The Akins East

Prepared for: HTG Texas Developer LLC

3417 E M.L.K. JR. BOULEVARD
AUSTIN, TRAVIS COUNTY, TEXAS 78721

PREPARED BY:

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DATE:

27 FEBRUARY 2020
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Appendix B: Subdivision Plat
Appendix C: Affordability Unlocked Ordinance
Appendix D: FIRMETTE
# QUICK REFERENCE TABLE

## 3417 E. MLK Blvd.

Austin, Travis County, Texas

February 2020

<table>
<thead>
<tr>
<th>Site Plan Item</th>
<th>Page</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivision/Platting</td>
<td>5</td>
<td>The overall 26-acre property is legally platted. This development would require a resubdivision in order to create a separate legal lot out of the 7-acre site in question.</td>
</tr>
<tr>
<td>Zoning</td>
<td>5</td>
<td>Rezoning required for multifamily or mixed use to Resident Multifamily (RM2).</td>
</tr>
<tr>
<td>Streets and Sidewalks</td>
<td>6</td>
<td>Urban Roadway sidewalks (12’ module) are required to be built along MLK Blvd and along proposed Internal Circulation Routes</td>
</tr>
<tr>
<td>Building Placement and Parking</td>
<td>6</td>
<td>Buildings will be pulled up to the clear zones.</td>
</tr>
<tr>
<td>Driveway</td>
<td>6</td>
<td>E. 17th Street is not available for use as a driveway. By zoning, that access is only available as an emergency access and must be bollarded the rest of the time.</td>
</tr>
<tr>
<td>Compatibility</td>
<td>6</td>
<td>Adjacent properties are zoned and used as single family properties. Setbacks from the abutting property lines will be required, as well as height limits for structures, and limits on lighting.</td>
</tr>
<tr>
<td>Screening</td>
<td>7</td>
<td>Screening is required at trash collections, loading docks, ponds, mechanical equipment, parking lots to be screened from public right-of-way (ROW). In addition to, the owner shall erect and maintain screening to a height of minimum of six feet above the grade of adjacent residential property along the entire adjacent property line.</td>
</tr>
<tr>
<td>Landscape and Tree Preservation</td>
<td>7</td>
<td>Existing trees shall be surveyed and evaluated for preservation. Landscaping and irrigation is required by the City of Austin.</td>
</tr>
<tr>
<td>Topography and Soil Characteristics</td>
<td>7</td>
<td>The Soil Group is Class C and D with high runoff potential and low infiltration rates even when thoroughly wetted.</td>
</tr>
<tr>
<td>Stormwater</td>
<td>8</td>
<td>Detention is required for increased impervious cover on a site to capture 10, 25, 50, and 100 year storm events.</td>
</tr>
<tr>
<td>Floodplain Issues</td>
<td>8</td>
<td>A floodplain is on the eastern portion of the site in a recorded drainage easement. Setbacks are required, driveway access will require crossing the 100 yfp.</td>
</tr>
<tr>
<td>Fire Department</td>
<td>8</td>
<td>Fire Department requirements are determined by the 2015 International Fire Code with local amendments.</td>
</tr>
</tbody>
</table>
Traffic Impact Analysis may or may not be required, it is dependent on the number of trips per day to the location which is dependent on the number of total proposed units.

<table>
<thead>
<tr>
<th>Service</th>
<th>Rating</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water/Wastewater Utilities</td>
<td>9</td>
<td>The water line that is expected to supply the site runs along Martin Luther King Jr. Boulevard (MLK). There is a 16” water line running along the site on MLK. There is a 15” wastewater line running along EM Franklin Avenue. All nearby services should be capable of withstanding the capacity.</td>
</tr>
<tr>
<td>Natural Gas</td>
<td>10</td>
<td>Texas Gas Company is the provider in this area. There are gas lines within the vicinity of the site.</td>
</tr>
<tr>
<td>Electric Power</td>
<td>10</td>
<td>Austin Energy is the provider in this area. There are overhead power lines within the vicinity of the site. These will need to be buried underground if feasible.</td>
</tr>
<tr>
<td>Telecommunications</td>
<td>10</td>
<td>Spectrum and AT&amp;T are the telecommunications providers for the subject site.</td>
</tr>
<tr>
<td>Garbage</td>
<td>10</td>
<td>City of Austin is the service provider in this area.</td>
</tr>
</tbody>
</table>

- Item foreseen to be a major issue.
- Further investigation required.
- No foreseen issues with item.
February 27, 2020

Valentin DeLeon  
HTG Texas Developer LLC  
7035 Bee Caves Road, Suite 203  
Austin, Texas 78746  
RE: Site Investigation Report  
Akins East Site Investigation Report  
3417 E. MLK  
Austin, Travis County, Texas

Dear Mr. DeLeon,

WGI is pleased to submit this Site Investigation Report (SIR) on the ± 6.7 acres which is the SF-6-CO zoned portion of the 26.308-acre site known as Lot 1 Block A St. James Missionary Baptist Church Subdivision located in Austin, Travis County, Texas. This site is being evaluated by WGI to examine the existing site conditions and identify the improvements needed to serve the development of the property as Multifamily residential use.

The information in this SIR was collected by WGI through research of the available City of Austin planning and development information and phone calls with city staff and publicly available data from Travis County Appraisal District. Information and exhibits included in the SIR are related to the existing site conditions, the improvements needed to serve the proposed development, the process and timeline for development in Austin, and the known engineering constraints.

WGI would like to thank you for the opportunity to supply this report and trusts that the information included will be useful during the development of the site. If there is anything in the report that needs further clarification or that you would like to have investigated in greater detail, please let us know.

Sincerely,

WGI  
Texas Engineering Firm No. F-11201

Grayson K Hughes, PE
Market Leader

Introduction
WGI is pleased to submit this Site Investigation Report (SIR) for the approximately 6.7-acre site, located west of the intersection of EM Franklin Street and E. MLK in Austin, Texas and east of the intersection of Loreto Street and E. MLK Boulevard, on the south side of E. MLK Boulevard. It is understood that the property will be developed into a multifamily use residential development. A Site Location Map displaying the property has been included in the appendix as Exhibit 1. WGI has prepared this SIR to evaluate the existing site conditions and identify improvements needed to serve the proposed multifamily residential development.

Existing Use
The existing 26.308-acre property is developed as with a two-story 72,292 square foot church building with 207,750 square feet of paved parking. Existing impervious cover is 24.6% of the site, or 282,157 square feet. The existing parking lot has 403 spaces. This proposed site is located on the western side of the overall property, on the west side of a drainage tributary of the Tannehill Branch watershed. It is not subdivided from the parent property. This site is defined by the zoning line which defines SF-6-CO-NP zoning.

There is an existing water quality/detention pond on the overall site, with some ponding in a portion of the existing parking lot. Increase of impervious cover on site may increase the detention and water quality requirements on site. Further investigation is required to determine if detention is necessary.

Subdivision
A Tax Parcel Map has been included in the appendix as Exhibit 2 along with additional information regarding the single lot on site. Travis County Appraisal District (TCAD) information for the lot is as follows:

<table>
<thead>
<tr>
<th>TCAD Account No.</th>
<th>Site Address</th>
<th>Legal Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>0212150303</td>
<td>3417 E. MLK Bv.</td>
<td>Lot 1 Blk. A St. James Missionary Baptist Church Subdivision</td>
</tr>
</tbody>
</table>

Although the overall lot is subdivided as a single legal lot, development of this SF-6-zoned site will require resubdivision to make it a legal lot. The resubdivision will create two stand-alone lots out of the one allowing for a separate site plan on the 6.7 acre lot.

Please note that current COA requirements as a result of House Bill 3167 may require a project assessment if the property proposes any subdivision or platting requirements. A project assessment is a preliminary analysis by City staff of the applicable general procedures and requirements of the Land Development Code relative to the subdivision requirements as it relates to an individual project. This assessment may take up to 60 days to complete.
Zoning

The proposed development will be required to meet City of Austin zoning regulations for land use, building height, building setbacks, impervious cover limits, signage, landscaping, and parking. A City of Austin Zoning Map has been included in the appendix as Exhibit 3.

The subject site is currently zoned as SF-6-CO-NP, or Townhouse and Condominium residence with a conditional overlay in a neighborhood plan. Subject property is within the full purpose limits of Austin and is located in the East MLK Neighborhood Plan.

The CO, Conditional Overlay in the zoning of this property has these conditions:

1. Development of the property shall not exceed 72 units;
2. The public connection from the property to East 17th Street shall be limited to emergency vehicle access by a standard traffic management device.

SF-6 zoning is a residential zoning category. Multifamily use (apartments) is not a permitted use in this category. Condominium, use, townhouse and duplex use are permitted uses. The total maximum number of dwelling units permitted for development on this site is limited to 72.

If multifamily apartments are proposed, a zoning change under the current land development code would be required to upzone this site to a multifamily zoning category. (Please see section in this report on the New Land Development Code Changes, which is currently under review for approval and implementation.)

Parkland Dedication

The City of Austin requires a parkland dedication fee based on new units such as condos, multi-family units or hotel rooms. This site is partially in a parkland-deficient area (deficient to the west, not deficient to the east). Parkland dedication would be a required fee during the review and approval of the site development permit. The parkland dedication requirement may be met by a land dedication or a fee-in-lieu, to be determined by the Parks Department during site development permit review. See the following parkland fee schedule below:
Affordability Unlocked
The Affordability Unlocked bonus program (Ordinance No. 20190509-027) is designed to assist developers to include more affordable units in new and redeveloped developments. The incentives proposed with the Affordability Unlocked program may be advantageous to this development.

Under affordability unlocked bonus provisions, height limits could be increased. (Compatibility standards are reduced but still apply). Impervious cover limits will depend on the final zoning. Commercial uses (if mixed-use is utilized) are limited to 25% of the gross floor area of the project. Required parking on site is waived except for accessible parking spaces. *(If the new Land Development Code is approved and implemented, this ordinance is incorporated as Affordable Housing Bonus Incentives.)*

Affordability Unlocked offers waivers to development regulations in exchange for reserving at least half of the rentable dwelling units as affordable for a minimum of 40 years. Twenty-percent of all units must be occupied by at or below 50% of the median household income for the Austin-Round Rock Metropolitan Statistical Area.

Front and rear yard setbacks may also be reduced by 50% if granted coverage under Affordability Unlocked.

Commercial Design Standards
Site, Sidewalks
The purpose of the site plan is to ensure that the site being developed meets municipal code and requirements including setbacks, heights, density, compatibility, parking, and health and safety concerns.

Commercial Design Standards (Subchapter E) ensure that the site design is appropriate for the intensity of the roadway. MLK Boulevard is an Urban roadway, requiring Urban sidewalks. The Urban sidewalk module is 12-feet wide and consist of a 7-foot landscape area adjacent to the roadway and a 5-foot clear zone to the inside of the landscape zone. Trees are not required to be planted in the landscape zone. Generally, buildings are pulled up to the clear zone, with a certain amount of leeway for supplemental zones adjacent to the building or for tree preservation.

