

## NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

**NEIGHBORHOOD PLAN:** North Lamar/Georgian Acres Combined

**CASE#:** NPA-2018-0026.01

**DATE FILED:** February 27, 2018 (In-cycle)

**PROJECT NAME:** Austin Suites

**PC DATE:**

June 26, 2018

June 12, 2018

**ADDRESS:** 8300 North I.H.-35

**DISTRICT AREA:** 4

**SITE AREA:** 3 acres

**OWNER/APPLICANT:** Collin Brothers, Artesia Real Estate

**AGENT:** Stantec Consulting Services Inc. (Stephen Rye)

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Commercial

**To:** Mixed Use

**Base District Zoning Change**

**Related Zoning Case:** C14-2018-0022

**From:** CS-CO-NP

**To:** CS-MU-CO-NP

**NEIGHBORHOOD PLAN ADOPTION DATE:** June 24, 2010

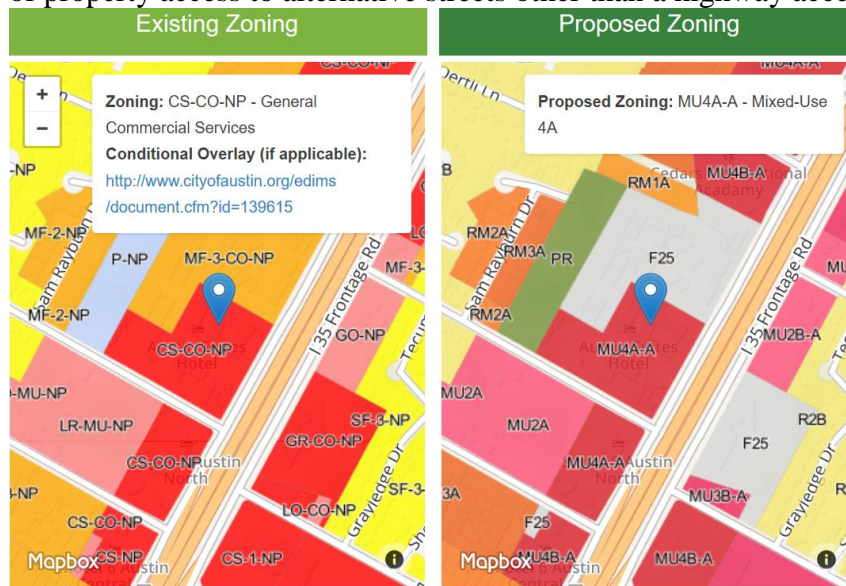
**PLANNING COMMISSION RECOMMENDATION:**

**June 26, 2018** – Approved for Mixed Use land use. [F. Kazi 1<sup>st</sup>; A. De Hoyos Hart 2<sup>nd</sup>] Vote: 11-0 (J. Thompson absent). Motion included friendly amendment by T. White to include amendment that the private Restrictive Covenant associated with the zoning case be finalized by CC hearing date on August 9, 2018. [Vote: 10-1 on amendment, F. Kazi voted nay on this amendment].

**June 12, 2018** – Postponed to the June 26, 2018 hearing date on the consent agenda at the request of the neighborhood and agreed to by the applicant.

**STAFF RECOMMENDATION:** Recommended.

**BASIS FOR STAFF'S RECOMMENDATION:** Staff recommends the applicant's request for Mixed Use land use. In the past Staff would typically have not supported a plan amendment request from Commercial to Mixed Use that was triggered by an associated zoning change request for CS-MU-CO-NP for proposed apartments located along highways. However, this property is unique in that the Austin Suites Hotel is currently serving as long-term housing for many people living there and a number of units are being used by the Housing Authority of the City of Austin for low-income people. Although not an ideal location because the property is located along Interstate Highway 35 and has no access other than to the frontage road, staff recognizes the need for additional housing as presented in the *Austin Strategic Housing Blueprint*. In the latest version of CodeNEXT, the proposed zoning for this property is MU4A-A, which allows housing of all types along highways, regardless of property access to alternative streets other than a highway access road.



The plan document does not support *new* apartments in the area because the planning area has an over-abundance of them, however the property is currently a hotel that is effectively being used as a low-income apartment building with long-term tenants.

## LAND USE

**Create a well-balanced land use pattern in the North Lamar Combined Neighborhood Planning Area by assigning appropriate land uses to particular properties.**

**Objective L.1: Preserve the residential character of the neighborhoods in the NLCNPA.**

**Recommendation 119** Non-residential uses should not encroach into the established neighborhoods of the NLCNPA.

**Objective L.2: Maintain a balanced residential character throughout the NLCNPA.**

**Recommendation 121** Limit the construction of new, large multi-family residential complexes throughout the NLCNPA.

**Recommendation 122** New, more intense residential development should contain a mixed use element and be located along major roadways.

**Objective L.5: Increase the housing options and/or homeownership opportunities within the NLCNPA.**

**Recommendation 131** Allow the Urban Home Special Use on Tracts A and B.

**Recommendation 132** Allow the Residential Infill Special Use on Tracts A and B.

**Recommendation 133** Incorporate the Vertical Mixed Use Building ("V") zoning overlay into the applicable base zoning district(s) of Tract C.

❖ **The I-35 Corridor should remain a largely commercial thoroughfare.**

Interstate Highway 35 (I-35) is the most heavily traveled roadway in Austin. It is also the eastern boundary for the NLCNPA, running between US Highway 183 and Braker Lane. The varieties of businesses along its frontage road look like those found along interstate frontage roads across the country. Aside from a major manufacturing facility (i.e., Golfsmith), numerous motels, and several apartment complexes, the I-35 frontage contains a variety of local and regional commercial or light industrial uses.

Land located along an interstate frontage is traditionally set aside for more intense uses (e.g., commercial retail centers, offices, etc.). However, residential uses are oftentimes located along these roadways as a means to provide easy access to various points throughout a city. NLCNPA stakeholders declined to recommend additional housing along the freeway due to poor automobile and pedestrian access to the rest of the neighborhood as well as health concerns associated with air pollution generated by the high volume of traffic on I-35.

**Objective L.8: Preserve the largely commercial environment along the I-35 Corridor.**

**Recommendation 138** Retain all commercial future land use designations located along I-35.

**Recommendation 139** Place restrictions on the development of new hotels/motels along I-35.

❖ **The NLCNPA should remain an affordable neighborhood.**

Housing costs have risen considerably in recent years, especially throughout the City of Austin. However, the NLCNPA remains one of only a few affordable neighborhoods within the City. The affordable and quality entry-level housing found throughout the neighborhood is a key factor in attracting new residents (i.e., potential homeowners) to the area while retaining those residents already living within the NLCNPA. However, new housing developments could potentially threaten the affordability of the NLCNPA. Thus, stakeholders expressed the need to preserve the affordability of their neighborhood, especially within any new developments.<sup>12</sup>

**Objective Q.9: Preserve housing affordability throughout the NLCNPA.**

**Recommendation 21** Encourage coordination between NLCNPA stakeholders and Neighborhood Housing and Community Development Department staff to determine the best policies and practices for providing and preserving affordable housing in the neighborhood.

**LAND USE DESCRIPTIONS**

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

**Commercial**

Lots or parcels containing retail sales, services, hotel/motels and all recreational services that are predominantly privately owned and operated for profit (for example, theaters and bowling alleys). Included are private institutional uses (convalescent homes and rest homes in which medical or surgical services are not a main function of the institution), but not hospitals.

**Purpose**

1. Encourage employment centers, commercial activities, and other non- residential development to locate along major thoroughfares; and

2. Reserve limited areas for intense, auto- oriented commercial uses that are generally not compatible with residential or mixed use environments.

**Application**

1. Focus the highest intensity commercial and industrial activities along freeways and major highways; and
2. Should be used in areas with good transportation access such as frontage roads and arterial roadways, which are generally not suitable for residential development.

***PROPOSED LAND USE ON THE PROPERTY***

**Mixed Use** - An area that is appropriate for a mix of residential and non- residential uses

**Purpose**

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live- work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non- residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on- street activity in commercial areas after 5 p.m. and built- in customers for local businesses.

**Application**

1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed- use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);

4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non- conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

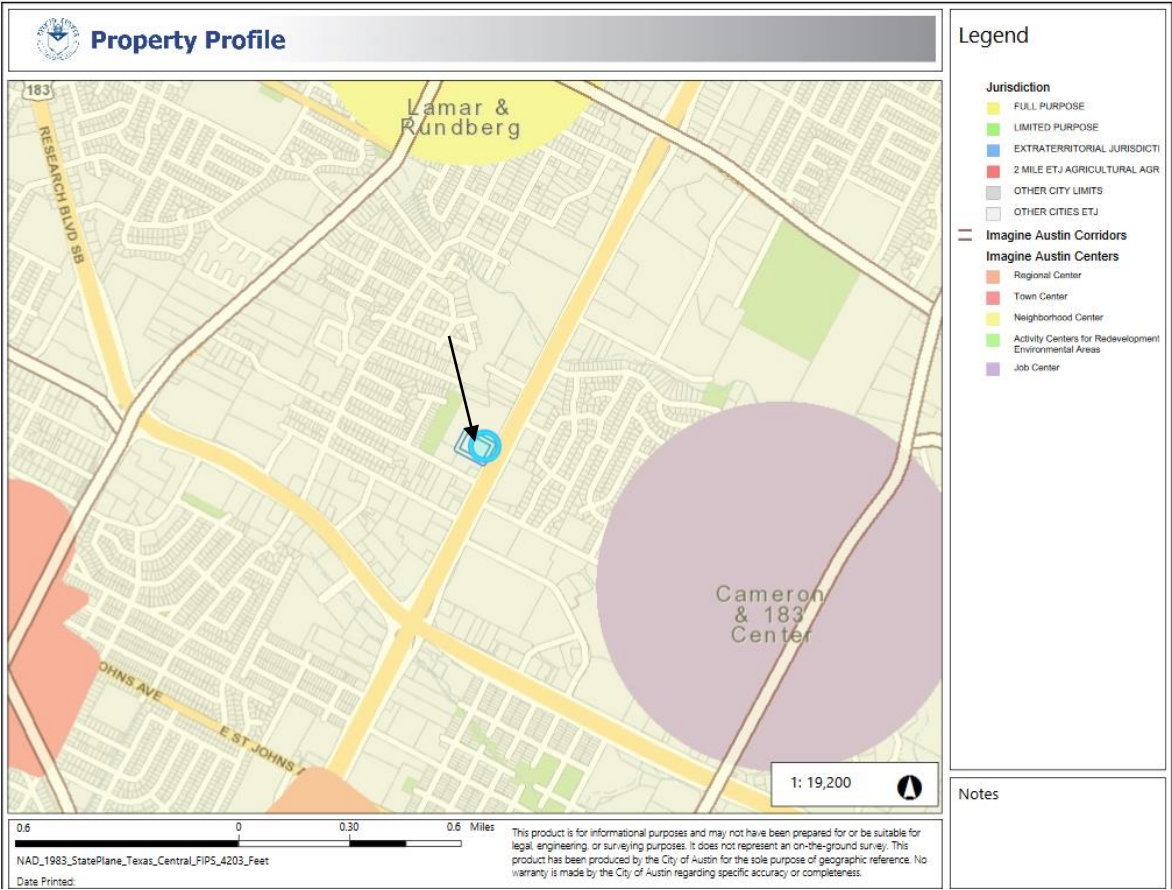
### ***IMAGINE AUSTIN PLANNING PRINCIPLES***

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's proposed apartments will provide additional housing for the planning area and city. The property is located near the Georgian Acres Public Park. It does not appear to be near public schools, but is south of the Cedars International Academy.***
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 not located along an activity corridor or within an activity center. Being located along an interstate highway is not a good location for pedestrians or bicyclists. Capital Metro bus route 142 runs on the service road in front of the property but does not have any stops along this portion of the route. Georgian Drive is approximately 0.5 miles from the property and has a Capital Metro bus routes operating on it.***
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 is not located along an activity corridor or within an activity center as identified in the Imagine Austin Comprehensive Plan.***
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
  - ***On the property is an existing hotel that is being used for long-term housing for low-income people. The applicant's proposed zoning would allow for the hotel to become an apartment building with some of the units reserved for low-***

