

## Zoning and Platting Commission Q & A Report

### B-06 C14-2021-0100 - Luby's Site; District 10

#### Commissioner Thompson:

A quick internet search indicated that this property falls within the habitat map for karst invertebrates within the BCP. We've also received some materials suggesting historical presence of karst invertebrates in the Dead Dog cave beneath the property. What are the requirements to survey and mitigate for impacts to listed karst invertebrates within the Balcones Canyonlands Preserve?

#### Staff Response:

to authorities for certain projects per LDC 25-8-691 through 25-8-696. The applicant will need to work with appropriate authorities, either in the BCP or Fish and Wildlife, to ensure compliance with the Endangered Species Act. WPD staff will review the project for compliance with Critical Environmental Feature requirements per 25-8-281 when a site plan is submitted.

#### Commissioner Denkler / Applicant response in red:

Has the applicant or property owner had any discussions with the city regarding the affordable housing? **Because the applicant is not seeking VMU overlay and is not in a regulating plan or downtown, there is no City program tied to rezoning that requires affordable housing and the City cannot independently require affordability. Instead, the applicant has voluntarily offered to provide income-restricted units for 40 years.**

Is the applicant using any government or private financing to finance or build the 28 units? (Application says they are not proposing Smart Housing.) **The applicant has not indicated that there are any government subsidies associated with the redevelopment and instead has indicated that these Affordable Units would be privately financed.**

Are the 28 units proposed as rental units or for purchase and for how long? How would the city guarantee this, through a contract or public restrictive covenant? **The applicant has indicated that the redevelopment will be for rental units and that 10% of the units would remain affordable for 40 years. Because the City cannot require affordability in this case, the applicant has indicated that it will be entering private restrictive covenants with NWACA (neighborhood association) and HomeBase (Habitat affiliate).**