

C-6
1

ZONING CHANGE REVIEW SHEET

CASE: C14-2013-0077.SH – Garden Terrace Phase 3

Z.A.P. DATE: August 6, 2013

ADDRESS: 1015 West William Cannon Drive

OWNER/APPLICANT: Garden Terrace
Housing Corporation
(Vicki McDonald)

AGENT: Austin Community
Design and Development Center
(Michael Gatto)

ZONING FROM: MF-2-CO **TO:** MF-2-CO, to change a condition of zoning

AREA: 5.77 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant multi-family residence – low density – conditional overlay (MF-2-CO) district zoning, to change a condition of zoning. The Conditional Overlay would change as follows: 1) modify the 22 foot height limit to a 35 foot / 2 story limit; 2) remove the FAR limit; 3) modify the maximum number of dwelling units from 103 to 123; and 4) modify the corresponding number of dwelling units per acre from 17.85 to 21.32.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

August 6, 2013:

ISSUES:

This rezoning case has been approved to participate in the City's S.M.A.R.T. (Safe, Mixed-Income, Accessible, Reasonably-priced, Transit-Oriented) Housing expedited review program. Please refer to Attachment A.

DEPARTMENT COMMENTS:

The subject lot is zoned multi-family residence – conditional overlay (MF-2-CO) combining district zoning and used as a Single Room Occupancy (SRO) facility in which each unit is occupied by one resident. The units are considered efficiency apartments which are permitted in the multi-family residence (MF) district. The existing Conditional Overlay

- limits building height to 22 feet;
- prohibits the club or lodge, and community recreation (public and private) uses;
- limits development to a FAR of 0.17852 to 1; and
- limits development of the property to 103 units (17.85 dwelling units per acre).

Driveway access would continue to West William Cannon Drive. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to modify the conditional overlay that applies to the property in order to build an additional 20 units, for a total of 123 units. In order to accommodate the additional development, the following Conditional Overlays are proposed to change:

- Modify the 22 foot height limit to a 35 foot / 2 story limit (this is the maximum height allowed by SF-3 zoning to the south);
- Remove the FAR limit;
- Modify the maximum number of dwelling units from 103 to 123; and
- Modify the corresponding number of dwelling units per acre from 17.85 to 21.32.

The list of prohibited uses would remain intact. Staff recommends the Applicant's request because

- It provides for continued use with a reasonable increase in density of the existing SRO facility and is consistent with Council policy of providing for opportunities for S.M.A.R.T. Housing to occur;
- It would not be incompatible with the more intensive GR zoning to the west or LO-zoned condominiums to the east;
- Location on William Cannon Drive, a major arterial roadway

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-2-CO	Single room occupancy rental facility
<i>North</i>	LO; SF-3; SF-6; NO-MU-CO	Parking lot (LO); Single family residences (SF-3 and SF-6); Church (NO-MU-CO)
<i>South</i>	SF-3	Single family residences
<i>East</i>	LO; GR; and SF-3 across Cooper Lane	Condominiums (LO); Apartments (GR) and single family residences (SF-3) across Cooper Lane
<i>West</i>	GR	Car wash; Oil and lube shop across Mount Carrell Drive

AREA STUDY: South Austin Infill Study (1983) **TIA:** Is not required

WATERSHEDS: South Boggy Creek;
Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

SCENIC ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association	511 – Austin Neighborhoods Council
627 – Onion Creek Homeowners Association	742 – Austin Independent School District
1008 – Woodhue Community Neighborhood Watch	
1037 – Homeless Neighborhood Association	1075 – Bike Austin
1116 – Soft Wind Neighborhood Association	
1200 – Super Duper Neighborhood Objectors and Appeals Organization	
1224 – Austin Monorail Project	1228 – Sierra Club, Austin Regional Group

1236 – The Real Estate Council of Austin, Inc.

1340 – Austin Heritage Tree Foundation

1363 – SEL Texas

SCHOOLS:

Williams Elementary School

Bedichek Middle School

Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-01-0084 – Armadillo Road – 1101 Armadillo Rd	SF-3 to NO for Tract 1; SF-6 for Tract 2	Recommended NO- MU-CO w/CO for 1,000 trips, access restriction, vegetative buffer, list of prohibited uses for Tract 1; SF-6 for Tract 2	Apvd. NO-MU-CO as rec. by ZAP except for access restriction for Tract 1; SF-6 for Tract 2 (10-25-2001).
C14-00-2193 – Windrift Zoning – NE corner of W William Cannon Dr and Windrift Way	LO to SF-6	To Grant	Apvd. (1-16-2001).

