

ZONING CHANGE REVIEW SHEET

CASE: C814-2012-0128.01.SH P.C. DATE: October 11, 2016
thinkEAST Austin PUD Amendment #1

ADDRESS: 1141 Shady Lane & 5300 Jain Lane AREA: 4.18 acre portion of 24.37 acre PUD

OWNER/APPLICANT: thinkEAST Austin Management, LLC (Richard deVarga)

FROM: Planned unit development-neighborhood plan (PUD-NP) combining district

TO: Planned unit development-neighborhood plan (PUD-NP) combining district, to change a condition of zoning

TIA: See Department AREA STUDY: N/A

WATERSHED: Boggy Creek SCENIC ROADWAY: No

DESIRED DEVELOPMENT ZONE: Yes CAPITOL VIEW CORRIDOR: No

NEIGHBORHOOD PLAN AREA: Govalle-Johnston Terrace Combined

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the requested PUD amendment. The requested amendment would increase the maximum building height for LU Area 3 from 3 stories/40 feet to 4 stories/50 feet. The zoning classification will remain PUD-NP.

PLANNING COMMISSION RECOMMENDATION:

October 11, 2016: *TO GRANT STAFF'S RECOMMENDATION OF PUD-NP, TO CHANGE A CONDITION OF ZONING, ON CONSENT, (12-0) [P. Seegar- 1st, J. Vela- 2nd; J. Schissler- Off the dais]*

ISSUES:

The thinkEAST Planned Unit Development (PUD) was approved by City Council on June 27, 2013. *(Please refer to Exhibit A- PUD Ordinance)*. The mixed use development is divided into six Land Use Areas (LU Areas)—LU Areas 1 through 5, and Parkland. Each Land Use Area has its own permitted and conditional uses, as well as maximum development intensities.

LU Area 3 is a 4.18 acre portion of the PUD. The requested amendment would increase the maximum building height for LU Area 3 from 3 stories/40 feet to 4 stories/50 feet. No other changes are proposed to this LU Area or to any other part of the PUD. The proposed changes do not affect the Tier 1/Tier 2 PUD superiority provisions in the original PUD ordinance.

DEPARTMENT COMMENTS:

Existing Conditions. The 24.37 thinkEAST PUD is generally located northeast of Airport Boulevard and the Capital Metro right-of-way (ROW) planned as the future Green Line. The property is approximately one block east of Airport Boulevard, and the Capitol Metro ROW is immediately adjacent to the to the PUD's northern boundary. Shady Lane provides a connection from Airport Boulevard, and enters the PUD from the west. The PUD is bisected by the roadway, which transitions to Jain Lane as it travels east. LU Area 3, the only LU area affected by the proposed PUD amendment, is

located immediately south of the roadway. Properties to the east and southeast are zoned SF-3-NP, and are primarily single family residences. East Boggy Creek Greenbelt is also located to the northeast, and is zoned SF-3-NP. The PUD is immediately adjacent to Govalle Park to the south, which is zoned P-NP. To the west is property zoned SF-3-NP and used as a plant nursery. In addition to the Capital Metro ROW, there are three lots north of the PUD that are zoned SF-3-NP and are occupied by single family, industrial, and undeveloped land uses. *Please refer to Exhibit B (Zoning Map).*

Approved PUD. The PUD permits a mixed use development comprised of commercial, office, residential, civic, parkland, and other land uses. The proposed mix includes:

- Maximum of 444 multifamily units,
- Maximum of 37,400 square feet of retail and office development,
- Maximum of 118,800 square feet of live-work studio spaces,
- Maximum of 62,400 square feet of creative studios, and
- Minimum of two civic facilities totaling 4,800 square feet.

The PUD is divided into Land Use Areas (LU Areas), with permitted, conditional, and prohibited land uses for each LU Area. Each LU Area uses a traditional zoning classification as a base district, with some modifications. PUD superiority is achieved with the provision of affordable housing, parkland dedication, and more. A Traffic Impact Analysis (TIA) was also approved for the entire 24.37 acre PUD. *Please refer to Exhibit C (Land Use Plan).*

Proposed Development. A large cluster of heritage pecan trees is located on the northern portion of LU Area 3. The location and clustering of these trees would restrict multifamily development to the southern portion of LU Area 3. *Please refer to Exhibit D (Aerial Map).* Cesar Chavez Foundation, the proposed Smart Housing developer for LU Area 3, estimates that approximately 71 units could be constructed under current design standards of 40 feet or 3 stories in building height. However, if the maximum building height is increased to 50 feet or 4 stories, the foundation estimates that 100 units could be constructed. *Please refer to Exhibit E (Foundation letter).* Neighborhood Housing and Community Development (NHCD) has updated the Smart Housing letter issued with the original PUD to reflect an agreement with Cesar Chavez Foundation that provides 97 total multifamily units, with 80% of units affordable at or below 60% Median Family Income (MFI) for a term of ten years. *Please refer to Exhibit F (NHCD Smart Housing letter).*

The proposed amendment does not reduce any of the PUD superiority items, and complies with the terms of the approved TIA. The Govalle-Johnston Terrace Neighborhood Planning Team and the Springdale Airport Neighborhood Association have written letters of support for the proposed PUD amendment. *(Exhibit G- Correspondence).*

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk	Bus Route	Bike Route
Shady Lane	55'	20-40'	Collector	l side	#17 (future)	None
Jain Lane	55'	40'	Collector	l side	#17 (future)	None

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhood Council
 Del Valle Community Coalition
 East MLK Combined Neighborhood Contact Team
 Johnston Terrace Neighborhood Association
 M.E.T.S.A. Neighborhood Association
 FRS Property Owners Association
 Johnston Terrace/Boggy Creek Neighborhood Association

Friends of Austin Neighborhoods
 PODER
 East MLK Combined Neighborhood Association
 SELTEXAS
 Edward Joseph Homeowners Association, Inc.

SCHOOLS:

Allan Elementary School

Martin Middle School

Eastside Memorial HS at Johnston

CITY COUNCIL DATE: November 10, 2016

ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
Heather.chaffin@austintexas.gov

PHONE: 512-974-2122

STAFF RECOMMENDATION:

Staff recommends approval of the requested PUD amendment. The requested amendment would increase the maximum building height for LU Area 3 from 3 stories/40 feet to 4 stories/50 feet. The zoning classification will remain PUD-NP.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The Land Development Code states:

Planned unit development (PUD) district is the designation for a large or complex single or multi-use development that is planned as a single contiguous project and that is under unified control. The purpose of a PUD district designation is to preserve the natural environment, encourage high quality development and innovative design, and ensure adequate public facilities and services for development within a PUD. A PUD district designation provides greater design flexibility by permitting modification of site development regulations. Development under the site development regulations applicable to a PUD must be superior to the development that would occur under conventional zoning and subdivision regulations. A PUD district must include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.

The thinkEAST PUD, and the requested amendment, have the characteristics listed for PUD zoning designation. The amendment will allow a greater number of affordable units to be constructed while preserving heritage trees.

3. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

City Council has identified affordable housing as a high priority goal. thinkEAST PUD proposes a significant quantity of affordable housing units at a significant discounted rental price. The amendment will allow a greater number of affordable units to be constructed while preserving heritage trees.

ADDITIONAL STAFF COMMENTS**Comprehensive Planning**

Govalle/Johnston Terrace NPA (GJTNP) - The Future Land Use Map of the GJTNP designates the thinkEast site as a Major Planned Development, which is designated for Planned Unit Developments. The following text and policies taken from the GJTNP are applicable to this case:

This plan's vision for the future of these properties is as follows.

