ZONING CHANGE REVIEW SHEET

CASE: C14-2018-0117 Loyola Lofts DISTRICT: 1

ZONING FROM: LR and SF-3

TO: GR-MU-CO, as amended

ADDRESS: 6420 Loyola Lane

SITE AREA: 12.669 Acres

PROPERTY OWNER/APPLICANT:
Horizon Worship Center of Austin
(Billy Hines)

AGENT:
Land Use Solutions LLC
(Michele Haussmann)

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

STAFF RECOMMENDATION:
Staff supports the requested GR-MU-CO zoning for this site. The proposed conditional overlay prohibits the following land uses: Alternative financial services, Automotive rentals, Automotive repair services, Automotive washing (of any type), Bail bond services, Drop-off recycling collection facility, Exterminating services, Funeral services, Pawn shop services, Pedicab storage and dispatch, Service station, and Custom manufacturing. The proposed conditional overlay also limits the site to 2,000 vehicle trips per day. *For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

December 18, 2018:

CITY COUNCIL ACTION:

January 31, 2018:

ORDINANCE NUMBER:

ISSUES:

The rezoning request as filed was for CS-MU to build an approximately 203-unit affordable housing multifamily project with accessory commercial uses. The Applicant amended this request to GR-MU-CO, which will allow the proposed development and prohibit land uses that are not suitable for the location across the street from Barbara Jordan Elementary School.

CASE MANAGER COMMENTS:

The subject property is located at the northwest corner of the intersection of Loyola Lane and Johnny Morris Road. The property is undeveloped and is currently zoned LR with a smaller portion zoned SF-3 at the northern end of the site. Immediately to the north is a property that is zoned SF-2 and is developed with a single rural residence. Further north is Walnut Creek Greenbelt, zoned P. To the north and northeast, across Johnny Morris Road, is a single family neighborhood zoned SF-2. To the east across Johnny Morris Road is Barbara Jordan Elementary School. Across Loyola Lane to the southwest, south and southeast are undeveloped tracts zoned SF-3 and LR. Immediately west of the property is an affordable multifamily development that is zoned MF-3-CO. A small creek and associated water quality transition zone are located on the property, but no floodplain exists on the site. ***Please see Exhibits A and B – Zoning Map and Aerial Exhibit.***

The Applicant proposes that 18% of the units will be set aside at 80% area median family income, 61% of the units will be set aside at 60% area median family income, and 18% of the units will be set aside at 40% area median family income, with a possible variance of +/- 5%. The Applicant also proposes including 3% market rate apartments. The Applicant also proposes developing a minimum of 2,000 square feet of retail/commercial space on the site. ***Please see Exhibit C– SMART Housing Certification.***

Staff supports the rezoning request to GR-MU-CO as stated on the first page of this report. The proposed rezoning will allow the development of both residential and retail/commercial uses that are appropriate for this intersection and the nearby elementary school. As a SMART housing project, the project will meet the goals and priorities established by the Strategic Housing Blueprint.

Staff has received correspondence in support of the rezoning request. ***Please see Exhibit D– Correspondence.***

BASIS OF RECOMMENDATION:

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

GR-MU zoning allows a mix of residential and commercial land uses, as proposed on the site. Community commercial (GR) district is the designation for an office or other commercial use that serves neighborhood and community needs and that generally is accessible from major traffic ways.

2. *Granting of the request should result in an equal treatment of similarly situated properties.*

The MF-3-CO property immediately to the west is developed with a similar affordable housing development, with a density that is comparable to the proposed density on this site. This site will have the additional flexibility to provide a mix of commercial/retail uses as well as multifamily.

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

Affordable housing as proposed by this project is a high priority goal for the community as identified in the Austin Strategic Housing Blueprint.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	LR, SF-3	Undeveloped
North	SF-2, P	Rural residence, Public park, Single family residences
South	SF-3, LR	Undeveloped
East	LR	Public elementary school
West	MF-3-CO	Multifamily residential

RELATED CASES:

CITY FILE # / NAME	ZONING FROM	ZONING TO	ZAP COMMISSION	CITY COUNCIL
C14-06-0156.SH 6200 Loyola Lane	MF-3-CO and GR-MU-CO (2,000 vpd, limited commercial uses)	MF-3-CO	09/19/2006:MF-3-CO w max 2,000 v.p.d., max 254 d.u.	10/19/2006: Approved MF-3-CO as rec by ZAP, Ord # 20061019-062

