ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0144 – 2700 S. Lamar

DISTRICT: 5

ZONING FROM:
Tract 1: GR
Tract 2: CS-1-V and GR-V
Tract 3: CS-1-V and GR-V
Tract 4: CS-1-V
Tract 5: GR-V
Tract 6: GR-V-CO
Tract 7: MF-3

ZONING TO:
All Tracts: MF-6

ADDRESS: 2700, 2706, 2708, 2710, 2714 S. Lamar Boulevard, Part of 2738 S. Lamar Boulevard and 2803 Skyway Circle

SITE AREA: 2.9 acres

PROPERTY OWNER:
Huaylas LLC; Sola 2706 LLC; Davis 2708 S Lamar LLC; Davis S Lamar LLC; Blue Crow Properties LTD; Goodwill Industries of Central Texas; and 2803 Skyway LLC

AGENT:
Armbrust & Brown (Michael Whellan)

CASE MANAGER: Kate Clark (512-974-1237, kate.clark@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends multifamily residence highest density (MF-6) district zoning. *For a summary of the basis of staff's recommendation, see page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

June 8, 2021	**To forward to City Council without a recommendation.**
May 25, 2021	Approved neighborhood's request to postpone to June 8, 2021. Vote: 10-0. [Commissioner Cox - 1st, Vice Chair Hempel - 2nd; Commissioners Connolly, Flores and Llanes Pulido were absent].

CITY COUNCIL ACTION:

September 30, 2021	**Scheduled for City Council**
August 26, 2021	Approved neighborhood's request to postpone to September 30, 2021 on the consent agenda. Vote: 11-0.

July 29, 2021 Approved Council Member Kitchen's request to postpone to August 26, 2021 on the consent agenda. Vote: 11-0.

ORDINANCE NUMBER:

ISSUES

Staff has received comments both in favor of and in opposition to this rezoning request. For all written or emailed comments, please see *Exhibit C: Correspondence Received.*

Prior to the Public Hearing at Planning Commission, questions were provided to staff. Please see *Exhibit E: Questions to Staff* for all Commissioner questions and answers.

CASE MANAGER COMMENTS:

This rezoning case consists of seven tracts totaling approximately 2.9 acres. It is currently zoned a combination of GR, CS-1-V, GR-V, GR-V-CO and MF-3 zoning and contains a mixture of existing commercial and residential land uses. It is adjacent to MF-3 and GR zoning to the north; to the north across Dickerson Drive is GR zoning; to the southeast across S. Lamar Boulevard are CS-V and GR-CO zoned properties; and adjacent to the southwest are GR-V-CO and GR-MU-CO zoned properties. Please see *Exhibit A: Zoning Map* and *Exhibit B: Aerial Map*.

A portion of this site is located in the Barton Creek Watershed, which is classified as a Barton Springs Zone Watershed. At the time of this report, project applications for this site are subject to the SOS Ordinance that allows up to 15% impervious cover in the recharge zone, see Other Staff Comments below for additional Environmental comments.

Per the applicant's cover letter, they are proposing a multifamily development with up to 500 units and voluntarily providing 10 percent of the units at 60 percent of Median Family Income (MFI). At the time of this report, the applicant has not applied for any of the City's Affordable Housing programs and therefore any affordable housing must be done voluntarily and not as part of this rezoning request. If this rezoning request should be approved by City Council, there is a single four-unit multifamily building within the requested rezoning area. The applicant has stated that they are "*committed to providing a tenant relocation package for the four impacted units, as well as a 'right to return' to the new affordable units for eligible tenants*."

Due to the number of proposed residential units, staff provided AISD the Educational Impact Statement (EIS) forms from in their rezoning application. Their response is included in *Exhibit D: EIS from AISD.*

BASIS OF RECOMMENDATION:

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

   The City's Land Development Code (LDC) defines the base zoning district for MF-6 as:

"…the designation for multifamily and group residential use. An MF-6 district designation may be applied to a use in a centrally located area near supporting transportation and commercial facilities, an area adjacent to the central business district or a major institutional or employment center, or an area for which the high density multifamily use is desired."