Desired Future Uses

- Mix of retail, commercial, office, civic, residential, cultural and open space uses.
- The uses should be targeted to the needs of the surrounding neighborhoods, and be compatible with those neighborhoods.
- The site should be developed as a part of the community – perhaps even a focal point for community activity and community building.

Residential uses

- Low density housing that caters to a range of income levels.
- Housing should be priced at a level that local people can afford.
- Neighborhood representatives expressed a strong preference for single family houses that are compatible with existing neighborhoods.
- Housing should be located away from noise and other hazards such as the busy roadways like Airport

Blvd.

Goal 5: Maintain an affordable and stable housing stock. (p. 57)

- Provide a diverse range of housing opportunities for all stages of life and income levels. (Sector Plan and modified by Gov/JT)
- Increase home ownership opportunities. (Sector Plan)
- Encourage the development of affordable single-family and multi-family units on vacant tracts in established neighborhood.

Imagine Austin - The Imagine Austin Growth Concept Map, identifies this project as being immediately adjacent to a Neighborhood Center. A Neighborhood Center is the smallest and least intense of the three types of activity centers outlined in the Growth Concept Map. Of the three, these will have a more local focus. Businesses and services—doctors and dentists, shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods. The following Imagine Austin policies are also applicable to this case:

- LUT P4. Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- LUT P7. Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- LUT P10. Direct housing and employment growth to activity centers and corridors, and preserving and integrating existing affordable housing where possible.
- 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.

Site Plan

No comments for Site Plan Review.

Environmental Review

No comments for Environmental Review.

Transportation Review

The proposed amendment complies with the TIA approved with the thinkEAST PUD.

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1141 SHADY LANE AND 5300 JAIN LANE IN THE JOHNSTON TERRACE NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT AND LIMITED OFFICE-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LO-MU-CO-NP) COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence-neighborhood plan (SF-3-NP) combining district and limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district to planned unit development-neighborhood plan (PUD-NP) combining district on the property described in Zoning Case No. C814-2012-0128.SH, on file at the Planning and Development Review Department, as two parcels of land consisting of approximately 24.37 acres in Travis County, Texas, shown in Exhibit "A" (the "Property"). The Property is locally known as 1141 Shady Lane and 5300 Jain Lane and generally identified in the map attached as Exhibit "B".

PART 2. This ordinance and the attached Exhibits A through D are the land use plan (the "Land Use Plan") for the thinkEAST planned unit development district (the "PUD") created by this ordinance. Development of and uses within the PUD shall conform to the limitations and conditions set forth in this ordinance and in the Land Use Plan. If this ordinance and the attached exhibits conflict, this ordinance controls. Except as otherwise provided by this ordinance or by Section 245.004 of the Local Government Code, development within the PUD is subject to the ordinances, regulations, and rules in effect on the effective date of this ordinance.

PART 3. The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The exhibits are as follows:

Exhibit A: Legal description of the Property

Exhibit B: Zoning Map

Exhibit C: Land Use Plan

Exhibit D: Grow Green Native and Adapted Landscape Plants

← Not attached
for PUD amendment
(not relevant)

PART 4. Definitions.

A. In this ordinance:

1. LIVE WORK means a type of mixed-use land use that is predominantly residential, but may include commercial, office, and/or any other permitted land use. If non-residential uses are included, connecting commercial and residential units is not required.
2. CREATIVE STUDIO means type of mixed-use land use that is predominantly commercial, office, and/or any other permitted non-residential land use, but may also include residential uses. If residential uses are included, connecting commercial and residential units is not required.

PART 5. Use Regulations

- A. Land Use Areas identified on Exhibit C shall conform to the following base districts, except as modified by this ordinance.
- (1) Land Use Area 1: limited office-mixed use (LO-MU) combining district zoning.
 - (2) Land Use Area 2: multifamily residence highest density (MF-6) district zoning.
 - (3) Land Use Area 3: limited office-mixed use (LO-MU) combining district zoning.
 - (4) Land Use Area 4: limited office -mixed use (LO-MU) combining district zoning.
 - (5) Land Use Area 5: general commercial services-mixed use (CS-MU) combining district zoning.
 - (6) Parkland: Public (P) district zoning.
- B. Development of the Property may not exceed 54 multifamily residential units per acre.
- C. Development of the Property may not exceed 444 multifamily residential units.
- D. Development of the Property may not exceed 37,400 square feet of retail and office development.

- E. Development of the Property may not exceed 118,800 square feet of live-work land use.
- F. Development of the Property may not exceed 62,400 square feet of creative studio land use.
- G. Development of the Property must include two civic facilities totaling 4,800 square feet.
- H. The maximum height, as defined by City Code, of a building or structure in Land Use areas 1-5 shall not exceed 40 feet or 3 stories.
- I. The following uses are prohibited uses on Land Use Area 5:

Automotive repair services	Bail bond services
Automotive sales	Automotive washing (of any type)
Commercial off-street parking	Drop-off recycling collection facility
Exterminating services	Commercial blood plasma center
Hospital services-general	Residential treatment
Kennels	Monument retail sales
Laundry services	Funeral services
Equipment repair services	Campground
Off-site accessory parking	Outdoor sports and recreation
Pawn shop services	Service station
Construction sales and services	Vehicle storage

- J. Outdoor entertainment is a conditional use in Land Use Area 5.
- K. The following uses are permitted uses in all the PUD Land Use Areas:

Community recreation	Business or trade school
College and university facilities	Private primary educational facilities
Private secondary educational facilities	Public primary educational facilities
Public secondary educational facilities	

PART 6. Open Space and Parkland.

- A. All trails on the Property shall be open and accessible to the public.

- B. The developer's costs of publicly accessible trails constructed on the Property will be credited towards Parkland Dedication fees.
- C. Development of the Property shall provide a minimum of 37 percent of gross site area to open space.
- D. Development of the Property shall include a 1.30 acre Parkland Dedication, as indicated on the Land Use Plan.
- E. The Parkland Dedication credit will be transferable up to ½ mile from the Property and parkland within the 100 year floodplain is credited at 50 percent.

PART 7. Environmental.

- A. The developer of the Property shall remove trash and debris, as well as non-native woody species within the riparian corridor of the tributary to Boggy Creek. The applicant will identify the invasive trees for removal on the site development plan.
- B. The developer of the Property will use Green Storm Water Quality Infrastructure (e.g. bio-filtration, vegetative filter strips, rain gardens, etc.) for at least 50 percent of the required water quality controls.
- C. At the time of development, the City of Austin shall provide a Health and Safety Plan for developer and contractor use to address the potential for encountering residual hydrocarbons that may remain in the soils or groundwater from historical releases in the area.
- D. The developer of the Property shall restore all disturbed areas within the Critical Water Quality Zones and priority woodlands with native plantings as per City of Austin Standard Specification 609.S Native Grasslands Seeding and Plantings for Erosion Control.
- E. The developer of the Property will plant a minimum of fifty 4-inch caliper street trees from the list in the Environmental Criteria Manual, Appendix F along Shady Lane/Jain Lane meeting the Core Transit Corridor spacing and species requirements. The trees will count toward mitigation for trees proposed to be removed within the Shady Lane realignment and anywhere else on the Property.