TIA: N/A

WATERSHED: Walnut Creek (Suburban)

NEIGHBORHOOD ORGANIZATIONS:

Colony Park Neighborhood Association
L.B.J. Neighborhood Association
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
Del Valle Community Coalition
Friends of Austin Neighborhoods
Austin Neighborhoods Council
East MLK Combined Neighborhood Plan Contact Team
Colony Park/Lakeside Community Development Corp.
Bike Austin
Black Improvement Association
Friends of Northeast Austin
SELTexas
Sierra Club
Claim Your Destiny Foundation
AISD

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Loyola Lane	100'	72'	Arterial	Yes	Yes, bike lane	Yes
Johnny Morris Road	84'	25'	Arterial	No	Yes, bike lane	Yes

OTHER STAFF COMMENTS:

COMPREHENSIVE PLANNING

Connectivity: Public sidewalks are located along one side of Loyola Lane, which abuts this property. Bike lanes are located along both side of the street. A Cap Metro transit stop is directly in front of the property on Loyola Lane. There are no existing urban trails in the area. The Walkscore for this site is 32/100, Car Dependent, meaning most errands require a car. The mobility options in this area are above average.

Imagine Austin: The property is located by the Colony Park Station Neighborhood Activity Center and along an Activity Corridor. Activity corridors are characterized by a variety of activities and types of buildings located along the roadway, and are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. A Neighborhood Center, the smallest center in the Imagine Austin Comprehensive Plan, has a more local focus, and is intended for doctors and dentist offices, retail shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses to generally serve the center and surrounding neighborhoods. The following IACP policies are also relevant to this case:

- LUT P1. Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- LUT P3. Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- LUT P5. Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- HN P10. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

The project is located within the Colony Park Station Neighborhood Center and along an Activity Center, which supports mixed use project and mobility options. The project also calls for an affordable housing component, which is needed in all parts of Austin. The proposed mixed use project will provide much needed goods and services in an area that has an abundance of residential and civic uses (a public school and a park) but a dearth of retail/commercial uses for the residents in the vicinity. Mobility options are above average in the area (public transit, bike lanes and public sidewalks). Based the above average mobility options in the area, the affordable housing component, nearby civic uses,

and the project offering a true mix of uses, this project appears to support the policies of the Imagine Austin Comprehensive Plan.

ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.
2. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits if more restrictive than allowed by zoning.

Development Classification	% of Gross Site Area	% of Gross Site Area with Transfers
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

SITE PLAN

SP1. It appears the subject property has not been subdivided. A subdivision application must be submitted for review (Section 25-1-61) prior to site plan approval or an exception to platting must be obtained; contact the Development Assistance Center on the first floor of One Texas Center at 978-4000 to obtain a Land Status Determination.
SP2. Site plans will be required for any new development other than single-family or duplex residential.
SP3. Any development which occurs in an SF-6 or less restrictive zoning district which is located <540 feet from property in an SF-5 or more restrictive zoning district will be subject to residential compatibility development regulations.
SP 4. The site is subject to compatibility standards along the north property line. The following standards apply:

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

☐ No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
☐ No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
☐ No parking or driveways are allowed within 25 feet of the property line.
☐ A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
☐ For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
☐ An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
☐ A landscape area at least 25 feet in width may be required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

Additional design regulations will be enforced at the time a site plan is submitted.
SP5. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when a site plan is submitted.

TRANSPORTATION

TR1. A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. It is recommended that the development should be limited through a conditional overlay to less than 2,000 vehicle trips per day.
TR2. Per LDC 25-6-101 (Ordinance No. 20170302-077), this site may be required to provide mitigation for traffic impact at the time of site plan.
TR3. The Austin Metropolitan Area Transportation Plan calls for 114 feet of right-of-way for Johnny Morris Road and Loyola Lane. It is recommended that 57 feet of right-of-way from the existing centerline should be dedicated for Johnny Morris Road and Loyola.Lane according to the Transportation Plan at time of subdivision or site plan.
TR4. Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.
TR5. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November 2014, a protected bike lane is recommended for Johnny Morris Road and Loyola Lane. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.
TR6. FYI – the existing sidewalks along Loyola Lane do not appear to comply with the Land Development Code and do not appear to be ADA compliant. Additionally, sidewalks do not exist along Johnny Morris Road. Sidewalks shall be constructed along Loyola Lane and Johnny Morris Road, including ADA compliant curb ramps, according to City of Austin standards at the time of the site plan application.
TR7. FYI – Access to Johnny Morris Road may be restricted at the time of the site plan application due to existing conflicts and queueing on the street (i.e. due to Barbara Jordan Elementary School). Coordination with the Austin Transportation Department will be

necessary to ensure any proposed access does not negatively affect the public right-of-way. Additionally, all existing, non-compliant driveways (i.e. existing driveway on Loyola Lane) shall be removed and/or reconstructed at the time of the site plan application in accordance with City of Austin standards.
TR8. Existing Street Characteristics:

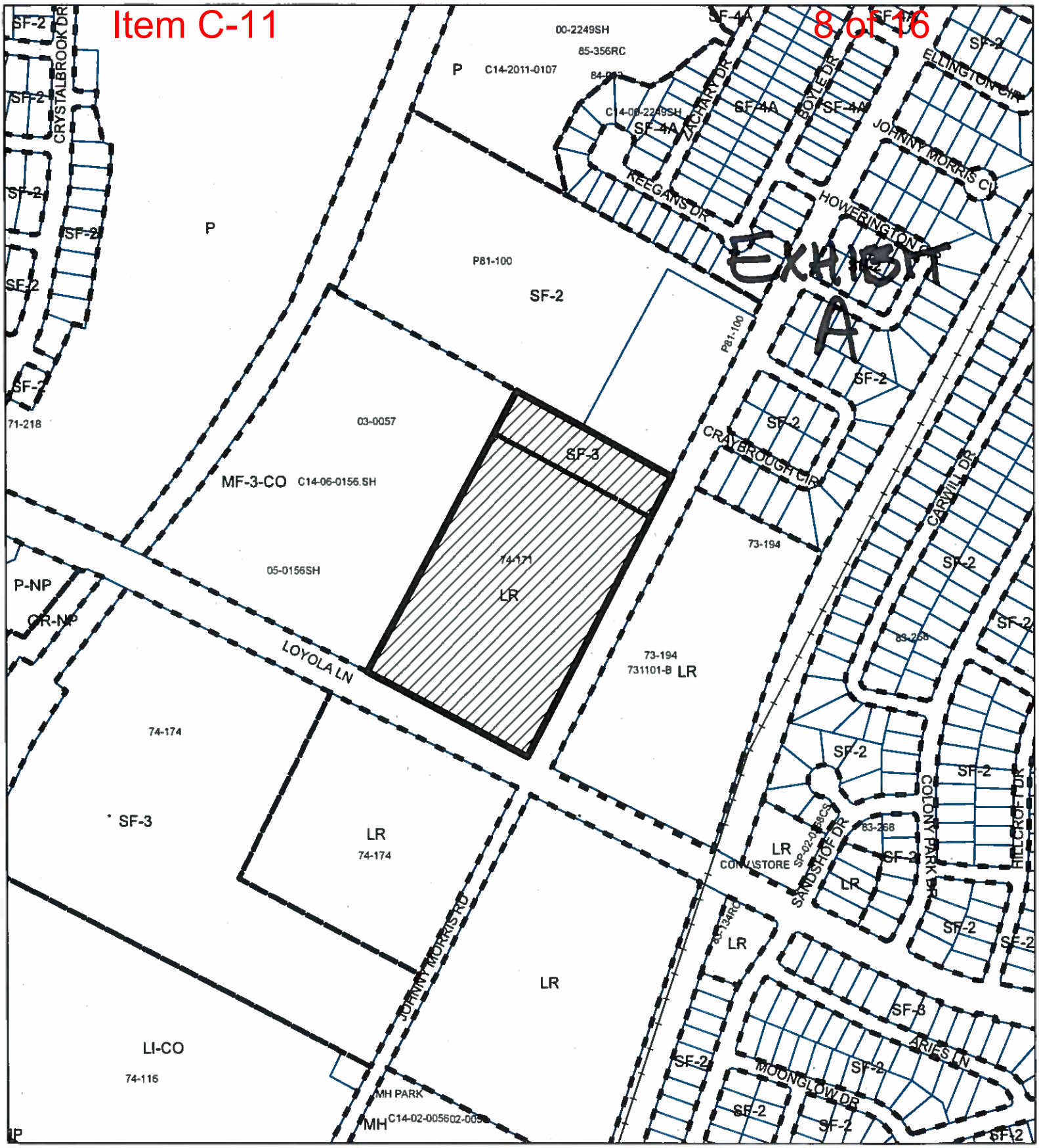
Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Loyola Lane	100'	72'	Arterial	Yes	Yes, bike lane	Yes
Johnny Morris Road	84'	25'	Arterial	No	Yes, bike lane	Yes

