ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0010.SH – Nuckols Crossing Road Rezoning – SMART Housing

P.C. DATE: July 25, 2017
November 14, 2017
December 12, 2017
January 9, 2018
January 23, 2018
February 27, 2018
March 13, 2018
March 27, 2018
April 10, 2018
May 22, 2018
June 12, 2018
July 24, 2018
August 28, 2018
October 9, 2018
November 13, 2018
December 11, 2018
May 28, 2019
June 25, 2019
July 23, 2019
September 10, 2019
February 25, 2020
April 14, 2020
May 26, 2020
July 14, 2020
July 28, 2020

ADDRESS: 4400 Nuckols Crossing Road

DISTRICT AREA: 2

OWNERS: Angelos Angelou and John Sasaridis

APPLICANT: McDowell Housing Partners (Ariana Brendle)

AGENT: Thrower Design (Ron Thrower)

ZONING FROM: SF-2-NP

TO: MF-4-NP, as amended

AREA: 9.978 acres

NEIGHBORHOOD PLANNING AREA: Southeast Combined (Franklin Park)

SUMMARY STAFF RECOMMENDATION *(Revised on June 29, 2020)*:

The Staff recommendation is to grant multifamily residence – low density – neighborhood plan (MF-2-NP) combining district zoning.

The Restrictive Covenant includes all recommendations listed in the Neighborhood Traffic Analysis memo, dated July 21, 2020, as provided in Attachment A.

PLANNING COMMISSION RECOMMENDATION:

July 25, 2017: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY THE APPLICANT*
[J. SHIEH, P. SEEGER – 2ND] (12-0) N. ZARAGOZA – ABSENT

November 14, 2017: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO DECEMBER 12, 2017*
[J. SHIEH, P. SEEGER – 2ND] (12-0) A. DE HOYOS HART – ABSENT

December 12, 2017: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO JANUARY 9, 2018*
[J. SHIEH, T. WHITE – 2ND] (13-0)

January 9, 2018: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JANUARY 23, 2018*
[P. SEEGER; A. DE HOYOS HART – 2ND] (11-0) F. KAZI – NOT PRESENT FOR PASSAGE OF THE CONSENT AGENDA; T. NUCKOLS – ABSENT

January 23, 2018: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO FEBRUARY 27, 2018*
[P. SEEGER; G. ANDERSON – 2ND] (10-0) A. DE HOYOS HART, J. SCHISSLER – NOT PRESENT FOR PASSAGE OF THE CONSENT AGENDA; K. MCGRAW – ABSENT

February 27, 2018: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO MARCH 13, 2018*
[J. SCHISSLER; J. SHIEH – 2ND] (12-0) J. THOMPSON – ABSENT

March 13, 2018: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO MARCH 27, 2018*
[T. WHITE; P. SEEGER – 2ND] (8-0) A. DE HOYOS HART, T. NUCKOLS, J. SHIEH, T. SHAW, J. THOMPSON – ABSENT

March 27, 2018: *APPROVED A POSTPONEMENT TO APRIL 10, 2018*
[G. ANDERSON; J. THOMPSON – 2ND] (12-0) P. SEEGER – ABSENT

April 10, 2018: *APPROVED A POSTPONEMENT TO MAY 22, 2018; PUBLIC HEARING REMAINS OPEN*

[G. ANDERSON; J. SCHISSLER – 2ND] (7-4) CHAIR OLIVER AND COMMISSIONERS MCGRAW, SEEGER AND SHAW VOTED NAY; A. DE HOYOS HART – LEFT EARLY; T. WHITE – ABSENT

May 22, 2018: *APPROVED A POSTPONEMENT TO JUNE 12, 2018, BY CONSENT*

[P. SEEGER; J. SCHISSLER – 2ND] (13-0)

June 12, 2018: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JULY 24, 2018*

[J. SCHISSLER; J. SHIEH – 2ND] (12-0) C. KENNY – ABSENT

July 24, 2018: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO AUGUST 28, 2018*

[D. ANDERSON; A. DE HOYOS HART – 2ND] (8-0) J. SHIEH, F. KAZI, J. THOMPSON, T. WHITE – ABSENT; ONE VACANCY ON THE COMMISSION

August 28, 2018: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO OCTOBER 9, 2018*

[J. SCHISSLER, C. KENNY – 2ND] (12-0) 1 VACANCY ON THE COMMISSION

October 9, 2018: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO NOVEMBER 13, 2018*

[P. SEEGER; K. MCGRAW – 2ND] (10-0) J. SHIEH, T. WITTE – ABSENT; 1 VACANCY ON THE COMMISSION

November 13, 2018: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO DECEMBER 11, 2018*

[P. SEEGER, R. SCHNEIDER – 2ND] (12-0) A. DE HOYOS HART – ABSENT

December 11, 2018: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY THE STAFF*

[K. MCGRAW; F. KAZI – 2ND] (11-0) Y. FLORES, C. KENNY – ABSENT

May 28, 2019: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO JUNE 25, 2019*

[J. SHIEH; P. HOWARD – 2ND] (12-0) K. MCGRAW – ABSENT

June 25, 2019: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO JULY 23, 2019*

[P. HOWARD; C. KENNY – 2ND] (11-0) P. SEEGER; J. SHIEH – ABSENT

July 23, 2019: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO AUGUST 27, 2019*

[P. SEEGER; A. AZHAR – 2ND] (10-0) R. SCHNEIDER, T. SHAW, J. THOMPSON – ABSENT

September 10, 2019: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY STAFF*
[J. THOMPSON; J. SHIEH – 2ND] (10-0) T. SHAW – NOT PRESENT FOR PASSAGE OF THE CONSENT AGENDA; R. SCHNEIDER, P. SEEGER – ABSENT

February 25, 2020: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO APRIL 14, 2020*
[R. SCHNEIDER; C. KENNY – 2ND] (12-0) J. SHIEH – ABSENT

April 14, 2020: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO MAY 26, 2020*
[R. SCHNEIDER; C. KENNY – 2ND] (12-0) C. LLANES PULIDO – ABSENT

May 26, 2020: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JULY 14, 2020*
[C. HEMPEL; R. SCHNEIDER – 2ND] (12-0) C. LLANES PULIDO – NOT PRESENT FOR PASSAGE OF THE CONSENT AGENDA

July 14, 2020: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD PLANNING CONTACT TEAM TO JULY 28, 2020*
[P. SEEGER; R. SCHNEIDER – 2ND] (12-1) Y. FLORES – NAY

July 28, 2020: *APPROVED MF-4-CO-NP DISTRICT ZONING, WITH THE -CO FOR MF-2 DEVELOPMENT STANDARDS EXCEPT FOR HEIGHT, AND THE CONDITIONS OF THE NEIGHBORHOOD TRAFFIC ANALYSIS*
[C. KENNY; R. SCHNEIDER – 2ND] (12-0) C. HEMPEL –ABSENT

ISSUES:

The Applicant wishes to discuss the Staff recommendation.

The Kensington Park Homeowners Association, the Los Arboles HOA, and the Southeast Combined Neighborhood Plan Contact Team are opposed to the proposed rezoning. Please refer to attached correspondence located at the back of this packet.

Amendments to the Rezoning Application
On February 10, 2020, the application was amended for a second time to change the rezoning request from MF-3-CO-NP to MF-4-NP and increase the rezoning area from 9.978 acres to 16.721 acres. This amendment added a 6.615 acre SF-2-CO-NP zoned tract to the north under a different ownership. An amended Notice of Filing was mailed out for the revised area. On May 19, 2020, the Applicant removed the north 6.615 acre tract from the rezoning area, returning it to 9.978 acres.

This rezoning case has been approved to participate in the City's S.M.A.R.T. (**S**afe, **M**ixed-Income, **A**ccessible, **R**easonably-priced, **T**ransit-Oriented) Housing expedited review program. ***Please refer to Attachment B.***

Staff Meetings with the Applicant, Contact Team and Neighborhood Representatives
On July 20, 2020, PAZ hosted a virtual meeting with ATD staff and members of the Contact Team to answer questions about the attached Neighborhood Traffic Analysis. The Contact Team invited the Applicant to a special called meeting on July 22, 2020 to answer any additional questions about the rezoning and NPA cases. The Contact Team and the Los Arboles HOA have provided correspondence in opposition to the proposed rezoning.

On July 8, 2020, PAZ Staff hosted a virtual meeting with the Applicant, Agent, members of the Contact Team, neighborhood representatives, and the Austin Transportation Department. The purpose of the meeting was to relay the basis for changing Staff's recommendation of denial that was presented to Planning Commission on April 10, 2018. Staff was previously unable to recommend the Applicant's request for MF-3-CO-NP based on traffic safety concerns, and recommended maintaining the existing SF-2-NP zoning.

On June 6, 2018, the property owners, Applicant, neighborhood representatives and Staff from the Austin Transportation Department and the Planning and Zoning Department attended a meeting to discuss vehicular access to the site. The need for a follow-up meeting was discussed and planned to occur after the Applicant pursued safer access option to Nuckols Crossing Road through consultation with a traffic engineer and Staff reviewed the engineer's work. This work took approximately two years to complete.

Staff has also looked into the possibility of taking access from this tract through the adjacent multi-family development to the west that has frontage on St. Elmo Road and Pleasant Valley Road. Driveway access to the tract addressed as 4400 Nuckols Crossing could occur to South Pleasant Valley Rd via the adjacent tracts (owned by Smith County Affordable Housing Ltd as well as Pleasant Valley Courtyards Housing LP). Since the driveway would serve the proposed multifamily development, it would require rezoning from SF-2-NP and RR-CO-NP to MF-2-NP and a related NPA application to change the FLUM to multifamily. Extending a driveway to South Pleasant Valley Road would likely encounter development constraints due to a number of documented environmental features, as shown in the ***Environmental Resource Inventory Map provided in Attachment B***.

On February 13, 2017, the Southeast Combined Neighborhood Plan Contact Team met with the Agent at the Southeast Community Branch Library to discuss this rezoning case. One year later, on February 12, 2018, the Contact Team met with the Applicant with City zoning and Development Services Department transportation staff in attendance. The Contact Team, the Dove Springs Proud association and the Los Arboles Homeowners Association have provided correspondence in opposition to the rezoning and related Neighborhood Plan Amendment requests. Please refer to the correspondence attached at the back of this report.

DEPARTMENT COMMENTS:

The subject 9.978 acre undeveloped tract is located on Nuckols Crossing Road, a neighborhood collector, and has single family residence-standard lot – neighborhood plan (SF-2-NP) zoning. The St. Elmo tributary of Williamson Creek, classified as an intermediate waterway, runs along and in close proximity to the north property line. City maps show there

are at least three wetlands and one spring/seep on the north and west portions of the property. An Environmental Resource Inventory undertaken by the Applicant in January 2018 indicates four additional wetlands and one additional spring/seep on the property, bringing the total to 9 critical environmental features (CEFs). The wetlands and springs are located on the western portion of the property.

There are single family residences on large lots to the north (SF-2-CO-NP with the –CO requiring a ½ acre minimum lot size), an undeveloped 9.86 acre tract and the Los Arboles single family residential community across Nuckols Crossing Road to the east (SF-2-NP), an undeveloped lot and the Woodway Village apartments to the south (SF-2-NP; MF-2-CO-NP with the –CO for a maximum of 160 units / 12.27 units per acre), and undeveloped land to the west (SF-2-NP; RR-CO-NP; LO-CO-NP). ***Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and A-2 (Environmental Resource Inventory Map dated January 2018).***

The Applicant proposes to rezone the property to the multi-family residence-moderate-high density-neighborhood plan (MF-4-NP) district and develop it with up to 180 apartment units. The proposed density is approximately 18.03 units per acre. Under the MF-4-NP base district, the maximum floor-to-area ratio is 0.75 to 1 and the maximum height is 60 feet.

An initial look at the zoning map indicates the tract would seem well-suited as a transition between the apartments to the south and the single family residences on large lots to the north. As outlined in ***Attachment A, the Neighborhood Traffic Analysis memo*** identifies that the existing traffic volumes on Nuckols Crossing Road exceed the desirable thresholds established by the Land Development Code (based on pavement width). The Applicant has worked with Austin Transportation Department (ATD) engineering staff to identify a driveway location that satisfies minimum site distance requirements and is acceptable for vehicle safety and operations. In addition, ATD also requires dedicated right-turn and left-turn lanes into the site and the Applicant has secured preliminary approval for a conceptual design of the turn lanes. Finally, ATD recommends exploring additional improvements at the time of subdivision construction or site plan: reconstruction of Nuckols Crossing to urban standards with curb and gutter, bicycle facilities and sidewalks.

Staff recognizes the challenges in developing the site given the environmental and transportation-related constraints, and with the updated Neighborhood Traffic Analysis, offers an alternate recommendation of multifamily residence-low density-neighborhood plan (MF-2-NP) which has a maximum density of 23 units per acre. The Staff recommendation is based on the zoning patterns in the area, including adjacent SF-2 base district properties to the north and across Nuckols Crossing Road to the east, and the MF-2-CO-NP zoned property with apartments to the south.

As information, the environmental features generally located on north and west sides of the site will require a 200-foot wide buffer from the centerline (hence a full buffer of 400 feet, with the remaining portion to be achieved on adjacent property) of this intermediate waterway [LDC 25-8-261 – *Critical Water Quality Zone Development*]. In the buffer area, development is limited to fences and open space, under certain conditions. There will be

additional buffer zones (generally 150 feet) from the wetlands and spring which will further limit development of this 9.9 acre property.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-2-NP	Undeveloped
North	SF-2-CO-NP	Single family residences on large lots
South	MF-2-CO-NP; SF-2-NP	Apartments; Undeveloped
East	SF-2-NP	Undeveloped; Single family residences in the Los Arboles community
West	SF-2-NP; RR-CO-NP; SF-6-CO-NP; LO-CO-NP	Undeveloped; Condominiums; Stormwater pond

NEIGHBORHOOD TRAFFIC ANALYSIS: Is required – Please refer to Attachment A

WATERSHED: Williamson Creek – Suburban

CAPITOL VIEW CORRIDOR: No **SCENIC ROADWAY:** No

NEIGHBORHOOD ORGANIZATIONS:

96 – Southeast Corner Alliance of Neighborhoods (SCAN)
176 – Kensington Park Homeowners Association
511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
742 – Austin Independent School District 774 – Del Valle Independent School District
753 – Paisano Mobile Home Park Neighborhood Association
1071 – Los Arboles Homeowner's Association
1228 – Sierra Club, Austin Regional Group 1258 – Del Valle Community Coalition
1316 – Southeast Combined Neighborhood Plan Contact Team
1340 – Austin Heritage Tree Foundation 1363 – SEL Texas
1408 – Go!Austin / Vamos!Austin – Dove Springs
1438 – Dove Springs Neighborhood Association 1441 – Dove Springs Proud
1528 – Bike Austin 1530 – Friends of Austin Neighborhoods
1550 – Homeless Neighborhood Association 1578 – South Park Neighbors

SCHOOLS:

Rodriguez Elementary School Mendez Middle School Travis High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0176.SH – Pleasant Valley Courtyards	MF-3-CO to MF-3-CO, to amend uses	To Grant MF-3-CO to allow multi-family residence units on Tract	Apvd as Commission recommended (02-05-2004).

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
(SMART Housing) – 4503 – 4511 E St. Elmo Rd	allowed on Tract One	One, development of the property may not exceed 7 residential units, the units shall be contained in a single building not to exceed 2 stories/40' in height.	
C14-03-0026, C14-03-0027; C14-03-0121; C14-03-0122; & C14-03-0123 – All cases were addressed on E St. Elmo Rd	Add a CO to establish a development setback for unclassified waterways	To Grant the add'l CO for a setback that prohibits development for 50' in both directions from the centerline of an open waterway. Exceptions include utility crossings, hike & bike trails, driveway crossings and roadway crossings	Apvd as Commission recommended (6-05-2003; 7-17-2003; 10-02-2003).
C14-02-0155.SH – Pleasant Valley Courtyards (SMART Housing) – 4503-4511 E St. Elmo Rd.	RR-NP; LO-NP; CS-NP to MF-3-CO-NP	To Grant MF-3-CO-NP w/CO for max. 163 units and 2,000 trips/day, and requiring setbacks from creek centerlines.	Apvd RR-NP and MF-3-CO-NP. The CO establishes a max of 163 units (10.038 u.p.a.); 2,000 trips, 50' creek setback; prohibits community rec (private) use on Tracts 1 & 2, and prohibits residential units on Tract One (10-31-2002).
C14-01-0041 – Woodway Village Apartments – 4500-4510 Nuckols Crossing Rd	SF-2 to MF-3-CO on 16.592 acres	To Grant MF-2-CO on 13.226 acres w/CO for SF-6 density (remainder to be left as SF-2); and conds for r-o-w on Maufrais and Nuckols Crossing Rd	Apvd MF-2-CO as Commission recommended (9-27-2001; corrective ord. 01-30-2003).
C14-01-0032(SH) – Kingfisher Creek Townhomes – 4601 E St Elmo Rd	RR; LO to SF-6	To Deny	Denied (5-10-2001).
C14-86-025(RCA) – 4503, 4511, 4601 E St. Elmo Rd – Pleasant Valley	Request to terminate Item 1 of the Restrictive	To forward the request without a recommendation	Apvd vehicular access for a residential or civic use to E St Elmo Rd from Tract Two only to

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
Courtyards	Covenant so that residential access may be taken from both E St Elmo and S Pleasant Valley Rd		occur from specific location; access to St. Elmo shall be entrance only after Pleasant Valley Rd is open to the public; prohibits access from Tract Two to St. Elmo if it is used for commercial or industrial use (01-09-2003).

RELATED CASES:

The subject property is located within the boundaries of the Southeast Combined (Franklin Park) Neighborhood Planning Area and the –NP combining district was appended to the SF-2 zoning at that time (C14-02-0128.01 – Ordinance No. 021010-12a). There is a corresponding neighborhood plan amendment case to change the land use designation on the Future Land Use Map (FLUM) from Single Family land use to Multifamily land use (NPA-2016-0014.01).

The rezoning application originally contained 27.413 acres and included SF-2-NP zoned land to the south and west. Approximately 17 acres of this total is subject to a 2001 private Restrictive Covenant (filed as a Zoning Modification Agreement) that involved multiple parties and outlined that it be zoned SF-2. On September 27, 2017, the NPA and rezoning applications were first amended to remove the 17 acres identified above which reduced the total to current 9.978 acres. Traffic counts for Nuckols Crossing Road were submitted to the City on October 25, 2017 and updated between February 25 – February 27, 2020.

The property is unplatted and there are no related subdivision or site plan cases in process.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Nuckols Crossing Road	70 feet	25 feet	Local Collector (7,155 vpd north of Viewpoint Dr; 5.326 vpd south of Viewpoint Dr)	No	Yes	No

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a bike lane is recommended for Nuckols Crossing Road.

CITY COUNCIL DATE:	December 14, 2017	**ACTION:** Approved a Postponement request by Staff to February 1, 2018 (11-0).
	February 1, 2018	Approved a Postponement request by Staff to March 8, 2018 (11-0).
	March 8, 2018	Approved a Postponement request by Staff to April 12, 2018 (11-0).
	April 12, 2018	Approved a Postponement request by Staff to May 24, 2018 (6-0, Mayor Adler, Mayor Pro Tem Tovo, and Council Members Garza and Troxclair were off the dais).
	May 24, 2018	Approved a Postponement request by Staff to June 28, 2018 (10-0, Council Member Troxclair – off the dais).
	June 28, 2018	Approved a Postponement request by Staff to August 23, 2018 (11-0).
	August 23, 2018	Approved a Postponement request by Staff to October 18, 2018 (11-0).
	October 18, 2018	Approved a Postponement request by Staff to December 13, 2018 (10-0, Council Member Pool was off the dais).
	December 13, 2018	Approved an Indefinite Postponement request by Staff (9-0, Mayor Adler, Council Member Renteria were off the dais).
	June 20, 2019	Approved a Postponement request by Staff to August 8, 2019 (11-0).
	August 8, 2019	Approved a Postponement request by Staff to October 3, 2019 (11-0).
	October 3, 2019	Approved an Indefinite Postponement request by Staff (10-0, Council Member Harper-Madison was off the dais).

March 26, 2020	Approved a Postponement request by Staff to May 21, 2020 (11-0).
May 21, 2020	Approved a Postponement request by Staff to June 11, 2020 (11-0).
June 11, 2020	Approved a Postponement request by Staff to July 30, 2020 (11-0).
July 30, 2020	Approved a Postponement to August 27, 2020 (11-0).
August 27, 2020	

ORDINANCE READINGS: **1st** **2nd** **3rd**

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades **PHONE:** 512-974-7719
e-mail: wendy.rhoades@austintexas.gov

SUMMARY STAFF RECOMMENDATION *(Revised on June 29, 2020)*:

The Staff recommendation is to grant multifamily residence – low density – neighborhood plan (MF-2-NP) combining district zoning.

The Restrictive Covenant includes all recommendations listed in the Neighborhood Traffic Analysis memo, dated July 21, 2020, as provided in Attachment A.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

Applicant request (as amended): The MF-4, Multifamily Residence (Moderate-High Density) district is intended for multifamily developments with a maximum density of 36 to 54 units per acre, depending on unit size. This district is appropriate for moderate-high density housing in centrally located areas near supporting transportation and commercial facilities, in areas adjoining downtown Austin and major institutional or employment centers, and in other selected areas where moderate-high density multifamily use is desirable. The neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

Staff recommendation: The MF-2, Multifamily Residence (Low Density) district is intended for multifamily developments with a maximum density of up to 23 units per acre, dependent on unit size. This district is appropriate for multifamily residential areas near single family neighborhoods, and in selected areas where low density multifamily use is desirable. The neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. Zoning changes should promote compatibility with adjacent and nearby uses.
3. Zoning should allow for reasonable use of the property.

An initial look at the zoning map indicates the tract would seem well-suited as a transition between the apartments to the south and the single family residences on large lots to the north. As outlined in ***Attachment A, the Neighborhood Traffic Analysis memo*** identifies that the existing traffic volumes on Nuckols Crossing Road exceed the desirable thresholds established by the Land Development Code (based on pavement width). The Applicant has worked with Austin Transportation Department (ATD) engineering staff to identify a driveway location that satisfies minimum site distance requirements and is acceptable for vehicle safety and operations. In addition, ATD also requires dedicated right-turn and left-turn lanes into the site and the Applicant has secured preliminary approval for a conceptual design of the turn lanes. Finally, ATD recommends exploring additional improvements at the time of subdivision construction or site plan: reconstruction of Nuckols Crossing to urban standards with curb and gutter, bicycle facilities and sidewalks.

Staff recognizes the challenges in developing the site given the environmental and transportation-related constraints, and with the updated Neighborhood Traffic Analysis, offers an alternate recommendation of multifamily residence-low density-neighborhood plan (MF-2-NP) which has a maximum density of 23 units per acre. The Staff recommendation is based on the zoning patterns in the area, including adjacent SF-2 base district properties to the north and across Nuckols Crossing Road to the east, and the MF-2-CO-NP zoned property with apartments to the south.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area is undeveloped and is heavily treed. Slopes on the site range from 582 to 618 feet above sea level and it drains in a south-to-north direction towards Williamson Creek. Vegetation within the subject site consist of native and invasive woodland species with a thick understory, including American elm, cedar elm, hackberry, and Ashe juniper.

Impervious Cover

The maximum impervious cover allowed by the *MF-4 and MF-2 zoning districts* is 60%, which is based on the more restrictive *watershed* regulations.

Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development on this site will be subject to the following impervious cover limits:

Development Classification	*% of Gross Site Area*	*% of Gross Site Area with Transfers*
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%

Commercial	80%	90%

According to floodplain maps there is a floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876.

According to GIS, there are several wetland critical environmental features on the property. The site will be subject to protection of these features per 25-8-281.

According to GIS, there is a critical water quality zone on the property. Only certain types of development are allowed within these areas per 25-8-281 and 25-8-262.

Under current watershed regulations, development requires water quality control with increased capture volume and control of the 2 year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

According to GIS it appears that slopes over 15% exist on the property and will be subject to 25-8-301 *[Construction of a Roadway or Driveway]* and 25-8-302 *[Construction of a Building or Parking Area]*.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Compatibility Standards

The site is subject to compatibility standards. Along the north and east property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.

- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

Additional design regulations will be enforced at the time a site plan is submitted.

