I can't remember what the current status is of it, but it's going to be AHFC affordable housing project.

Mushtaler: That's going to bring some density at that end.

Staff: In the zoning world, there's not anything in a really tight radius around here. I didn't look out more than a few blocks.

Approximate Transcript of Planning Commission Q & A
Re: 2011 & 2015 EM Franklin Ave.
04/26/2022

Plan Amendment: NPA-2020-0015.02.SH-2011 & 2015 E. M. Franklin; District 1
Rezoning: C14-2022-0008.SH-2011 & 2015 E. M. Franklin; District 1

Applicant Rebuttal

- Is not parkland deficient
- Creek Land
- SF-3 Subdivision
- Same impervious cover
- Public Access Easement; EM Franklin to golf course ½ mile reduction
- MF-4 cross subsidizes affordability on 2015.
- Dropped down height, cover, building coverage.
- Drop units; cross-subsidization drops, # affordable units drops
- Model MF-4 on 2011 needs to make cross-subsidized affordable units on 2015.
- Question for me is, if development is going to happen here, it's going to, 4 acres in
- 0% affordable 2-3-story SF-3 subdivision of million dollar, or 30% affordable 2-4 story missing middle 200K income restricted; 800K on top will subsidize.
- Directly addresses housing crisis.
- Not just building; where they're built. Highway frontage or multiple protected bikelanes that go to campus and transit.
- I understand people who don't want it to change.
- 1 development with agency.
- "taking it out on 30% affordable is the way to go"

Planning Commissioners Discussion Following Public Hearing

Pulido: Quick clarification for the applicant. Are all the affordable units at 80% MFI?

Applicant: They will be averaging 80% under affordability unlocked and it is the intent to try to spread that out. Start running into mortgage issues closer to 60%. Smartest is to do if you're not restricted on subsidy funding is to spread that range out. Dollars are same. Makes it easier to turn those units over faster.

I hear a rationale for selling more at the upper range than the lower range here; attributing that to mortgage issues rather than marketing. It would seem given the current housing crisis this would not be an issue at the lower or middle range this project is targeting.

Yanis: That range will be what roughly?

Realistically 60-100 MFI; 60-120K household income for a family of four.

YP: You wouldn't know breakdown until you averaged those, would you?

With this large number of units it can be a challenge to find folks who are pre-qualified for mortgages. That's part of the reason we have a marketing budget in here for the affordable units. Because of the averaging for a developer it's all the same amount of money in the end. You meet your affordability levels as you fill them up and you know what you have to fit.

YP: You know the MFI for purchase units of market rate units?

App: Mix of town homes small stacked MF and then 3 over 1 story parking stacked MF. What we are seeing in Austin market is discount on townhouses is probably 150-200K per unit. On stacked, 200-250K versus same square footage of detached SF. Folks with more find SF and buy them. Even non income restricted turn out a bit more affordable.

YP: 150-250K less than 1.5 million or 750K?

App for comp square footage. We're not looking at 3K square footage. We're looking at 800-1200 square feet. For townhomes that are 1300 square feet, 750 v. 900. For stacked, naturally affordable of it's hard to say with the market doing what it is because people aren't paying 30% income. It's hard to say what MFI it's gonna be because people are gonna have to ...

YP: 800-900 square feet; discount 150-250K; total 144 units. Can you repeat how many is 30%?

App: 143 total units. Number of affordables is coming in at like 45. Of those 20% cross subsidized (8). Remaining 10 points if city can make up some of the delta, not on opportunity cost, but on building material cost. Building materials are up 30%. RC states those units will be converted from market to affordable. If city will fund them at standard city rates and becomes of this location it's one the best candidates for that.

So are sales prices for market rate houses

YP: When will you know if city subsidies will come through?

App: Quarterly. Funds are running out on the bond, but there's talk about doing a new one. It will be kind of have to see how it comes.

YP: So a portion of that 30% is contingent on the city subsidy funding coming through.

