

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2011-0153 – Hanover South Lamar 1

**P.C. DATE:** December 13, 2011

**ADDRESS:** 807, 809 and a portion of 811 South Lamar Boulevard

**OWNER/APPLICANT:** Lamar Building Partners, LP (Thomas Rogers)

**AGENT:** Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson-Lynch)

**ZONING FROM:** GR-MU-V-CO, SF-3, GR-V, RR

**TO:** MF-6-CO

**AREA:** 1.436 acres (62,552 ft<sup>2</sup>)

**SUMMARY STAFF RECOMMENDATION:** Staff recommends approval of MF-6-CO (multi-family highest density – conditional overlay) district zoning.

**PLANNING COMMISSION RECOMMENDATION:** 12/13/11 - The Planning Commission approved the staff recommendation on consent (8-0, Anderson absent).

**DEPARTMENT COMMENTS:** This property is currently zoned under several commercial and residential districts and is developed with offices and surface parking. The applicant seeks to rezone these tracts in conjunction with 903/905 South Lamar (C14-2011-0154) in order to develop a mixed-use residential and retail project. The proposed multifamily portion of the project will include 350 units. The conditional overlay as proposed by the applicant will limit the maximum allowable height to 60 feet.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	GR-MU-V-CO, SF-3, GR-V, RR	Office, surface parking, undeveloped
<i>North</i>	CS-V, SF-3	Office, undeveloped
<i>South</i>	CS-V	Office, undeveloped
<i>East</i>	P	Park
<i>West</i>	CS, SF-3	Commercial, multi-family, single family

**TIA:** Waived

**WATERSHED:** West Bouldin Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

### **NEIGHBORHOOD ORGANIZATIONS:**

South Central Coalition  
Austin Heights Condominium Home Owners Association  
Zilker Neighborhood Association  
Bouldin Creek Neighborhood Association  
Terrell Lane Interceptor Association  
Barton Springs/Edwards Aquifer Conservation District  
South Central Alliance  
Save Our Springs Alliance

### **CASE HISTORIES**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>COUNCIL</b>
C14-2011-0047	SF-3 to CS-V	Under review	Under review
C14-2008-0060	Zilker VMU (GR-MU-CO to GR-MU-V-CO)	Approved 9/3/2008; (7-0).	Approved 10/20/2008; (7-0).

### **BASIS FOR RECOMMENDATION**

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

Multifamily residence highest density (MF-6) is the designation for multifamily and group residential use. An MF-6 district designation may be applied to a use in a centrally located area near supporting transportation and commercial facilities, an area adjacent to the central business district or a major institutional or employment center, or an area for which the high density multifamily use is desired.

The property is adjacent to the central business district and within the urban core.

- 2. Intensive multi-family zoning should be located on major arterials and highways.***

The property is located on Lamar Boulevard, a major north-south core transit corridor.

## **EXISTING CONDITIONS**

### **Environmental**

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

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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

### **Water and Wastewater**

If the landowner intends to serve the site with City of Austin water and wastewater utilities, the landowner, at own expense will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

**Transportation:**

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant has agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

South Lamar Blvd. is classified in the Bicycle Plan as Bike Route No. 43.

Capital Metro bus service (Routes No. 3, 103, 338 and 484) is available along S. Lamar Blvd.

There are existing sidewalks along both sides of South Lamar Blvd.

**Existing Street Characteristics:**

<i>Name</i>	<i>ROW</i>	<i>Pavement</i>	<i>Classification</i>	<i>ADT</i>
S. Lamar Blvd.	Varies	MAD4	Major Arterial	36,041

**Site Plan:**

Development on this site will be subject to Subchapter E commercial Design Standards, and South Lamar Blvd. is classified as a Core Transit Corridor. Additional comments will be provided upon submittal of the site development permit and plans for this project.

