

**NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET**

**NEIGHBORHOOD PLAN:** Govalle/Johnston Terrace Combined

**CASE#:** NPA-2017-0016.02

**DATE FILED:** July 26, 2017 (In-cycle)

**PROJECT NAME:** Flats on Shady

**PC DATE:** February 27, 2018

January 23, 2018

January 9, 2018

**ADDRESS:** 1125 Shady Lane

**DISTRICT AREA:** 3

**SITE AREA:** 7.93 acres

**OWNER/APPLICANT:** Otto Friedrich Jr. Estate

**AGENT:** Drenner Group (Dave Anderson)

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Single Family

**To:** \*Multifamily

**Base District Zoning Change**

**Related Zoning Case:** C14-2017-0094

**From:** SF-3-NP

**To:** \*MF-4-NP

*\* The original NPA application was for Mixed Use and Multifamily land use and the original zoning request was for GR-MU-NP and MF-4-NP. The application was amended on December 4 and 7, 2017 for Multifamily land use and MF-4-NP zoning on the entire tract.*

**NEIGHBORHOOD PLAN ADOPTION DATE:** March 27, 2003

**PLANNING COMMISSION RECOMMENDATION:**

*February 27, 2018 -*

**January 23, 2018-** Postponed on the consent agenda to February 27, 2018 at the request of the applicant and the Govalle/Johnston Terrace Neighborhood Plan Contact Team. [P. Seeger – 1<sup>st</sup>; G. Anderson – 2<sup>nd</sup>] Vote: 10-0 [Commissioners K. McGraw, A. De Hoyos Hart and J. Schissler absent].

**January 9, 2018-** Postponed on the consent agenda to January 23, 2018 at the request of staff. [P. Seeger – 1<sup>st</sup>; A. De Hoyos Hart – 2<sup>nd</sup>] Vote: 11-0 [F. Kazi and T. Nuckols absent. J. Schissler recused from Item C-17].

**STAFF RECOMMENDATION:** Recommended

**BASIS FOR STAFF’S RECOMMENDATION:** Even though the neighborhood plan recommends that this property to be developed as single family uses, staff supports the applicant’s request for multifamily because the Think East PUD development to the north is mixed use PUD with multifamily uses directly to the north of this property which makes the applicant’s request of multifamily land use compatible in this location.

## Land Use Goals

|                |   |
|----------------|---|
| <b>Goal 1:</b> | <b>Adjacent land uses should be compatible. (Sector Plan)<sup>2</sup></b> |
|----------------|---|

|                 |  |
|-----------------|--|
| Key Principles: | <p>Address the “over-zoning” of properties in the Govalle/Johnston Terrace Neighborhood Planning Area. (Sector Plan and modified by Gov/JT)</p> <p>Non-residential development should not adversely affect existing businesses or neighborhoods, either by increases in traffic, noise, pollutants, or other safety hazards. (Sector Plan)</p> |
|-----------------|--|

|                |  |
|----------------|--|
| <b>Goal 2:</b> | <b>Preserve and protect current and future single-family neighborhoods. (Gov/JT)</b> |
|----------------|--|

|                 |   |
|-----------------|---|
| Key Principles: | Initiate appropriate rezoning to preserve and protect established and planned single-family neighborhoods. (Gov/JT) |
|-----------------|---|

|  |
|--|
| Encourage higher density residential developments to locate near major intersections, and in locations that minimize conflicts with lower density single-family neighborhoods. (Sector Plan) |
|--|

Encourage higher density non-residential land uses to locate near major intersections and in industrial districts/business parks. (Sector Plan)

**Goal 3:**                    **Develop a balanced and varied pattern of land use.** (Sector Plan)

**Key Principles:**        Provide a balance of land use and zoning for people to both live and work in the area. (Gov/JT)

Encourage mixed use so that residential uses are allowed on some commercial properties. (Gov/JT)

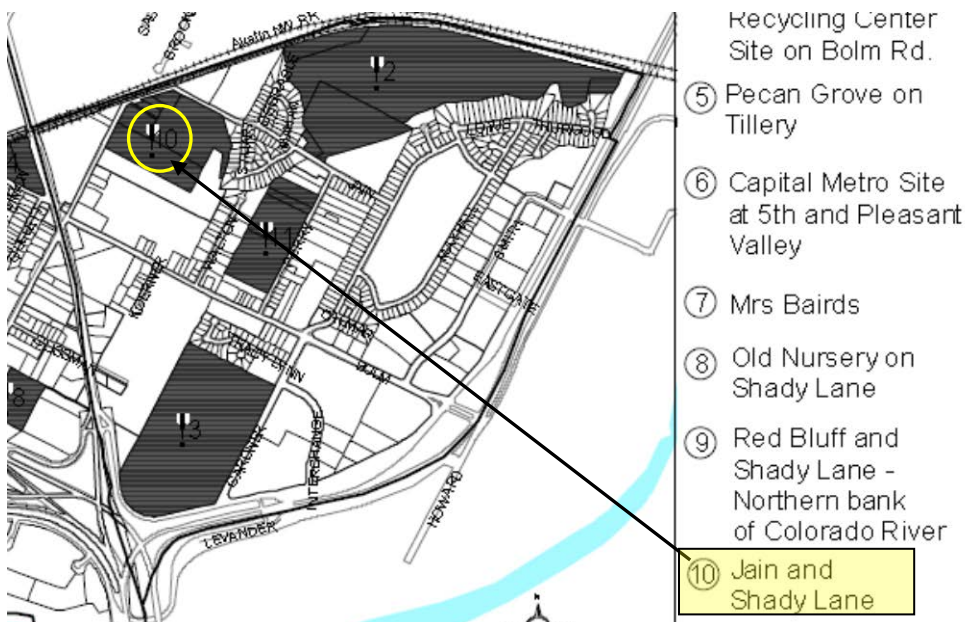
Provide opportunities for land uses that serve the needs of daily life (live, work, play, shop) in a convenient and walkable environment. (Gov/JT)

**Goal 4:**                    **Create and preserve a sense of "human scale" to the built environment of the neighborhood.** (Gov/JT)

**Key Principles:**        Ensure that new development and redevelopment respects the existing scale and character of the planning area. (Gov/JT)

#### Jain and Shady Lane

This area is seen as developing as a single family residential area. Any redevelopment of this site is dependent on appropriate clean up of the contamination caused by the Tank Farm site.



**LAND USE DESCRIPTIONS*****EXISTING LAND USE ON THE PROPERTY***

**Single family** - Detached or two family residential uses at typical urban and/or suburban densities

**Purpose**

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

**Application**

1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and
2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development.

**Purpose**

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
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***PROPOSED LAND USE ON THE PROPERTY***

**Multifamily Residential** - Higher-density housing with 3 or more units on one lot.

**Purpose**

1. Preserve existing multifamily and affordable housing;
2. Maintain and create affordable, safe, and well-managed rental housing; and
3. Make it possible for existing residents, both homeowners and renters, to continue to live in their neighborhoods.
4. Applied to existing or proposed mobile home parks.