Transportation

A Neighborhood Traffic Analysis is required for this project. The NTA requires three (3) consecutive 24-hour tube counts, preferably on Tuesday, Wednesday, and Thursday, during a non-holiday week when school is in session.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

FYI: If the requested zoning is granted, it is recommended that gates be prohibited on all driveways to this site in order to allow for connectivity between the proposed property and the existing neighborhood. This will be considered at the site plan stage.

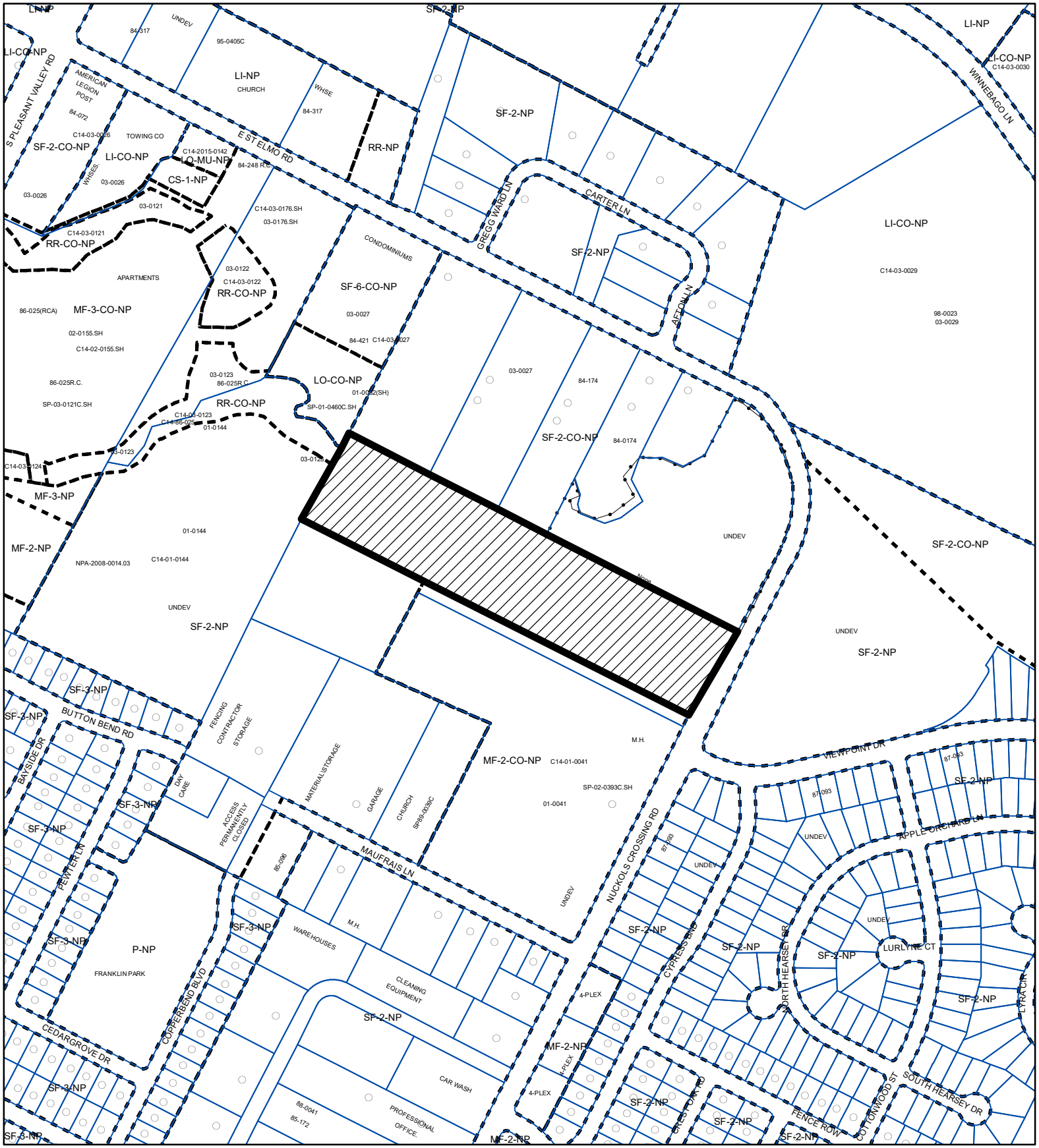
FYI: If the requested zoning is granted, it is recommended to provide sidewalks along both sides of the private drives, streets, and internal circulation routes connecting to the public right-of-way to improve walkability and connectivity. The sidewalk dimensions shall comply with the Transportation Criteria Manual and shall be constructed in accordance with the latest ADA standards. This will be considered at the site plan stage.

FYI: If the requested zoning is granted, it is recommended that all sidewalks, private drives, streets, and internal circulation routes be provided within public access easements. This will provide vehicular and pedestrian access and connectivity to this site from the surrounding neighborhood. This will be considered at the site plan stage.

FYI: If the requested zoning is granted, it is recommended that the property be limited to one driveway access on Nuckols Crossing Road. This will be considered at the site plan stage.

Water / Wastewater

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fees once the landowner makes an application for Austin Water utility tap permits.



N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1 " = 400 '

ZONING

Exhibit A

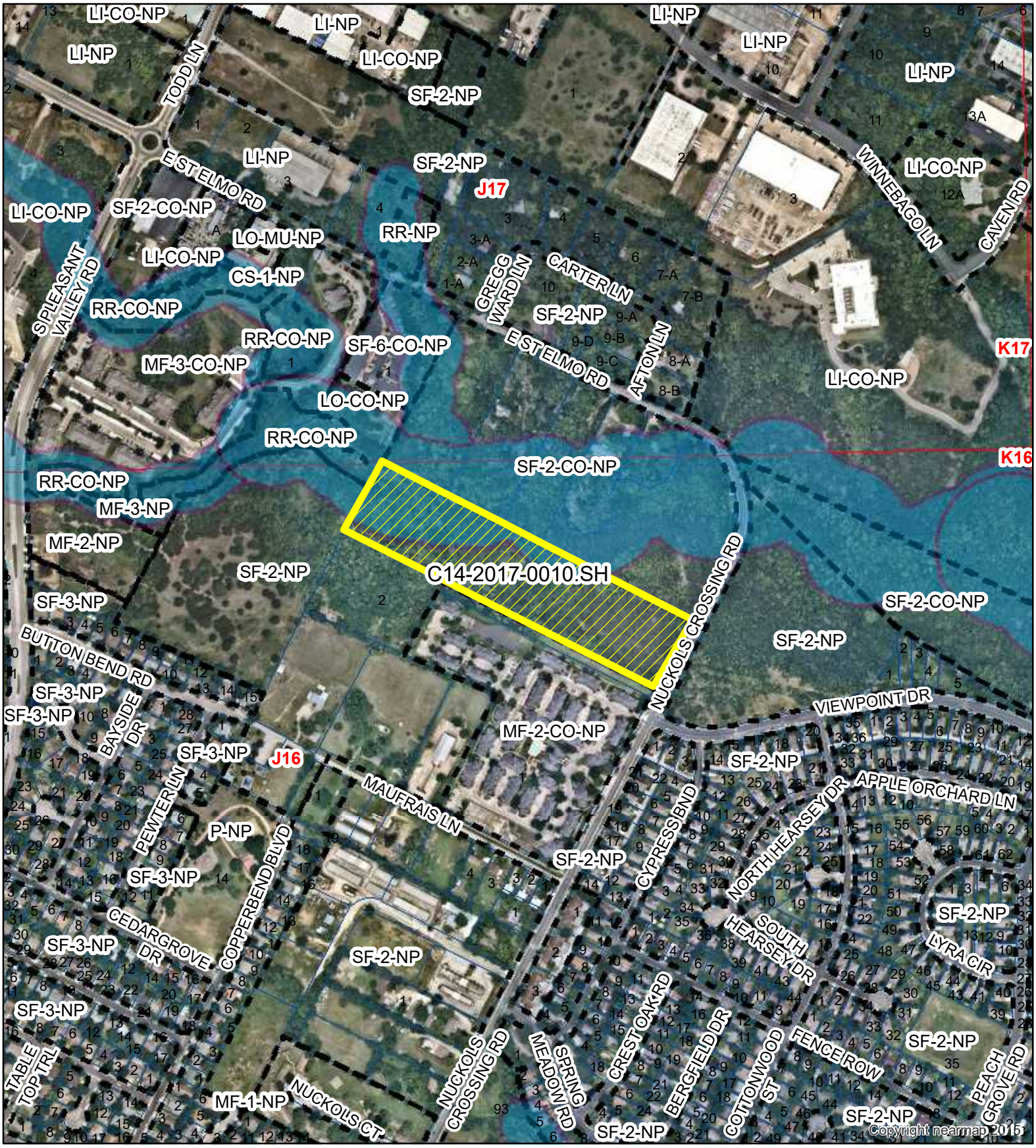
ZONING CASE#: C14-2017-0010.SH

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

CITY OF AUSTIN FOUNDED 1839

Created: 5/21/2020



NUCKOLS CROSSING ROAD REZONING - SMART HOUSING

N

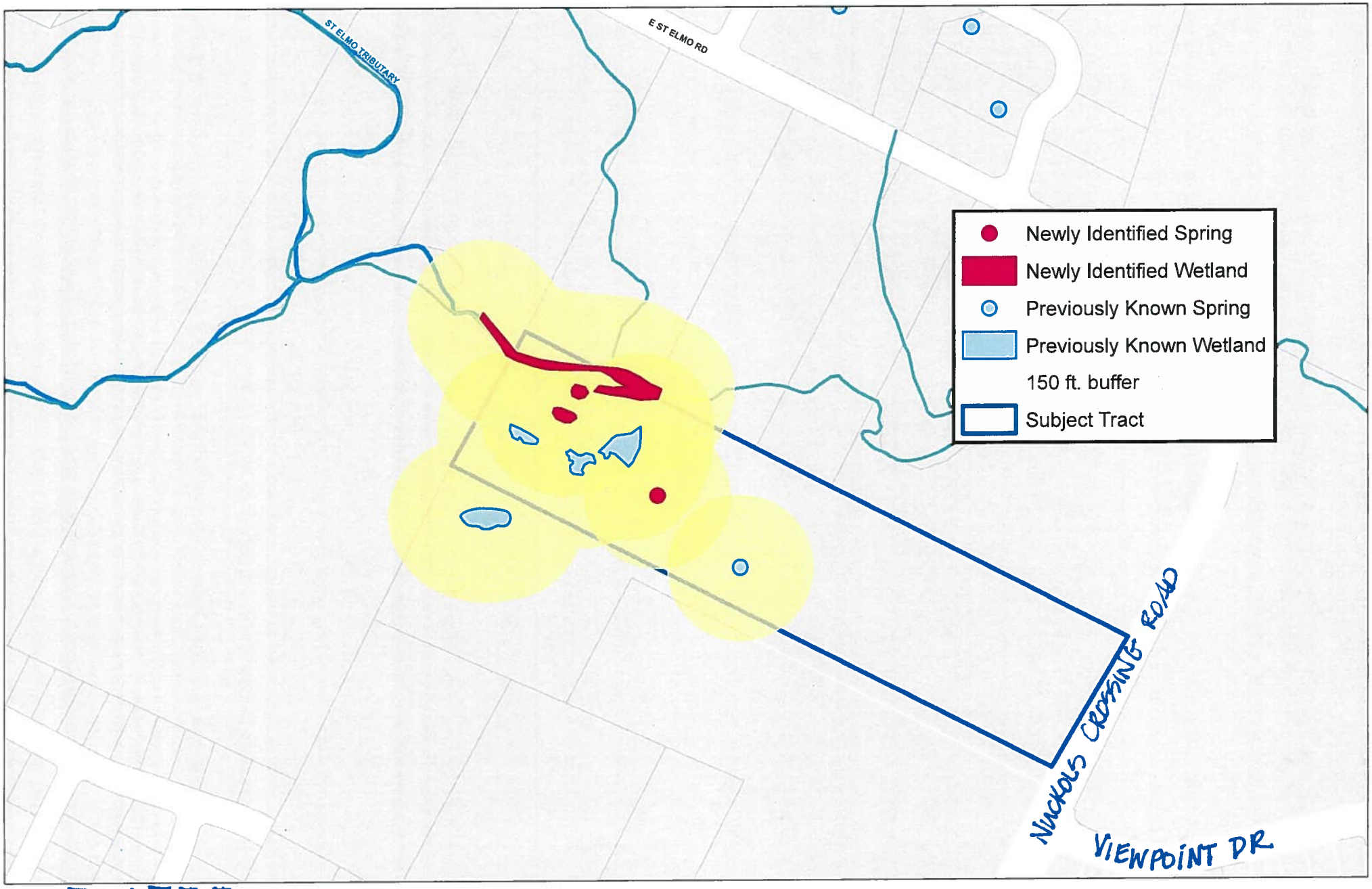
1" = 500'

- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE
- CREEK BUFFER

ZONING CASE#: C14-2017-0010.SH
LOCATION: 4400 NUCKOLS CROSSING RD.
SUBJECT AREA: 9.978 Acres
GRID: J16
MANAGER: Wendy Rhoades

Exhibit A - 1

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



ENVIRONMENTAL RESOURCE INVENTORY - JAN 2019

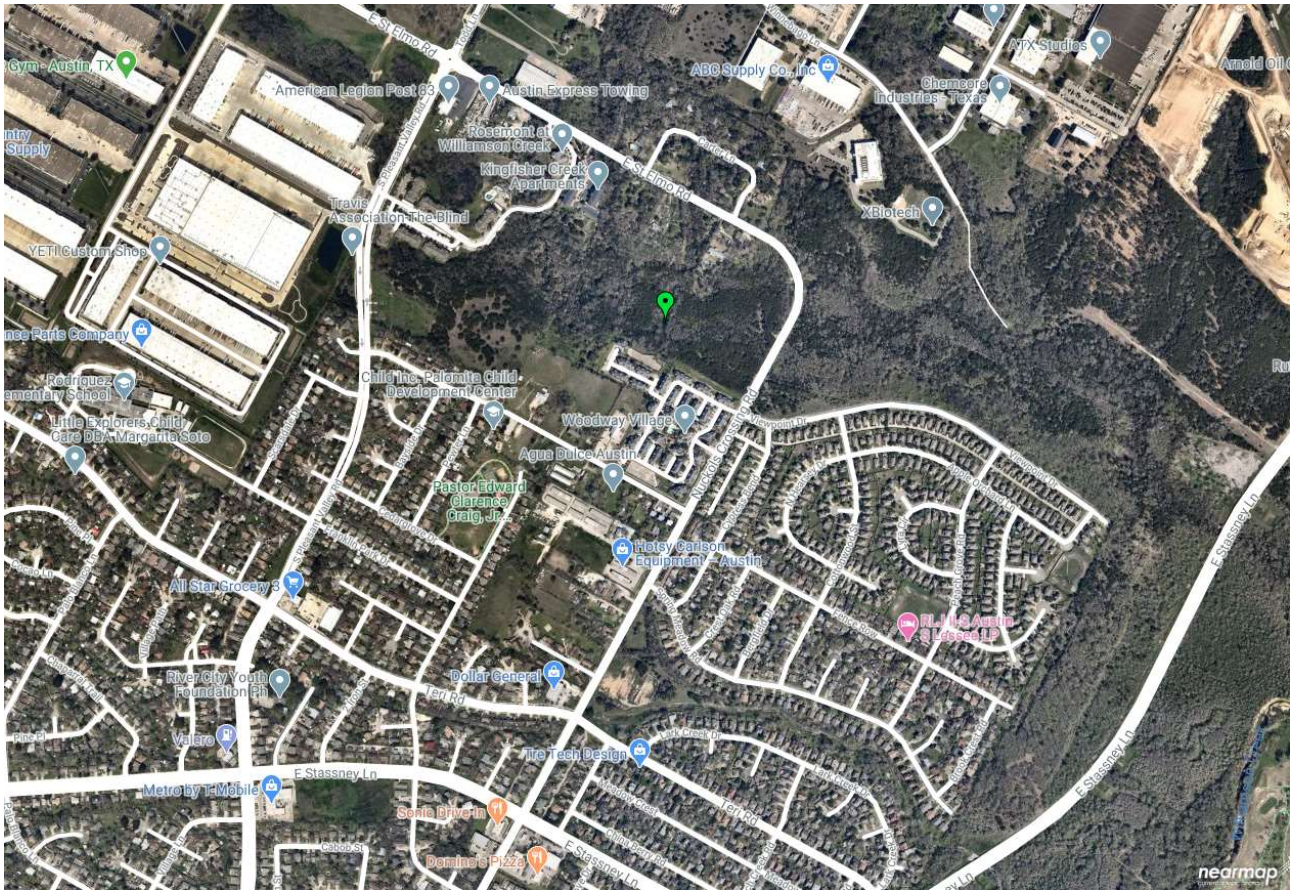
EXHIBIT A-2

MEMORANDUM

To: Wendy Rhoades, Case Manager
CC: Victoria Haase; Dan Hennessey, P.E.; Curtis Beaty, P.E.; Amber Mitchell
FROM: Justin Good, P.E.
DATE: July 21, 2020
SUBJECT: Neighborhood Traffic Analysis for 4400 Nuckols Crossing
Zoning Case # C14-2017-0010.SH

The Transportation Development Services (TDS) division has performed a Neighborhood Traffic Analysis (NTA) for the above referenced case and offers the following comments.

The 9.97-acre tract is located in south Austin at 4400 Nuckols Crossing Road (see below). The site is currently zoned SF-2-CO-NP and the zoning request is for MF-4-NP.



Attachment A

Roadways

The tract proposes access to Nuckols Crossing Road (named East St Elmo Road to the north), which is classified as a collector and currently has 70 feet of right-of-way with 28 feet of pavement. Nuckols Crossing Road has two travel lanes and is lacking curb and gutter, bicycle facilities, and sidewalks. The average 24-hour count traffic volume was 8,978 vehicles per day just east of the Todd Lane/St Elmo Road intersection and 5,951 vehicles per day just north of the Nuckols Crossing Road/Stassney Lane intersection. Traffic counts were collected from February 25, 2020 to February 27, 2020.

Trip Generation and Traffic Analysis

This zoning case assumes 180 mid-rise multifamily dwelling units (ITE Code 221). Based on the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition, the proposed development will generate 979 vehicle trips per day. See Table 1 for a detailed breakdown of the trip generation.

Table 1 – Trip Generation		
Land Use	**Size**	**Unadjusted Trip Generation**
Residential (Mid-Rise Multifamily Housing)	180 DU	979
TOTAL		**979**

Table 2 provides the expected distribution of the site trips to the north and south.

Table 2 – Trip Distribution	
Intersection	**Traffic Distribution by Percent**
Todd Lane/East St Elmo Road	60%
Nuckols Crossing Road/East Stassney Lane	40%

Table 3 represents a breakdown of traffic on Nuckols Crossing Road: existing traffic, proposed site traffic, total traffic after development, and percentage increase in traffic.

Table 3 – Traffic Summary				
Intersection	**Existing Traffic (vpd)**	**Proposed New Site Traffic to Roadway**	**Overall Traffic**	**Percentage Increase in Traffic**
Todd Lane/East St Elmo Road	8,978	587	9,565	6.5%
Nuckols Crossing Road/East Stassney Lane	5,951	392	6,343	6.6%

According to Section 25-6-116 of the Land Development Code, streets which have pavement width less than 30 feet are considered to be operating at an undesirable traffic level if the average daily traffic volume for such roadway exceeds 1,200 vehicles per day. Nuckols Crossing Road is currently operating at an undesirable level and will continue to do so with the addition of site traffic.

Recommendations/Conclusions

1. Access to this stretch of Nuckols Crossing Road presents a challenge as there is both a vertical and horizonal sight distance issue: the road has an uphill/vertical climb as one drives south toward the site and there is a sharp horizontal curve north of the proposed site where E St Elmo Road turns into Nuckols Crossing Road. Because of these challenges, ATD required a thorough review of the proposed driveway that had the applicant provide calculations for appropriate stopping and decision sight distances, and then verification of those calculations with field observations and measurements. Through this coordination with the applicant, ATD was able to confirm that the proposed driveway location exceeds minimum sight distance requirements and is sufficient for vehicles entering and exiting the site. Should the driveway location change, further review will be required to ensure that it still meets sight distance and other safety requirements.

2. Although the driveway location satisfies minimum sight distance requirements, the addition of another driveway in this area introduces speed differentials that could cause unsafe conditions. To ensure the safety of both existing drivers on Nuckols Crossing Road and new motorists entering the proposed development, ATD will require dedicated right-turn and left-turn lanes into the site. The applicant has coordinated with ATD regarding the conceptual design of these turn lanes and has received preliminary approval; final design and approval shall be deferred to site plan with ongoing coordination with ATD.

3. To improve vehicular safety near this development and encourage pedestrian connectivity in the area, it is recommended that the following improvements be explored at the time of subdivision construction or site plan: reconstruction of Nuckols Crossing Road to urban standards with curb and gutter, construction of all ages and abilities bicycle facilities, and construction of sidewalks. Additional mitigations or improvements may be required.

4. The City Council may deny an application if the neighborhood traffic analysis demonstrates that the traffic generated by the project combined with existing traffic exceeds the desirable operating level established on a residential local or collector street in the neighborhood traffic analysis study area.

If you have any questions or require additional information, please contact me at 974-1449.

Justin Good, P.E.
Transportation Development Engineer – Lead: South
Austin Transportation Department

City of Austin

P.O. Box 1088, Austin, TX 78767
www.cityofaustin.org/housing

Neighborhood Housing and Community Development Department

June 29, 2020 (Revision to letter dated February 4, 2020)

S.M.A.R.T. Housing Certification
McDowell Housing Partners – City Heights – (Project ID 655)

TO WHOM IT MAY CONCERN:

McDowell Housing Partners (development contact: Ariana Brendle: (o) 786-257-2793; abrendle@mcdhousing.com) is planning to develop the City Heights, a **179- unit multi-family** development at approximately 4400 Nuckols Crossing Road, Austin TX 78744. The project is subject to a minimum 5-year affordability period after issuance of certificate of occupancy, unless project funding requirements are longer.

This revision changes the total unit count from 152– 200 to 179 units and the unit mix to the updated numbers below.

The applicant has submitted evidence of contacting the Southeast Combined Neighborhood Plan Contact Team advising them of their project. The applicant has indicated they will address any legitimate concerns of the neighborhood residents.

This project is located more than one-half mile walking distance from a local public transit route and has received a Transit Oriented Waiver since the applicant/developer is applying for Low Income Housing Tax Credits. (See Attachment 1)

Neighborhood Housing and Community Development (NHCD) certifies the proposed project meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since **100%** of the units will serve households at or below **80% MFI**, the development will be eligible for 100% waiver of fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance. The unit mix is as follows: **6%** of the units (**10** units) will serve households at or below **30%** Median Family Income (MFI); **61%** of the units (**110** units) will serve households at or below **50%** MFI; **33%** of the units (**59** units) will serve households at or below **80%** MFI. The expected fee waivers include, but are not limited to, the following fees:

AWU 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*)
Neighborhood Plan Amendment Fee

Attachment B

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@austinenergy.com).
- Submit plans demonstrating compliance with the required accessibility or 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 the required accessibility or visitability standards have been met.
- An administrative hold will be placed on the building permit, until the following items have been completed: 1) the number of affordable units have been finalized and evidenced through a sealed letter from project architect and/or engineer, 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the after the certificate of occupancy has been issued 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 512.974.2108 or by email at alex.radtke@austintexas.gov if you need additional information.