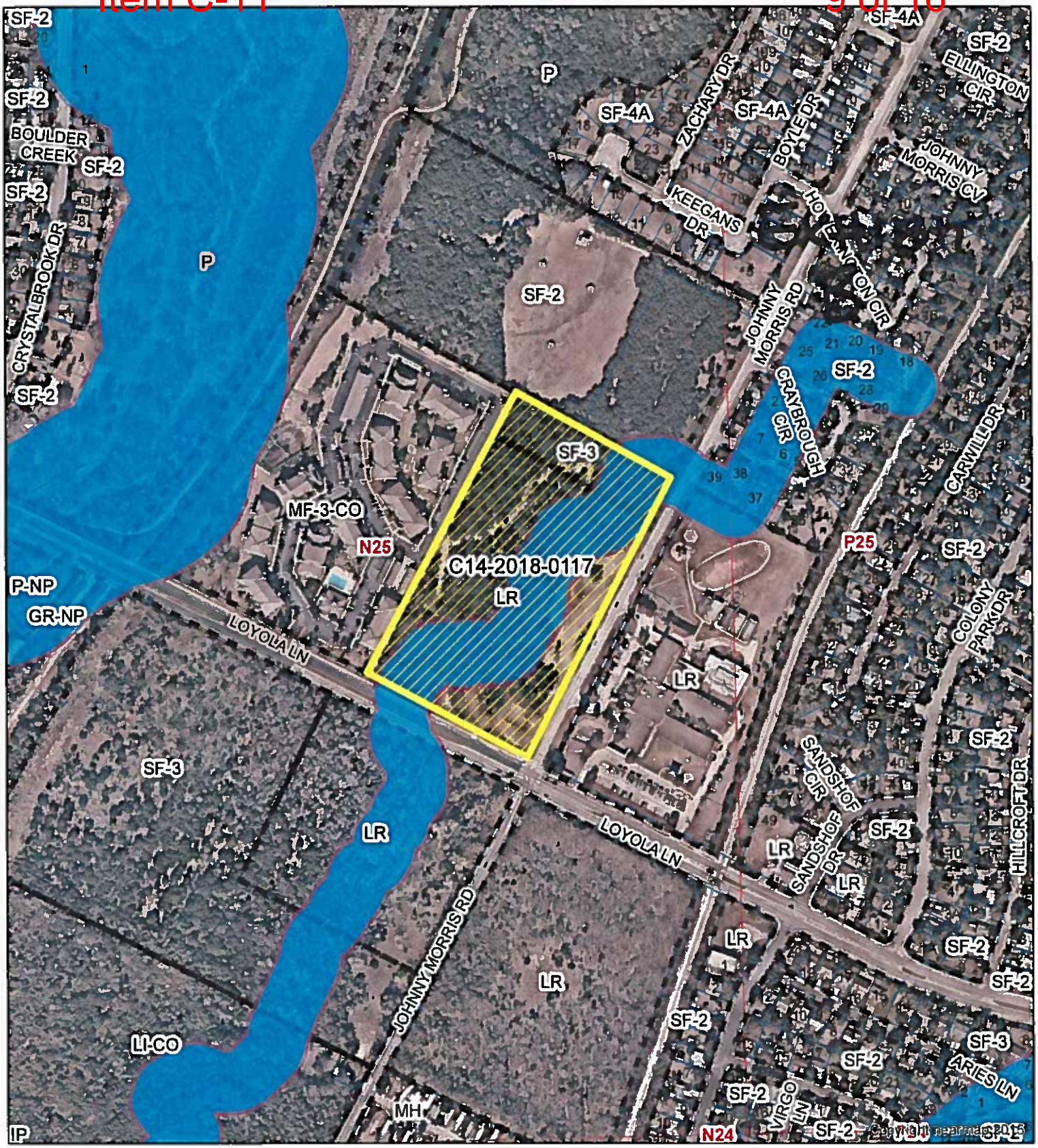
WATER UTILITY

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

INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map
B. Aerial Exhibit
C. SMART Housing Certification
D. Correspondence