- F. Developer of the Property will, wherever possible, irrigate landscapes with reclaimed water supplied by the City of Austin Reclaimed Water Division.
- G. Development of the Property shall comply with the requirements of the Austin Energy Green Building Program (GBP) multifamily, single family, or commercial rating system for a minimum two-star rating. Certification from the GBP shall be based on the version in effect at the time ratings applications are submitted for individual buildings.
- H. An Integrated Pest Management (IPM) plan shall be submitted to the Watershed Protection Department or successor Department for review and approval. The IPM plan shall comply with the guidelines in Section 1.6.9.2 (D) and (F) of the Environmental Criteria Manual in effect on the effective date of this ordinance.
- I. At the time an application for approval of a site plan is submitted for development of the Property, or any portion of the Property, a landscape plan for the use of native and adapted plant materials according to the City of Austin Preferred Plant List, attached as Exhibit "D", shall be submitted to the Watershed Protection Department or successor Department for review and approval.

PART 8. Affordable Housing Program.

- A. Subject to and conditioned upon public or private development subsidies, 100% of the residential units in Land Use Areas 1 and 2 will be for rental occupancy by households whose income is between 30%-60% of the median family income and owned occupancy between 30%-80% of the median family income (MFI) in the Austin metropolitan statistical area as established annually by the director of Austin Neighborhood Housing and Community Development Office.
- B. Without public or private development subsidies, 10% of the residential units in Land Use Areas 1 and 2 will be for owned or rental housing at 60% of Austin MFI and 10% of the residential units in Land Use Areas 1 and 2 will be for owned or rental housing at 80% of Austin MFI. Affordability requirements under this paragraph shall expire on the 10th anniversary of the issuance of a certificate of occupancy for the unit.
- C. Rents for any affordable unit will be established annually by the director of Austin Neighborhood Housing and Community Development Office.

- D. The owner must accept tenants that are receiving government housing choice vouchers or other similar program that may be developed in the future (so long as such tenants otherwise meet owner's tenant requirements) for a minimum of 10% of any affordable units provided under paragraph A above.
- E. The owner must enter into a Land Use Restriction Agreement with the Neighborhood Housing and Community Development Office to be executed and recorded in the Travis County real property records applicable to the property that contractually commits any owner of the property to comply with the requirements of Part 8, Sections A through D of this ordinance.
- F. The owner may not file a development application with the City of Austin for the Property before recording the executed Land Use Restriction Agreement.

PART 9. Transportation and Bicycle Plan.

- A. The number of bicycle parking spaces shall equal to at least 5 percent of required motor vehicle parking.
- B. A minimum of 50 percent of all required bicycle parking shall be secure, located within 50 feet of the principal building entrance and shall not be obscured from view. The remainder of all bicycle parking shall be secure, located within 50 feet of other building entryways; and/or at employee only entrances; and/or within a building; and/or in a covered motor vehicle parking facility within 50 feet of a street entrance. The location of the closest bicycle parking facility must be no further than the closest motor vehicle parking space, excluding accessible parking spaces.
- C. A building containing one or more commercial uses that total 5,000 square feet or more shall include shower facilities for bicycle riders. A building containing one or more commercial uses that total 5,000 square feet or larger, but less than 20,000 square feet shall contain one private unisex shower. A building containing more than 20,000 square feet, but less than 100,000 square feet of commercial uses shall provide a minimum of one private shower facility for each gender. A building containing more than 100,000 square feet, but less than 500,000 square feet of commercial uses shall provide two shower facilities each for both sexes. A building containing more than 500,000 square feet of commercial uses shall provide private shower facilities with a minimum of three showers for each of both sexes. All shower requirements shall include an

area for changing clothes and storing personal items. The facilities may be located outside of the building in a common area accessible to all buildings subject to this requirement. The facilities shall be separate from the office toilet facilities.

PART 10. Code modifications. In accordance with Chapter 25-2, Subchapter B, Article 2, Division 5 (Planned Unit Development) of the Code, the following site development regulations apply to the PUD instead of otherwise applicable City regulations:

A. Zoning

- (1) Section 25-2-1064 (*Front Setback*) is modified to require a 10 foot setback in Land Use areas 1, 2 and 3, on property adjoining residential uses. The maximum building height is permitted at the 10 foot setback.
- (2) Section 25-2, Subchapter B, Division 5, Subpart D, Section 4.3 shall be waived until the Shady Lane/Jain Lane roadway improvements have been completed.

PART 11. The Property is subject to Ordinance No. 030327-11b that established the Johnston Terrace neighborhood plan combining district.

PART 12. This ordinance takes effect on July 8, 2013.

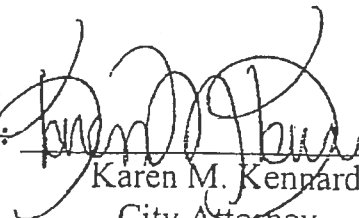
PASSED AND APPROVED

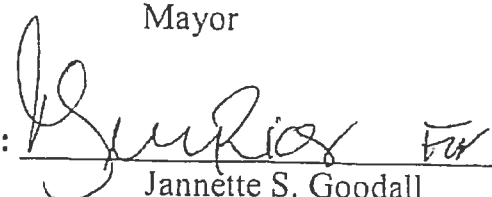
June 27, 2013

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Lee Leffingwell
Mayor

APPROVED: 
Karen M. Kennard
City Attorney

ATTEST: 
Jannette S. Goodall
City Clerk

C814-2012-0128.SH

HOLT CARSON, Inc.
PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084

FIELD NOTE DESCRIPTION OF 22.37 ACRES OF LAND OUT OF THE JESSE C. TANNEHILL SURVEY ABSTRACT No. 22 IN TRAVIS COUNTY, TEXAS, BEING COMPRISED OF ALL OF THAT CERTAIN TRACT OF LAND AS CONVEYED TO COASTAL STATES MARKETING, INC., NOW KNOWN AS EL PASO MERCHANT ENERGY PETROLEUM COMPANY, BY DEED RECORDED IN VOLUME 4131 PAGE 2307 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH ALL OF THAT CERTAIN TRACT OF LAND AS CONVEYED TO EL PASO MERCHANT ENERGY PETROLEUM COMPANY BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT No. 2003017135 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH ALL OF THAT CERTAIN TRACT OF LAND AS CONVEYED TO EL PASO MERCHANT ENERGY PETROLEUM COMPANY BY WARRANTY DEED RECORDED IN DOCUMENT No. 2003135554 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH ALL OF THAT CERTAIN TRACT OF LAND AS CONVEYED TO EL PASO MERCHANT ENERGY PETROLEUM COMPANY BY WARRANTY DEED RECORDED IN DOCUMENT No. 2003264332 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND TOGETHER WITH A PORTION OF THAT CERTAIN STRIP OF LAND LOCALLY KNOWN AS "JAIN LANE" AS ESTABLISHED BY INSTRUMENT RECORDED IN BOOK U PAGE 33 OF THE COMMISSIONERS' COURT MINUTES OF TRAVIS COUNTY, TEXAS, SAME BEING ALL OF THAT CERTAIN (22.41 ACRE) TRACT OF LAND AS DESCRIBED IN THAT AFFIDAVIT OF OWNERSHIP IDENTITY AND CONSOLIDATED REAL PROPERTY DESCRIPTION AS RECORDED IN DOCUMENT No. 2004096950 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, LESS THAT CERTAIN (1,585 SQUARE FEET) TRACT OF LAND AS CONVEYED TO THE CITY OF AUSTIN BY QUIT CLAIM DEED RECORDED IN DOCUMENT No. 2012076626 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found at the intersection of two fences in the South line of that certain (16.05 acre) tract of land as conveyed to Hugo Anderson by deed recorded in Volume 429 Page 248 of the Deed Records of Travis County, Texas, and in the North line of that certain (7.35 acre) tract of land described as "First Tract" and as conveyed to Otto Friedrich by deed recorded in Volume 376 Page 278 of the Deed Records of Travis County, Texas, for the Southeast corner of that certain (3.2 acre) tract of land as conveyed to J.E. Hamby, et ux, by deed recorded in Volume 569 Page 15 of the Deed Records of Travis County, Texas, and for the Southeast corner of that certain (2.024 acre) tract of land as conveyed to Paubla Gutierrez by deed recorded in Volume 13304 Page 3132 of the Real Property Records of Travis County, Texas, and for an angle corner of that certain (11.256 acre) tract of land as conveyed to James H. Crockett by deed recorded in Volume 8775 Page 500 of the Deed Records of Travis County, Texas, and for an angle corner of that certain tract of land as conveyed to Stephen Craig Anderson and Rodney Milton Anderson by Warranty Deed recorded in Volume 13127 Page 2576 of the Real Property Records of Travis County, Texas, and being an angle corner of that certain tract of land as conveyed to El Paso Merchant Energy Petroleum Company by Special Warranty Deed recorded in Document No. 2003017135 of the Official Public Records of Travis County, Texas, and being the PLACE OF BEGINNING of the herein described tract;

THENCE entering the interior of said Hugo Anderson (16.05 acre) tract with the East line of said Gutierrez (2.024 acre) tract and with a Westerly line of said Stephen and Rodney Anderson tract, N 29 deg. 45' 31" E 236.82 ft. to a ½" iron pipe found at a chain-link fence corner post for the Northeast corner of said Gutierrez (2.024 acre) tract, and for the Southeast corner of a twenty-five foot (25') wide "Roadway" strip of which title was reserved and retained in said deed recorded in Volume 569 Page 15 of the Deed Records of Travis County, Texas, and for an angle corner of said Stephen and Rodney Anderson tract, same being an angle corner of this tract;

THENCE with the South line of said 25 ft. "Roadway" strip and with the common line of said Stephen and Rodney Anderson tract and Gutierrez (2.024 acre) tract, N 58 deg. 50' 36" W 355.68 ft. to a spindle set in the interior of the improved Shady Lane and in the Westerly line of said Hugo Anderson (16.05 acre) tract, and for the Northwest corner of said Gutierrez (2.024 acre) tract and for the Northwest corner of that certain tract of land as conveyed to the City of Austin by Street Deed recorded in Volume 9647 Page 182 of the Real Property Records of Travis County, Texas, same being an angle corner of this tract;

THENCE with the most Westerly line of said Stephen and Rodney Anderson tract and with the West line of said Hugo Anderson (16.05 acre) tract, N 72 deg. 35' 00" E 34.23 ft. to a spindle set in the interior of the improved Shady Lane for the Southwest corner of that certain tract of land as conveyed to Fidel Estrada, Jr. by deed recorded in Volume 3709 Page 1867 of the Deed Records of Travis County, Texas, and being an angle corner of said Stephen and Rodney Anderson tract, same being an angle corner of this tract;

THENCE re-entering the interior of said Hugo Anderson (16.05 acre) tract with the common line of said Stephen and Rodney Anderson tract and said Estrada tract and with the North line of said 25 ft. "Roadway" strip, S 58 deg. 50' 36" E 332.27 ft. to a ½" iron pipe found at the base of an old fence corner post for the Southeast corner of said Estrada tract and for an angle corner of said Stephen and Rodney Anderson tract, and being an angle corner of this tract;

THENCE continuing across the interior of said Hugo Anderson (16.05 acre) tract, N 29 deg. 22' 23" E 163.88 ft. to a ½" iron pipe found at an old fence corner post for an angle corner of said Stephen and Rodney Anderson tract and for the Northeast corner of said Hamby (3.2 acre) tract and for the Northeast corner of that certain (one acre) tract of land as conveyed to F.F. Gooding by deed recorded in Volume 812 Page 583 of the Deed Records of Travis County, Texas, and for the Northeast corner of that certain tract of land as conveyed to William A. Gouldie by deed recorded in Volume 8450 Page 753 of the Deed Records of Travis County, Texas, and being an angle corner of this tract;

THENCE along an old wire fence, S 60 deg. 30' 37" E 108.21 ft. to a ½" iron pipe found in the centerline of a small creek for an angle corner of said Stephen and Rodney Anderson tract and for the Southeast corner of that certain tract of land as conveyed to Steven DePaz by deed recorded in Volume 10936 Page 977 of the Real Property Records of Travis County, Texas, and being an angle corner of this tract;

THENCE with the common line of said Stephen and Rodney Anderson tract and said DePaz tract, N 30 deg. 09' 08" E at 168.63 ft. passing a PK nail found in asphalt in the South line of Jain Lane, a thirty-foot (30') wide Right-of-Way as established by instrument dated April, 1930, and recorded in Book U Page 33 of the Commissioners' Court Minutes of Travis County, Texas, and continuing with the same course for a total distance of 203.63 ft. to a spindle found in the centerline of Jain Lane an angle corner of this tract;

THENCE with the centerline of "Jain Lane", N 59 deg. 58' 10" W 142.22 ft. to a ½" iron rod found with a plastic cap imprinted with "Carson and Bush Professional Surveyors" at a point of intersection with the Westerly projection of the North line of that certain (3.08 acre) tract of land as conveyed to Coastal States Marketing, Inc., now known as El Paso Merchant Energy Petroleum Company, by deed recorded in Volume 4131 Page 2307 of the Deed Records of Travis County, Texas, and the South line of the Southern Pacific Railroad, and being a Northwesterly angle corner of this tract;

THENCE with the South line of the Southern Pacific Railroad, N 73 deg. 02' 50" E 753.42 ft. to a ½" iron rod found with a plastic cap imprinted with "Carson and Bush Professional Surveyors" for the Northeast corner of said (3.08 acre) tract and for the Northwest corner of that certain tract of land as conveyed to El Paso Merchant Energy Petroleum Company by Warranty Deed recorded in Document No. 2003135554 of the Official Public Records of Travis County, Texas;

THENCE continuing with the South line of the Southern Pacific Railroad, N 73 deg. 02' 50" E 612.18 ft. to a currently inundated point on a concrete drainage channel for the Northeast corner of said El Paso tract (Document No. 2003135554) and for the North common corner of Lots 10 and 11, Block C, Pecan Grove, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 59 Page 3 of the Plat Records of Travis County, Texas, and for a Northwesterly corner of that certain (49.99 acre) tract of land as conveyed to Joe Stanzel and Victor Stanzel by deed recorded in Volume 3099 Page 196 of the Deed Records of Travis County, Texas, and being the Northeast corner of this tract;

THENCE with the common line of said El Paso tract (Document No. 2003135554) and said Pecan Grove, S 30 deg. 19' 41" W at 322.14 ft. passing a ½" iron rod found for the West common corner of Lot 9 and Lot 10, Block C, Pecan Grove, and at 577.10 ft. passing a ½" iron rod found for the West common corner of Lot 6 and Lot 7, Block C, Pecan Grove, and continuing along the same course for a total distance of 936.44 ft. to a spindle found in asphalt paving for a Southeasterly corner of this tract and being in the curving North right-of-way line of Jain Lane;

THENCE with the North right-of-way line of Jain Lane (as described in the aforementioned Commissioners' Court Book U Page 33), the following three (3) courses;