RELATED CASES:

The subject property is platted as Lot 1B Southwest Mediplex Resubdivision of Lot 1 (C8S-75-090). Please refer to Exhibit B.

On October 25, 2001, the property was rezoned from SF-3 to MF-1-CO (C14-01-0125.SH – Garden Terrace). The Conditional Overlay limited height to 22 feet, prohibited club or lodge, telecommunications tower and community recreation (public and private), and established a F.A.R. of .017852 to 1.

There is a private restrictive covenant that was executed as part of the 2001 case between the owner and the Cooper Lane Neighborhood Association and the Far South Austin Community Association that requires:

- The prohibition of the property as a temporary housing shelter (occupancy is limited to residents and tenants under signed lease and occupancy agreements and their immediate family and guests);
- The extension of a fence and landscaping along the west property line to William Cannon;
- Fence repair on the property;
- Exterior lighting aligned and located so as not to shine unreasonably onto neighbor residences;

- The prohibition to the extent allowed by law of hand gun possession on the property; and
- The prohibition of food to persons other than property residents.

On May 24, 2007, the property was rezoned from MF-1-CO to MF-2-CO (C14-2007-0038.SH – Garden Terrace). The Conditional Overlay limited height to 22 feet, prohibited club or lodge, and community recreation (public and private), established a F.A.R. of .017852 to 1, and limited development to 103 units (17.85 units per acre). Please refer to Exhibits C and D.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic
West William Cannon Drive	120 feet	2 @ 36 feet	Six-Lane, Major Arterial Divided (MAD6)	N/A

- There are existing sidewalks along W. William Cannon Drive.
- Capital Metro bus service is available along W. William Cannon Drive with the #333 William Cannon Crosstown Route.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities exist and/or are recommended along the adjoining streets as follows:

Street Name	Existing Bicycle Facilities	Recommended Bicycle Facilities
William Cannon Drive #80	Shared Lane	Bike Lane

CITY COUNCIL DATE: August 29, 2013

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd


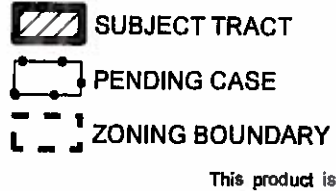
ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades

PHONE: 974-7719

e-mail address: wendy.rhoades@austintexas.gov



ZONING
 ZONING CASE#: C14-2013-0077.SH

Exhibit A

1" = 200'

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.