Sincerely,

Alex Radtke

Alex Radtke, Senior Planner
Neighborhood Housing and Community Development

Cc: Kristin Martinez, AE Ellis Morgan, NHCD Jonathan Orenstein, AWU Mashell Smith, ORS

7. Is it typical for Smart Housing agreements like the one proposed in the backup to have a term of only 5 years?

8. Why isn't ATD recommending connecting to Heflin from MLK through Elmsgrove Dr. to improve connectivity?

B-09 / B-10 4400 Nuckols Crossing Road

1. SMART housing agreement states "***The project is subject to a minimum 5-year affordability period after issuance of certificate of occupancy, unless project funding requirements are longer.***" Does this mean that the commitment to provide affordable housing only last 5 years? RESPONSE: The Applicant's has stated that their project funding requirements are significantly longer than the SMART Housing requirement. My understanding is that the Applicant, McDowell Housing Partners, has entered into a private Restrictive Covenant with the Texas Department of Housing and Community Affairs for a minimum 40-year affordability period.
2. Please provide a Future Land Use Map for the NP amendment. (Maureen provided this)
3. Why is applicant asking for MF3 when they are not proposing construct to that unit density? RESPONSE: The Applicant has requested MF-4-NP zoning primarily for the purpose of allowing for a building that exceeds 40 feet in height (the limit allowed by the MF-2 and MF-3 base districts).
4. What concerns does Watershed have related to this increase in density in the proximity to so many CFEs? RESPONSE: Due to the known number of environmental features on this property and for general site planning purposes, the Applicant undertook an Environmental Resource Inventory (ERI) in January 2018. Watershed Protection Department (WPD) Staff has not reviewed the Applicant's ERI, but will have the opportunity with a site plan application. Zoning Staff received general information from WPD Staff about buffers that would apply to the environmental features which is included on page 6 of the Staff report.
5. Staff Meetings with the Applicant, Contact Team and Neighborhood Representatives was held on July 8, 2020. Most of the correspondence from neighborhood pre-dates this meeting. Based on the lack of more recent correspondence it appears that they are not aware that this NP amendment and zoning case are moving forward. Has there been adequate public outreach to surrounding community since Feb. 2017 meeting? RESPONSE: There were approximately 20 attendees at the July 8th Microsoft Teams meeting to provide an update about the zoning case and Staff recommendations. All correspondence received on or prior to July 8th is attached to the backup. Correspondence received after July 8th will be posted as late backup. Additionally, a public hearing notice for the July 14th Planning Commission meeting was mailed on July 1st and a public hearing notice for the July 30th City Council meeting was mailed on July 8th. The Applicant has also communicated with the Neighborhood Plan Contact Team outside of the meetings hosted by Staff.

B- 16 1006 Baylor Street

Southeast Combined Neighborhood Plan Community Meeting Notes

February 13, 2017

Southeast Community Branch Library

7 PM to 8:30 PM

PLAN AMENDMENT CASE NUMBER: NPA-2016-14.10 – 4500 Nuckols Crossing Rd.

ZONING CASE NUMBER: C14-2017-0010

Agents: Ron Thrower and Victoria Haase with Thrower Design

Property Owners: Angelos Angelou and John Sasaridis

City Planner: Kathleen Fox, Senior Planner

Audience Attendees: 39

Ana Aquirre, the Chair of the Southeast Combined Neighborhood Plan Contact Team asked everyone to introduce themselves to the room.

Kathleen Fox, the City of Austin's project manager for this Neighborhood Plan Amendment case explained that applicants were requesting a change to the Future Lane Use Map for the Southeast Combined Neighborhood Plan from Single Family to Multifamily to build a multifamily project. The applicant had also amended their rezoning and neighborhood plan amendment case that morning and were removing the MF-2 portion from the case and asking to rezone the RR zone, to zone MF-3.

Ron Thrower gave presentation on the proposed project, which called for:

- Rezoning approximately 27 acres of the property from RR and SF-2 to MF-3. Mr. Thrower acknowledged the expansion of the boundaries of the flood plain on the property, which had grown over the years. His stated that his clients would also honor the boundaries of the floodplain. The proposal called for the construction of 308 multifamily units, at a density of approximately 11 units per acre, although zone MF-3 would allow up to a density of 36 units per acre. The project concept called for attached and detached one and two bedroom units, which would be two stories tall with garages. No variances were being requested for in this project. He highlighted how this project was near a CapMetro stop; an elementary school; and commercial uses.

Citizen Question/Comment: Would access and associated road improvements being only off Nuckols Crossing Road?

Thrower: Yes

Citizen Question/Comment: How can Nuckols Crossing Road sustain additional traffic, especially when we have no sidewalks? Do your clients intend to not only improve their frontage along Nuckols Crossing Road with a sidewalk and entranceway but further down Nuckols Crossing Road to mitigate the traffic impact of this project?

> Thrower: The developer will only improve the frontage along their property according to City regulations. He mentioned that the City of Austin was looking at improving Nuckols Crossing Road in the near future.

Citizen Question/Comment: Why even ask for Multifamily zoning on the wetlands portion of the property?

> Thrower: There is more flexibility to design the property if everything just under one zone. The wetland area would also not be touched. They are also not going to get rid of the flood plain or ask for any variances to this development.
>
> Haase: There are city regulations that prohibit anyone from developing in the floodplain area. They will not be developing in the floodplain.
>
> Thrower: He explained that in the past, Zone RR was applied to all property in the flood plain and that flood plains were designated in neighborhood plans as 'Recreation and Open Space' but that was not the case anymore. Only public property is supposed to have that land use designation.

Citizen Question/Comment: An audience member expressed concern that this new development would push water onto surrounding properties.

> Thrower: He stated that detention would be provided onsite and that the developer would have to comply with City ordinances regarding water detention.

Citizen Question/Comment: How large is the wetland/flood plain area on the site?

> Thrower: Approximately 5 acres.

Citizen Question/Comment: Why is the request to go from MF-2 to MF-3 and not fully using the zoning (entitlements)?

> Thrower: He explained that they removed the MF-2 portion from this request and would only be asking for MF-3 zoning on the SF-2 and RR zoned portions of the property.

Citizen Question/Comment: Why zone the property to MF-3 instead of MF-2 if they only wanted 11 units per acre? They stated that 36 units per acre was too much.

> Thrower: He said his client might be receptive to agreeing to a conditional overlay to limit the number of units per acre for this project. Also, the 11 units an acre did not include the 5 acres in the flood plain, which meant the buildable portion of the site would have more than 11 units per acre.

Citizen Question/Comment: They are serious concerns with traffic access going on and off this property due to the blind spot along Nuckols Crossing Road; the amount of rush hour traffic; and getting out onto Nuckols Crossing Road from private drives. Traffic issues are difficult now and will only

worsen with traffic coming from an additional 300 plus residential units. They asked the developer to include a dedicated lane going to and from this development so that vehicles would exit/enter directly onto Nuckols Crossing Road.

Citizen Question/Comment: Would the MF-3 zoning also cover the flood plain area?

> Thrower: They are seeking MF-3 zoning for the entire site for design purposes. The flood plain area would not have any buildings on it but would be included in the overall density of the site of 11 units per acre (meaning the flood plain area would have no units on it while the buildable portion would have more than 11 units per acre to make up for the 5 acres lost in the floodplain.)

Citizen Question/Comment: A woman explained that she inherited property, which was due north of the subject property and was one of the most beautiful properties in Austin. The area is a nature reserve and she stated that people needed to downsize, and listen to the animals. She said that this town needs something for the kids and a park, and that there are already problems with water runoff in the area. She said money talks but we have voices. It's (the project) too much.

Citizen Question/Comment: Will there be a second exit to allow emergency vehicles to get onto the property besides Nuckols Crossing Road?

> Thrower: There will be no second exit.

Citizen Question/Comment: What are the proposed types of units on the property?

> Angelou: Approximately 30 percent of the units will be 1 bedroom, 60 percent would be 2 bedroom units, and maybe there will be some three bedroom units. The market rate for this area was $650 to $850 for one bedroom and $950 to $1100 for 2 bedrooms. The asking price for an apartment in this area averaged $978 per unit according to the American Community Survey.

Citizen Question/Comment: Where did you get this data?

> Angelou: He stated from a city website and looked it up and it was from the American Community Survey, which is data supplied by the U.S. Census.

Citizen Question/Comment: Would you be willing to put in writing that the detention would be onsite?

> Thrower: He said they could do that.

Citizen Question/Comment: What about the issue of affordable housing; is the developer providing any affordable units? That same person reiterated that they wanted to see a certain percentage of the units be designated as affordable units.

> Thrower: He stated that they had not discussed an affordable housing component and that many neighborhoods were against affordable housing. He also stated that he could talk more about affordable housing with the neighborhood at the March 13th neighborhood meeting.

Citizen Question/Comment: There is a huge demand three bedroom apartment units and a lot of pressure coming from households in the 30 to 50 MFI. They hoped the developer would consider offering more three bedroom units and consider household affordability for this income bracket and larger families.

Citizen Question/Comment: What is the price point for these units?

Angelou: He stated they were still analyzing this issue. He explained that he wanted to build high quality development in this area of Austin and go beyond the minimum.

Citizen Question/Comment: There is a push not to develop more than 2 bedroom units but now there is a push to develop more units per acre.

Citizen Question/Comment: Will the detention pond be located in the wetlands area?

Thrower: No.

Citizen Question/Comment: Person stated that they hoped they could make this project both beautiful and include affordability (component).

Citizen Question/Comment: How is the project going to be laid out? Where are you going to put the detention pond? We want to see the layout of the project.

Angelou: He stated they had not picked a developer yet or completed a site plan.

Citizen Question/Comment: What are the amenities you are going to have for the children?

Angelou: He stated they had not decided on what amenities to offer at this time.

Citizen Question/Comment: They discussed the beauty of the wetlands. They wanted to know if a conditional overlay would run with the property unless the zone changed. They said they were concerned the developer/owner will get rid of the conditional overlay or change the zoning in the future and wanted a restricted covenant that would run with the land. This man then went over the history of the parcel, the existing apartment complex, a land swap, and switching the zoning from multifamily for this property to enable the existing apartment complex to be rezoned from single family to multifamily.

Angelou: He stated that an environmental feature on his property triggered the restricted covenant.

Citizen Question/Comment: An audience member asked City staff if they had a staff recommendation on this case and to share it with them.

Fox: Ms. Fox explained that the planning department had not discussed this case yet or developed a group recommendation as of yet. The staff recommendation would be a group decision based on the policies taken from the neighborhood plan, and the merits of the case.

Citizen Question/Comment: How many trees will be cut down for this project?

Thrower: They didn't know right now.

Angelou: He stated that most of the trees on the property were cedar trees and small oaks.

City Heights

Proposed Senior Development

Neighborhood Plan Amendment
& Rezoning

McDowell
Housing Partners
An Affiliate of McDowell Properties

December 9, 2019

Topics for Discussion

- Who are we?
- What are we proposing, and why?
- What are the steps that need to be taken?
- How will the community be affected?
- OPEN LINES OF COMMUNICATION

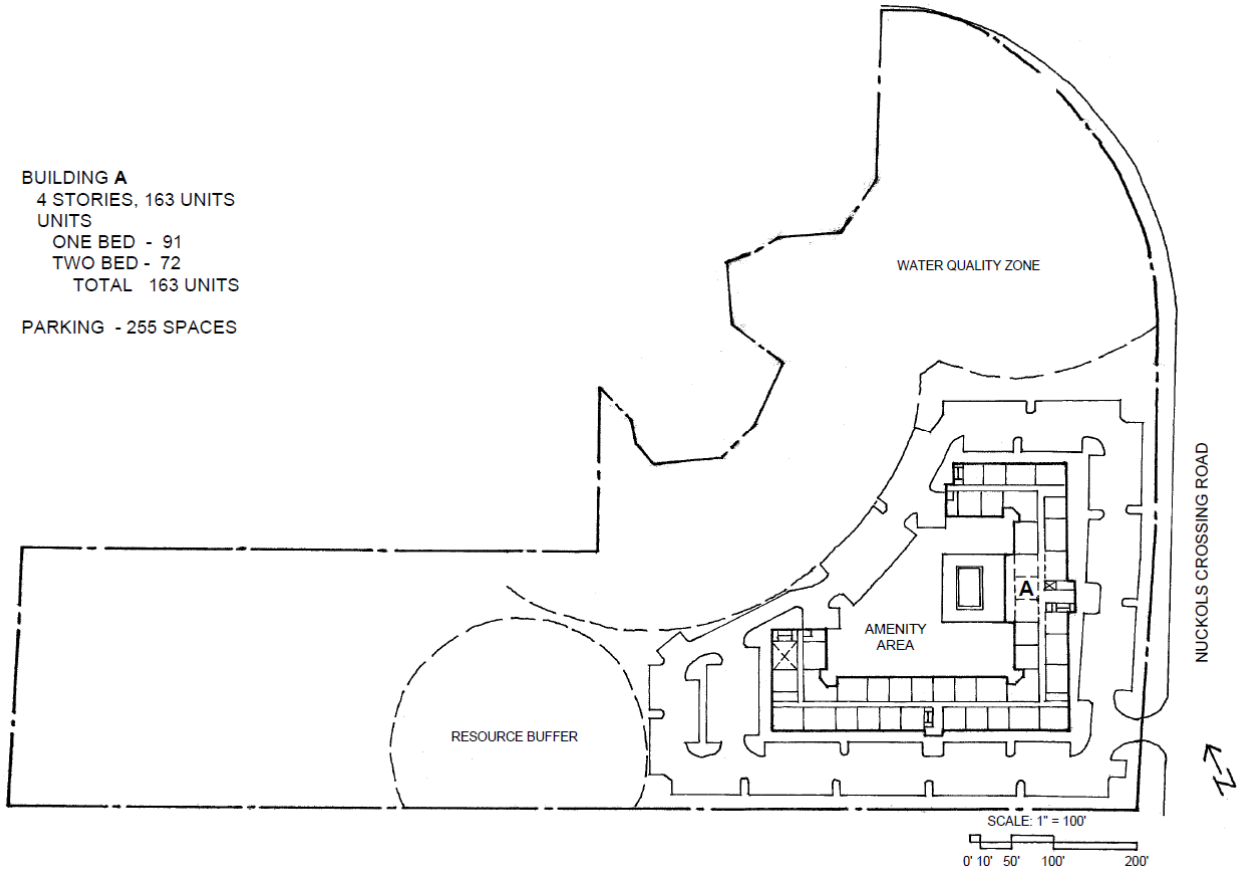
McDowell Housing Partners

- McDowell Housing Partners (MHP) is the affordable/workforce housing development arm of McDowell Properties (MP), a national multifamily housing investment company based in Plano, TX;
- MP has owned and operated 144 apartment communities with 2,500 units in Austin and approximately 17,000 in the State of Texas.
- MHP specializes in affordable and workforce housing for families and seniors;
- MHP's mission is to provide high quality housing at a price that seniors living on fixed incomes and working families can afford.

Proposed Development

- Austin may have a reputation as a youthful place, but it's also getting older rapidly. The senior population has surged 91.7% since 2000, placing it third on the Forbes list of U.S. Cities Going Gray The Fastest;
- **Gap in Market** - Unfortunately, there is not enough supply available to accommodate the rapid growth in senior housing demand. Most of the new developments are built towards a family demographic, and the older population goes on forgotten. Moreover, the tendency is that the gap between supply and demand will continue to grow at a rapid pace, making it even harder for the older population to access reasonably priced housing.
- **Goal** – To provide a safe, sustainable and affordable community for Austin Seniors to call home. A community that will provide social, health, wellness, and educational services and programs to improve resident's integration within communities that provide meets their specific needs & in quality of life.

Proposed Development



* Access location approved by ATD after survey, sight line, and speed analyses for ATD. Location will likely require associated safety improvements (right-turn bay, left-turn lane, etc.) for site plan approval.

Development Program and Rents

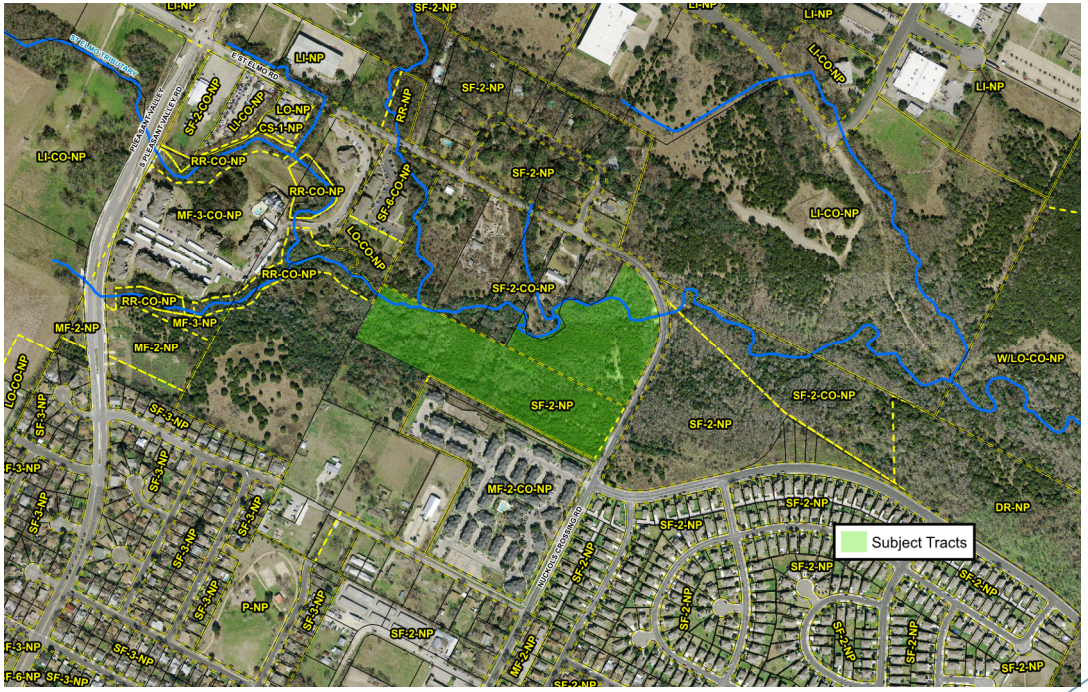
- 163 units on 16.7 Acres (low density - 10 units/acre)
  - 91 one-bedroom/one-bathroom units
  - 72 two-bedroom/two-bathroom units
- Single 4-story elevator building with surface parking
- Restricted to active and frail individuals and couples ages 55 +
- Income/Rent Restrictions: Mix of incomes at and under 80% of the Area Median Income (set annually by HUD)
  - 2019 Incomes - $53,040 Single , $ 60,560 Couple
  - 2019 Rents:
    - 1 Beds – $532 to $1,420
    - 2 Beds – $639 to $1,704

Development Program and Rents

- **Amenities**: resort-style swimming pool, bocce courts, fitness center, multi-purpose clubroom, media center with computer lab, walking paths and Fit Trails.

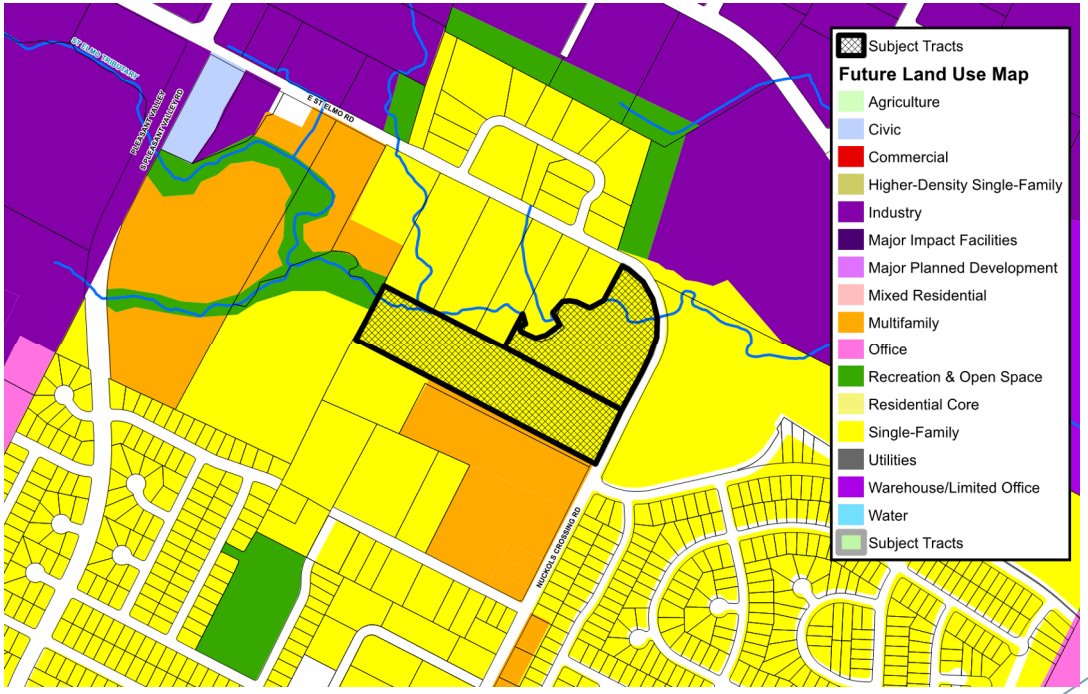
To Make it Happen!

- 16.70 Acres - Never Developed
- Zoning: SF-2-NP / SF-2-CO-NP
- To: MF-4-NP
- Goal - Protect Native Environmental Features
- Site location provides (natural) buffers from single-family neighbors



Future Land Use

- From: Single- Family
- To: Multifamily (Senior)



Multifamily – High Density (MF-4)

- City of Austin Land Development Code, § 25-2-65 –
- The MF-4 zoning district is the designation for multifamily and group residential use with a maximum density of up to 54 units per acre, depending on unit size. An MF-4 district designation may be applied to a use in a multifamily residential area located near supporting transportation and commercial facilities in a centrally located area or in an area for which high density multifamily use is desired.

Process

- Submit amended application to City of Austin
- Notice of filing mailed
- Staff Review & Recommendation
- Scheduling of public hearings
- Notice of public hearing dates mailed
- Public hearing with Planning Commission
- Public hearing with City Council

How will the community be affected?

- Creation of Workforce Housing: The average rent is increasing faster in Austin than in any other major metropolitan city in Texas. This activity is pushing workers out of housing they could afford in areas that are convenient for them and forcing many into long commutes from unfamiliar neighborhoods. By creating new workforce housing, MHP will help reduce the shortage in supply, and allow residents to remain in their neighborhood;
- Community Revitalization: When a developer creates new housing, it produces direct job opportunities during construction and over the long-term from indirect and induced spending, stimulating the local and regional economies. Upon completion, these projects help stabilize distressed neighborhoods, drive local retail spending, and support permanent jobs to service local residents and operate and maintain the housing developments;
- Home Value: Many times, the creation of new housing on land that has long been vacant will have a direct and positive impact on current properties in the same neighborhood. The tendency is that as newer and more expensive construction moves in, the existing homes' values will increase.

Good Neighbors – Open Lines of Communication

- We understand that changes can be scary, and that some of you are concerned about how this development will affect your day-to- day routines. But, we kindly ask you to look at this from a different perspective. Within newly built four walls, there will be a proud Senior citizen living with the dignity that they deserve. It could be your parents, perhaps your grandparents. Or it could be someone that is not related to you, but that will forever be grateful for your support;
- We CARE about our tenants, the same way we care about our neighborhood;
- We encourage open lines of communication, and we appreciate everyone's feedback;
- Please do contact us if you have questions, concerns, clarifications, or if you would like an update on the project.

Questions?

- If you have any additional question after today's presentation, please do not hesitate to contact Ariana Brendle at abrendle@mcdhousing.com.

Thank You!

McDowell
HOUSING PARTNERS
An Affiliate of McDowell Properties

Victoria

From: Victoria
Sent: Friday, February 07, 2020 1:54 PM
To: ANA AGUIRRE
Subject: Nuckols Crossing
Attachments: 20200206142404023.pdf; 20200206142321031.pdf

Ana –

I made the official application amendment to the City yesterday.

The documents attached were submitted to Wendy and Maureen.
The City of Austin will send out a new notice of filing soon. Just a few days later, they will also send a notice of public hearing as we are upon the end of the indefinite postponement period. While the cases will appear on the PC agenda for February 25th and the CC agenda for March 16th - PLEASE NOTE that the official public hearing for these cases will not occur on these dates. Staff will be requesting a PP at both PC and CC in order to allow Staff time to consider the new proposal and also more time for additional meetings with the Neighborhood and ATD staff.

Because it has been some time and because of the amount of acreage added with the amendment, Maureen is going to hold another City hosted meeting. She will reach out to the NPCT about scheduling that. It may be a good idea to combine meetings if at all possible so that we are not exhausting everyone's schedules.

Please let me know if you have any questions.
Enjoy your weekend!

Victoria Haase

Thrower Design

510 South Congress Avenue, Suite 207

Mail: P.O. Box 41957
Austin, Texas 78704

512-998-5900 Cell
512-476-4456 Office

Victoria

From:
Sent: Friday, February 14, 2020 4:30 PM
To: Wendy.Rhoades@austintexas.gov; Victoria

Cc:

Subject: Update on 4500 Nuckols Crossing 12-9-19
Attachments: 4500 Nuckols Crossing 12-9-19 page 1.jpg; 4500 Nuckols Crossing 12-9-19 page 2.jpg; 4500 Nuckols Crossing 12-9-19 page 3.jpg; 4500 Nuckols Crossing 12-9-19 page 4.jpg; image.pdf

Wendy ---

Following up on our conversation earlier today, I am forwarding the promises given by Victoria Haase of Thrower Design to the SCNPCT community at their 09 December 2019 meeting. This information was sent me via the following email from Laurel Francel. Laurel attached their presentation in the 4 JPG files attached to her email. I have combined these into a single PDF file and attached it - a bit easier for you to work with rather than 4 separate files.