- 1) along a curve to the left with a radius of 71.79 ft. for an arc length of 13.18 ft. and which chord bears S 49 deg. 43' 19" W 13.16 ft. to a spindle found in asphalt for a point of reverse curvature;
- 2) along a curve to the right with a radius of 46.14 ft. for an arc length of 60.86 ft. and which chord bears S 82 deg. 14' 51" W 56.54 ft. to a spindle found in asphalt for a point of tangency;
- 3) N 59 deg. 58' 10" W 10.19 ft. to a spindle found for an angle corner of this tract;

THENCE crossing the interior of "Jain Lane", S 29 deg. 58' 06" W at 30.00 ft. passing a ½" iron pipe found for the Northeast corner of that certain (0.432 acre) tract of land as conveyed to El Paso Merchant Energy Petroleum Company by Warranty Deed recorded in Document No. 2003264332 of the Official Public Records of Travis County, Texas, and continuing with the same course for a total distance of 216.48 ft. to a PK nail found in concrete at the base of a fence corner post for an angle corner in the West line of Lot 3, Block B, of said Pecan Grove and for an angle corner of the aforementioned El Paso tract (Document No. 200317135) and for the South corner of said El Paso (0.432 acre) tract, and being an angle corner of this tract;

THENCE with the common line of said Stephen and Rodney Anderson tract and said Pecan Grove, the following two (2) courses;

- 1) S 17 deg. 10' 06" E 83.36 ft. to a ½" iron pipe found;
- 2) S 18 deg. 31' 39" W 381.02 ft. to a ½" iron rod found in the West line of Lot 10, Pecan Grove, for the Southeast corner of said Stephen and Rodney Anderson tract and for the Northeast corner of that certain tract of land as conveyed to the City of Austin by Warranty Deed recorded in Volume 11297 Page 1112 of the Real Property Records of Travis County, Texas, and being the Southeast corner of this tract, and from which a chiseled "X" found in concrete for the Southeast corner of said City of Austin tract bears S 18 deg. 32' 48" W 132.41 ft.;

THENCE with the North line of said City of Austin tract, S 80 deg. 56' 48" W 37.40 ft. to a point in an Easterly deed line of that certain (23.32 acre) tract of land as conveyed to the City of Austin in September, 1946, by deed recorded in Volume 828 Page 5 of the Deed Records of Travis County, Texas, and being the Southeast corner of that certain (1,585 square feet) tract of land as conveyed to the City of Austin by Quit Claim Deed recorded in Document No. 2012076626 of the Official Public Records of Travis County, Texas, same being an angle corner of this tract, and from which a ½" iron rod found for an angle corner of said El Paso Merchant Energy (22.41 acre) tract bears S 80 deg. 56' 48" W 11.32 ft.;

THENCE with the East line of said City of Austin (1,585 square feet) tract, N 03 deg. 16' 30" E 286.50 ft. to a ½" iron pipe found at an old fence corner post for a common angle corner of said Stephen and Rodney Anderson tract and said City of Austin (23.32 acre) tract, same being an angle corner of this tract;

THENCE with the common line of said Stephen and Rodney Anderson tract and City of Austin (23.32 acre) tract and along old wire fence remnants, N 60 deg. 09' 07" W 123.14 ft. to a ½" iron pipe found at the end of said old wire fence for a common angle corner of said Stephen and Rodney Anderson tract and said City of Austin (23.32 acre) tract, and being an angle corner of this tract;

THENCE, S 29 deg. 49' 25" W 244.60 ft. to a ½" iron pipe found at an old fence corner post for an angle corner of said Stephen and Rodney Anderson tract and for the Northeast corner of the aforementioned Friedrich (7.35 acre) tract, and being an angle corner of this tract, and from which a ½" iron rod found at a chain-link fence corner post for an angle corner of said City of Austin (23.32 acre) tract bears S 29 deg. 39' 06" W 325.33 ft.;

THENCE with a Southerly or Southwesterly line of said Stephen and Rodney Anderson tract, N 58 deg. 52' 07" W 687.85 ft. to the **PLACE OF BEGINNING** containing 22.37 acres of land.

SURVEYED: December 15, 2011



Holt Carson
Registered Professional Land Surveyor No. 5166

see accompanying map: B 692002



HOLT CARSON, INC.

PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD

AUSTIN, TEXAS 78704

TELEPHONE: (512) 442-0990

FACSIMILE: (512) 442-1084

www.hciaustin.com

FIELD NOTE DESCRIPTION OF 1.926 ACRES OF LAND OUT OF THE JESSE C. TANNEHILL SURVEY ABSTRACT No. 22 IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN (1.923 ACRE) TRACT OF LAND AS CONVEYED TO DERALD PHILLIP GUTIERREZ BY WARRANTY DEED RECORDED IN DOCUMENT No. 2011025780 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron rod found at the intersection of two fences in the South line of that certain (16.05 acre) tract of land as conveyed to Hugo Anderson by deed recorded in Volume 429 Page 248 of the Deed Records of Travis County, Texas, and in the North line of that certain (7.35 acre) tract of land described as "First Tract" and as conveyed to Otto Friedrich by deed recorded in Volume 376 Page 276 of the Deed Records of Travis County, Texas, for the Southeast corner of that certain (3.2 acre) tract of land as conveyed to J.E. Hamby, et ux, by deed recorded in Volume 569 Page 15 of the Deed Records of Travis County, Texas, and for the Southeast corner of that certain (2.024 acre) tract of land as conveyed to Paubla Gutierrez by deed recorded in Volume 13304 Page 3132 of the Real Property Records of Travis County, Texas, and for the Southeast corner of that certain (1.923 acre) tract of land as conveyed to Derald Phillip Gutierrez by Warranty Deed recorded in Document No. 2011025780 of the Official Public Records of Travis County, Texas, and for an angle corner of that certain (11.256 acre) tract of land as conveyed to James H. Crockett by deed recorded in Volume 8775 Page 500 of the Deed Records of Travis County, Texas, and for an angle corner of that certain tract of land as conveyed to Stephen Craig Anderson and Rodney Milton Anderson by Warranty Deed recorded in Volume 13127 Page 2576 of the Real Property Records of Travis County, Texas, and being an angle corner of that certain tract of land as conveyed to El Paso Merchant Energy Petroleum Company by Special Warranty Deed recorded in Document No. 2003017135 of the Official Public Records of Travis County, Texas, and for an angle corner of that certain (22.41 acre) tract of land as described in that Affidavit of Ownership Identity and Consolidated Real Property Description as recorded in Document No. 2004096950 of the Official Public Records of Travis County, Texas, and being the Southeast corner and PLACE OF BEGINNING of the herein described tract, and from which a ½" iron pipe found at an old fence corner post for the Northeast corner of said Friedrich (7.35 acre) tract and for an angle corner of said (22.41 acre) tract bears S 58 deg. 52' 07" E 687.85 ft.;

end of Page 1

Page 2 of 2
1.926 ACRES

THENCE with the common line of said Friedrich (7.35 acre) tract and said Gutierrez (1.923 acre) tract, N 59 deg. 02' 18" W 362.66 ft. to a square-head bolt found in the East right-of-way line of Shady Lane for the Southwest corner of said Gutierrez (1.923 acre) tract and for the Southeast corner of that certain (4,428 square feet) tract of land as conveyed to the City of Austin by Street Deed recorded in Volume 9647 Page 182 of the Real Property Records of Travis County, Texas, and being the Southwest corner of this tract;