EXHIBIT A
SF-2
SF-4A
SF-3
LR
MF-3-CO
C14-06-0156.SH
P
P81-100
C14-2011-0107
00-2249SH
85-356RC
C14-00-2249SH
03-0057
05-0156SH
71-218
74-171
73-194
731101-B
74-174
LI-CO
74-116
MH
MH PARK
C14-02-0056
C14-02-0056
P-NP
GR-NP
LOYOLA LN
JOHNNY MORRIS RD
CRYSTALBROOK DR
ZACHARY DR
BOYLE DR
KEEGANS DR
ELLINGTON CIR
JOHNNY MORRIS CV
HOWERINGTON CIR
CRAYBROUGH CIR
CARWILL DR
COLONY PARK BLVD
HILLCROFT DR
SANDSHOF DR
MOONGLOW DR
ARIES LN
C14-02-0056
C14-02-0056
C14-02-0056



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1" = 400'

SUBJECT TRACT
ZONING BOUNDARY
PENDING CASE
CREEK BUFFER

LOYOLA LOFTS

ZONING CASE#: C14-2018-0117
LOCATION: 6420 LOYOLA LANE
SUBJECT AREA: 12.669 ACRES
GRID: N25
MANAGER: HEATHER CHAFFIN

CITY OF AUSTIN FOUNDED 1839

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

City of Austin

Neighborhood Housing and Community Development
P.O. Box 1088, Austin, TX 78767
*(512) 974-3100 * Fax (512) 974-3161 * http://www.austintexas.gov/department/housing*

EXHIBIT C

November 13, 2018 (Revision to letter dated August 28, 2018)

S.M.A.R.T. Housing Certification
The NRP Group, LLC – Loyola Apartments Ltd (Project ID No. 608)

TO WHOM IT MAY CONCERN:

The NRP Group, LLC. (Development contact: Charley Lloyd 210-487-7878 (o); clloyd@nrpgroup.com) is planning to develop a 203 unit mixed-use development at the corner of Loyola Lane and Johnny Morris Road, Travis County Appraisal District Property ID #545924. The project will be subject to a minimum 5 year affordability period after issuance of a certificate of occupancy, unless funding requirements are longer.

This revision changes the total unit count from 210 to 203 units, and the MFI levels to the following:
From 20% (42) units at 40% MFI, to 18% (36) units at 40% MFI
From 60% (121) units at 60% MFI to 61% (125) units at 60% MFI
From 20% (42) units at 80% MFI to 18% (36) units at 80% MFI
From 5 units at market rate to 6 units at market rate.

The applicant has submitted evidence that they have received support for the rezoning to CS-MU from the LBJ Neighborhood Association, Colony Park Neighborhood Association, and Agave Neighborhood Association.

NHCD certifies that the proposed development meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since **18% (36)** units in this development will serve households with incomes at or below **40%** of Austin's Median Family Income level (MFI) and **61% (125)** units in this development will serve households with incomes at or below **60%** (MFI) and **18% (36)** units in this development will serve households with incomes at or below **80%** (MFI) and **6 units will be market rate**, the development will be eligible for **100%** waiver of all fees listed in the City of Austin's Land Development Code, Chapter 25-1-704, as amended. **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 6 market rate units are not eligible to receive the CRF fee waivers.** Expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees	Misc. Site Plan Fee	Parkland Dedication
Building Permit	Subdivision Plan	*(by separate*
Concrete Permit	Review	*ordinance)*
Electrical Permit	Construction	Land Status
Mechanical Permit	Inspection	Determination
Plumbing Permit	Misc. Subdivision Fee	Building Plan Review
Site Plan Review	Zoning Verification	

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

- Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Contact Austin Energy Green Building: 512-482-5300 or greenbuilding@austinenergy.com).
- Submit plans demonstrating compliance with 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 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 512.974.3128 or by email at Sandra.harkins@austintexas.gov if you need additional information.