SOUTHWEST MEDIPLEX

RESUBDIVISION OF LOT 1

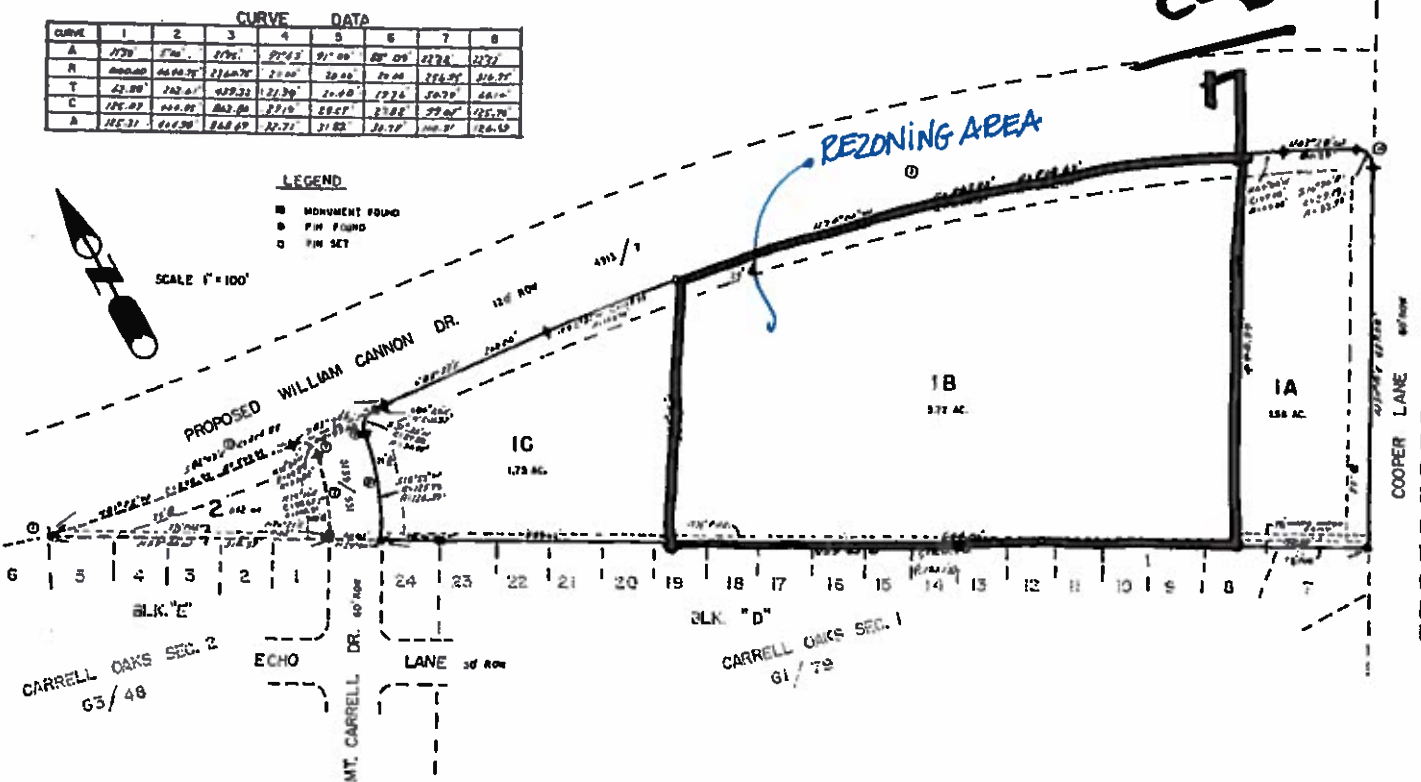
C-6

CURVE DATA		CURVE		DATA		CURVE		DATA	
CURVE	1	2	3	4	5	6	7	8	9
A	179	179	179	179	179	179	179	179	179
B	179	179	179	179	179	179	179	179	179
C	179	179	179	179	179	179	179	179	179
D	179	179	179	179	179	179	179	179	179
E	179	179	179	179	179	179	179	179	179
F	179	179	179	179	179	179	179	179	179
G	179	179	179	179	179	179	179	179	179
H	179	179	179	179	179	179	179	179	179
I	179	179	179	179	179	179	179	179	179
J	179	179	179	179	179	179	179	179	179
K	179	179	179	179	179	179	179	179	179
L	179	179	179	179	179	179	179	179	179
M	179	179	179	179	179	179	179	179	179
N	179	179	179	179	179	179	179	179	179
O	179	179	179	179	179	179	179	179	179
P	179	179	179	179	179	179	179	179	179
Q	179	179	179	179	179	179	179	179	179
R	179	179	179	179	179	179	179	179	179
S	179	179	179	179	179	179	179	179	179
T	179	179	179	179	179	179	179	179	179
U	179	179	179	179	179	179	179	179	179
V	179	179	179	179	179	179	179	179	179
W	179	179	179	179	179	179	179	179	179
X	179	179	179	179	179	179	179	179	179
Y	179	179	179	179	179	179	179	179	179
Z	179	179	179	179	179	179	179	179	179

LEGEND

- MONUMENT FOUND
- PIV FOUND
- PIV SET

SCALE 1"=100'



DAVIS - WEBB ENGINEERING

STATE OF TEXAS
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS:
That we, Edward R. Rathgeber Jr. and Jessie B. Anderson, owners of Lot 1 of Southwest Mediplex, a subdivision in the City of Austin as recorded in Book 72 Page 45 of the plat records of Travis County, Texas do hereby resubdivide said Lot 1 in accordance with the attached plat, said subdivision to be known as:
"SOUTHWEST MEDIPLEX RESUBDIVISION OF LOT 1"
We do hereby dedicate to the public the streets and easements shown hereon, subject to any easements or restrictions heretofore granted.

Witness my hand this 28th day of May 1975.

Edward R. Rathgeber Jr.
Edward R. Rathgeber Jr.
Jessie B. Anderson
Jessie B. Anderson

STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authorities, on this day personally appeared Edward R. Rathgeber Jr. and Jessie B. Anderson, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for purposes and considerations therein expressed.

Given under my hand and seal of office this the 28th day of May 1975.

[Signature]
Notary public, Travis County, Texas

This is to certify that Austin City Code, Chapter 21.27 of 1954 has been complied with.

Surveyed by Davis-Webb Engineering



John Webb
John Webb, P.E.
Date

Note: Construction of sidewalk required along east side of Mt. Carrell Dr., south side of William Cannon Dr. & west side of Cooper Lane.

APPROVED FOR ACCEPTANCE:

Richard R. Lillie
Richard R. Lillie, Director of Planning

June 13, 1975
Date

Accepted and authorized for record by the Planning Commission of the City of Austin, Texas, on this the 13th day of June, 1975.