THENCE with the East right-of-way line of Shady Lane and with the West line of said Gutierrez (1.923 acre) tract and with the East line of said City of Austin (4,428 square feet) tract, the following two (2) courses;

- 1) N 29 deg. 43' 22" E 87.47 ft. to a ½" iron rod set with a plastic cap imprinted with "Holt Carson, Inc." for a point of curvature;
- 2) along a curve to the right with a radius of 270.00 ft. for an arc length of 158.42 ft. and which chord bears N 46 deg. 34' 26" E 156.16 ft. to a ½" iron rod set with a plastic cap imprinted with "Holt Carson, Inc." in the South line of a twenty-five feet (25') wide "Roadway" strip of which title was reserved and retained in said deed recorded in Volume 569 Page 15 of the Deed Records of Travis County, Texas, for the Northwest corner of said Gutierrez (1.923 acre) tract and for the Northeast corner of said City of Austin (4,428 square feet) tract, and being the Northwest corner of this tract, and from which a spindle found in the interior of the improved Shady Lane for an angle corner of said (22.41 acre) tract bears N 58 deg. 50' 36" W 38.13 ft.;

THENCE with the common line of said Gutierrez (1.923 acre) tract and said (22.41 acre) tract, S 58 deg. 50' 36" E 317.55 ft. to a ½" iron pipe found at a chain-link fence corner post for the Northeast corner of said Gutierrez (1.923 acre) tract and for the Southeast corner of said twenty-five (25') wide "Roadway" strip and for an angle corner of said (22.41 acre) tract and being the Northeast corner of this tract;

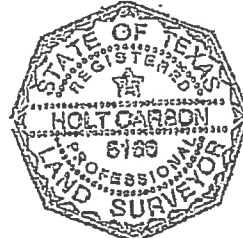
THENCE with the common line of said Gutierrez (1.923 acre) tract and said (22.41 acre) tract, S 29 deg. 45' 31" W 236.82 ft. to the PLACE OF BEGINNING, containing 1.926 acres of land