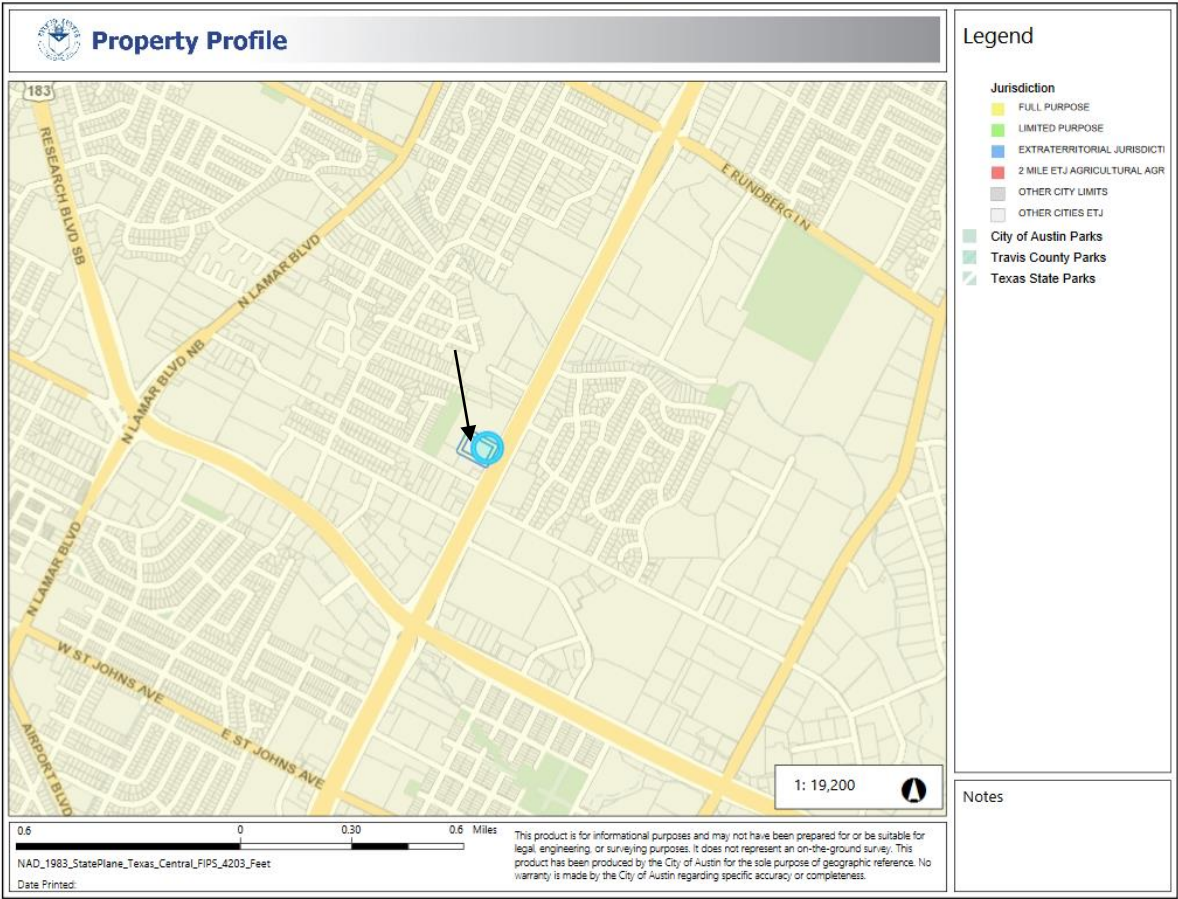
***income tenants. The request will provide more housing options for the area and the City.***

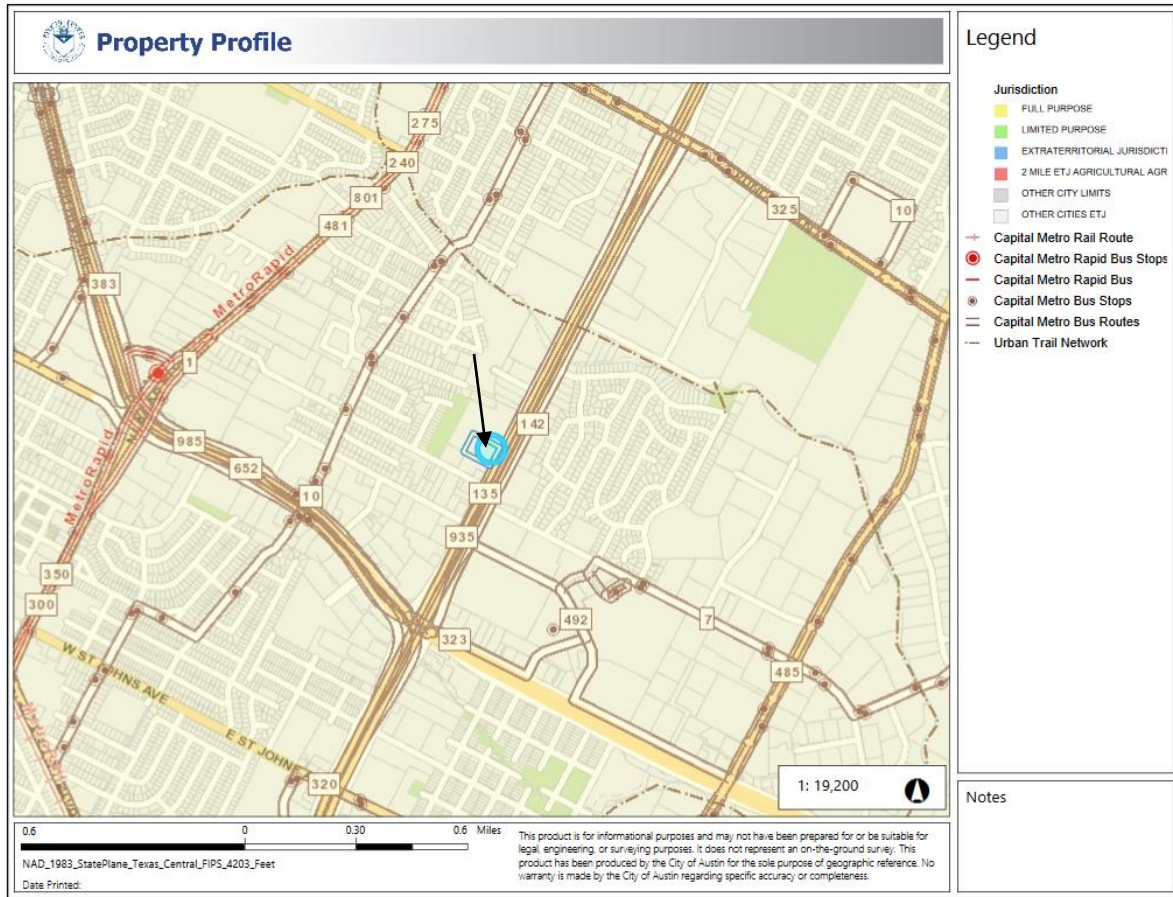
5. Ensure harmonious transitions between adjacent land uses and development intensities.
  - ***To the north of the property is Multifamily land use and to the south is Commercial and Mixed Use.***
6. Protect Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.
  - ***The property is not located in 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.
  - ***Not applicable.***
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 walking distance to the Georgian Acres Park.***
10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
  - ***Not applicable.***
11. Sustain and grow Austin's live music, festivals, theater, film, digital media, and new creative art forms.
  - ***Not applicable.***
12. Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.
  - ***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 February 27, 2018, which is in-cycle for neighborhood planning areas located on the west side of I.H.-35.

The applicant proposes to change the land use on the property from Commercial to Mixed Use. The proposed zoning change request is from CS-CO-NP to CS-CO-MU-NP to refurbish the existing hotel into apartments. For more information on the zoning request, please see the zoning case report C14-2018-0022.

**PUBLIC MEETINGS:** The ordinance-required community meeting was held on April 25, 2018. Approximately 468 community meeting notices were mailed to people who own property or have utility service addresses within 500 feet of the property, in addition to neighborhood groups or environmental organizations who requested notification for the area. Fourteen people attended the meeting, in addition to one city staff member.

Stephen Rye, the applicant's agent, told the attendees that the property was recently purchased by his clients. They have submitted two applications one for a rezoning change application to change the zoning from CS-CO-NP to CS-MU-CO-NP and the other to change the future land use map from Commercial to Mixed Use.

He said they met with the North Lamar/ Georgian Acres Neighborhood Plan Contact Team to get their input into the process. If the zoning is approved, four to six months from that date they would start renovating the property. The existing hotel would not be demolished, but the units would be renovated.

The City of Austin has a Relocation Ordinance that was passed last year, but it doesn't apply to hotels. However, he said they plan to work with the tenants with a modified version of the Relocation Ordinance. Mr. Rye said notification for this community meeting was placed on the community bulletin board in the Manager's office and that he would schedule a separate meeting with tenants for those who could not attend this community meeting.

If the property is rezoned, he said the tenants will receive a 90-day notice and a one-time relocation fee of \$500 per unit. Tenants who live in the Austin Suites right now who live in subsidized units (24 units) will get the right of first refusal for the newly renovated units once completed. They will also provide tenants a packet of relocation information and a timeline and also information on HACA and ECHO.

After his presentation, the following questions were asked:

***Q. Will there be affordable apartments?***

A. We will work with the Housing Authority of the City of Austin (HACA) and ECHO on the existing affordable units so they can stay affordable.

***Q. Will we be locked out of our units?***

A. No, you will not be locked out.

***Q. Will the rents increase once the units are renovated?***

A. I don't have the specific amounts of how much the rents will increase.

***Q. For people who now live in Austin Suites who pay full rent, how can we get the subsidized rent?***

A. You would have to apply for the subsidized units through the HACA, if there is funding available.

***Q. When would this take place?***

A. It would take seven to eight months, up to 10 months.

***Q. Have you worked with Caritas yet?***

A. No, not yet, but we are working with them to provide a space for them in our building.

***Q. Have you worked with Foundation Communities?***

A. Not yet, but we will.

***Q. Would you be willing to put your modified Relocation Ordinance conditions in a private restrictive covenant?***

A. Yes.

***Q. Who will get the \$500 relocation money?***

A. Anyone who lives in the building at the time we are distributing the notification package.

***Q. When the apartments are completed and old tenants want to come back, will there be a credit check?***

A. I don't know yet. ECHO has their own process, so maybe we can follow their process and could waive the credit check or maybe an application fee.

***Q. What else will the renovation of the hotel bring?***

A. There will be pedestrian access to the Georgian Acres Park. Traffic calming on Powell Lane. Landscaping of the exterior. Since they will be apartments, there will be less transitory and more long-term people living there.

***Q. The exterior is stone. Will that change?***

A. The stone won't change.

***Q. Will the clientele be hipsters?***

A. I don't know what the marketing will be.

***Q. What about the parking requirements?***

A. We will meet the Land Development Code requirements. Parking will be at the front of the building.

**Comments:**

- The area of the city is the last affordable places in Austin.
- We don't want this area to be gentrified.
- Living near the bus routes are important to the people who live in Austin Suites and this area.

**CITY COUNCIL DATE:**

**August 9, 2018**

**ACTION:**

**CASE MANAGER:** Maureen Meredith

**PHONE:** (512) 974-2695

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

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Letter from the North Lamar/Georgian Acres Neighborhood  
Plan Contact Team

**From:** Colin MacDougal, Realtor (512) 554-6151  
**Sent:** Tuesday, June 26, 2018 12:20 PM  
**To:** Sirwaitis, Sherri <Sherri.Sirwaitis@ >; Meredith, Maureen <Maureen.Meredith@austintexas.gov>  
**Cc:** Larry Reagan <reaganconstruction@ >; Past Chair <pastchair2.nlct@ >; Rye, Stephen <Stephen.Rye@stantec.com>; Lyn Galbreth <lynlafts@ >; Rodney Thrailkill <RBT76@ >  
**Subject:** NLGACT Consent Letter regarding Austin Suites Hotel

**Regarding the proposed FLUM change for Austin Suites Hotel**

PLAN AMENDMENT CASE NUMBER: NPA-2018-0026.01  
ZONING CASE NUMBER: C14-2018-0022  
Address: 8300 North IH-35 (3.0 acres)

The Georgian Acres / North Lamar Contact Team, after much discussion with our area stakeholders and Mr. Stephen Rye, agent for Artesia, provisionally\* supports the applicant's request for a FLUM change for the Austin Suites property. Furthermore, tenants at Austin Suites may, individually or collectively, negotiate a more favorable arrangement with the new owners.

The NLGACT does not, in general, support further residential development on the I-35 frontage road and does not wish this letter of support to be a precedent or to indicate any change in our position. We support THIS change because, for all intents and purposes, Austin Suites Hotel is an existing residential development despite it's current legal use as a hotel AND because Artesia, through Mr. Stephen Rye, has worked with the neighborhood stakeholders to mitigate the the negative effects of this project.

Colin MacDougal  
NLGACT vice chair

**\*\*provisionally**" refers to the fact that some details regarding scope, implementation, enforcement and cooperation with ECHO, Austin Parks Foundation, GANA, etc. are not yet fully fleshed out but are agreed to in principle.

**PLEASE NOTE** the attached .pdf, "Austin Suites Background."

The text of our planning area vote was:

**"If the FLUM amendment is approved by City Council, Artesia will:**

**(1) For all tenants:**

- provide voluntary, modified compliance with Tenant Relocation Ordinance notification requirements for all residents, including specifically, 90-day official notice to vacate, delivered in a verifiable way, based on occupancy on the official notice date.
- provide a tenant information packet to all residents, including the 90-day notice and information about relocation services and other resources.
- pay \$500 per unit to the residents of each unit occupied on the official notice date, to defray relocation expenses.

**(2) Existing subsidized tenants will be provided, at a minimum:**

- Moving expenses
- Temporary housing during remodel
- Right of first refusal to return to a remodeled unit if they meet ECHO program screening criteria

**(3) Donate \$10,000 to the Austin Parks Foundation fund for Georgian Acres Neighborhood Park** with the anticipation that it be used for transportation safety improvements approved by City of Austin around the park."



[Austin Suites Background.pdf](#)

Attachment to the North Lamar Combined Neighborhood Plan  
Contact Team

AUSTIN STRATEGIC HOUSING BLUEPRINT

The change from motel to apartment use net adds ~150 rental units to the Austin market. According to the applicant's agent, they will all be market rate. Short-term, the applicant proposes to continue renting to ~20 participants in a tenant-based rental assistance (voucher) program. The Austin market will lose the ~50 units which have been available to people with sufficient income but with other barriers, as these units are converted to conventional apartment rental.