In that meeting, the developers specifically promised this would be retirement housing, in that it would be:

Restricted to active and frail individuals and couples ages 55 +

In my view, such a restriction would be essential to gain any neighborhood or SCNPCT support.

To that end, I feel that their application should, at a minimum, reflect a request for a Retirement Housing CO or other such restriction. In addition, the neighborhood community may well wish to attach a Private Restrictive Covenant to the lands involved which would permanently restrict development to the nature and type promised to the SCNPCT at the December 2019 presentation, as well as preserving the environmentally sensitive remainder of the tracts as a wilderness buffer area, not to be developed or improved.

Although this is only my personal position, I am forwarding a copy of this to Victoria so that Thrower Design and the developers are aware of my concerns in this situation. I would expect formal neighborhood and SCNPCT positions to be formulated in the near future.

Sincerely,
Lee Sloan

-----Original Message-----
From: Laurel Francel
To: Lee Sloan ; Anna Searles ; Tony M. D. Hall
; Sebastian Miles
Cc: Laurel Francel
Sent: Sat, Dec 14, 2019 11:26 am
Subject: Update on 4500 Nuckols Crossing 12-9-19

At the SCNPCT meeting last Monday we had a presentation by the newest developer, McDowell Housing Partners, and our old friend from Thrower Design, Victoria Haase. They're asking for MF-4 - High Density Multifamily zoning. The project they are proposing will be a 163 unit, 4 story, 55+ active senior community with affordable housing.

Victoria

From: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Sent: Monday, March 16, 2020 10:42 AM
To: ANA AGUIRRE
Cc: Victoria; Rhoades, Wendy
Subject: RE: March 23 Mtg - NPA-2016-0014.01.SH_4400/4316 Nuckols Crossing

Hi, Ana:
I will need to send out notices today cancelling the March 23rd meeting not only for the reasons you state below, but also because would have been held in the Southeast Branch Library. The City has closed all libraries between March 16-March 29th. https://library.austintexas.gov/press-release/covid-19-update-743296.

My supervisors say I should indefinitely postpone the NPA community meeting until the current situation is resolved.

Thanks for reaching out and I'll keep you posted if anything changes.

Maureen

From: ANA AGUIRRE
Sent: Sunday, March 15, 2020 2:47 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Ana Aguirre
Cc: Victoria ; Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: Re: March 23 Mtg - NPA-2016-0014.01.SH_4400/4316 Nuckols Crossing

Good Afternoon Maureen,

We (SCNPCT) have shared the meeting date for this event and are anticipating a greater than average neighborhood attendance and participation. This will put a lot of people in a small meeting space; therefore, negating the social distancing that is highly recommended by Public Health. In light of the COVID-19 public health concerns, what guidance and suggestions are being considered for this meeting? I urge we all act socially responsibly in light of the current circumstances. Please advise, thank you. Ana

Ana Aguirre
Immediate Past Chair
SCNPCT

Sent from my iPhone

On Feb 19, 2020, at 11:27 AM, Meredith, Maureen <Maureen.Meredith@austintexas.gov> wrote:

Hi,
The room has been confirmed by the **Southeast Branch Library for Monday, March 23, 2020. Room 1 from 7:15 -8:30 pm.**

I will mail the community meeting notices early March.
Thanks.
Maureen

From: Victoria
Sent: Wednesday, February 19, 2020 8:02 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; ANA AGUIRRE
Cc: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: RE: March 17 Mtg? - NPA-2016-0014.01.SH_4400/4316 Nuckols Crossing

Thank you much Maureen for doing so much coordination on this. I appreciate you!

Have y'all coordinated with ATD on this date?

Victoria Haase

Thrower Design

510 South Congress Avenue, Suite 207
Mail: P.O. Box 41957
Austin, Texas 78704

512-998-5900 Cell
512-476-4456 Office

<image002.jpg>

From: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Sent: Tuesday, February 18, 2020 5:58 PM
To: ANA AGUIRRE ; Victoria
Cc: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: RE: March 17 Mtg? - NPA-2016-0014.01.SH_4400/4316 Nuckols Crossing

I canceled the March 17 room request and requested March 23rd room 1 from 7:15 pm – 8:30 pm b/c Tori said he preferred March 23. I'll let you all know if/when the room reservation is confirmed.
Thanks.
Maureen

From: ANA AGUIRRE
Sent: Tuesday, February 18, 2020 5:56 PM
To: Victoria
Cc: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: Re: March 17 Mtg? - NPA-2016-0014.01.SH_4400/4316 Nuckols Crossing

Yikes! Just now saw that ZAP is not meeting on the 17th because of Spring Break. That date will work for me. So sorry for the confusion! Ana

Ana Aguirre
Immediate Past Chair

SCNPCT

Sent from my iPhone

On Feb 18, 2020, at 5:43 PM, Victoria wrote:

I personally would prefer Monday, March 23rd.

Victoria Haase

Thrower Design

510 South Congress Avenue, Suite 207
Mail: P.O. Box 41957
Austin, Texas 78704

512-998-5900 Cell
512-476-4456 Office

<image001.jpg>

From: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Sent: Tuesday, February 18, 2020 5:42 PM
To: Victoria ; ANA AGUIRRE **Cc:** Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: RE: March 17 Mtg? - NPA-2016-0014.01.SH_4400/4316 Nuckols Crossing

Do you want me to try another date? Room 1 is available on Monday, March 23 from 7 – 8:30 p.m. Do you want me to cancel the March 17 and try for March 23?
Maureen

From: Victoria
Sent: Tuesday, February 18, 2020 5:31 PM
To: ANA AGUIRRE ; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: RE: March 17 Mtg? - NPA-2016-0014.01.SH_4400/4316 Nuckols Crossing

This date will work for us and it shouldn't conflict with ZAP as there isn't a meeting scheduled for March 17th. It is spring break week though.

Victoria Haase

Thrower Design

510 South Congress Avenue, Suite 207
Mail: P.O. Box 41957
Austin, Texas 78704

512-998-5900 Cell
512-476-4456 Office

<image003.jpg>

From: ANA AGUIRRE
Sent: Tuesday, February 18, 2020 5:07 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Victoria ; Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: Re: March 17 Mtg? - NPA-2016-0014.01.SH_4400/4316 Nuckols Crossing

Hello Maureen,

Just FYI, I will have to miss the meeting. I also serve on the ZAP Commission, which conflicts with this date. I will make sure the SCNPCT membership is advised of this meeting. Thank you for all you do! Ana

Ana Aguirre
Immediate Past Chair
SCNPCT

Sent from my iPhone

> On Feb 18, 2020, at 3:56 PM, Meredith, Maureen <Maureen.Meredith@austintexas.gov> wrote:
>
> Tori and Ana:
> I requested a room reservation at the SE Branch Library on Tuesday, March 17 from 6:30 – 8:00 p.m. Please pencil this in on your calendar until I hear if the reservation has been confirmed.
> Thanks.
> Maureen
>
> ---
>
> **From:** Victoria
> **Sent:** Friday, February 14, 2020 9:04 AM
> **To:** Meredith, Maureen <Maureen.Meredith@austintexas.gov>; ANA AGUIRRE <
> **Cc:** Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
> **Subject:** RE: New Cmty Mtg: NPA-2016-0014.01_4400/4316 Nuckols Crossing

I don't see that any other conflicts to evenings in March at this time. I personally would prefer Monday or Tuesday evenings. At this time, we do not have any cases on any of the PC agendas for March.

Victoria Haase

Thrower Design

510 South Congress Avenue, Suite 207
Mail: P.O. Box 41957
Austin, Texas 78704

512-998-5900 Cell
512-476-4456 Office

<image001.jpg>

From: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Sent: Thursday, February 13, 2020 4:00 PM
To: Victoria <Victoria@throwerdesign.com>; ANA AGUIRRE
Cc: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: RE: New Cmty Mtg: NPA-2016-0014.01_4400/4316 Nuckols Crossing

Ron and Tori:
Let me know if there are other dates in March that don't work for you. Maureen

---

From: Victoria
Sent: Thursday, February 13, 2020 12:39 PM
To: ANA AGUIRRE ; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: ; Ron Thrower ; Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: RE: New Cmty Mtg: NPA-2016-0014.01_4400/4316 Nuckols Crossing

*** External Email - Exercise Caution ***

Everyone – I am so sorry to throw a wrench in the plan but we have a BOA case that same night so this date will not work for us.

Are there other possible dates to look at?

Victoria Haase

Thrower Design

510 South Congress Avenue, Suite 207
Mail: P.O. Box 41957
Austin, Texas 78704

512-998-5900 Cell
512-476-4456 Office

<image003.jpg>

From: ANA AGUIRRE
Sent: Thursday, February 13, 2020 8:29 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: ; Victoria
; Ron Thrower

Subject: Re: New Cmty Mtg: NPA-2016-0014.01_4400/4316 Nuckols Crossing

Good Morning Maureen,

Thank you for contacting us. Yes, I do believe we can do this. How much time would be needed? I have already committed to another presenter time to speak. I will also know closer to the meeting date if there will be other case(s) we may need to consider during our meeting. We should be able to work this out. Thank you for all you do! Ana

Ana Aguirre
Immediate Past Chair
SCNPCT

Sent from my iPhone

> On Feb 12, 2020, at 5:56 PM, Meredith, Maureen <Maureen.Meredith@austintexas.gov> wrote:
>
> Hi, Ana and Sara:
> As you may know, this case, NPA-2016-0014.01, is moving forward again. The applicant has added another Tract of land (~6 acs, see attached map) to the

application which, after talking to my supervisor, has warranted another community meeting.

Victoria mentioned that your NPCT has a meeting on Monday, March 9th from 7:00 – 8:30 pm at the Southeast Library. I was wondering if I could work with you on having my NPA community meeting as part of your NPCT meeting on that night to consolidate meetings.

Would this be something you would consider?
Thanks.

Maureen

Maureen Meredith, Senior Planner
City of Austin, Planning and Zoning Dept.
Mailing Address: P.O. Box 1088 (78767)
Physical Address: 505 Barton Springs Rd, 5th Floor
Austin, Texas 78704
Phone: (512) 974-2695
Maureen.meredith@austintexas.gov

<New_NPA-2016-0014.01_FLUM_BW.PDF>

CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to CSIRT@austintexas.gov.

Victoria

From: Victoria
Sent: Wednesday, March 25, 2020 11:54 AM
To: Laurel Francel; Delia Garza; Katherine Nicely; Jason Lucio; Frances Acuña; Maureen Meredith; ANA AGUIRRE
Cc: Vice President Laurel Francel
Subject: RE: URGENT: City Council 3-26-2020 Agenda Items 76 and 77 Postponement Requests

All – in light of circumstances, we agree that time needs to be given. McDowell Partners is agreeable to postponements/schedule as follows:

NHood/NPCT Meeting – May 11, 2020

PC Public Hearing – May 12, 2020

CC Public Hearing – May 21, 2020

Thank you,

Victoria Haase

Thrower Design

www.throwerdesign.com
510 South Congress Avenue, Suite 207
Mail: P.O. Box 41957
Austin, Texas 78704

512-998-5900 Cell
512-476-4456 Office

From: Laurel Francel <l.francel@yahoo.com>
Sent: Wednesday, March 25, 2020 11:38 AM
To: Delia Garza <delia.garza@austintexas.gov>; Katherine Nicely <katherine.nicely@austintexas.gov>; Jason Lucio ; Frances Acuña ; Victoria ; Maureen Meredith <maureen.meredith@austintexas.gov>; ANA AGUIRRE
Cc: Vice President Laurel Francel
Subject: Re: URGENT: City Council 3-26-2020 Agenda Items 76 and 77 Postponement Requests

As the nearest neighborhood to this property, Los Arboles requests a Community Meeting prior to any decision on the rezoning. Please adjust the COA schedule to allow this.

Thank you,
Laurel Francel
Los Arboles HOA VP/Secretary
5609 Apple Orchard Ln
Austin, TX 78744

On Wednesday, March 25, 2020, 09:45:09 AM CDT, ANA AGUIRRE wrote:

Dear Honorable Mayor Pro Tem Garza,

We are noting that Items 76 and 77 are on your agenda for consideration as requests for postponement.

During our last SCNPCT Meeting on March 9, 2020, we announced a scheduled Community Meeting for March 23, 2020. Because of the COVID-19 virus and recent developments, the community meeting was canceled and staff have advised a new notice will be issued once a meeting is rescheduled.

We want to bring to your attention that the attached postponement request posted as backup materials to tomorrow's City Council Meeting Agenda, reflects that the Planning Commission will hear this case on April 14, 2020. This is one day after the Shelter-in-Place Order expires.

The proposed time frames are of major concern as they will not allow for a Community Meeting prior to the April 14th Planning Commissioner Meeting. We will need more time. Please allow for staff to make the appropriate schedule for this meeting to ensure the community, staff, and representatives for the applicant do not have their safety and health compromised.

Please note, I did not call an emergency SCNPCT meeting prior to sending this email in light of the current COVID-19 situation, plus just being aware of the agenda items. I am including key city staff, the applicant's representative and key SCNPCT members in this email and hope they agree to this request for everyone's concern.

Your consideration will be greatly appreciated! I will text Ms. Nicely to ensure you have received this email. I am sure your email box must be inundated with emails at this time.

Respectfully submitted,
Ana Aguirre
Immediate Past Chair
SCNPCT

Sent from my iPhone

Victoria

From: Victoria
Sent: Tuesday, May 26, 2020 10:45 AM
To: ANA AGUIRRE; Laurel Francel
Cc: Rhoades, Wendy; Meredith, Maureen; Ron Thrower
Subject: Nuckols Crossing - REzoning and NPA
Attachments: 17-0508_amended zoning request.pdf

Ana and Laurel –

Please be sure to disseminate this information to others in the community.

We have amended the rezoning and NPA applications to remove the 6 acre attract right at the 90 degree turn/corner of Nuckols crossing. The project and request remains for only the 10 acre tract that is owned by Mr. Angelous and Mr. Sasaridis. I have attached a map that confirms the acres that the NPA and Rezoning is sought for.

The cases are on the PC agenda this evening but will be postponed by Staff to July 14^{t} as it was expected that one more meeting would be conducted with the Neighborhood. We truly hope to move forward with public hearing on July 14th and so we are working with the City Staff to get the meeting set.

Due to concerns for public health and welfare, this will have to be a virtual meeting. I will be in touch soon with meeting dates/particulars. If you have any suggestions for meeting dates and times, please let us know so that we can do our best to plan accordingly. Please reach out by email or my cell phone with any questions or concerns during this time.

I hope everyone is well.
Kind regards,

Victoria Haase

Thrower Design

510 South Congress Avenue, Suite 207

Mail: P.O. Box 41957
Austin, Texas 78704

512-998-5900 Cell
512-476-4456 Office

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2017-0010
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: July 25, 2017, Planning Commission

Shanin Naghavi
Your Name (please print)

☒ **I am in favor**
☐ **I object**

NUCKOLS crossing Rd
Your address(es) affected by this application

Signature 7/21/1
Date

Daytime Telephone:_____

Comments:_____

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C14-2017-0010
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: July 25, 2017, Planning Commission

Jose Luis Rodriguez
Your Name (please print)

☐ I am in favor
☑ I object

4910 Manfred Lane
Your address(es) affected by this application

Signature

July 24, 2017
Date

Daytime Telephone: 512-656-0723

Comments: Increase in traffic, St. Elmo is not a street for large trucks & cannot be changed. Location is so set back, access to the area is limited. There are already 3 apartment complexes in the area. There is a creek nearby that helps in the flow of water, thus helping in flood control.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2017-0010
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: November 14, 2017, Planning Commission
December 14, 2017, City Council

Jose L. Rodriguez
Your Name (please print)

☐ **I am in favor**
☒ **I object**

4910 Maufrais lane
Your address(es) affected by this application

Signature — 11/08/2017 *Date*

Daytime Telephone: 512.656-0783

Comments: ① St. Elmo on Knuckles Crossing are not equipped to handle the volumn of Trafficc ② There are already 3 Apartment complex in the area. ③ clearing out the land would cause flooding to the nearby creek. ④ The way the property is situated, there would only be one way in and one way out. ⑤ Access to property is too close to a curve & hill, causing traffic congeston or accidents.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2017-0010
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: November 14, 2017, Planning Commission
December 14, 2017, City Council

☐ **I am in favor**
☒ **I object**

Your Name (please print)

ANITA M. Werbner

Your address(es) affected by this application

4600 Nuckols Crossing Rd apt 2205

Signature Anita M. Werbner *Date* 11/9/17

Daytime Telephone: 512-428-9056

Comments: I object to the multi unit apartments. It will mean more Traffic on Nuckols Crossing There is a need for sidewalks - no sidewalks in area around planned units - also it will mean more nails littered on the street which will cause many flat tires. I wanted a commercial bldg aside - like a Walgreens or CVS.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

February 20, 2018

Stephen Oliver, Chair
Planning Commission Members
Planning Commission
City of Austin

RE: Neighborhood Plan Amendment Case Number: NPA-2016-0014.01
Application for Rezoning Case Number: C14-2017-0010

Dear Commissioner Oliver and Planning Commissioners:

The Southeast Combined Neighborhood Plan Contact Team (SCNPCT) has a history of supporting responsible development. Our Future Land Use Map (FLUM) area consists of single-family, multifamily, mixed use, commercial, office, civic, warehouse/limited office, and industry zones. With Austin Bergstrom International Airport (ABIA) being so close, we also have to consider the Airport Overlay.

With this in mind, the SCNPCT met on Monday, February 12, 2018, to hear a presentation on the two following requests pertaining to the property located at 4500 Nuckols Crossing: 1) Neighborhood Plan Amendment to change the land use designation on the FLUM from single-family to multifamily land use; and 2) Rezoning from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. The SCNPCT took into consideration input from neighborhood associations representing residents immediately adjacent or across the street from the property as well as residents who use and are familiar with public safety (traffic and pedestrian) concerns on Nuckols Crossing. City staff was invited and also present. Staff reported the traffic report analysis memo was still being worked on, but was not ready and would be issued by Wednesday, Feb. 21st.

With a quorum present, and based on the information provided, the SCNPCT membership voted to oppose the applicant's requests to amend the Neighborhood Plan and change the zoning from SF-2 to MF-3. The oppositions for the requests are based on the following concerns voiced by the SCNPCT membership:

- Public Safety Concerns
- Traffic Concerns
- Pedestrian Concerns
- Environmental Concerns
- Flooding Concerns

The membership's primary concerns are based on the current substandard road infrastructure provided to residents who use Nuckols Crossing. It certainly will get much worse if the NP amendment and zoning changes are approved considering the additional vehicle trips resulting from the proposed additional housing units. We respectfully request the Planning Commission not approve the neighborhood plan amendment and zoning change requests unless the community's public safety concerns are addressed. We hope to have the opportunity to review the traffic report and the staff's recommendation as it relates to the public's safety. Although we were not provided a copy of the completed Environmental Resource Inventory Study, the additional critical environmental features discovered, are a secondary concern.

Respectfully submitted,

Ana Aguirre, Chair
Southeast Combined Neighborhood Plan Contact Team (SCNPCT)

CC: Maureen Meredith, Planning and Zoning Department
Wendy Rhoades, Planning and Zoning Department

DOVE SPRINGS PROUD

Dove Springs Proud

April 10, 2018

To City Planning Commission:

Dove Springs Proud (DSP) is pleased to submit this letter to support our Southeast Combined Neighborhood Plan Contact Team (SCNPCT) opposition to the Case # C14-2017-0010 to change zoning from SF-2 to MF-3. We oppose this due to our concerns Public Safety, Traffic, Pedestrian, Environmental, and Flooding.

DSP is a recognized City of Austin Civic group #1441, Travis County #2014131628 and holds a IRS EIN with the sole mission to support the youth and residents of 78744. Our 500 members include residents and alumni as well as:

- Community Chairs/Presidents-Dove Springs Recreation Advisory Board, Southside Sunday, SCNPCT
- Non-Profit Executive Directors-Impact Now Dove Springs, GAVA
- City of Austin Advisory Commissioners-Community Development, Asian American Quality of Life, Hispanic/Latino Quality of Life Resource, Zero Waster
- Pastors-Teri Road Baptist, 1st Independent Baptist, Springs Community
- AISD Advisory Board member-Boundary Committee, Budget and Finance
- PTA Presidents/VP, Teachers & Principals-Mendez, Perez, Widen, Langford, Blazier, Houston, Rodriguez, Hillcrest, Smith, REAL Learning Academy, KIPP, IDEA, Harmony,

Thank you for your time and consideration. We look forward to hearing your thoughts on addressing our concerns. Should you have any questions please contact us at dovespringsproud@yahoo.com.

Sincerely,

Ricardo Zavala

Ricardo Zavala DSP President

Rhoades, Wendy

From: Anna Searles <[redacted]m>
Sent: Thursday, July 19, 2018 11:05 AM
To: Rhoades, Wendy
Cc: Lee Sloan; Laurel Francel; Jack Howison; Sebastian Miles; Ana Aguirre
Subject: Re. 4500 Nukols Crossing rezoning case

TO WHOM IT MAY CONCERN

I, along with my neighbors are deeply CONCERNED about this proposed aggressive violation of the Barton Springs area equivalent in this less affluent area of East Austin.

Many of us have spent years doing everything in our power to to do the right thing to preserve and protect this biologically diverse and multiple Springs-fed region of our City.
Lee Leffingwell himself walked through this area with me before he became Mayor and declared it biologically sensitive.

From inadequate infrastructure, to a multitude of sensitive environmental features, to health and overcrowding this project is inappropriate.

As a property owner (4611 E. St. Elmo) immediately adjoining this precious area who has a deep love of Nature and Right Action I request that you as guardians of our much loved City do not cave to greed and unethical proposals.

I join with everyone in this region of Austin to ask you sincerely to stand for Morality and Truth to not allow multi family zoning in any of this precious region.

Thank you
Please do the right thing.
Anna Searles

Sent from my iPhone

May 14, 2019

RE: C14-2017-0010 - 4500 Nuckols Crossing Road Rezoning
NPA-2016-0014.01 Plan Amendment - 4500 Nuckols Crossing Road Rezoning
Updated statement after traffic analysis done by Big Red Dog Engineering/Consulting for owners of 4500 Nuckols Crossing, John Sasaridis, and Angelos Angelou.

To Whom It May Concern,

The Los Arboles neighborhood consists of 313 homes in an area bordered by Nuckols Crossing Road to the west, Viewpoint Drive to the north, Fence Row to the south (Fence Row is not part of Los Arboles), and a greenbelt to the east. There is a required homeowners' association (HOA) with a board of directors made up of three homeowners elected annually by a quorum of the homeowners in Los Arboles. The HOA is managed by Associa Hill Country. The main road in and out of Los Arboles is Viewpoint Drive which intersects Nuckols Crossing Road potentially within 300 feet south of where a driveway to 4500 Nuckols Crossing Road could be located.

The Los Arboles HOA Board of Directors has voted to oppose changing the zoning and the neighborhood combined plan on 4500 Nuckols Crossing Road to accommodate a multi-family development. Members of Los Arboles HOA, along with City staff, Southeast Combined Neighborhood Planning Contact Team (SCNPCT), and Dove Springs Traffic Safety Committee met with 4500 Nuckols Crossing's owners, John Sasaridis and Angelos Angelou, and agent, Ron Thrower, numerous times to discuss options and express our concerns with traffic safety. We requested a traffic analysis on Nuckols Crossing Road and a sight distance assessment for the proposed driveway for 4500 Nuckols Crossing Road.

The City's traffic analysis showed that Nuckols Crossing Road/East St. Elmo Road is already 10 times over its rated capacity and City staff recommended not approving the zoning change. The owners and agent of 4500 Nuckols Crossing Road had Big Red Dog Engineering/Consulting perform an analysis of the speed of vehicles and the number and nature of crashes on Nuckols Crossing Road from East St. Elmo Road to Teri Road. That analysis did not include the information from the City on how many vehicles Nuckols Crossing could adequately support.