This site is greater than five acres, which requires the site to be divided up with Internal Circulation Routes (ICRs), roadways that divide the site into blocks. ICRs are required to have 12-foot sidewalks. Trees are required to be planted every 30 feet along ICRs.

At least 2% of the square footage of the site must be dedicated as open space usable for tenant, users or residents of the project.

Driveways
There is one existing curb cut/driveway into the site from MLK boulevard into the existing church development. The subject property tentatively proposes to take access from this driveway through the church property via a joint-use access easement, which has not yet been dedicated. Conceptually, a driveway is proposed from E. 17th Street directly into the site, but the CO attached to the zoning would not permit this except for emergency vehicular access.
MLK Boulevard is not an option for another driveway directly into the site because there is a bridge that extends from the existing driveway to the east to the western corner of the property. The drainage tributary that creates the floodplain on this site crosses MLK at this point. Any driveway to this proposed property will have to cross the Givens Park One tributary.

Circulation and access need to be analyzed based on these existing drives and proposed easements, zoning limitations, and potential bridge construction.

Due to the existing floodplain and due to the zoning conditions which limit driveway access from East 17th Street, primary access to the site would need to be via easement through the church property, the remainder of the existing 26-acre lot. A driveway crossing the floodplain would need to have a bridge structure provided or the floodplain would need to be buried underground in a box culvert. The access easement could be from the existing driveway to the church on E. MLK Boulevard or could possibly be from the other side of East 17th Street, from the east. Either option would require crossing the floodplain to access the site. This may involve changes to the characteristics of the floodplain.

Alterations to the 100-year floodplain may require a map revision to the FEMA floodplain maps as a CLOMR (Conditional Letter of Map Revision), or a LOMR (Letter of Map Revision).

**Lighting**
The City of Austin requires that if lighting is provided in off-street parking or on buildings, the light sources must be indirect, diffused, or covered by shielded type fixtures and installed to reduce glare and interference with boundary streets and to comply with compatibility standards.

**Landscape and Tree Preservation**

**Trees**
Existing trees greater than 8” diameter must be surveyed. Trees that are at least 19” in diameter are considered protected trees and should be protected or designed with preservation in mind. If protected trees need to be removed, a tree removal permit is required. Trees that are 24” diameter or greater are considered Heritage trees. Heritage trees must be preserved; removal is not permitted without a variance, and in some instances, City Council approval.

The City of Austin requires all site plans to provide a landscape plan in compliance with landscape ordinance requirements. Trees are required in street yards, along roadways and to provide shading for parking, sidewalks or building entries. Buffering and screening is required between roadways and parking lots, ponds, and mechanical equipment. Screening or fencing is required along commercial property lines, or properties zoned more intensive than SF-5, which abut residential properties.

**Compatibility**
Properties to the west of this site are zoned and used as single-family residential properties. Development on this site will be subject to City of Austin compatibility standards, including setbacks for buildings, parking and drives, height limits and mitigation of excessive light or sound. Screening along the property line and screening of mechanical and utility units is required. A compatibility setback and height map is shown as Exhibit 4.
New Land Development Code Changes

The City of Austin is in the process of rewriting its Land Development Code. At this time, the new Code has been approved by City Council for one of the required three readings. Potentially, the new code could be approved by late spring 2020, becoming the regulatory code about a month after final reading. The new proposed zoning for this site shows the existing overall site, currently SF-3, being changed to R2A, which is a residential single family and duplex zoning which allows up to 45% impervious cover.

The site, currently zoned SF-6-CO-NP, would be rezoned as RM2, Residential Multifamily, a transition zoning between low-medium density and higher density residential uses. This zoning would allow multifamily (apartment) uses at a density of 24 units per acre, unless the Affordable Housing Bonuses are employed. By dedicating some or the units on a site as income-restricted affordable units, development would be permitted a bonus of up to 60 units per acre, with an unlimited floor-to-area ratio. Impervious cover would be limited at 60%.

Another of the benefits of the new code is that conditional overlays are removed unless there is an F25 zone designation, which this site does not show. That means that the maximum unit count would be able to exceed 74 units under the new code, and driveway access would be permitted from East 17th Street.

If the Affordable Housing Bonuses are employed as part of an incentive program for affordable housing, development on this site is not subject to compatibility standards. Even if compatibility is required, the height of a structure may be 35 feet tall within between 25-50 feet from the compatibility lot line, it may be 45 feet tall between 50 and 100 feet from the compatibility lot line, and past 100 feet away, zoning height standards apply. In this case the maximum height is 45 feet.

Topography and Soil Characteristics

Per United States Department of Agriculture data, the subject site has moderate topographic change. The highest elevation across the overall 6.7-acre property is approximately 550 feet, at the north-northeast side of the site and the lowest is approximately 520, on the mid-southern side of the site, at a drainage draw that runs into the tributary. Extensive walls will be required to develop this property due to the natural slope of the site.

Drainage flows toward the creek, known as Givens Park One, which runs through the middle of the northern portion site, flowing north to southeast. This can be seen in the Topographic Map included in Exhibit 5. Givens Park One is a tributary to Tannehill Branch. The floodplain is contained in a drainage easement illustrated in Exhibit 6.

According to the USDA Web Soil Survey (WSS), the subject site is comprised of the following soil type:

<table>
<thead>
<tr>
<th>Map Unit Symbol</th>
<th>Soil Name and Characteristics</th>
<th>Soil Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>HsD</td>
<td>Houston Black Soils and Urban Land. 0-8% slopes</td>
<td>D</td>
</tr>
<tr>
<td>TuD</td>
<td>Travis soils and urban Land, 1-8% slopes</td>
<td>C</td>
</tr>
<tr>
<td>UvE</td>
<td>Urban land and Ferris soils, 10-15% slopes</td>
<td>D</td>
</tr>
</tbody>
</table>
These soil types belong to hydrologic groups C or D.

Group C. These soils have a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. These soils have a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high-water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

A USDA Soils map is included as Exhibit 7.

**Stormwater Drainage and Water Quality**

This site is located within the Tannehill Branch watershed, an urban watershed. A Watershed Map is included in the appendix as Exhibit 8.

Drainage requirements shall be based on land development code requirements and specifications in the City of Austin Drainage Criteria Manual. The City of Austin requires detention for 2-, 10-, 25-, 50-, and 100-year storm events. Water quality ponds are required to treat the first ½ inch of storm water discharge from the site plus additional 1/10 of an inch for every 10% over the first 20% of impervious cover on the site. Examination and evaluation of the existing pond system is required in order to determine the detention and water quality requirements for the site in question.

The owner or developer is responsible for all storm drainage discharge that flows onto another property.

**FEMA**

According to the Flood Insurance Rate Map 4853CO465K, published January 22, 2020, the property is in flood Zone X. Tannehill Branch Givens Park Tributary One runs through the property. The 100-year flood plain of the Givens Park One is in a dedicated drainage easement.

The City of Austin does not allow any sort of development within the floodplain. Developments that are within the floodplain require a Floodplain Development Permit. The finished floor elevations of the proposed site must be at least 2 feet greater than the 100-year base flood elevations. Development setbacks from the floodplain are also required. Setbacks that pertain to this site are in the northern portion of the site, where the floodplain/ drainage easement cross the property.

**Fire Department Requirements**

Fire hydrants are located at:

1. MLK at Loreto Drive, midblock on Loreto between MLK and E. 17th Street
2. MLK, just west of the church driveway
3. East 17th Street (eastern portion) at Greenwood Avenue

A fire hydrant shall be within 400 feet of the FDC (Fire Department Connection) for the fire sprinkler system. Additional fire hydrants will be required to meet full coverage of any proposed development.
Transportation | Traffic Impact Analysis | Parking

This site contains frontage on the following streets, which are City of Austin rights-of-way and are subject to City standards for minimum driveway spacing.

<table>
<thead>
<tr>
<th>Street Name</th>
<th>City of Austin Classification</th>
<th>No. Lanes/Configuration</th>
<th>ROW</th>
<th>Speed Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Martin Luther King Jr, Boulevard</td>
<td>Urban</td>
<td>Currently 4 Lane, Undivided (Two-Way)</td>
<td>Varies</td>
<td>45 mph</td>
</tr>
<tr>
<td>17th Street</td>
<td>Urban</td>
<td>Currently 2 Lane (Two-Way)</td>
<td>Min: 30’</td>
<td>30 mph</td>
</tr>
</tbody>
</table>

Traffic Impact analysis

A TIA (Traffic Impact Analysis) is required if the proposed facility will generate more than 2,000 trips per day.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>2,000-Trip Threshold</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartment</td>
<td>301 units</td>
</tr>
<tr>
<td>Convenience/Gas</td>
<td>2,370 SF</td>
</tr>
<tr>
<td>Fast-Food Restaurant</td>
<td>4,050 SF</td>
</tr>
<tr>
<td>Hotel</td>
<td>245 rooms</td>
</tr>
<tr>
<td>Office</td>
<td>181,500 SF</td>
</tr>
<tr>
<td>Supermarket</td>
<td>19,500 SF</td>
</tr>
</tbody>
</table>

Water and Wastewater Service

The City of Austin is the water and wastewater provider for the site. There are two possible water lines to tap into for the proposed site. There is a 16-inch cast iron water line running adjacent to the property on Martin Luther King Jr. Boulevard and a there is a 15” PVC wastewater line along the Given Park One tributary. The water line is suspected to be capable of supplying the capacity for the site and the wastewater line should also be capable of collecting the capacity for the site. There is an existing wastewater service lateral from the main line along the tributary on the site connecting to the southwest toward E. 17th Street.

A Water Distribution Map is included as Exhibit 9. A Wastewater Collection Map is included as Exhibit 10.

Natural Gas

Texas Gas Service is the natural gas supplier for this site. Michael Valera, Project Manager – Commercial Project Management, has provided a gas availability map and has confirmed that service is available for the site. Michael Valera can be contacted by email at Michael.Valera@onegas.com or phone at (512) 465-1152.
**Electric**

Electric service in the area is provided through Austin Energy. A service availability letter has been requested.

**Telephone | Cable | Fiber Optic**

Charter Spectrum is the telecommunications provider. Jessie Acevedo, Charter Spectrum Business Development Specialist, has been contacted and he confirmed that service is available for the site; you can reach him by email, his email is Jessie.Acevedo@charter.com. WGI has received a Service of Availability Letter and it is located in Exhibit 13.

**Garbage**

Garbage service in the area is available through the City of Austin.

**Austin Permitting Processes**

**Plan Submittals and Approvals**

A subdivision will be required in order to develop this site, which is a portion of a 26.308 acre, single-lot subdivision. The City of Austin requires all development to be on a legal lot in order to extend utilities. This site is separated from the main overall church site by a zoning line but the developed lot itself will need to be made legal by subdivision prior to the approval of the site plan in order to pull utilities for the project.

