

From: [Victoria](#)
To: [Sirwaitis, Sherri](#)
Cc: [Rivera, Andrew](#); [Ron Thrower](#)
Subject: FW: The Rhett - 1000 E Yager Lane
Date: Thursday, September 16, 2021 6:07:09 PM
Attachments: [image001.png](#)

*** External Email - Exercise Caution ***

Sherri and Andrew – it occurred to me that I had not shared the following email chain with a number of Q&A from discussions with the Neighborhood. Please include this in back-up for Tuesday.

Thank you,

Victoria Haase

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From: Victoria
Sent: Thursday, September 9, 2021 1:02 PM
To:
Cc: Ron Thrower <>
Subject: RE: The Rhett - 1000 E Yager Lane

Good Afternoon All,

We've received some additional questions that are addresses below.

1. How will the privacy be maintained for homes that back up to the west side of Copperfield Drive?

The structures on the three lots (addressed from Zeller Lane) are nearly 300ft and more from the proposed structures to be built. This creates a significant buffer such that the new units will not be looming over the yards of those homes. The houses on Markham that back up to the subject tract are, at a minimum, 134feet and as far as 189ft from the proposed buildings. In addition to trees being preserved on the property, more trees will be planted with some along Copperfield Drive.

2. Additional concerns that the proposed development will be run-down and not taken care of.

Reiterating that as an affordable housing development, the owner is required to keep ownership of the development for a minimum of 15 years. Therefore, this will not be a scenario where the property is developed and flipped to someone else with little to no knowledge of these conversations/concerns. Further, there will be state and local oversight, with various inspections, some occurring annually, to ensure that the project is meeting the requirements of the program. It is in the best interest of the landowner to keep the property in good standing because if not, the landowner/developer will have financial penalties/repercussions.

3. Is this development Section 8 housing?

No.

4. How much are the proposed rents?

The following are the rent maximums according to 2021 Austin Metropolitan Statistical Area data and are subject to change over time as the data changes.

This development is proposed to have all units at 60% or 50% MFI levels.

Therefore, a family of 4 at 60% income levels, renting a 2 bedroom unit will pay \$1,336 per month. A single person or a couple at 60% MFI renting a 1 bedroom unit will pay \$1,113 per month.

Rent Limits	Number of Bedrooms				
	0	1	2	3	4
20%	\$ 346.00	\$ 371.00	\$ 445.00	\$ 514.00	\$ 534.00
30%	\$ 519.00	\$ 556.00	\$ 668.00	\$ 771.00	\$ 861.00
40%	\$ 693.00	\$ 742.00	\$ 891.00	\$ 1,029.00	\$ 1,148.00
50%	\$ 866.00	\$ 928.00	\$ 1,113.00	\$ 1,286.00	\$ 1,435.00
60%	\$ 1,039.00	\$ 1,113.00	\$ 1,336.00	\$ 1,543.00	\$ 1,722.00
70%	\$ 1,212.00	\$ 1,299.00	\$ 1,559.00	\$ 1,800.00	\$ 2,009.00
80%	\$ 1,386.00	\$ 1,485.00	\$ 1,782.00	\$ 2,058.00	\$ 2,296.00

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From: Victoria

Sent: Thursday, September 2, 2021 6:27 PM

To: [k](#)

Cc: Ron Thrower <>

Subject: The Rhett - 1000 E Yager Lane

Good Evening All –

Thank you greatly for your patience as I have been working to compile answers to questions and concerns that we received. If I have missed any, please email me.

I'll reach out soon with agenda information for Planning and Zoning Commission but please know that discussion on this case will not happen on September 7th at the Zoning and Platting Commission. Instead, the case will be postponed to September 21st.

Also, the site plan that was shown at the meeting is attached as well as architectural renderings and my presentation from the meeting.

Q&A:

1. What is meant by Zydeco could have gone ahead without asking for rezoning?
 - a. The rezoning case was originally filed when it was thought that the development would need height greater than 60feet, which is the maximum height afforded with current zoning **but only when participating in the City of Austin Affordability Unlocked program, Type II:** <http://www.austintexas.gov/department/affordability-unlocked-development-bonus-program>. More recently, the architect was able to fit the design within the 60ft height maximum, with exception of an architectural roof element that will extend to 64 feet and it sought for aesthetic purposes only.
 - b. Additionally, it was thought that a rezoning would achieve greater allowances for impervious cover. However, this is not the case and the project must comply with impervious cover limits prescribed by the Watershed regulations and not the zoning district.
 - c. The proposed development with 215 affordable units can be built today without needing a zoning change. Therefore, the request is for a more appealing roof design.
2. There isn't enough parking provided with the plan.