The sight distance assessment conducted by the City found that there is not enough distance from Viewpoint Drive for a driveway to be added at 4500 Nuckols Crossing Road. City staff recommended not approving the zoning change. The sight distance assessment conducted by Big Red Dog Engineering/Consulting stated that the exact connection location for 4500 Nuckols Crossing Road driveway has not been proposed so several locations were tested to determine if there were areas with appropriate sight distance. They concluded "no single location was observed to meet all sight distance requirements."

The traffic analysis and sight distance assessment by Big Red Dog Engineering/Consulting was completed in August 2018. The owners and agent of 4500 Nuckols Crossing Road had committed to meeting with

the neighbors after they had completed their traffic analysis; however, they did not make any effort to do that and recently homeowners within 500 feet of 4500 Nuckols Crossing Road received a letter from McDowell Housing Partners (MHP) that MHP is planning on building a multi-family development at 4500 Nuckols Crossing Road. The letter stated that the financing and construction permitting process has been initiated with the City of Austin and construction is estimated to begin in February 2020. They have applied for S.M.A.R.T. Housing certification and have stated that they are within a half mile walking distance from public transportation. MHP is a new buyer and may not be aware that walking or biking from 4500 Nuckols Crossing Road to public transportation would be extremely dangerous and should not be considered an option. Nuckols Crossing Road and St. Elmo Road do not have bike lanes nor sidewalks and City engineers have determined sidewalks and/or bike lanes can't be added due to the layout of the land, including low water bridges over environmentally sensitive springs. When a resident of Los Arboles contacted MHP with our concerns, MHP said they had not been told of any neighborhood issues such as inaccessability of this property and the lack of adequate sight distance for the driveway.

Los Arboles HOA asks that the City staffs' recommendations on two counts to not approve the re-zoning request for 4500 Nuckols Crossing Road be accepted. A driveway at 4500 Nuckols Crossing would cause a major traffic hazard for residents of Los Arboles who use Viewpoint Dr to exit and enter our neighborhood. This project should not be approved unless safety improvements can be made or an alternative entrance/exit, other than Nuckols Crossing Road, can be secured. We appreciate your consideration for the safety of our neighborhood.

On behalf of the Los Arboles Homeowners' Association,
Laurel Francel
Los Arboles HOA Vice President/Secretary
5609 Apple Orchard Lane
Austin, TX 78744
[redacted]

Tony Hall
Los Arboles HOA President
4609 Nuckols Crossing Drive
Austin, TX 78744
[redacted]

Rhoades, Wendy

From:	[redacted]
Sent:	Wednesday, May 15, 2019 11:05 AM
To:	Rhoades, Wendy
Subject:	Fwd: Iteration of OPPOSITION to Zoning Change for the 4500 Nuckols Case from Lee Sloan
Attachments:	KENSINGTON PARK HOMEOWNERS Official Position.pdf

Sorry -- Had an out-of-date email address! Lee

-----Original Message-----
From: mls4598@aol.com <mls4598@aol.com>
To: wendy.walsh <wendy.walsh@ci.austin.tx.us>
Cc: l.francel <l.francel@yahoo.com>; a-aguirre <a-aguirre@prodigy.net>; JACK <JACK@PRISMNET.COM>
Sent: Wed, May 15, 2019 10:48 am
Subject: Re-Iteration of OPPOSITION to Zoning Change for the 4500 Nuckols Case from Lee Sloan

Wendy --

Kensington Park continues its firm and unwavering opposition to any change in zoning for the tracts of land in the 4500 Nuckols Crossing Road case.

In addition to previous arguments, I would point out that there is ***NO*** pedestrian access from the tract to bus stops over on E. St. Elmo that you would ***ever*** want to send children along. This should be a show-stopper in and of itself.

Attached for your files is the formal Statement of Opposition from Kensington Park. Please see that it is included in your document packets to Council and Planning Commission.

Sincerely,

M. L. Sloan
President
Kensington Park Homeowners Association

RE: Plan Amendments File Number: NPA-2016-0014.01
Zoning Case Number: C14-2017-0010

Members of the City of Austin Planning Commission:

The Kensington Park Neighborhood Association opposes the proposed amendment to the SE Combined Neighborhood Plan from SF-2-NP to MF-3, as well as the accompanying requested zoning change.

This is an attempt by the owner to nullify all the hard work and input from citizens to the city in devising the SE Combined Plan. In that effort, the special environmental character of this little piece of Austin was recognized and zoning was subsequently limited to low density development and minimum traffic to provide protection of the fragile ecosystem of springs and creeks in the immediate area.

We note that **the current owner was the owner back when the SE Neighborhood Plan was developed and the current zoning put in place**. The owner raised **no objections** at that time. If there were concerns, they should have been brought forward then.

In line with the SE Combined Neighborhood Plan objectives and protections, we raise two specific concerns:

1. The change to higher density MF-3 zoning will adversely affect sensitive environmental features and add to the already tangled traffic of our SE Austin area.

The portion of E. St. Elmo between Knuckols Crossing and Todd Lane cannot be widened without lasting detrimental effects on the springs and wetlands along that roadway. City has long recognized the special character of this section of E. St. Elmo.

Increased traffic would therefore likely flow down Nuckols Crossing to Pleasant Valley Road, a major arterial. Such traffic would have a profound and undesireable effect on the los Arboles neighborhood and adjacent residential areas, which already suffer significant traffic congestion problems.

2. There is a **large critical environmental feature setback** that cuts across the entire width of this tract, rendering the back (western) part of this property effectively inaccessible by street or road.

At SCNPCT meetings with Thrower Design (the agent), Kensington Park homeowner Jack Howison has repeatedly asked the developer the question of how they plan to deal with this issue. That request has been just as repeatedly ignored!

Members of the City of Austin Planning Commission: **Neighborhood Plans should not be changed without good and compelling reasons.** We see no such compelling reasons for a change in the Plan or zoning for this tract ----- Other than to improve its marketability.

Kensington Park consequently stands in **opposition** to any such changes.

Respectfully,

M. L. Sloan
President
Kensington Park Homeowners Association

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2017-0010
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: May 28, 2019, Planning Commission;
June 20, 2019, City Council

Billy Baschnagel
Your Name (please print)

☐ **I am in favor**
☒ **I object**

4607 Cypress Bend, Austin 78744
Your address(es) affected by this application

Signature 5/21/19 *Date*

Daytime Telephone: 512-472-1502

Comments:

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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Case Number: C14-2017-0010
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: May 28, 2019, Planning Commission;
June 20, 2019, City Council

Jose L. Rodriguez
Your Name (please print)

☐ **I am in favor**
☑ **I object**

4910 Maufra's Lnl
Your address(es) affected by this application

Signature 5/22/2019 *Date*

Daytime Telephone: 512-656-0783

Comments: See attached Statement and for.
1. Traffic - high volume on roads not meant for that amount of Traffic
2. entrance too close to curve & hill
3. No sidewalks - increase foot Traffic
4. Not needed - as Tnb/3 - complexes already esist.

If you use this form to comment, it may be returned to:
City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

Planning and Zoning Department

Case Number C14-2017-0010
In regards to the rezoning amendment for 4500 Nuckols Crossing Road

I Object to the rezoning :

Jose. L Rodriguez
4910 Maufrais Lane (78744)
512-656-0783

Comments:

Changing the lot to Multifamily will increase the traffic on Nuckols Crossing Rd as well as on St. Elmo rd. Both roads were not designed to handle the high volume of traffic already in the area. By adding a Multifamily unit, (120 units proposed), will not only make it difficult for those of use living in the neighborhood, it will also affect the individuals moving in to the proposed unit, increasing the already high volume of traffic in the roads that were not meant to hold that amount of traffic. Secondly, since the only entry exit option to the unit would have to be on Nuckols Crossing, it will create a very dangerous situation. One way in, one way out. There is a curve (where St. Elmo and Nuckols Crossing meet) and a hill, obstructing the view of traffic entering and or exiting the proposed lot. Cars would have to stop, immediately after the curve and onto the hill, which would increase the potential for accidents.

There are no sidewalks on that area of Nuckols Crossing nor are there on St. Elmo. If I am not mistaken, St. Elmo cannot be improved, adding sidewalks, just maintained. This will increase the number of foot traffic in the area, making it dangerous for the individuals in the neighborhood.

There is a creek, (Williamson) near the property, which helps in the flood control of the area. Changing the zone to multifamily and building 120 units, would only increase the flooding potential for the areas. Furthermore, there are already two low-income properties nearby, available for housing. The area does not need a third apartment complex.

For the safety of the residents in our neighborhood, I respectfully ask the planning commission and the city council to vote against the zoning change and leave it as a single family unit.

Respectfully,
Jose Luis Rodriguez

Rhoades, Wendy

From: Laurel Francel [redacted]
Sent: Wednesday, June 12, 2019 3:43 PM
To: Rhoades, Wendy
Cc: Harkins, Sandra; Laurel Francel
Subject: Re: Case # C14-2017-0010-4500 Nuckols Crossing

Wendy,
I didn't realize the City hadn't received the traffic study until March, I assumed it had been submitted soon after the August completion date on the report. I appreciate you sending the report to me after you received it.

Thank you for confirming that the applicant must meet with the Neighborhood before the item is discussed in the Planning Commission. I'm sorry that I don't trust the applicant, I'm afraid that they'll find more loopholes to get around Neighborhood concerns. I'll share with the other concerned neighborhood groups that this case will be postponed at the June 25th Planning Commission meeting and that a joint meeting will definitely be scheduled before this case can go to the Planning Commission.

Thanks,
Laurel

On Tuesday, June 11, 2019, 4:31:46 PM CDT, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:

Ms. Francel,

I would like to provide additional information in response to your email below.

The Applicant first discussed the driveway study with ATD staff in August 2018, however, the City first received the Applicant's study on March 22, 2019. Depending on the level of analysis, it is not unusual for transportation-related studies to take up to a few months for Staff review. Also, as mentioned in previous emails, a meeting with Staff, the Applicant and the Neighborhood still needs to occur before the item is discussed at the Planning Commission. For these reasons, Staff will request another postponement at the June 25th Planning Commission meeting to a future date, so that Staff review can conclude and a joint meeting can occur.

Sincerely,

Wendy Rhoades

From: Laurel Francel [mailto[redacted]]
Sent: Friday, June 07, 2019 2:04 PM
To: Harkins, Sandra <Sandra.Harkins@austintexas.gov>
Cc: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: Re: Case # C14-2017-0010-4500 Nuckols Crossing

I appreciate your answer. Los Arboles HOA and other neighborhood associations have already sent letters of opposition for this project to Wendy. We have been waiting for another meeting with the applicants and the neighbors since the last meeting in the summer of 2018 when the applicant said they were going to pursue other options for access to their project. Their traffic and driveway sight line assessments were concluded in August 2018 but I only received them recently when I asked Wendy for them after we got notice that McDowell Housing Partners plan to start construction on this project in February 2020. We are concerned that this case is scheduled for the Planning Commission without additional meetings. We are also concerned that the applicants are using S.M.A.R.T. Housing certification to bypass the issues we have about this project which is why I reached out to you. It seems like this experienced developer knows how to use the City's rules to get what they want whether it's really good for our community or not.

Thanks,

Laurel

On Thursday, June 6, 2019, 9:26:59 AM CDT, Harkins, Sandra <Sandra.Harkins@austintexas.gov> wrote:

Good morning Ms Francel,

I have included the City of Austin's case manager, Wendy Rhoades, in this email so you can reach out to her regarding your opposition of the project. However, it does appear the project is still pursuing a zoning change and neighborhood plan amendment. The project was to go before the City of Austin's Planning Commission meeting on May 28, 2019, but was postponed until June 25, 2019. This postponement appears to have been a result of a driveway access study. Staff requested the postpone to allow time to evaluate the study's findings and hold additional meetings with the applicant and the neighborhood. Go to this link to view the postponement memorandum: http://www.austintexas.gov/edims/document.cfm?id=320100. You would need to contact Ms. Rhoades to find out where they are at in that process.

In regards to the walkability of the project, this project received a transit-waiver which is allowed under the S.M.A.R.T. Housing Ordinance NO. 20141106-124. This Ordinance allows the Director of Neighborhood Housing and Community Development to waive the transit-oriented requirement if the project meets one of four criteria. Go to this link to view this Ordinance: https://www.austintexas.gov/edims/document.cfm?id=221428.

Thanks,

Sandra Harkins

Project Coordinator, Real Estate and Development

Neighborhood Housing and Community Development

Street-Jones Building

1000 E 11th Street, Ste 200, 78702

Tel: 512-974-3128

Office Hours: Mon – Thurs 7:30 am – 6:00 pm, Out on Friday's.

TODAY I CHOOSE JOY!!!!!

From: Laurel Francel [mailto[redacted]
Sent: Wednesday, June 05, 2019 5:38 PM
To: Harkins, Sandra <Sandra.Harkins@austintexas.gov>
Cc: Laurel Francel <[redacted]
Subject: Project ID 655

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

McDowell Housing Partners – City Heights Apartments – (Project ID 655)

4500 Nuckols Crossing, Austin, TX 78744

Ms Harkins,

I'm contacting you in regards to McDowell Housing Partners application for S.M.A.R.T. Housing certification. I live in the neighborhood, Los Arboles, across Nuckols Crossing from the proposed development at 4500 Nuckols Crossing. We are opposed to the rezoning of that property from single family to multi-family and the change in the Southeast Combined Neighborhood Plan. Our main concern is that a driveway at 4500 Nuckols Crossing would create a safety issue. The sight distance assessments by both the City of Austin and an independent engineering/consulting firm contracted by the current owner and agent of 4500 Nuckols Crossing determined that there is not enough distance from Viewpoint Dr for a driveway to a 4500 Nuckols Crossing development. Viewpoint Dr is the street leading into Los Arboles, so a driveway at 4500 Nuckols Crossing less than 500 ft from Viewpoint Dr creates a safety issue for both developments. I have attended

numerous meetings with the current owner and agent and other concerned neighborhood groups in the last couple years to discuss how this can be resolved. The current owner and agent of 4500 Nuckols Crossing agreed to meet with the concerned neighborhood groups again before going forward with their project. However we have now received notice of McDowell Housing Partners going forward with a multi-family project without approved zoning change and change in the Southeast Combined Neighborhood Plan and no neighborhood input.

Our other concern is the lack of walkability from 4500 Nuckols Crossing to public transportation. McDowell's application for S.M.A.R.T. Housing certification states that the walking distance to public transportation is .7 miles. The distance is correct, but walking that stretch of road is extremely dangerous due to the nature of Nuckols Crossing/E. St Elmo. It's a 2 lane road with no shoulders, wooded on both sides with 3 bridges over low water crossings. The City of Austin has determined there's no way to improve this road or add sidewalks and bike lanes. So using a walking distance of .7 miles on this application is misleading. If this certification is based on a walkability criteria, please look into the actual conditions of that .7 miles.

If you would like additional information or have any questions, please feel free to contact me.

Thanks,

Laurel Francel

[redacted]

VP/Secretary, Los Arboles HOA

and

Voting member of the Southeast Combined Neighborhood Plan Contact Team

07July 2020

RE: **Plan Amendments File Number: NPA-2016-0014.01.SH**
Zoning Case Number: C14-2017-0010.SH

Members of the City of Austin Planning Commission:

The Kensington Park Neighborhood Association **opposes** the proposed amendment to the SE Combined Neighborhood Plan from SF-2-NP to MF-4-NP, as well as the accompanying requested zoning change.

This is an attempt by the owner to nullify all the hard work of citizens as well as city staff in devising the SE Combined Plan. In that effort, the special environmental character of this little piece of Austin was recognized and zoning was subsequently limited to low density development and minimum traffic to provide protection of the fragile ecosystem of springs and creeks in the immediate area.

In line with the SE Combined Neighborhood Plan objectives and protections, we raise two specific concerns:

1. The change to higher density MF-4-NP zoning will adversely affect sensitive environmental features and add to the already tangled traffic of our SE Austin area. The portion of E. St. Elmo between Nuckols Crossing and Todd Lane cannot be widened without lasting detrimental effects on the springs and wetlands along that roadway. City has long recognized the special character of this section of E. St. Elmo, dating back to the City of Austin authorized "ST. ELMO ROAD AREA STUDY" of July, 1984.

Increased traffic from this project would therefore likely flow down Nuckols Crossing to Pleasant Valley Road, a major arterial. Such traffic would have a profound and undesirable effect on the los Arboles neighborhood and adjacent residential areas, which already suffer significant traffic congestion problems.

2. Planning Commission members need to be aware that there already some 6 major SH and affordable housing units with a 1 ½ mile radius of this proposed development. Namely:

Woodway Square
Rosemont at Williamson Creek
Kingfisher
Woodway Village
Eastern Oaks
Villas of Cordoba

These developments contribute significantly to the traffic congestion problem of our area. We do not need more.

Members of the City of Austin Planning Commission: Neighborhood Plans should ***not*** be changed without good and compelling reasons. We see no such compelling reasons for a change in the Plan or zoning for this tract ----- Other than to improve its marketability.

Kensington Park consequently stands in **opposition** to any such changes.

Respectfully,

M. L. Sloan

M. L. Sloan
President
Kensington Park Homeowners Association

July 10, 2020

RE: C14-2017-0010 - 4500 Nuckols Crossing Road Rezoning
NPA-2016-0014.01 Plan Amendment - 4500 Nuckols Crossing Road Rezoning

To Planning Commissioners and City Council Members,

Based on information received at the 07/08/2020 meeting with City Staff, Applicant, Austin Transportation Department, SE Combined Neighborhood Plan Contact Team and concerned neighbors, the Los Arboles Homeowners' Association OPPOSES the proposed development at 4500 Nuckols Crossing. Some of the considerations for opposition are listed below.

1. The proposed driveway to 4500 Nuckols Crossing will be only 150 ft from Viewpoint Dr on the east side of Nuckols Crossing and an entrance to Woodway Village Apartments on the west side of Nuckols Crossing. The accepted distance between driveways should be 500 ft.

2. The proposed solution to the driveway problem of adding turn lanes with vertical delineators in the middle of Nuckols Crossing will cause a major hazard, in our opinion. Nuckols Crossing/E St Elmo is used as a thoroughfare for many commuters in SE Austin to and from downtown. Traffic that is driving from the blind curve at E St Elmo onto Nuckols Crossing must go up a hill which will make it difficult to see the vertical delineators in the middle of the street. And the traffic driving north from Stassney and Teri Rd on Nuckols Crossing will need to go around the vertical delineators onto a widened area of the right of way before swerving back onto the main road, a short distance from the blind curve where the road turns into E St Elmo.

3. Traffic on Nuckols Crossing is already 10 times the amount that this road is designed to ideally handle. Traffic counts taken in February 2020 indicate that existing vehicle trips is at 14,929. According to Section 25-6-116 of the Land Development Code, streets which have pavement width less than 30 feet are considered to be operating at an undesirable traffic level if the
average daily traffic volume for such roadway exceeds 1,200 vehicles per day. Nuckols Crossing Road is currently operating at an undesirable level and will continue to do so with the addition of site traffic. These statistics, and the opinion that Nuckols Crossing is currently at an undesirable level, are taken directly from the Zoning Review Change Sheet provided by City Staff. The proposed development will add another 979 vehicle trips, an increase of over 13%.

4. The City has no plan to improve Nuckols Crossing/E St Elmo. It is a narrow 2 lane road in very poor condition with no curbs, gutters, sidewalks or bike lanes, or even enough right of way to add them. There is a very sharp curve with no sight lines where Nuckols Crossing becomes E St Elmo, just a short distance from the proposed driveway for this development. Vegetation and low water bridges contribute to the narrow lanes. The developer's proposal to add improvements would only cover the small area in front of the development and would not improve the quality of this road. There is no safe way for pedestrians or bikes to reach the bus stop at Pleasant Valley and Todd Ln.

5. The developers have applied for S.M.A.R.T. housing credits stating that this will make the development a needed addition to the neighborhood. There are already 6 existing affordable housing complexes in a one and a half mile radius and more in the near East Riverside/Oltorf area. Of course affordable housing is desirable, but not at the cost of creating a major traffic crisis for SE Austin.

6. COA recommends SF2 zoning rather than MF4, which the applicant is asking for. Applicant states they need this MF4 in order to build a bigger complex so they can make more profit. The Applicant's desire for profit should not supersede the neighborhood's right to safely travel one of the main roads through it.

7. The proposed 5 story building does not fit into the aesthetics of the neighborhood which is single family (Los Arboles) and townhome apartments (Woodway Village). The 2 apartment complexes on E St Elmo, Kingfisher Creek and Rosemont, are set back from the road so aren't easily visible. This proposed development can't move further away from the road due to environmental constraints. Even with landscaping it will be very visible as you enter SE Austin and the Dove Springs area.

8. Los Arboles is not opposed to development; we want to see it done in coordination with our neighborhood and drivers on Nuckols Crossing. This proposed development does not meet these standards.

We ask the Planning Commissioners and City Council Members to review this proposal with the realistic view of what Nuckols Crossing/E St Elmo actually looks like and determine that this development would not be a benefit to the neighborhood but instead create a major traffic hazard and clash with the existing aesthetics.

On behalf of the Los Arboles Homeowners' Association,
Laurel Francel
Los Arboles HOA Vice President/Secretary
5609 Apple Orchard Lane
Austin, TX 78744
l.francel@yahoo.com

Rhoades, Wendy

From: Jose Rodriguez <[redacted]>
Sent: Monday, July 13, 2020 10:39 AM
To: Rhoades, Wendy
Subject: Fwd: Case number C14-2017-0010.SH
Attachments: Planning Commision_00001.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

*** External Email - Exercise Caution ***

Please see attached form expressing my objection to the change in zoning from Single Family to Multi-family. There are already three apartment complexes in the area, and the addition of another one will only increase the traffic on E. St. Elmo, which was never designed to hold that much traffic. The entrance to the proposed lot would have to be near a curve and a hill, that would not only cause congestion, but additionally make it dangerous for those using the road. Furthermore, developing the area, would cause an increase in flood waters down Williamson Creek.

Thank You,
Jose L Rodriguez
4910 Maufrais Ln, Austin TX 78744

Attachment.

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Begin forwarded message:

From: Jose Rodriguez <[redacted]>
Subject: Case number C14-2017-0010.SH
Date: July 13, 2020 at 10:38:04 AM CDT
To: Wendy.rhoades@austintexas.gov

Please see attached form expressing my objection to the change in zoning from Single Family to Multi-family. There are already three apartment complexes in the area, and the addition of another one will only increase the traffic on E. St. Elmo, which was never designed to hold that much traffic. The entrance to the proposed lot would have to be near a curve and a hill, that would not only cause congestion, but additionally make it dangerous for those using the road. Furthermore, developing the area, would cause an increase in flood waters down Williamson Creek.

Thank You,
Jose L Rodriguez

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2017-0010.SH
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: July 14, 2020, Planning Commission

Jose L. Rodriguez
Your Name (please print)

☐ I am in favor
☑ I object

4910 Maufrais Ln Austin, TX
Your address(es) affected by this application

Signature

7/13/2020
Date

Daytime Telephone: 512 656 0783

Comments: The increase in apartment housing will increase the traffic on St. Elmo street which is not design for High Traffic. Entrance to complex is too close to the curve, and uphill which will make it difficult for in & out Traffic. Also Williamson creek would flood if all that area is paved for housing.

If you use this form to comment, it may be returned to:

City of Austin, Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088, Austin, TX 78767

Or email to:
wendy.rhoades@austintexas.gov

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

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Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2017-0010.SH
Contact: Wendy Rhoades, 512-974-7719
Public Hearing: July 30, 2020, City Council

Brittany Baschnagel
Your Name (please print)

☐ **I am in favor**
☒ **I object**

4607 Cypress Bend, Austin, TX 78744
Your address(es) affected by this application

Signature 07/15/2020 *Date*

Daytime Telephone Number: 469-274-8794

Comments:
Road is already over used and sight line on the curve and hill are not conducive for many vehicles; dangerous as it is.

If you use this form to comment, it may be returned to:

City of Austin, Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088, Austin, TX 78767

Or email to:
wendy.rhoades@austintexas.gov

Rhoades, Wendy

From: Victoria <[redacted]
Sent: Monday, July 13, 2020 5:32 PM
To: Rhoades, Wendy
Subject: FW: Nuckols Crossing Rezoning and NPA cases

Follow Up Flag: Follow up
Flag Status: Flagged

*** External Email - Exercise Caution ***

Wendy,

To be included with late back-up please.