This rezoning case is located along S. Lamar Boulevard which is identified as a Level 3 street in the Austin Strategic Mobility Plan, a Core Transit Corridor in the LDC and an Activity Corridor within the Imagine Austin Comprehensive Plan. It is also along one of the identified proposed enhanced MetroRapid Routes in the Project Connect initial investments service map. Rezoning this property to MF-6 would be consistent with the purpose statement of the zoning district and provide increased residential opportunities along existing and planned transit corridors.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	GR, CS-1-V, GR-V, GR-V-CO and MF-3	Restaurant, general office, shopping center medical office, multifamily and undeveloped.
North	MF-3 and GR	Multifamily residential, administrative and business offices, and professional offices.
South	GR-CO and GR-V-CO	Mixed use development and general retail sales (convenience).
East	CS-V	Religious assembly building, convenience storage, medical offices, and professional office.
West	GR-MU-CO	Multifamily residential.

NEIGHBORHOOD PLANNING AREA: South Lamar Combined NP Area - Zilker (suspended)

TIA: A TIA shall be required at the time of site plan if triggered per LDC 25-6-113

WATERSHED: Barton Creek Watershed-Barton Springs Zone, and West Bouldin Creek Watershed

OVERLAYS: ADU Approximate Area Reduced Parking, Barton Springs Overlay and Residential Design Standards.

SCHOOLS: Barton Hills Elementary, O. Henry Middle and Austin High Schools

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District
Austin Lost and Found Pets
Austin Neighborhoods Council
Barton Hills-Horseshoe Bend (Barton Hills
Bike Austin
Friends of Austin Neighborhoods
Friends of Zilker
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
Perry Grid 614
Preservation Austin
SELTexas
Sierra Club, Austin Regional Group
South Central Coalition
South Lamar Neighborhood Assn.
TNR BCP - Travis County Natural Resources
Zilker Neighborhood Association

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2012-0020 Lamar/Manchaca Mixed Use	From GR to GR-CO, to amend an ordinance to clarify the existence of the Vertical Mixed Use Building (V) site development standards on the property.	Approved GR-CO.	Approved GR-CO as Commission recommended (3/22/12).
C14-2008-0019 South Lamar Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process	To apply Vertical Mixed Use zoning on various properties.	Approved Vertical Mixed Use zoning after amending boundaries to exclude certain tracts.	Approved Vertical Mixed Use zoning (6/18/08)

RELATED CASES:

C14-2013-0046.SH (Skyway Studios): this rezoning case consisted of approximately 1.78 acres originally zoned MF-3, GR-V and CS-V. The applicant requested to be rezoned to GR-V and GR-MU. Approximately 0.4 acres of that property is Tract 6 of this rezoning case (2738 S. Lamar). Planning Commission granted GR-V-CO and GR-MU-CO; CO was to prohibit a set of land uses and limit vehicle access points. City Council approved GR-V-CO and GR-MU-CO on May 23, 2013 as Planning Commission recommended.

C14-2008-0060 (Zilker Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process): This rezoning case allowed for properties to Opt-In/Opt-Out for adding (V) to their zoning. Tracts 2, 3, 4, 5 and 6 all opted into the process, Tract 1 opted out of the process and Tract 7 was not part of the process.