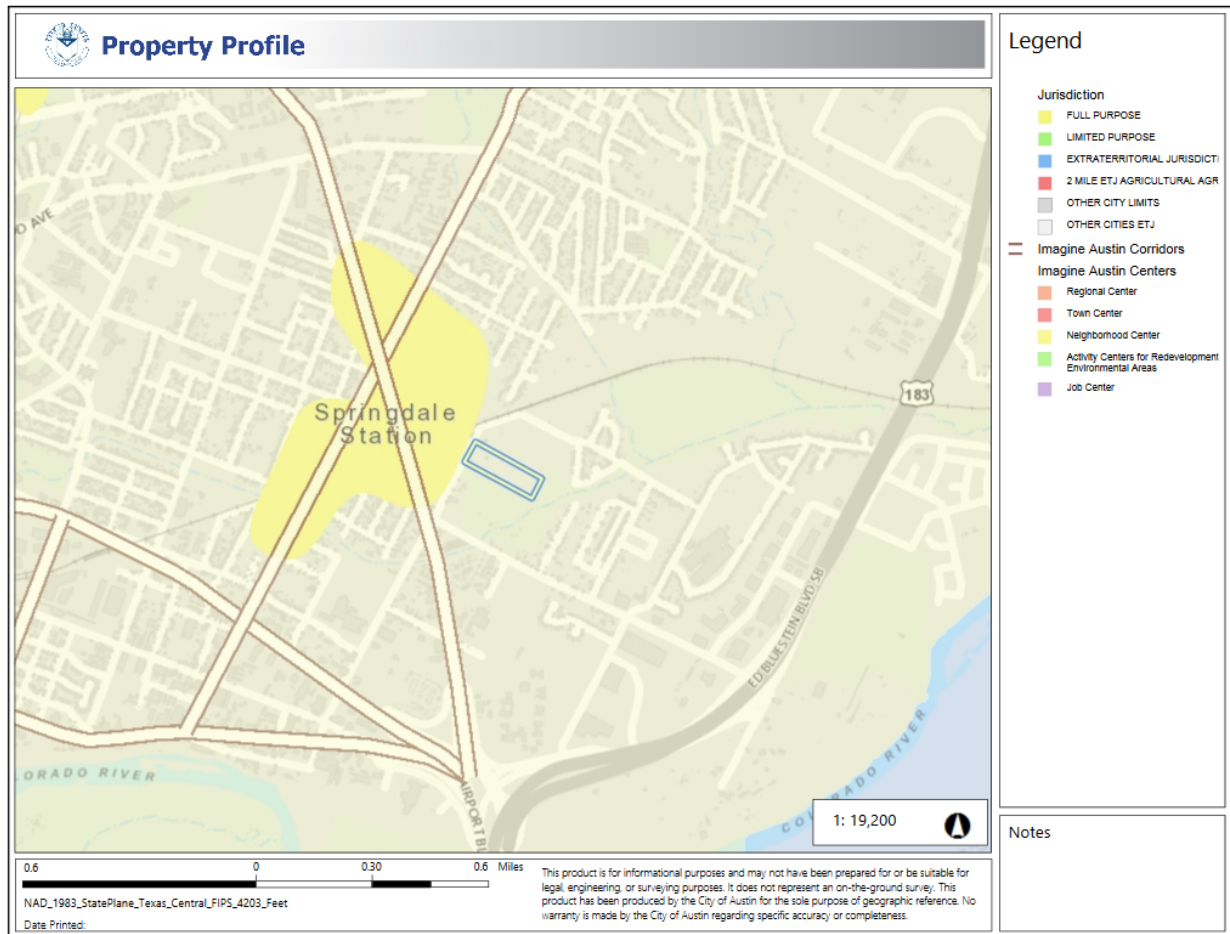
**Application**

1. Existing apartments should be designated as multifamily unless designated as mixed use;
2. Existing multifamily-zoned land should not be recommended for a less intense land use category, unless based on sound planning principles; and
3. Changing other land uses to multifamily should be encouraged on a case-by-case basis.

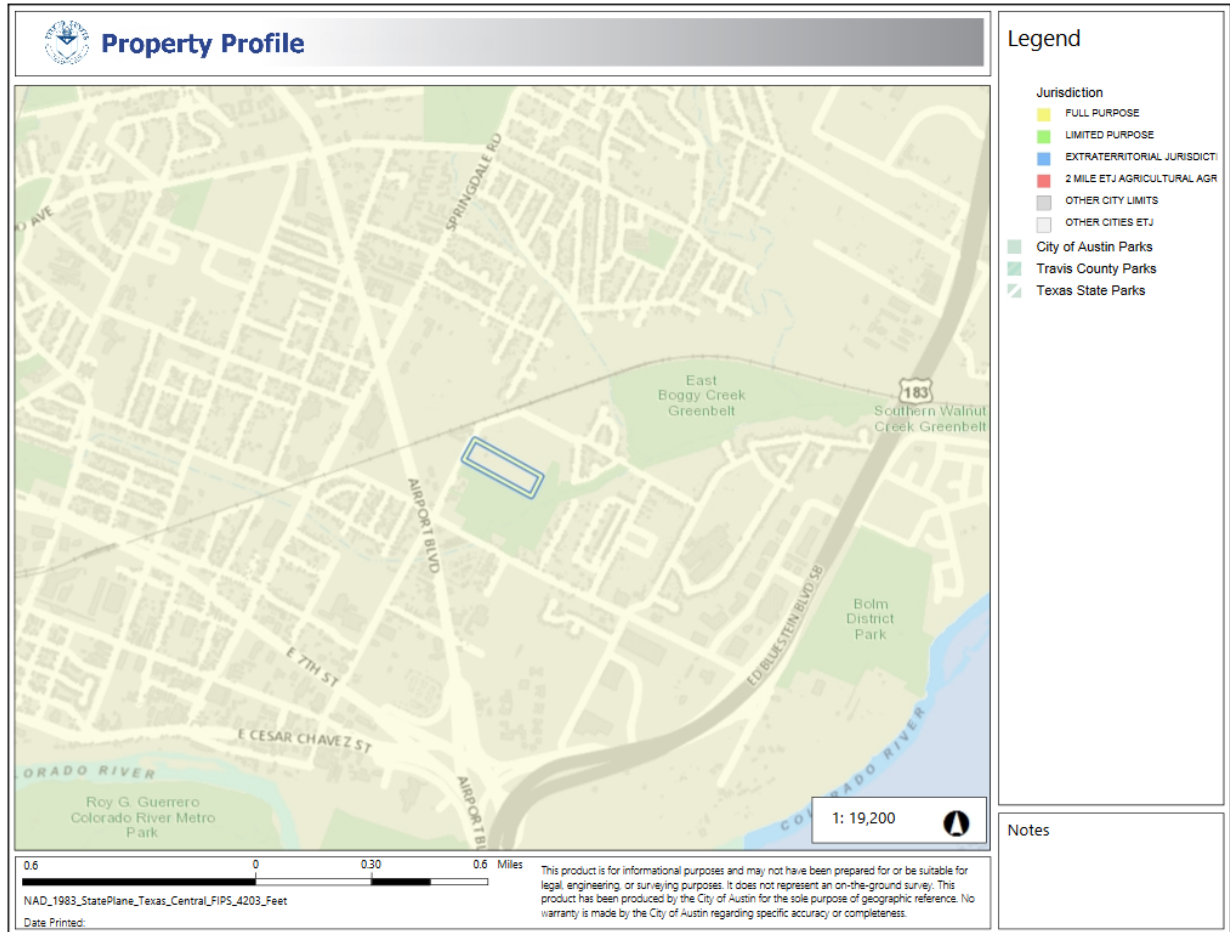
***IMAGINE AUSTIN PLANNING PRINCIPLES***

1. Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.
  - ***The applicant proposes to build 290 apartment dwelling units on the property which will provide additional housing units for the planning area and the city. The property is near public transportation and is directly north of a public park which has access to an urban trail.***
2. Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
  - ***The property is on the eastern edge of the Springdale Neighborhood Activity Center as identified on the Imagine Austin Growth Concept Map.***
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.