SURVEYED: May 23, 2012

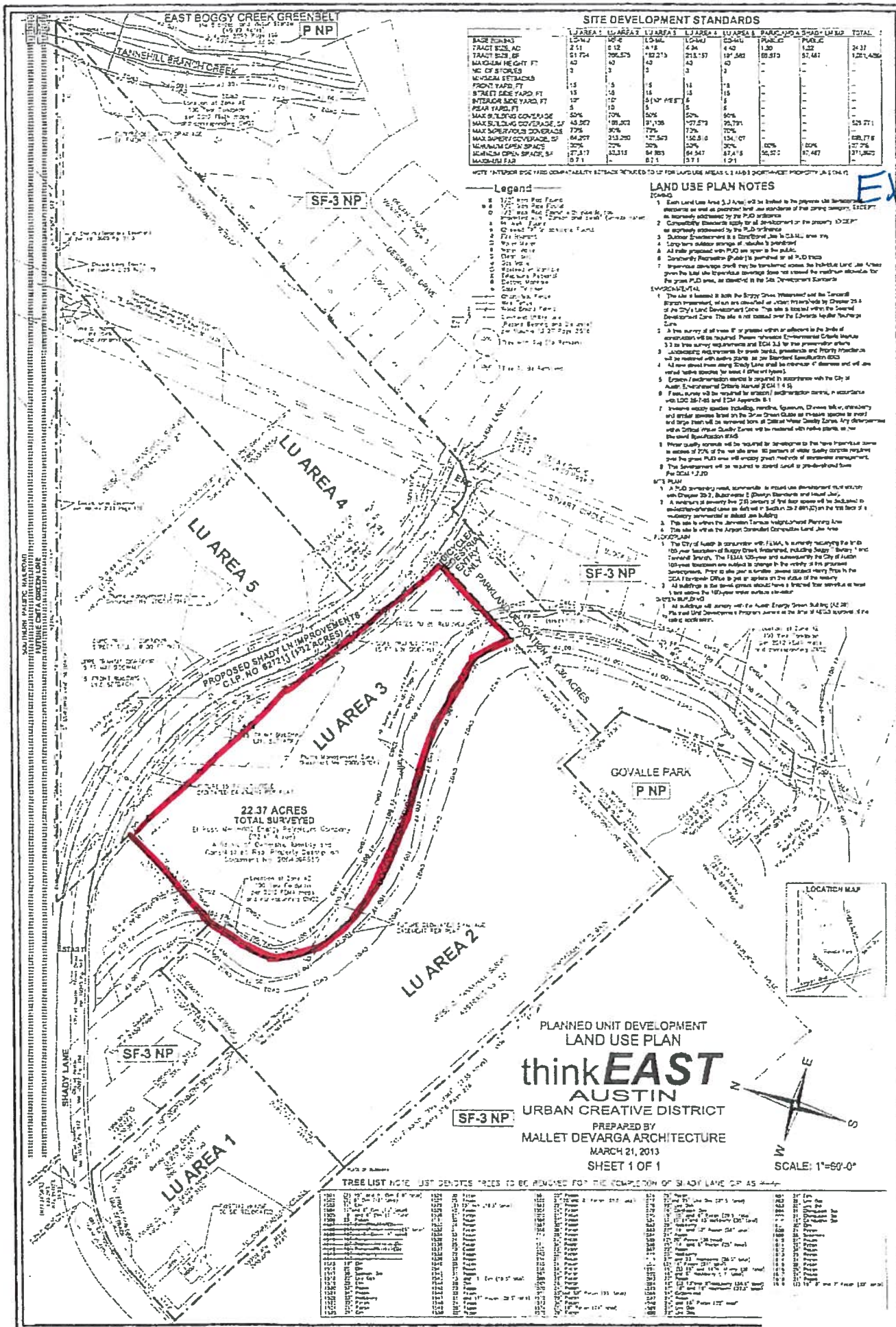


Holt Carson

Registered Professional Land Surveyor No. 5166

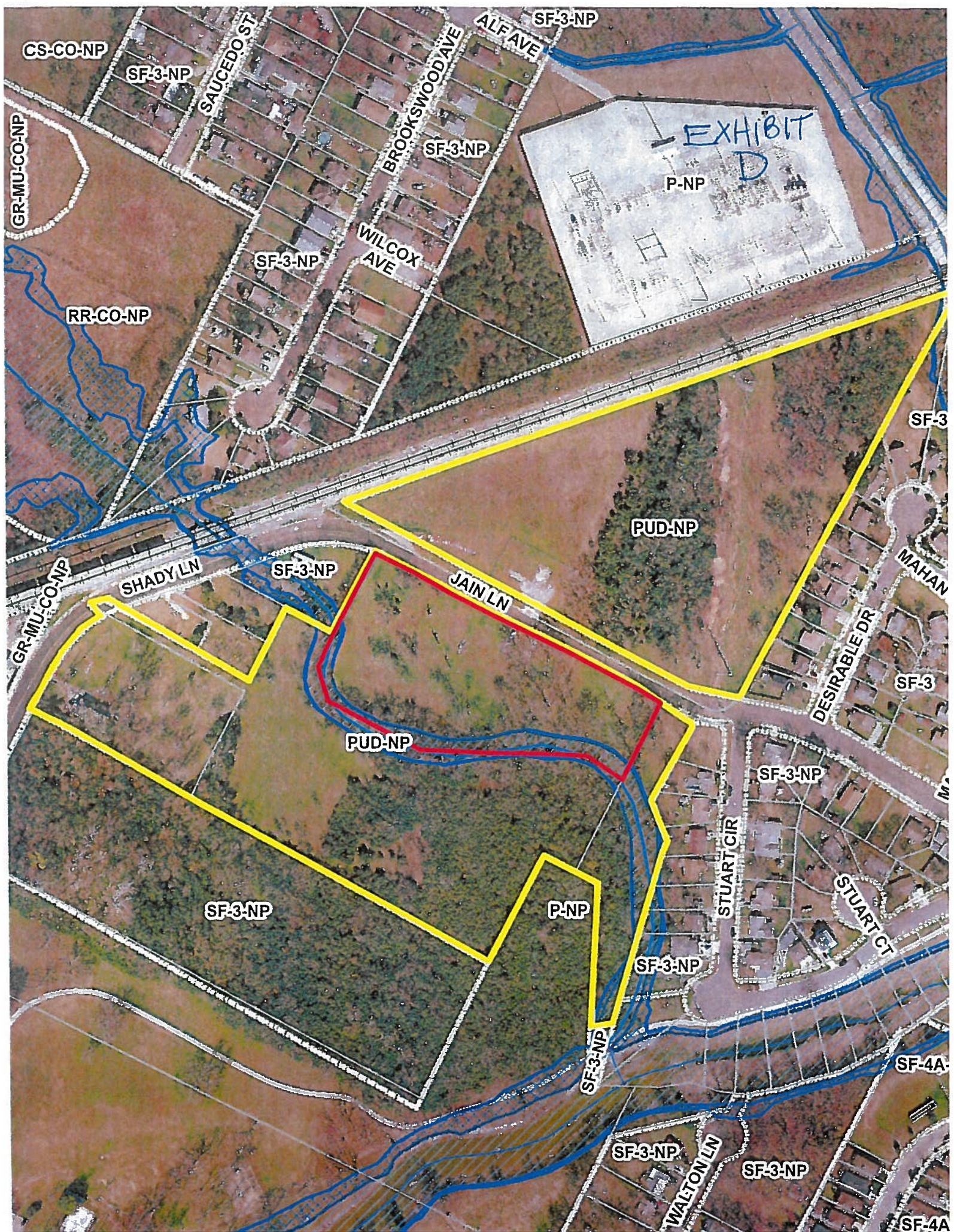


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SITE DEVELOPMENT STANDARDS									
	LU AREA 1	LU AREA 2	LU AREA 3	LU AREA 4	LU AREA 5	PARKLAND	GOVALL PARK	PUBLIC	TOTAL
BASE ELEVATION	154.2	154.6	154.4	154.4	154.4	154.4	154.4	154.4	154.4
TRACT SIZE, AC	2.51	2.51	2.51	2.51	2.51	2.51	2.51	2.51	2.51
TRACT SIZE, SF	172,400	172,400	172,400	172,400	172,400	172,400	172,400	172,400	172,400
MAXIMUM HEIGHT, FT	40	40	40	40	40	40	40	40	40
NO. OF STORIES	3	3	3	3	3	3	3	3	3
MINIMUM SETBACKS									
FRONT YARD, FT	15	15	15	15	15	15	15	15	15
STREET SIDE YARD, FT	15	15	15	15	15	15	15	15	15
INTERIOR SIDE YARD, FT	10	10	10	10	10	10	10	10	10
REAR YARD, FT	5	5	5	5	5	5	5	5	5
MAX. BUILDING COVERAGE, %	50%	50%	50%	50%	50%	50%	50%	50%	50%
MAX. IMPERVIOUS COVERAGE, %	75%	75%	75%	75%	75%	75%	75%	75%	75%
MAX. IMPERVIOUS COVERAGE, SF	129,300	129,300	129,300	129,300	129,300	129,300	129,300	129,300	129,300
MINIMUM OPEN SPACE, %	25%	25%	25%	25%	25%	25%	25%	25%	25%
MINIMUM OPEN SPACE, SF	42,100	42,100	42,100	42,100	42,100	42,100	42,100	42,100	42,100
MAXIMUM FILL	10.71	10.71	10.71	10.71	10.71	10.71	10.71	10.71	10.71

- Legend**
- 1/2" = 1' Plan Scale
 - 1/4" = 1' Elevation Scale
 - 1/8" = 1' Section Scale
 - 1/16" = 1' Detail Scale
 - 1/32" = 1' Section Scale
 - 1/64" = 1' Detail Scale
 - 1/128" = 1' Section Scale
 - 1/256" = 1' Detail Scale
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HOUSING & ECONOMIC DEVELOPMENT

316 W. 2nd Street, Suite 600 | Los Angeles, CA 90012 | T: 213.362.0260 | F: 213.362.0265 | www.chavezfoundation.org

EXHIBIT
E

August 18, 2016

Director Gregory I. Guernsey, AICP
Planning and Zoning Department, One Texas Center
505 Barton Springs Road, Suite 500
Austin, Texas 78704

Dear Mr. Guernsey,

This letter is written to request for an amendment to the thinkEAST PUD for Cesar Chavez Foundation's ("CCF") proposed development in Land Use Area 3 of the thinkEAST PUD.

CCF, a 501(c)(3) nonprofit corporation, was founded in 1966 by César E. Chávez who envisioned an organization that would provide social services, alongside the work being done by the United Farm Workers, for the farm workers laboring in the fields. Since its inception, the Foundation's emphasis on housing integrated with social services has been crucial to the enrichment of our communities. Providing clean and safe communities for individuals, families and seniors has long been a mission of CCF, and with every new development and each community we serve, we further understand the importance of services for our residents and future generations.

CCF works to maximize human potential for improving communities by preserving, promoting and applying the legacy and core values of civil rights leader César E. Chávez. Through innovative community programming, we strive to empower individuals to fully realize their inherent and unlimited potential to make a difference in their own lives, in their communities, and in our world. CCF serves tens of thousands of individuals through affordable housing development, educational programming, and broadcast communications and through our conference center in Keene, CA. The organization has expanded its reach from primarily serving farm workers to addressing quality of life issues for individuals, families and communities throughout the Southwest.

Within CCF, the Housing and Economic Development Fund (HED) has focused on developing high-quality, service-enhanced affordable housing for working families and seniors. Through its focus, CCF has completed over 300 single-family homes for sale to low-income households and over 4,700 affordable multi-family units at more than 36 separate sites in California, Arizona, New Mexico and Texas.

Unlike most developers, the Cesar Chavez Foundation boasts a comprehensive approach to affordable housing that embraces constructing or extensively renovating each of its communities as well as managing a portfolio of 33 properties in a four-state region. This is accomplished by maintaining facilities that are safe, clean, efficient and aesthetically pleasing, with extensive amenities that include playgrounds, swimming pools, computer labs and special accommodations to address disabilities, language and cultural diversity, and transportation needs.

In an effort to increase economy of scale and maintain feasibility on our new development in the thinkEAST PUD, CCF is requesting a "density bonus" to provide additional affordable housing allowed under Chapter 25-2, Subchapter B, Article 2, Division 5 (*Planned Unit Developments*), **Section 2.5.2 Requirements for Exceeding Baseline and Section 2.5.3 Requirements for Rental Housing**. This application is requesting to amend the baseline established under Site Development Standards for LU Area 3 in the thinkEAST PUD Ordinance 20130627-090. Site Development Standards for LU Area 3 allow for 40 feet maximum height

and 3 stories maximum. This application is requesting those maximums be amended to allow for up to 50 feet maximum and 4 stories maximum.