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
South Lamar Boulevard	Approx. 126’	60’	Level 3	Yes	Bike Lane	Yes
Dickson Drive	56’	36’	Level 1	No	None	Yes
Skyway Circle	58’	36’	Level 1	No	None	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

This rezoning case is located on the southwest corner of S. Lamar Boulevard and Dickson Drive on property that is approximately 2.9 acres in size and consists of seven tracts, which contain a variety of residential, office and commercial uses. The project is in the South Lamar Combined Neighborhood Planning Area (Zilker Neighborhood), which does not have an adopted plan and is also located along the South Lamar Activity Corridor. Surrounding land uses include an apartment complex, restaurant and commercial uses to the north; to the south are commercial uses; to the east is a religious assembly building and restaurant; and to the west are residential and commercial uses. The proposed use is 500 multifamily residential units with 50 units (10 percent) that will be voluntarily designated as affordable at 60 percent of Median Family Income (MFI). The applicant stated in their application they are committed to providing a tenant relocation package for the four impacted units, as well as a ‘right to return’ to the new affordable units for eligible tenants. See chart below from application:

Zoning and Use Tables

Area To Be Rezoned: 2.9153 acres

Existing Zoning	Existing Use	Tract #	# of Acres/SF	Max # of Res Units Per Acre
GR	Restaurant	1	0.5165	0
CS-1-V / GR-V	General Office	2	0.4991	No Limit (-V)
CS-1-V / GR-V	General Office, Shopping Center, Medical Office	3	0.5000	No Limit (-V)
CS-1-V	Shopping Center	4	0.3352	No Limit (-V)
GR-V	General Office	5	0.4920	No Limit (-V)
GR-V-CO	Undeveloped	6	0.4017	No Limit (-V)
MF-3	Multi-Family	7	0.1708	36

Proposed Zoning	Proposed Use	Tract #	Proposed # of Acres/SF	Max # of Res Units Per Acre	Proposed Total # of Units Per Acre
MF-6	Multi-Family	1	2.9153	No Limit	172

Connectivity
Public sidewalks and bike lanes are located along both sides of S. Lamar Boulevard. A CapMetro Transit Stop is located less than 50 feet away from the project area. The connectivity and mobility options in this area are good.

Imagine Austin
The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan, identifies this section of S. Lamar Boulevard as an Activity Corridor. Activity Corridors 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 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.