**CITY COUNCIL DATE:** 1/12/12

**ACTION:**

**ORDINANCE READINGS:** 1st

2<sup>nd</sup>




3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Stephen Rye

**PHONE:** 974-7604  
[stephen.rye@ci.austin.tx.us](mailto:stephen.rye@ci.austin.tx.us)



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

## ZONING

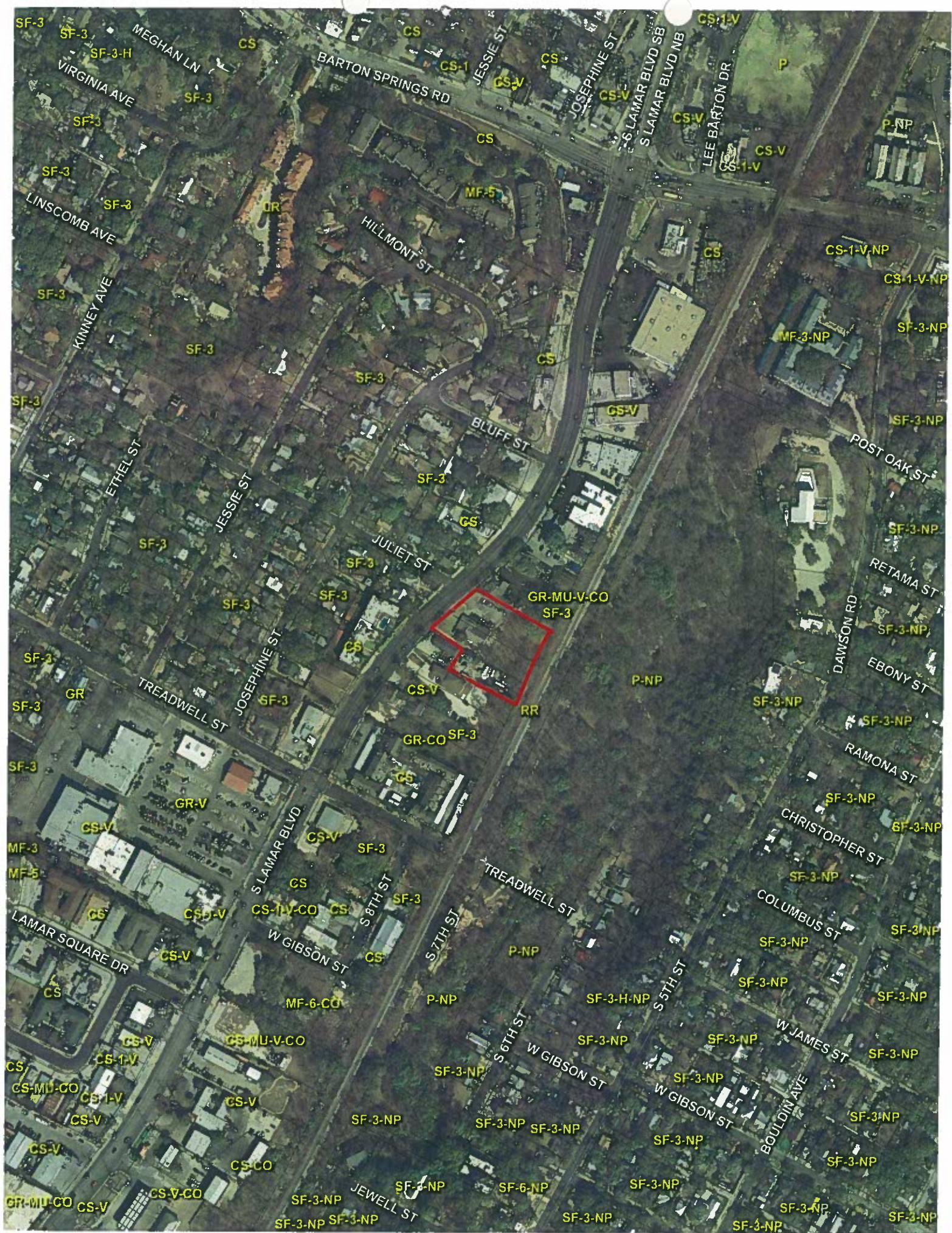
### ZONING CASE#: C14-2011-0153

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.









## Rye, Stephen

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**From:** Andy Elder [waepoint@yahoo.com]  
**Sent:** Tuesday, December 13, 2011 11:39 AM  
**To:** Rye, Stephen  
**Cc:** Michele R. Lynch  
**Subject:** Re: VMU - S. Lamar (C14-2011-0154)

Hi Stephen,

ZNA has voted to support the rezoning request to MF-6 on the bookend tracts with the following conditions:

- 60 foot height limitation
- 10% affordable housing units (60% MFI on the center VMU tract, 80% MFI on others)
- observing the tree ordinance / abatement plan
- supplying ZNA with a TIA (which has already been completed and delivered)
- restricted uses on the VMU tract to include

Auto Rentals  
Auto Repair Services  
Auto Sales  
Auto Washing  
Bail Bond  
Convenience Storage  
Drive-thru Services  
Outdoor Entertainment  
Outdoor Sports and Recreation  
Pawn Shop  
Service Station  
Vehicle Storage

As I understand it, only the 60 foot limitation is relevant to what the Planning Commission is considering. We are planning for the remaining items will be placed into a Restrictive Covenant with the developers prior to City Council.