The Affordability Unlocked program waives parking requirements in exchange for gaining affordable housing units. Put another way, the program prioritizes the need for housing above the need for parking. However, ADA Parking requirements are not waived and must be met in full. Therefore, the development is providing 203 spaces

more than required by City codes and regulations. Further, the parking to be provided was determined by market comps and study, and is above average for similar affordable housing projects designed by the same architects. Finally, Low Income Housing Tax Credit (LIHTC) developments like this one are occupied by family/household units and not with roommates, which does contribute to decreasing the overall number of cars and demand for parking.

1. Will the project be a mixed use project with commercial and residential uses? Is there a chance that the residential plan will go away and leaving the property to have only commercial development?

Mixed use is not proposed and the development is not intended to vary from the current plan for 215 residential-only units.

1. Will the sidewalks be upgraded beyond this site? There isn't a complete network of sidewalks between this site and the elementary school in the area. Concerns for safety of children who walk to school.

The Austin Strategic Mobility Plan shows sidewalk prioritization as *medium* for the frontage on Copperfield Drive and prioritization is *High* for the frontage along Yager Lane (<https://austin.maps.arcgis.com/apps/View/index.html?appid=f27fdcad21c4fe58fe8629463792325>). The project will build sidewalks along Copperfield and Yager for the length of the property. Typically, sidewalks are built in the right-of-way (City owned land), however, the right-of-way along Yager Lane is bar ditch and not able to receive sidewalks without significant stormwater infrastructure upgrades by the City first. Therefore, the project will build the sidewalks on private property of this development and the developer will engage with the City for an easement to allow the public sidewalks to be on private property. Sidewalks are not planned to be constructed beyond the property.

1. What is the plan to protect privacy of the houses on Markham Street that back up to this development?

There are existing privacy fences and trees and other vegetation that provide natural, visual screening along the shared property line with the lots on Markham. To the greatest degree possible, the trees in this area will be preserved and additional trees will be planted where possible for additional screening.

1. How much lighting will there be for this project? Concerns that lighting will intrude the neighbors.

The City requires that lighting be downward facing and fully shielded so as not to cause light intrusion on neighboring properties. The amount of lighting will be in accordance with the City's regulations for a multifamily development.

1. Does the builder have a time-frame for construction and completion.

12-14 months for start of construction; 18 months to complete construction.

1. Where are other affordability unlocked projects of similar size that are completed that they can look at?

- a. Given that Affordability Unlocked is a new program, there are no large multi-family projects completed just yet.
- b. There is only one other 4% LIHTC affordability Unlocked project of similar size in the works - The Matador (aka Soco Heights) at 5900 S Congress.
- c. The Abali (4611 N IH 35) is a 9% LIHTC project under Affordability Unlocked that is nearing completion.

2. Will the detention ponds be designed as an aesthetic element or a standard concrete enclosure?

The exposed corner of the detention pond is designed as an aesthetic element; from the street, it will appear as a sculptural monument sign.

1. Concern to traffic generated by this development. Traffic already backs up from IH 35 to Copperfield Drive with existing development.

The Austin Strategic Mobility Plan identifies this section of Yager Lane for roadway expansion in the future. (<https://austin.maps.arcgis.com/apps/View/index.html?appid=a877535f5a564b89ad7d788c8391f158>). The plan is to add a center turn lane on the stretch of roadway between Copperfield and Thompkins. Further study is needed to prioritize design elements and ROW acquisition. Assessment of required transportation mitigation, including potential dedication of right of way and easements and participation in roadway and other multi-modal improvements will occur with the review of the site plan for the project.

1. Will this project put in turn lanes on Yager?

The answer is unknown at this time and will be determined through the site plan review process

1. Will this project put in a traffic light at Yager and Copperfield?

The answer is unknown at this time and will be determined through the site plan review process.

1. What is the plan to mitigate dust, debris and construction noise?

The project will follow all Environmental Control requirements of the City of Austin to minimize erosion, contain run-off and debris, etc. Construction Waste and Recycling are required to be carefully monitored to meet Austin Energy Green Building requirements.

1. What hours and days will the construction be allowed to take place?

Construction will be allowed to take place in accordance with City codes and ordinances.

1. What are the benefits that this development will offer the existing neighbors/landowners? Are there amenities in the development that will be offered to the community at large?