Joan Ellen Matter
Secretary

A. P. Burns
Chairman

Filed for record at 11:30 o'clock A.M. on the 16th day of June 1975.

Doris Shropshire, Clerk, County Court, Travis County, Texas.

Larson Smith
Deputy

STATE OF TEXAS
COUNTY OF TRAVIS

I, Doris Shropshire, clerk of the county court within and for the county and state aforesaid, do hereby certify that the foregoing instrument of writing with it's certification of authentication was filed for record in my office on the 16th day of June 1975, at 11:30 o'clock A.M., and duly recorded on the 16th day of June 1975, at 11:30 o'clock in the plat records of said county in Book 72 at Page 62.

Witness my hand and seal of office, the date written above.

Doris Shropshire, Clerk, County Court, Travis County, Texas.



Larson Smith
Deputy

EXHIBIT B
RECORDED PLAT

MAY 29 1975
PLANNING DEPT.
CBS-75-90

72/62

ORDINANCE NO. 011025-Z-6

C-6
8

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1015 WEST WILLIAM CANNON DRIVE FROM FAMILY RESIDENCE (SF-3) DISTRICT TO MULTIFAMILY RESIDENCE LIMITED DENSITY-CONDITIONAL OVERLAY (MF-1-CO) 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 (SF-3) district to multifamily residence limited density-conditional overlay (MF-1-CO) combining district on the property described in File C14-01-125(SH), as follows:

Lot 1B, Southwest Mediplex, Resubdivision of Lot 1 Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 72, Page 62, of the Plat Records of Travis County, Texas, (the "Property")

locally known as 1015 West William Cannon Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

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

1. A building or structure or portion of a building or structure may not exceed a height of 22 feet from ground level.
2. The following uses of the Property are prohibited:

Club or lodge	Community recreation (public)
Telecommunications tower	Community recreation (private)
3. Development of the Property may not exceed a floor to area ratio (F.A.R.) of 0.17852 to 1.

EXHIBIT C
2001 REZONING ORDINANCE

C-6
9

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multifamily residence limited density (MF-1) base district and other applicable requirements of the City Code.

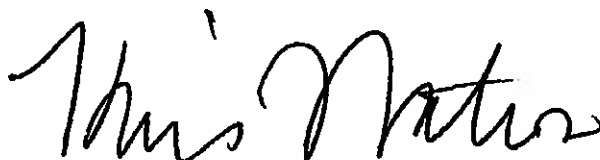
PART 3. The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on November 5, 2001.