Thank you,
-V

From: Victoria
Sent: Monday, July 13, 2020 2:25 PM
To: ANA AGUIRRE <a-aguirre@prodigy.net>
Subject: RE: Nuckols Crossing Rezoning and NPA cases

Ana –

We have been communicating the issue of the approaching deadlines with Staff starting in May. None of this would have been an issue if not for the slow down due to the pandemic. We were ready to have the neighborhood meeting as promised back in March/April when the timeline was not a concern. However, it became clear that social distancing was going to be needed for a much longer period of time, we started engaging with Staff about the plan to move forward with a virtual meeting with the Neighborhood. While we offered to host a ZOOM meeting back in April, City Staff would not allow and needed time to research their preferred method for virtual meetings. My concern grew for the timelines needing to be met and I communicated this with Staff back in May. No one could have known that we would be where we are. I apologize that the concern was not communicated to the NPCT all along. It was not intentional. Rather our efforts were purely focused on getting Staff to set the date and their process so that we could deliver on our word to have another meeting with the Neighborhood to follow up on the driveway and traffic concerns. We did not anticipate need for additional delays through postponements as this last meeting was intended to bring forth the information that was requested by Commission and the Neighborhood at the public hearing back in April of 2018 so that the public hearing could move forward to completion with PC.

Regarding the McDowell's timeline, the zoning needs to be complete by end of August in order for them to meet their requirement to move this project forward.
When looking at Commission and Council schedules, there is very little to no wiggle room. Since Council is obligated by code to grant a first request, we need to save the PP for Council hearing. Seeing that the public hearing with Planning Commission began for this case in April of 2018, we believe it best to move forward to completion with PC and if the Neighborhood needs to request PP, that they do so at City Council.

I understand the neighborhood has concerns for safe access and traffic matters, please know that all engineers involved, both on the private public sides, have reviewed the solution and have said it is safe. These individuals are credentialed to make such determinations and I implore the Neighborhood to please trust and have faith in their ability to do so.

I understand that Kensington Park is a separate entity from the NPCT. My point in bringing them up is to show that already, there is a neighborhood organization that is staunchly opposed and a postponement is not going to change their stance. From everything that we have heard, we do not believe that a postponement will lend any additional information to what is already known at this time and that would be provided to Commission or Council. However, it is recognized that we cannot know what the NPCT will or will not support. Therefore, we would like to know if the Neighborhood see's any ability to get behind this project and further, what would the NPCT need to be in a position to support this project?

I hope these reasons help to address your questions and I understand that you needed to move forward with the PP request with Staff. We remain open and available to discuss further or answer any additional questions. If I can get the traffic modeling data in time, I will certainly forward that along. It may be that some of this will need to be addressed at the PC hearing when everyone will be present, including all traffic engineers.

Thank you,

Victoria Haase

Thrower Design

[redacted]

510 South Congress Avenue, Suite 207
Mail: P.O. Box 41957
Austin, Texas 78704

512-998-5900 Cell
512-476-4456 Office

From: ANA AGUIRRE [redacted]
Sent: Monday, July 13, 2020 10:32 AM
To: Victoria [redacted]
Cc: Ana Aguirre <[redacted]
Subject: Re: Nuckols Crossing Rezoning and NPA cases

Good Morning Victoria,

Hope all is well. Thank you for providing this information and attachments. It is appreciated.

In regards to the SCNPCT membership's concerns, I know people are still reviewing and processing the information provided during the neighborhood meeting on July 8th. The main questions have to do with the traffic and public safety. Those, I'm sure, can mostly be answered by ATD staff. I know there are other questions/concerns, and I have asked they be provided at tonight's meeting. Additionally, now that we know about the funding deadline that you shared with me on Thursday, we are curious about the details on the deadline. What exactly is the deadline that is approaching for the release of the funds? What steps must happen by what dates? Why were we not told of this this deadline earlier?

Additionally, although some of the SCNPCT members and other Neighborhood Association representatives participated in the July 8th meeting, we (SCNPCT) do not have any control over the votes/actions the neighborhood associations take. Those meetings are conducted separately from the SCNPCT meetings. Each group brings a different perspective to the table. The SCNPCT has always made an effort to coordinate the neighborhood meetings with city staff to help the city staff and applicants provide one presentation so they don't have to make multiple duplicate presentations on the same case.

In response to the last sentence in your email below, your request for an assurance of support before supporting our postponement request suggests it could be postponed with no problem. The way the SCNPCT works is that we do not promise support before we have all the facts, which we don't have. I sincerely hope we are allowed the additional time to get the answers to all the questions we have.

Thank you. Ana

Ana Aguirre
Immediate Past Chair
SCNPCT

Sent from my iPhone

On Jul 12, 2020, at 2:58 PM, Victoria <[redacted]> wrote:

Ana –

I wanted to send you an email on Friday and instead I waited in hopes of receiving more information to include with this email. Unfortunately, that information did not come as I had hoped. Still, I have included all of the information that I have at this time.

The concern for McDowell Housing Partners remains with meeting the deadline to achieve the release for funding of this affordable housing project. There are many pieces of this project that do not move forward with planning, etc. until the zoning is in place. Therefore, a request to postpone is significant in that it has the potential to kill this project. It has been very clear from the recent virtual meeting as well as previous meetings that many people are opposed to any up-zoning at this site. Lee Sloan, on behalf of Kensington Park, has made their position clear. Additional data is not going to change their stance. To that end, I ask what the other neighborhood organizations believe is possible with a two week postponement? Do they believe there is a chance to get behind and support this project? What would it take to get the Neighborhood's support on this rezoning for this project?

1. To address the concern for seniors being asked to vacate the affordable housing after a few short years, I've attached the RHDA loan guidelines and TDHCA Chapter 10 Uniform Multifamily Rules Subchapter F Compliance Monitoring. These guidelines are required in order to receive funding for the project.

   - Please refer to page 25 of the RHDA Guidelines – minimum 40 years.
     B. Affordability Period
     When RHDA funds are used to assist rental projects, income and rent restrictions apply to the RHDA-assisted units for a defined period of time called the "affordability period." A project's affordability period is enforced using a legally binding document, a "Restrictive Covenant Running with the Land" that will be filed for record in the Official Public Records of the County. All RHDA funded projects are required to be affordable for a 40-year minimum period regardless of the funding amount. AHFC/NHCD, at its discretion, may require a project to utilize a longer affordability period than those stated above. The affordability period shall not be shortened for any reason, including if the loan is repaid before the end of the affordability period. Affordability requirements and restrictions will remain in force throughout the Affordability Period regardless of transfer of ownership unless ownership of the property is transferred through foreclosure proceedings.
   - Please refer to page 43 of §10.623 Monitoring Procedures for Housing Tax Credit Properties After the Compliance Period – minimum 30 years
     HTC properties allocated credit in 1990 and after are required under §42(h)(6) of the Code to record a LURA restricting the Development for at least 30 years. Various sections of the Code specify monitoring rules State Housing Finance Agencies must implement during the Compliance Period.

2. Unit count and levels of affordability are included in the table below.

In summary, there are 109 x 1-bedroom units and 70 x 2-bedroom units. McDowell's RDHA Commitment is for 60 of the 2-bedroom units **at or below 50% MFI.** Therefore, only 10 of the 2BR units will be offered to renter at the higher income bracket of 80% MFI. **Most of the units will be for individuals at or below 50%MFI.**

Type	# of Units	% Total Units	% AMI	Net Rent	Income
1/1	5	3%	30%	$470	$20,520
1/1	55	31%	50%	$836	$34,200
1/1	49	27%	80%	$1,386	$54,720
2/2	5	3%	30%	$558	$23,430
2/2	55	31%	50%	$997	$39,050
2/2	10	6%	80%	$1,657	$62,480

3. Concern for level of traffic generated by this development.
   Traffic data shows that a senior housing development of this number of units will generate 200 LESS daily vehicular trips than a traditional multifamily development. A traditional MF development, with no age restriction, generates 900 daily vehicular trips. A senior living MF facility generates 700 daily vehicular trips. The peak hour numbers are also less with Senior

housing generating 45 trips during peak hours versus 75 trips during peak hours for a traditional MF development.

4. We are still working on the traffic modeling data/visuals and will get this to y'all as soon as I can.

McDowell would like to move forward with the public hearing on Tuesday. If there is compelling reason to believe that the two weeks will garner the neighborhoods support for this rezoning, please let us know so that we can reconsider.

Thank you,

V

Victoria Haase

Thrower Design

[redacted]

510 South Congress Avenue, Suite 207
Mail: P.O. Box 41957
Austin, Texas 78704

512-998-5900 Cell
512-476-4456 Office

<image001.jpg>

<RHDA_Guidelines.pdf>
<TDHCA- UNIFORM MULTIFAMILY RULES - Subchapter F - Compliaance Monitoring.pdf>

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From:	Ron Thrower
To:	Rhoades, Wendy; Harden, Joi
Cc:	Victoria
Subject:	Item B4 - Nuckols Crossing
Date:	Monday, July 27, 2020 7:47:54 PM
Attachments:	image001.png 32195163.00 - CS100 SITE PLAN-ROW IMPROVEMENTS.pdf

*** External Email - Exercise Caution ***

Commissioners and City staff,

An update on this case –

The developer is seeking MF-4 zoning and plans to use Affordability Unlocked to achieve the project of 179 deeply affordable senior housing units on 10-acres. All units are at or less than 80% MFI and 67% of the units are at 50% MFI and lower. The developer plans many amenities to go along with the development.

This case was in front of Commission in 2018 with a different product type. At the public hearing Planning Commission made it abundantly clear for us to go work out the access from the property to Nuckols Crossing Road – the only street frontage. We have done that. Access is designed and vetted with ATD. We have worked out the access. Attached is a plan that reflects the improvements proposed and outlined herein. We all recognize that Nuckols crossing is a substandard road. None the less, the access we have worked out with ATD mitigates for the impacts that this project causes on Nuckols crossing in regards to access. The road is widened in front of the property at developers expense, with a continuous northbound lane, a dedicated northbound left turn lane into the property which serves also as an acceleration lane for tenants leaving the property, a continuous southbound land, and a southbound deceleration lane. It is extremely important to realize that the property will be developed if unzoned whether with a single family subdivision, a church, a day car, etc.. Access will happen and the access that is worked out is designed and vetted to be as safe as possible and all at developers expense.

The developer, McDowell Housing Partners, has worked on projects all around the nation, They understand the need for affordable housing and have built their business around providing that. In this case, the affordable housing is for seniors at age 55+. Some are still very much part of the working class for 10-12 years. This is an active community that will be constructed in this location. All environmental site conditions are preserved and none are compromised. All flood plain and Critical Water Quality Zone is respected.

The Austin City Council has previously voted to provide 4% tax credit monies for this project. As was pointed out at the PC meeting 2 weeks ago, a delay is costly in terms of the viability of the development to appropriately move forward to seeking lenders and funding for the project. McDowell Housing will be submitting the tax credit application shortly after receiving the Certificate of Reservation from the Texas Bond Review Board. They anticipate receiving that after the August th

15 bond collapse. They will wait to submit the LITC application until after zoning is approved.

We understand the concern the neighborhood had with the access, and their ongoing concern regarding the substandard roadway conditions, all the while being supportive of this project but for the access, it is conceivable that the attention this case gets while moving forward through the process, the catalyst for change in the roadway is significantly increased with just this zoning being approved. No question that Nuckols Crossing has long been neglected and roadway improvements are needed. If every development does what this development is doing, then the road would be upgraded. In essence, development is paying for itself and in this instance with a safe, engineered design that works better than any other development on Nuckols Crossing today.

This affordable senior housing development will be an asset for Austin and for the community. Austin needs more housing of all types and more affordable housing all over Austin to meet the Strategic Housing Blueprint goals for housing. That plan is 2.5 years old and Austin is way behind in meeting the housing goals set out by that plan, especially the affordable housing. The Blueprint calls for an average of 6,000 affordable units to be built every year. While I need to verify the numbers, I suspect that Austin is about 1/10th of that amount every year. If that is the case, this one project will provide 30% of that total in a single project. This is not about constructing affordable housing at the expense of safety. Rather, this is about constructing housing because of safety. The access works, it has been reviewed by a dozen engineers (both private and public) and the planned improvements for the access are to be constructed by the developer with this project.

Please let me know if you have any questions.

Be smart. Be safe. Be kind.

Ron Thrower

Thrower Design LLC
LAND PLANNERS

www.throwerdesign.com
Mail: P.O. Box 41957
Austin, Texas 78704

512-476-4456 office
512-731-2524 cell

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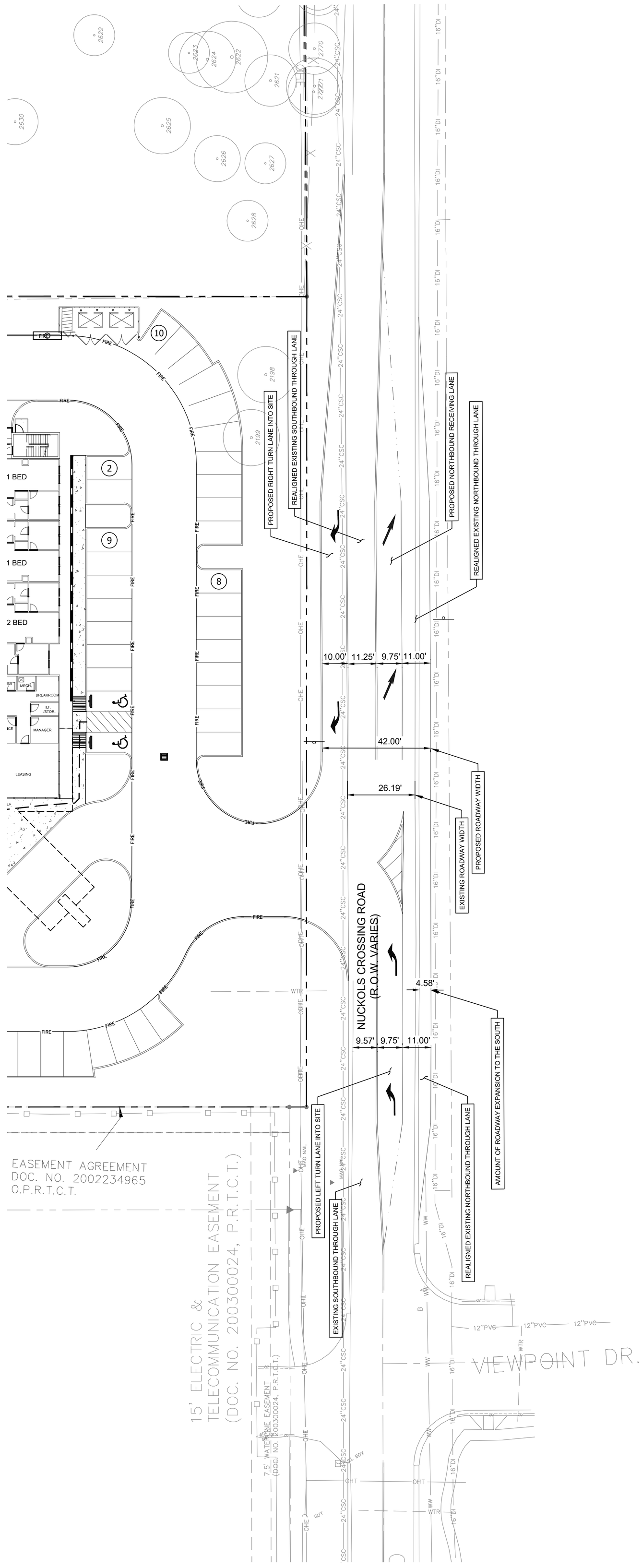
NOT AUTHORIZED FOR CONSTRUCTION PRIOR TO FORMAL CITY APPROVAL

WGI
WGInc.com
2021 EAST 5TH STREET, SUITE 200 AUSTIN, TEXAS, 78702
512.669.5660 FIRM NO: F-15085

PROJECT:
CITY HEIGHTS
4500 NUCKOLS CROSSING
AUSTIN, TRAVIS COUNTY, TEXAS 78744

SHEET TITLE:
CONCEPT RIGHT-OF-WAY IMPROVEMENTS PLAN

SHEET OF SP-2017-XXXX



SITE PLAN APPROVAL SHEET OF
FILE NUMBER: SP-2018- APPLICATION DATE:
APPROVED BY COMMISSION ON _____ UNDER SECTION ____ OF CHAPTER ____ OF THE CITY OF AUSTIN CODE.
EXPIRATION DATE (25-5-81, LDC) _____ CASE MANAGER _____

DIRECTOR, DEVELOPMENT SERVICES DEPARTMENT
RELEASED FOR GENERAL COMPLIANCE: _____ ZONING _____
REV. 1 _____ CORRECTION 1 _____
REV. 2 _____ CORRECTION 2 _____
REV. 3 _____ CORRECTION 3 _____
FINAL PLAT MUST BE RECORDED BY THE PROJECT EXPIRATION DATE, IF APPLICABLE. SUBSEQUENT SITE PLANS WHICH DO NOT COMPLY WITH THE CODE CURRENT AT THE TIME OF FILING, AND ALL REQUIRED BUILDING PERMITS AND/OR A NOTICE OF CONSTRUCTION (IF A BUILDING PERMIT IS NOT REQUIRED), MUST ALSO BE APPROVED PRIOR TO THE PROJECT EXPIRATION DATE.

FILENAME: P:\Projects\McDowell Housing Partners\3219516 3.00 - Nuckols Crossing Driveway Analysis\01-Civil\10-Sht\3219516 3.00 - CS100 SITE PLAN.dwg - LAYOUT ROW IMPROVEMENTS

LAST MODIFIED BY: MEGAN SILVA
LAST MODIFIED ON: 7/23/2020 9:53 AM
PLOTTED BY: MEGAN SILVA
PLOTTED ON: 7/23/2020 9:55 AM
PLOTTED WITH: DWG TO PDF.PC3
PLOT STYLE: BRD - HEB.CTB

Southeast Combined Neighborhood Plan Contact Team

Ana Aguirre
Immediate Past Chair
PO Box 19748
Austin, TX 78760
512-708-0647
a-aguirre@prodigy.net

July 14, 2020

Conor Kenny, Chair
Yvette Flores, Secretary
Greg Anderson
Claire Hempel
Carmen Llanes Pulido
Patricia Seeger
Jeffrey Thompson
Richard Mendoza
Fayez Kazi, Vice-Chair
James Shieh, Parliamentarian
Awais Azhar
Patrick Howard
Robert Schneider
Todd Shaw
Don Leighton-Burwell
Ann Teich

RE: Neighborhood Plan Amendment Case Number: NPA-2016-0014.01.SH
Rezoning Case Number: C14-2017-0010.SH
Project Location: 4400 Nuckols Crossing Road

Dear Honorable Chair Kenny and Commissioners:

The Southeast Combined Neighborhood Plan Contact Team (SCNPCT) has a history of supporting responsible development. Our Future Land Use Map (FLUM) area consists of single-family, multifamily, mixed use, commercial, office, civic, warehouse/limited office, and industry zones. With Austin Bergstrom International Airport (ABIA) being so close, we also have to consider the Airport Overlay.

With this in mind, the SCNPCT met on Monday, July 13, 2020, to discuss the presentation and information received during a neighborhood meeting held on July 8, 2020, on the two following requests pertaining to the property located at 4400 Nuckols Crossing: 1) Neighborhood Plan Amendment to change the land use designation on the FLUM from single-family to multifamily land use; and 2) Rezoning from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning. The SCNPCT took into consideration input from neighborhood associations representing residents immediately adjacent or across the street from the property as well as residents who use and are familiar with public safety (traffic and pedestrian) concerns on Nuckols Crossing.

With a quorum present, and based on the information provided, the SCNPCT membership voted to request a postponement of up to 60 days or sooner, if the answers to our questions are provided.

The postponement request is based on the following unresolved concerns voiced by the SCNPCT membership:

- Late Notice of the New Information
  - Meeting on 7-8-2020
- Public Safety Concerns
  - Traffic
  - Pedestrian
  - Bicyclists
- Traffic Concerns
  - Request follow-up meeting(s) with ATD
- MF-4 Zoning Request

The membership's primary concerns are based on the current status of the substandard road infrastructure provided to the Southeast Austin residents who use Nuckols Crossing and the positioning of the proposed development directly on the exit of a rising blind curve from eastbound Saint Elmo to southbound Nuckols Crossing on a substandard road with no shoulders or sidewalks. Upon receiving the information provided during the July 8, 2020 meeting, additional questions arose specific to the ATD's new proposed traffic mitigation related to this proposal. We respectfully request the Planning Commission approve the postponement request and provide the SCNPCT an opportunity to meet with ATD staff and the applicant to address the community's public safety concerns, and the applicant's new request for moderate-high density. The 2018 request was for medium density. We hope to have the opportunity to thoroughly review the new traffic report and the staff's recommendation as it relates to the public's safety.

Respectfully submitted,

Ana Aguirre, Immediate Past Chair
Southeast Combined Neighborhood Plan Contact Team (SCNPCT)

CC: Wendy Rhoades, Planning and Zoning Department

July 24, 2020

RE: C14-2017-0010 - 4400 Nuckols Crossing Road Rezoning
NPA-2016-0014.01 Plan Amendment - 4400 Nuckols Crossing Road Rezoning

To Planning Commissioners and City Council Members,

Based on updated information received at the 07/08/2020, 07/13/2020 and 07/22/2020 meetings with City Staff, Applicant, Austin Transportation Department, SE Combined Neighborhood Plan Contact Team and concerned neighbors, the Los Arboles Homeowners' Association OPPOSES rezoning 4400 Nuckols Crossing from SF-2-NP to MF-4-NP. Los Arboles consists of 314 single family homes with Viewpoint Dr as the entry into the neighborhood. Some of the considerations for opposition are listed below.

1. The proposed driveway to 4400 Nuckols Crossing will be only 150 ft from Viewpoint Dr on the east side of Nuckols Crossing and a driveway into Woodway Village Apartments on the west side of Nuckols Crossing. The accepted distance between driveways should be 500 ft. The Applicant has proposed a solution to the driveway problem by adding turn lanes in the right of way, possibly with vertical delineators in the middle of Nuckols Crossing. We believe this will cause a major hazard for vehicles turning in and out of Viewpoint Dr and the Woodway Village Apartments driveway and for through traffic on Nuckols Crossing.

3. Traffic on Nuckols Crossing is already 10 times the amount that this road is designed to ideally handle. Traffic counts taken in February 2020 indicate that existing vehicle trips is at 14,929. According to Section 25-6-116 of the Land Development Code, streets which have pavement width less than 30 feet are considered to be operating at an undesirable traffic level if the
average daily traffic volume for such roadway exceeds 1,200 vehicles per day. Nuckols Crossing Road is currently operating at an undesirable level and will continue to do so with the addition of site traffic. These statistics, and the opinion that Nuckols Crossing is currently at an undesirable level, are taken directly from the Zoning Review Change Sheet provided by City Staff. The proposed development will add another 979 vehicle trips, an increase of over 13%.

4. The City has no plan to improve this section of Nuckols Crossing/E St Elmo. It is a narrow 2 lane road in very poor condition with no curbs, gutters, sidewalks or bike lanes, or even enough right of way to add them except in front of 4400 Nuckols Crossing. There is a very sharp curve with no sight lines where Nuckols Crossing becomes E St Elmo, just a short distance from the proposed driveway for this development. Vegetation and low water bridges contribute to the narrow lanes. The developer's proposal to add improvements would only cover the small area in front of the development and would not improve the quality of this road. There is no safe way for pedestrians or bicyclists to reach the nearest bus stop at Pleasant Valley and Todd Ln.

5. The developers have stated that this affordable housing complex for active seniors will make the development a needed addition to the neighborhood. There are 6 existing affordable housing complexes

within a one and a half mile radius from 4400 Nuckols Crossing and more in the near East Riverside/Oltorf area. Potential tenants will come from anyplace, SE Austin applicants will not get priority treatment. There will be no benefit to the surrounding neighborhoods.

6. COA does not recommend MF-4-NP zoning which the Applicant states they need in order to build a 5 story building. The proposed 5 story building does not fit into the aesthetics of the neighborhood which is single family (Los Arboles) and townhome apartments (Woodway Village). There are no other buildings taller than 2 stories in this area.

We ask that the Planning Commissioners and City Council Members review this rezoning request with a realistic view of what Nuckols Crossing/E St Elmo actually looks like and determine that this development would not fit into the neighborhood but instead create a major traffic hazard and clash with the existing aesthetics.

