

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2018-0024 (Powell Lane Apartments)

**P.C. DATE:** June 26, 2018  
July 10, 2018

**ADDRESS:** 411 & 601 East Powell Lane and 410, 500, 502, 504, 508, and 606 East Wonsley Drive

**DISTRICT AREA:** 4

**OWNER:** HDF Investments, Ltd. (Helen Doris Clark Foster) and Behzad Bahrami

**APPLICANT:** JCI Residential, LLC (Sam Kumar)

**AGENT:** Alice Glasco Consulting (Alice Glasco)

**ZONING FROM:** LO-MU-NP, LR-MU-NP    **TO:** MF-4-NP    **AREA:** 8.11 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant MF-4-NP, Multifamily Residence-Moderate-High Density-Neighborhood Plan District, zoning.

If the requested zoning is recommended for this site, then 32 feet of right-of-way should be dedicated from the centerline of Wonsley Drive through a street deed prior to 3<sup>rd</sup> reading of the case at City Council.

In addition, the recommendations from the Neighborhood Traffic Analysis (NTA) for this property shall be placed in a public restrictive covenant before 3<sup>rd</sup> reading of this case at City Council. Please see NTA Memorandum – Attachment A.

### **PLANNING COMMISSION RECOMMENDATION:**

6/26/18: Postponed to July 10, 2018 at the request of the neighborhood/North Lamar Neighborhood Contact Team (11-0, J. Thompson-absent); F. Kazi-1<sup>st</sup>, C. Kenny-2<sup>nd</sup>.

7/10/18: Approved the staff's recommendation of MF-4-NP zoning with conditions (8-0, K. McGraw-abstain, C. Kenny-left early, J. Schissler-off dais, T. Nuckols and J. Thompson-absent); G. Anderson-1<sup>st</sup>, T. Shaw-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is an 8+ acre tract of land in the North Lamar Combined Neighborhood Planning area. The site currently contains single family residences and an undeveloped lot that front onto Wonsley Drive. There are multifamily uses, a sign shop, a construction sales and services use (JMEG Electric Warehouse), and a hotel/motel use (Red Roof Inn) to the north. To the south, across Wonsley Drive, there are two multifamily complexes (Trifecta Square) and Towne Oaks II) and a religious assembly use (Light of the World). The property to the east contains a hotel/motel use (Super 8) and an automotive sales business. To the west, there is a duplex, single family residences and a multifamily residential use (Meadow Breeze Apartments). The applicant is requesting MF-4, Multifamily Residence Moderate-High Density District, zoning to redevelop these properties with a 258 unit apartment complex. The proposed MF-4 zoning will permit the applicant to develop

approximately 38 more units than would be allowed by the existing LO-MU-NP and LR-MU-NP zoning.

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 Mixed Use/Office and Neighborhood Mixed Use land use for these lots. The applicant is requesting a change to Multifamily land use through accompanying neighborhood plan amendment case, NPA-2017-0026.02.

The staff recommends the requested MF-4-NP zoning because the property meets the intent of the district as the proposed zoning will permit the applicant to redevelop these lots with moderate to high density housing in a centrally located area near supporting transportation (Interstate Highway-35, a High Capacity Transit Corridor and North Lamar Boulevard, a designated Activity Corridor) and commercial facilities. The site is in a residential area a block from the Interstate Highway-35 Southbound service road. The property fronts onto and will take access to two collector roadways, E. Powell Lane and E. Wonsley Drive.

The proposed MF-4 zoning will provide a transition in the intensity of land uses from the single family residences (SF-3 zoning) and the apartment complex (LO-MU-NP zoning) to the west to the commercial uses (CS-CO-NP zoning) fronting IH-35 to the east. There is a precedent for multifamily uses in this area as there are multifamily uses/zoning to the north, south, and west. In Code Next Draft 3, the staff is recommending MU3A for this property which will allow for multifamily and townhouse uses. In addition, these lots are situated near a public amenity as they are located to the south of a property on Powell Lane that was recently zoned "Public" for the Georgian Acres Neighborhood Park. MF-4-NP zoning will permit the applicant to utilize the property to create 250+ multifamily residential units. This is consistent with the goals of the adopted Austin Strategic Housing Blueprint as the redevelopment of this site will create new and affordable housing choices in the City.

The applicant agrees with the staff's recommendation.

#### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	LO-MU-NP, LR-MU-NP	Undeveloped, Single Family Residences, Vacant Lot, Undeveloped Lot
<i>North</i>	MF-2-NP, P-NP, MF-3-CO-NP, CS-CO-NP	Multifamily, Undeveloped Tract, Sign Shop, Construction Sales and Services Use (JMEG Electric Warehouse), Multifamily (Woodland Heights Apartments), Hotel/Motel (Red Roof Inn)
<i>South</i>	MF-3-NP	Multifamily (Trifecta Square), Religious Assembly (Light of the World), Multifamily (Towne Oaks II)
<i>East</i>	CS-CO-NP	Hotel (Super 8), Office, Automotive Sales
<i>West</i>	SF-3-NP, LO-MU-NP	Duplex, Single Family Residences, Multifamily (Meadow Breeze Apartments)

**AREA STUDY:** North Lamar Combined Neighborhood Plan **TIA:** Not Required

**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 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  
Neighborhood Empowerment Foundation  
North Growth Corridor Alliance  
North Lamar Combined Neighborhood Plan Contact Team  
SELTEXAS  
Sierra Club, Austin Regional Group

### **CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
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 <sup>st</sup> , J. Shieh-2 <sup>nd</sup> .	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	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 <sup>st</sup> , M. Dealey-2 <sup>nd</sup> .  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,	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

	Restrictions, "Garage Placement" and "Front Porch Setback"	<p>110, 111, 112, 115, 118, and 119; Vote: (8-0, J. Reddy-absent); D. Chimenti-1<sup>st</sup>, M. Dealey-2<sup>nd</sup>.</p> <p>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. Chimenti-1<sup>st</sup>, M. Dealey-2<sup>nd</sup>.</p> <p>Approved the staff's recommendation for the Impervious Cover &amp; 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-1<sup>st</sup>, K. Tovo-2<sup>nd</sup>.</p> <p>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-1<sup>st</sup>, D. Chimenti-2<sup>nd</sup>.</p>	<p>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.</p> <p>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.</p>
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 <sup>st</sup> , M. Dealey-2 <sup>nd</sup> .	2/11/10: Approved CS-1-CO zoning on consent on Council on all 3 readings (6-0, Cole-off dais); Spelman-1 <sup>st</sup> , Morrison-2 <sup>nd</sup>
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); 1 <sup>st</sup> reading  2/13/03: Approved 2 <sup>nd</sup> /3 <sup>rd</sup> 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, 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)	7/16/98: Approved PC rec. of GR- MU-CO (7-0); all 3 readings

**RELATED CASES:** NPA-2017-0026.02: Current NPA Case  
C14-2010-0049: North Lamar NP Rezoning Case  
C14-70-046: Previous Zoning Case

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
E Powell Lane	67 ft.	25 ft.	Collector	Yes, one side	No	Yes
Wonsley Drive	60 ft.	32-37 ft.	Collector	Yes, one side	No	Yes