PASSED AND APPROVED

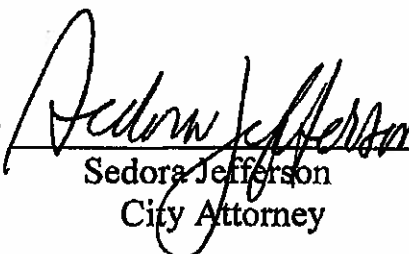
_____, October 25, 2001

§
§
§

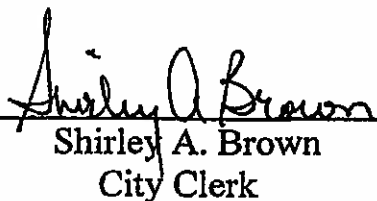


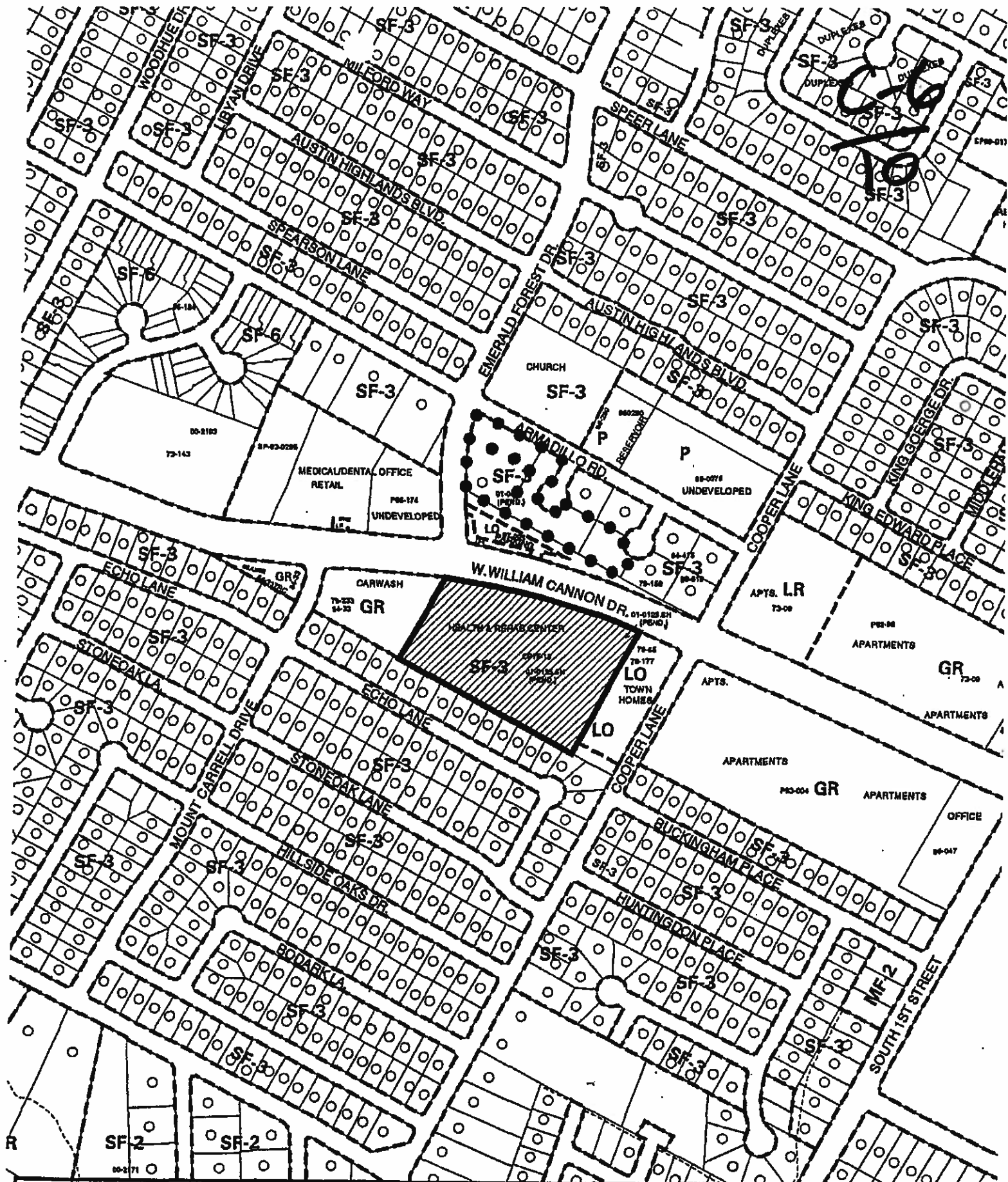
Kirk Watson
Mayor

APPROVED:


Sedora Jefferson
City Attorney

ATTEST:


Shirley A. Brown
City Clerk



**C-6
10**

N

1" = 400'

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: W.WALSH

CASE #: C14-01-0125.SH

ADDRESS: 1015 W.WILLIAM CANNON DR.

SUBJECT AREA (acres): 5.770

DATE: 01-10

INTLS: TRC

CITY GRID REFERENCE NUMBER

F16,G16

ZONING EXHIBIT A

C-6
11

ORDINANCE NO 20070524-051

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1015 WEST WILLIAM CANNON DRIVE FROM MULTIFAMILY RESIDENCE LIMITED DENSITY-CONDITIONAL OVERLAY (MF-1-CO) COMBINING DISTRICT TO MULTIFAMILY RESIDENCE LOW DENSITY-CONDITIONAL OVERLAY (MF-2-CO) 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 multifamily residence limited density-conditional overlay (MF-1-CO) combining district to multifamily residence low density-conditional overlay (MF-2-CO) combining district on the property described in Zoning Case No C14-2007-0038 SH, on file at the Neighborhood Planning and Zoning Department, as follows

Lot 1B, Southwest Mediplex Resubdivision of Lot 1 Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 72, Page 62, of the Plat Records of Travis County, Texas (the "Property"),

locally known as 1015 West William Cannon Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A"

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

- A A building or structure or portion of a building or structure may not exceed a height of 22 feet from ground level
- B The following uses are prohibited uses of the Property
 - Club or lodge
 - Community recreation (private)
 - Community recreation (public)
- C Development of the Property may not exceed a floor to area ratio (F A R) of 0.17852 to 1
- D Development of the property may not exceed 103 dwelling units

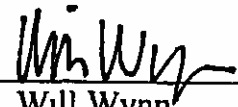
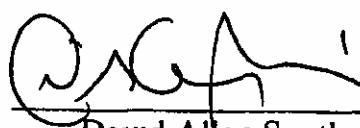
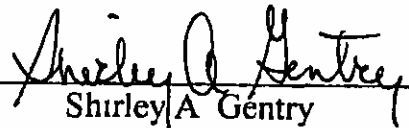
C-6
12