No information has been provided about the income of current residents or their housing expenses. Generally, living in a motel is more expensive than a comparable apartment, but may offer flexibility in payment arrangements or tenant approval.

Community Values

Implement Tenant Relocation Assistance Program - Tenants of properties licensed as motels are not covered under the current ordinance. The applicant proposes "modified" compliance with the existing ordinance, including 90 days notice and \$500.

Protect Renters from Discrimination Based on Source of Income - The applicant has not committed to source of income protection.

Implement Recommendations from Austin/Travis County Re-Entry Roundtable - The applicant has not committed to follow these recommendations.

NORTH LAMAR COMBINED NEIGHBORHOOD PLAN

The contact team reaffirms: Objective L.8: Preserve the largely commercial environment along the I-35 Corridor

"Land located along an interstate frontage is traditionally set aside for more intense uses (e.g., commercial retail centers, offices, etc.). However, residential uses are oftentimes located along these roadways as a means to provide easy access to various points throughout a city. NLCNPA stakeholders declined to recommend additional housing along the freeway due to poor automobile and pedestrian access to the rest of the neighborhood as well as health concerns associated with air pollution generated by the high volume of traffic on I-35."

**Austin Suites is an exceptional situation because of its long-standing residential use. The contact team does not generally recommend adding residential uses along I-35.**

#### IMAGINE AUSTIN PLANNING PRINCIPLES (corrections to staff report)

The proposed apartments do not provide a mix of housing types. Roughly 70% of the existing housing in this area is apartments.  
The property is not located along bus routes.  
The property will be zoned to the rebuilt TA Brown Elementary, located 1.6 miles away. AISD provides yellow bus service with a stop on the property.  
Cedars International Academy is a public charter school.  
No information is available about current resident's income.  
According to the applicant's agent, no units will be reserved for low-income tenants.  
The change to conventional apartment rental reduces housing options in the area.

#### BACKGROUND

The Austin Suites motel has not served as travel lodging in years. Despite the high number of police and code compliance calls, rooms have been used by churches and nonprofits for emergency housing for families. Drug dealers and sex workers have taken advantage of its convenient interstate location to conduct their business. Some residents have long-term barriers to conventional apartment residence, such as being on the sex offender registry or having a criminal history involving drugs and violence. Others have short-term barriers, such as needing to save up for utility and security deposits.

Current residents include about twenty households in an ECHO (Ending Community Homelessness Coalition) program and about fifty other households, some who have been at the property as long as ten years. There are about 150 rooms that generally stay vacant, but may be used as overnight rentals during SXSW or at the manager's discretion.

According to the Office of Sustainability, Austin Suites is located in a healthy food access dessert. It is more the 1/4 mile from high-frequency transit, although it is within 3/4 miles of fixed route transit. It is located in what is generally perceived as a low-opportunity area, with low-performing schools, a high rate of violent crime, high ethnic segregation, high poverty rate, and environmental (air quality) hazard. It is located near a park.

#### CONTACT TEAM DECISION PROCESS

The applicant's agent met separately early this year with the contact team and with the Georgian Acres Neighborhood Association (GANA). Given that the unique circumstance that the property has functioned as residential rentals for some years, both groups were generally favorable to the formal change of use from motel to apartment. Both groups expressed concern for the residents who would be displaced and for a safe pedestrian route to the nearby Georgian Acres Neighborhood Park. The contact team considered the air quality and connectivity issues which led to the neighborhood plan Future Land Use Map (FLUM) recommendation for the I35 frontage to redevelop as commercial rather than residential. The contact team also raised stormwater concerns, which a change of use and remodel would not be required to address. The contact team reached out to neighboring businesses along the interstate access road, including apartments and other budget motels, who responded favorably to the proposed change. The Planning Department held a community meeting in another neighborhood, which a handful of residents did manage to attend. The contact team discussed the application and the applicant's proposal for modified tenant relocation and traffic impact mitigation via their internal email list and at their regular quarterly meeting. Contact team members include Austin Suites residents, homeowners, apartment renters, rental property owners, schools and churches. Two rounds of voting took place, via email, text, voice and paper.

#### RESIDENT NOTIFICATION

Since they do not have utility accounts, the residents were not included in the City notification of the community meeting or the Planning Commission or Council hearings. The applicant's agent committed to provide the individual notification of the community meeting, but instead posted a notice at the front desk. In response to strong concern from contact team members and the residents who did find out about the community meeting, the applicant's agent conducted a meeting at the motel to which all residents received notice. Despite the contact team's request to attend, they were not notified. According to the applicant's agent and to residents, the materials handed out at that meeting did not include information about city processes for future land use or zoning changes, such as case numbers, contact information for case management staff, instructions for commenting or attending the hearings. The contact team provided the Planning Commission and Council hearing notices to a motel resident, who was working to make copies and distribute on the property.

## Memorandum of Understanding the Applicant has with ECHO



### MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is made by and between **the Ending Community Homelessness Coalition, Inc.**, ("ECHO."), and **Artesia Real Estate, LLC**, ("Artesia").

ECHO partners with multiple service providers throughout the Austin/Travis County Continuum of Care ("CoC") that are working to end homelessness. Partners include the Veterans Administration, the Housing Authority of the City of Austin, Front Steps, Caritas of Austin, and The Salvation Army, among many others.

The parties agree as follows:

#### I. PURPOSE OF MOU

The purpose of this MOU is to establish the parties' intention to coordinate services and application processes, and expectations between ECHO and Artesia to provide a supported path to permanent housing for households residing at Austin Suites and currently being served by the CoC.

#### II. GOALS OF MOU

- A. To ensure to the maximum extent possible that households currently residing at Austin Suites and receiving services from the CoC are offered permanent housing options.
- B. To document agreement of Artesia to provide the CoC thru ECHO's Coordinated Entry process access to rental units once the building is converted to rental housing.

#### III. TERM OF MOU

This MOU shall become effective upon being signed by all parties and shall remain in effect until all households currently residing at Austin Suites and receiving services from the CoC have vacated the property. Each party shall have the right to terminate this MOU upon thirty (30) days prior written notice to the other parties.

#### IV. AGREEMENTS AND RESPONSIBILITIES

##### A. Relocation Resources and Services

Artesia will:

- 1. Reimburse ECHO for expenses incurred to relocate clients into permanent housing, including but not limited to: application fees, security deposits, administrative fees, and/or any other moving expenses;



2. Provide transportation assistance during the housing search and move, i.e. bus passes, taxi vouchers, etc.;
3. Provide a letter of reference from Austin Suites management demonstrating positive rental history for each household;
4. Provide a payment of \$250.00 to ECHO to contribute for basic household furnishings for each tenant once they have moved into a new unit or reimburse ECHO for these such expenses;
5. Participate in a good faith effort towards outreach to 3<sup>rd</sup> party property management companies to assist in locating permanent housing for relocated households.

**ECHO** will:

1. Coordinate communication between Artesia and the Continuum of service providers who are supporting households at Austin Suites;
2. Support service providers in locating permanent housing options for households receiving services.
3. Cover the expenses related to relocating clients receiving services from the CoC as long as Artesia agrees to reimburse ECHO for the expenses.

**B. Access to Rental Units**

**Artesia** will:

1. Provide access to a total of 20 rental units once the building is converted to rental housing for a period of one year from the date of Certificate of Occupancy;
2. Execute an Alternative Screening Criteria with ECHO by January 1, 2019 to enable households exiting homelessness to apply for tenancy.

**ECHO** will:

1. Coordinate with the Continuum of service providers to offer access to dedicated rental units;
2. Execute an Alternative Screening Criteria with ECHO by January 1, 2019 to enable households exiting homelessness to apply for tenancy.





**Artesia/ Artesia Real Estate, LLC**

**Name:**

**Signature:**

**Title:**

**Date:**

**The contact person of Artesia will be:**

**ECHO/Ending Community Homelessness Coalition**

**Name: Ann Howard**

**Signature:**

**Title: Executive Director**

**Date:**

**The contact person of ECHO will be:**

**Bree Williams  
Director of Community Housing  
[breewilliams@austinecho.org](mailto:breewilliams@austinecho.org)  
(512) 940-9690**

Additional Information, includes two attachments

**From:** Rye, Stephen [mailto:Stephen.Rye@stantec.com]  
**Sent:** Thursday, May 10, 2018 4:46 PM  
**To:** Past Chair <pastchair2.nlct@  
**Cc:** colin.macdougall@; DeFrank, Amy <Amy.DeFrank@stantec.com>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Trinh, Stephanie <Stephanie.Trinh@austintexas.gov>  
**Subject:** RE: Austin Suites rezoning case - NLGACT

Lisa,

Notification of the 4/25 NLPCT meeting was posted at the property and tenants were not only invited and aware, but several attended, as I am sure you recall.

The 5/4 tenant meeting notification was posted on each tenant door on the property and in the office. Approximately 25 or 30 tenants and interested parties attended the meeting. This meeting was intended for and provided for the tenants of Austin Suites to describe the proposed project and an explanation of what they may expect. We spent the morning with the tenants answering questions about the process to come. We discussed the offer as presented in the neighborhood meetings, and answered many questions regarding project timing and access to services.

I've attached the information distributed to the tenants at the meeting and the information provided to every tenant prior to the meeting.

**Stephen Rye**  
Urban Planner

Office: (512) 328-0011  
Direct: (512) 803-7984  
Fax: (512) 328-0325

Stantec Consulting Services Inc.  
1905 Aldrich Street Suite 300  
Austin TX 78723-3544 US



First Attachment to email from Stephen Rye sent on  
May 10, 2018

**Timeline:**

Permit process should be complete by December or January  
Once it is complete you will receive a 90-day official notice to vacate

**Offer from property owner:**

Each non-subsidized unit will get from the property owner:

- \$500 payment for moving and relocation expenses per unit

Each subsidized unit will get from the property owner:

- \$500 payment for moving and relocation expenses per unit
- Temporary housing during the remodel

**Stephen Rye**

Urban Planner

Direct: (512) 803-7984



**Timeline:**

Permit process should be complete by December or January  
Once it is complete you will receive a 90-day official notice to vacate

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- \$500 payment for moving and relocation expenses per unit

Each subsidized unit will get from the property owner:

- \$500 payment for moving and relocation expenses per unit
- Temporary housing during the remodel

**Stephen Rye**

Urban Planner

Direct: (512) 803-7984



Second Attachment to email sent by Stephen Rye sent on May 10, 2018

- Voluntary, modified compliance with Tenant Relocation Ordinance notification requirements for all tenants:

- 90-day official notice to vacate
- Provide tenant information packet to all residents including 90-day notification and access to relocation services and information.

A voluntary, modified tenant relocation for every existing, non-subsidized tenant; to be paid by property owner:

- \$500 payment for moving and relocation expenses per unit

A voluntary, modified tenant relocation for every subsidized tenant; to be paid by property owner:

- Moving expenses
- Temporary housing during remodel
- Right of first refusal for tenants if they meet program screening criteria

- Register subsidized units will register with City of Austin's Ending Community Homelessness Coalition (ECHO) program for tenant rent subsidy, counseling services, and resources.

- Pedestrian path or view corridor to Georgian Acres Park: We have contacted the neighboring adjacent property owners and will update once regarding access options.

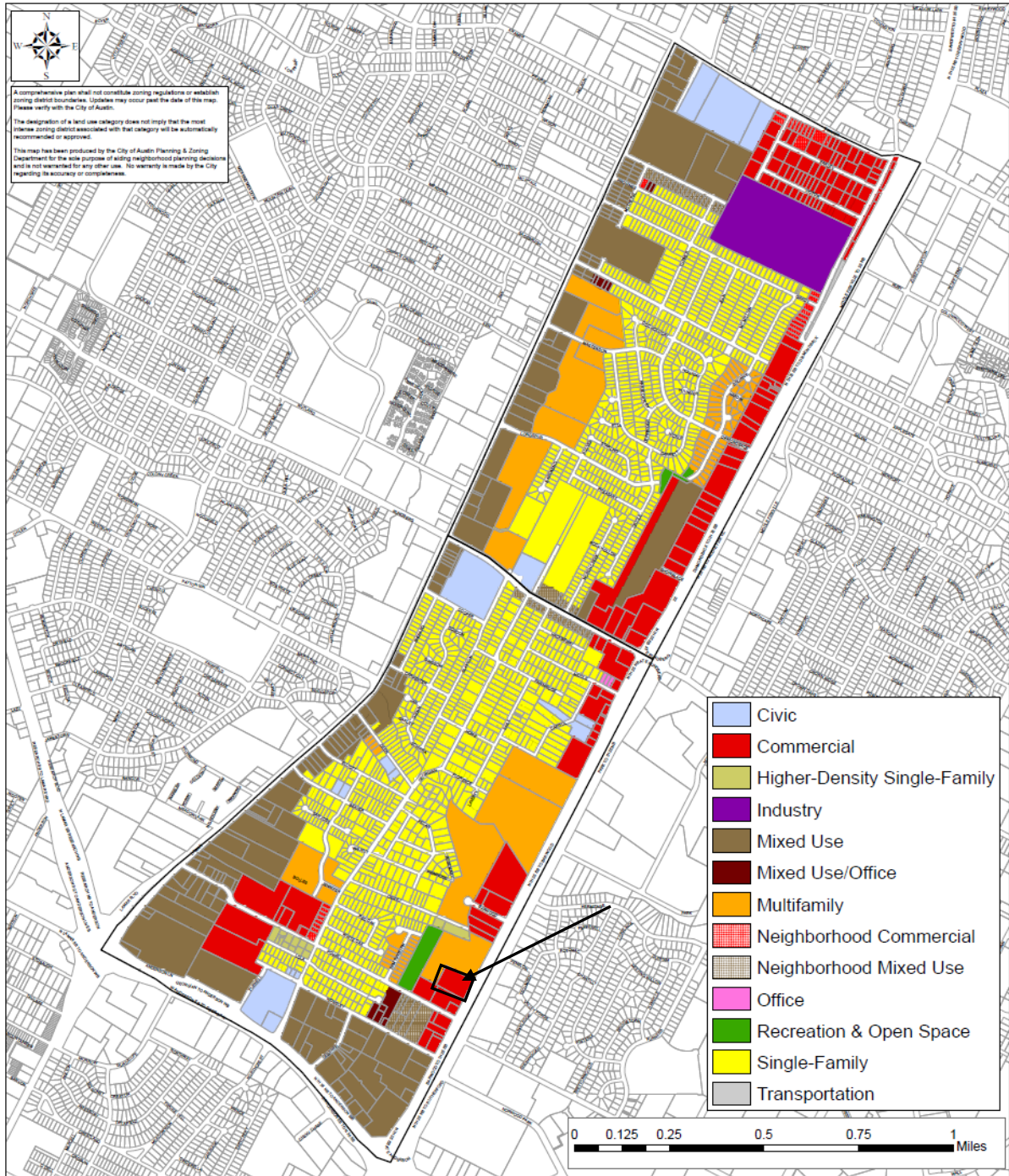
- Non-profit or education programming for all tenants: Property owner will provide meeting/programming space within the building.