**CITY COUNCIL DATE:** August 9, 2018

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>

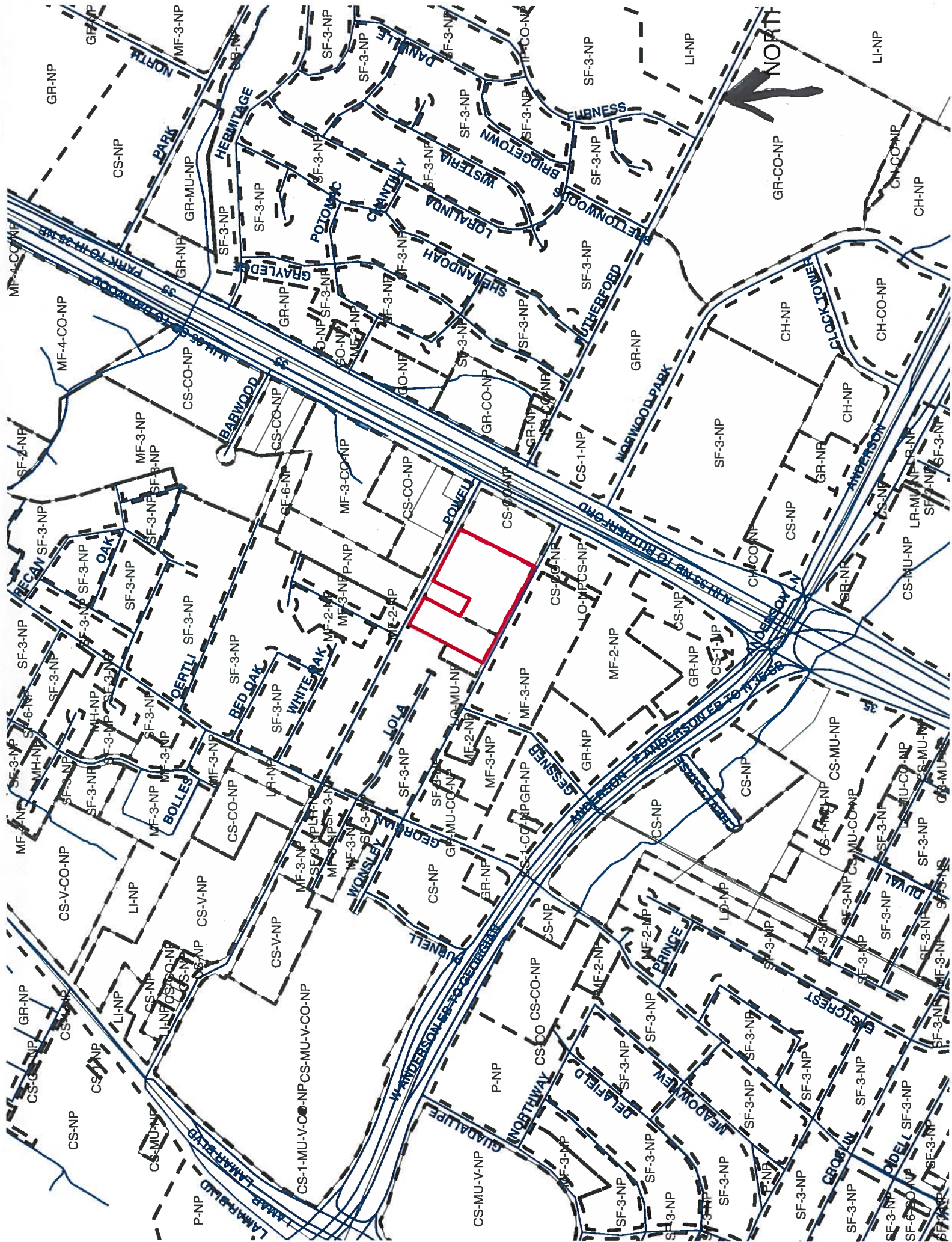
**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 512-974-3057,  
[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)













## STAFF RECOMMENDATION

The staff's recommendation is to grant MF-4-NP, Multifamily Residence-Moderate-High Density-Neighborhood Plan District, zoning.

If the requested zoning is recommended for this site, then 32 feet of right-of-way should be dedicated from the centerline of Wonsley Drive through a street deed prior to 3<sup>rd</sup> reading of the case at City Council.

In addition, the recommendations from the Neighborhood Traffic Analysis (NTA) for this property shall be placed in a public restrictive covenant before 3<sup>rd</sup> reading of this case at City Council. Please see NTA Memorandum – Attachment A.

## BASIS FOR RECOMMENDATION

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

Multifamily residence moderate-high density (MF-4) district is the designation for multifamily and group residential use with a maximum density of 36 to 54 units per acre, depending on unit size. An MF-4 district designation may be applied to high density housing in a centrally located area near supporting transportation and commercial facilities, in an area adjacent to the central business district or a major institutional or employment center, or in an area for which moderate to high density multifamily use is desired.

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, and west. These lots are situated near a public amenity as they are located to the south 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.*

MF-4-NP zoning will permit the applicant to utilize the property to create 250+ multifamily residential units. This is consistent with the goals of the adopted Austin Strategic Housing Blueprint as the redevelopment of this site will create new and affordable housing choices in the City.

## EXISTING CONDITIONS

### Site Characteristics

The site under consideration is an 8+ acre tract of land in the North Lamar Combined Neighborhood Planning area. The site currently contains single family residences and an undeveloped lot that front onto Wonsley Drive.

## **Environmental**

Monday March 12, 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. 4. 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 MF-4 zoning district would be 70%. 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.

## **Site Plan**

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 the North 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.

### **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**

A Neighborhood Traffic Analysis is required for access to Powell Lane and Wonsley Drive. The NTA requires three (3) consecutive 24 hour tube counts, preferably on Tuesday, Wednesday, and Thursday, during a non-holiday week when school is in session. Please contact Scott James ([Scott.James@austintexas.gov](mailto:Scott.James@austintexas.gov)) or myself to discuss the location of the tube counts. Results will be provided in a separate memo. LDC 25-6-114. Please pay the NTA fees with the Intake staff on the 4th floor. This comment will be cleared once the Memo is approved and the fees are paid.

The Neighborhood Traffic Analysis Memorandum findings are based upon an assumed proposed intensity of 270 multi-family apartments. If the proposed development differs from the proposed land uses and/or intensities, a revised NTA is required. A Traffic Impact Analysis shall be required at the time of site plan application and further mitigations may be required if triggered per LDC 25-6-113. LDC. 25-6-113.