E Development of the property may not exceed 17 85 dwelling units per acre

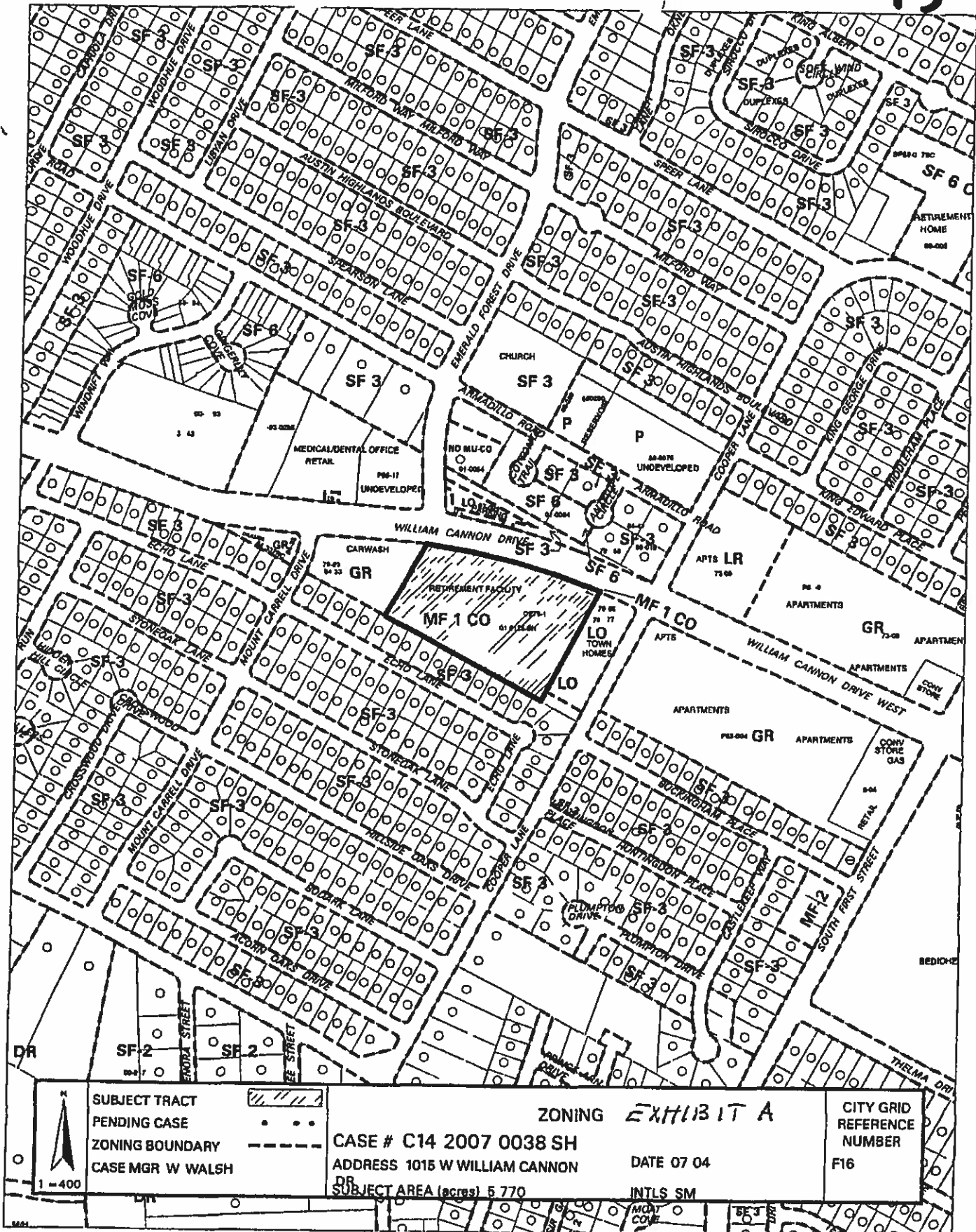
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multifamily residence low density (MF-2) base district and other applicable requirements of the City Code

PART 3 This ordinance takes effect on June 4, 2007

PASSED AND APPROVED

_____ May 24 _____, 2007	§ § § _____	 Will Wynn Mayor
APPROVED  David Allan Smith City Attorney	ATTEST _____	 Shirley A. Gentry City Clerk

C-6
13



SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY
CASE MGR W WALSH

ZONING EXHIBIT A

CASE # C14 2007 0038 SH
ADDRESS 1015 W WILLIAM CANNON
SUBJECT AREA (acres) 5.770

DATE 07 04

INTLS SM

CITY GRID
REFERENCE
NUMBER
F16

STAFF RECOMMENDATION

The Staff recommendation is to grant multi-family residence – low density – conditional overlay (MF-2-CO) district zoning, to change a condition of zoning. The Conditional Overlay would change to 1) modify the 22 foot height limit to a 35 foot / 2 story limit; 2) remove the FAR limit; 3) modify the maximum number of dwelling units from 103 to 123; and 4) modify the corresponding number of dwelling units per acre from 17.85 to 21.32.