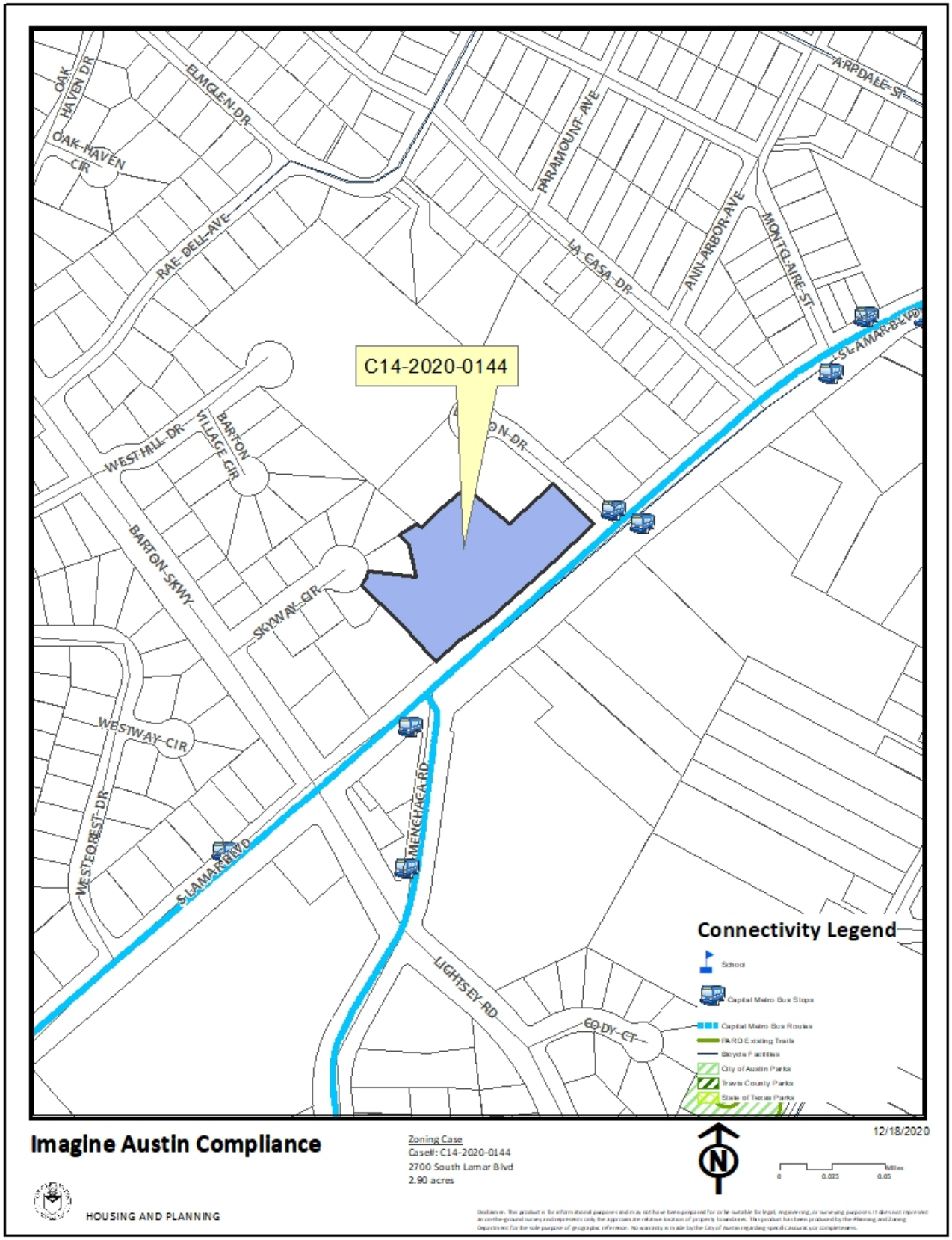
The following Imagine Austin policies are applicable to this case.

- LUT P3. Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.

- 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.

- LUT P7. Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.

Based upon the property: (1) being located along a major Activity Corridor, which supports residential uses; and (2) the strong mobility and connectivity options in the area, this proposed multi-family project appears to support the Imagine Austin Comprehensive Plan.


C14-2020-0144
OAK HAVEN DR
OAK HAVEN CIR
ELMGLEN DR
RAE DELL AVE
PARAMOUNT AVE
LA CASA DR
ANN ARBOR AVE
MONTCLAIRE ST
ARPDALE ST
S LAMAR BLVD
WEST HILL DR
BARTON VILLAGE CIR
BARTON SKWY
SKYWAY CIR
WESTWAY CIR
WESTFOREST DR
MENCHACA RD
LIGHTSEY RD
CODY CT
Connectivity Legend
School
Capital Metro Bus Stops
Capital Metro Bus Routes
PARD Existing Trails
Bicycle Facilities
City of Austin Parks
Travis County Parks
State of Texas Parks
Imagine Austin Compliance
Zoning Case
Case#: C14-2020-0144
2700 South Lamar Blvd
2.90 acres
12/18/2020
N
Miles
0
0.025
0.05
HOUSING AND PLANNING

Environmental

1. A portion of this site is located over the Edwards Aquifer Recharge Zone. A portion of this site is in the Barton Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

2. Project applications within the Barton Springs Zone watershed classification, at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone.

3. Within the Barton Springs Zone watershed classification, under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on-site. Runoff from the site is required to comply with pollutant load restrictions as specified in Land Development Code.

4. A portion of this site is not located over the Edwards Aquifer Recharge Zone. A portion of this site is located in the West Bouldin 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.

5. Zoning district impervious cover limits apply in the Urban watershed classification.

6. Within the Urban watershed classification, the site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 square feet cumulative is exceeded, and on-site control for the 2-year storm.

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

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

9. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

10. 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.