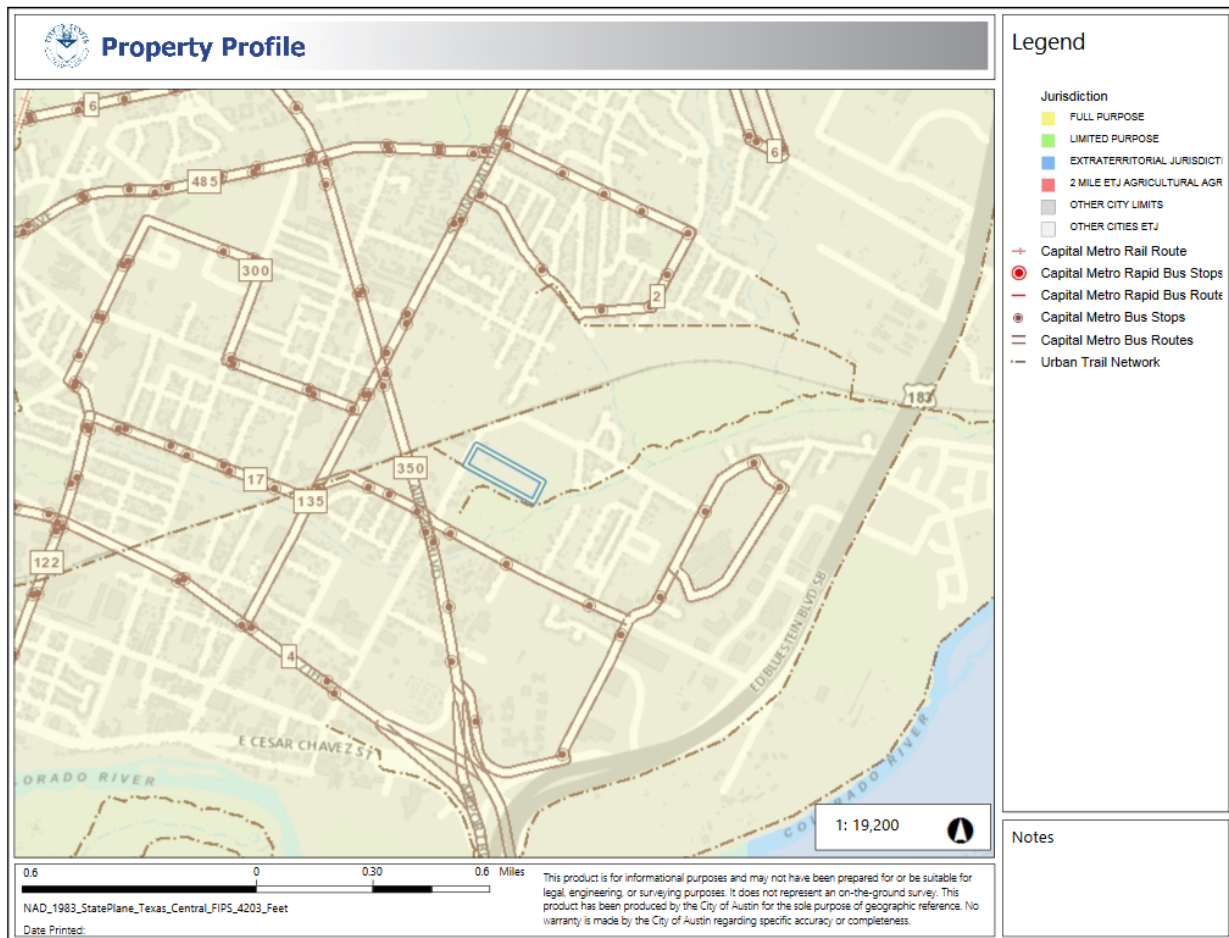
- *The property could be considered an infill site and is within the proximity of the Springdale Station Neighborhood activity center.*
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
    - *The applicant's proposal to build approximately 290 multifamily dwelling units will explain the number and variety of housing choices for the planning area and Austin.*
  5. Ensure harmonious transitions between adjacent land uses and development intensities.
    - *To the north of the property is the Think East PUD which is developing parts of the property to multifamily uses, which would be compatible with the applicant's proposed multifamily zoning and land use.*
  6. Protect Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.
    - *The property is not located within an environmentally sensitive area.*
  7. Integrate and expand green infrastructure—preserves and parks, community gardens, trails, stream corridors, green streets, greenways, and the trails system—into the urban environment and transportation network.
    - *The property is located directly north of a city park.*
  8. Protect, preserve and promote historically and culturally significant areas.
    - *The property is not historic or culturally significant.*
  9. Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.
    - *The property is located directly north of the Govalle Neighborhood Park which has an urban trail running through it.*
  10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
    - *Not directly applicable.*
  11. Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.
    - *Not applicable.*











## IMAGINE AUSTIN GROWTH CONCEPT MAP

### Definitions

**Neighborhood Centers** - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

**Town Centers** - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

**Job Centers** - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

**Corridors** - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also 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. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

**BACKGROUND:** The plan amendment application was filed on July 26, 2017, which is in-cycle for neighborhood planning areas located on the east side of I.H.-35.

The applicant's original application was to proposed Mixed Use land use on the western portion of the site (the area was not clearly defined) along Shady Lane and for Mixed Use land use for the remaining portion of the site. The ordinance required community meeting was held on September 7, 2017 and this request was discussed at the meeting. However, on

December 4 and 7, 2017 the applicant revised their zoning and plan amendment request to drop the Mixed Use request and to instead request Multifamily on the entire tract of the land, 7.93 acres. The applicant proposed approximately 290 multifamily dwelling units on the property.

The applicant also submitted an associated zoning case, C14-2017-0094, in which they request a zoning change from SF-3-NP to MF-4-NP. For more information on this case, please see the zoning case report. The original zoning change request was for GR-MU-NP and MF-4-NP but was revised on December 4, 2017 to request only MF-4-NP on the entire site.

**PUBLIC MEETINGS:** The ordinance-required community meeting was held on September 7, 2017. Approximately 98 meeting notices were mailed to people who live or own property within 500 feet of the subject property, in addition to neighborhood groups and environmental organizations who requested notification for the area. Twenty-three people signed the attendance sheets.

Amanda Swor, the applicant's agent, said the property is zoned SF-3-NP and has a vacant home on the property. She said the zoning request is for GR-MU-NP on small front portion of the property for adaptive reuse of the existing structure and MF-4-NP on back half for a proposed 290+ apartment dwelling units. They propose a trail access from the development to the public park located directly to the south. Five buildings are proposed including the adaptive reuse of the existing building.

There are approximately 53 protected trees greater than 19" caliper. There are 22 heritage trees. One tree will be removed because of its bad condition.

There is no Traffic Impact Analysis at this time, but they propose to limit the number of vehicle trips to 2,000 trips a day at the site plan stage.

***Note: The NPA zoning applications were amended on December 4, 2017. The original NPA application was for Mixed Use and Multifamily land use and the original zoning request was for GR-MU-NP and MF-4-NP.***

Q. What would be the change in impervious cover from SF-3-NP to storm water run-off into creek?

A. There will be an increase in impervious cover. Detention treat water quality will be met. We have to detain to existing condition, will be done at site plan extension watershed review process to assure no adverse impact to the stream.

Q. Rationale to change neighborhood plan?

A. Looking around and redevelopment, if developer to SF-3-NP cant get density.

Q. The proposed development will create lots of traffic.

A. We requested TIA later after we know what others are doing and take a broader look. We will be required to mitigate traffic. City is in favor of use doing this at site plan stage.