BASIS FOR RECOMMENDATION

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

The multi-family residence low density (MF-2) district is intended to accommodate multifamily use with a maximum density of up to 23 units per acre, depending on unit size. This district is appropriate given its location near supporting transportation and commercial facilities.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Staff recommends the Applicant's request because 1) it provides for continued use with a reasonable increase in density of the existing SRO facility and is consistent with Council policy of providing for opportunities for S.M.A.R.T. Housing to occur; 2) it would not be incompatible with the more intensive GR zoning to the west or LO-zoned condominiums to the east; 3) location on William Cannon Drive, a major arterial roadway.

EXISTING CONDITIONS

Site Characteristics

The subject property is developed with a single room occupancy rental facility. Access is taken from William Cannon Drive. There appear to be no significant topographical or environmental constraints.

Impervious Cover

Within the South Boggy Creek and Williamson Creek watersheds, the maximum impervious cover allowed by the MF-2 zoning district would be 60%, which is based on the more restrictive watershed regulations.

Comprehensive Planning

This 5.77 acre parcel is located on the south side of W. William Cannon Drive, and is across the street from the terminus of Emerald Forest Drive. The property is not located within the boundaries of a neighborhood planning area but is just south of the on-going South Austin Combined Neighborhood Plan initiative. Surrounding land uses includes vacant land to the

north, single family houses to the south, an apartment complex to the east, and a carwash and oil change shop to the west. The property is the site of Garden Terrace, an affordable housing community in South Austin, owned by Foundation Communities, a non-profit company dedicated to providing affordable housing in Texas. Garden Terrace has 103 efficiency apartments, which provides services to low-income individuals and the homeless. Rent is income-based, and ranges from \$50 to \$350, with all bills paid. The request is to remove the conditional zoning overlay for this property, which limits the height of any buildings on the property to 22 ft. high, prohibits several land uses (including community recreation – public or private, and club/lodge), reduces the Floor Area Ratio, and most importantly, the number of dwelling units permitted to be built on the property (no more than 103 units). The removal of the Conditional Overlay would allow the owner to construct additional units on the property.

The overall goal of the Imagine Austin Comprehensive Plan (IACP) is to achieve '*complete communities*' across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this section of **W. William Cannon Drive as an Activity Corridor**. Activity corridors identify locations for additional people and jobs above what currently exists on the ground. Corridors are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. They are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, **apartments**, public buildings, houses of worship, mixed-use buildings, and offices.

The following policies are taken from Chapter 4 of the IACP, which specifically discusses promoting a variety of land uses, including a variety of housing types, to grow a compact and connected city:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- **LUT P10.** Direct housing and employment growth to **activity centers and corridors, and preserving and integrating existing affordable housing where possible.**
- **H P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.
- **N P1.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, **affordable housing** and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based upon: (1) the IACP Growth Concept Map that identifies this portion of William Cannon Drive, as an 'Activity Corridor', which is intended to provide a variety of activities and services, including housing; (2) the construction of additional multi-family affordable housing, which would contribute towards making this area more of a '*complete community*'; (3) the IACP policies referenced above, which supports a variety of housing types, including

affordable housing; and (4) adjoining multi-family land uses located all along this portion of William Cannon Drive, staff believes that this project is supported by the Imagine Austin Comprehensive Plan.

Environmental

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is predominately located in the South Boggy Creek Watershed, with a small portion of the property in the Williamson Creek Watershed of the Colorado River Basin, which are both classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (Minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

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

Some 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.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

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

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

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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.

Site Plan and Compatibility Standards

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

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

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. No parking or driveways are allowed within 25 feet of the property line.
- e. A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

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



City of Austin

C-6
18

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

Neighborhood Housing and Community Development Department

June 13, 2013

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

Foundation Communities Inc.- 1015 West William Cannon- Garden Terrace Phase III
(id #65499)

TO WHOM IT MAY CONCERN:

Foundation Communities Inc. (development contact: Walter Moreau (512) 610-4016 (o); walter.moreau@foundcom.org) has submitted a S.M.A.R.T. Housing application for the construction of a 20 unit multi-family development at 1015 West William Cannon. The project will be subject to a five (5) year affordability period after issuance of certificate of occupancy.