Wonsley Drive requires 64 feet of right-of-way in accordance with the TCM. If the requested zoning is recommended for this site, 32 feet of right-of-way should be dedicated from the centerline of Wonsley Drive in accordance with the TCM. LDC 25-6-55; TCM, Tables 1-7, 1-12.

Additional right-of-way maybe required at the time of subdivision and/or site plan.

It is recommended that joint access be provided for all tracts to Powell Lane and Wonsley Drive.

Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

At the time of site plan review, it is recommended to provide a minimum 15-foot sidewalk, trail, and recreational easement along the western property line, connecting E Wonsley Drive and E Powell Lane, to provide connectivity to the Georgian Acres Neighborhood Park and other uses to the north and south of the development. Additionally, it is recommended to construct a minimum 5-foot sidewalk according to City of Austin standards within the easement at the time of the site plan application.

FYI – E Lola Drive appears to be stubbed out to the western property line. At the time of the subdivision application, E Lola Drive is required to be extended through the property, or a variance is required from Land Use Commission.

FYI – driveways and sidewalks shall be constructed according to City of Austin standards at the time of the site plan application.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
E Powell Lane	67 ft.	25 ft.	Collector	Yes, one side	No	Yes
Wonsley Drive	60 ft.	32-37 ft.	Collector	Yes, one side	No	Yes

**Water and Wastewater**

Thursday March 08, 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.





## MEMORANDUM

**TO:** Sherri Sirwaitis, Case Manager  
Planning and Zoning Department

**FROM:** Natalia Rodriguez, CNU-A  
Scott A. James, P.E., PTOE  
DSD/Land Use Review - Transportation

**DATE:** June 19, 2018

**SUBJECT:** Neighborhood Traffic Analysis for Powell Lane Apartments  
Zoning Case # C14 – 2018 – 0024

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The Land Use Review/Transportation staff has performed a Neighborhood Traffic Impact Analysis (NTA) for the above referenced case and offers the following comments.

The 8.11 acre site is located at 601 East Powell Lane in north Austin. The applicant is proposing to change the zoning from LO – MU – NP and LR – MU – NP to MF – 4 – NP. The Applicant proposes to develop a multi-family apartment complex. Vehicular access to the site is proposed to and from East Powell Lane and E Wonsley Drive. Vehicular access is not proposed to E Lola Drive. The subject property is bounded by E Powell Lane to the north, E Wonsley Drive to the south, a single family residential neighborhood to the west, and commercial development to the east.

**Roadways**

**East Powell Lane** is classified as a commercial collector roadway and measures 27 feet in width. The speed limit of East Powell Lane, adjacent to the subject property is 25 miles per hour (MPH). There are sidewalks on the north side of East Powell Lane and the roadway is classified as a "low-comfort" bikeway.

**East Wonsley Drive** is classified as a neighborhood collector roadway and measures 32-37 feet in width. The speed limit of East Wonsley Drive, adjacent to the subject property is 30 miles per hour (MPH). There are sidewalks on the south side of East Wonsley Drive and the roadway is classified as a "low-comfort" bikeway.

**East Lola Drive** is classified as a local roadway and measures 25 feet in width. The presumed speed limit is 25 MPH. There are no sidewalks on either side of East Lola Drive.

### **Trip Generation and Traffic Analysis**

The City Council may deny an application if the neighborhood traffic analysis demonstrates that the traffic generated by a project combined with existing traffic, exceeds the desirable operating level established on a residential local or collector street in the study area.

Based on the Institute of Transportation Engineer's publication Trip Generation Manual, 10<sup>th</sup> Edition, the proposed two hundred and seventy (270) multi-family apartments would generate approximately 2,000 daily trips (summarized in Table 1 below). However, the zoning of MF-4-NP would allow for greater estimates of daily trips over the 8.11 acre tract.

<b>Table 1 – Trip Generation Estimates</b>					
<b>TRACT NUMBER</b>	<b>TRACT ACRES</b>	<b>INTENSITY</b>	<b>ZONING</b>	<b>LAND USE</b>	<b>TRIPS PER DAY</b>
1	8.11	270 units	MF-4-NP	Multi-Family (ITE 220)	2,000
				<b>Total*</b>	<b>2,000</b>

\*This is the total trip generation estimate for the proposed 270 multi-family apartments, not the maximum allowable by the requested zoning category.

