

A G E N D A



Recommendation for Council Action

Austin City Council	Item ID	33854	Agenda Number	32.
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Meeting Date:	8/28/2014	Department:	Neighborhood and Community Development
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Subject

Approve a request for S.M.A.R.T. Housing™ certification for Songhai Development, LLC, for a proposed multi-family development located at 8700 West Gate Boulevard.

Amount and Source of Funding

Fiscal Note

A fiscal note is attached.

Purchasing Language:	
Prior Council Action:	
For More Information:	Elizabeth A. Spencer, NHCD Director, 512-974-3182; or Regina Copic, Real Estate and Development Manager, 512-974-3180
Boards and Commission Action:	June 18, 2014 – Environmental Board supported Environmental Officer recommendations.
MBE / WBE:	
Related Items:	

Additional Backup Information

If approved, the proposed multi-family development located on an undeveloped tract of property located 8700 West Gate Boulevard would be eligible for fee waivers under the S.M.A.R.T. Housing™ program. The proposed development will be comprised of 146 multi-family units, associated parking areas, and with amenities such as a children's play scape and community meeting space. The developer is Songhai Development, LLC of Austin, Texas.

Certification for the S.M.A.R.T. Housing™ program is administered through the Neighborhood Housing and Community Development (NHCD) Office. Based on established S.M.A.R.T. Housing™ guidelines, NHCD submits a request for certification to City Council for approval if the project is located in the Desired Development Zone and the applicant is claiming development rights under Chapter 245 of the Local Government Code. Chapter 245 allows a project to proceed under the development regulations that were in effect at the time the first permit was submitted, which in this case was May 21, 1985. As a result, NHCD is submitting this request to Council for consideration. City staff discussed specific environmental issues with the applicant as part of its S.M.A.R.T. Housing™ certification application. Those issues include impervious cover, on-site water quality controls, and preservation of trees. NHCD

staff requested that the developer propose a water quality plan in order to be considered eligible for certification under the S.M.A.R.T. Housing™ program. NHCD staff asked the City's Environmental Officer to review the developer's proposed water quality plan in addition to any other environmental concerns. The applicant has worked with the City staff and Environmental Officer to achieve an acceptable water quality plan and has worked with the City Arborist to address tree preservation issues that City staff has raised. As a result of those discussions, the applicant has agreed to certain regulations that go above and beyond what would otherwise be required under 1985 regulations. The applicant has agreed to: 1) limit impervious cover to 64.5 percent; 2) provide on-site storm-water controls that will treat a minimum of 8,493 cubic feet of storm-water using stormwater controls designed in accordance with City of Austin Code and criteria ; and 3) preserve three out of four existing heritage trees and five out of thirteen existing protected trees. If Council approves this certification, NHCD staff will require the applicant to execute a binding, written agreement memorializing these negotiated environmental benefits. For a more detailed description of those benefits, please see the attached memorandum from Environmental Officer Chuck Lesniak dated June 13, 2014.

In addition to the environmental benefits negotiated, the developer is proposing the following affordability benefits: 20 percent of the total units (29 units) would be affordable to households with annual incomes at or below 60 percent of the Median Family Income (MFI, currently \$40,740 for a family of four) for the Austin area for a period of 40 years. The affordability components would be enforced by a restrictive covenant to run with the property which would take effect at the time the development receives a Certificate of Occupancy. The proposed fee waivers for the project could amount up to \$106,450.