10 points of 30

Even with 80,000 per, they'll be built at a loss, just not quite as much of a loss.

Schneider: You talked about height and step ups from neighbors to the south. Can you remind me what those are and how are those memorialized? In staff rec or part of RC or some other mechanism?

App: Slide 7. Illustration there as well with measurements. This was agreement with neighbors to the south with exception on EM Franklin. Never accepted step back from neighborhood. What

we have there is the row facing south less than 3 full stories, 30-35 feet high. Bulk of 2011 capped at 3 stories, about 40 feet. 2015 entitlements only go up to 40 feet, but with affordability unlocked, we get another story. To build what we need to do affordability we need to do and per agreement with neighbors, this is the height step back that we need to accomplish the project.

Schneider: Did you say it's RC or staff rec? Is it memorialized?

App: Staff just for base MF-4 zoning. We don't need all entitlements. This will be with Franklin Grove HOA which is subdivision to the south.

Schneider: Can you talk in more detail about steps to protect creek and how that will be memorialized?

App: Working with civil engineers we think ½ acre or so of constrained space that you can't do alot with, can't put a building there, you can do other things. There's square footage on other side, of creek that adjoins golf course and then .3, .4 acres on this side that's buildable, but is because of the layout of the site, more expensive, idea was to do parkland. Acre is what people asked for, so it's what we shot for. PARD will accept .7 as parkland dedication. Other won't because lawn mowers and bring truck around. Rest will be given as public recreation use. Also have public access easement that crosses through for development to access to golf course.

Schneider: I understood impervious is what you'd get if another SF-3 happened here. Are you doing rain gardens or rain capture? What do you expect? How is that going to be memorialized?

App: In theory, same amount of water protection when you do a subdivision than MF? You go through a more rigorous process. We're planning on additional green space and use as active green, terraced as green, open, rain garden, don't see because gravel and rock below turf. Depends on engineering that result there.

Little known provision of code that says if you're SF-3 by golf course can do 55% impervious cover, not 45. Not clear if tyou subdivide at same time you do site plan if 55% carries to subdivision. Currently use 45, not 55. We only need 65 to achieve affordability we've planned.

I don't hear the applicant answering the question of how this can be memorialized. I hear the applicant defending the zoning and the amount of cover they're going to be using; not necessarily getting. How will it be memorialized?

TIME OUT...SCHNEIDER STILL HAS QUESTIONS

Cox: You've made a lot of promises to the neighborhoods, the neighbors around these properties. I'm assuming and correct me if I'm wrong, that you would not be opposed if the planning commission voted to memorialize set back, height, limited use of LR, open space, things we can legally do. I'm assuming you wouldn't be opposed to us memorializing that with a CO for the zoning.

App: In your backup you should have the 2 page letter from Franklin Grove. The first page is things you can put in a CO. The 2nd page are things that you can probably only do in an RC, that we are going to do in an RC with them. If you look at slides 6 & 7, that have the height step backs there. On uses we were trying to keep office and live work to have some flexibility. That building there. I would love to go into city council with MF-4, so if somebody wants to compromise there, we have room to compromise. But the entitlements on page 6 & 7 are what we need to achieve affordability and that's our number one goal.

Cox: 6 or 7 of presentation or backup?

App: Presentation and in your VC email as well.

Cox: Next question, about the parks open space, from the aerial looks like well defined tree line along the creek. Is that treeline encompassed by your proposed parks and open space?

App: No, the proposed open space goes above that on the slope. The trees there, watershed is going to want us to clear out vines and other things that are invasive. We have an agreement with franklin grove to use a naturalist and arborist to not cut back on habitat there because they have some beloved owls and a fox. Part of our agreement with them is that it will be done in a natural way.

Cox: When you say agreement, you mean a private restrictive covenant that hasn't been drafted yet.

App: It is being drafted. And worked out and we will definitely have it by 3rd reading at council.