Fire Review

1. 2706 S. Lamar Boulevard houses Two Hills Studios, an architectural metal fabricator. The company has an Austin Fire Department (AFD) Aboveground Hazardous Materials permit that includes a moderate amount of flammable and toxic solids and liquids, a flammable finishing operation, and equipment utilizing flammable and oxidizing gases. AFD needs to conduct an inspection and determine the potential consequences of a fire or unauthorized discharge of hazardous materials at this site. The inspection and review will be completed by January 20, 2020.

2. A site inspection has been conducted for Two Hills Studio located at 2706 S. Lamar Boulevard. This is one of the parcels within the scope of rezoning change for case C14-2020-0144. The amount and type of hazardous materials is the same as was reported. The owner indicated he will be relocating as part of the proposed project.

3. AFD can recommend this rezoning request based on the inspection and discussion with the business owner.

PARD Review

PR1: Parkland dedication will be required at the time of subdivision or site plan application for new residential units proposed by this rezoning, multifamily with MF-6, per City Code § 25-1-601, as amended. The intensity of the proposed development creates a need for over six acres of additional parkland, per requirements described in §25-1-602; when over six acres, parkland must be dedicated - see §25-1-605 (A)(2)(a). As such, land dedication shall be required, unless the land available for dedication does not comply with the standards for dedication. Any remaining fees in-lieu after dedication shall also be required.

If the land available for dedication complies with the parks standards, the Parks and Recreation Department (PARD) would consider a small park toward satisfying the requirement at time of permitting (whether subdivision or site plan). The surrounding neighborhood areas are currently park deficient, defined as being outside walking distance to existing parks. The dedication would satisfy the need for additional parks in park deficient areas of Central South Austin, a specific recommendation in the Parks and Recreation Department’s Long Range Plan.

Should there be any remaining fees in-lieu, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures §14.3.11 and City Code §25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination letter of the requirements.

Site Plan

SP1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP2. South Lamar is a Core Transit Corridor. Any project designed on this site will need to comply with Core Transit Corridor requirements.

Transportation

ASMP Assessment
The Austin Strategic Mobility Plan (ASMP) adopted 04/11/2019, calls for 120 feet of right-of-way for South Lamar Boulevard. It appears this section has approximately 126 feet of right-of-way adjacent to the subject rezoning case.

Transportation Assessment
Assessment of required transportation mitigation, including the potential dedication of right-of-way and easements, and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A Traffic Impact Analysis (TIA) shall be required at the time of site plan if triggered per LDC 25-6-113.

Austin Water Utility

AW1. 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.