When the property is appropriately zoned and subdivided for the desired multifamily development, a site development permit (site plan) will be required. Before the civil plan review, the plans will have to undergo a Completeness Check by the City staff. The site plan review process is a consolidated review of on-site proposed development, including buildings, parking and drives, grading, drainage, water quality, detention, tree protection, fire protection and utilities. Zoning setbacks and compatibility concerns are reviewed. Courtesy notification is sent out to all property owners, utility holders and residents within 300 feet of the perimeter of the proposed project. Interested parties do not have appeal rights unless the use of the project requires a public hearing.

Design plans shall include site specific civil sheets, usually consisting of the following:

- Cover Sheet
- General Notes
- Preliminary or Final Recorded Plat
- Existing Conditions/Topographic Survey
- Demolition Plan
- Tree survey/ Tree protection Plan
- Site Layout or Dimensional Control Plan
- Paving Plan
- Grading Plan
- Existing Drainage Area Map
- Proposed Drainage Area Map
- Storm Drain Plan
- Erosion Control Plan
• Water and wastewater Plans
• Construction Details
• Lighting
• Landscape

The City of Austin review process takes about 6-12 months to permit approval and issuance. The approval of a site development permit allows the initiation of site and utility work but does not permit vertical construction.

Building Permit
The review and approval of building permits necessary to construct buildings on the site may be concurrently reviewed during the review period of the site development permit but may not be issued until the site development permit is approved. The building permit process is designed to ensure compliance with all city codes and ordinances relative to the construction of the building and building sites. The building permit must be acquired before any vertical construction takes place.

Permit and Review Fees
Permit and review fees will be required throughout the development process of this project. Additional fees such as utility connection and inspection, irrigation fees and erosion/sedimentation control will be required prior to issuing the development permit. A copy of The City of Austin Development Fees has been included in the appendix as Exhibit 11.

Development Fees
Several permit and review fees will be required throughout the development process of this project. Additional fees such as capital recovery fees, utility inspection, landscape fees and erosion/sedimentation control fiscal will be required prior to issuing the development permit. Fees are typically based on the meter size of the proposed buildings, the acreage of the proposed development, construction estimates of proposed improvements, and total estimated construction costs. These costs will be further defined as we continue the development process for this site.

Reference Notice
Due to the fluid nature of local development codes and regulations, in addition to the interpretation of those codes and regulations, this SIR is only valid for the time at which it was originally prepared, and the information contained in this report should not be referenced at a later time without a thorough review and confirmation.
EXHIBIT 1: Site Location Map
Site Location Map

3417 E MLK
Austin, Travis County, Texas

SUBJECT SITE
+/- 9.13 acres

Legend

Site Location

WGINC.COM

3417 E MLK
Austin, Travis County, Texas
EXHIBIT 2: TCAD Tax Parcel Map
EXHIBIT 3: City of Austin Zoning Map of Site
City of Austin Zoning Map

0 100 200 400 Feet

WGINC.COM

City of Austin, Travis County, Texas

WGI

3417 E MLK

TOD-NP

East Martin Luther King Jr. Blvd

Legend

Site Location

SUBJECT SITE
+/- 9.13 acres

Austin, Travis County, Texas

02.13.2020
EXHIBIT 4: Compatibility Heights and Setbacks
EXHIBIT 5: Topographic Map of Site
EXHIBIT 6: Easement Exhibit
EXHIBIT 7: USDA Soils Map
Legend

- MUSYM
  - HsD: Houston Black soils and Urban land, 0-8% slopes
  - TuD: Travis soils and urban land, 1-8% slopes
  - UvE: Urban land and Ferris soils, 10-15% slopes

SUBJECT SITE
+- 9.13 acres

USDA Soils Map
3417 E MLK
3417 E MLK
Austin, Travis County, Texas
EXHIBIT 8: Watershed
SUBJECT SITE
+/- 9.13 acres

Legend
Site Location

Watersheds
Boggy Creek
Tannehill Branch

Austin Watershed Map
3417 E MLK
3417 E MLK
Austin, Travis County, Texas

0 100 200 300 400 Feet

East Martin Luther King Jr. Blvd
AIRPORT BLVD
3417 E MLK
WGINC.COM

02.13.2020
EXHIBIT 9: FEMA Floodplain Map
EXHIBIT 10: COA Water Distribution Map
EXHIBIT 11: COA Wastewater Collection map
EXHIBIT 12: City of Austin Development Fees
### SITE PLAN REVIEW FEES

**Effective:** October 1, 2019  
**Updated:** September 27, 2019

A completeness check is required on all site plan applications. If applicable, the Chapter 245 Review fee will be collected at the time of the completeness check.

Once your completeness check is approved, call the Intake staff at the following number to schedule an appointment to submit your application:

512-974-1770

Intake Staff is available to assist you in calculating your fees and advise you on any requirements. They are located on the 4th floor of One Texas Center, 505 Barton Springs Road.

A 4% surcharge has been added to all applicable fees.

#### Mailing Address:

City of Austin  
Development Intake  
One Texas Center - 4th Floor  
PO Box 1088  
Austin, TX 78767-1088

Contractors must contact the City Of Austin - Site and Subdivision Inspection Division to submit required documentation, pay construction inspection fees, and schedule the required Subdivision pre-construction meeting. This meeting must be held prior to any construction activities in the R.O.W. or public easements. Please visit [http://austintexas.gov/page/commercial-site-and-subdivision-inspections](http://austintexas.gov/page/commercial-site-and-subdivision-inspections) for a list of submittal requirements, information concerning fees, and contact information.

#### Key to Symbols

- < Less than
- ≤ Less than or equal to
- > Greater than
- ≥ Greater than or equal to

### Desired Development Zone Fees

<table>
<thead>
<tr>
<th>Category</th>
<th>Fee Description</th>
<th>Total</th>
<th>Revisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Use Only - &quot;A&quot; Site Plan</td>
<td>A Completeness Check Fee of $479.44 applies to all projects</td>
<td>$4,912.32</td>
<td>$2,405.92</td>
</tr>
<tr>
<td>Site Plan - Construction Element</td>
<td>&lt; 2 acres</td>
<td>$14,373.20</td>
<td>$7,136.36</td>
</tr>
<tr>
<td></td>
<td>&lt; 5 acres</td>
<td>$14,977.44</td>
<td>$7,438.48</td>
</tr>
<tr>
<td></td>
<td>≤ 10 acres</td>
<td>$15,490.16</td>
<td>$7,694.84</td>
</tr>
<tr>
<td></td>
<td>&gt; 10 acres</td>
<td>$15,490.16</td>
<td>$7,694.84</td>
</tr>
<tr>
<td></td>
<td>+ Per acre over 10 acres</td>
<td>+ $179.92</td>
<td>+ $89.96</td>
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<tr>
<td>Consolidated - &quot;C&quot; Site Plan</td>
<td>&lt; 2 acres</td>
<td>$19,997.60</td>
<td>$10,948.56</td>
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<td></td>
<td>&lt; 5 acres</td>
<td>$20,552.32</td>
<td>$10,425.92</td>
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<td>≤ 10 acres</td>
<td>$21,370.32</td>
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<tr>
<td></td>
<td>&gt; 10 acres</td>
<td>$21,370.32</td>
<td>$10,634.92</td>
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<td></td>
<td>+ Per acre over 10 acres</td>
<td>+ $179.92</td>
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### Drinking Water Protection Zone Fees

<table>
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<tr>
<th>Category</th>
<th>Fee Description</th>
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<th>Revisions</th>
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</thead>
<tbody>
<tr>
<td>Land Use Only - &quot;A&quot; Site Plan</td>
<td>A Completeness Check Fee of $479.44 applies to all projects</td>
<td>$4,912.32</td>
<td>$2,405.92</td>
</tr>
<tr>
<td>Site Plan - Construction Element</td>
<td>&lt; 2 acres</td>
<td>$15,843.76</td>
<td>$7,871.64</td>
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<td>&lt; 5 acres</td>
<td>$16,505.20</td>
<td>$8,202.36</td>
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<tr>
<td></td>
<td>≤ 10 acres</td>
<td>$17,187.44</td>
<td>$8,543.48</td>
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<td>&gt; 10 acres</td>
<td>$17,187.44</td>
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<td></td>
<td>+ Per acre over 10 acres</td>
<td>+ $198.64</td>
<td>+ $99.32</td>
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</table>

### Additional Fee Details:

- Additional Tree Review and Inspections may also apply, refer to the Tree Review and Inspection Schedule.
- Additional Watershed Protection fee may also apply.
- Additional Transportation Engineering Review fees might also apply.
- UDS Withdraw and Resubmit fee of $112.00 may apply on revisions.

---

**City of Austin Development Services Department**

**Building a Better and Safer Austin Together**

505 Barton Springs Road | Austin, TX 78704 | Phone: 512-978-4000 Website: DevelopmentATX.com
### Site Plan Review Fees (Page 2 of 2)

<table>
<thead>
<tr>
<th>Other Site Plan Fees</th>
<th>Total</th>
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<tbody>
<tr>
<td>Transportation Site Plan - &quot;T&quot; Site Plans</td>
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<tr>
<td>As part of other site plan</td>
<td>$2,959.84</td>
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<td>Stand alone</td>
<td>$5,374.72</td>
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<td>Small Project Fees</td>
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<tr>
<td>Construction Element Only - &quot;BS&quot; Site Plan B,C</td>
<td>$9,819.68</td>
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<td>Consolidated - &quot;CS&quot; Site Plan B,C</td>
<td>$10,510.24</td>
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<td>Telecommunication Tower (Full Purpose) B,C</td>
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<tr>
<td>Telecommunication Tower (ETJ) B,C</td>
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<td>Boat Dock</td>
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<tr>
<td>Small Project</td>
<td>$8,403.20</td>
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<td>Non-Small Project</td>
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<table>
<thead>
<tr>
<th>Miscellaneous Fees</th>
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<tr>
<td>Site Plan Extension</td>
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<tr>
<td>First Extension</td>
<td>$3,176.16</td>
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<td>Commission Approved Extension</td>
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<tr>
<td>Phasing Fee (first phase is free)</td>
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<td>Variance/Waiver</td>
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<td>Administratively Approved</td>
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<td>Transportation Planning</td>
<td>$425.36</td>
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<tr>
<td>Environmental</td>
<td>$258.96</td>
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<tr>
<td>Drainage</td>
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<td>ERI</td>
<td>$152.88</td>
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<td>Commission Approved</td>
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<td>Transportation Planning</td>
<td>$3,436.16</td>
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<tr>
<td>Zoning - Other</td>
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<td>Compatibility</td>
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<td>Environmental</td>
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<tr>
<td>Council Approved SOS Amendment</td>
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<tr>
<td>Environmental</td>
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<table>
<thead>
<tr>
<th>Miscellaneous Fees (continued)</th>
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<tr>
<td>Withdraw and Resubmit</td>
<td>$324.48</td>
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<td>UDS Withdraw and Resubmit</td>
<td>$109.50</td>
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<td>Appeal of Site Plan Commission Decision</td>
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<td>Site Plan Public Hearing Preparation</td>
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<td>Fast Track Certification Fee</td>
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<td>Initial application</td>
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<td>Annual renewal</td>
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<td>Fast Track Review fee</td>
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<td>Short Term Rental Notification</td>
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<td>Basic Notification</td>
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<tr>
<td>Newspaper Notification</td>
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<td>Chapter 245 Review</td>
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<tr>
<td>Chapter 245 Verification</td>
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<tr>
<td>Determination</td>
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<td>Managed Growth Agreement</td>
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<td>Project Consent Agreement</td>
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<td>Fair Notice Fee</td>
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<td>Commercial Site Plan Exemption</td>
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<td>Site Plan Correction</td>
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<td>Landscape Inspection</td>
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<tr>
<td>≤ 1 acre</td>
<td>$2.12</td>
</tr>
<tr>
<td>&gt; 1 acre</td>
<td>$42.23</td>
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<tr>
<td>Landscape Re-inspection</td>
<td></td>
</tr>
<tr>
<td>≤ 1 acre per phase</td>
<td>$15.91</td>
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<tr>
<td>&gt; 1 acre per phase</td>
<td>$31.72</td>
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<tr>
<td>Redevelopment Exception</td>
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<td>Administratively Approved</td>
<td>$2,670.72</td>
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<tr>
<td>Council Approved</td>
<td>$8,902.40</td>
</tr>
<tr>
<td>Rough Cut Without Full Development</td>
<td>$234.72</td>
</tr>
</tbody>
</table>