Cox: Let me ask you this third thing about private restrictive covenants, you know they're good in concept, but ultimately they require money to pay a lawyer to enforce it. Is there any provision in that RC if that homeowners or neighborhood association needed to use an attorney to enforce it?

App: We don't envision pre-paying an attorney to sue us. [laughs] but that is the point in the Franklin Grove letter. I helped draft that out. You can only put things in CO that are governed under the zoning code. You can't put things like, uh, preserve habitat using native species, to the best of my knowledge. So the things that are preservable in a CO are specifically called out there and are on page 15 as well as listed up above. Everything that's there that's eligible to be part of that agreement is fine being a CO with us. The other stuff is like we offered and are coordinating which species of tree they want planted and where they want it planted. You can't put that in a CO. Everything that can be put in a CO is acceptable to put in a CO.

What can be memorialized in the neighborhood plan amendment being requested?

Cox: One last thing. It did sound a little funny, but we've had developers put escrow funds as part of a restrictive covenant because obviously the dollars are needed to enforce those RCs. It would have been nice to have a provision like that if neighbors thought it was needed.

Praxis: Thank you. I have a few questions. One is that you mentioned that this site could be developed just like the adjacent site if this rezoning isn't granted, so I'm wondering would the owner of this property actually, is there a plan that if this zoning isn't granted, the property will be sold to be developed in such a way with 2.5 million dollar costs per lot?

App: As you may have caught on tonight, Mr. Mehra is only interested in doing significantly affordable projects, and so if the zoning was denied or a level of zoning that didn't allow a level of affordability that we're looking for came, he's expressed that he'd most likely put the land on the market, so he could go and do affordable housing somewhere else. And so, in my experience there are a lot of developers that would love 4 acres in this part of town to put up a bunch of million dollar homes.

Praxis: Gotcha. So my other question is it sounds like on your presentation that the market rate, you're estimating 200-500K is what each of those units would be sold for, for those 100 market rate units? It does say that in the presentation.

App: That applies to the MF and in the 9 months since that was made, those numbers are out of date. Townhouses don't sell for as much as detached SF, but the offer and what the financial model can support is that 1/3 of the units be sold under market price. That's the constraint there. I don't know, my priority is to try to get more 200K units than worry about whether the townhouse is going for 700. We're trying to put the resources into the lower end of affordability rather than capping the higher end.

Praxis: And for those being sold, those 43 affordable units, don't know if I missed it, but what would be the range. I heard the MFI for folks and that income range, but what would be the range for what those would be sold at?

App: Current COA regulated pricing which is what these would be at under affordability unlocked I'm going to say ranges depending on the number of bedrooms, an average of 180 to 230K, maybe 160-230 depending on 1 or 3 bedroom and then you'll see a swing of 30% more or less than that, depending on the level of MFI that comes in. That's the regulated 80% price.

Praxis: That sounds like a good range. And have you all thought of mechanisms to put in place to ensure the long term affordability? Have you thought about community land trusts, deed restrictions and such?

App: These will be governed by both an RC with homebase as well as regulated under affordability unlocked. The city puts a note in your deed. It's noted whenever it's sold. The city has a right of first refusal on those units and has the regulated price and when you do your title insurance pull those will all pop up. It will be recorded in the deed of trust for 99 years.

Praxis: Ok. And for the units that would be in the 200-500K or maybe more market rate range, would you consider for some of those units that are closer to 200K having some kind of similar deed restriction or finding a way to make sure; finding a way to make sure that the most affordable of those market rate units remain affordable long term?

App: I've actually tried to do this somewhere else and the buyers who don't qualify for the income restrictions, they start getting really spooked and say how much can I sell this for when I want to sell this 5 years from now. I'm not in an affordable housing program. I just want to buy this house. So again, we're putting the resources at the lower end rather than the higher end.

Praxis: Yeah. I understand that. That makes sense. I'm just thinking for long term affordability in Austin, you know, what are other things we can do.

