

December 18, 2018 Zoning and Platting Commission Question and Answer Report

- 11. Rezoning:** [C14-2018-0117 - Loyola Lofts: District 1](#)
Location: 6420 Loyola Lane, Walnut Creek Watershed
Owner/Applicant: Horizon Worship Center of Austin (Billy Hines)
Agent: Land Use Solutions, LLC (Michele Haussmann)
Request: LR and SF-3 to GR-MU-CO, as amended
Staff Rec.: **Recommended**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Question:

1. Would the proposed 5% variance on the number of income-restricted apartments allow the developer/owner to convert approximately 11* income-restricted apartments to market-rate apartments at the developer/owner's discretion? (*This is based on a total of 215 apartments.)
2. Will the developer/owner be entitled to convert the income-restricted apartments to market rate apartments after 5 years from the the date of certificate of occupancy or the first day of occupancy by a low-income family?
3. Will the income-restricted apartments float or be fixed? Could an income-restricted apartment become a market-rate apartment within the required 5-year affordability period?
4. What are the estimated total fee waivers associated with this SMART housing application? Are the fee waivers likely to exceed \$1 million?
5. Is the existing CapMetro transit stop immediately in front of this site a rapid transit or frequent service stop? (Commissioner King)

Answer:

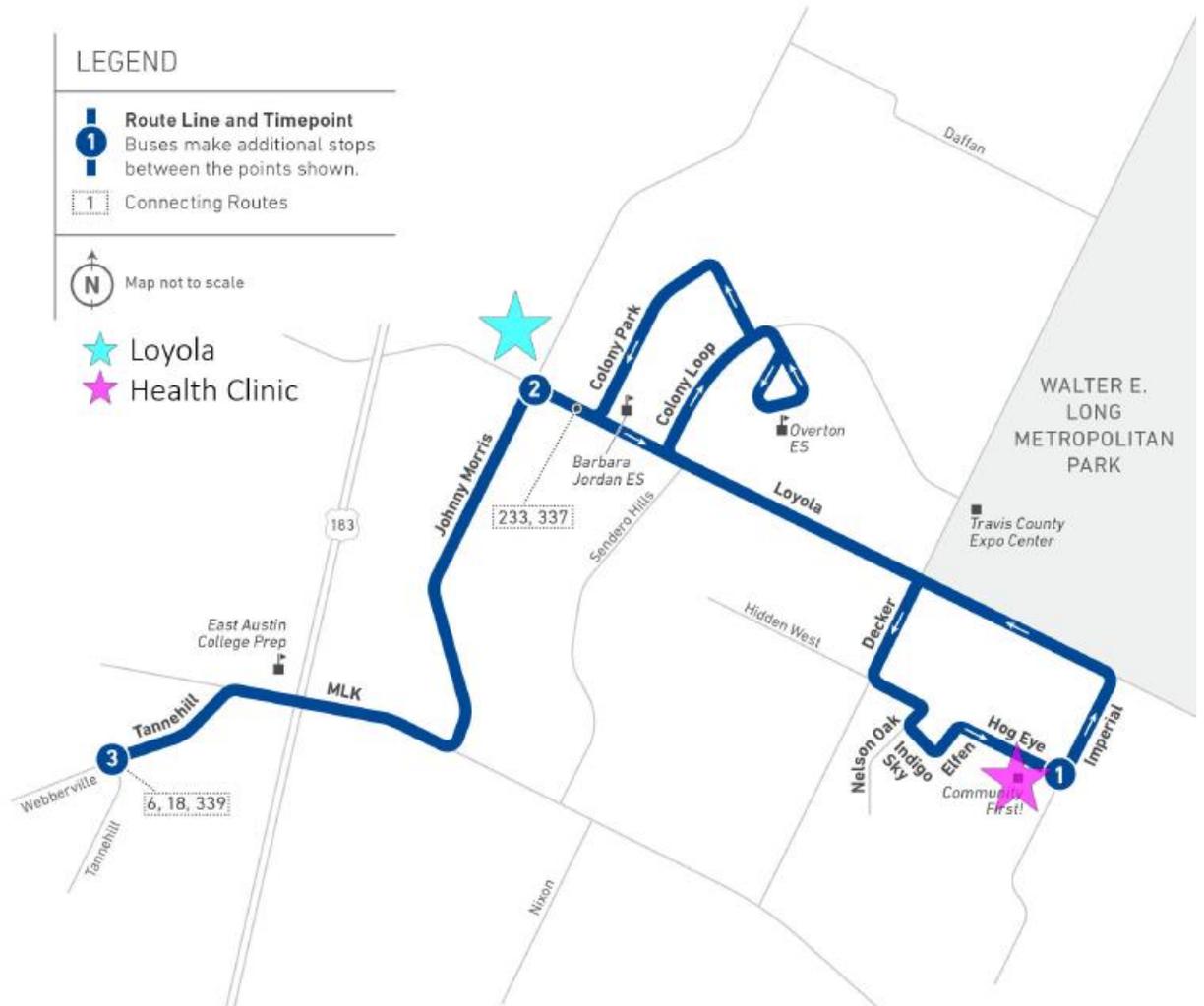
1. The purpose of the percentages of market rate units and different levels of income restricted units at 80%, 60% and 40% MFI in the neighborhood letters was to ensure that the development included a true mix of income levels. The 5% flexibility is to allow for variations in the exact number of units per income level while keeping the mix of income levels virtually the same.