INDEX OF EXHIBITS TO FOLLOW

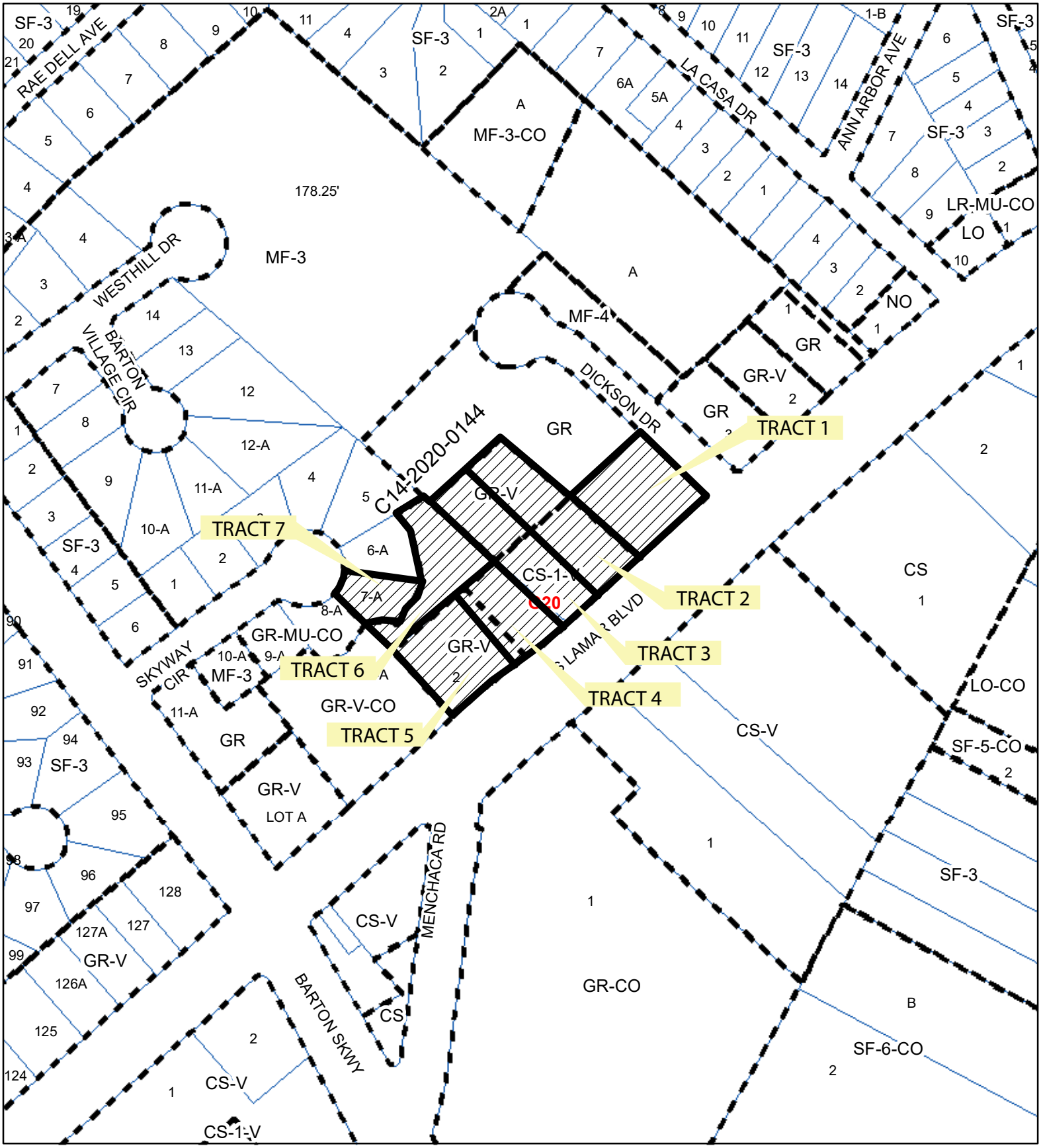
Exhibit A: Zoning Map

Exhibit B: Aerial Map

Exhibit C: Correspondence Received

Exhibit D: EIS from AISD

Exhibit E: Questions to Staff



N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

1" = 200'

2700 S. Lamar Zoning

Exhibit A

ZONING CASE#: C14-2020-0144
LOCATION: 2700, 2706, 2708, 2710, 2714 S Lamar Blvd; Part of 2738 S Lamar Blvd; 2803 Skyway Circle
SUBJECT AREA: 2.9 ACRES
GRID: G20
MANAGER: KATE CLARK

CITY OF AUSTIN FOUNDED 1839

2700 S. Lamar Zoning

Exhibit B

N

1" = 200'

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

CREEK BUFFER

ZONING CASE#: C14-2020-0144
LOCATION: 2700, 2706, 2708, 2710, 2714 S Lamar Blvd; Part of 2738 S Lamar Blvd; 2803 Skyway Circle
SUBJECT AREA: 2.9 ACRES
GRID: G20
MANAGER: KATE CLARK

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Exhibit C

Clark, Kate

From: steve simmons
Sent: Monday, January 4, 2021 3:59 PM
To: Clark, Kate
Subject: South Lamar

Dear Kate,
I am contacting you about C14-2020-0144 I own 2801 and 2901 S. Lamar My concerns about the adding of density on an already crowded road is that it will make it unsafer and actually be a detriment to the small businesses as traffic makes it impossible to get to S. lamar.
Steve Simmons
La Tierra de simmons Familia.