The neighborhood and surrounding area is in continuing need of affordable housing, especially for low income citizens. Moreover, the development of low income housing would contribute significantly to the continued revitalization of the immediate neighborhood. Considering the need, CCF's extensive experience in affordable housing development and the demand for quality affordable housing within the community, we would appreciate your support.

LU Area 3 has a large cluster (11+) of ageing heritage pecan trees in center of the site that will not be removed for development. As a result, CCF and its team has designed our site plan around these heritage trees, resulting in fewer units than what could be accomplished if the trees were not located in the center of the site. As it currently stands, the 40 foot and 3 floor maximums will only allow for 71 total units, 80% of which will be affordable for households with incomes between 30% and 60% AMI and 20% market rate. By allowing this PUD Amendment, CCF and its team can deliver +/- 100 units – 80% of which will be affordable for households between 30% and 60% AMI for a minimum of 30 years, and 20% will be market rate. The 4th story amendment would result in an increase the unit count by at least 36% over what would be built on the site with the current density.

We thank you for your consideration and we truly looks forward to becoming a partner to the community and building quality affordable housing for the neighborhood and future generations to come.

Sincerely,

Alfredo Izmajtovich
Executive Vice President
Housing & Economic Development
Cesar Chavez Foundation



City of Austin

EXHIBIT

F

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>

August 9, 2016 (revision to letter dated May 22, 2013)

S.M.A.R.T. Housing Certification

thinkEast PUD Austin Management LLC: 1141 & 1150 Shady Lane (Project ID 65434)

TO WHOM IT MAY CONCERN:

thinkEAST Austin Management LLC (development contact: 512-300-4011; rdevarga@gmail.com) is planning to develop a 25 acre mixed-use district via a Planned Unit Development in the Shady Lane and Jain Lane area. The development will include 444 multi-family units, 132 live-work units, 44 Retail-Office units and 48 Creative Studios. The S.M.A.R.T. Housing certification will apply to the multi-family units associated with Land Use Area 1, 2 and 3. The units will have an affordability period of 10 years for the multi-family units from the date the certificate of occupancy is issued for the unit. The affordability period may be longer due to funding source requirements. Below are the current revisions:

<u>Land Use Area 1</u>	<u>Developer: TBD</u> <u>Multifamily Units: TBD</u> <u>MFI: 10% at or below 60% and 10% at or below 80% per PUD Ordinance</u>
<u>Land Use Area 2</u>	<u>Developer: Austin Affordable Corporation- Greg Griffith</u> <u>Multifamily Units: 182 total (182 affordable)</u> <u>MFI: 100% at or below 60%</u>
<u>Land Use Area 3</u>	<u>Developer: Cesar Chavez Foundation- Alex Dawson</u> <u>Multifamily Units: 97 total (78 affordable)</u> <u>MFI: 80% at or below 60% and 20% market rate</u>
<u>Land Use Area 4</u>	<u>Developer: TBD</u> <u>Multifamily Units: TBD</u> <u>MFI: TBD</u>
<u>Land Use Area 5</u>	<u>Developer: TBD</u> <u>Multifamily Units: TBD</u> <u>MFI: TBD</u>

NHCD certifies that the proposed construction meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Because 59% of the total units planned in Land Use area 1, 2 & 3 will serve households with incomes at or below 60% of Austin's Median Family Income level (MFI), the development is eligible for a waiver of 100% of the fees listed in the S.M.A.R.T. Housing Ordinance adopted by the City Council. The fee waivers only apply to development applications that have a residential component from Land Use Area 1, 2 & 3. This certification may need to be amended to reflect any changes to the PUD Ordinance. The developer will provide a detailed list of addresses and projects associated with Land Use 1, 2 & 3 as the development progresses. The expected fee waivers include, but are not limited to, the following fees:

The Neighborhood Housing and Community Development Office's mission is to provide housing, community development, and small business development services to benefit residents so they can have access to livable neighborhoods and increase their opportunities for self sufficiency.

Capital Recovery Fees
Building Permit
Concrete Permit
Electrical Permit
Mechanical Permit
Plumbing Permit

Site Plan Review
Misc. Site Plan Fee
Construction Inspection
Subdivision Plan Review
Misc. Subdivision Fee
Zoning Verification

Land Status Determination
Building Plan Review
Parkland Dedication (by
separate ordinance)

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@austinenenergy.com).
- ◆ Submit plans demonstrating compliance with visitability 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 visitability standards have been met.

The applicant must demonstrate compliance with the reasonably-priced standard after the completion of the units, 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.



Sandra Harkins
Neighborhood Housing and Community Development

Co: Laurie Shaw, Capital Metro
Maureen Meredith, PZD
M. Simmons-Smith, DSD
Katherine Murray, Austin Energy
Alice Flora, AWU

Bryan Bomer, AEGB
Gina Copic, NHCD
Mariyn Lamensdorf, PARD
Heidi Kasper, AEGB
Carl Wren, DSD

Alma Moleri, DSD
Susan Kinel, NHCD
Stephen Castleberry, DSD
Cande Coward, DSD
Ellis Morgan, NHCD

The Neighborhood Housing and Community Development Office's mission is to provide housing, community development, and small business development services to benefit residents so they can have access to livable neighborhoods and increase their opportunities for self-sufficiency.

Goyalle/Johnston Terrace Neighborhood Plan Contact Team

EXHIBIT

G

August 25, 2016
To: Greg Guernsey

Re: Cesar Chavez Foundation ThinkEast PUB Amendment

Mr. Guernsey,

The ThinkEast PUB project is considered to be a model of a Neighborhood/Developer partnership that accommodates density in an appropriate, and historic place, provides affordable work/live spaces for artists as well as dedicating fully one third of the development to affordable housing, which mitigates the displacement effects of gentrification.

I am writing on behalf of the Goyalle/Johnston Terrace Neighborhood Contact Team to inform you of our support for the Cesar Chavez Foundation's request for an additional floor for their portion the ThinkEast PUB development.

In our discussion with CHC/ThinkEast regarding an additional level, we expressed support and requested that, in keeping with the spirit of compatibility, that to the most reasonable extent possible, any further height be mitigated by having a design that has its highest on the west and "stepped" down toward east towards existing adjacent single story neighbors.

Our group has worked closely with ThinkEast since it's inception, and continues to be involved in the unfolding development of the ThinkEast project. I am hopeful that we can bring the full potential of this project into reality as soon as possible. Please do not hesitate to contact me with any further questions or comments concerning this case.

Thank you,



Daniel Barnes, Coordinator
Goyalle/Johnston Terrace Neighborhood Plan Contact Team
512-431-9665



August 21, 2016

Director Gregory I. Guernsey, AICP
Planning and Zoning Department, One Texas Center
505 Barton Springs Road, Suite 500
Austin, Texas 78704

RE: Cesar Chavez Foundation thinkEAST PUD Amendment

Dear Mr. Guernsey,

Our Springdale-Airport Neighborhood Association has been made aware of the need for the extra fourth floor to help with the very much need affordable housing in our community. Our Association and I have no opposition to this request by Cesar Chavez Foundation, and in fact, we very much encourage the City of Austin Planning Department to support it as well. We wish nothing but the best for our community and the Cesar Chavez Foundation's housing project to be located at thinkEAST in Austin Texas.

Si Se Puede,

A handwritten signature in cursive script that reads "Pete R. Rivera". The signature is written in dark ink and is positioned above the printed name.

Pete Rivera

President of Springdale-Airport Neighborhood Association
Executive Committee Member of the Austin Sierra Club
512-363-3849