Q. Do you know what the proposed rents will be for the apartments?

A. The average rents will be \$1,250. There will be one, two, and three bedroom apartments.

Q. Will there be a change in Boggy Creek?

A. There will be no changes.

Q. Will you remove any trees?

A. We are not removing any large trees, but will mitigate if we do remove any trees.

Q. Can you show how the run-off will go?

A. At the lower right corner of the property is where the detention pond will be located.

Q. Will the Govalle Park be a point source?

A. Yes, but there will be no adverse effects.

Q. We moved here three years ago from a multifamily unit. At that apartment were people selling drugs, there was loud bass music and trash. The neighborhood plan shows this as single family and we thought that was rock solid and it wouldn't change. If multifamily is built, what would you do about drug use and people selling drugs in the park? And what will you do with the 600 vehicles?

A. I would suggest you drive by the Mueller area because this will be a Class A complex with quality tenants. The apartments will be a price point for people you would want to be around. This site offers a great hike and bike trail so hopefully people will have fewer cars.

Q. What is the rationale for you to change the neighborhood plan?

A. We think the GR-MU and MF-4 is consistent with the surrounding property. During the neighborhood planning process the property was shown as single family probably because there was a single family home on it.

Q. Airport is a Texas Department of Transportation right-of-way and has a bad five-way intersection. I would like a trail along the rail.

A. Our site is on the other side of the trail.

A. Will you pay a parkland fee?

Q. Our property is next to the parkland.

Q. How many dwelling units can you build on the property being zoned SF-3?

A. It depends on whether the planning area adopted the Small Lot or an infill tool. I don't know. *[Note: Below is a chart that shows was Infill Tools the G/JT NP area adopted].*

Q. What is the Code Next proposed zoning on the property?

A. LM-DR.

Q. Is this a “done deal”?

A. No, this is the beginning of the process.

Q. If the TIA shows adverse impact, what will be done to address it?

A. We will have a traffic engineer come up with recommendations.

**SPECIAL USES CHOSEN IN ADOPTED NEIGHBORHOOD PLANS**

| Neighborhood Plan/Planning Area          | Neighborhood-Wide |             |             |                      |              | Property Specific         |                    |                    |
|--|-------------------|-------------|-------------|----------------------|--------------|---------------------------|--------------------|--------------------|
|  | Small Lot Amnesty | Cottage Lot | Urban Home  | Secondary Apartments | Corner Store | Neighborhood Urban Center | Residential Infill | Mixed-Use Building |
| East Riverside/Oltorf Combined NP        |                   |             |             |                      |              |                           |                    |                    |
| Parker Lane (See Note 1)                 | Yes               |             |             |                      |              |                           |                    |                    |
| Pleasant Valley (See Note 1)             | Yes               |             |             |                      |              |                           |                    |                    |
| Riverside (See Note 1)                   | Yes               |             |             |                      |              | Yes                       |                    | Yes                |
| Govalle/Johnston Terrace Combined NP     |                   |             |             |                      |              |                           |                    |                    |
| Govalle                                  | Yes               |             |             |                      |              | Yes                       |                    |                    |
| Johnston Terrace                         | Yes               |             |             |                      |              |                           |                    | Yes                |
| Greater South River City Combined NP     |                   |             |             |                      |              |                           |                    |                    |
| South River City                         |                   |             |             |                      |              | Yes                       |                    | Yes                |
| St Edwards                               |                   |             |             |                      |              | Yes                       |                    | Yes                |
| Heritage Hills/Windsor Hills Combined NP |                   |             |             |                      |              |                           |                    |                    |
| Heritage Hills                           | Yes               |             |             |                      |              | Yes                       | Yes                |                    |
| Windsor Hills                            | Yes               | Subdistrict | Subdistrict |                      |              |                           | Yes                |                    |
| Holly NP                                 | Yes               |             |             | Yes                  |              |                           |                    | Yes                |
| Hyde Park NP                             | *See NCCD         | *           | *           | *                    | *            | *                         | *                  | *                  |
| Montopolis NP                            | Yes               | Yes         | Yes         | Yes                  |              |                           |                    | Yes                |
| North Austin Civic Association NP        |                   |             |             |                      |              |                           | Yes                | Yes                |
| North Burnet/Gateway NP                  |                   |             |             |                      |              |                           |                    |                    |
| North Lamar Combined NP                  |                   |             |             |                      |              |                           |                    |                    |
| Georgian Acres                           |                   |             |             |                      |              |                           |                    |                    |
| North Lamar                              |                   |             | Yes         |                      |              |                           | Yes                |                    |

**CITY COUNCIL DATE:**

February 15, 2018

**ACTION:**

**CASE MANAGER:** Maureen Meredith **PHONE:** (512) 974-2695

**EMAIL:** maureen.meredith@austintexas.gov

## Summary Letter Submitted by the Applicant

Amanda Swor  
dial: (512) 807-2904  
aswor@drennergroupp.com

**DRENNER  
GROUP**

July 26, 2017

Mr. Greg Guernsey  
Planning and Zoning Department  
City of Austin  
505 Barton Springs Road  
Austin, TX 78704

*Via Hand Delivery*

Re: Flats on Shady – Rezoning application for the 7.93 acre piece of property located at 1125 Shady Lane in Austin, Travis County, Texas (the “Property”)

Dear Mr. Guernsey:

As representatives of the owner of the Property, we respectfully submit the enclosed zoning and neighborhood plan amendment application package. The project is titled Flats on Shady and consists of 7.93 acres located at 1125 Shady Lane. The property is currently developed with a single family home. This request is to rezone the Property from SF-3-NP, Single Family Residence-Neighborhood Plan to GR-MU-NP, Community Commercial-Mixed Use-Neighborhood Plan for the portion of the Property fronting on Shady Lane and MF-4-NP, Multifamily Residence Moderate-High Density-Neighborhood Plan for the remainder of the Property, see enclosed image.

The Property is located within the Full Purpose Jurisdiction of the City of Austin and within the Govalle/Johnston Terrace Future Neighborhood Planning Area. A Neighborhood Plan Amendment Application is being submitted concurrently with this zoning request to change the Future Land Use Map (“FLUM”) from Single Family to Mixed Use and Multifamily.

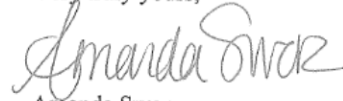
This rezoning and FLUM request will allow for the revitalization and adaptive reuse of the existing structure as well as development of a multifamily project on the remainder of the Property. The requested rezoning is consistent with the surrounding zoning and FLUM designations.

A Traffic Impact Analysis (“TIA”) has been waived because the proposed project will not exceed the thresholds established in the Land Development Code. See attached waiver.

July 26, 2017  
Page 2

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,

A handwritten signature in cursive script that reads "Amanda Swor".

Amanda Swor  
Drenner Group

Enclosures

cc: Jerry Rusthoven, Planning and Development Review Department *(via electronic delivery)*  
Heather Chaffin, Planning and Development Review Department *(via electronic delivery)*



Letter of Recommendation from the Govalle/Johnston  
Terrace Neighborhood Plan Contact Team

**Govalle/Johnston Terrace Neighborhood Plan Contact Team**  
***"Strength Through Unity"***

Re: 1125 Shady Lane - NPA-2017-0016.02

Dear Planning Commissioners and City staff,

On behalf of the Govalle/Johnston Terrace Neighborhood Plan Contact Team please accept this letter expressing our

**Opposition to the proposed zoning change at 1125 Shady Lane.**

Our Neighborhood planning area is already accepting upwards of 1200 rental unit development within our boundaries now.

Such a concentration of all rental development does not provide stability or political sustainability for the Neighborhood.

In this part of our planning area, Shady Lane and the Bolm/Airport intersection do not have the infra-structure capacity to handle the increased development of so many rental units.