According to the applicant, the majority of the site traffic will use the IH – 35 frontage road. Table 2 presents the expected distribution of the approximately 33% of the daily trips to and from the site using the residential streets:

<b>Table 2 – Trip Distribution Percentages</b>		
<b>Street</b>	<b>Inbound</b>	<b>Outbound</b>
East Powell Lane	22% (440 trips)	22% (440 trips)
East Wonsley Drive	11% (220 trips)	11% (220 trips)

According to the traffic data collected during the days of May 15, 2018 to May 17, 2018, the current average daily volumes on East Powell Lane are 6,054 vehicles per day, and the average daily volumes on East Wonsley Drive are 2,685 vehicles per day. As shown in Table 3 below, the projected daily trips from the site development would increase the observed volumes on East Powell Lane by approximately 14.5% and on East Wonsley Drive by approximately 16.4%.

<b>Table 3 – Estimated increase in daily traffic volumes</b>				
<b>Street</b>	<b>Existing Traffic (VPD)</b>	<b>Site Traffic (VPD)</b>	<b>Total Traffic (VPD)</b>	<b>Percentage Increase</b>
East Powell Lane	6054	880	6934	14.5%
East Wonsley Drive	2685	440	3125	16.4%

According to Section 25 – 6 – 116 of the Land Development Code, neighborhood residential streets are operating at a desirable level of congestion if the daily volumes do not exceed the following thresholds:

Pavement Width	Vehicles Per Day
Less than 30'	1,200
30' to less than 40'	1,800
40' or wider	4,000

### **Conclusions and Recommendations**

The estimated number of daily trips generated by this site, in combination with the existing traffic on East Powell Lane and East Wonsley Drive exceed the thresholds set forth in the LDC 25 – 6 – 116. Therefore, mitigation of the site traffic is required. Staff recommends approval of this zoning application subject to the following conditions:

- 1) Prior to the 3<sup>rd</sup> reading of City Council, the applicant shall dedicate up to 32 feet of right-of-way along East Wonsley Drive, as measured from the existing centerline, accordance with the LDC 25 – 6 – 55 and TCM Table 1-7.
- 2) At the time of site plan, the applicant shall construct the following off site improvements:
  - a. Install sidewalk, curb and gutter along the south side of East Powell Lane between IH – 35 Frontage Road and Georgian Drive (approximately 1600 LF)
  - b. Install sidewalk, curb and gutter along the north side of East Wonsley Drive between IH – 35 Frontage Road and Georgian Drive (approximately 1700 LF)
- 3) At the time of site plan, the applicant shall dedicate a 15-foot sidewalk, trail, and recreational easement along the western property line from East Powell Lane to East Wonsley Drive, and construct a concrete sidewalk (five feet in width) connecting the residential development and the Georgian Acres Neighborhood Park to the north.

The applicant may, at their option, agree to post fiscal towards the cost to construct the above sidewalks, with the total cost estimate subject to City of Austin Department of Public Works approvals.

- 4) These findings are based upon an assumed intensity of 270 multi-family apartments. Development of this property should not vary from the approved uses, nor exceed the intensities and assumptions within this staff memorandum, including land uses, trip generation estimates, trip distribution, or other identified conditions.
- 5) The findings and recommendations of this NTA memorandum remain valid until June 19, 2023, after which a revised NTA or traffic impact analysis may be required.

If you have any questions or require additional information, please contact me at (512) 974 – 2208.



Scott A. James, P.E., PTOE  
Development Services Department/ Land Use Review Division

## PUBLIC HEARING INFORMATION

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

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

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

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

For additional information on the City of Austin's land development process, visit our website: [www.austintexas.gov/planning](http://www.austintexas.gov/planning).

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

Case Number: C14-2018-0024

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: June 26, 2018, Planning Commission  
August 09, 2018, City Council

Myong S Kim  
Your Name (please print)

<input checked="" type="checkbox"/> I am in favor <input type="checkbox"/> I object
--

501 W Powell Ln. Ste 307 Austin TX 78753  
Your address(es) affected by this application

June 20, 2018  
Date

Signature

Daytime Telephone: 512-490-6642

Comments:

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

City of Austin  
Planning & Zoning Department  
Sherri Sirwaitis  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C14-2018-0024

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: June 26, 2018, Planning Commission  
August 09, 2018, City Council

Elizabeth E. Robbins  
Your Name (please print) #301 Austin, TX.  
8001 GESSNER DR. 78753

☐ I am in favor  
☒ I object

Your address(es) affected by this application

Elizabeth Robbins June 25, 2018  
Signature Date

Daytime Telephone: 512-773-9915

Comments: I do not want this  
community developing in  
our already overpopulated  
area please. I am  
against proposed development  
plans. My family and I  
we object to your plans.  
Please leave our neighborhood.  
No more crowding.

