

ORDINANCE NO. Late Backup

#101

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE  
2 PROPERTY LOCATED AT 501 EAST OLTORF STREET IN THE ST EDWARD'S  
3 NEIGHBORHOOD PLAN AREA FROM MULTIFAMILY RESIDENCE  
4 MODERATE HIGH DENSITY-CONDITIONAL OVERLAY-NEIGHBORHOOD  
5 PLAN (MF-4-CO-NP) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE  
6 HIGHEST DENSITY-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN  
7 (MF-6-CO-NP) COMBINING DISTRICT.

8  
9 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

10  
11 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to  
12 change the base district from multifamily residence moderate high density-conditional  
13 overlay-neighborhood plan (MF-4-CO-NP) combining district to multifamily residence  
14 highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district  
15 on the property described in Zoning Case No C14-2007-0202, on file at the Neighborhood  
16 Planning and Zoning Department, as follows

17  
18 Tract 2, DM Bryant Subdivision, a subdivision in the City of Austin, Travis  
19 County, Texas, according to the map or plat of record in Plat Book 9, Page 58, of  
20 the Plat Records of Travis County, Texas (the "Property"),

21  
22 locally known as 501 East Oltorf Street, in the City of Austin, Travis County, Texas, and  
23 generally identified in the map attached as Exhibit "A"

24  
25 **PART 2.** Except as specifically provided in Part 3 and Part 4 of this ordinance, the  
26 Property may be developed and used in accordance with the regulations established for the  
27 multifamily residence highest density (MF-6) base district and other applicable  
28 requirements of the City Code.

29  
30 **PART 3.** The Property within the boundaries of the conditional overlay combining district  
31 established by this ordinance is subject to the following conditions

- 32  
33 A. Except as provided in Section B of this part, the maximum height is 40 feet  
34 from ground level  
35  
36 B For no more than 35 percent of the site, the height may exceed 40 feet up to a  
37 maximum 60 feet from ground level

1  
2 C The maximum impervious cover is 65 percent

3  
4 D A site plan or building permit for the Property may not be approved, released,  
5 or issued, if the completed development or uses of the Property, considered  
6 cumulatively with all existing or previously authorized development and uses,  
7 generate traffic that exceeds 2,000 trips per day.

8  
9 E A detention pond shall be provided and designed so that the stormwater  
10 discharge flows will not exceed runoff on the site in its undeveloped state with  
11 0 percent impervious cover

12  
13 **PART 4.** The Property is subject to Ordinance No 20050929-Z002 that established the St  
14 Edward's neighborhood plan combining district.

15  
16 **PART 5.** This ordinance takes effect on \_\_\_\_\_, 2008

17  
18  
19 **PASSED AND APPROVED**

20  
21 §  
22 §  
23 \_\_\_\_\_, 2008 § \_\_\_\_\_  
24 Will Wynn  
25 Mayor

26  
27  
28 **APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
29 David Allan Smith Shirley A Gentry  
30 City Attorney City Clerk



## City of Austin

P.O. Box 1088, Austin, TX 78767  
[www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

### Neighborhood Housing and Community Development Department

Gina Copic, S M A R T Housing Program Manager

(512) 974-3180, Fax (512) 974-3112, [regina.copic@city.austin.tx.us](mailto:regina.copic@city.austin.tx.us)

February 21, 2008

#### S M A R T Housing Certification

The District at Oltorf – Kaplan Acquisitions, 501 E Oltorf Street

#### TO WHOM IT MAY CONCERN

Kaplan Acquisitions (Geoff Simpson, (713) 977-5699 (o), (713) 446-6493 (m), (713) 977-5697 (fax), [GSimpson@KapCorp.com](mailto:GSimpson@KapCorp.com)) is planning to develop a 215 unit multi-family development at 501 E Oltorf St located in the St Edwards Neighborhood Planning Area

Subject to attainment of the necessary zoning and a compatibility variance, NHCD certifies that the proposed construction meets the S M A R T Housing standards at the pre-submittal stage. Please note that this letter does not constitute a staff recommendation for a zoning case or a variance. Since 10% of the units will serve households at or below 60% Median Family Income (MFI), the development will be eligible for 25% waiver of the fees listed in the S M A R T Housing Ordinance adopted by the City Council. The expected fee waivers include, but are not limited to, the following fees:

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

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

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

#### Prior to filing of building permit applications and starting construction, the developer must

- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating (Austin Energy Katie Jensen 482-5407)
- ◆ Submit the site plan and building plans to NHCD staff for third party accessibility review

#### Before a Certificate of Occupancy will be granted, the development must

- ◆ Pass a final inspection and obtain a signed Final Approval from the Green Building Program (Separate from any other inspections required by the City of Austin or Austin Energy)
- ◆ Pass a final inspection by NHCD to certify that accessibility standards have been met

The applicant must demonstrate compliance with the reasonably-priced standard after the completion of the units, or repay the City of Austin in full the fees waived for this S M A R T Housing certification.

Please contact me at 974-3126 if you need additional information.

  
Steve Barney  
Neighborhood Housing and Community Development

Cc Annette Polk, Capital Metro  
Virginia Collier, NPHD  
James Grabbs, AWU  
Katie Jensen, Austin Energy  
Robby McArthur, AWU  
Yolanda Parada, WPDOR

Guy Brown, WPDOR  
Gina Copic, NPHD  
Stuart Hersch, NPHD  
Timothy Kinsner, AWU  
Danny McNabb, WPDOR  
Bettye Holley, Public Works

Maneesh Chakraborty, NPHD  
Javier Delgado, WPDOR  
Stephen Castleberry, Public Works  
Jim Langan, WPDOR  
Lisa Nickle, WPDOR