- Cost Participation in Neighborhood Partnership Program for the installation of traffic calming infrastructure on Powell Lane: We have been in communication with neighboring property owners who would also like to participate.

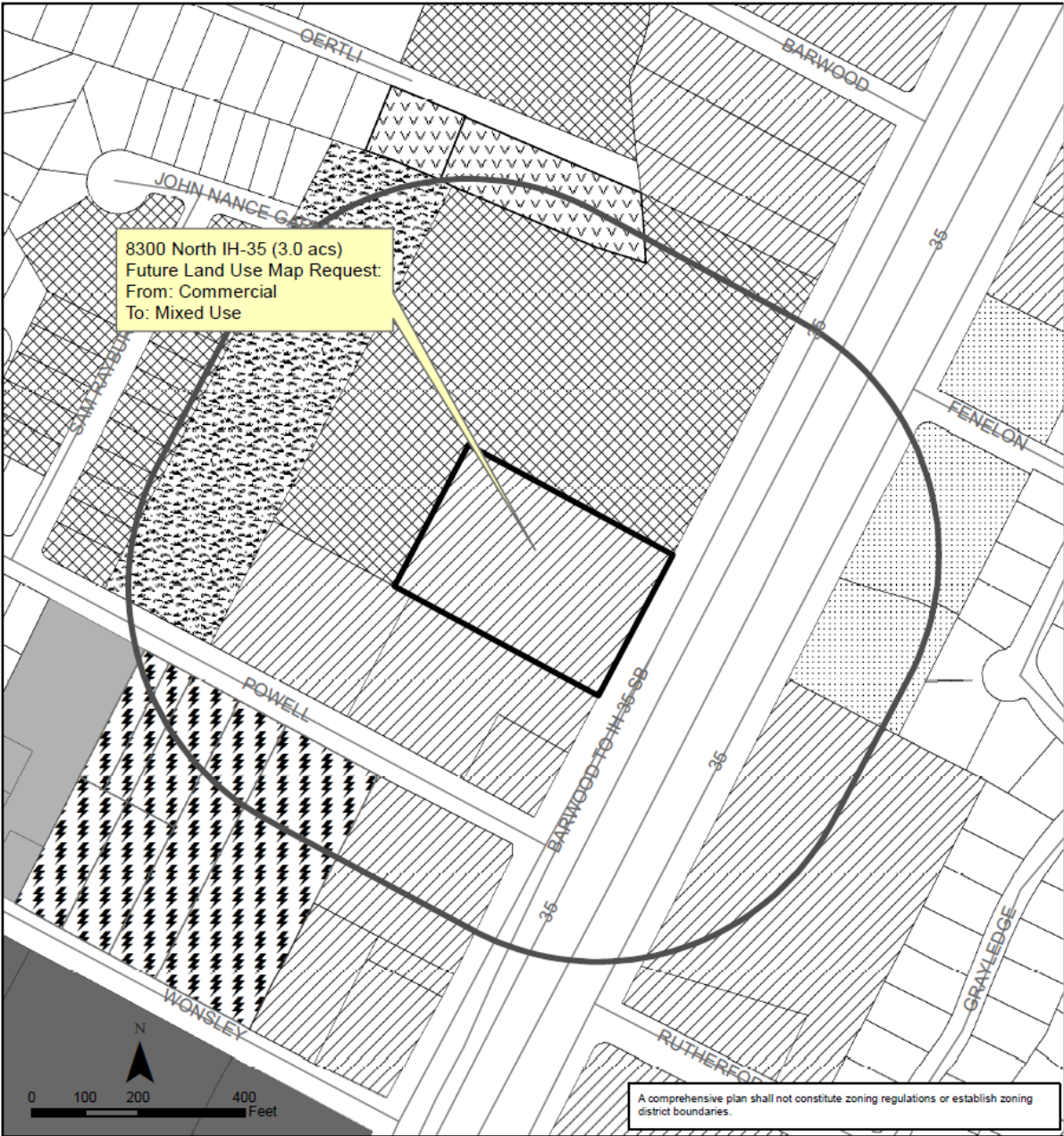


# North Lamar Combined Neighborhood Planning Area Future Land Use Map

Plan Adopted: June 24, 2010  
Last Amended: October 19, 2017







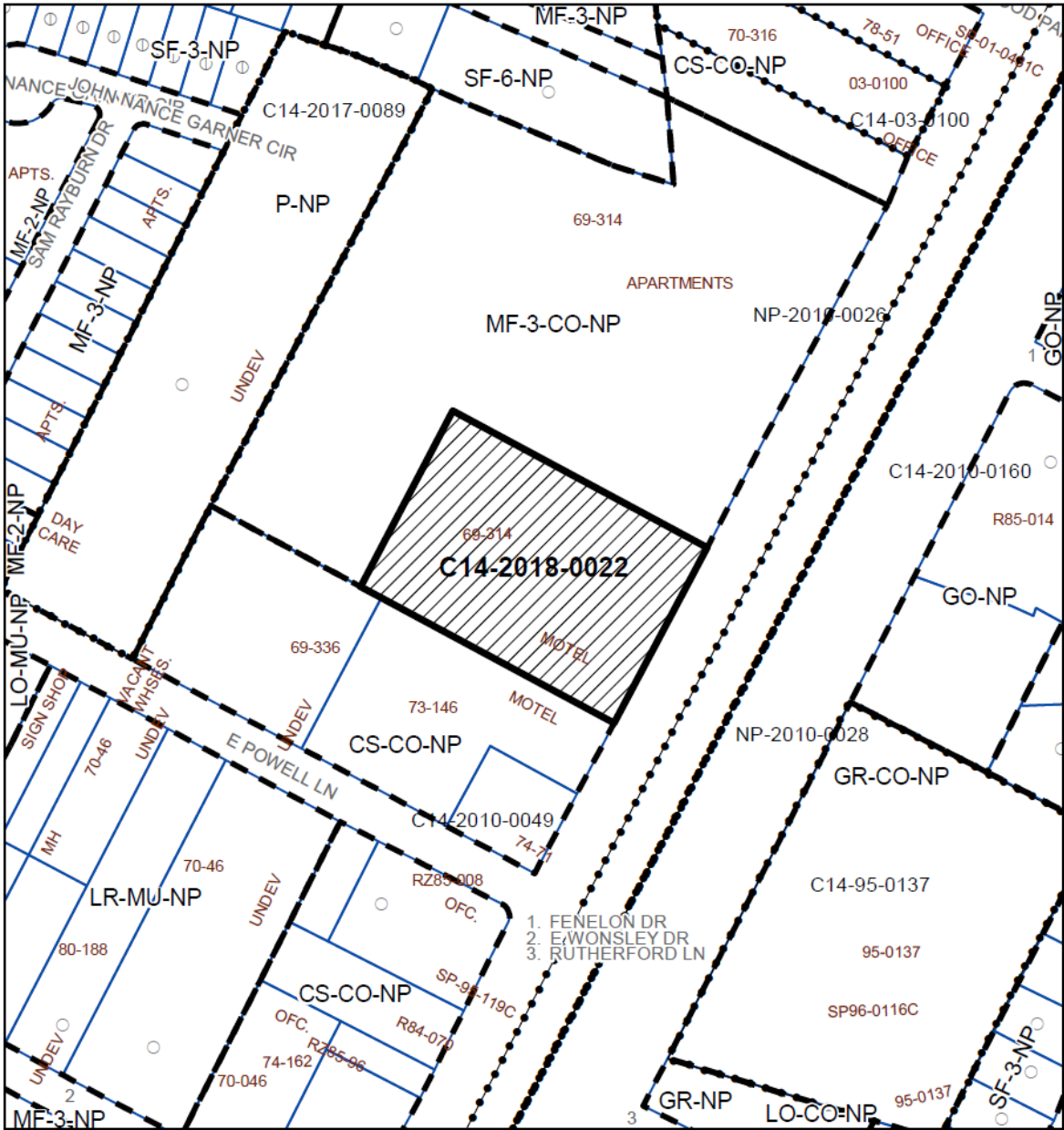
North Lamar Combined Neighborhood Planning Area  
NPA-2018-0026.01

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.

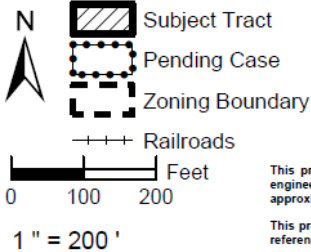
This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

City of Austin  
Planning and Zoning Department  
Created on 3/5/2018, by: meredithm

Future Land Use	
500 ft. Notif. Boundary	Neighborhood Mixed Use
Subject Property	Mixed Use
Single-Family	Office
Higher-Density Single-Family	Mixed Use/Office
Multi-Family	Civic
Commercial	Recreation & Open Space
Neighborhood Commercial	



**ZONING**  
Case#: C14-2018-0022



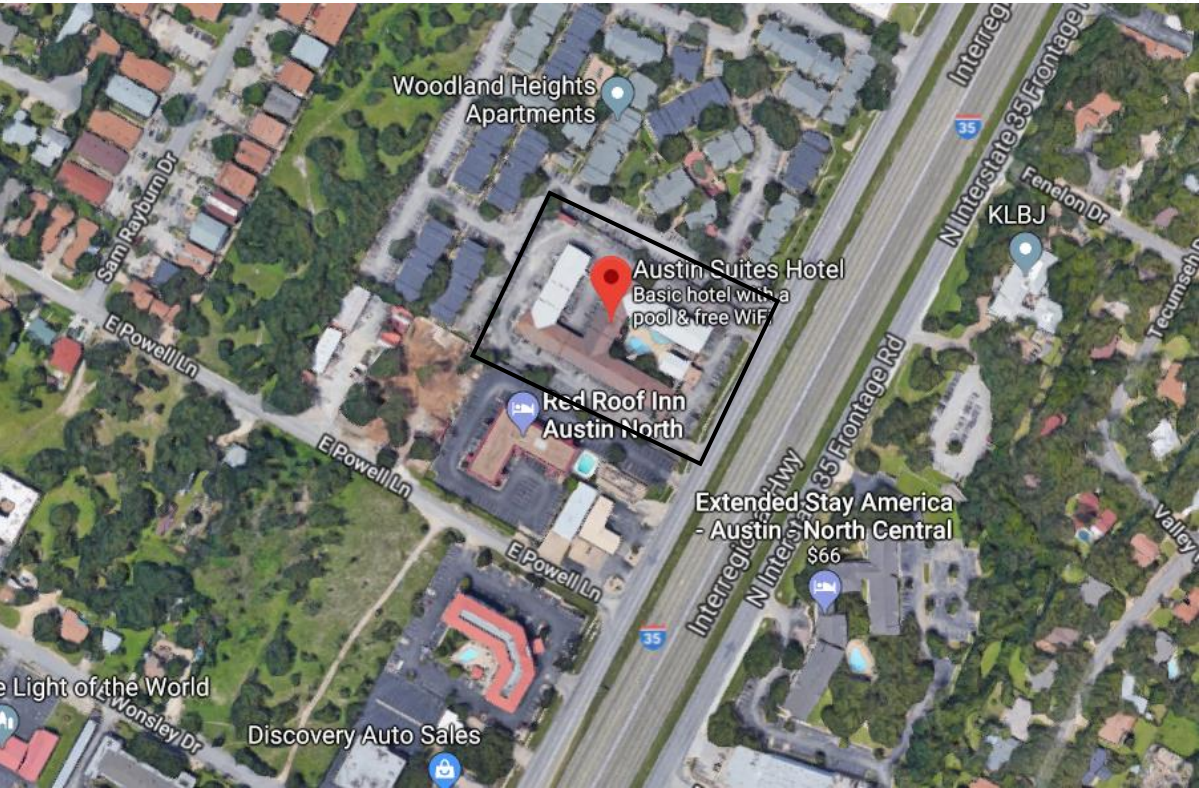
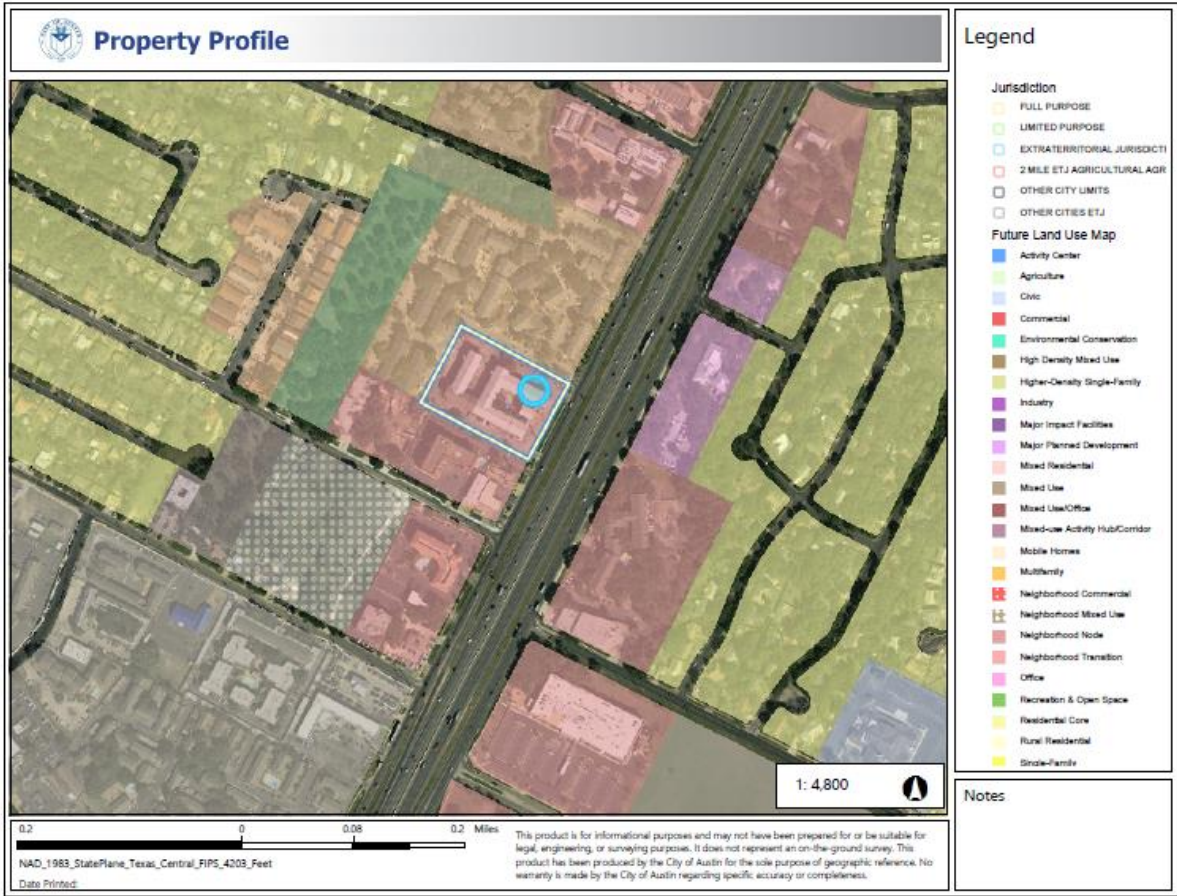
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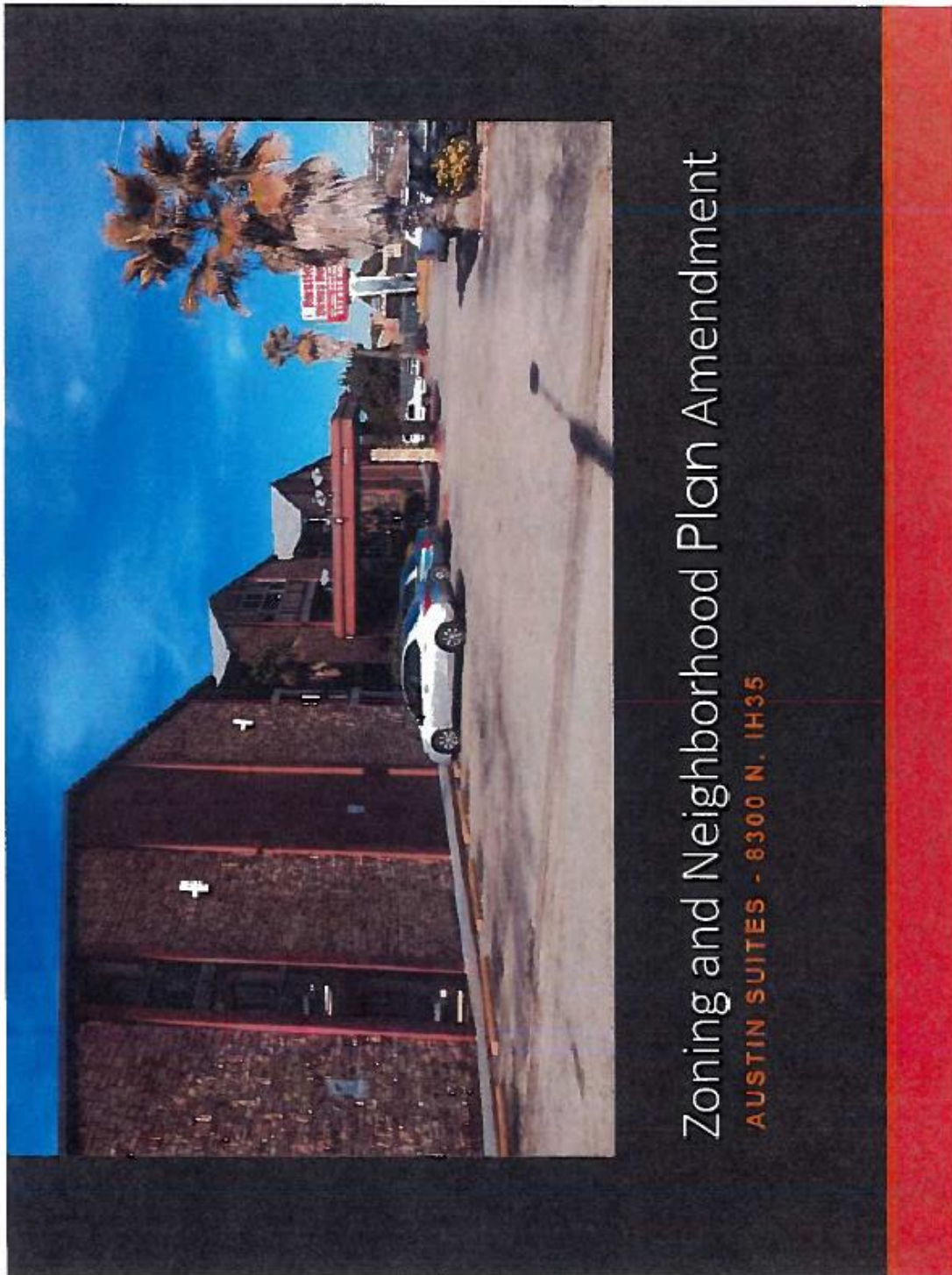
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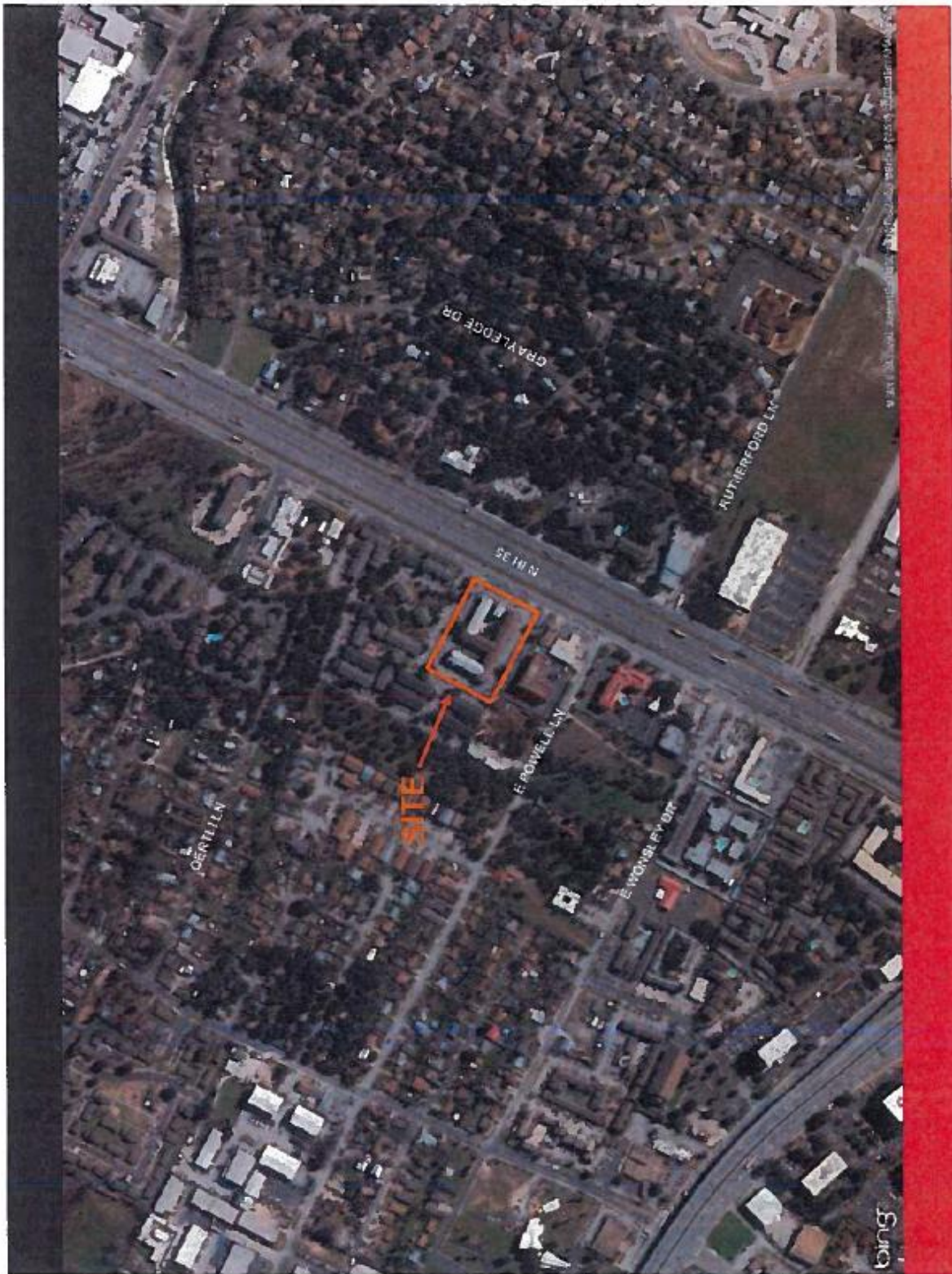




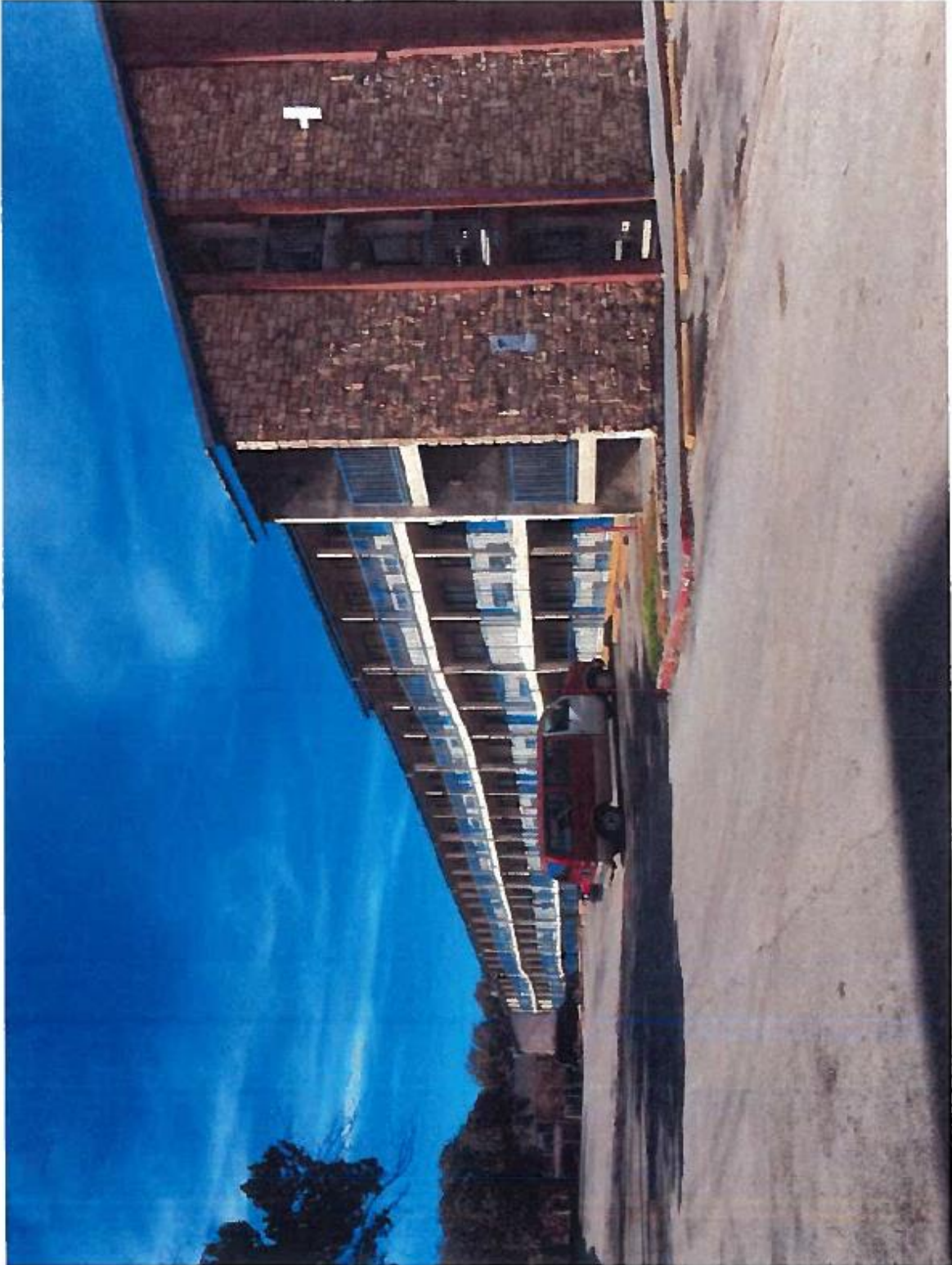


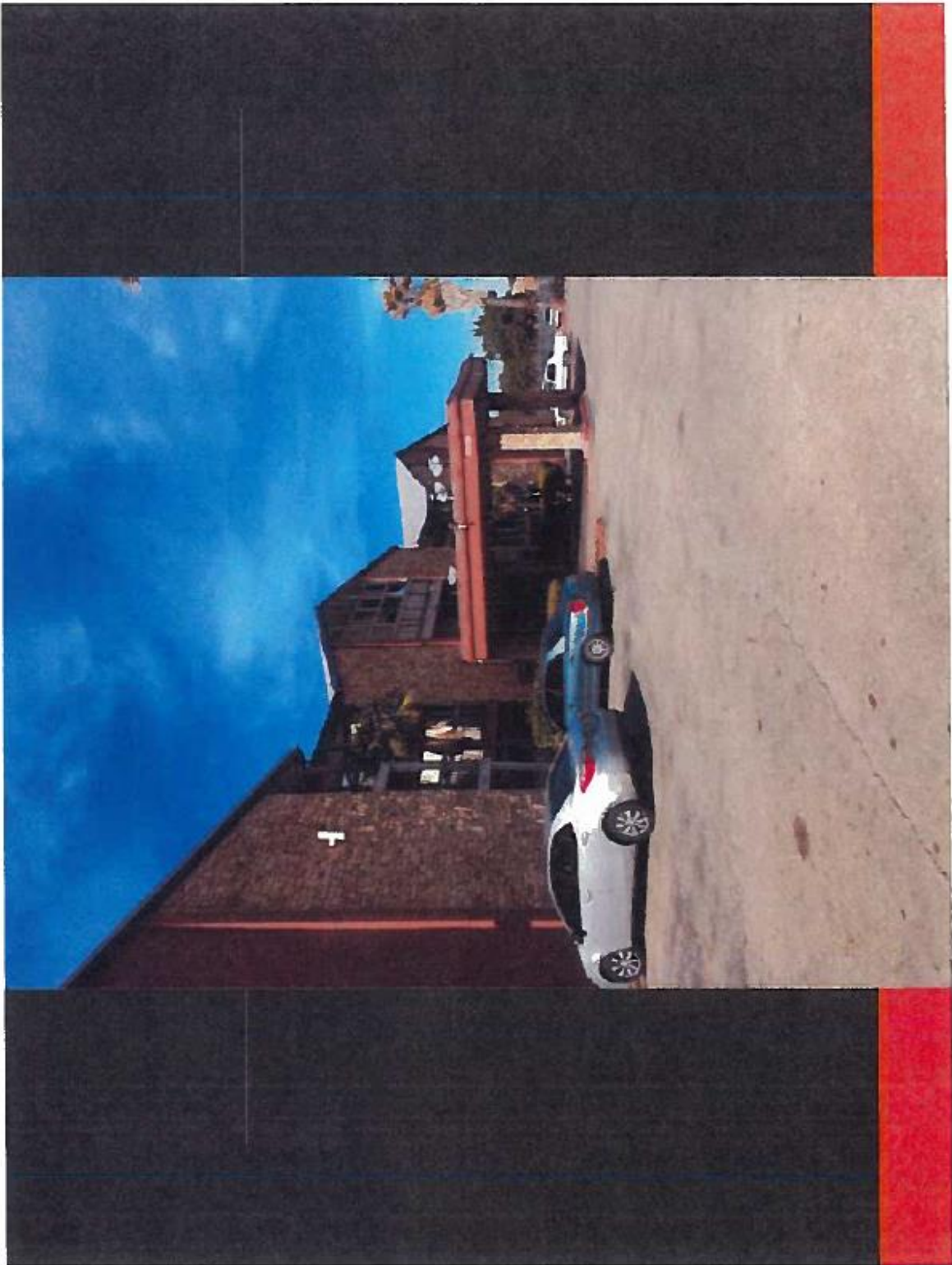
Presentation Made by Stephen Rye, the Applicant's Agent





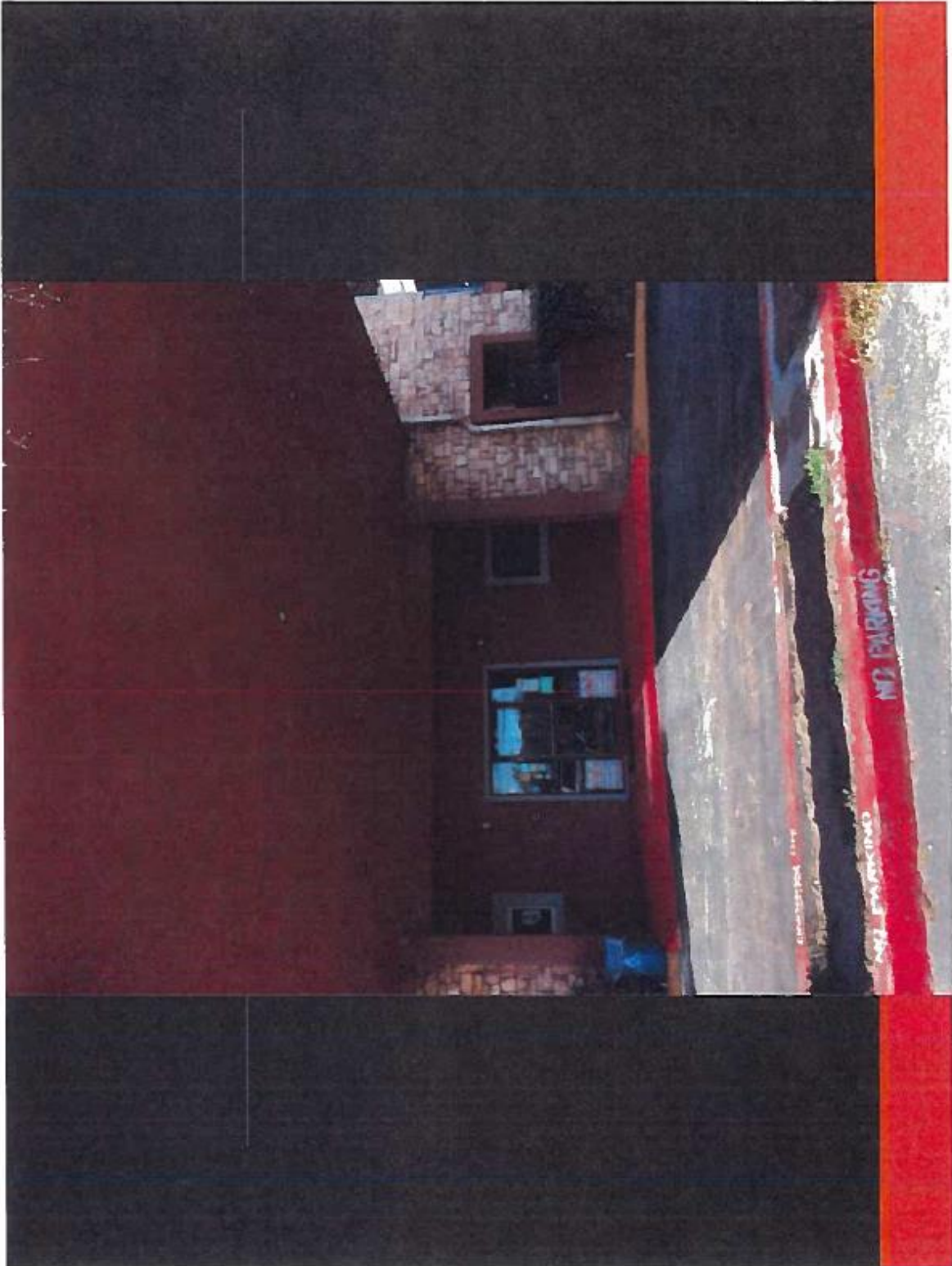




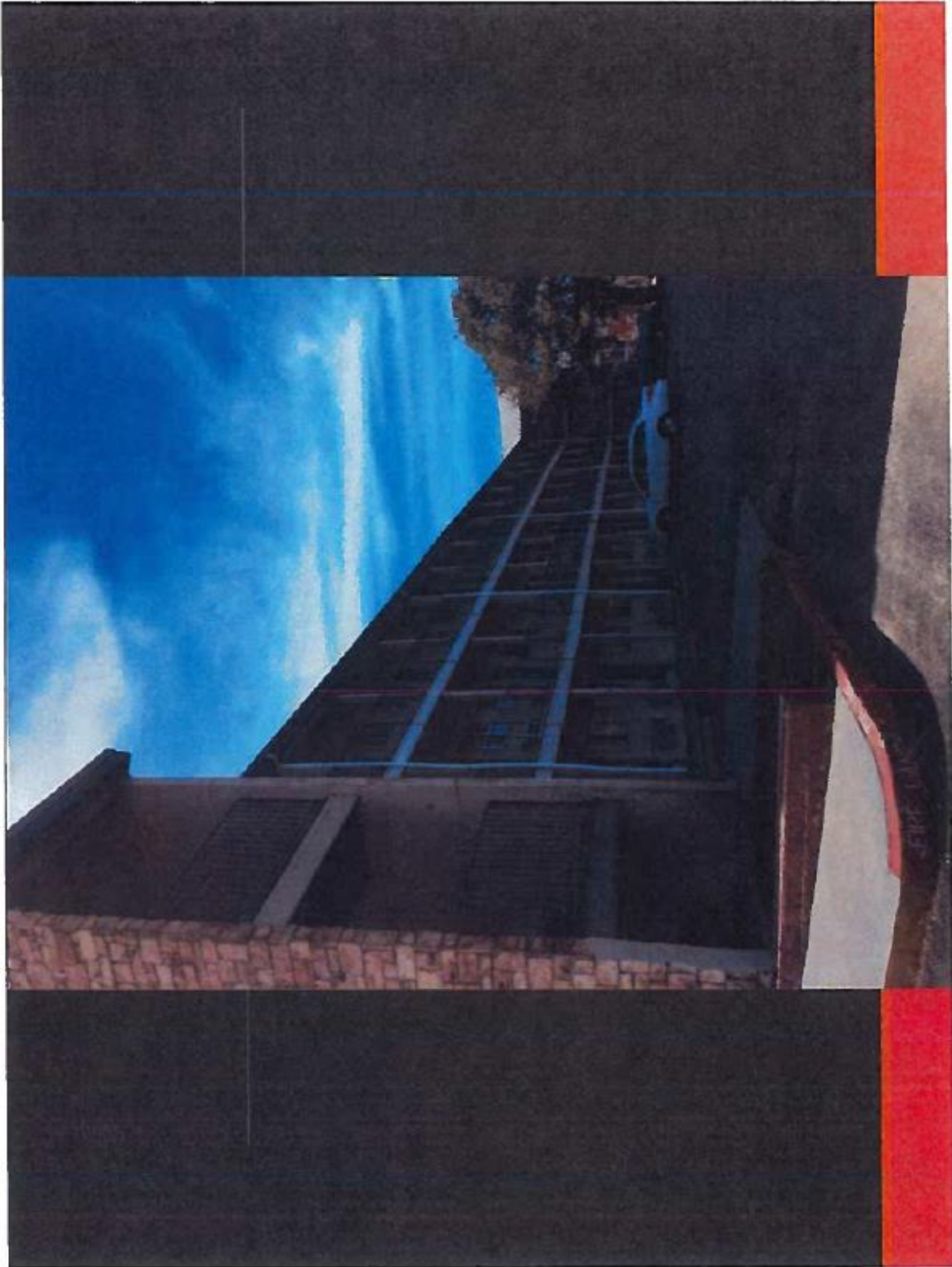










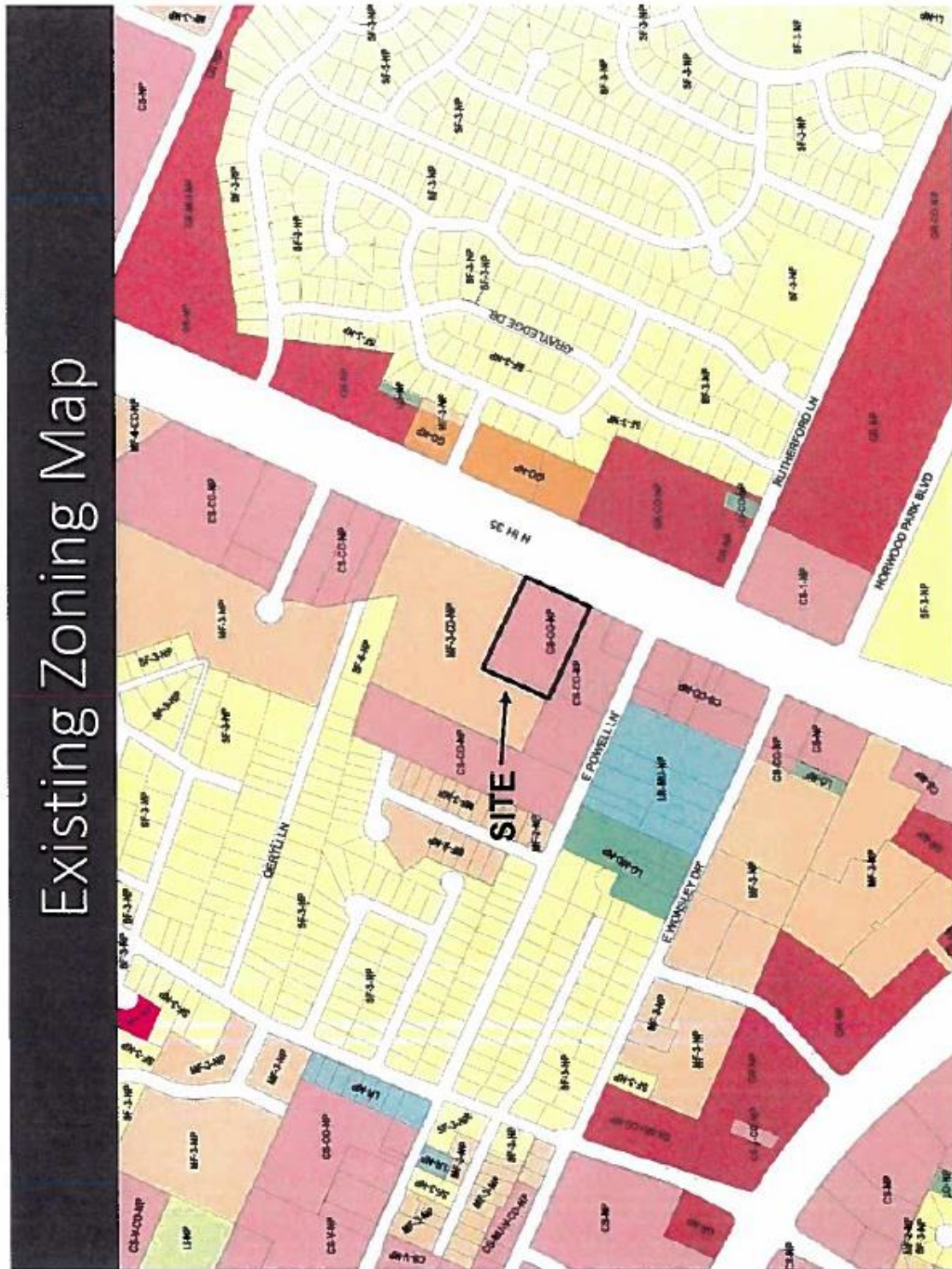


## Existing Hotel Use Counts

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- 216 units
- Studio (w/ kitchen) – 60 units
- 1x1 (w/ kitchen) – 110 units
- 2x1 (no kitchen) – 24 units
- 2x2 (w/ kitchen) – 22 units







# Zoning

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- Currently Zoned as CS-CO-NP  
(General Commercial Services, Conditional Overlay, Neighborhood Plan)
- Proposed Zoning CS-CO-MU-NP  
(General Commercial Services, Mixed Use, Neighborhood Plan)

# Zoning, Conditional Overlays

- A hotel-motel land use is a conditional land use on the property. If the existing hotel-motel land use ceases the use for a period of 90 days or more, a new Conditional Use Permit will be required to re-permit the use on the property.
- A site plan or building permit for the property may not be approved, released, or issued, if the completed development or uses of the property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

## Proposed Multifamily Use

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- Renovate interior & exterior of property
- Remodel units for a multifamily use
- Landscape & property enhancements





AFTER



BEFORE



# Mueller 51/52

Located at 5005 Manor Rd. and  
1200 E 52<sup>nd</sup> St., Mueller 51 and 52  
were purchased in 2015 and  
quickly rehabilitated.

AFTER



BEFORE



## The Retreat

Located at 4400 Avenue A in Austin's Hyde Park, The Retreat was purchased in June 2013 and given a facelift immediately.





## Oaks at Northgate / Leon Court

Located a short drive north of Durham's CBD, Oaks/Leor was purchased in 2015 and Artesia immediately began renovating the property and turning out higher crime tenancy.

# The Grove

Located at 3926 Marcom St. in West Raleigh, The Grove consists of 178 units purchased in late 2014. Immediately turned around, the Grove is now home to a variety of younger N.C. workers and N.C. State students.

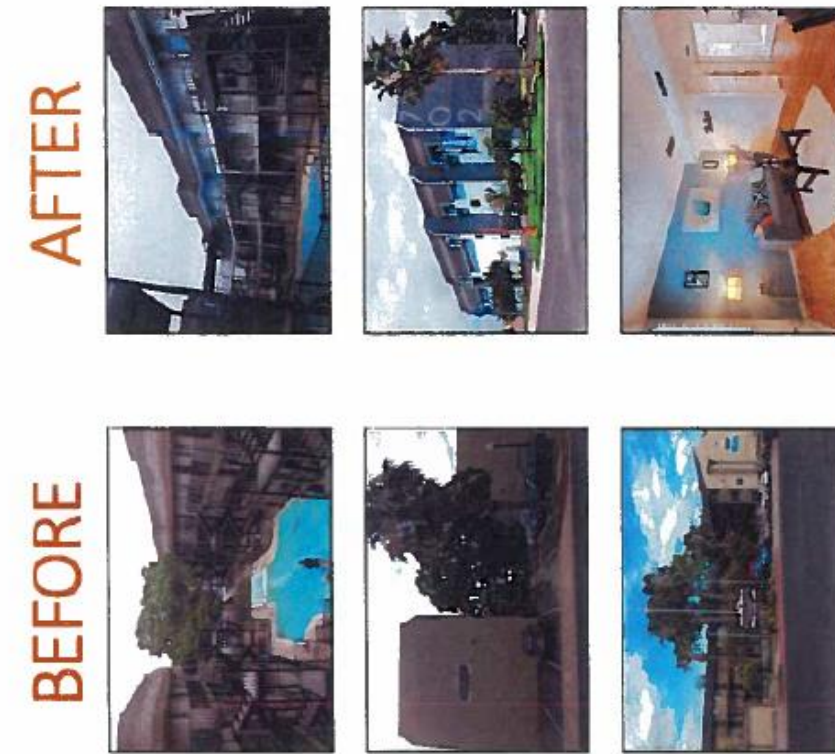
BEFORE



AFTER







## Lamar Place

Lamar Place consists of 224 units near the ACC Highland Campus redevelopment. The property was purchased in 2013 and Artesia renovated all five buildings.

## Casa 39

Casa 39, located in Austin's Hyde Park, was purchased in March 2012 and quickly turned around. Now it is leased to graduate and undergraduate students at UT Austin and millennial's employed in Downtown Austin.

AFTER



BEFORE





# SoCo at Alpine I

SoCo at Alpine I is located down Austin's esteemed South Congress Boulevard and was purchased by Artesia in 2013 to be quickly turned over and leased out to white-collar employees in Austin's CBD.

BEFORE



AFTER



AFTER



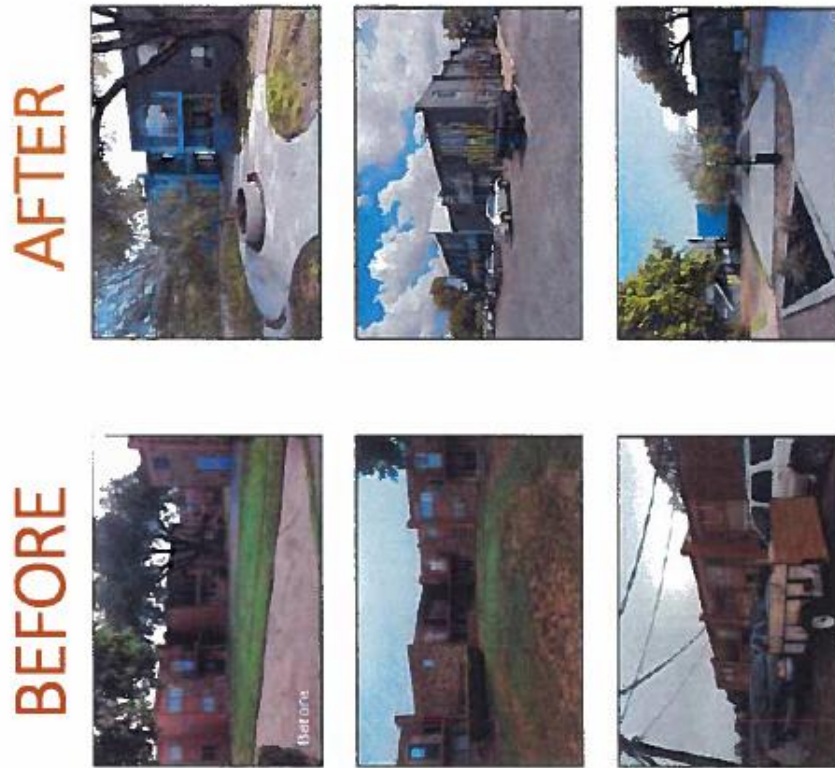
BEFORE



## Lightsey Place

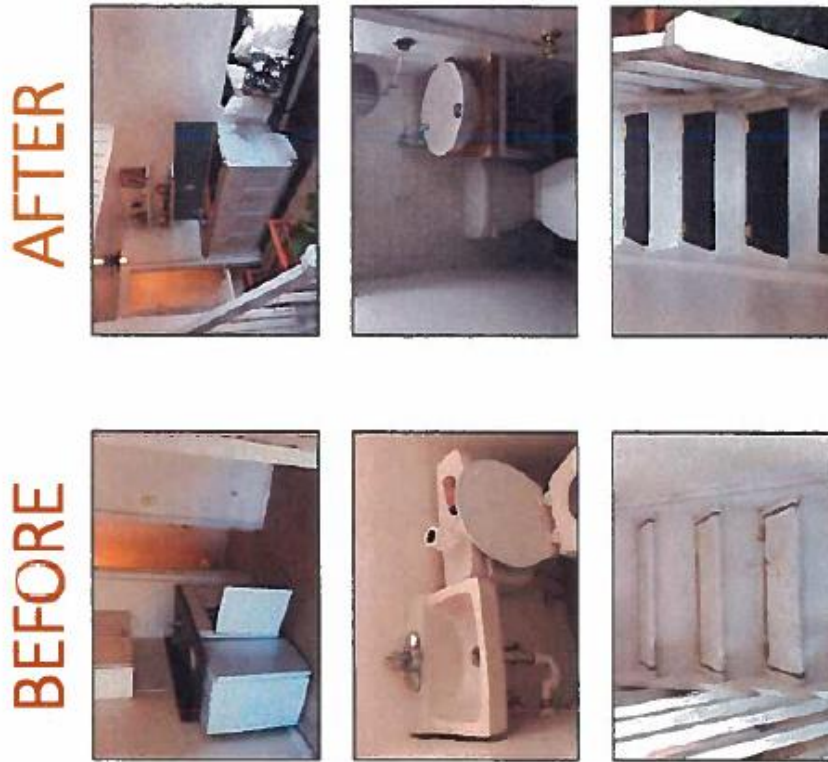
Lightsey Place was one of Artesia's first investments – located in 78704, the boutique complex was quickly turned over with significant exterior landscaping and improvements to change the entire face of the property to the neighborhood.