In this area alone, the **ThinkEast Project** on Jane/Shady Lane is already developing upwards of **600 units**, and is the only project that is addressing the affordability problem, with **300 units of affordable housing**.

**1105 Airport** is planning to add **280 more units, all rental with no affordability component**, with limited access to Airport, and main ingress and egress onto Shady lane.

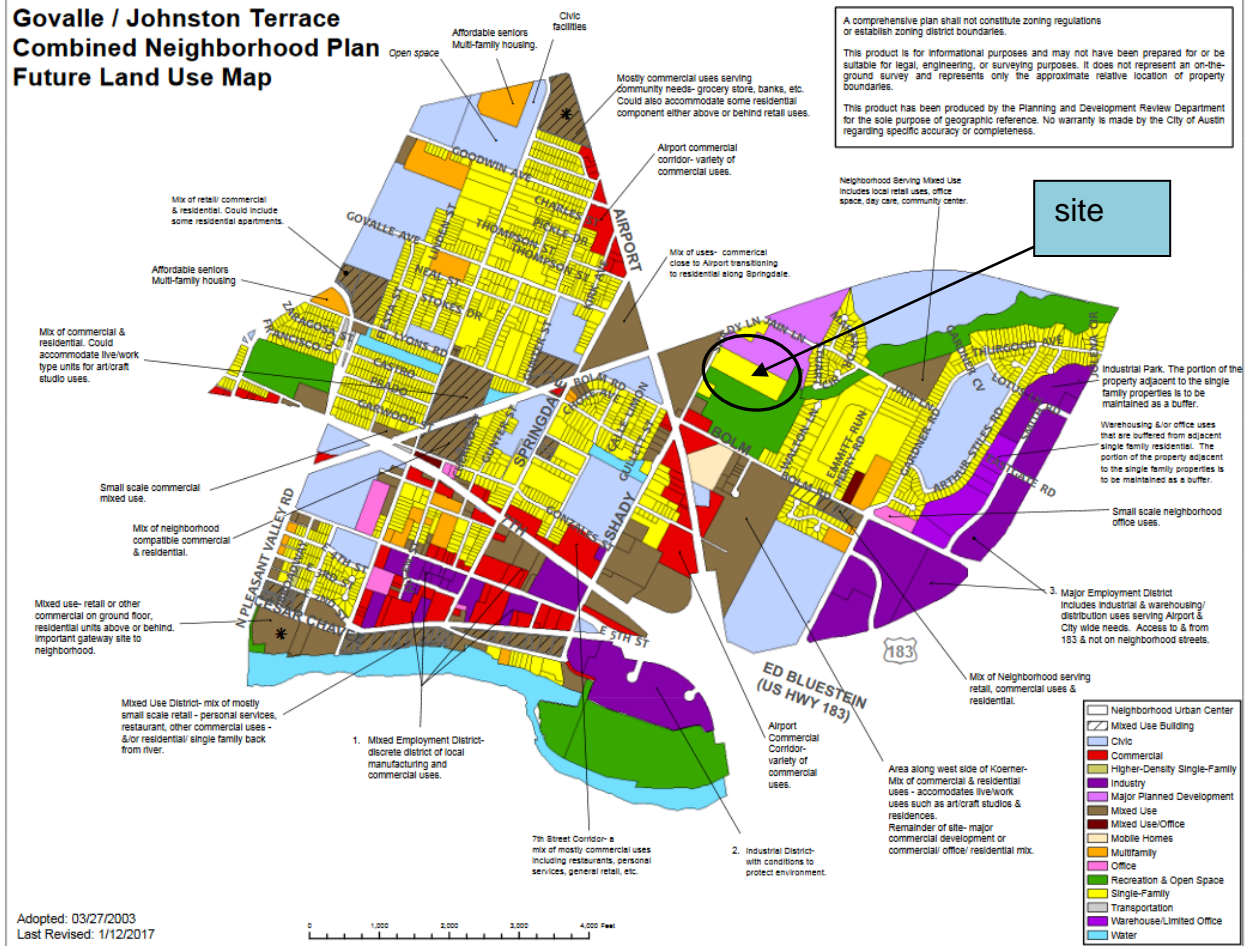
These parcels are already have the zoning for multi units.

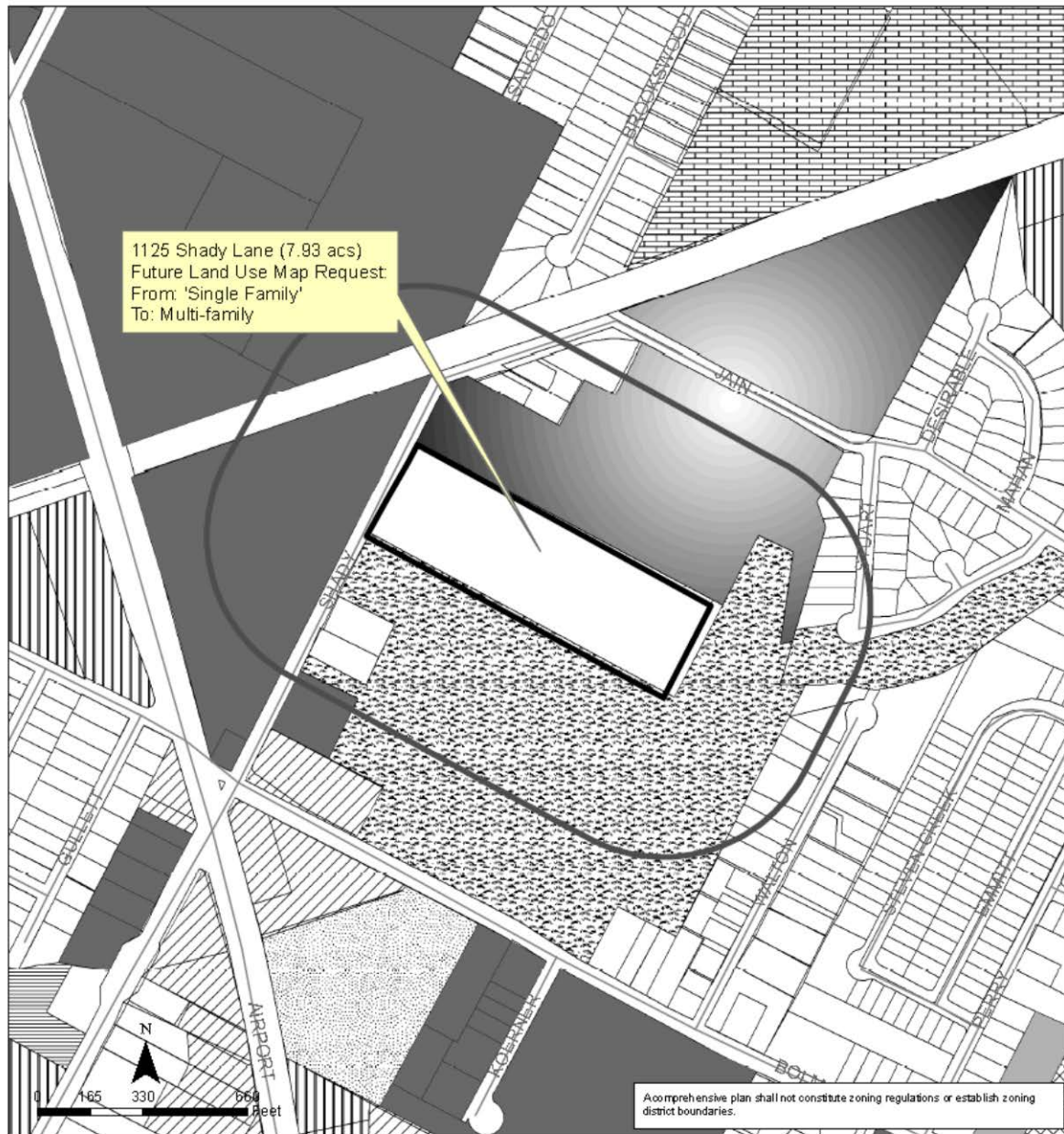
**1125 Shady, currently zoned SF 3**, has one house on the site, can add development within the SF 3 zoning, which will lessen the impact of the increased density to the already overburdened infrastructure for Shady Lane. To add 280 more rental units to this already intensity of development is untenable.