Respectfully On behalf of the Los Arboles Homeowners' Association,
Laurel Francel
Los Arboles HOA Vice President/Secretary
5609 Apple Orchard Lane
Austin, TX 78744
l.francel@yahoo.com

Southeast Combined Neighborhood Plan Contact Team

Ana Aguirre
Immediate Past Chair
PO Box 19748
Austin, TX 78760
512-708-0647
a-aguirre@prodigy.net

July 29, 2020

Steve Adler, Mayor
Delia Garza, Mayor Pro Tem, District 2
Natasha Harper-Madison, Council Member District 1
Sabino "Pio" Renteria, Council Member District 3
Greg Casar, Council Member District 4
Ann Kitchen, Council Member District 5
Jimmy Flannigan, Council Member District 6
Leslie Pool, Council Member District 7
Paige Ellis, Council Member District 8
Kathie Tovo, Council Member District 9
Alison Alter, Council Member District 10

RE: Neighborhood Plan Amendment Case Number: NPA-2016-0014.01.SH
Rezoning Case Number: C14-2017-0010.SH
Project Location: 4400 Nuckols Crossing Road

Dear Honorable Mayor Adler, Mayor Pro Tem Garza and Council Members:

The Southeast Combined Neighborhood Plan Contact Team (SCNPCT) has a history of supporting responsible development. Our Future Land Use Map (FLUM) area consists of single-family, multifamily, mixed use, commercial, office, civic, warehouse/limited office, and industry zones. The SCNPCT also serves students that attend the Austin and Del Valle Independent School Districts. With Austin Bergstrom International Airport (ABIA) being so close, we also have to consider the Airport Overlay.

With this in mind, and subsequent to the Planning Commission meeting on July 14, 2020, the SCNPCT met with ATD on Monday, July 20, 2020, to discuss the staff's recommendation on traffic mitigation and sight distance issues on Nuckols Crossing. The SCNPCT inquired and sought clarification on the information contained in the March 15, 2018 Neighborhood Traffic Analysis Report (attached) and the June 16, 2020 Neighborhood Traffic Analysis Report (attached). The SCNPCT raised the following concerns regarding inconsistencies and omissions between the 2018 and 2020 reports:

- Pavement Width:
  - The 2018 report reflects Nuckols Crossing is a roadway measuring twenty-five (25) feet in pavement width;

- The 2020 report reflects a twenty-eight (28) feet width. During the meeting, staff acknowledged the correct width is twenty-five (25) feet.

- Bicycle Safety:
  - The 2018 report states, "There are no marked bicycle facilities along Nuckols Crossing Road and the City of Austin Bicycle Master Plan rates Nuckols Crossing as 'low comfort' to 'extremely low comfort' for cyclists."
  - The 2020 report does not address bicycle safety.
- Desirable Traffic Level:
  - The 2018 report states, "According to Section 25 – 6 – 116 of the Land Development Code, neighborhood residential streets are operating in a desirable manner if the daily volumes do not exceed the following thresholds:

Pavement Width	Vehicles Per Day
Less than 30'	1,200
30' to less than 40'	1,800
40' or wider	4,000

  - The 2020 report states, "According to Section 25-6-116 of the Land Development Code, streets which have pavement width less than 30 feet are considered to be operating at an undesirable traffic level if the average daily traffic volume for such roadway exceeds 1,200 vehicles per day.
- Generated Traffic Data
  - The 2018 report reflected the proposed 125 apartment units would generate approximately 881 daily trips.
  - The 2020 report reflects the proposed development (180 apartment units) will generate 979 vehicle trips per day.
- Proposed Improvements to Nuckols Crossing:
  - The 2018 report, in the "Conclusion and Recommendations" section states, "At this time, no planned or proposed improvements to Nuckols Crossing Road have been identified. Therefore, staff is unable to support this zoning application and will recommend denial, pursuant to the conditions set forth in LDC – 25 – 6 – 116."
  - The 2020 report does not address improvements, but during the July 20, 2020 meeting, staff acknowledged there were no planned or proposed improvements to Nuckols Crossing Road.
- The 2020 report further reflects:
  - "Nuckols Crossing Road is currently operating at an undesirable level and will continue to do so with the addition of site traffic."
  - Under the "Recommendations/Conclusions" section, Item 1 states, "The horizontal and vertical alignment of Nuckols Crossing Road near the subject tract presents several safety issues related to sight distance." The SCNPCT asked for a detailed list of the "several safety issues" related to the sight distance and an explanation of how each safety issue is addressed. The neighborhood's primary concerns involve sight distance entering and exiting the blind curve from St. Elmo Road to Nuckols Crossing. The entrance/exit driveway of the proposed 4400 Nuckols Crossing development is on the exit of the blind curve from eastbound St. Elmo to southbound Nuckols Crossing.
- Additional SCNPCT comments:
  - The 2020 ATD traffic analysis does not take into account future growth of Southeast Austin. Ten thousand homes are planned for Easton Park at William Cannon and McKinney Falls Parkway and many of those residents will commute using Nuckols Crossing as an alternative to McKinney Falls Parkway or Pleasant Valley.
  - The proposed community of low-income seniors will need access to public transportation. There is currently no safe route for pedestrian traffic to reach the nearest

bus stops nearly one mile away. Southbound pedestrians will not have a sidewalk on the west side of Nuckols Crossing, where the development is planned and will need to walk on the shoulder of the road for over half a mile to reach public transit on Stassney Lane at Nuckols Crossing. There is a sidewalk on the opposite side of Nuckols Crossing, but it is several hundred feet south of the proposed entrance to the development and there is no pedestrian crossing to reach the other side. Northbound pedestrians will not have a sidewalk on either side of the road and will have to walk on the shoulder of the road around a blind curve, over a bridge, on a road with thick brush on both sides for over half a mile to reach public transit on St. Elmo at Pleasant Valley. This will put the lives of pedestrians, cyclists, drivers and their passengers at serious risk as no road improvements are planned for Nuckols Crossing or St. Elmo.

- The neighborhood supports this type of development in our area, but not at this dangerous location.

- City Council
  - The 2018 report states, "The City Council may deny an application if the neighborhood traffic analysis demonstrates that the traffic generated by a projected combined with existing traffic, exceeds the desirable operating level established on a residential local or collector street in the study area."
  - The 2020 report, under the "Recommendations/Conclusions" section, Item 4 states, "The City Council may deny an application if the neighborhood traffic analysis demonstrates that the traffic generated by the project combined with existing traffic exceeds the desirable operating level established on a residential local or collector street in the neighborhood traffic analysis study area."

The SCNPCT acknowledges that the developer of 4400 Nuckols Crossing has agreed to add a righthand deceleration lane from southbound Nuckols Crossing entering the proposed development, and a center lane on Nuckols Crossing for turns into and out of the development. However, the SCNPCT is not satisfied that ATD has explained or addressed inconsistencies between its two reports, that the proposed additional lanes will safely accommodate turns into and out of the development considering competing traffic turning into Woodway Village and Viewpoint Drive, nor that the proposed additional lanes in any way address sight distance issues which are inherent to the blind curve and the slope of the curve.

The SCNPCT conducted a Special Called Meeting and met again with the applicant on Wednesday, July 22, 2020, to discuss the proposed traffic mitigation and development project, on the two following requests pertaining to the property located at 4400 Nuckols Crossing: 1) Neighborhood Plan Amendment to change the land use designation on the FLUM from single-family to multifamily land use; and 2) Rezoning from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning. The SCNPCT took into consideration input from neighborhood associations representing residents immediately adjacent to or across the street from the property as well as residents who use and are familiar with public safety (traffic, bicycle, and pedestrian) concerns on Nuckols Crossing. The applicant indicated that its proposed additional traffic lanes were its best effort to address the blind curve and sightline issues, but also that the applicant is open to ideas. The SCNPCT discussed and wondered if the applicant would consider the option of exploring a shared exit with the Woodway Village Apartments. As a follow-up, this recommendation was brought to the applicant's attention during a phone call on Thursday, July 23, 2020.

With a quorum present, and based on the information provided, the SCNPCT membership voted to not support the two following requests pertaining to the property located at 4400 Nuckols Crossing: 1) Neighborhood Plan Amendment to change the land use designation on the FLUM from single-family to multifamily land use; and 2) Rezoning from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning. The SCNPCT voted not to support these proposed changes because of the safety concerns as noted below:

- Proposed location of the entrance
  - Close proximity to blind curve, at the top of a steep slope exiting the curve
  - Close proximity to Viewpoint Drive exit drive
  - Close proximity to Woodway Village Apartments exit drive
- Public Safety Concerns
  - Traffic
  - Pedestrian
  - Bicyclists
- COA and ATD have no future plans to improve Nuckols Crossing Road, which is already currently operating at an undesirable level.

The membership's primary concerns are based on the current substandard road infrastructure provided to the Southeast Austin residents who use Nuckols Crossing and the positioning of the proposed development directly on the exit of the rising blind curve from eastbound Saint Elmo to southbound Nuckols Crossing on a substandard road with no shoulders or sidewalks. Traffic and danger to pedestrians, drivers, and cyclists will escalate if the NP amendment and zoning changes are approved considering the additional vehicle trips resulting from the proposed additional housing units.

We respectfully request the City Council not approve the neighborhood plan amendment and zoning change requests unless the community's public safety concerns are addressed. We request the City Council carefully and thoroughly review the traffic reports and the staff's recommendations as it relates to the public's safety. We also request the City Council and city staff prioritize and address the current substandard Nuckols Crossing road infrastructure to ensure the public's safety is not further compromised, especially in light of the continued growth in Southeast Austin.

As additional supporting documentation, we submit the following:

Attachment SCNPCT 1: Nuckols Crossing Road Rezoning – Smart Housing

Currently located on Nuckols Crossing and St. Elmo are four affordable apartment units. Although these apartments have been placed on Nuckols Crossing, there has been no effort to improve Nuckols Crossing and Saint Elmo in response to this added density. What is being proposed are additional affordable housing units on Nuckols Crossing and still no future plans on the part of the City of Austin or the Austin Transportation Department to improve the substandard road conditions these affordable housing units are located on. This road has a 25' width in pavement, no shoulders or sidewalks starting at the point of the proposed development to around the curve and through St. Elmo until it intersects with the traffic circle on Todd Lane/South Pleasant Valley.

The document titled Nuckols Crossing Road Rezoning – Smart Housing, highlights in pink the locations of the following current affordable housing units: (1) **Nuckols Ct**: Eastern Oaks at 4922

Nuckols Crossing; (2) **MF-2-CO-NP**: Woodway Village at 4600 Nuckols Crossing Rd.; (3) **SF-6-CO-NP**: Kingfisher at 4601 E. Saint Elmo; and (4) **MF-3-CO-NP**: Rosemont at Williamson Creek. This has resulted in a highly concentrated area of affordable housing without consideration for the public's safety of the current residents or the future residents of the newly proposed affordable housing units. We know communities are frequently asked to negotiate a quality of life element, such as parks, in lieu of affordable housing. What the Southeast Austin residents are being forced to give up is public safety: our lives and the lives of the future residents. As the Contact Team, we did not agree to negotiate our public safety.

Attachment SCNPCT 2: Capitol Metro Bus Routes in the Area

The proposed development offers affordable housing to 55+ YOA residents. The Contact Team's concern is that lack of safe access to public transportation for these residents that NEED public transportation. Again, what is being proposed are additional affordable housing units on Nuckols Crossing and still no future plans on the part of the City of Austin or the Austin Transportation Department to improve the substandard road conditions these affordable housing units will be located on. This road has a 25' width in pavement, no shoulders or sidewalks starting at the point of the proposed development to around the curve and through St. Elmo until it intersects with the traffic circle on Todd Lane/South Pleasant Valley. Any resident needing public transportation WILL NOT have access to a safe route to the closest bus stop, which is almost one mile away from this proposed development. Anyone walking on this portion of Nuckols Crossing Road will be at risk of being a pedestrian that is hit by a vehicle, which will result in serious injury, or worse, loss of life.

Attachment SCNPCT 3: Proximity to Imagine Austin Activity Corridors and Centers

The argument is being made that this proposed development is located very close to a Neighborhood Center, which promises to provide the following: a mix of housing types and land uses, affordable housing and transportation options, and access to healthy food, schools, retail, employment, community services, and parks and recreation options. At the center of this Neighborhood Center on South Pleasant Valley (to the South), Todd Lane (to the North) and St. Elmo intersection are the following: Northeast Corner – basically vacant, there is an indication there is a church located on the premises; Southeast Corner – The American Legion, with a auto towing company next to it; Southwest Corner – Vacant; Northwest Corner – basically vacant, with a cement mix operation just north of the vacant lot. There are NO community services available at this identified Neighborhood Corridor. The area at this intersection is currently zoned as Industry or Warehouse/Limited Office as reflected on our FLUM (**Attachment SCNPCT 4: SCNPCT FLUM**).

In closing, we are requesting your consideration of the public's safety in this area as you deliberate this proposed project. We are also requesting you consider what is actually in place in this location in regards to the existing substandard road conditions for vehicle traffic as well as no safe routes for pedestrians or bicyclists along this road. We live in working class or lower socio-economic areas, but this does not mean that the City of Austin or the Austin Transportation Department should continue to treat our residents poorly by not providing the residents and individuals using these roads with safe streets that provide safe vehicular and bicycle streets and safe sidewalks for those that need access to public transportation.

Historically, this area, which is now known as District 2, has been neglected and continues to be neglected as demonstrated with the road conditions in our area. Previously, we have said that anyone who chose to walk or bicycle on Nuckols Crossing/E. St. Elmo was being suicidal due to the unsafe conditions of this road. If you approve this proposed development, we insist that the require the City Manager and the Austin Transportation Department take immediate action, prioritize and

address the current substandard Nuckols Crossing road infrastructure to ensure the public's safety is not further compromised, especially in light of the continued growth in Southeast Austin.

Respectfully submitted,

Ana Aguirre, Immediate Past Chair
Southeast Combined Neighborhood Plan Contact Team (SCNPCT)

CC: Wendy Rhoades, Planning and Zoning Department

Attachments: March 15, 2018 Neighborhood Traffic Analysis Report
June 16, 2020 Neighborhood Traffic Analysis Report
Attachment SCNPCT 1: Nuckols Crossing Road Rezoning – Smart Housing
Attachment SCNPCT 2: Capitol Metro Bus Routes in the Area
Attachment SCNPCT 3: Proximity to Imagine Austin Activity Corridors and Centers
Attachment SCNPCT 4: SCNPCT FLUM

MEMORANDUM

TO: Wendy Rhoades, Case Manager
Planning and Zoning Department

CC: Members of the Planning Commission
Anna Martin, P.E., PTOE, Austin Transportation Department
Katie Wettick, Development Services Department

FROM: Scott A. James, P.E., PTOE
DSD/ Land Use Review - Transportation

DATE: March 15, 2018

SUBJECT: Neighborhood Traffic Analysis for 4500 Nuckols Crossing Road
Zoning Case # C14 – 2017 – 0010

The Land Use Review/Transportation staff has performed a Neighborhood Traffic Impact Analysis (NTA) for the above referenced case and offers the following comments.

The 10 acre site is located in south Austin, at the northwest corner of Nuckols Crossing Road and Viewpoint Drive. Vehicular access to the site shall be to and from Nuckols Crossing Road. Nuckols Crossing Road bounds the east side of the subject property, which is border by the residential neighborhood to the west. The zoning application is to permit for the construction of one hundred and twenty-five (125) residential apartment units.

Roadways

Nuckols Crossing Road is classified as a local collector roadway measuring twenty-five (25) feet in pavement width and serves primarily residential and neighborhood land uses. The posted speed limit adjacent to the subject property is 40 miles per hour (MPH). No sidewalks are provided on Nuckols Crossing Road. There are no marked bicycle facilities along Nuckols Crossing Road and the City of Austin Bicycle Master Plan rates Nuckols Crossing as 'low comfort' to 'extremely low comfort' for cyclists.

ATTACHMENT A

Viewpoint Drive is classified as a local street. Viewpoint Drive measures forty (40) feet in width, and is stop controlled at its intersection with Nuckols Crossing Road. The posted speed limit is 30 MPH. There are sidewalks on the south side of Viewpoint Drive. The City of Austin Bicycle Map rates Viewpoint Drive as a "low-comfort" road.

Trip Generation and Traffic Analysis

The City Council may deny an application if the neighborhood traffic analysis demonstrates that the traffic generated by a project combined with existing traffic, exceeds the desirable operating level established on a residential local or collector street in the study area.

Based on the Institute of Transportation Engineer's publication Trip Generation Manual, 9th Edition, the one hundred and twenty-five (125) proposed apartment units would generate approximately 881 daily trips (summarized in Table 1 below). However, the requested MF – 3 zoning could allow for a greater development intensity, for the 10 acre tract.

Table 1 – Trip Generation

TRACT NUMBER	ACRES	INTENSITY	ZONING	LAND USE	TRIPS PER DAY
1	10.00	*125 DU	MF-3	Apartments (220)	881

*This is the proposed development intensity; not the maximum intensity allowed.

According to the applicant, approximately 57% of the outbound trips will use Nuckols Crossing Road (north of Viewpoint Drive) and 43% of the outbound trips will exit onto Nuckols Crossing Road (south of Viewpoint Drive). The returning trips would be divided as 58% use north and 42% use the south access from Nuckols Crossing Road. Table 2 presents the expected distribution of the 881 daily trips to and from the site:

Table 2 – Trip Distribution Percentages

Street	Outbound	Inbound	Totals
Nuckols Crossing Road (north of Viewpoint Drive)	247 (28%)	255 (29%)	502 (57%)
Nuckols Crossing Road (South of Viewpoint Drive)	193 (22%)	186 (21%)	379 (43%)
Totals	440 (50%)	441 (50%)	881 (100%)

According to the traffic data collected during the days of October 3-5, 2017, the current average daily volumes on Nuckols Crossing Road north of Viewpoint Drive are 7,155 vehicles

per day. South of Viewpoint Drive, Nuckols Crossing Road serves 5,326 vehicles per day. As shown in Table 3 below, the projected daily trips from the site development would increase the observed volumes on Nuckols Crossing Road by approximately 7% in both directions.

Table 3 – Estimated increase in daily traffic volumes

Street	Existing Traffic (vpd)	Site Traffic (vpd)	Totals	Percentage Increase
Nuckols Crossing Road (north of viewpoint Drive)	7,155	502	7,657	7%
Nuckols Crossing Road (south of viewpoint Drive)	5,326	379	5,705	7%

According to Section 25 – 6 – 116 of the Land Development Code, neighborhood residential streets are operating in a desirable manner if the daily volumes do not exceed the following thresholds:

Pavement Width	Vehicles Per Day
Less than 30'	1,200
30' to less than 40'	1,800
40' or wider	4,000

Nuckols Crossing Road measures twenty-five (25) feet in width, and therefore per Section 25 – 6 – 116 of the LDC, mitigation of site traffic is required.

Conclusion and Recommendations

1) At this time, no planned or proposed improvements to Nuckols Crossing Road have been identified. Therefore, staff is unable to support this zoning application and will recommend denial, pursuant to the conditions set forth in LDC – 25 – 6 – 116.

If you have any questions or require additional information, please contact me at (512) 974 – 2208. Thank you.

Scott A. James

Scott A. James, P.E., PTOE
Land Use Review Division/Transportation
Development Services Department

MEMORANDUM

To: Wendy Rhoades, Case Manager
CC: Victoria Haase; Dan Hennessey, P.E.; Curtis Beaty, P.E.; Amber Mitchell
FROM: Justin Good, P.E.
DATE: June 16, 2020
SUBJECT: Neighborhood Traffic Analysis for 4400 Nuckols Crossing
Zoning Case # C14-2017-0010.SH

The Transportation Development Services (TDS) division has performed a Neighborhood Traffic Analysis (NTA) for the above referenced case and offers the following comments.

The 9.97-acre tract is located in south Austin at 4400 Nuckols Crossing Road (see below). The site is currently zoned SF-2-CO-NP and the zoning request is for MF-4-NP.

Attachment A

Roadways

The tract proposes access to Nuckols Crossing Road (named East St Elmo Road to the north), which is classified as a collector and currently has 70 feet of right-of-way with 28 feet of pavement. Nuckols Crossing Road has two travel lanes and is lacking curb and gutter, bicycle facilities, and sidewalks. The average 24-hour count traffic volume was 8,978 vehicles per day just east of the Todd Lane/St Elmo Road intersection and 5,951 vehicles per day just north of the Nuckols Crossing Road/Stassney Lane intersection. Traffic counts were collected from February 25, 2020 to February 27, 2020.

Trip Generation and Traffic Analysis

This zoning case assumes 180 mid-rise multifamily dwelling units (ITE Code 221). Based on the Institute of Transportation Engineer's Trip Generation Manual, 10th Edition, the proposed development will generate 979 vehicle trips per day. See Table 1 for a detailed breakdown of the trip generation.

Table 1 – Trip Generation

Land Use	Size	Unadjusted Trip Generation
Residential (Mid-Rise Multifamily Housing)	180 DU	979
TOTAL		**979**

Table 2 provides the expected distribution of the site trips to the north and south.

Table 2 – Trip Distribution

Intersection	Traffic Distribution by Percent
Todd Lane/East St Elmo Road	60%
Nuckols Crossing Road/East Stassney Lane	40%

Table 3 represents a breakdown of traffic on Nuckols Crossing Road: existing traffic, proposed site traffic, total traffic after development, and percentage increase in traffic.

Table 3 – Traffic Summary

Intersection	Existing Traffic (vpd)	Proposed New Site Traffic to Roadway	Overall Traffic	Percentage Increase in Traffic
Todd Lane/East St Elmo Road	8,978	587	9,565	6.5%
Nuckols Crossing Road/East Stassney Lane	5,951	392	6,343	6.6%

According to Section 25-6-116 of the Land Development Code, streets which have pavement width less than 30 feet are considered to be operating at an undesirable traffic level if the average daily traffic volume for such roadway exceeds 1,200 vehicles per day. Nuckols Crossing Road is currently operating at an undesirable level and will continue to do so with the addition of site traffic.

Recommendations/Conclusions

1. The horizontal and vertical alignment of Nuckols Crossing Road near the subject tract presents several safety issues related to sight distance. The applicant has coordinated with ATD to identify a driveway location that is acceptable for vehicle safety and operations. Should the driveway location change, further review will be required to ensure that it still meets sight distance and other safety requirements.

2. Although the driveway location satisfies minimum sight distance requirements, the addition of another driveway in this area introduces speed differentials that could cause unsafe conditions. To ensure the safety of both existing drivers on Nuckols Crossing Road and new motorists entering the proposed development, ATD will require dedicated right-turn and left-turn lanes into the site. The applicant has coordinated with ATD regarding the conceptual design of these turn lanes and has received preliminary approval; final design and approval shall be deferred to site plan with ongoing coordination with ATD.