* Additional Water Utility UDS Engineering Plan Review Fee covers submittals 1 - 3. Fee increases on 4th and subsequent submittals to $560 each.

* Additional Watershed Protection fee might also apply.

* Additional Transportation Engineering Review fee might also apply.
### Commercial Building Plan Review Fees

<table>
<thead>
<tr>
<th>Plan Review Fee</th>
<th>DSD Fees</th>
<th>4% Surcharge</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Building Plan Review Application Processing Fee</td>
<td>$115.00</td>
<td>$4.60</td>
<td>$119.60</td>
</tr>
<tr>
<td>Building Plan Resubmittal Fee</td>
<td>$846.00</td>
<td>$33.84</td>
<td>$879.84</td>
</tr>
<tr>
<td>Minor Plan Resubmittal (2 or less disciplines)</td>
<td>$1,812.00</td>
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<td>$1,884.48</td>
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<tr>
<td>Major Plan Resubmittal (More than 2 disciplines)</td>
<td>$750.00</td>
<td>$30.00</td>
<td>$780.00</td>
</tr>
<tr>
<td>Site Plan Only (Site plan discipline only)</td>
<td>$750.00</td>
<td>$30.00</td>
<td>$780.00</td>
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<tr>
<td>Approved Plan Revision Fee</td>
<td>$422.00</td>
<td>$16.88</td>
<td>$438.88</td>
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<tr>
<td>Minor Plan Revision</td>
<td>$1,684.00</td>
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<td>$1,751.36</td>
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<td>Overtime Plan Review Fee (per discipline, per hour, two-hour minimum)</td>
<td>$286.00</td>
<td>$11.44</td>
<td>$297.44</td>
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<tr>
<td>Temporary (Limited) Building Permit (per discipline)</td>
<td>$423.00</td>
<td>$16.92</td>
<td>$439.92</td>
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<tr>
<td>Commercial Plan Review Consultation (per discipline, per hour)</td>
<td>$215.00</td>
<td>$8.60</td>
<td>$223.60</td>
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<tr>
<td>Occupant Load Card Review</td>
<td>$193.00</td>
<td>$7.72</td>
<td>$200.72</td>
</tr>
<tr>
<td>Occupant Load Card Increase Plan Review</td>
<td>$652.00</td>
<td>$26.08</td>
<td>$678.08</td>
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<tr>
<td>Alternate Methods of Compliance</td>
<td>$130.00</td>
<td>$5.20</td>
<td>$135.20</td>
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<tr>
<td>Quick Turnaround Fee</td>
<td>$134.00</td>
<td>$5.36</td>
<td>$139.36</td>
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<tr>
<td>7-Day Review</td>
<td>$1,533.00</td>
<td>$61.32</td>
<td>$1,594.32</td>
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<tr>
<td>Special Events Plan Review Fees</td>
<td>$76.00</td>
<td>$3.12</td>
<td>$81.12</td>
</tr>
<tr>
<td>≤ 2,000 sq. ft.</td>
<td>$156.00</td>
<td>$6.24</td>
<td>$162.24</td>
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<tr>
<td>Multistory and non-perscriptive</td>
<td>$624.00</td>
<td>$24.96</td>
<td>$648.96</td>
</tr>
</tbody>
</table>

### Additional Fees

- **Occupancy Group A**
  - ≤ 1,500 sq. ft. $3,048.00
  - ≤ 5,000 sq. ft. $3,048.00
    - per additional 500 over 1,500 $71.00
  - ≤ 10,000 sq. ft. $3,547.00
    - per additional 1,000 over 5,000 $75.00
  - ≤ 10,000 sq. ft. $3,547.00
    - per additional 5,000 over 10,000 $169.00
  - ≤ 25,000 sq. ft. $3,920.00
    - per additional 1,000 over 10,000 $169.00
  - ≤ 25,000 sq. ft. $3,920.00
    - per additional 5,000 over 25,000 $385.00
  - ≤ 10,000 sq. ft. $4,426.00
    - per additional 1,000 over 25,000 $385.00
  - ≤ 10,000 sq. ft. $4,426.00
    - per additional 1,000 over 10,000 $192.00
  - > 10,000 sq. ft. $7,058.00
    - per additional 1,000 over 10,000 $192.00

- **Occupancy Group H**
  - ≤ 1,500 sq. ft. $2,646.00
  - ≤ 5,000 sq. ft. $2,646.00
    - per additional 500 over 1,500 $141.00
  - ≤ 25,000 sq. ft. $3,636.00
    - per additional 1,000 over 5,000 $71.00
  - ≤ 50,000 sq. ft. $4,723.00
    - per additional 1,000 over 25,000 $192.00

- **Occupancy Groups B, E, F, M, S, U**
  - ≤ 1,500 sq. ft. $2,691.00
  - ≤ 5,000 sq. ft. $2,691.00
    - per additional 500 over 1,500 $71.00
  - ≤ 10,000 sq. ft. $3,190.00
    - per additional 1,000 over 5,000 $71.00
  - ≤ 25,000 sq. ft. $3,518.00
    - per additional 5,000 over 10,000 $71.00
  - ≤ 50,000 sq. ft. $4,025.00
    - per additional 5,000 over 25,000 $71.00
  - ≤ 100,000 sq. ft. $5,127.00
    - per additional 10,000 over 50,000 $71.00
  - > 100,000 sq. ft. $7,415.00
    - per additional 10,000 over 100,000 $71.00

- **Occupancy Group R**
  - ≤ 1,500 sq. ft. $2,378.00
  - ≤ 5,000 sq. ft. $2,378.00
    - per additional 500 over 1,500 $71.00
  - ≤ 10,000 sq. ft. $3,100.00
    - per additional 1,000 over 5,000 $71.00
  - ≤ 25,000 sq. ft. $3,830.00
    - per additional 1,000 over 10,000 $71.00
  - ≤ 50,000 sq. ft. $4,650.00
    - per additional 1,000 over 25,000 $71.00
  - ≤ 100,000 sq. ft. $5,650.00
    - per additional 10,000 over 50,000 $71.00

- **Occupancy Group I**
  - ≤ 1,500 sq. ft. $3,093.00
  - ≤ 5,000 sq. ft. $3,093.00
    - per additional 500 over 1,500 $221.00
  - ≤ 10,000 sq. ft. $4,025.00
    - per additional 1,000 over 5,000 $221.00
  - ≤ 25,000 sq. ft. $4,723.00
    - per additional 1,000 over 10,000 $221.00
  - ≤ 50,000 sq. ft. $5,898.00
    - per additional 1,000 over 25,000 $221.00
  - ≤ 100,000 sq. ft. $7,992.00
    - per additional 10,000 over 50,000 $221.00
  - > 100,000 sq. ft. $12,352.00
    - per additional 10,000 over 100,000 $221.00

- **Shell Buildings**
  - ≤ 5,000 sq. ft. $2,743.00
  - ≤ 10,000 sq. ft. $2,743.00
    - per additional 1,000 over 5,000 $220.00
  - ≤ 25,000 sq. ft. $2,937.00
    - per additional 1,000 over 10,000 $220.00
  - ≤ 50,000 sq. ft. $3,578.00
    - per additional 1,000 over 25,000 $220.00
  - ≤ 100,000 sq. ft. $4,145.00
    - per additional 10,000 over 50,000 $220.00
  - > 100,000 sq. ft. $5,808.00
    - per additional 10,000 over 100,000 $220.00

- **Additional Fees**
  - 4% Development Services Surcharge fee will be added to all plan review & permit fees.
  - The review fee is payable at the time of submital and is non-refundable unless the fee is collected in error by the City of Austin.
  - The permit fee is payable at the time of permit issuance for building and trade permits.

---

**Updated: 9/27/2019 - Effective: 10/1/2019**

**Commercial Building Plan Review and Permit Fees**

505 Barton Springs Road
Austin, TX 78704
512-978-4000
DevelopmentATX.com
## Commercial Building Plan Review & Permit Fees (2 of 4)

### Commercial New Construction Permit Fees

A 4% Development Services Surcharge fee will be added to all permit fees.