App: Certainly. That's what we're trying to do for the 30%, but believe it or not the Austin bureaucracy is a huge pain on this stuff and it's hard to navigate.

Mushtaler: I have some questions for city staff. I'm wanting to know more about approved projects that are right. I'm confused by what we've heard from both sides, so I'd like to hear from city staff, are there approved projects that are ready to be built in the areas around that bring the density in or are these theoretical projects?

Staff: Heather Chaffin, Housing & Planning. As part of my research, I didn't do everything in process. I just did the ones in the immediate area and the site to the north has the approved site plan. I believe it has the approved site plan. I believe it's under construction when I was out there.

Mushtaler: Is that the George that was being discussed?

Staff: Is that the name of it?

Mushtaler: So that one is approved. Its' coming. It's going to have that number of units on that street?

Staff: I can say there are no new or recent rezoning cases in this area. The property that was mentioned at 3511 Manor Road is the address is the old street & bridge building of public works and it has recently, I can't remember what the current status is of it, but it's going to be AHFC affordable housing project.

Mushtaler: That's going to bring some density at that end.

Staff: In the zoning world, there's not anything in a really tight radius around here. I didn't look out more than a few blocks.

This is inaccurate given the letters we've written and the conversation I had with Heather right before this hearing. I stated clearly how many builds and units are coming. All the Cumby construction is a few blocks away (Greenwood, Palo Pinto, Tillery)

Mushtaler: What I'm looking at is the main cross street on one end and the main cross street on the other end and whether we're creating bottlenecks by putting the density in the middle. That was obviously the concern for some of the residents.

Staff: I don't know of any other projects on EM Franklin.

Mushtaler: So I can just look at what's existing for zoning, what that would allow and go from there. Thank you. That helps. Has this been looked at preliminarily be environmental? Was there anything that came up? Or is that later?

Staff: That comes up at time of site plan, but I do know that watershed has looked at the site just over several years concerns about preserving the natural elements and I know there are neighbors who have worked with watershed and I believe they have met out on the site. It wasn't related to this zoning case, but I know watershed has been out there.

Commissioner Mushtaler is asking about this case. The neighborhood is asking about this case in addition to the building that's already going on that didn't require rezoning.

Mushtaler: Ok. Then I'll direct the question to one of the neighborhood contacts that was speaking to environmental. I was wanting to understand a little bit more. I know there's a pretty spot back there. Is it human density or concerns above and beyond that?

Neighbor: Are you wanting to know more about the creek, green area,

Mushtaler: Concerns about bringing the project, SF-3 incremental build on that. Specifically what is your concern?

Neighbor: A few things confused me. I didn't see a retention facility. There's a lot of impervious cover. That's concerning.

Neighbor: We are seeing algae in the creek where we didn't see it before. The George is definitely having; it's a wholesale raze, there's impact on that site and the creek backs up to that. With yesterday's rain, a neighbor had seen washout. It's delicate. We've lived there 17 years. 2011/12, creek ebbed to barely a flow. Other than that it's flowed all year long everyday. 55% impervious is new for SF-3. Watershed could protect. Parkland they show has to be protected anyway. I'm not sure what's a buffer beyond a flood plain line. When you dig huge holes in the ground for semi-subterranean parking, there's impact to the creek. It will be sad to see the impacts on the creek. I hear about a graded height restriction from the south end, but Franklin Grove supports that. They're an HOA and new. I'm not excited about height by creek. Without a retention pond, it will have an impact. I've lived there a long time. If you have more specifics, I can answer.

Azar: Mr. Kenney, can you respond to impact on the creek

App: In theory a subdivision has the same protections as a MF building. They get more scrutiny with the shot clock bill they're under more pressure to evaluate it. The, you are talking about a difference in probably 55-60% impervious. SF with new street, sidewalks, but MF we don't need full 80%. Need 65 to do affordability. It's I don't think there's anyone in watershed that would disagree about the difference between an SF-3 and an MF. They can get just as close to the creek, impervious isn't different. Same facilities required.