--
Follow Honey's Pizza on Instagram!

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 participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. 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.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the 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: C14-2020-0144
Contact: Kate Clark, 512-974-1237
Public Hearing: May 25, 2021, Planning Commission

DOUGLAS OLDMIXON / JO-DEE BENSON
Your Name (please print)

☒ I am in favor
☐ I object

2001 LA CASA DR AUSTIN TX
Your address(es) affected by this application (optional)

Signature 14 MAY 21 *Date*

Daytime Telephone (Optional): 512-415-6960

Comments: The Redevelopment of this area to more intense mixed uses support the density and variety needed to grow these transit + WALKable BIKEable areas near neighborhoods! we approve!

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Kate Clark
P. O. Box 1088, Austin, TX 78767

Or email to:
Kate.Clark@austintexas.gov

Zilker Neighborhood Association

2009 Arpdale ◆ Austin, TX 78704 ◆ 512-447-7681

May 14, 2021

Re: Rezoning of 2700 South Lamar, Case C14-2020-0144

To: Planning Commission
c/o Kate Clark, Case Manager
City of Austin Zoning Department
Via Email: Kate.Clark@austintexas.gov

Dear Commissioners,

The Zoning Committee of the Zilker Neighborhood Association, based on our detailed understanding of redevelopment issues on the western side of South Lamar, opposes the rezoning application at 2700 S. Lamar (C14-2020-0144), and any other upzoning request at this location. The requested rezoning to the most intense multifamily district, MF-6, is not appropriate here because:

- the property is in an environmentally sensitive area,
- the current zoning entitlements already exceed the site's capacity for redevelopment,
- the current zoning entitlements exceed the capacity of the area's infrastructure in the foreseeable future,
- the MF-6 request conflicts with the stated purposes of Austin's residential and commercial zoning districts, and
- the MF-6 request conflicts with the Imagine Austin Comprehensive Plan.

The following pages elaborate on our five general concerns. We hope that you will consider these fundamental goals of zoning and planning and join us in requesting that these environmentally sensitive properties be held to higher standards. Please recommend that the City Council deny the request for MF-6 rezoning.

Thank you for considering our comments, and thank you for your service to Austin.

Sincerely,
Lorraine Atherton,
on behalf of the ZNA Zoning Committee

Basis for ZNA opposition to MF-6 rezoning of 2700 S. Lamar (C14-2020-0144)

I. The current VMU overlay is the best option for these parcels

In 2006, ZNA carefully considered and approved a Vertical Mixed Use overlay for South Lamar from Town Lake to Barton Skyway. The criteria we used and how they were applied to every parcel on South Lamar can be seen on the ZNA web site at VMU map (2006-10).pdf (zilkerneighborhood.org). VMU was attractive to ZNA because it could concentrate multifamily density on large underused commercial sites, consolidating paving and parking structures without destroying existing residential areas. North of Oltorf, larger properties of several acres were deemed suitable for the most intense VMU development. For small properties south of Oltorf, including the 2700 block, our intent was to provide flexibility for redevelopment of those commercial properties that could support modest and affordable multifamily and live-work housing types without impairing the use of existing housing and local businesses. ZNA's entire VMU proposal was unanimously approved by the Planning Commission and the City Council in 2008. Since then, thousands of multifamily units (averaging more than 80 units per acre) have been added to the South Lamar Corridor in VMU projects that meet the subchapter E requirements.