#### Occupancy Groups: A, B, E, F, H, I, M, S, U

All buildings except apartments, motels, hotels, warehouses, parking garages, and residences

<table>
<thead>
<tr>
<th>Occupancy Group</th>
<th>Apartments</th>
<th>Motels / Hotels</th>
<th>Warehouse Space and Parking Garages Only</th>
<th>Special Events</th>
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<tbody>
<tr>
<td>Base per sq. ft.</td>
<td>$0.03</td>
<td>$0.03</td>
<td>$0.04</td>
<td>$0.05</td>
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<tr>
<td>Per Unit</td>
<td>$8.67</td>
<td>$17.33</td>
<td>$8.67</td>
<td>$8.67</td>
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#### Occupancy Group R

<table>
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<th>Apartments</th>
<th>Base per sq. ft.</th>
<th>Electrical</th>
<th>Mechanical</th>
<th>Plumbing</th>
<th>Energy</th>
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<td>≤ 1,000 sq. ft.</td>
<td>$263.93</td>
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<td>$151.26</td>
<td>$263.93</td>
<td>$55.93</td>
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<tr>
<td>≤ 5,000 sq. ft.</td>
<td>$263.93</td>
<td>$255.26</td>
<td>$151.26</td>
<td>$263.93</td>
<td>$55.93</td>
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<tr>
<td>per additional 1,000 over 1,000</td>
<td>$45.50</td>
<td>$32.50</td>
<td>$66.08</td>
<td>$2.17</td>
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<tr>
<td>≤ 10,000 sq. ft.</td>
<td>$445.92</td>
<td>$333.26</td>
<td>$281.26</td>
<td>$528.25</td>
<td>$64.60</td>
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<td>≤ 25,000 sq. ft.</td>
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<td>per additional 1,000 over 10,000</td>
<td>$4.62</td>
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<td>≤ 50,000 sq. ft.</td>
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<td>$991.91</td>
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<td>$15.60</td>
<td>$3.81</td>
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<td>&gt; 50,000 sq. ft.</td>
<td>$714.58</td>
<td>$996.24</td>
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<td>per additional 10,000</td>
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<td>$15.60</td>
<td>$3.81</td>
<td>$0.03</td>
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<tr>
<td>per add’l floor</td>
<td>$8.67</td>
<td>$8.67</td>
<td>$8.67</td>
<td>$8.67</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Motels / Hotels</th>
<th>Base per sq. ft.</th>
<th>Electrical</th>
<th>Mechanical</th>
<th>Plumbing</th>
<th>Energy</th>
</tr>
</thead>
<tbody>
<tr>
<td>≤ 25,000 sq. ft.</td>
<td>$506.59</td>
<td>$489.25</td>
<td>$333.26</td>
<td>$749.25</td>
<td>$81.93</td>
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<td>$4.62</td>
<td>$7.80</td>
<td>$31.20</td>
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<td>≤ 50,000 sq. ft.</td>
<td>$575.92</td>
<td>$606.25</td>
<td>$445.92</td>
<td>$991.91</td>
<td>$91.93</td>
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<td>$5.55</td>
<td>$15.60</td>
<td>$3.81</td>
<td>$0.03</td>
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<table>
<thead>
<tr>
<th>Warehouse Space and Parking Garages Only</th>
<th>Base per sq. ft.</th>
<th>Electrical</th>
<th>Mechanical</th>
<th>Plumbing</th>
<th>Energy</th>
</tr>
</thead>
<tbody>
<tr>
<td>≤ 5,000 sq. ft.</td>
<td>$149.62</td>
<td>$322.95</td>
<td>$276.10</td>
<td>$439.94</td>
<td>$54.29</td>
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<tr>
<td>per additional 1,000 over 5,000</td>
<td>$5.55</td>
<td>$15.60</td>
<td>$3.81</td>
<td>$0.35</td>
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<tr>
<td>&gt; 50,000 sq. ft.</td>
<td>$357.61</td>
<td>$704.27</td>
<td>$374.95</td>
<td>$487.61</td>
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<tr>
<td>per additional 10,000 sq. ft.</td>
<td>$14.08</td>
<td>$26.00</td>
<td>$6.50</td>
<td>$1.08</td>
<td></td>
</tr>
<tr>
<td>No HVAC Systems</td>
<td>$86.66</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Special Events Inspections</th>
<th>DSD Fee</th>
<th>4% Surcharge</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>≤ 5,000 sq. ft.</td>
<td>$69.20</td>
<td>$2.77</td>
<td>$71.97</td>
</tr>
<tr>
<td>&gt; 5,000 sq. ft.</td>
<td>$69.20</td>
<td>$2.77</td>
<td>$71.97</td>
</tr>
<tr>
<td>per additional 1,000 over 5,000</td>
<td>$7.43</td>
<td>$0.30</td>
<td>$7.73</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>All Occupancy Groups</th>
<th>Base per sq. ft.</th>
<th>Electrical</th>
<th>Mechanical</th>
<th>Plumbing</th>
<th>Energy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shell Buildings</td>
<td>$258.77</td>
<td>$328.10</td>
<td>$189.44</td>
<td>$276.10</td>
<td>$58.78</td>
</tr>
<tr>
<td>≤ 5,000 sq. ft.</td>
<td>$258.77</td>
<td>$328.10</td>
<td>$189.44</td>
<td>$276.10</td>
<td>$58.78</td>
</tr>
<tr>
<td>per additional 1,000 over 5,000</td>
<td>$3.27</td>
<td>$1.16</td>
<td>$3.47</td>
<td>$0.19</td>
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<tr>
<td>≤ 10,000 sq. ft.</td>
<td>$406.10</td>
<td>$380.10</td>
<td>$276.10</td>
<td>$432.10</td>
<td>$59.44</td>
</tr>
<tr>
<td>per additional 10,000 over 5,000</td>
<td>$15.60</td>
<td>$10.40</td>
<td>$20.80</td>
<td>$1.73</td>
<td></td>
</tr>
<tr>
<td>≤ 50,000 sq. ft.</td>
<td>$484.10</td>
<td>$484.10</td>
<td>$328.10</td>
<td>$536.10</td>
<td>$68.11</td>
</tr>
<tr>
<td>per additional 10,000 over 10,000</td>
<td>$5.50</td>
<td>$9.75</td>
<td>$7.37</td>
<td>$0.22</td>
<td></td>
</tr>
<tr>
<td>≤ 1,000,000 sq. ft.</td>
<td>$579.43</td>
<td>$874.09</td>
<td>$622.76</td>
<td>$840.09</td>
<td>$76.78</td>
</tr>
<tr>
<td>per additional 100,000 over 100,000</td>
<td>$2.38</td>
<td>$9.75</td>
<td>$7.37</td>
<td>$0.22</td>
<td></td>
</tr>
<tr>
<td>&gt; 1,000,000 sq. ft.</td>
<td>$848.09</td>
<td>$1,264.08</td>
<td>$966.09</td>
<td>$1,566.08</td>
<td>$85.44</td>
</tr>
<tr>
<td>per additional 100,000</td>
<td>$26.87</td>
<td>$39.00</td>
<td>$17.33</td>
<td>$0.87</td>
<td></td>
</tr>
<tr>
<td>per add’l floor</td>
<td>$8.67</td>
<td>$8.67</td>
<td>$8.67</td>
<td>$8.67</td>
<td></td>
</tr>
</tbody>
</table>
Commercial Building Plan Review & Permit Fees (3 of 4)

Commercial Remodel, Repair & Alterations Permit Fees

A 4% Development Services Surcharge fee will be added to all permit fees.

Occupancy Groups: A, B, E, F, H, I, M, R-1, R-2, S, U

All buildings except warehouses, parking garages and residences

<table>
<thead>
<tr>
<th>Building</th>
<th>Electrical</th>
<th>Mechanical</th>
<th>Plumbing</th>
<th>Energy</th>
</tr>
</thead>
<tbody>
<tr>
<td>≤ 1,000 sq. ft.</td>
<td>$263.93</td>
<td>$255.26</td>
<td>$237.93</td>
<td>$281.26</td>
</tr>
<tr>
<td>≤ 5,000 sq. ft.</td>
<td>$263.93</td>
<td>$255.26</td>
<td>$237.93</td>
<td>$281.26</td>
</tr>
<tr>
<td>per additional 1,000 over 1,000</td>
<td>$8.67</td>
<td>$19.50</td>
<td>$10.83</td>
<td>$13.00</td>
</tr>
<tr>
<td>≤ 10,000 sq. ft.</td>
<td>$288.59</td>
<td>$333.26</td>
<td>$281.26</td>
<td>$333.26</td>
</tr>
<tr>
<td>per additional 1,000 over 5,000</td>
<td>$14.73</td>
<td>$31.20</td>
<td>$8.67</td>
<td>$10.40</td>
</tr>
<tr>
<td>≤ 25,000 sq. ft.</td>
<td>$372.26</td>
<td>$489.25</td>
<td>$324.59</td>
<td>$385.26</td>
</tr>
<tr>
<td>per additional 5,000 over 10,000</td>
<td>$41.89</td>
<td>$78.00</td>
<td>$40.44</td>
<td>$40.44</td>
</tr>
<tr>
<td>≤ 50,000 sq. ft.</td>
<td>$497.92</td>
<td>$723.25</td>
<td>$445.92</td>
<td>$506.59</td>
</tr>
<tr>
<td>per additional 5,000 over 25,000</td>
<td>$29.47</td>
<td>$31.20</td>
<td>$24.27</td>
<td>$24.27</td>
</tr>
<tr>
<td>&gt; 50,000 sq. ft.</td>
<td>$645.25</td>
<td>$879.24</td>
<td>$567.25</td>
<td>$627.92</td>
</tr>
<tr>
<td>per additional 10,000</td>
<td>$29.47</td>
<td>$31.20</td>
<td>$24.27</td>
<td>$24.27</td>
</tr>
<tr>
<td>per additional floor</td>
<td>$4.33</td>
<td>$4.33</td>
<td>$4.33</td>
<td>$4.33</td>
</tr>
</tbody>
</table>

Warehouse Space and Parking Garages Only

<table>
<thead>
<tr>
<th>Building</th>
<th>Electrical</th>
<th>Mechanical</th>
<th>Plumbing</th>
<th>Energy</th>
</tr>
</thead>
<tbody>
<tr>
<td>≤ 5,000 sq. ft.</td>
<td>$149.62</td>
<td>$184.28</td>
<td>$227.62</td>
<td>$357.61</td>
</tr>
<tr>
<td>≤ 10,000 sq. ft.</td>
<td>$149.62</td>
<td>$184.28</td>
<td>$227.62</td>
<td>$357.61</td>
</tr>
<tr>
<td>per additional 1,000 over 5,000</td>
<td>$19.07</td>
<td>$43.35</td>
<td>$8.67</td>
<td>$16.47</td>
</tr>
<tr>
<td>≤ 50,000 sq. ft.</td>
<td>$244.95</td>
<td>$205.95</td>
<td>$270.95</td>
<td>$439.94</td>
</tr>
<tr>
<td>per additional 10,000 over 10,000</td>
<td>$28.17</td>
<td>$59.58</td>
<td>$13.00</td>
<td>$22.75</td>
</tr>
<tr>
<td>&gt; 50,000 sq. ft.</td>
<td>$357.61</td>
<td>$444.28</td>
<td>$322.95</td>
<td>$530.94</td>
</tr>
<tr>
<td>per additional 10,000</td>
<td>$14.08</td>
<td>$29.79</td>
<td>$6.50</td>
<td>$11.37</td>
</tr>
<tr>
<td>No HVAC Systems</td>
<td>$86.66</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Commercial Tree Permit Review & Inspection Fees

A 4% Development Services Surcharge fee will be added to all permit fees.