Azar: Does that answer your question?

Hempel: The topic about singular ingress/egress. I know we're not getting into traffic counts with PC, but do you have examples of where things like this have been built in town?

App: Early on we were asked that and would have liked to have said sure we'll do multiple ingress/egress that would have been dishonest because there's a protected bikelane and ATD's policy is to minimize the number of conflicts and isolate them down, so at this level of traffic, you don't need more than one lane in and out, so if it were going to make people happy, sure. I don't think ATD will let us do it and they want to minimize the ins and outs of cars.

Hempel: In terms of example in town, can you think of any?

App: I have 2 in site plan now with 1 ingress and egress and one is 120 units and 1 is a little bit south of 100 units.

Where are they? Are they mid block? They're not open and functioning.

Hempel: And remind me. Are you looking for reduced parking requirements because of proximity to transit?

App: Affordability Unlocked will allow the lower level of parking. We want to do more market study to figure out how low we can push that. It's a push pull because we don't want to build and overpark it, but we also heard from a lot of folks that they want to make sure that we have parking, so people aren't parking in other places in the neighborhood. We've talked about incentivizing bus passes. This is if you work downtown or on campus, it's one of the best transit locations in town, so I suspect that, as well, the fact of the matter is, the higher income you are, the more you use your car. These lower income units will tend toward lower car usage.

Hempel: I used to ride my bike when I lived on this side of town through this area. It's really bikable. I wanted to ask about the golf course becoming an open space.

App: It's in the urban trails plan. There's a potential urban trail that stretches along MLK and manor. There's a connection. I think that would be lovely. There's a lot of private property. We haven't seen other developments dedicate like we are because it's not required or a parkland deficient area, so I think there's potential there. More likely than urban trail north and south, those greens are spread and you could have a nice public park for unprogrammed play and our hope is by putting public access easement across the property, there will be public access and people will use the paseo go across and access it. Between that and a coffee shop and going above and beyond the parkland the idea is for this to be a permeable development, an extension of the grid rather than closed off from it.

Hempel: And where it abuts the creek, is there a way to dedicate, not parkland, but an easement in order for that future potential urban trail to make that connection through the development?

App: The Easment will stretch all the way from EM Franklin all the way to the parkland, so I don't know if Watershed protection would want us to put a pedestrian bridge across. We need to think about water quality and footings. It looks possible to me. And the point is to have the access easement all across the property so people can use it.

Hempel: But at some point it would be easier for the city to make that connection once the adjacent connections are there to make sense of what's there, with what we're doing with the site or the zoning.

App: Parkland development dollars are hard to come by. I don't know. We can all hope. I've got some projects in my neighborhood and have been hoping a long time on that stuff.

Praxis: What are you seeing if you can tell us, the total project revenue would be once all of these units have been sold.

App: In this market, it's just impossible to tell.

Praxis: There's not any kind of estimates that you all have made?

App: There's a huge range that is a range as big as the costs right now. I'm building several homelessness response projects and our materials costs construction contracts are up 30% over 6 months ago. It's a lot of chaos right now. The weak of stomach are all bailing to see what happens.

Praxis: Thank you.

Hempel: All of our spots. Motion? I will make a motion to approve with staff recommendation on NP and zoning. Franklin Grove RC bullets on page 56 of our backup included with our recommendation. Is there a second?

[Azar seconds.]

Hempel: Passion on both sides. I'm coming from a side of we need housing. I think the connectivity to transportation nearby makes sense for a development like this to happen. Anybody speaking against?

Cox: I'm for the motion, but was wondering if there's anyway we can make reference to the other restrictive covenant items. I know it can't be part of CO, but I'm wondering if we can recommend that we don't approve this until RC is fully drafted and agreed upon between the parties.

Staff: That can't be part of rec.