**We are opposed to the zoning change at 1125 Shady.**

Thank you,

Daniel Llanes, Chair  
G/JTNP Contact Team  
512-431-9665





### Govalle/Johnston Terrace Combined Neighborhood Planning Area NPA-2017-0016.02

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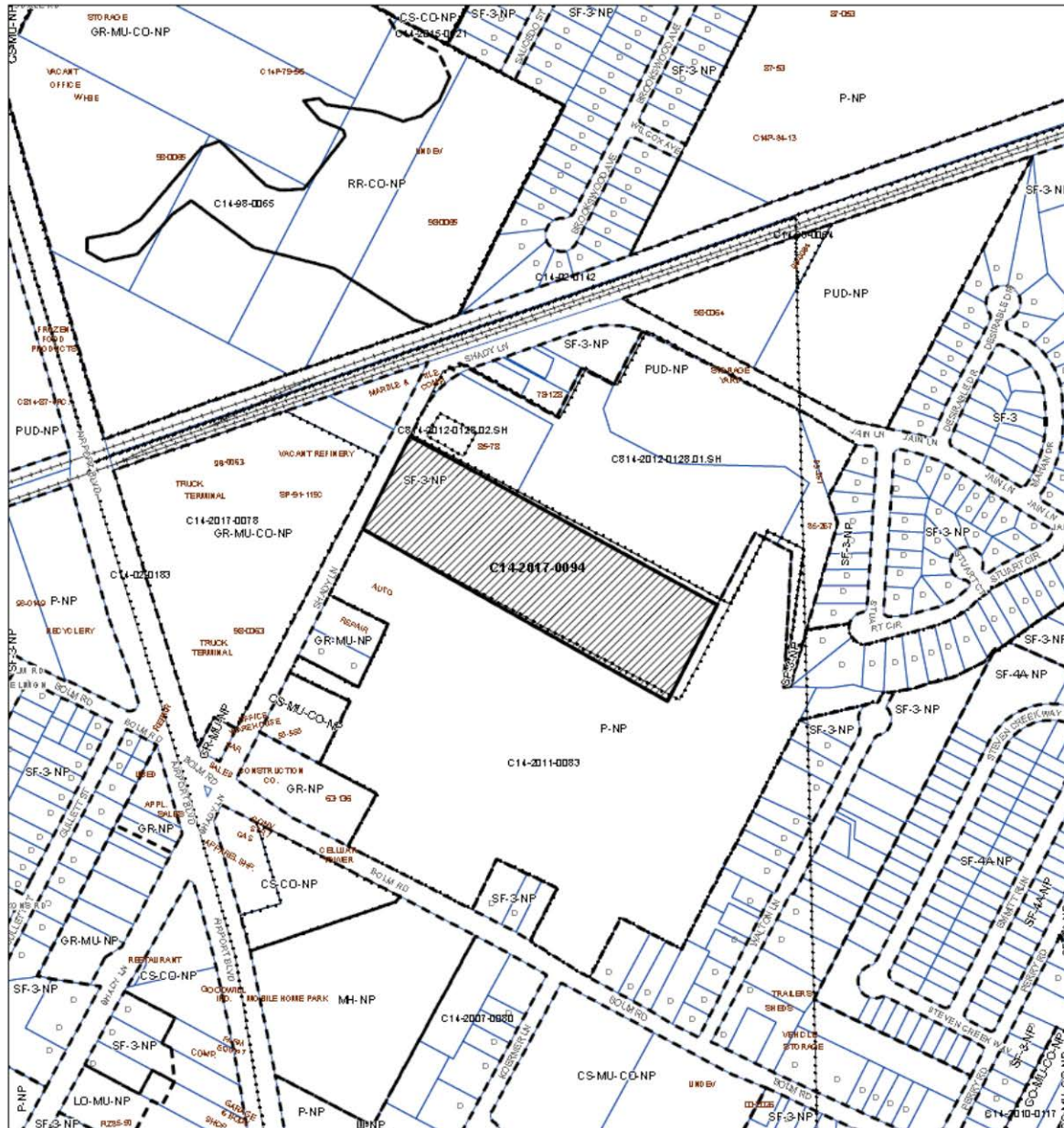
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City of Austin  
Planning and Zoning Department  
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#### Future Land Use

|  |                         |  |                           |
|--|-------------------------|--|---------------------------|
|  | 500 ft. notif. boundary |  | Mixed Use/Office          |
|  | Subject Property        |  | Major Planned Development |
|  | Single-Family           |  | Civic                     |
|  | Mobile Homes            |  | Recreation & Open Space   |
|  | Multi-Family            |  | Utilities                 |
|  | Commercial              |  | <Null>                    |
|  | Mixed Use               |  | Water                     |





## ZONING

Case#: C14-2017-0094



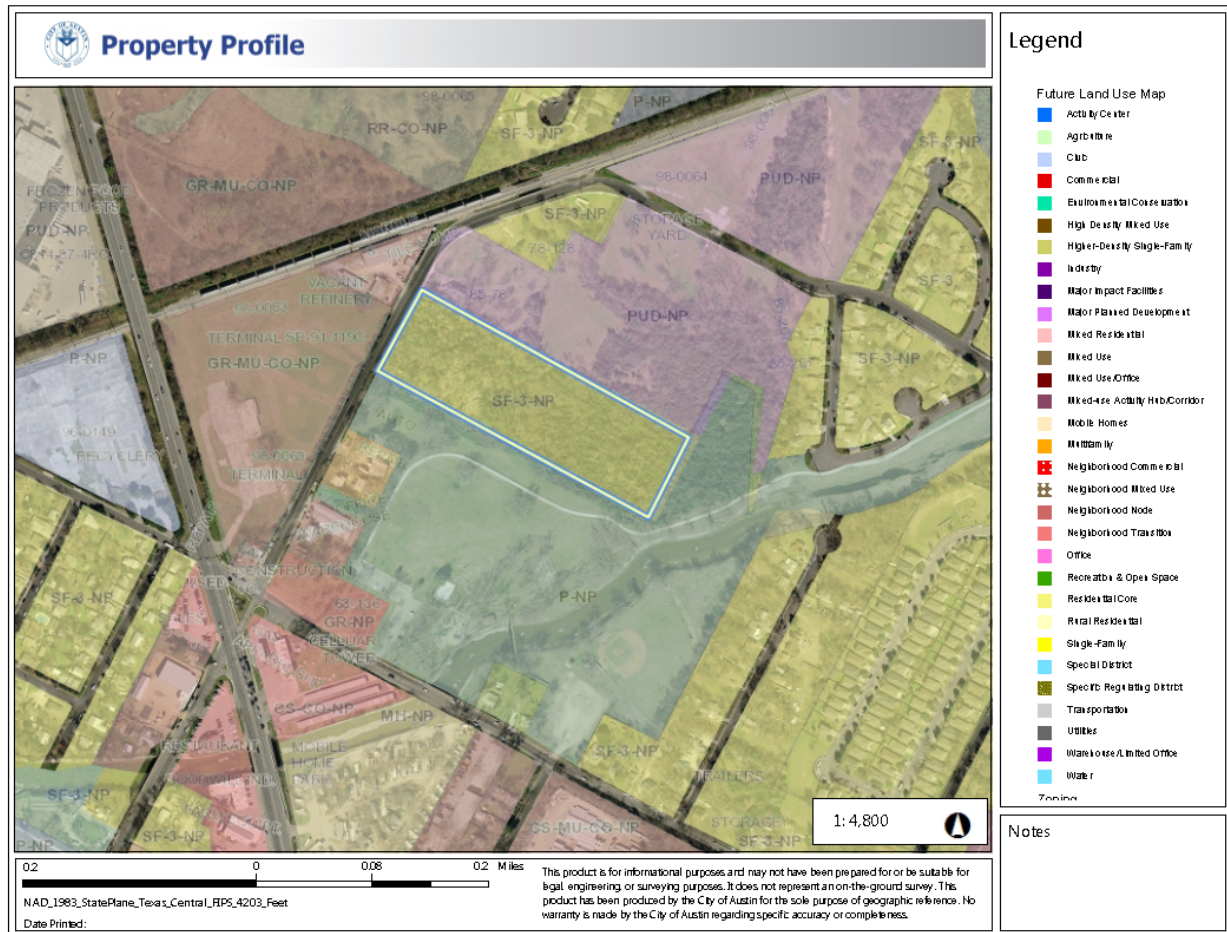
1" = 400'