<table>
<thead>
<tr>
<th>DSD Fee</th>
<th>% Surcharge</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-Development Consultation</td>
<td>$841.00</td>
<td>$33.64</td>
</tr>
<tr>
<td>Site Plan Exemption Review</td>
<td>$630.00</td>
<td>$25.20</td>
</tr>
<tr>
<td>Update Fee</td>
<td>$409.00</td>
<td>$16.36</td>
</tr>
<tr>
<td>City Arborist Site Plan/Subdivision Review</td>
<td>≤ 5 trees</td>
<td>$1,141.00</td>
</tr>
<tr>
<td>≤ 20 trees</td>
<td>$1,492.00</td>
<td>$59.68</td>
</tr>
<tr>
<td>≤ 50 trees</td>
<td>$1,932.00</td>
<td>$77.28</td>
</tr>
<tr>
<td>≤ 200 trees</td>
<td>$3,164.00</td>
<td>$126.56</td>
</tr>
<tr>
<td>&gt; 200 trees</td>
<td>$3,164.00</td>
<td>$126.56</td>
</tr>
<tr>
<td>City Arborist Site Plan/Subdivision Review</td>
<td>per additional 5,000 over 10,000</td>
<td>$41.89</td>
</tr>
<tr>
<td>per additional 10,000</td>
<td>$29.47</td>
<td>$31.20</td>
</tr>
<tr>
<td>per additional floor</td>
<td>$4.33</td>
<td>$4.33</td>
</tr>
</tbody>
</table>

Refunds on Permits

- For detailed information regarding refunds, see the Technical Criteria Manual.
- No refund shall be granted if the purchaser has paid the minimum fee established for the specific type of permit.
- No refund shall be granted if any work governed by the permit has been performed.
- No refund shall be granted if an inspection has been performed, scheduled, or requested on the permit.
- Refunds for permits equal 75% of the original permit less the minimum permit fee established for the specific type of permit.
- Refund claims must be submitting in writing with a copy of the permit receipt.
- Only active fees may be refunded.
## Miscellaneous Fees

<table>
<thead>
<tr>
<th>Service Description</th>
<th>DSD Fees</th>
<th>4% Surcharge</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>After Hours Inspection Fees</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First Hour</td>
<td>$52.00</td>
<td></td>
<td>$52.00</td>
</tr>
<tr>
<td>Each Additional Hour</td>
<td>$52.00</td>
<td></td>
<td>$52.00</td>
</tr>
<tr>
<td>Re-Inspection Fee</td>
<td>$49.00</td>
<td></td>
<td>$49.00</td>
</tr>
</tbody>
</table>

*The fee will be charged for a scheduled inspection each time (1) work is not complete; (2) corrections from prior deficiency were not completed; or (3) the site is not accessible.*

<table>
<thead>
<tr>
<th>Service Description</th>
<th>DSD Fees</th>
<th>4% Surcharge</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review for Standalone Projects</td>
<td>$193.00</td>
<td>$7.72</td>
<td>$200.72</td>
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<tr>
<td>Inspections for Standalone Projects</td>
<td>$49.00</td>
<td>$1.96</td>
<td>$50.96</td>
</tr>
<tr>
<td>Per inspection after two inspections</td>
<td>$24.00</td>
<td>$0.96</td>
<td>$24.96</td>
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<tr>
<td>Demolition Permit</td>
<td>$70.00</td>
<td>$2.80</td>
<td>$72.80</td>
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<tr>
<td>Relocation Permit</td>
<td>$45.00</td>
<td>$1.80</td>
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<tr>
<td>Boat Dock New Construction Permit</td>
<td>$173.00</td>
<td>$6.92</td>
<td>$179.92</td>
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<td>Electric Sign Permit</td>
<td>$52.00</td>
<td>$2.08</td>
<td>$54.08</td>
</tr>
<tr>
<td>Municipal Utility District (MUD) (Electrical &amp; Plumbing)</td>
<td>$40.00</td>
<td>$1.60</td>
<td>$41.60</td>
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<tr>
<td>Permits Outside the City Limits</td>
<td>$21.00</td>
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<td>$21.00</td>
</tr>
<tr>
<td>Electric Service Planning Application / DPGA</td>
<td>$11.00</td>
<td>$0.44</td>
<td>$11.44</td>
</tr>
<tr>
<td>Electric Service Inspection Fee in COA</td>
<td>$121.00</td>
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<td>$121.00</td>
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<tr>
<td>Electric Service Inspection Fee in PESD</td>
<td>$139.00</td>
<td>$5.56</td>
<td>$144.56</td>
</tr>
<tr>
<td>Electrical Special Inspection Program Fee</td>
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<tr>
<td>Initial Application</td>
<td>$16.00</td>
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<tr>
<td>Annual Renewal</td>
<td>$5.00</td>
<td>$0.20</td>
<td>$5.20</td>
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<tr>
<td>Certificate of Occupancy</td>
<td>$17.00</td>
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<td>$17.00</td>
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<tr>
<td>Temporary Certificate of Occupancy (Expires after 90 days)</td>
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<tr>
<td>Building</td>
<td>$59.00</td>
<td>$2.36</td>
<td>$61.36</td>
</tr>
<tr>
<td>Mechanical, Electrical, Plumbing</td>
<td>$59.00</td>
<td>$2.36</td>
<td>$61.36</td>
</tr>
<tr>
<td>Temporary Certificate of Occupancy Renewal</td>
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<td></td>
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</tr>
<tr>
<td>Building</td>
<td>$55.00</td>
<td>$2.20</td>
<td>$57.20</td>
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<tr>
<td>Mechanical, Electrical, Plumbing</td>
<td>$59.00</td>
<td>$2.36</td>
<td>$61.36</td>
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<tr>
<td>Contractors Expired Permits</td>
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<tr>
<td>Sign, Building, Electrical, Mechanical or Plumbing Permits</td>
<td>$21.00</td>
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<td>$21.84</td>
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<tr>
<td>Escrow Accounts (Establishment of Escrow Account)</td>
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<td>$32.00</td>
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<tr>
<td>Registration (Mechanical, Irrigation)</td>
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</tr>
<tr>
<td>New</td>
<td>$32.00</td>
<td>$32.00 per discipline</td>
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</tr>
<tr>
<td>Annual Renewal</td>
<td>$11.00</td>
<td>$11.00 per discipline</td>
<td></td>
</tr>
<tr>
<td>Annual Permit</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Processing Fee</td>
<td>$13.00</td>
<td>$0.52</td>
<td>$13.52</td>
</tr>
<tr>
<td>Inspections</td>
<td>$52.00</td>
<td>$2.08</td>
<td>$54.08</td>
</tr>
<tr>
<td>Commercial Change Out</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>HVAC (first system)</td>
<td>$57.00</td>
<td>$2.28</td>
<td>$59.28</td>
</tr>
<tr>
<td>Each additional system</td>
<td>$13.00</td>
<td>$0.52</td>
<td>$13.52</td>
</tr>
<tr>
<td>Water Heater (first appliance)</td>
<td>$57.00</td>
<td>$2.28</td>
<td>$59.28</td>
</tr>
<tr>
<td>Each additional appliance</td>
<td>$13.00</td>
<td>$0.52</td>
<td>$13.52</td>
</tr>
</tbody>
</table>
EXHIBIT 13: Charter Service Availability Letter
Thank you for your interest in receiving Charter service. The purpose of this letter is to confirm that the Property is within an area that Charter may lawfully serve. However, it is not a commitment to provide service to the Property. Prior to any determination as to whether service can or will be provided to the Property, Charter will conduct a survey of the Property and will need the following information from you:

- Exact site address and legal description
- Is this an existing building or new construction?
- Site plans, blue prints, plat maps or any similar data
- The location of any existing utilities or utility easements

Upon receipt, a Charter representative will be assigned to you to work through the process. Ultimately, a mutually acceptable service agreement for the Property will be required and your cooperation in the process is appreciated.

Sincerely,

Jessie Acevedo | Business Development Specialist
Work 512.485.4075 Cell 512 201 9124
CTX Construction 810 W Howard Ln, Suite 100, Austin, TX 78753
EXHIBIT 14: Austin Energy Service Availability Letter
EXHIBIT 15: Texas Gas Service, Service Availability Letter
ORDINANCE NO. 20160922-065

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3417 EAST MARTIN LUTHER KING, JR. BOULEVARD IN THE EAST MLK COMBINED NEIGHBORHOOD PLAN AREA FROM FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (SF-6-CO-NP) COMBINING DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from family residence-neighborhood plan (SF-3-NP) combining district to townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district on the property described in Zoning Case No. C14-2016-0025, on file at the Planning and Zoning Department, as follows:

A tract of land containing 6.27 acres, being a portion of Outlot 24, Division “B”, of the government outlots adjoining the Original City of Austin, Travis County, Texas, according to the map or plat of said government outlots on file in the General Land Office of the State of Texas, same being a portion of Lot 1, Block A, St. James Missionary Baptist Church Subdivision, a subdivision recorded in Document Number 200200217, Official Public Records of said county, said 6.27 acres also being a portion of that certain 20.658 acre tract of land described in a general warranty deed to St. James Missionary Baptist recorded on May 12, 2000 and recorded in Document Number 2000072951, Official Public Records of said county, said 6.27 acre tract being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance, and;

A tract of land containing 2.86 acres, being a portion of Outlot 24, Division “B”, of the government outlots adjoining the Original City of Austin, Travis County, Texas, according to the map or plat of said government outlots on file in the General Land Office of the State of Texas, same being a portion of Lot 1, Block A, St. James Missionary Baptist Church Subdivision, a subdivision recorded in Document Number 200200217, Official Public Records of said county, said 2.86 acres also being a portion of the following two tracts of land: 1) that certain 20.658 acre tract of land described in a general warranty deed to St. James Missionary Baptist Church recorded on May 12, 2000 in Document Number 2000072951, Official Public Records of said county, 2) that certain 1 acre tract of land described
in a general warranty deed to St. James Missionary Baptist Church recorded on
April 28, 2000 in Document Number 2000064181, Official Public Records of said
county, and being more particularly described by metes and bounds in Exhibit “B”
incorporated into this ordinance (cumulatively referred to as the “Property”),
locally known as 3417 East Martin Luther King, Jr. Boulevard in the City of Austin, Travis
County, Texas, generally identified in the map attached as Exhibit “C”.

PART 2. The Property within the boundaries of the conditional overlay combining district
established by this ordinance is subject to the following conditions:

A. Development of the Property shall not exceed 72 residential units.

B. The public roadway connection from the Property to East 17th Street shall be
limited to emergency vehicle access by a standard traffic management device.

Except as specifically restricted under this ordinance, the Property may be developed and
used in accordance with the regulations established for the townhouse and condominium
residence (SF-6) district and other applicable requirements of the City Code.

PART 3. The Property is subject to Ordinance No. 021107-Z-12c that established zoning
for the East MLK Combined Neighborhood Plan.

PART 4. This ordinance takes effect on October 3, 2016.