Mushtaller: I'm needing staff clarification also. I know that the city can enter into RCs on rezoning, so I'm inquiring about that and why we're being told no?

Staff: This is a private restrictive covenant. The city is not a party to that. The city can do Cos and public restrictive covenants.

Mushtaller: Right. So if we were to do a public restrictive covenant, so that's what's limiting what we can include in that RC?

Staff: Certain items can be in CO. Certain items can be in public and the rest has to go private.

Mushtaller: I'll speak in favor. It's hard to get a perfect project. The fact that so many have come out in favor and opposition is showing a project stimulating discussion which I like. I don't know that we're going to satisfy all the interests. I like that there was an effort to create a blend into what's existing and what's needed and the middle housing. I'm trying to learn all the aspects of affordability and how we incorporate as much of that as possible. I like the intent. I hope as we move to council that we can iron out things like if it stays with an SF-3 zoning, and what that would bring as an alternative. Thank you.

Hempel: Against? Cox, for or should we use that spot for somebody else.

Schneider: Parliamentary inquiry – remind us of the effect valid petition has on this vote and what we need to vote to pass?

Staff: Valid petition only effects 3rd reading at council. Doesn't effect council votes on 1st or 2nd. It was just for information that it was determined today.

Hempel: Motion made, confused that I stated page 56 Franklin Grove conditions can't be included as part of the motion?

Staff: Letter dated June 18, there is a section which all or most of those can go in a CO. And the 2nd section, coordinating and maintaining tree plantings and some things related to good faith effort to locate on site parking, those can't be in RC or CO. We'll have law review what can be in RC or CO. In my understanding most on 1st page can be in CO.

Hempel: Thanks

Mushtaller: Did those make it in on the motion made?

Cox: I was hoping we could have a better understanding of what's going to go to council as PC recommendation. Staff made reference to all or most and I'm a little curious as to looking at 2 bullet points that I've assumed would have gotten shot down and I'm curious to know what staff thinks will get into recommended CO.

Staff: I just saw this today. I saw it as a letter of support. I didn't know it had been agreed to, so it's just my preliminary review. Determined by law department. First condition 25 foot no build on 2011 EM Franklin. That can be CO. 2 story no more than closer than X feet of fence lines, yes. CO. No higher than 3 stories on 2011 and 4 stories above on 2015. Yes. We can do that. We

may have to get legalese, how many stories over parking, what does that calculate to? We don't know the height of the parking garage.

Cox: In applicant presentation, converted height to stories. IF that needs to be converted to height, I'm hoping we can use the applicants presentation as a guide for that.

Staff: We'll incorporate it and determine which is accurate and that will be clarified to council, so if the motion is to recommend with conditions outlined here, first reviewed by law department. Anything that changes between now and planning commission, we update them on that, so for example, if this kind of definition of height, finesse and say 4 stories is 72 feet, 65 feet, we can do that before then and keep them updated.

So the other ones, I'm less certain on. I'm not saying they can't be a CO, but I want to run by law department. Preserve acre of green, since it doesn't say where, not sure we can put in. Vegetative buffer and signage to deter pedestrian access. Buffer yes. Signage no.

Accommodates all parking spaces for project on site, not clear on meaning of that. I need more clarification. Not committing to 80, 100% parking. I believe Kenney said still working out intended parking ratio. What we typically do, as recommended, Gavelli Johnston terrace, it was as reviewed by law department about what can and can't be put in.

Cox: Chair, can I make a suggestion, I have a strong suspicion that the last 3 bullets are gonna get mixed by legal because it's not extremely well defined what we intend and to the preserves up to an acre of greenspace. I'm wondering if the applicant on the spot, might provide a no build set back from eastern property line that would generally effect at parks and open space they presented as part of the project and we can include that in the CO as a no build set back instead of ambiguous preserve an acre of greenspace.

This is exactly what we were asking about in our community forums and letters to PC. Please consider defining where the acre is for the community of folks who will live there and use it and the community who lives near the creeks that feed the trees that keep this area cooler than it would be otherwise

App: Distance is harder than area because we have to do more in depth engineering to see where that line should be. I'm not 100% sure on clearing a CO, but we know for sure, we think that we're doing an acre. We know for sure we're going 0.7 acres, so if that was a minimum threshold that the PC wanted to consider, that would be congruous with the plans.

Hempel: So I'm hearing instead of preserving up to an acre, I'm hearing preserving a minimum of .7 acres.

App: Yes. And I don't know if it would clear, but if we wanted to specify that it was in the eastern third of the property, that could work.

Hempel: Would that make sense to you?

Cox: I think modifying the language to say preserves at least...this doc says an acre. The applicant said .7 acres, but up to is from 0 to that, so if the intent is that we want greenspace in accordance of the agreement the developer and neighborhood has come to, let's say preserve.

Azar: I would make an amendment to the motion. Can we say preserve open space from .7 up to an acre?

Hempel: second by cox? Want to speak? Comments from staff.

Staff: We need to have law department review this. In my recollection, we don't do a range. We do it on PUDs. On regular, I don't know that we do. We will have law department do this and find the legal language for this. The letter was prepared by an HOA, so it's not detailed in terms of acreage and location and that sort of stuff, but we know the intent.

Azar: I think the intention is to say you can't go down. If it's up to, can't do 0. Gives .7 up to. It responds to what the neighborhood wanted and what applicant says is possible.

Hempel: Against? For? Vote?

Pulido: Can I speak neutrally, please? I'll be brief. I appreciate the detail and nuanced discussion. It's been a good learning opportunity for me to see how affordability unlocked can be applied. I have reasons to support. I have hesitation around this are because of the points raised. My main reason for abstaining is that when it comes to the tree canopy and the creeks, the main thing to remember is that we can't get these things back. And I am somebody who grew up with the stark contrast of open streams and concrete ditches where they were fought for north and south. Stream ecology is sensitive and could be threatened by some SF development, but are much more threatened by these large large developments. I'm hopeful that the damage can be minimized in construction. You can't get things back, especially the tree canopy. I know we're not talking about heritage trees. We are talking about critical canopy. The idea that there's no displacement on a greenfield needs to be challenged. I understand we're not bulldozing any existing units, but the influx of 100 luxury units into an area that's appealing as a development because this area was devalued by racism. That does have a gentrifying and displacing effect over time. And that needs to be addressed when we're using affordability unlocked to create basically a 30% max affordability out of a very large project as opposed to the majority of a building. Also the idea that we will definitely get all of the things that we're hoping we will get. There's so much on the line. With these numbers in an incredibly volatile market. I appreciate the commissioners effort to get as much of this memorialized as possible. And finally, the precedent, we, I have seen this pattern of projects with some affordability and a lot of compromises and then they can set the stage for much more upzoning and we don't get the community benefit in, so I just want us to be cautious as we proceed. I think this is going to pass and it is going to get us some affordable units. I think there are some serious sacrifices we need to be realistic about. Thank you.

Hempel: Other commissioners for or against?

Schneider: Voting on the amendment?

Cox: I wanted, specifically this amendment, broader as well. I have concerns shared by neighbors and commissioners. I appreciate the fact that so much thought and detail has gone into this and the developer has made an effort to put a relatively good amount of detail on a zoning case, not a site planning application. The effort between neighborhoods and developer needs to be memorialized. Commissioner Schneider kept using the words memorialize because there are a lot of good developers out there, but I've seen a lot of developments change after the zoning process no matter what promises have been made. I'm not saying that's what going to happen with this developer, but whatever we can do to help memorialize those negotiations in future cases makes neighborhoods and home owners associations more willing to engage in a project they were promised. With this chair's original motion goes as far as we possibly legally can to ensure those good faith negotiations are put in the zoning case.