I do have a question as to how the tree agreement is enforced by the City. Since we are not requiring any additional tree mitigation or requirements beyond the existing plan, it may not be appropriate to include compliance in a RC. However we want to make sure that any failures to observe that agreement will require reconsideration of the site plan. Any suggestions you have in crafting any of this for tonight or prior to council are welcome.

As for consent, I spoke with Michele and would like to speak briefly to the project in order to have some comments about this project and the process in the public record. I will be at chambers at 6pm and hopefully we can get a short statement in without having to pull the item for full discussion.

Thank you for all your help.

Regards,  
/andy

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**From:** "Rye, Stephen" <Stephen.Rye@austintexas.gov>  
**To:** Andy Elder <waepoint@yahoo.com>  
**Sent:** Tuesday, December 13, 2011 10:44 AM  
**Subject:** RE: VMU - S. Lamar (C14-2011-0154)

12/13/2011

## PUBLIC HEARING INFORMATION

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

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

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

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

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

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

Case Number: C14-2011-0153

Contact: Stephen Rye, (512) 974-7604

Public Hearing: Dec 13, 2011, Planning Commission

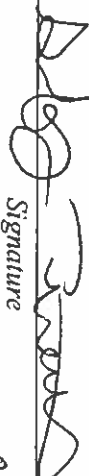
Jan 12, 2012, City Council

GEORGE TREADEWELL

Your Name (please print)

1304 Treadwell

Your address(es) affected by this application



Signature

Daytime Telephone:

560 2087

12/15/2011

Date

Comments:

① Property Taxes effect

② Traffic increase

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

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor  
☒ Object





# Metcalfe Williams LLP

ATTORNEYS AT LAW

MICHELE ROGERSON LYNCH  
Director of Land Use & Entitlements

(512) 961-8845  
mlynch@metcalfewilliams.com

November 9, 2011

Mr. Greg Guernsey, Director  
Planning and Development Review Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78704

**Via Hand Delivery**

Re: 807, 809 and 811 South Lamar; 1.436 acres ("the Property"); Proposed rezoning from SF-3, GR-V, RR and GR-MU-V-CO to MF-6-CO (Multifamily Residence Highest Density District Conditional Overlay).

Dear Mr. Guernsey:

As representatives of the prospective buyer of the above referenced Property, we respectfully submit this letter regarding the rezoning application. The project is entitled Hanover South Lamar and the Property is located at 807, 809 and 811 South Lamar just north of the intersection of Treadwell. The prospective buyer intends to redevelop the Property with a multifamily project. The multifamily project also encompasses 903 and 905 South Lamar, which is part of a separate rezoning application for MF-6-CO. In addition, a portion of the project has existing CS-V zoning that will encompass the vertical mixed use portion of the overall multifamily project covering 3.44 acres and 350 units. The portion of the project encompassing this application will contain approximately 147 units. A proposed conditional A Traffic Impact Analysis (TIA) is waived as the portion of the project on these lots as well as the overall project does not generate more than 2,000 trips per day.

The current zoning on the Property is a mixture of SF-3, GR-V, RR and GR-MU-V-CO and we are requesting MF-6-CO. We propose that the Conditional Overlay (CO) would limit the height to 60 feet. Surrounding zoning includes CS, CS-V, SF-3 and P-NP. Surrounding land uses include multifamily apartments, restaurant, retail, commercial shopping center and single family.

If you have any questions about the rezoning request or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Very truly yours,



Michele Rogerson Lynch

Enclosures

cc: Stephen Rye, Case Manager, via hand delivery  
David Ott, The Hanover Company, via electronic mail  
Steven C. Metcalfe, Firm

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**Case Number: C14-2011-0153**

**Contact: Stephen Rye, (512) 974-7604**

**Public Hearing: Dec 13, 2011, Planning Commission**

**Jan 12, 2012, City Council**

Nicole Kupecz

Your Name (please print)

1305 Bluff St. #4, Austin 78704

Your address(es) affected by this application

N Kupecz

Signature

Daytime Telephone: 512-694-7941

Date

12-8-11

Comments: Too many condos coming to Laman.  
There are already 3 scheduled  
new developments. S. Laman cannot  
handle all of this additional traffic.

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

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor  
☒ I object