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

City of Austin -  
Planning & Zoning Department -  
Sherri Sirwaitis -  
P. O. Box 1088 -  
Austin, TX 78767-8810 -



# EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin  
Independent  
School District



PROJECT NAME: Powell Lane Apartments

ADDRESS/LOCATION: 411 & 601 E. Powell Lane & E. Wonsley Dr.

CASE #: C14-2018-0024

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

# SF UNITS: \_\_\_\_\_ STUDENTS PER UNIT ASSUMPTION  
Elementary School: \_\_\_\_\_ Middle School: \_\_\_\_\_ High School: \_\_\_\_\_

# MF UNITS: 300 STUDENTS PER UNIT ASSUMPTION  
Elementary School: 0.098 Middle School: 0.034 High School: 0.042

## IMPACT ON SCHOOLS

The district-wide student yield factor of 0.174 for apartment homes (across all grade levels) was used to determine the number of projected students. The higher student yield factor (for the North Central region) of 0.257 was not used because the proposed multifamily project will contain one-bedrooms units only, ranging from 442 to 542 square feet. Using the district-wide student yield, the development is estimated to add approximately 51 students across all grade levels to the projected student population. **However, because 100% of the apartment units are one-bedroom, the number of students from this development will most likely be significantly lower than projected.** It is estimated that of the 51 students, 29 will be assigned to Webb Primary School, 10 to Webb Middle School, and 12 to Lanier Early College High School.

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 (96%) 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 ES will qualify for transportation. Webb MS and Lanier ECHS are 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

It is recommended that an ingress/egress be provided along E. Wonsley Drive.

Date Prepared: 18 June 18 Director's Signature: Ben Wansel

# EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin  
Independent  
School District



## DATA ANALYSIS WORKSHEET

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

<b>POPULATION (without mobility rate)</b>			
<b>ELEMENTARY SCHOOL STUDENTS</b>	<b>2016-17 Population</b>	<b>5- Year Projected Population (without proposed development)</b>	<b>5-Year Projected Population (with proposed development)</b>
<b>Number</b>	331	257	286
<b>% of Permanent Capacity</b>	136%	106%	118%

<b>ENROLLMENT (with mobility rate)</b>			
<b>ELEMENTARY SCHOOL STUDENTS</b>	<b>2016-17 Enrollment</b>	<b>5- Year Projected Enrollment* (without proposed development)</b>	<b>5-Year Projected Enrollment* (with proposed development)</b>
<b>Number</b>	264	205	234
<b>% of Permanent Capacity</b>	109%	84%	96%

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

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

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

# EDUCATIONAL IMPACT STATEMENT

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School District



<b>HIGH SCHOOL:</b> Lanier	<b>RATING:</b> Met Standard
<b>ADDRESS:</b> 1201 Payton Gin Road	<b>PERMANENT CAPACITY:</b> 1,627
<b>% QUALIFIED FOR FREE/REDUCED LUNCH:</b> 86.3%	<b>MOBILITY RATE:</b> -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	2,374
% 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	1,924
% 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.

9 July 2018

NPA-2018-0026.02 - Powell Lane Apartments

Commissioners:

The North Lamar/Georgian Acres neighborhood plan contact team does NOT support the proposed amendment to our neighborhood plan, to change the Future Land Use for eight acres on E Powell Ln from Neighborhood Mixed Use and Mixed Use/Office to Multifamily.

#### RESPONSE TO STAFF RECOMMENDATION

The housing units in the southern part of our planning areas, south of Powell Ln, are 96% rental, most in large apartment complexes. The Multifamily future land use designation does NOT provide a mix of housing types nor expand the variety of housing choices.

The specific development proposed does NOT provide additional housing options for most people in the planning area. The affordability (60% MFI) would not be attainable to most in the planning area, whose income is less than 50% MFI. The small units and the mix of unit types (110 efficiency, 110 one-bedroom, 35 two-bedroom) are not appropriate for most households in the planning area, which average 2.7 people.

While on the map the N Lamar Blvd activity corridor and high-frequency transit routes appear to be within 1/2-mile walk, the configuration of TxDOT's 183 interchange means that as a practical matter, pedestrian access to a southbound Cap Metro stop, including the Lamar Transit Center, is almost 1 mile.

The neighborhood team respects and values all our people, and therefore rejects the use of multiple families' housing as a "buffer" for interstate commercial uses.