NHCD certifies that the proposed construction meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since 100% of the units (20 units) will serve households at or below 50% Median Family Income (MFI), the development will be eligible for 100% waiver of the fees listed in Exhibit A of the S.M.A.R.T. Housing Resolution 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

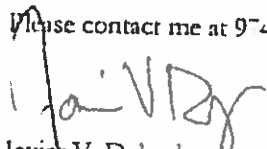
Land Status Determination
Building Plan Review
Parkland Dedication (by
separate ordinance)

In addition, 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. Contact Katherine Murray 482-5351).
- ♦ Pass a final inspection 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 note that the applicant should contact Staff prior to submittal of site plan for pre-submittal meeting with review Staff.

Please contact me at 974-3154 if you need additional information.


Javier V. Delgado

Neighborhood Housing and Community Development

Cc: Laurie Shaw, Capital Metro
Maureen Meredith, PDRD
M. Simmons Smith, PDRD
Kath. Murry, Austin Energy
Robby McArthur, AWU

Bryan Bomer, AI/GB
Gina Copic, NHCD
Chris Yancey, PARD
Heidi Kasper, AI/GB
Danny McNabb, WPDR

Hillary Granda, PDRD
Susan Kincl, NHCD
Stephen Castleberry, PDRD
George Zapalac, PDRD
Debra Fonseca, PDRD

SCANNED
ATTACHMENT A

C-6
19

June 19, 2013

Zoning and Platting Commission
City of Austin
Austin, TX

To Whom it May Concern:

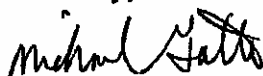
I've attached a zoning change request for Garden Terrace Apartments (1015 West William Cannon Drive, Austin, TX 78745) so that the Owner, Garden Terrace Housing Corporation/Foundation Communities, may add 20 units to the existing development. Since 100% of the existing units and 100% of the proposed additional units are affordable housing, I've attached the S.M.A.R.T. Housing certification letter for the proposed new development. The attached request is to change zoning from MF-2-CO to MF-2, by eliminating all conditions in the conditional overlay (previously established via ordinance # 20070524-051) or by changing the conditions as follows:

1. Condition A: A building or structure or portion of a building or structure may not exceed a height of 22 feet from ground level
 1. propose to eliminate this condition or change it to 35 feet/2 stories
2. Condition C: Development of the property may not exceed a FAR of 0.17852:1
 1. propose to eliminate this condition or change this to .22045 (with the addition of approximately 10,540 sf for the additional 20 units)
3. Condition D: Development of the property may not exceed 103 dwelling units (which is the existing unit count):
 1. propose to eliminate this condition or change this to 123 units (note that 132 units are allowed with current MF2 zoning)
4. Condition E: Development of the property may not exceed 17.85 units per acre
 1. propose to eliminate this condition or change this to 21.32 units per acre

Since the prohibited uses in Condition 'B' in the aforementioned ordinance are currently not permitted uses for MF-2 zoning districts, and the Owner does not desire these uses, I did not list it.

Please do not hesitate to contact me with questions or concerns.

Sincerely,



Michael Gatto
Executive Director

PUBLIC HEARING INFORMATION

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

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

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

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

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

www.austintexas.gov

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: C14-2013-0077.SH

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: August 6, 2013, Zoning and Platting Commission

August 29, 2013, City Council

STEPHEN HOWARD

Your Name (please print)

6700 COOPER LANE #31

Your address(es) affected by this application

[Signature]

Signature

7/21/13

Date

Daytime Telephone: 801-357-2630

Comments: IT IS PEACEFUL NEXT TO OUR CONDOS & WE APPRECIATE THE GREEN SPACE. PLEASE DO NOT TAKE THAT AWAY FOR THE ENVIRONMENT.

THE SPACE IS NECESSARY.

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

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

C-6
20

PUBLIC HEARING INFORMATION

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

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

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

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

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

www.austintexas.gov

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: C14-2013-0077.SH

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: August 6, 2013, Zoning and Platting Commission
August 29, 2013, City Council

Your Name (please print) Devrix M. Gallagher

☐ I am in favor
☒ I object

922 Echo Lane
Your address(es) affected by this application

Devrix M. Gallagher 7-29-2013
Signature Date

Daytime Telephone: 512-282-3955

Comments: I object to the new height
limit and modified units per
acre. One hundred percent
three units per acre is
too excessive for this
location.

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

City of Austin
Planning & Development Review Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

21
C-6