Hempel: Any others wishing to speak? Vote? In favor? Amendment? Favor? unanimous on amendment. Main motion: favor – (8) against – (0) abstaining – (2 Pulido and Praxis)

Commissioners Cox & Mushtaller go on to add a future agenda item clarifying what can and can't go into RCs and COs and what the differences are between private and public restrictive covenants.

To Members of City Council
Attn: Case manager: Maureen Meredith
Regarding: 2011 & 2015 EM Franklin Ave.
Case # NPA-2020-0015.02.SH-2011 & 2015

May 20, 2022

This project as proposed entails such a jump in zoning that it's hard to imagine it being anything but a shape-shifter for the entire block, and by extension, the neighborhood. JJ Seabrook is a unique, green, diverse neighborhood situated between East MLK and Manor, with direct proximity to the Mueller to the north. Unlike Mueller, it does not have the benefit of being a well-planned master development in which housing density, commercial and recreational amenity, and open space have been carefully considered and interwoven. Residents throughout JJ Seabrook are very concerned that the result of the city's singular focus on adding housing stock will be the ultimate dissolution of a historic neighborhood fabric - physically, socially, and environmentally. This is not only bad for us, it's really not good for Austin. Trying to go from zero to ninety in two seconds comes at a cost and risks being done poorly.

Many residents have spent countless hours organizing thoughts, community reach-out, and correspondence. After about two years of this, and in full acceptance of the need to grow, we maintain the perspective that this project is simply too much for this site. As handsome as the project is, it is more suited for a grayfield site along Airport Blvd. or Manor Rd.

- We are already slated to get an enormous influx of **new housing**, much of it deeply affordable, much of it full market-rate. This project promises 30% **affordable**, but only 20% is guaranteed; the other 10% is "good faith effort". It aims for 80% MFI. The remaining units, up to 80% of the project, will be market rate.
- **Traffic** along EM Franklin Avenue between Manor and MLK is growing and only going to get heavier. A green/complete street with rain gardens, medians, bike lanes, and some buffers has helped to moderate the flow to keep it marginally safer for bikers and walkers. This is contingent on keeping to a single lane each way, and no room for a turn lane. With cars entering and exiting from the middle of the block for this project, and no cross street inside the arterials, and factoring in the 116 new units Storybuilt is building just to the north, it is hard to understand how we're not going to have some messy congestion and a significant impact to human safety.
- This is a **greenfield**. It may be scraped now, but two years ago it hosted several large healthy oaks, a variety of fruiting trees, gardens, and multiple tiny homes. The creek was safeguarded by this canopy. The proposed impervious cover on a greenfield, regardless of what is promised by the developer, would increase with granted entitlements from what used to be 10%-15% to 65%-75%. Tannehill Creek branch 2, a **perennial spring-fed tributary**, would suffer impacts from impervious cover increases, dog/pet waste, and the impacts of deep excavation for subterranean parking and stormwater retention elements. If we are trying to honor the **tenets of Imagine Austin** and the Climate Equity Plan, especially in the eastern crescent, we need to pay attention to urban heat mitigation, tree canopy, and balancing the provision of resources, services, and critical amenities for the population beyond a high housing unit count, in our area of the city.

To be clear, no one wants mansion-like SF-3 homes on this property. What we are advocating for is small-scale, nestled homes that have a modest footprint, programmed affordability, go easy on the creek at its eastern edge, and don't threaten the long, deep ties of local residents with domino-effect development.

The Valid Petition that has been put together aims for compromise - a tight single-family (row house) or multi-family regime that keeps the unit count to a reasonable number for all the reasons described. We have seen no zoning compromise from the developer team - only marginal select conditions worked out with key residents immediately next door, to be baked into a restrictive covenant that, as we all know, are enforceable only with the time, energy, and money of citizens. They still seek, would get, and could use, all entitlements that come with their full proposal.

We ask for moderation as you consider this project.

Thank you,

Lauren W. Stanley, AIA
1901 EM Franklin Ave.