#### OPPORTUNITY INDEX

This location is one of the lowest opportunity areas in the city:

Racial and economic integration - No. Residents over 70% hispanic, students over 90% economically disadvantaged. (Census, AISD)

Access to employment - Very limited. Major employer is international financial services, unattainable to the 80% of adult residents with less than a college degree. (ABJ, Census)

High performing schools - No. Elementary school rated F. (Children at Risk)

Access to fresh and healthy foods - No. Three of four food environment challenges. (Sustainability)

Low poverty rate - No. Poverty rate 33% (Census)

Low crime rate- No. Violent crime rate more than three times the city average and rising. (APD)

Access to parks - Yes

Minimal environmental hazards - Yes. (APH, ARR)

We urge the Planning Commission to support City policies and budget designed to increase opportunity for current and future residents of this area. This includes strategic capital investment, as well as thoughtful use of SMART housing fee waivers, rental housing developer assistance, and support for tax credit financing and private activity bonds.



## PLANNING DETAILS

The neighborhood team continues to support:

- neighborhood plan Objective L.2: Maintain a balanced residential character throughout the planning areas, including limiting the construction of large, new, multifamily residential complexes (Recommendation 121), with new more intense residential development containing a mixed use element and located along major roadways (Recommendation 122).
- neighborhood plan Objective L.4: All new mixed use development should contain affordable units.
- neighborhood plan Objective L.10: Establish a mixed use district at the southern end of the planning areas.
- neighborhood plan Objective Q.9: Preserve housing affordability throughout the planning areas

The neighborhood team supports **Imagine Austin Comprehensive Plan** vision of complete communities, including housing and neighborhood policies:

- HN P1. Distribute a variety of housing types throughout the City to expand the choices available to meet the financial and lifestyle needs of Austin's diverse population.
- HN P4. Connect housing to jobs, child care, schools, retail, and other amenities and services needed on a daily basis.
- HN P5. Promote a diversity of land uses throughout Austin to allow a variety of housing types including rental and ownership opportunities for singles, families with and without children, seniors, persons with disabilities, and multi-generational families.
- HN P10. Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to healthy food, schools, retail, employment, community services, and parks and recreation options.

The neighborhood team supports the Council-adopted **Strategic Housing Blueprint** affordable housing goals:

- At least 75% of new housing units should be within 1/2 mile of Imagine Austin Centers and Corridors
- At least 25% of new income-restricted affordable housing should be in high opportunity areas
- At least 30% of new housing should be a range of housing types from small-lot single-family to eight-plexes.

**Thank you** Commissioners for your volunteer service on behalf of our community.

**Process** was attendance the city scheduled meeting April 5<sup>th</sup>, some discussion at a team meeting May 12<sup>th</sup>, and a meeting with JCI at their office June 14. Greater team discussion culminated in a vote finalized July 5<sup>th</sup> to NOT SUPPORT the change from MU to Multifamily. We've closely read the application and staff reports.

(June 29 – July 5 Vote tally 6-1 oppose)

### **Our letter.**

We have some concerns with the Staff reports and recommendation and hope to correct some potential misperceptions:

**Buffer:** Current zoning is already a superior buffer, a soundly planned transition, between I-35 commercial on the east and single family residential area to the west. That is one reason MU is assigned on the FLUM. I participated in the two plus years of those discussions and FLUM development in our NP. The current zoning of LO-MU-NP and LR-MU-NP contain in their very descriptions consideration of appropriate impact on the residential nearby and/or on the neighborhood: "...regulations and standards ...are designed to ensure that the use is compatible and complementary in scale and appearance with the residential environment" and "facilities predominantly for the convenience of the residents of the neighborhood."

The staff report itself, on page 4, notes the existing land use purpose is to "Provide transition from residential use to high intensity commercial or mixed use." The MF4 does not have that purpose.

MF4 is itself a high density use and while appropriate to build in some places, is not in this location per Zoning Guide descriptions, per purpose and application in the staff report, and per our substantial direct knowledge of this location.

City Planning and Development Review staff assisted us every step of the way in our plan and FLUM development. As a result parcels are zoned as pieces of an integrated, holistic view of the entire planning area. The existing zoning is not arbitrary or ad hoc; The FLUM represents sound planning principles we applied with focused and expert guidance from Planning and Development and Neighborhood Planning staff.

### **Austin Strategic Housing Blueprint and Imagine Austin Goals**

While the staff report acknowledges that our Neighborhood Plan does not support more construction of large, new multi-family developments (given our existing huge excess) it goes on to make that seem unimportant and irrelevant somehow in the larger context of Blueprint and Imagine Austin goals.

In reality, granting the MF4 zoning costs a lot more in denying opportunity for dynamic, 21<sup>st</sup> century MU land use at this interestingly situated site than it returns in only 38 additional housing units.