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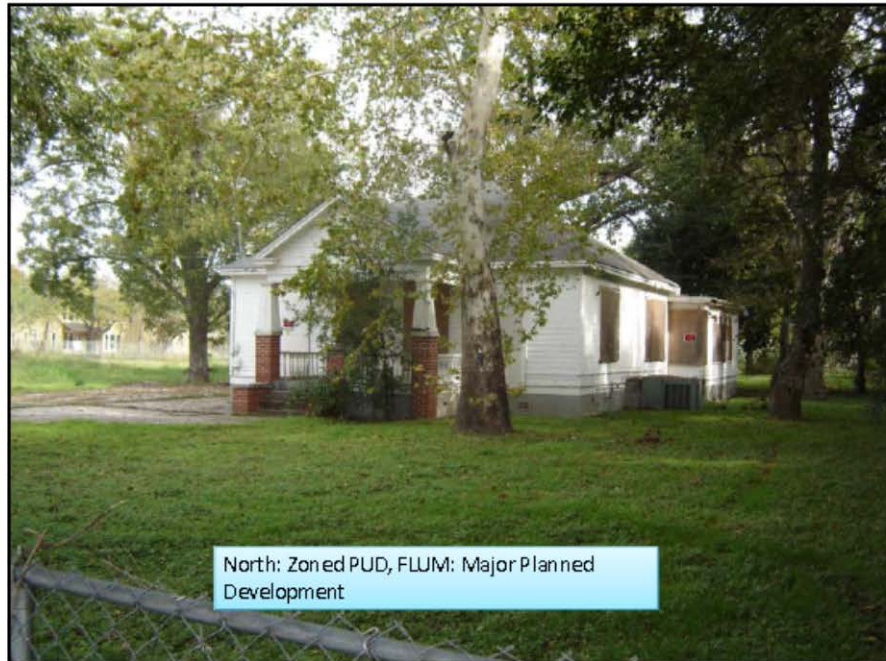


Created: 7/28/2017



















Provide this information with your plan amendment application.

Taken From: Article 16: Neighborhood Plan Amendment Ordinance

**§ 25-1-810 - RECOMMENDATION CRITERIA.**

(A) The director may not recommend approval of a neighborhood plan amendment unless the requirements of Subsections (B) and (C) are satisfied.

(B) The applicant must demonstrate that:

(1) the proposed amendment is appropriate because of a mapping or textual error or omission made when the original plan was adopted or during subsequent amendments;

Does this criterion apply to your proposed plan amendment application? \_\_\_ Yes X No

If there was a mapping error, explain here and provide documentation: \_\_\_\_\_

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(2) the denial of the proposed amendment would jeopardize public health, safety, or welfare;

Does this criterion apply to your application? \_\_\_ Yes X No

If this condition applies, explain here \_\_\_\_\_

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(3) the proposed amendment is appropriate:

(a) because of a material change in circumstances since the adoption of the plan; and

(b) denial would result in a hardship to the applicant;

Does this criteria apply to your application? \_\_\_ Yes X No

If yes, explain here \_\_\_\_\_

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(4) the proposed project:

(a) provides environmental protection that is superior to the protection that would otherwise be achieved under existing zoning and development regulations;

Does this criterion apply to your application? \_\_\_ Yes X No

If yes, explain here \_\_\_\_\_

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\_\_\_\_\_ **or**

(b) promotes the recruitment or retention of an employment center with 100 or more employees;

Does either one of these criterion apply to your application? \_\_\_\_ Yes X No

If yes, explain here \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(5) the proposed amendment is consistent with the goals and objectives of the neighborhood plan;

List the goals and objectives from the plan that you feel support your plan amendment request, along with your rationale for why it meets these goals/objectives. Use separate document if necessary:

**Goal 1:** Adjacent land uses should be compatible: There are compatible land uses surrounding the project. The project lies on Shady Lane between PUD zoning (ThinkEast PUD consisting of multifamily, commercial, and mixed use) and Govalle Park (with commercial zoning directly south of Govalle Park. Directly across Shady Lane is GR-MU zoning.

**Goal 2:** Preserve & protect current & future single-family neighborhoods: The project is buffered from single family to the north and northeast by the ThinkEast PUD and Govalle Park. There is additional single family further to the north across railroad tracks, and then 1000+ feet to the southwest across Airport Blvd.

**Goal 3:** Develop a balanced and varied pattern of land use: There is a mix of single family, multi family, mixed use, commercial, PUD, and public land all within 0.5 miles of project. The project lies on Shady Lane between PUD zoning (ThinkEast PUD consisting of multifamily, commercial, and mixed use) and Govalle Park (with commercial zoning directly south of Govalle Park. Directly across Shady Lane is GR-MU zoning.

**Goal 4:** Create & preserve a sense of "human scale" to the built environment of the neighborhood: Human scale is provided in the significant preservation of trees on the site, the presence of sidewalks as the project fronts on Shady Lane, and via direct access to Govalle Park via a trail. The proposed height is consistent with the ThinkEast PUD immediately to the north. The project also activates, on the human scale, a section of Shady Lane that is in desperate need of activation.

(You can find the plan document here: <http://austintexas.gov/page/adopted-neighborhood-planning-areas-0>)

**or**

(6) the proposed amendment promotes additional S.M.A.R.T. Housing opportunities.

Is this a S.M.A.R.T. Housing project? \_\_\_\_ Yes X No

If yes, explain here and provide the letter from Neighborhood Housing and Community Development \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(C) The applicant must demonstrate that:

- (1) the proposed amendment complies with applicable regulations and standards established by Title 25 (Land Development), the objectives of Chapter 25-2 (Zoning), and the purposes of the zoning district proposed for the subject property;  
[https://www.municode.com/library/tx/austin/codes/code\\_of\\_ordinances?nodeId=TIT25LADE](https://www.municode.com/library/tx/austin/codes/code_of_ordinances?nodeId=TIT25LADE)

The proposed re-zoning would comply with applicable regulations and standards in Chapter 25-2 of the City of Austin Land Development Code as they apply to the requested MF-4 zoning.

and

- (2) the proposed amendment is consistent with sound planning principles. (See attached)

**LAND USE PLANNING PRINCIPLES**

You can find the Guide to Land Use Standards here:

<http://www.austintexas.gov/department/neighborhood-planning-resources>

Please **DESCRIBE** how your proposed plan amendment request will meet these principles. If you believe a principle does not apply to your proposed plan amendment application, write "Not applicable".