Sincerely,

Sandra Harkins, Project Coordinator
Neighborhood Housing and Community Development

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

Colony Park
Neighborhood Association

COLONY PARK
A Community of Endless Possibilities

P.O. Box 12891 Austin, Texas 78711-2891 USA

EXHIBIT D

August 1, 2018

Honorable Council Member Ora Houston
City of Austin
VIA Electronic Mail Ora.Houston@austintexas.gov

Honorable County Commissioner Jeff Travillion
Travis County
VIA Electronic Mail Jeffrey.Travillion@traviscountytx.gov

RE: The NRP Group – Loyola Lofts and Decker Lofts

Dear Council Member Houston and Commissioner Travillion:

On July 28th, representatives of the Colony Park Core Group, Colony Park Neighborhood Association, Inc., Agave Neighborhood Association, the City of Austin's Economic Development Department, and the NRP Group and its representatives with Land Use Solutions, met to discuss two potential 4% tax credit developments. The first, Loyola Lofts, will be located at 6420 Loyola Lane on the northwest corner of Loyola and Johnny Morris. The second, Decker Lofts, will be located at 9000 Decker Lane directly south of Bluebonnet Golf Course. During this meeting, representatives from the NRP Group laid out a plan to address workforce-housing needs for greater East Austin and specifically, our neighborhoods.

Despite some initial reservations, we support the required rezoning to CS-MU/MF-4 and resolution of support for Loyola Lofts, and resolution of support for Decker Lofts. We understand that this census tract has had numerous Low-Income Housing Tax Credit (LIHTC) communities in the past, but we feel that these two developments will provide greater housing options than previous communities, introduce a new urban product type with structured parking, and build multifamily developments on properties with challenging site constraints that would otherwise preclude retail or commercial development. Please also consider this letter as support for the City of Austin S.M.A.R.T. Housing program as the Loyola Lofts property is not currently zoned, and requires a support letter to obtain a certificate.

Our support is based on the NRP Group's assurances that these developments will:

- Be a majority 4 story, elevator served corridor style building with structured parking. Loyola Lofts includes 2, 3-story buildings, but most units are in the 4-story building.
- Both communities will not be gated along the perimeter, so that they create a sense of community with the surrounding neighbors.
- Loyola Lofts will include at least 2,000 square feet of commercial/retail space.

- Set asides for those served will be 20% of the total units at 80% of Area Median Income, 60% of the total units at 60% of Area Median Income, and the remaining 20% of the units at 40% Area Median Income. There may be a variance of 5%+/-. Both developments will include a small number of market rate units as well, although this number is undetermined, and the percentages above will adjust accordingly to accept these units.
- Both communities feature unit design and finish similar in scope to Lucero Lofts in San Antonio, Texas (a NRP product). We will work with the developer to help ensure this process.
- Both communities offer service programs to residents at no additional charge such as afterschool programing, financial benefit classes, health and wellness screenings, etc.
- If allowed by the City of Austin, the development will provide a nature trail on Loyola Lofts.
- Loyola Lofts will not exceed 215 units and Decker Lofts will not exceed 285 units.

We look forward to continuing to work with the NRP Group on the progress of these developments. Please contact us with any questions.

_____

Barbara Scott, President

Colony Park Neighborhood Association, Inc.

30
July, 2018

Honorable Council Member Ora Houston
City of Austin
VIA Electronic Mail Ora.Houston@austintexas.gov

Honorable County Commissioner Jeff Travillion
Travis County
VIA Electronic Mail Jeffrey.Travillion@traviscountytx.gov

RE: The NRP Group – Loyola Lofts

Dear Council Member Houston and Commissioner Travillion:

On July 12th, representatives of the LBJ Neighborhood Association met with the NRP Group at our monthly meeting to discuss a potential multifamily development community. Specifically, they discussed a "not to exceed" 215 unit workforce housing project with 2,000+/- sq ft of retail.

We support the required rezoning to CS-MU and resolution of support for Loyola Lofts. We understand that this census tract has had numerous Low-Income Housing Tax Credit (LIHTC) communities in the past, but we feel that this development will provide greater housing options than previous communities, introduce a new urban product type with structured parking, and build multifamily developments on a property with challenging site constraints that would otherwise preclude general retail or commercial development. Please also consider this letter as support for the City of Austin S.M.A.R.T. Housing program as the Loyola Lofts property is not currently zoned, and requires a support letter to obtain a certificate.

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Isaiah Williams
President
LBJ Neighborhood Association

Jack Nottingham
Vice President

August 1, 2018

Honorable Council Member Ora Houston
City of Austin
VIA Electronic Mail Ora.Houston@austintexas.gov

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VIA Electronic Mail Jeffrey.Travillion@traviscountytx.gov

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Erin Knox, President

Agave Neighborhood Association