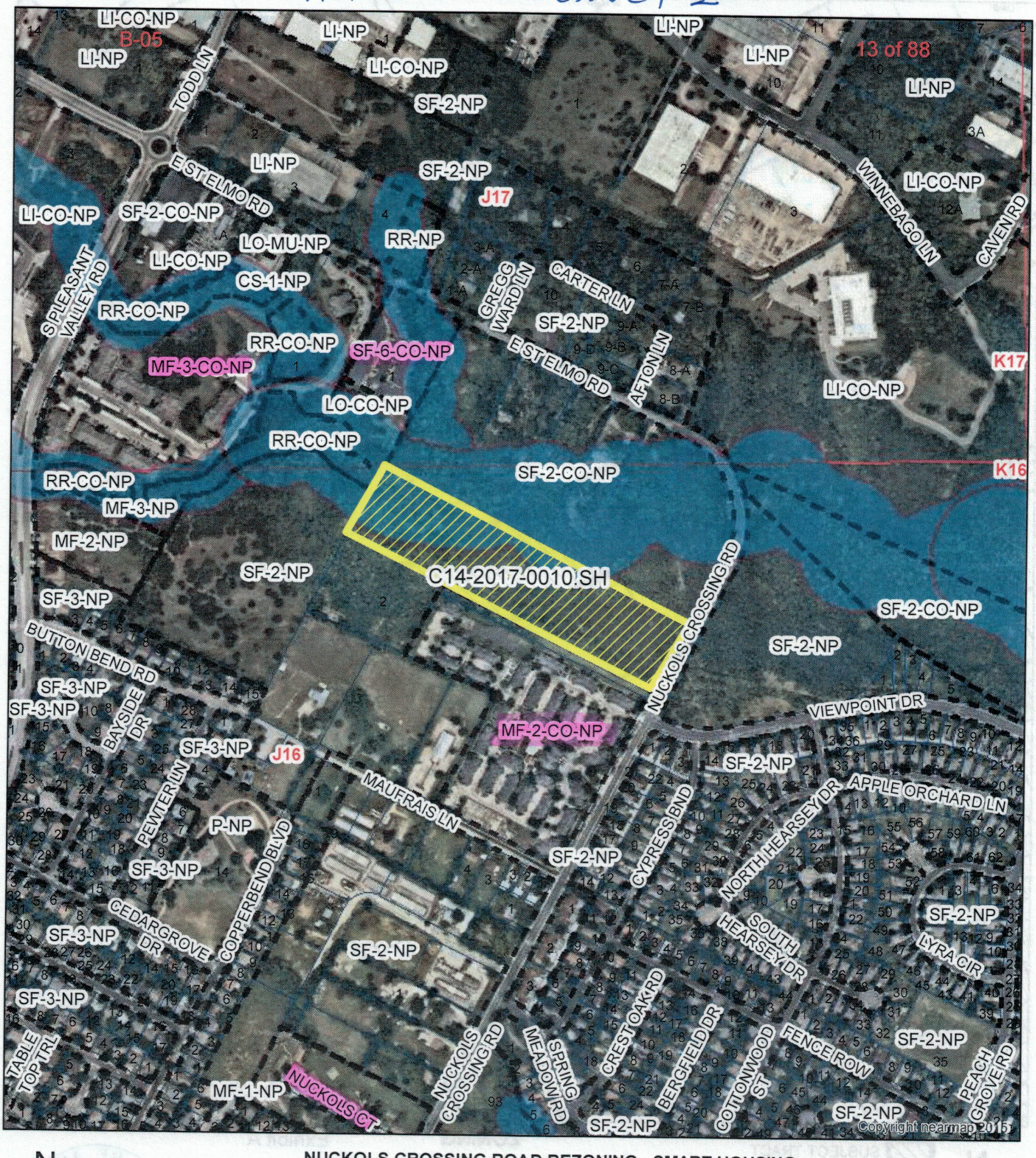
3. To improve vehicular safety near this development and encourage pedestrian connectivity in the area, it is recommended that the following improvements be explored at the time of subdivision construction or site plan: reconstruction of Nuckols Crossing Road to urban standards with curb and gutter, construction of all ages and abilities bicycle facilities, and construction of sidewalks. Additional mitigations or improvements may be required.

4. The City Council may deny an application if the neighborhood traffic analysis demonstrates that the traffic generated by the project combined with existing traffic exceeds the desirable operating level established on a residential local or collector street in the neighborhood traffic analysis study area.

If you have any questions or require additional information, please contact me at 974-1449.

Justin Good, P.E.
Transportation Development Engineer – Lead: South
Austin Transportation Department

Attachment SCNOCT 1



N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

1" = 500'

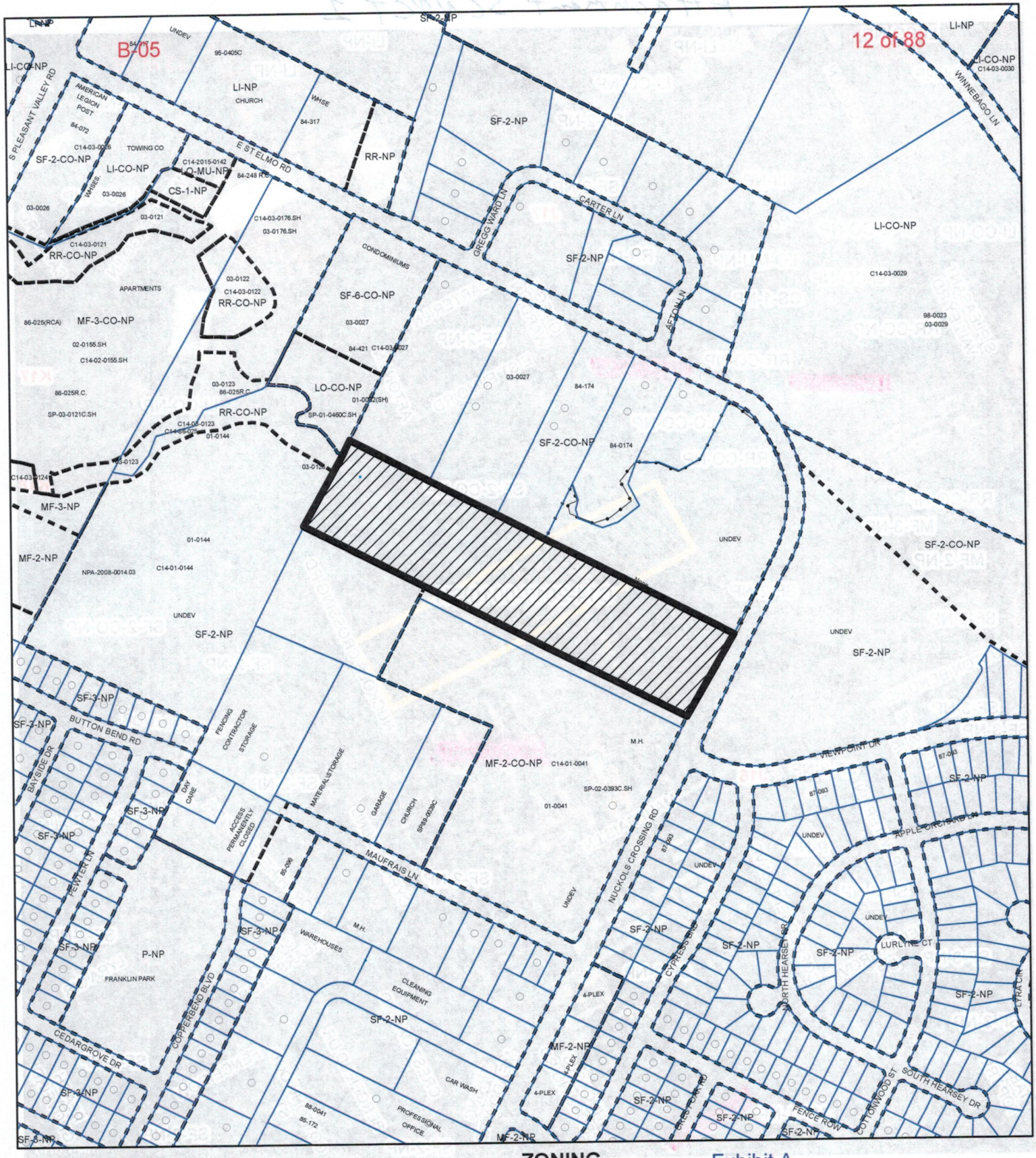
NUCKOLS CROSSING ROAD REZONING - SMART HOUSING

ZONING CASE#: C14-2017-0010.SH
LOCATION: 4400 NUCKOLS CROSSING RD.
SUBJECT AREA: 9.978 Acres
GRID: J16
MANAGER: Wendy Rhoades

Exhibit A - 1

CITY OF AUSTIN FOUNDED 1839

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



ZONING

Exhibit A

ZONING CASE#: C14-2017-0010.SH

N

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

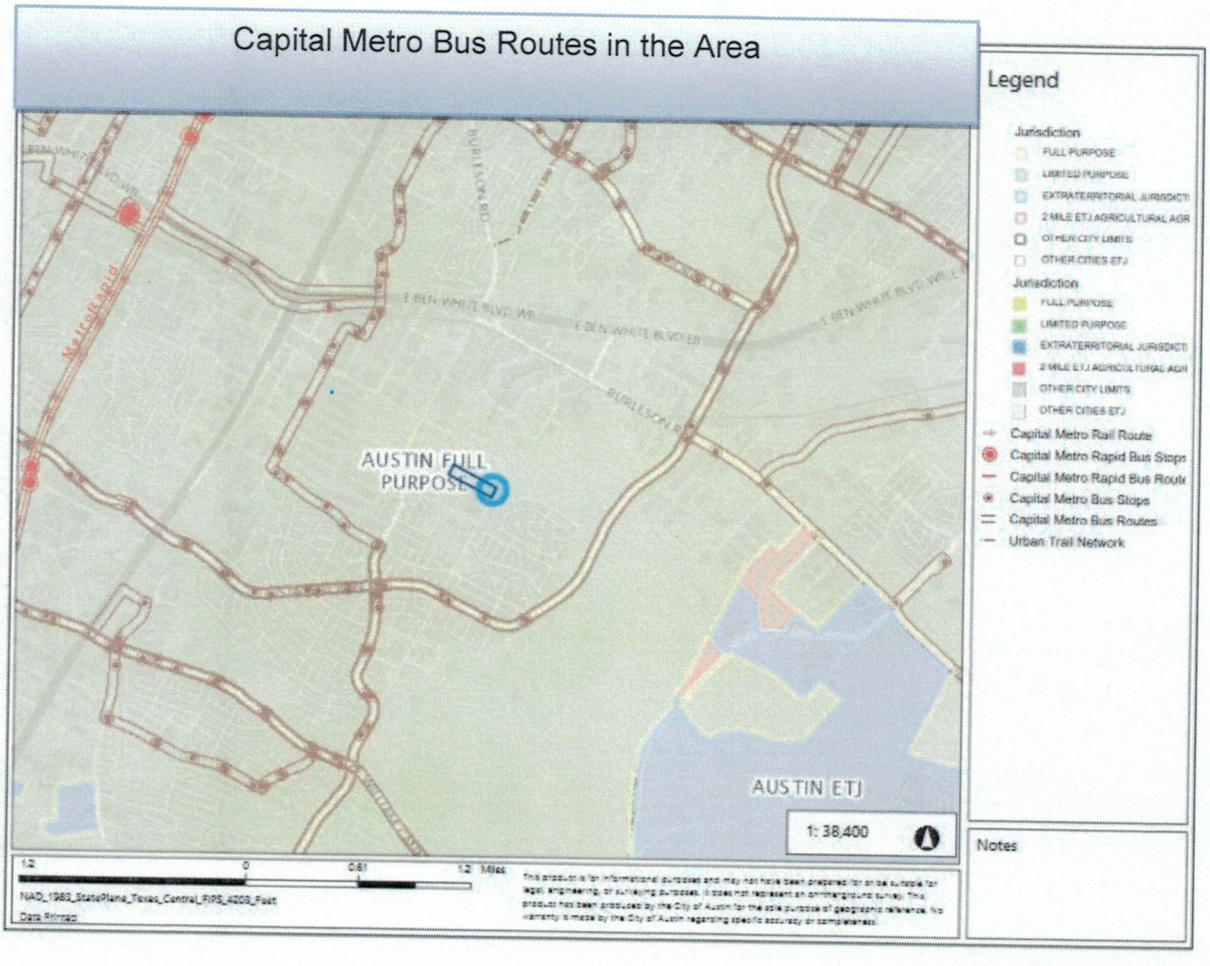
1 " = 400 '

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

CITY OF AUSTIN FOUNDED 1839

Created: 5/21/2020

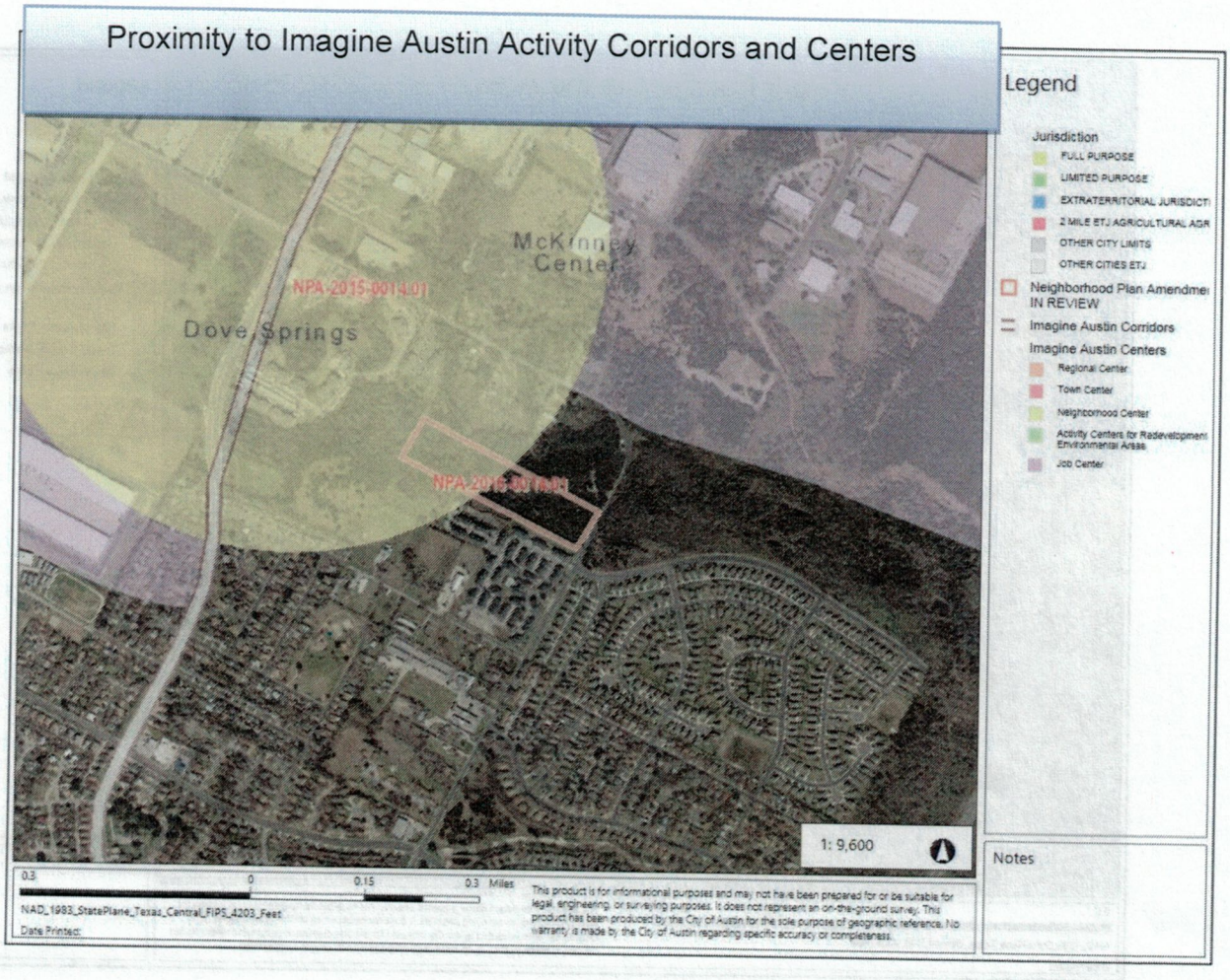


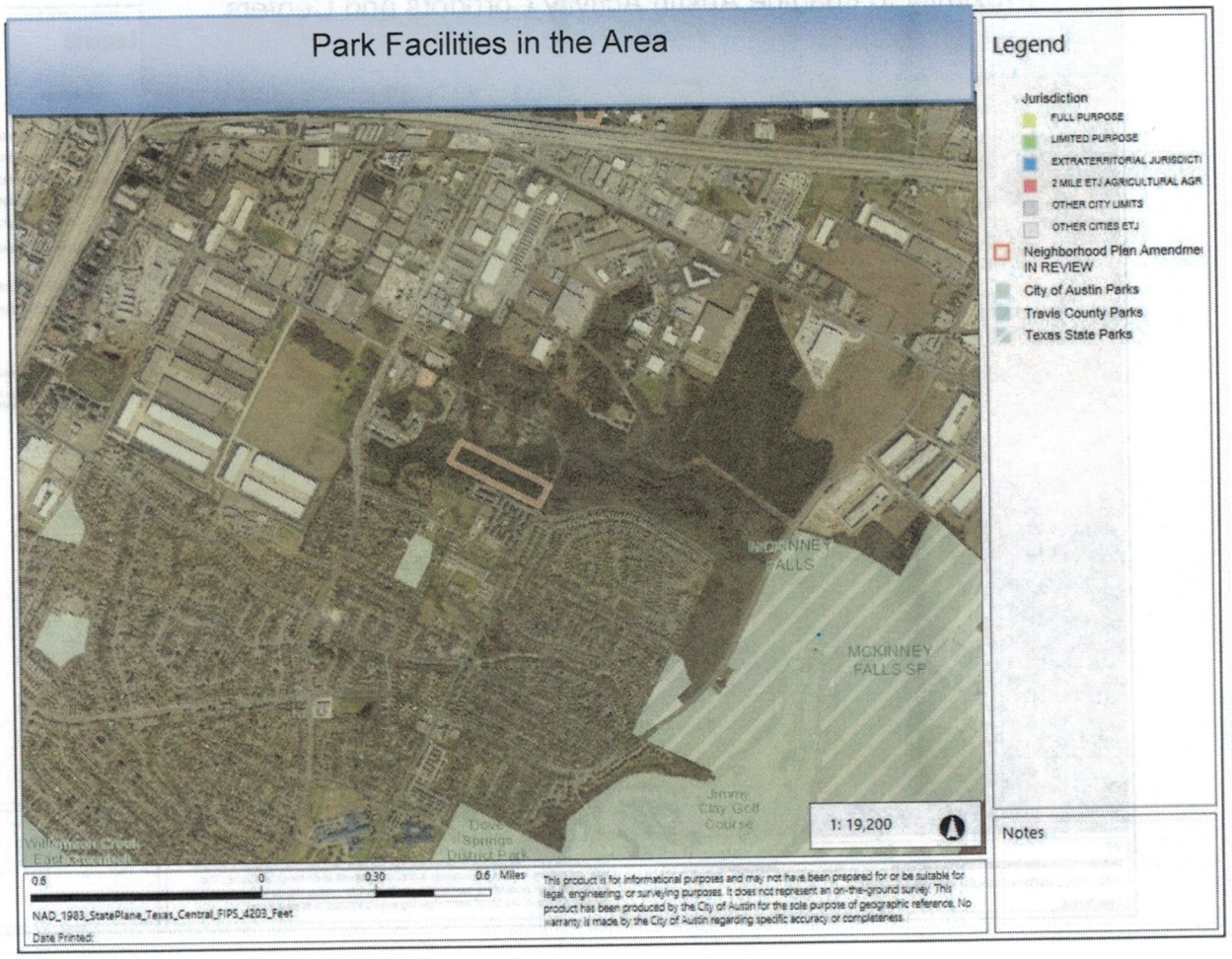
BACKGROUND: The application was filed July 28, 2016, which is in-cycle for neighborhood planning areas located on the east side of I.H.-35.

The application that was originally filed in July 2016 contained approximately 27.413 acres, but the application was revised on September 28, 2018 to reduce the area to a 9.978 acre tract that is zoned SF-2-NP with the existing future land use of Single Family land use. The proposed land use is Multifamily.

The plan amendment application has an associated zoning case, C14-2017-0010.SH, which the applicant is requesting a change in zoning from SF-2-NP to MF-4-NP to build apartments.

PUBLIC MEETINGS: The ordinance-required community meeting was held on February 13, 2017. Approximately 560 meeting notices were mailed to property owners and utility account holders who live within 500 feet of the property, in addition to the neighborhood and environmental groups who have requested notification for the area.


Proximity to Imagine Austin Activity Corridors and Centers
McKinney Center
NPA-2015-0014.01
Dove Springs
NPA-2015-0014.01
1: 9,600
0.3 0 0.15 0.3 Miles
NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet
Date Printed:
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.
Legend
Jurisdiction
FULL PURPOSE
LIMITED PURPOSE
EXTRATERRITORIAL JURISDICTI
2 MILE ETJ AGRICULTURAL AGR
OTHER CITY LIMITS
OTHER CITIES ETJ
Neighborhood Plan Amendmei IN REVIEW
Imagine Austin Corridors
Imagine Austin Centers
Regional Center
Town Center
Neighborhood Center
Activity Centers for Redevelopment Environmental Areas
Job Center
Notes


Park Facilities in the Area
Legend
Jurisdiction
FULL PURPOSE
LIMITED PURPOSE
EXTRATERRITORIAL JURISDICTI
2 MILE ETJ AGRICULTURAL AGR
OTHER CITY LIMITS
OTHER CITIES ETJ
Neighborhood Plan Amendmei IN REVIEW
City of Austin Parks
Travis County Parks
Texas State Parks
MCKINNEY FALLS
MCKINNEY FALLS SP
Jimmy Clay Golf Course
Dove Springs District Park
Williamson Creek East Greenbelt
1: 19,200
Notes
0.6
0
0.30
0.6 Miles
NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet
Date Printed:
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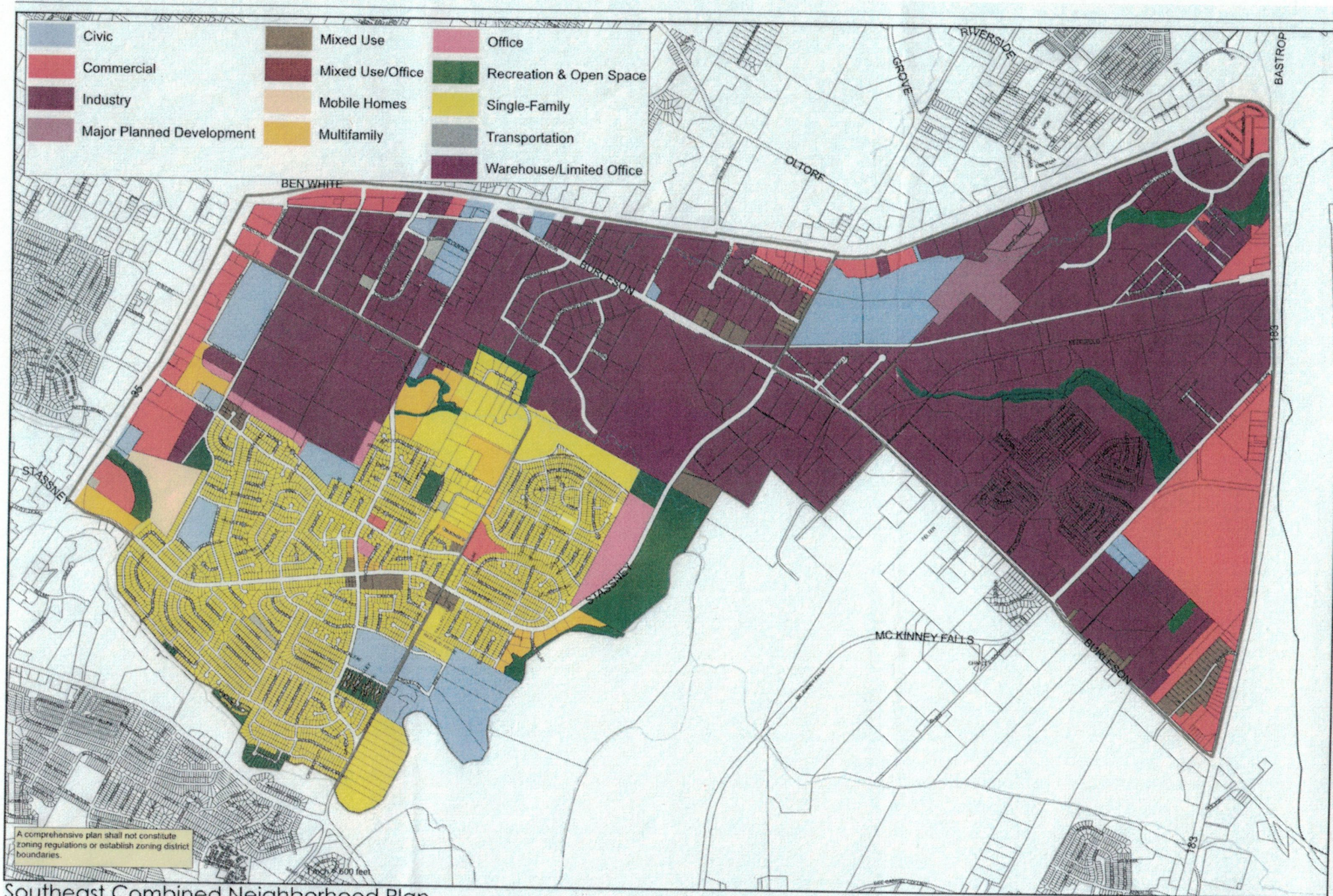

Southeast Combined Neighborhood Plan
Future Land Use Map
CITY OF AUSTIN

Monday, August 28, 2017
southeast_combined_flum.mxd

PLANNING AND ZONING DEPARTMENT

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