



June 6, 2024

Lucy Weber
Texas Department of Housing and Community Affairs
221 East 11th Street
Austin, TX 78701-2410

DELIVERY BY EMAIL: lucy.weber@tdhca.state.tx.us
rosalio.banuelos@tdhca.state.tx.us
asset.management@tdhca.state.tx.us

Re: Oaklawn Place Apartments, TDHCA #21136/22821/23935 CMTS #5791
Waiver Request

Dear Lucy:

On behalf of Sadler Circle Senior Apartments, LLC (the “Applicant”), please accept this letter as a request of waiver for 10 TAC §11.101(b)(4)(D) which is the Department requirement for screens on all operable windows as a Mandatory Development Amenity. Oaklawn Place was originally designed with fixed full-height window walls which would have made this requirement not applicable. At some point during the design and construction process, but after the initial TDHCA application was submitted, it was decided to provide operable windows for the units. Since the building design was already accepted by the local design review board with full-height window walls, the storefront window system selected for the design limited the options for specifying an opening window. Given the building’s construction, the new windows required the following characteristics:

- Operability from the interior, with easy access hardware
- Compatibility to be framed within specified manufacturer’s (Kawneer) Window Wall System
- Warranted system by manufacturer/installer
- Equal or greater emissivity/thermal properties to originally specified windows

When a window that could meet the manufacturer/warranty requirements was found, it was ordered and subsequently installed. The manufacturer’s design does not allow for the provision of a screen. The hardware for opening the window consists of lever hinge handles located on the inside of the window. The window pushes out, so it is a practical impossibility to install a screen that would allow the window to be opened and have the screen still be functional when the window is open. See pictures enclosed of lever handles blocking the location where a screen would normally be installed. The window glides have limiters installed that prevent the possibility of an accidental fall.

It should be noted that the building is equipped with a fire-sprinkler system throughout and fully air-conditioned with individual thermostatic controls for each residential unit. Unit bathrooms and unit kitchens are equipped with controllable exhaust/vent fans. In addition to providing all other



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mandatory development amenities, the Development achieves 19 points for Common Amenities, exceeding the 10 points required, and achieves 13 points for Unit Requirement points, exceeding the 9 points required.

The Applicant requests a waiver of 10 TAC §11.101(b)(4)(D) due to the facts that the building currently has all windows installed and that the windows are located in structural walls in which the reframing of the window openings for the creation of a new window system is not practicable at this point. This would cause a substantial delay in the completion of construction for this Development which is already pre-leasing and planning to achieve a Certificate of Occupancy on July 1st.

The need for this waiver was both not reasonably foreseeable and was not preventable by the Applicant given the need to keep the Development moving swiftly toward construction completion. The waiver also better serves the policies and purposes articulated in Tex. Gov't Code §2306.001, 2306.002, 2306.359, and 2306.6701 than not granting the waiver as Oaklawn Place is a high-quality affordable housing development located in a high-demand area of urban Dallas with excellent access to services, amenities, and transportation as well as views of the Downtown Dallas skyline.

As an update to timing, the Cost Certification for this Development will be submitted in the next few months. I appreciate your consideration in this matter and request that you contact me at 512-203-4417 or jennifer@truecasa.net should you need additional information

Sincerely,

Jennifer Hicks, Consultant to Applicant (Sadler Circle Senior Apartments, LLC)
True Casa Consulting, LLC

Encl.: Photos of installed windows



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PHOTOS OF THE INSTALLED WINDOWS:

