

ZONING CHANGE REVIEW SHEET

CASE: C14-2018-0022 (Austin Suites)

P.C. DATE: June 12, 2018

June 26, 2018

ADDRESS: 8300 North Interstate Highway-35 Southbound Service Road

DISTRICT AREA: 4

OWNER/APPLICANT: Collin Brothers, Artesia Real Estate

AGENT: Stantec Consulting Services (Stephen Rye)

ZONING FROM: CS-CO-NP

TO: CS-MU-CO-NP

AREA: 3.00 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining District, zoning. The proposed conditional overlay will maintain the condition from Ordinance No. 20100624-112 that a Hotel-Motel use is a conditional use on this property (Tract 125B).

PLANNING COMMISSION RECOMMENDATION:

6/12/18: Postponed to June 26, 2018 by consent at the request of the applicant and North Lamar Neighborhood Plan Contact Team (12-0, C. Kenny-absent); J. Schissler-1st, K. McGraw-2nd.

6/26/18: Motion to postpone to July 10, 2018 at the Commission's request made by J. Schissler, P. Seeger-2nd.

Substitute motion to approve staff recommendation of CS-MU-CO-NP zoning by consent made by F. Kazi, A. DeHoyos-Hart-2nd.

Friendly amendment to approve staff's recommendation, with a condition to have the private agreement/restrictive covenant signed prior to the City Council hearing, made by T. White, P. Seeger-2nd. Vote: (10-1, F. Kazi-No, J. Thompson-absent)

Approved staff recommendation for CS-MU-CO-NP zoning, with a condition to have the private agreement/restrictive covenant presented by the applicant to the neighborhood signed prior to the City Council hearing (11-0, J. Thompson-absent)

DEPARTMENT COMMENTS:

The property in question is currently developed with a hotel/motel use that fronts onto the Interstate Highway-35 Southbound access road. This three acre lot located within the North Lamar Combined Neighborhood Planning area. The property is surrounded by multifamily uses to the north and west. There is a hotel/motel and office use to the south, along Powell Lane. The applicant is requesting to add an MU, Mixed Use Combining District, because they would like to redevelop the property with multifamily uses.

The site under consideration is specifically located in the Georgian Acres Neighborhood Planning Area, within the overall North Lamar Combined Planning Area. The Future Land Use Map calls for

Commercial land use for this tract of land. The applicant is requesting a change to Mixed Use land use through accompanying neighborhood plan amendment case, NPA-2018-0026.01.

The staff recommends the request to add an MU, Mixed Use Combining District, to the land use designation for this property as the site meets the intent of the CS-MU zoning district because it is surrounded by multifamily and commercial uses/zoning to the north, south, east, and west. The property fronts onto and takes access to a high capacity transit roadway, the southbound service road for Interstate Highway-35. This tract is located near a public amenity as there is "P", Public District, zoning to the west that was zoned recently through case C14-2017-0089 for the Georgian Acres Neighborhood Park on Powell Lane. CS-MU-CO-NP zoning will permit the applicant to redevelop this site with commercial, mixed use or residential uses. At this time, the applicant proposes to utilize the property to create 216 multifamily residential units. This will provide for additional housing opportunities in this area of the city.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO-NP	Hotel
<i>North</i>	MF-3-CO-NP	Multifamily (Woodland Heights Apartments)
<i>South</i>	CS-CO-NP	Hotel (Red Roof Inn)
<i>East</i>	GO-NP, GR-CO-NP	Interstate Highway-35 Southbound,
<i>West</i>	MF-3-CO-NP	Multifamily (Woodland Heights Apartments)

AREA STUDY: North Lamar Combined Neighborhood Plan **TIA:** Waived

WATERSHED: Little Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Intercity Alliance
 Austin Neighborhoods Council
 Bike Austin
 Claim Your Destiny Foundation
 Friends of Austin Neighborhoods
 Georgian Acres Neighborhood Association
 Heritage Hills/Windsor Hills Neighborhood Plan Contact Team
 Homeless Neighborhood Association
 North Growth Corridor Alliance
 North Lamar Combined Neighborhood Plan Contact Team
 SELTEXAS
 Sierra Club, Austin Regional Group

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2017-0089 (Georgian Acres Neighborhood Park)	CS-CO-NP to P-NP	9/12/17: Approved the staff's recommendation of P-NP zoning by consent (13-0); P. Seeger-1 st , J. Shieh-2 nd .	10/19/17: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20171019-045 for public-neighborhood plan (P-NP) combining district zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
C14-2010-0049 (Georgian Acres Neighborhood Planning Area Rezoning)	To create a Neighborhood Plan Combining District (NPCD) covering the entire 669.83 acre plan area. Under the proposed Georgian Acres NPCD, the following design tools will be applied area-wide: "Parking Placement and Impervious Cover Restrictions," "Garage Placement" and "Front Porch Setback"	5/11/10: Approved the proposed re-zonings for the Georgian Acres NPCD as recommended by the staff, except for following tracts: 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 112, 115, 118, 119, 134, 136, and 137 (8-0, J. Reddy-absent); D. Chimenti-1 st , M. Dealey-2 nd . Approved the staff's recommendation to rezone to Vertical Mixed-Use "V" and to remove the dimensional standards identified in Article 4.3.3 E.3 (Dimensional and Parking Requirements – reduction in parking requirements) and the Future Land Use designation of Mixed Use for the following tracts: 101, 102, 103, 104, 107, 108, 109, 110, 111, 112, 115, 118, and 119; Vote: (8-0, J. Reddy-absent); D. Chimenti-1 st , M. Dealey-2 nd . Approved the staff's recommendation to rezone to Vertical Mixed-Use "V" and to remove the dimensional standards identified in Article 4.3.3 E.3 (Dimensional and Parking Requirements – reduction in parking requirements) and the Future Land Use designation of Neighborhood Mixed Use for the following tracts: 106, 136 and 137; Vote: (8-0, J. Reddy-absent); D.	6/24/10: Approved the North Lamar Combined Neighborhood Plan, except for tract 32 (postponed to July 29, 2010), and tracts 134 and 135B, on Council Member Spelman's motion, Council Member Cole's second on a 7-0 vote. Approved the Georgian Acres Neighborhood Plan Combining District (NP), except for tracts 134 and 135B (as shown below), and including the following motions was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote. The motion to amend the ordinance per staff's recommendation to change the future land use for Tract 134 to office and include limited office-conditional overlay-neighborhood plan (LO-CO-NP) zoning with the following conditions and conditional uses was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote. The conditions were to restrict building height to 18 feet. The conditional uses are: medical offices less than 5,000 square feet and medical offices greater than 5,000 square feet.

		Chimenti-1st, M. Dealey-2nd. Approved the staff's recommendation for the Impervious Cover & Parking Placement Restrictions, Front Porch Setback and Garage Placement design tools for the Georgian Acres Planning Area; Vote: (8-0, J. Reddy-absent); D. Anderson-1st, K. Tovo-2nd. Approved the staff's recommendation of SF-3-NP zoning for Tract 134 (602, 604, and 606 Middle Lane); Vote: (8-0, J. Reddy-absent); S. Kirk-1st, D. Chimenti-2nd.	The motion to amend the ordinance to change the land use designation for Tract 135B on the future land use map (FLUM) to commercial and include general community commercial-conditional overlay-neighborhood plan (GR-CO-NP) zoning with hotel/motel as a conditional use was approved on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.
C14-2009-0140 (Najib's 214 E. Anderson Lane)	GR to CS-1	1/12/10: Approved staff's recommendation of CS-1-CO, with a CO for a 2000 vtpd limit, on consent (7-0, D. Anderson, J. Reddy-absent); C. Small-1 st , M. Dealey-2 nd .	2/11/10: Approved CS-1-CO zoning on consent on Council on all 3 readings (6-0, Cole-off dais); Spelman-1 st , Morrison-2 nd
C14-02-0162	SF-3 to CS-CO	12/03/02: Approved CS-CO by consent, with conditions for a 2,000 vtpd limit and to prohibit Personal Improvement Services and Vehicle Storage (5-0, M. Whaley-off dais, J. Martinez-absent)	1/09/03: Approved CS-CO zoning, with following conditions: 1) limit site to 2,000 vtpd, 2) prohibit Pawn Shop Services, Personal Improvement Services, Convenience Storage, Vehicle Storage, Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing, 3) prohibit vehicle access from the property to Delafield Lane, except for emergency vehicles (5-0, J. Goodman, D. Thomas-off dais); 1st reading 2/13/03: Approved 2nd/3rd readings (7-0)
C14-00-2100	SF-3 to LO	11/14/00: Applicant withdrew case	N/A
C14-98-0019	W/LO, GR & CS-CO to CS-CO	5/12/98: Approved GR-MU-CO, with conditions to limit the site to 44 units and prohibit following uses: Art & Craft Studio, Automotive Rentals Automotive Repair Services, Automotive Sales, Automotive Washing,	7/16/98: Approved PC rec. of GR-MU-CO (7-0); all 3 readings

		Business or Trade School, Business Support Services, Commercial Off-Street Parking, Communication Services, Consumer Convenience Services, Drop-Off Recycling Collection Facility, Exterminating Services, Financial Services, Food Sales, Funeral Services, General Retail Sales-Convenience, General Retail Sales-General, Indoor Entertainment, Indoor Sports and Recreation, Off-Site Accessory Parking, Outdoor Entertainment, Outdoor Sports & Recreation, Pawn Shop, Personal Improvement Services, Personal Services, Pet Services, Research Services, Restaurant-Drive-In, Fast Food, Restaurant-Limited, Restaurant- General, Services Station, Plant Nursery, Theater, Club or Lodge, Cultural Services, Guidance Services, Hospital Services- Limited, Hospital Services- General (Vote:6-1-2)	
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RELATED CASES: NPA-2018-0026.01(Proposed NPA Case)

C14-2010-0049: Tract 125B (Georgian Acres Neighborhood Plan Rezoning)

SP-2017-0139C (Site Plan Case)

C8S-79-038 (Subdivision)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
IH 35	300'	238'	Freeway	Yes	Yes	No

CITY COUNCIL DATE: August 9, 2018

ACTION:

ORDINANCE READINGS: 1st

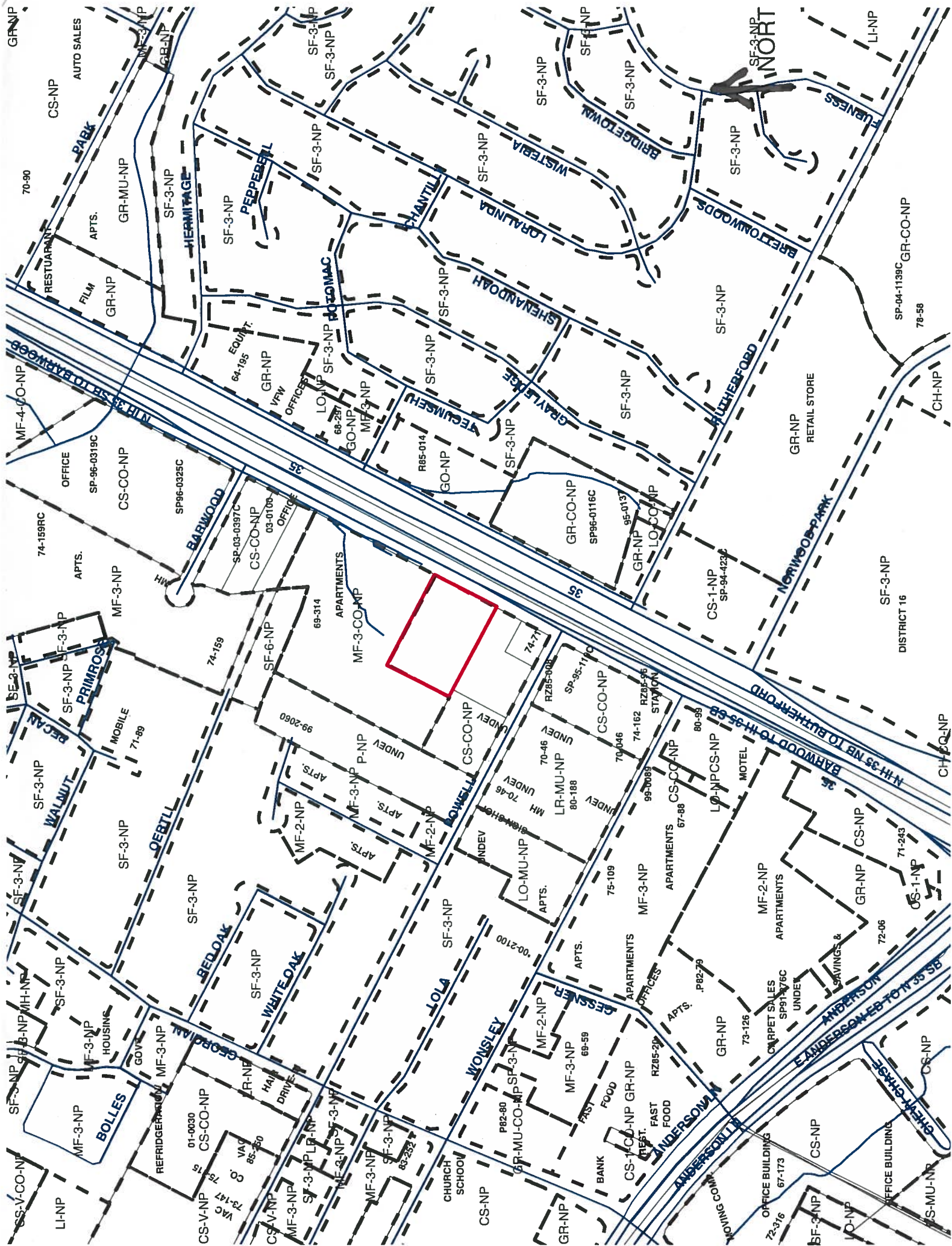
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057,
sherri.sirwaitis@ci.austin.tx.us





STAFF RECOMMENDATION

The staff's recommendation is to grant CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining District, zoning. The proposed conditional overlay will maintain the condition from Ordinance No. 20100624-112 that a Hotel-Motel use is a conditional use on this property (Tract 125B).

BASIS FOR RECOMMENDATION

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

General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

2. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.*

The property in question is surrounded by multifamily and commercial uses/zoning to the north, south, east, and west. This lot is situated near a public amenity as it is located to the east of a property on Powell Lane that was recently zoned "Public" for the Georgian Acres Neighborhood Park.

3. *Zoning should allow for reasonable use of the property.*

CS-MU-CO-NP zoning will permit the applicant to redevelop this site with commercial, mixed use or residential uses. At this time, the applicant proposes to utilize the property to create 216 multifamily residential units. This will provide for additional housing opportunities in this area of the city.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is a three acre lot that is developed with a hotel/motel use (Austin Suites) that fronts and takes access to the IH-35 Southbound Service Road. The property is surrounded by multifamily uses (MF-3-CO-NP) zoning to the north and west. There is a hotel/motel use (CS-CO-NP) zoning to the south. Interstate Highway-35 is located to the east.

Environmental

Tuesday March 13, 2018

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

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

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

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

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 sq. ft. cumulative is exceeded, and on site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the CS zoning district would be 95%. Zoning district impervious cover limits apply in the Urban Watershed classification.

Site Plan

Tuesday March 13, 2018

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

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

Compatibility Standards

The site is subject to compatibility standards. Along east property line, the following standards apply:

- ☐ No structure may be built within 25 feet of the property line.
- ☐ No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- ☐ No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.

- ☐ No parking or driveways are allowed within 25 feet of the property line.
- ☐ A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- ☐ For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- ☐ An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- ☐ A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

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

FYI – This site is located within the Georgian Acres Neighborhood Plan and the North Lamar Combined Neighborhood Plan Area. Additional comments may be generated during the site plan review process.

FYI – There is a site plan application currently awaiting update for this property (SP-2017-0139C) which provides for 51,908 square feet of hotel use, along with associated parking and utility improvements. The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Stormwater Detention

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

Transportation

The Austin Metropolitan Area Transportation Plan calls for 400 feet of right-of-way for IH 35. If the requested zoning is granted for this site, then 200 feet of right-of-way from the existing centerline should be dedicated and/or reserved for IH 35 according to the Transportation Plan. [LDC 25-6-51 and 25-6-55].*

*On June 6, 2018 the staff received an e-mail Texas Department of Transportation Engineer, Susana Ceballos, stating, “At this time we do not have any proposed ROW in this location, thus dedicated and/or reserved for IH 35 is not requested at this time. Any right of way in this area should have been acquired with the current US 183 DCs project (under construction now).” DSD Transportation Reviewer, Jaron Hogenson, has revised his comments to state that no ROW will be required with this rezoning case.

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, unless a Traffic Impact Analysis (TIA) is reviewed and approved by the Director of the Development Services Department prior to site plan approval.

FYI. It is recommended, to stub out internal drives to the north and south for future connectivity.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
IH 35	300'	238'	Freeway	Yes	Yes	No

Water and Wastewater

Wednesday February 28, 2018

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



PROJECT NAME: Austin Suites

ADDRESS/LOCATION: 8300 N. IH-35 Southbound Service Road

CASE #: C14-2018-0022

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

SF UNITS: _____ STUDENTS PER UNIT ASSUMPTION
Elementary School: _____ Middle School: _____ High School: _____

MF UNITS: 216 STUDENTS PER UNIT ASSUMPTION
Elementary School: 0.149 Middle School: 0.047 High School: 0.061

IMPACT ON SCHOOLS

The north central student yield factor of 0.257 (across all grade levels) for apartment homes was used to determine the number of projected students. The 216-unit multifamily development is projected to add approximately 55 students across all grade levels to the projected student population. It is estimated that of the 55 students, 32 will be assigned to Webb Primary School, 10 to Webb Middle School, and 13 to Lanier Early College High School. This site currently has a hotel use (extended stay) that has a history of housing AISD students. 2016-17 data shows approximately 20 AISD students, which will be temporarily displaced during demolition and construction. The actual "net gain" of students is difficult to determine as the number of existing hotel units is unknown, and the change in use from hotel to multifamily may alter the student yield.

Webb Primary is an all-portable campus located on the Webb Middle School site that was created in 2012 to provide relief to overcrowding at Barrington Elementary. As recommended in the Facility Master Plan, the Webb Primary students will be reassigned to a newly constructed, modernized, T.A. Brown Elementary, once construction is complete (scheduled for January 2020).

The percent of permanent capacity by enrollment for SY 2021-22, including the additional students projected with this development, would be within the utilization target range of 75-115% for Webb Primary (98%) and Webb MS (77%); and would be above the target range at Lanier ECHS (118%), assuming the mobility rates remain the same. Webb Primary and Webb MS would be able to accommodate the projected additional student population from the proposed development. Likewise, the new T.A. Brown will be built to a capacity of 522 to accommodate both the Webb Primary and T.A. Brown student enrollments. The enrollment at Lanier would need to be closely monitored to determine if intervention measures to address overcrowding will be needed such as boundary changes or additional permanent capacity through a future bond program.

TRANSPORTATION IMPACT

Students within the proposed development attending Webb Primary/T.A. Brown or Webb MS will qualify for transportation. Lanier ECHS is located within 2 miles of the proposed development, therefore, students would not qualify for transportation, unless a hazardous route is identified.

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



SAFETY IMPACT

No safety impacts have been identified at this time.

Date Prepared: 20 June 18 Director's Signature: Bo Wescott

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Webb Primary	RATING: Met Standard
ADDRESS: 601 E. St. Johns St.	PERMANENT CAPACITY: 243
% QUALIFIED FOR FREE/REDUCED LUNCH: 96.05%	MOBILITY RATE: -20.2%

POPULATION (without mobility rate)			
ELEMENTARY SCHOOL STUDENTS	2016-17 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	331	257	289
% of Permanent Capacity	136%	106%	119%

ENROLLMENT (with mobility rate)			
ELEMENTARY SCHOOL STUDENTS	2016-17 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	264	205	237
% of Permanent Capacity	109%	84%	98%

MIDDLE SCHOOL: Webb	RATING: Met Standard
ADDRESS: 601 E. St. Johns Ave.	PERMANENT CAPACITY: 804
% QUALIFIED FOR FREE/REDUCED LUNCH: 94.63%	MOBILITY RATE: -32.6%

POPULATION (without mobility rate)			
MIDDLE SCHOOL STUDENTS	2016-17 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,010	907	917
% of Permanent Capacity	126%	113%	114%

ENROLLMENT (with mobility rate)			
MIDDLE SCHOOL STUDENTS	2016-17 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	681	612	622
% of Permanent Capacity	85%	76%	77%

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



HIGH SCHOOL: Lanier	RATING: Met Standard
ADDRESS: 1201 Payton Gin Rd.	PERMANENT CAPACITY: 1,627
% QUALIFIED FOR FREE/REDUCED LUNCH: 86.3%	MOBILITY RATE: -19.1%

POPULATION (without mobility rate)			
HIGH SCHOOL STUDENTS	2016-17 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	2,229	2,362	2,375
% of Permanent Capacity	137%	145%	146%

ENROLLMENT (with mobility rate)			
HIGH SCHOOL STUDENTS	2016-17 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	1,804	1,912	1,925
% of Permanent Capacity	111%	117%	118%

*The 5-Year Projected Enrollment (with and without the proposed development) is an estimate calculated with the assumption that the stated mobility rates (transfers in and out of the school) remain the same over the 5-year period. These estimates are for the sole purpose of the Educational Impact Statement and should not be used for any other purposes.

Sirwaitis, Sherri

Subject: FW: June 26 PC: Austin Suites_ Re zoning: gentrification

-----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

Sirwaitis, Sherri

Subject: FW: NLGACT Consent Letter regarding Austin Suites Hotel

From: Colin MacDougal, Realtor (512) 554-6151 []
Sent: Tuesday, June 26, 2018 12:20 PM
To: Sirwaitis, Sherri; Meredith, Maureen
Cc: Larry Reagan; Past Chair; Rye, Stephen; Lyn Galbreth; Rodney Thrailkill
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 its current legal use as a hotel AND because Artesia, through Mr. Stephen Rye, has worked with the neighborhood stakeholders to mitigate 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

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 desert. 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.