## St. John's Square

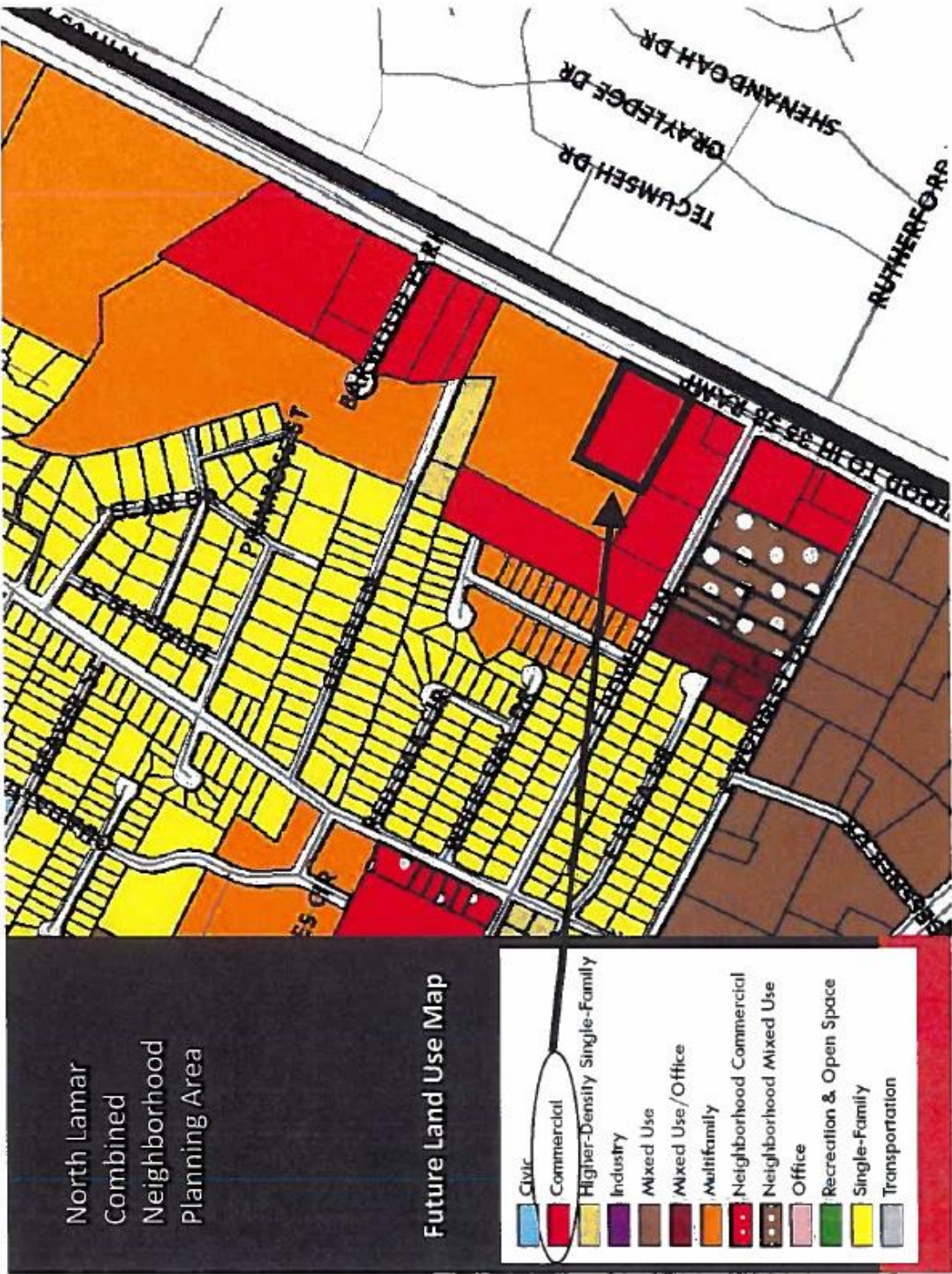
St. John's Square was purchased by Artesia in 2014 and the high-crime tenancy was turned over while the property was renovated.



## Pullen Park Lofts

Pullen Park Lofts consists of 100 micro-loft studios near Raleigh's Downtown. The 180sf studios with lofts presented several complexities to the renovations; however, Artesia's team pulled together creative tiny-home style renovations that have been well received by Raleigh's millennial population.





## Neighborhood Plan Amendment

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- Property within the Georgian Acres Neighborhood Planning Area
- FLUM – Commercial Future Land Use
- Proposed FLUM = Mixed Use



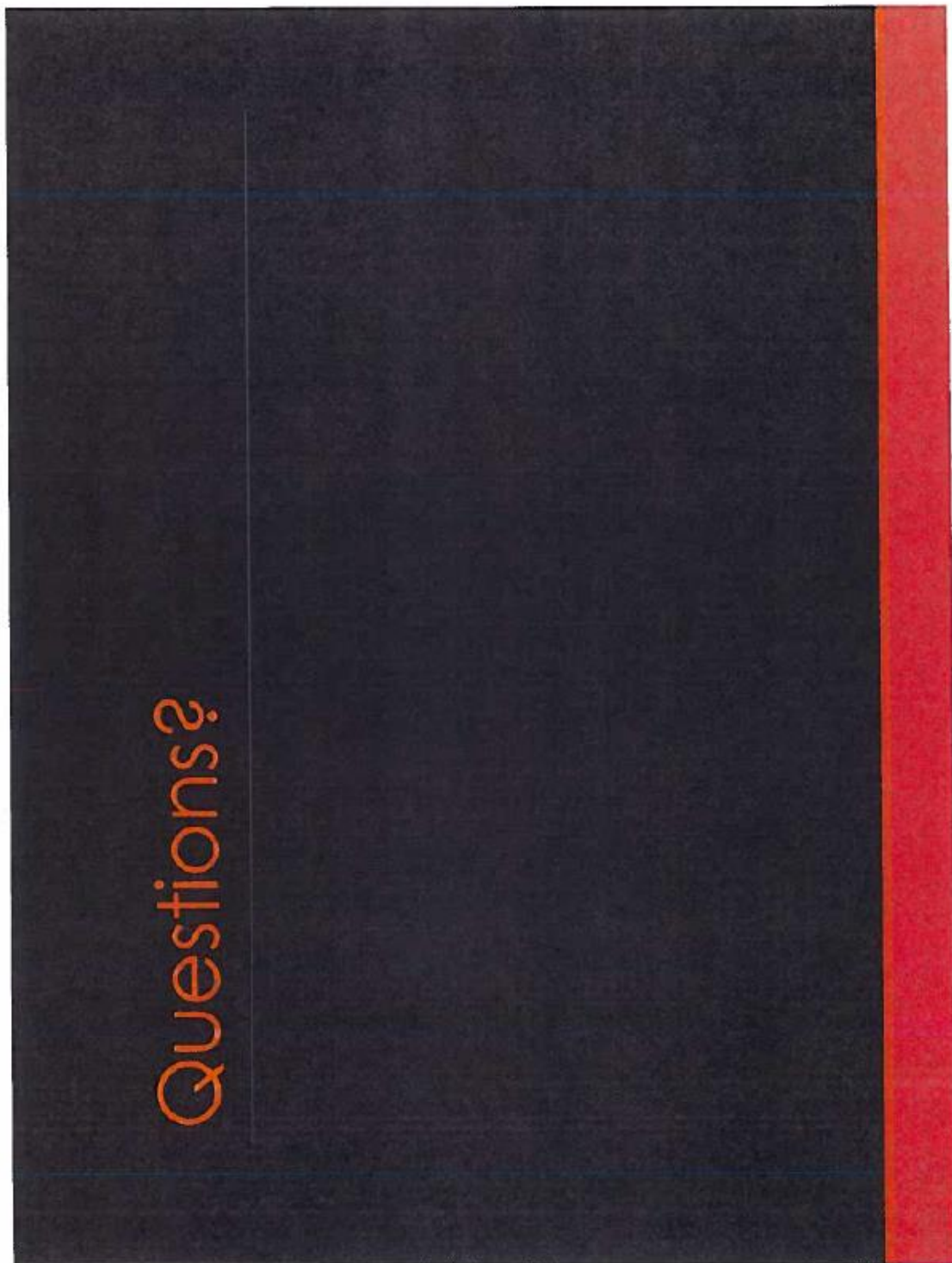


# Process

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- Neighborhood input and feedback
- File NPA and Zoning applications with the City of Austin
- Staff review/ recommendation of applications
- Planning Commission review/ recommendation of applications
- City Council review/ recommendation of applications





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? X Yes \_\_\_ No

If yes, explain here The application will replace a transitory motel land use and allow for housing options for a range of income levels appropriate to the area. The adjacent land uses are compatible and consistent with the proposed use.

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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: The base zoning and development regulations will not change per this application. The Mixed-Use overlay addition will only allow for a multifamily use on the property. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ 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:

*Land Use Goal – Create a well-balanced land use pattern that benefits everybody in the NLCNPA by assigning appropriate land uses to particular properties. The NPA request will amend the FLUM category from commercial to mixed use, which is compatible and consistent with adjacent properties and appropriate for the location on a major highway corridor.*

*Parks and Trees Goal – Achieve and maintain healthy, sustainable, functional, quality, safe, and aesthetically beautiful parks and green spaces that provide opportunities for cultural interaction within the NLCNPA and the rest of the City. The NPA request will promote access to the Georgian Acres Neighborhood Park and provide resources for park improvements.*

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

(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=TIT25LA\\_DE](https://www.municode.com/library/tx/austin/codes/code_of_ordinances?nodeId=TIT25LA_DE)

The NPA application requests changing the FLUM designation to a Mixed-Use category. This is consistent with the base zoning of CS (General Commercial Services). The MU overlay will allow a multifamily project on the property, which is consistent with adjacent land uses and development patterns of the area.

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: The MU overlay will allow a multifamily project on the property, which is consistent with adjacent land uses and development patterns of the area.

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

Provide your analysis here: The proposed project will allow for housing options for a range of income levels appropriate to the area.

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

Provide your analysis here: The proposed use is compatible and consistent with adjacent land uses.

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

Provide your analysis here: The proposed project will replace a transitory commercial use with a residential use.

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

Provide your analysis here: The proposed project will replace a transitory commercial use with a residential use.

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

Provide your analysis here: The proposed project will not provide a commercial component.

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

Provide your analysis here: The subject property is not within a floodplain or environmentally sensitive area.

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

Provide your analysis here: The applicant will provide access to and resources for the nearby Georgian Acres Neighborhood Park.

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**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: There are no overlay zones or ordinances that limit residential development in this area.

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

Provide your analysis here: The proposed land use is compatible and consistent with immediate adjacent properties.

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

Provide your analysis here: The applicant will provide access to and resources for the nearby Georgian Acres Neighborhood Park.

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

Provide your analysis here:

The applicant will provide access to and resources for the nearby Georgian Acres Neighborhood Park, which is within ½ mile of the project.

The project will reuse a previously developed site with and rehab a motel use with an infill multifamily project.

The project will work with ECHO to provide placement for program participants.

The project will provide space for non-profit educational programming.

The proposal increases housing options in the neighborhood.

**13. Avoid creating undesirable precedents;**

Provide your analysis here: The proposed overlay, FLUM, and land use are prevalent in the area and will not create an undesirable precedent.

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

Provide your analysis here: The project will provide workforce housing options for different economic levels to allow for central housing opportunities.

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

Provide your analysis here: The proposed land use is compatible and consistent with immediate adjacent properties.



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

Provide your analysis here: The applicant has worked extensively with the Georgian Acres Neighborhood Association and the North Lamar Planning Contact team to address community interests and goals.

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

Provide your analysis here: The project will not increase residential densities or vehicle trips from the property.

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

Provide your analysis here: The project will provide workforce housing options for different economic levels to allow for central housing opportunities.

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Comments Received

-----Original Message-----

From: Matt Shaw

Sent: Monday, June 25, 2018 10:29 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Subject: Re zoning: gentrification

To whom it may concern,

I am currently a resident at the Austin Suites Hotel along with my Hispanic girlfriend and my four-year-old daughter. Also, we live with a roommate who is our caregiver, with various tasks, as my girlfriend and I are both totally blind. I understand this property is due to begin renovations within the next several months. This is very distressing news for myself and everyone else I live with due to the fact that we live on the bare minimum of social security. Moving will be extremely difficult for us because we don't have extra money for moving expenses, and none of us have any immediate family members to take us in. If we are forced to move out of the hotel and are unable to find another place to live, we will be homeless and unable to survive on the streets of Austin. I understand that \$500 will be provided by Artesia Incorporated to help cover moving expenses. However, this will not be enough in our case due to the fact that most apartments in Austin ask for deposits of several hundred dollars and multiple application fees if there is more than one person applying. Also, if we are not approved for an apartment, the fees will not be given back to us, so the \$500 provided could be gone after only one or two application fees. We need someone to assist us in finding an apartment with little to no application fees if possible. Any assistance that can be given regarding this matter will be greatly appreciated. Thank you very much for your time and consideration.

Sincerely,

Matthew Shaw

**Note:** Staff forwarded Mr. Shaw's email to ECHO, Housing Authority of the City of Austin, and Neighborhood Housing and Community Development Department of the City of Austin to see if they can assist him.

# PUBLIC HEARING COMMENT FORM

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

City of Austin  
Planning and Zoning Department  
Maureen Meredith  
P. O. Box 1088  
Austin, TX 78767-8810

*Rec'd*  
*6-12-18*

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.

Case Number: NPA-2018-0026.01  
Contact: Maureen Meredith, Phone: 512-974-2695  
Public Hearings: June 12, 2018, Planning Commission  
August 09, 2018, City Council

3R5th LLC

Your Name (please print)

8221 Sam Rayburn

Your address(es) affected by this application

*Sam Rayburn*

Signature

Date

*6/6/18*

Comments: I hope that approving this

Master Review Report will provide

a quality model, and that the

owners will be successful in

their building project.

*Sam Rayburn*

3R5th, LLC

☒ I am in favor  
☐ I object