PASSED AND APPROVED

September 22, 2016

Steve Adler
Mayor

Anne L. Morgan
City Attorney

Jannette S. Goodall
City Clerk
DESCRIPTION

DESCRIBING A TRACT OF LAND CONTAINING 6.27 ACRES, BEING A PORTION OF OUTLOT 24, DIVISION "B", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO A MAP OR PLAT OF SAID GOVERNMENT OUTLOTS ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAME BEING A PORTION OF LOT 1, BLOCK A, ST. JAMES MISSIONARY BAPTIST CHURCH SUBDIVISION, A SUBDIVISION RECORDED IN DOCUMENT NUMBER 200200217, OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID 6.27 ACRES ALSO BEING A PORTION OF THAT CERTAIN 20.658 ACRE TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO ST. JAMES MISSIONARY BAPTIST CHURCH RECORDED ON MAY 12, 2000 AND RECORDED IN DOCUMENT NUMBER 2000072951, OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID 6.27 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a ½" iron rod at the northwest corner of said Lot 1, Block A, same being the northeast corner of Lot 1, Block "B", McKinley Heights Terrace, a subdivision recorded in Book 21, Page 32, Plat Records of said County and in the south right-of-way line of East Martin Luther King Jr. Boulevard (R.O.W. varies);

THENCE, with the north line of said Lot 1, Block A, same being the south right-of-way line of said East Martin Luther King Jr. Boulevard, N81°52'18"E, 50.01 feet to a calculated point;

THENCE, through the interior of said Lot 1, Block A, S07°06'42"E, 72.73 feet to a calculated point in a southwest line of a variable width drainage and public utility easement as shown on said St James Missionary Baptist Church Subdivision;

THENCE, continuing through the interior of said Lot 1, Block A and with said drainage and public utility easement, the following seven courses:

1) S39°06'51"E, 219.47 feet to a calculated point;
2) S45°27'14"E, 53.71 feet to a calculated point;
3) S86°59'21"E, 68.55 feet to a calculated point;
4) S10°52'20"E, 324.65 feet to a calculated point;
5) S23°20'32"E, 194.92 feet to a calculated point;
6) S22°22'17"E, 166.15 feet to a calculated point;

Exhibit A
7) S63°09'00"E, 122.82 feet to a ½" iron rod in the south line of said Lot 1, Block A, same being the north line of City of Austin Evergreen Cemetery, as recorded in Volume 1688, Page 417, Deed Records of said County;

THENCE, with the south line of said Lot 1, Block A, same being the north line of said cemetery, S82°08'18"W, 233.52 feet to a ½" iron rod at the northwest corner of said cemetery tract recorded in Volume 1688, Page 417, same being the northeast corner of City of Austin Evergreen Cemetery, as recorded in Volume 381, Page 319, Deed Records of said County;

THENCE, with the south line of said Lot 1, Block A, same being the north line of said cemetery, S82°00'18"W, 252.46 feet to a ½" iron rod at the southwest corner of said Lot 1, Block A, same being the southeast corner of Lot 5, Block "C" of said McKinley Heights Terrace;

THENCE, with the west line of said Lot 1, Block A, same being the east line of said McKinley Heights Terrace, the following two courses:
1) N07°37'42"W, 281.67 feet to a ½" iron rod;
2) N07°06'42"W, 777.44 feet to the POINT OF BEGINNING and containing 6.27 acres of land.

Field Notes Prepared by:
URBAN DESIGN GROUP
3660 Stoneridge Road, # E101
Austin, Texas 78746
(512) 347-0040
TBPLS NO. 10065900

Map attached.

Basis of Bearings: St. James Missionary Baptist Church Subdivision, Document Number 200200217, Official Public Records, Travis County, Texas.

References: TCAD: 02 1215 0303.
Austin Grid: L-23.
DESCRIPTION

DESCRIBING A TRACT OF LAND CONTAINING 2.86 ACRES, BEING A PORTION OF OUTLOT 24, DIVISION "B", OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, ACCORDING TO A MAP OR PLAT OF SAID GOVERNMENT OUTLOTS ON FILE IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAME BEING A PORTION OF LOT 1, BLOCK A, ST. JAMES MISSIONARY BAPTIST CHURCH SUBDIVISION, A SUBDIVISION RECORDED IN DOCUMENT NUMBER 200200217, OFFICIAL PUBLIC RECORDS OF SAID COUNTY, SAID 2.86 ACRES ALSO BEING A PORTION OF THE FOLLOWING TWO TRACTS OF LAND:

1) THAT CERTAIN 20.658 ACRE TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO ST. JAMES MISSIONARY BAPTIST CHURCH RECORDED ON MAY 12, 2000 IN DOCUMENT NUMBER 2000072951, OFFICIAL PUBLIC RECORDS OF SAID COUNTY,

2) THAT CERTAIN 1 ACRE TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO ST. JAMES MISSIONARY BAPTIST CHURCH RECORDED ON APRIL 28, 2000 IN DOCUMENT NUMBER 2000064181, OFFICIAL PUBLIC RECORDS OF SAID COUNTY,

SAID 2.86 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a calculated point in the north line of said Lot 1, Block A, same being the south right-of-way line of East Martin Luther King Jr. Boulevard (R.O.W. varies), from which a ½" iron rod at the northwest corner of said Lot 1, Block A, same being the northeast corner of Lot 1, Block "B", McKinley Heights Terrace, a subdivision recorded in Book 21, Page 32, Plat Records of said County bears S81°52'18"W, 50.01 feet;

THENCE, with the north line of said Lot 1, Block A, same being the south right-of-way line of said East Martin Luther King Jr. Boulevard, N81°52'18"E, 449.99 feet to a calculated point from which a ½" iron pipe at the northeast corner of said Lot 1, Block A bears N81°52'18"E, 583.11 feet;

THENCE, through the interior of said Lot 1, Block A, the following two courses:

1) S08°07'42"E, 316.83 feet to a calculated point;
EXHIBIT " "
FN #1360
UDG #16-866.004
Page 2 of 2

2) S81°52'18" W, 238.46 feet to a calculated point in a southwest line of a variable width
  drainage and public utility easement as shown on said St. James Missionary Baptist
  Church Subdivision;

THENCE, continuing through the interior of said Lot 1, Block A and with said drainage and
public utility easement, the following three courses:
  1) N86°59'21" W, 68.55 feet to a calculated point;
  2) N45°27'14" W, 53.71 feet to a calculated point;
  3) N39°06'51" W, 219.47 feet to a calculated point;

THENCE, continuing through the interior of said Lot 1, Block A, N07°06'42" W, 72.73 feet to
the POINT OF BEGINNING and containing 2.86 acres of land.

Field Notes Prepared by:
URBAN DESIGN GROUP
3660 Stoneridge Road, # E101
Austin, Texas 78746
(512) 347-0040

TBPLS NO. 10065900

Map attached.

Basis of Bearings: St. James Missionary Baptist Church Subdivision, Document Number
200200217, Official Public Records, Travis County, Texas.

References: TCAD: 02 1215 0303.
Austin Grid: L-23.
ZONING CASE#: C14-2016-0025

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.

Created 08/26/16
Appendix B – Subdivision Plat
Appendix C – Affordability Unlocked Ordinance
20190509-027
ORDINANCE NO. 20190509-027

AN ORDINANCE AMENDING CITY CODE TITLE 25 (LAND DEVELOPMENT CODE) CREATING A RESIDENTIAL AFFORDABLE HOUSING DEVELOPMENT BONUS PROGRAM; WAIVING, MODIFYING, AND ESTABLISHING REQUIREMENTS; CREATING AN OFFENSE; AND ESTABLISHING A PENALTY.

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

PART 1. FINDINGS.

The council finds the following:

(1) The Strategic Housing Blueprint (Blueprint) establishes a City-wide goal to produce a total of 135,000 new units with a goal of at least 60,000 new income restricted units by 2027.

(2) There is a need for affordable housing of all types throughout the City including, but not limited, to single family, duplex, townhome, condominium, and multi-family.

(3) The City is dedicated to finding creative, innovative solutions to address the City’s affordable housing crisis, to create more affordable housing, to increase the effectiveness of public dollars used for affordable housing, and to meet the goals of the Blueprint.

(4) In November 2018, voters approved $250 million for affordable housing. Additionally, 4% and 9% Low Income Housing Tax Credits (LIHTC) are popular financing tools to create affordable housing and require at least 50% of a development’s dwelling units to serve households that average 60% median family income.

(5) This city-wide program, which was initiated in Resolution No. 20190221-027, is necessary to encourage the development of affordable housing throughout the City.

PART 2. City Code Chapter 25-1, Article 15 (Housing) is amended to add a new Division 4 (Affordability Unlocked Bonus Program) to read as follows:
§ 25-1-720 PURPOSE, APPLICABILITY, SHORT TITLE, AUTHORITY, AND CONFLICT.

(A) The purpose of this division is to establish a voluntary affordable housing bonus program that allows for increased density for residential dwelling units.

(B) This division applies within the zoning jurisdiction.

(C) This division may be cited as "Affordability Unlocked Bonus Program".

(D) The director may adopt, implement, and enforce:

   (1) program guidelines; and

   (2) administrative rules in accordance with Chapter 1-2 (Administrative Rules).

(F) A provision of this title that is specifically applicable to a qualifying development governs over a conflicting provision of this title.

§ 25-1-721 DEFINITIONS.

In this division,

(1) GOVERNMENT-OPERATED AFFORDABLE HOUSING PROGRAM means a program operated by a federal, state, or local department that provides financial or other form of subsidy for the purpose of providing affordable housing.

(2) HOUSING FOR OLDER PERSONS means housing for households with at least one individual who is at least 62 years of age at the time of initial occupancy.

(3) MFI means median family income for the Austin metropolitan statistical area.

(4) QUALIFYING DEVELOPMENT means a development certified under Section 25-1-724 (Certification) and participating in the Affordability Unlocked Bonus Program.

(5) SLEEPING UNIT means a bedroom in a structure that serves as a dwelling unit for seven or more unrelated individuals who share amenities, such as a kitchen, bathrooms, or living areas.

(6) SUPPORTIVE HOUSING means housing that includes non-time-limited affordable housing assistance with wrap-around supportive...
services for individuals experiencing homelessness, as well as other individuals with disabilities.

§ 25-1-722 ELIGIBILITY.

(A) A proposed development qualifies as a Type 1 development and is eligible for this program if:

(1) it includes:

(a) a minimum of three dwelling units,
(b) only affordable dwelling units; or
(c) one or more structures that serve as a dwelling unit for seven or more unrelated individuals who share amenities, such as a kitchen, bathrooms, or living areas;

(2) at least 25 percent of the affordable dwelling units include two or more bedrooms, supportive housing, housing for older persons, or any combination of the three;

(3) not more than 25 percent of the proposed development's gross floor area is for commercial uses;

(4) it is new construction, it is redevelopment of a site without existing multi-family structures, or the existing development on the site complies with the requirements in Subsection (D); and

(5) it meets the requirements set forth in Section 25-1-723 (Affordability Requirements).