**1. Ensure that the decision will not create an arbitrary development pattern;**

Provide your analysis here: There are compatible land uses surrounding the project. The project lies on Shady Lane between PUD zoning (ThinkEast PUD consisting of multifamily, commercial, and mixed use) and Govalle Park (with commercial zoning directly south of Govalle Park. Directly across Shady Lane is GR-MU zoning.

**2. Ensure an adequate and diverse supply of housing for all income levels;**

Provide your analysis here: This project is focused on providing missing middle housing options. ThinkEast PUD directly to the north has 282 Affordable Units, 40 Live/Work Units, 252 SMART Housing Units, Creative Campus Uses, and Community Health Uses identified in their plan. The housing provided by ThinkEast PUD is primarily in the 30-60% MFI range (with some 80% MFI units available). The proposed Alta Trailhead property to the west across Shady Lane 308 units estimated in the 120% to 140% MFI range. This project is targeting incomes in the 80/100/120% range (i.e., public school teachers) to help address missing middle housing.

**3. Minimize negative effects between incompatible land uses;**

Provide your analysis here: We have minimal impacts on nearby single family residential because we are buffered by ThinkEast PUD to the north and Govalle Park to the east and south. GR-MU zoning (a proposed mixed use project) lies across Shady Lane to the west.

**4. Recognize suitable areas for public uses, such as hospitals and schools that will minimize the impacts to residential areas;**

Provide your analysis here: N/A

**5. Discourage intense uses within or adjacent to residential areas;**

Provide your analysis here: The proposed project does not abut residential areas, but is buffered by ThinkEast PUD to the north and Govalle Park to the east and south. The proposed project has a density of approximately 37 units/acre. The proposed project to the west across Shady Lane has a proposed density of 31.2 units/acre. And the ThinkEast PUD has a proposed density of 26.4 units/acre plus a 200,000 square feet creative campus and 10,000 square feet of community health uses. This project is consistent in intensity with surrounding uses and allows



for the same uses other projects on the street have but is less intense than CS-zoned properties.

**6. Ensure neighborhood businesses are planned to minimize adverse effects to the neighborhood;**

Provide your analysis here: N/A

**7. Minimize development in floodplains and environmentally sensitive areas;**

Provide your analysis here: This project does not propose to develop in the floodplain, and preserving all healthy heritage trees on the site. Additionally, the project is proposing to preserve 79% of Protected Trees over 19 inches on the site.

**8. Promote goals that provide additional environmental protection;**

Provide your analysis here: The proposed project is near the outlet of the Boggy Creek watershed, which allows flexibility in how runoff is handled. It proposes to preserve significant existing tree canopy and provides a natural buffer to Govalle Park. Additionally, the proximity of the The Flats to major channel improvements on lower Boggy Creek is also an advantage from a drainage standpoint.

**9. Consider regulations that address public safety as they pertain to future developments (e.g. overlay zones, pipeline ordinances that limit residential development);**

Provide your analysis here: N/A

**10. Ensure adequate transition between adjacent land uses and development intensities;**

Provide your analysis here: The proposed project does not abut residential areas, but is buffered by ThinkEast PUD to the north and Govalle Park to the east and south. There is GR-MU zoning directly to the west across Shady Lane. The project will provide adequate natural buffering on all sides of the project.

**11. Protect and promote historically and culturally significant areas;**

Provide your analysis here: The project falls to the east of the former Tank Farm properties.

**12. Recognize current City Council priorities; (Look at the Imagine Austin Comprehensive Plan Document found here: <http://austintexas.gov/departments/department/Imagine-Austin-Download-Center>. Appendix E. Framework for Decision Making, pages A-57 through A-58.)**

Provide your analysis here: This project lies directly across the street from the Springdale Neighborhood Center, which can range in size between approximately 5,000-10,000 people and 2,500-7,000 jobs. The proposed project syncs nicely with these goals.

**13. Avoid creating undesirable precedents;**

Provide your analysis here: This project does not create an undesirable precedent, as similar multifamily projects exist (in the form of a PUD) directly to the north with similar intensities.

**14. Promote expansion of the economic base and create job opportunities;**

Provide your analysis here: The project provides needed missing middle housing for individuals and families to remain within the City of Austin, which helps maintain and expand the economic base.

**15. Ensure similar treatment of land use decisions on similar properties;**

Provide your analysis here: See item 13 above. This project does not create an undesirable precedent, as similar multifamily projects exist (in the form of a PUD) directly to the north with similar intensities.

**16. Balance individual property rights with community interests and goals;**

Provide your analysis here: Property owners have the ability to seek a re-zoning of their properties. By successfully

**17. Consider infrastructure when making land use decisions;**

Provide your analysis here: The project proposes to cap vehicle trips per day at 2,000 trips, and will participate in a Traffic Impact Analysis at Site Plan to proactively consider transportation infrastructure needs. Major drainage infrastructure on Boggy Creek already exists, and this project will not negatively impact that infrastructure.

**18. Promote development that serves the needs of a diverse population.**

Provide your analysis here: The proposed project does not discriminate in any way from providing multifamily housing to individuals or families. In fact, the project has been designed to specifically fill a perceived need for workforce housing

## Communication from Citizens

|   |  |   |  |
|---|--|---|--|
| <p><b>PUBLIC HEARING COMMENT FORM</b></p> <p>If you use this form to comment, it may be submitted to:<br/> City of Austin<br/> Planning and Zoning Department<br/> Maureen Meredith<br/> P. O. Box 1088<br/> Austin, TX 78767-8810</p> <p>If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.</p> |  | <p>Case Number: NPA-2017-0016.02<br/> Contact: Maureen Meredith, Ph: 512-974-2695<br/> Public Hearings: Jan 09, 2018, Planning Commission<br/> Feb 15, 2018, City Council</p> |  |
| <p><input type="checkbox"/> I am in favor<br/> <input checked="" type="checkbox"/> I am in opposition</p>   |  | <p><b>LOE CONINGS</b><br/> Your Name (please print)</p>   |  |
| <p><b>5501 STUART CT.</b><br/> Your address(es) affected by this application</p>  |  | <p><b>1/6/18</b><br/> Date</p>  |  |
| <p><b>Joe C.</b><br/> Signature</p>   |  | <p>Comments:<br/> 1) Too DENSE<br/> 2) TRAFFIC</p>  |  |

**From:** Brian Holubetz  
**Sent:** Tuesday, January 23, 2018 3:27 PM  
**To:** Chaffin, Heather  
**Cc:** Meredith, Maureen; stephen.oliver@austintexas.gov  
**Subject:** Flats on Shady

Dear Ms. Chaffin,  
My family and I oppose the proposed flats on shady development.

Unlike ThinkEAST, which benefits the neighborhood, this development is density for density's sake.

Moreover, it goes against the wishes and the hard work of the many individuals and over 50 businesses that partnered to author the 2003 Johnston Terrace/Govalle neighborhood plan. That plan indicated the area in question to remain single family residential and to preserve open spaces.

Access to Airport Blvd from Bolm/Shady can already take up to 15 minutes on school mornings when the COA trucks are leaving their depots. Between the ThinkEAST and flats on Shady developments, we could be adding another 500+ vehicles to the intersections.

We respectfully ask that you withdraw your approval and revisit the 2003 plan, specifically the language on pages 44 and 52.

The hard work performed by those Austinites are part of the reason we moved to this single family residence neighborhood from an apartment complex to raise our son.

Sincerely,  
Brian and Michelle Holubetz  
5901 Ventus St.  
Austin, TX 78721