1. Public sidewalks providing a much safer connection between the neighborhood and the nearby retail and community services.
2. Affordable housing. Austin is in a catastrophic housing affordability crisis and we need housing for people of all income levels. People who work in the immediate area but are forced out of other housing options due to rising property taxes, loss of wages, medical issues, personal tragedies, etc. OR who have to live far away from their work/school in order to afford housing will now have a local option to remain connected to where they work/shop/learn/play.
3. Many people who live in these homes are very likely to be moving from nearby existing, substandard properties where they spend more than 30% of their income on housing. Decreasing the percentage that a family spends on housing to something that is more manageable makes a significant difference in the ability for them to reach and maintain financial stability and prioritize spending for things like preventative health and education, increasing the area's overall prosperity, improving education outcomes, and reducing the strain on local health systems.
4. Increased local tax revenue.
5. Increased economic diversity in the neighborhood, which generally correlates with improved racial, cultural, and social diversity.
6. Affordable housing properties have been shown repeatedly to have a neutral if not positive impact on property values.
7. Because this is an Affordable Housing property participating in state and city programs, the ownership will be REQUIRED to comply with higher development and services standards than market-rate properties will undergo regular audits.
8. As an Affordable Housing property and LIHTC project, the developer will hold the project for a much longer period of time than a market-rate property that is designed to build, lease up, and flip. This means the owner is incentivized to prioritize higher-quality, lower-maintenance materials and building systems, as well as have higher energy efficiency, than typical market-rate developments. The building systems for energy efficiency, water-proofing, construction methods, roofing, and finish materials will be of a higher quality than most existing single-family houses in the neighborhood that were not built to the City's Green Building standards. Therefore an affordable housing property is a more positive addition to the neighborhood than

a so-called "luxury" apartment complex.

1. Will there be a limit on how many cars/dwelling unit?

This detail is unknown at this time.

1. Is there an occupancy limit per unit and what is it?

- a. Yes, the development will follow the city and state occupancy limits.
- b. 2 adults per bedroom are permitted
- c. Due to the ongoing audits and accountability to TDHCA, the occupancy limits and "right-sizing" of families in units is a pro-active effort monitored directly by property management on an annual basis (as opposed to unregulated market-rate apartments).

2. Can there be consideration of mixing the development with market rate and affordable units?

Unfortunately, not for this project.

1. Recently finished IDEA School in the area makes traffic matters worse.

We are aware and working with ATD and we will comply with requirements determined during the site plan review process.

1. Where will dumpsters be for this development.

Current plans have internal trash chutes with wheeled carts for pickup near the building.

1. Will this development use LED lighting for outdoor lighting?

Yes, the project will specify LED lighting for ALL lighting throughout the project. The project will comply with all cut-off and dark-sky requirements (and likely exceed the minimum requirements).

1. Who will the management company be and will they be on-site?

The management company that is proposed is Alpha Barnes/Asset Living.
Management will not live on-site but will be on call 24-hours.

1. What protections will be in place to ensure that this development does not become "trashy"

Annual inspections are required by the lender, investor, and the Texas Department of Housing in order for the developer to receive the financial benefits afforded by participation in the program to build affordable housing with tax credits.

1. Will the units be regulated with rules that control what a person can have on their balcony?

Regulations for life-safety will be strictly enforced. Further, the property management group will likely have additional requirements.

1. Will the units be for sale or rent?

For rent

1. What demographic will be targeted for tenants of this development?
 - a. Working families at 60% MFI. The majority of the units have 2-3 bedrooms in order to make the development family-friendly as well as selecting amenities for kids and families.
 - b. For 2020, the income limit would be \$58,550 for a family of 4.
 - c. A family of four would need to be working the equivalent of 4 full-time minimum-wage jobs to exceed this limit.

2. What is the approximate square feet of each unit type?

1BR = 640sf

2 BR = 873 sf

3 BR = 1168 sf

1. Are there additional architectural renderings that can be shared?

See attached.

1. What impact will this development have on the single family homes in the neighborhood?
 - a. There is no foreseeable impact on single-family homes in the area. Especially given the distance between the proposed structures and existing single-family homes, the possibility of any damage to structures during construction or impact to surrounding geological conditions that would impact the foundations of single-family homes is highly unlikely.
 - b. The general contractor will be required to be insured in the event that construction activities have any unforeseen impact on the neighboring houses.
 - c. Utilities and other infrastructure in the area may be upgraded as a result of this project. These mitigations will be required and inspected by the City.

2. Can tenants be provided with welcome papers that include information about neighborhood organizations, social media for neighborhood groups, etc.?

Yes.

1. When is the hearing date with Commission?
 - a. The rezoning case will appear on the Zoning and Platting Commission agenda for September 7th. However, I have requested a postponement of the case to the September 21st hearing date.

- b. If you wish to participate in the public hearing, you will need to do so in person since all hearings are required to be in person again, as of September 1st.
- c. The City's Case Manager for this rezoning application is Sherri Sirwaitis and she can be reached at Sherri.Sirwaitis@austintexas.gov.

Thank you,

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