(B) Except for a proposed development participating in a government-operated affordable housing program with stricter requirements, the applicant for a proposed rental development:

(1) shall incorporate lease provisions that are consistent with:

(a) the U.S. Department of Housing and Urban Development (HUD) Section 8 Tenant-Based Assistance Housing Choice Voucher (HCV) Program related to the termination of tenancy by owner;

(b) any lease addendum required as a condition to receive city or Austin Housing Finance Corporation (AHFC) funds; and

(c) 24 C.F.R. § 245.100 related to a tenant's right to organize; and

Page 3 of 11
(2) may not discriminate on the basis of an individual’s source of income as defined in Section 5-1-13 (Definitions).

(C) A proposed development qualifies as a Type 2 development and is eligible for additional bonuses if it meets the standards imposed in Subsections (A) and (B) plus one or more of the following:

(1) at least 50 percent of the affordable dwelling units include two or more bedrooms;

(2) for a rental development:

(a) at least 75 percent of the total units or sleeping units serve households whose incomes average 60 percent MFI or below, rounded up to the nearest unit or sleeping unit; or

(b) at least 10 percent of the affordable units or sleeping units serve households with incomes of 30 percent MFI or below, rounded up to the nearest unit or sleeping unit; or

(3) for an owner-occupied development, at least 75 percent of the owner-occupied dwelling units or sleeping units serve households whose incomes average 80 percent MFI or below; or

(4) is located within ¹⁄₄ mile of an activity corridor designated in the Imagine Austin Comprehensive Plan and is served by a bus or transit line.

(D) A proposed development that will require the applicant to redevelop or rebuild an existing multi-family structure is eligible for this program if:

(1) the proposed development meets the standards imposed in Subsections (A) and (B);

(2) the existing multi-family structure requires extensive repairs and for which rehabilitation costs will exceed 50 percent of the market value, as determined by the building official;

(3) the proposed development will replace all existing units that were affordable to a household earning 80 percent MFI or below in the previous year and have at least as many bedrooms;

(4) the applicant provides current tenants with:

(a) notice and information about the proposed development on a form approved by the director; and

Page 4 of 11
(b) relocation benefits that are consistent with Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C.A. 4601, et seq.; and

(5) the applicant grants current tenants the option to lease a unit of comparable affordability and size following completion of redevelopment.

§ 25-I-723 AFFORDABILITY REQUIREMENTS.

(A) An applicant complies with the requirements in this section if the applicant participates in a government-operated affordable housing program that imposes, at a minimum, the same affordability requirements.

(B) A rental development must comply with at least the following:

(1) at least 50 percent of the total units or sleeping units serve households whose incomes average 60 percent MFI or below; and

(2) at least 20 percent of the total units or sleeping units serve households with incomes of 50 percent MFI or below.

(C) Except for a Type 2 owner-occupied development that complies with the requirements in Section 25-I-722(C)(3), at least 50 percent of the owner-occupied dwelling units or sleeping units must serve households whose incomes average 80 percent MFI or below.

(D) If the number of units required in this section include less than a whole unit, the unit number is rounded up to the nearest whole unit.

(E) The minimum affordability period for a rental development is the greater of the affordability period required for development receiving city or Austin Housing Finance Corporation (AHFC) funds or 40 years following the issuance of the last certificate of occupancy required for the qualifying development.

(F) The minimum affordability period for an owner-occupied dwelling unit is 99 years following the issuance of a certificate of occupancy for the owner-occupied dwelling unit.

(G) In a multi-phased qualifying development, the director may begin the minimum affordability period upon the issuance of the last certificate of occupancy for each phase.
§ 25-1-724 CERTIFICATION.

(A) If the director certifies that a proposed development meets the requirements of this division, the accountable official is authorized to process a development application as a qualifying development.

(B) Before the director may certify that a proposed development meets the requirements of this division, the applicant shall execute:

(1) an agreement to preserve the minimum affordability period and related requirements imposed by this division; and

(2) a document for recording in the real property records that provides notice of or preserves the minimum affordability requirements imposed by this division.

(C) The form of the documents described in Subsection (B) must be approved by the city attorney.

(D) The director may certify an applicant who complies with the requirements in Subsection (B) because the applicant participates in a government-operated affordable housing program that imposes, at a minimum, the same affordability requirements.

§ 25-1-725 POST-CONSTRUCTION REQUIREMENTS AND PENALTY.

(A) For a rental development, the property owner or the property owner’s agent shall provide the director with information that allows the director to verify compliance with the affordability requirements. The information shall be provided on an annual basis and on a form approved by the director.

(B) If, for any reason, the director is unable to confirm that the affordability requirements were met during any 12-month period, the preceding 12 months may not be used to satisfy the minimum affordability requirements in Section 25-1-723 (Affordability Requirements).

(C) An applicant complies with the requirements in this section if the applicant complies with monitoring and income verification requirements that are imposed and enforced as part of a government-operated affordable housing program.

(D) A person commits an offense if the person fails to comply with the requirement in Subsection (A). A culpable mental state is not required, and need not be proved. A person commits a separate offense for each day the
person fails to provide the documentation. Each offense is punishable by a fine not to exceed $500.

PART 3. City Code Chapter 25-2, Subchapter C, Article 2, Division 2 (Requirements for All Districts) is amended to add a new Section 25-2-518 (Qualifying Development) to read as follows:

§ 25-2-518 QUALIFYING DEVELOPMENT.

(A) In this section, a qualifying development is a development certified under Section 25-1-724 (Certification) and participating in the Affordability Unlocked Bonus Program.

(B) Notwithstanding any ordinance or City Code provision to contrary, a qualifying development is a permitted use under Section 25-2-491 (Permitted, Conditional, and Prohibited Uses) in:

(1) a residential base zoning district;

(2) a commercial base zoning district;

(3) a special purpose base zoning district, except on a site designated:

(a) agricultural (AG),

(b) aviation (AV); or

(4) a combining and overlay district.

(C) No more than 25 percent of the gross floor area of the qualifying development may be comprised of commercial uses. The permitted commercial uses are determined using the base zoning district.

(D) A qualifying development is not required to comply with:

(1) the height and setback requirements of Article 10 (Compatibility Standards) except to maintain side setbacks as required by the base zoning district;

(2) the maximum floor-to-area ratio for the applicable base zoning district under Section 25-2-492 (Site Development Regulations);

(3) Subchapter F (Residential Design and Compatibility Standards) except to maintain side setbacks as required by the base zoning district;

(4) Section 25-2-773 (Duplex Residential Use); or

(5) minimum site area requirements.
(E) This subsection applies to a qualifying development located in urban residence (SF-5) or more restrictive zoning district and the height of the development exceeds 35 or three stories.

(1) A qualifying development must comply with:
(a) Section 25-2-1066 (Screening Requirements); and
(b) Subsections (A) and (B) in Section 25-2-1067 (Design Regulations).

(2) A person must enclose a refuse receptacle, including a dumpster.

(3) The location of and access to a refuse receptacle is subject to review and approval by the accountable official.

(4) A person may not collect or allow another to collect refuse receptacles between 10:00 p.m. and 7:00 a.m.

PART 4. City Code Chapter 25-2, Subchapter C, Article 2, Division 3 (Exceptions) is amended to add a new Section 25-2-534 (Qualifying Development Exceptions) to read as follows:

§ 25-2-534 QUALIFYING DEVELOPMENT EXCEPTIONS.

(A) In this section, a qualifying development is a development certified under Section 25-1-724 (Certification) and participating in the Affordability Unlocked Bonus Program.

(B) A qualifying development is not subject to Section 25-2-511 (Dwelling Unit Occupancy Limit).

(C) Minimum lot size for a qualifying development is 2,500 square feet.

(D) Minimum lot width for a qualifying development is 25 feet.

(E) A Type 1 development may:

(1) construct to a height that is the applicable base zoning district height limit multiplied by 1.25;

(2) reduce front yard setbacks by 50 percent;

(3) reduce rear setbacks by 50 percent, and

(4) include six dwelling units if the existing zoning on the site is Single Family Residential Small (SF-4A), Single Family Residence Condominium Site (SF-4B), or more restrictive.
In addition to Subsection (E), a Type 2 development may:

(1) construct to a height that is the applicable base zoning district height limit multiplied by 1.5; and

(2) include eight dwelling units if the existing zoning on the site is Single Family Residential Small (SF-4A), Single Family Residence Condominium Site (SF-4B), or more restrictive.

If a qualifying development is also eligible to utilize a separate density bonus program that grants density bonuses for the provision of affordable dwelling units or for the payment of a fee-in-lieu for affordable housing, then the qualifying development may comply with the least restrictive site development requirements if all affordable dwelling units are provided onsite.

A qualifying development will comply with impervious cover as allowed by zoning.

PART 5. City Code Section 25-6-471 (Off-Street Parking Facility Required) is amended to add new Subsections (I) and (J) to read as follows:

§ 25-6-471 OFF-STREET PARKING FACILITY REQUIRED.

(1) In this section,

(1) ACCESSIBLE SPACE means a parking space for an individual with a disability that complies with the Americans with Disabilities Act (ADA) and Fair Housing Act Amendments (FHAA), as appropriate; and

(2) QUALIFYING DEVELOPMENT means a development certified under Section 25-1-724 (Certification) and participating in the Affordability Unlocked Bonus Program.

(1) A qualifying development is not required to comply with Appendix A of Chapter 25-6 (Transportation) but must comply with this section.

(2) If the parking provided by a qualifying development with more than two units is fewer parking spaces than required in Appendix A (Tables of Off-Street Parking and Loading Requirements), the minimum number of required off-street accessible spaces is the greater of:

(a) one accessible parking space:
(b) the number of accessible spaces required under the Building Code based on 100 percent of the parking required for the use under Appendix A (Tables of Off-Street Parking and Loading Requirements); or

(c) the number of accessible spaces required under the ADA or the FHA, as appropriate.

(2) An accessible space must be adjacent to the site and on an accessible route.

(3) An accessible parking space must comply with design, accessibility, and location requirements imposed by the ADA and the FHA, as appropriate.

(4) Accessible parking detailed in Subsection (J)(1) must be provided off-street except insofar as on-street or off-site parking is allowed elsewhere in this title.

PART 6. The city shall enter into an agreement with each qualifying development, whether or not supported with city investments, that will include at least the following provisions to ensure compliance with affordability requirements established in this program, as well as ongoing affordability:

(1) for owner-occupied housing, granting the City a right of first refusal for purchase of the property upon sale;

(2) provisions related to penalties for repeated violations; and

(3) other options the city deems appropriate.

PART 7. The administrative rules implementing the Affordability Unlocked Bonus Program shall at a minimum establish:

(1) rent level standards based on the different median family income (MFI) level targets and varying to reflect different unit types; and

(2) determine income eligibility standards for renters and owners.
PART 8. This ordinance takes effect on May 20, 2019.

PASSED AND APPROVED

May 9, 2019

Steve Adler
Mayor

APPROVED: Anne L. Morgan
City Attorney

ATTEST: Jannette S. Goodall
City Clerk
Appendix D – FIRMETTE
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 2/4/2020 at 5:44:47 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.