In other words, sacrificing the flexibility of MU to MF4 in this spot contributes only **0.02 %** of the 135,000 minimum housing units needed over the next decade per the Strategic Housing Blueprint. Further, if 129 of the total units are made affordable, they still meet only 0.51% of the specific Blueprint goal for affordable housing at 60% or under MFI. (goal is 24,963)

Our letter details how this development does NOT provide additional affordable housing options for most people in the planning area, and also does NOT meet three other important affordable housing goals in policy such as the Blueprint and the Imagine Austin Comprehensive Plan.

**CodeNext:** Since multi-family development is allowed now under MU and JCI can and plans to build a 220 unit complex under the existing zoning, MF4 isn't needed. We question the utility of the staff statement that CodeNext proposes MU2A (in one report and MU3A in another) zoning here that will allow multi-family, since multi-family is already allowed under the existing use.

**Neighborhood Plan: SHOW PLAN:**

The Staff reports excerpt objectives and recommendations from our neighborhood plan that, in the actual plan, strongly support the current zoning and use and do not support MF4.

Objective L.2. arguing for a balanced residential character specifically recommends limiting construction of new, large apartment complexes. (We have an extreme excess, we are over 80% rental in the area with nearly 60% of all our housing units in large complexes). Balanced residential character in our case means that more intense residential development should contain a mixed use element.

Objective L.5 promotes increasing housing options and/or home ownership opportunities. That is from many conversations in our plan development about how the excessive volume of rental here, especially as large complexes, limit choice and diversity in housing options, and that types of residential development other than large apartment complexes must be constructed to improve balance. The 3 recommendations noted at that point in the staff report apply specifically to a completely different property well over a mile away, so I don't understand their presence in the report.

Objective Q.9 to preserve housing affordability is to move away from our legacy of excessive 80+% rental and toward enabling more potential new, first time homebuyers to put down roots, begin gaining equity, and become personally invested in the health and future of our community. It also anticipates a struggle for existing homeowners to remain here under skyrocketing real estate values and ever-increasing taxes. This objective and its recommendations have nothing to do with supporting large multi-family complexes; in fact it rejects that exact historical pattern that has so destabilized our community. It has everything to do with increasing our current 19% rate of home ownership more toward the 45% average the rest of Austin enjoys.

The applicant's cover letter also selectively excerpts neighborhood plan statements in such a way that they seem to mean the opposite of they actually do mean in their source document of the plan. I can supply additional written material on that if you request.

**Factual inaccuracies:** Walking distance to the nearest accessible public transportation, bus stops, are over 1/2 mile to Georgian Drive for more limited, smaller routes and nearly a mile to Lamar Blvd for major, rapid, and express routes.

**As described in our letter and what I just shared, we see no sound planning principle or benefit under the Blueprint or Imagine Austin in changing the current MU use and zoning to MF4.**

We are not knee-jerk opposed to more density, or to affordable housing per se. Our planning area contains the 7<sup>th</sup> and 11<sup>th</sup> highest population densities in Austin. Our multi-family rents per SF are the lowest or 2<sup>nd</sup> lowest in the city. We just supported a FLUM and land use change to MU from Commercial at Austin Suites at 8300 N IH35, a block away from this project, that includes accommodation for residents with housing subsidies. That proposal made sense as a good use of the specific property and fits neighborhood context.

We initiated conversation with Mr. Hamilton on whether JCI is willing to consider and discuss ideas with us for another type of residential construction and maybe even include some neighborhood-serving small development at this site, as we all see happening in Mixed Use developments all over town, that they could profit from and under which we could support them and welcome them to our neighborhood. Mr. Hamilton indicated that discussion is not an option.

There is nothing so beneficial or compelling about this JCI project application that makes it worthwhile for anyone but JCI. When you build in this neighborhood you are constructing in existing community infrastructure, in the midst of all the benefits that those who've been investing all along created before you got here. We consider each development in our planning area in terms of its part of the whole community, not just a piece of land over and a piece over there.

We put a lot of careful and considered thought into our Neighborhood Plan. We believe in it so we've been working it hard ever since, and we're not done. Our plan is as relevant now, even more so, than when it passed just 8 years ago. **We are** the current and historical investors in this small planning area. We hope that your recommendation will support our investment and not undermine it by enabling a project whose sole planned investment is to construct a gated apartment complex in the middle of us to make the most cash they think they can. We request that you recommend to Council to not grant this change that we believe undermines our investors' years of hard work toward becoming more a healthy, sustainable community.

Thank you for your time and attention.  
Are there any questions?