Unit Type	Number of Units	2019 Income Qualification
Market Rate	6	NA
80%	36	\$75,600
60%	125	\$56,700
40%	36	\$37,800

2. No. The affordability term for the 4% tax credit development is 30 years (not 5 years).

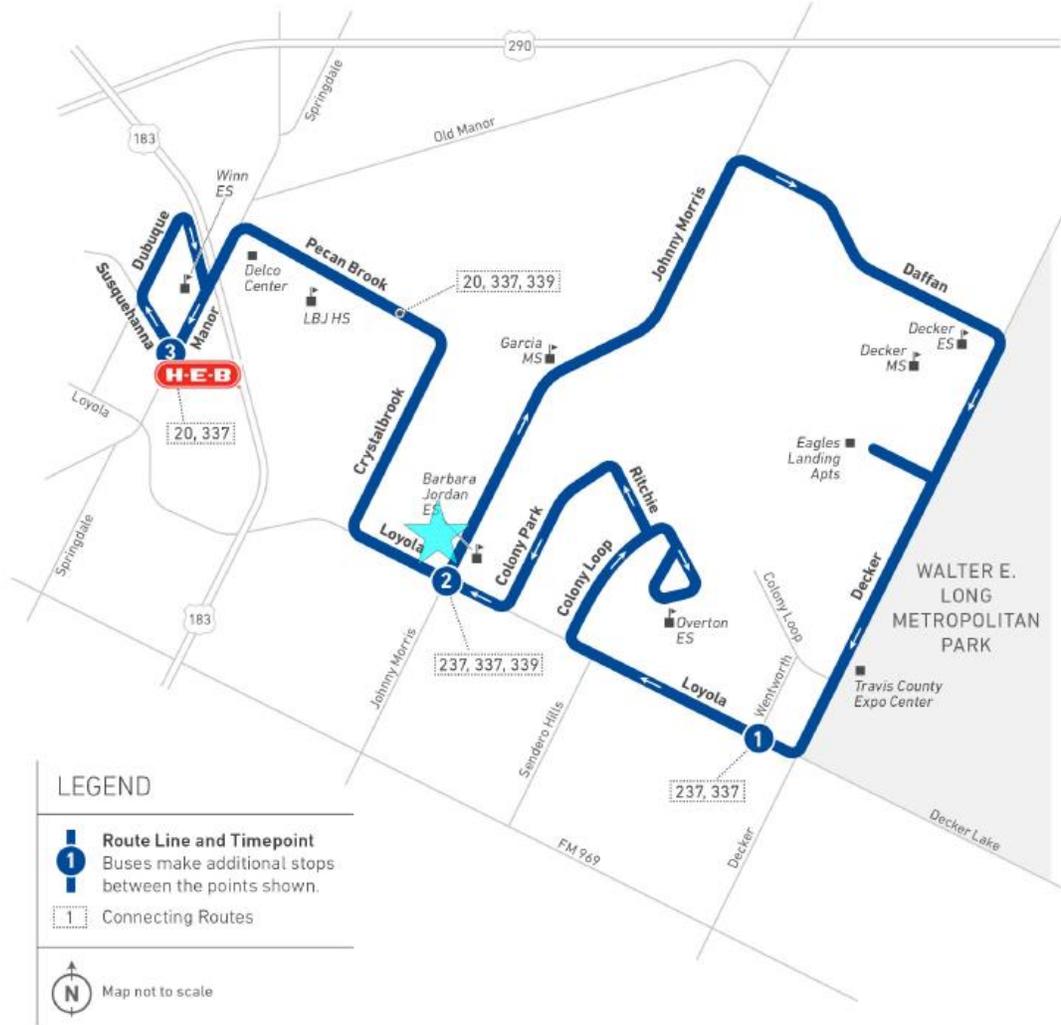
3. Loyola Lofts is an affordable housing development. As shown in the above table, there are mostly income restricted units and a few market rate units. The market rate units can float, but the unit mix must remain the same. The units will all have the same granite countertops and finishes.
4. Estimated fee waivers \$760,000.
5. The bus stops are not rapid transit or frequent service stops. The routes 233 and 237 stop at Loyola and Johnny Morris, effectively allowing more mobility and frequency than a single rapid stop. The buses run every hour. Please see exhibits with the blue star showing the location of the development.

237 | Northeast Feeder



233

Decker/Daffan



14. Rezoning:

Location: 1200 West Howard Lane, Walnut Creek Watershed
Owner/Applicant: C&T Shops on Howard Lane, Ltd. (Jeffrey Kissel)
Agent: Land Answers, Inc. (Jim Wittliff)
Request: CS-CO to CS-1
Staff Rec.: **Recommended**
Staff: [Sherri Sirwaitis](#), 512-974-3057

[C14-2018-0132 - C&T Shops Suite M Rezoning; District 7](#)

Planning and Zoning Department

Question:

This site its currently subject to a conditional overlay. Could you please send me a copy of the conditional overlay as I didn't find it in the backup for this case.

Will the conditional overlay remain in effect if staff recommendation is approved by ZAP?
(Commissioner King)

Answer:

The current conditional overlay for the overall 11 acre parcel is listed in the Case Histories section:

C14-02-0111 (Shops on Howard Lane: West Howard Lane)	Tract 1: GR-CO to GR Tract 2: CS-CO to CS	10/15/02: Approved staff's recommendation of GR-CO; CS-CO zoning with added condition to prohibit Automotive Sales; by consent (7-0, D. Castaneda-absent)	12/5/02: Granted GR-CO for Tract 1 and CS-CO for Tract 2 on all 3 readings (7-0)
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The staff did not carry over the prohibition of Automotive Sales for this rezoning request as it is for footprint/suite area (1,182 sq. ft.) within the existing shopping center.