The VMU exercise highlighted an obstacle for all redevelopment on South Lamar--the corridor's lack of a street grid with major intersections. Between Barton Springs Road and Ben White, there are no direct east-west connections to other major corridors. Therefore, there are no good locations for intense commercial uses or for the highest-density residential zoning districts. Higher density multifamily zoning districts (especially MF-6) should have access to a complete street grid, as in the Central Business District (**§ 25-2-67**). The existing residential area affected by this rezoning request, however, has no frontage on South Lamar and no public through streets, and its development is constrained by its location in the Barton Springs Zone. The area from La Casa to Barton Skyway includes more than 300 moderately priced multifamily housing units in a wide variety of building types:

- 64 units in Akoya condos, converted from a derelict apartment building on Dickson,
- 16 units in Sasona co-op, off the end of Paramount,
- 134 units in Barton's Mill apartments, small apartment buildings clustered among the trees in rough terrain,
- 88 units in Barton Village, four-plexes clustered among the trees in rough terrain on Skyway Circle and Westhill,
- 14 units in duplexes facing Barton Skyway.

Across the street from the subject properties, at South Lamar and Menchaca, is a large, dense VMU project with 357 housing units. A crucial goal of the VMU ordinance and the Comprehensive Plan is to preserve and promote a mix of housing types and levels of affordability, such as already exists in this area. The VMU overlay supports that goal. The proposed MF-6 rezoning would impair the existing desirable uses and overwhelm South Lamar.

The existing zoning entitlements include a maximum of more than 101,000 square feet of building coverage, with an FAR allowing 161,491 sf. If the redevelopment utilized VMU, the FAR limits would be removed, allowing more than 380,000 sf. That is far more than the street and drainage infrastructure can support, even without the additional environmental constraints. Therefore, increased zoning entitlements on the subject properties would serve no useful purpose.

II. MF-6 does not support the Imagine Austin Comprehensive Plan

The requested rezoning to MF-6 exceeds the density but does not support the purposes identified for the South Lamar activity corridor on the Imagine Austin Growth Concept map (Figure 4.5 and pages 103-106, Imagine Austin Comprehensive Plan).

A. South Lamar is an activity corridor leading to one of the "activity centers for redevelopment in sensitive environmental areas." The subject site is on the west side of the corridor, within the Barton

Springs Zone and Barton Creek watershed, and its redevelopment should be subject to standards for sensitive environmental areas.

B. The Comprehensive Plan favors a mix of uses along corridors such as South Lamar. The requested rezoning would eliminate an opportunity for very desirable VMU residential and local business projects.

C. No part of South Lamar has been designated a regional center, a town center, or even a neighborhood center, although since the VMU overlay was applied to the corridor, its population and built environment meet the Comprehensive Plan's definition of a town center. That definition does not include high-rise highest-density apartment buildings. According to Chapter 4 of Imagine Austin: "The buildings found in a town center will range in size from one- to three-story houses, duplexes, townhouses, and row houses, to low- to midrise apartments, mixed use buildings, and office buildings." Zoning this site for downtown high rises would impair the environmental, transportation, affordable housing preservation, walkability, and complete-community goals of Imagine Austin.

III. MF-6 does not support the purposes of residential zoning

Rezoning this transitional area of mixed duplex and affordable multifamily housing for the highest density multifamily use would be inconsistent with the purposes of the residential zoning districts, even if the site were not in an environmentally sensitive location. The purposes are listed in **§ 25-2-51**:

(1) reserve areas for residential occupancy and provide for a broad range of residential densities and variety of housing types consistent with the Comprehensive Plan and standards of public health, safety, and welfare;
(2) ensure adequate light, air, privacy, and open space for each dwelling;
(3) encourage compatibility between residential uses and other land uses;
(4) facilitate the planning for and provision of infrastructure improvements to serve anticipated population, dwelling unit density, traffic generation, and public service requirements; and
(5) promote energy conservation.

Other multifamily zoning districts, up to MF-3, might be appropriate for this part of the corridor, but parcels south of Oltorf are stretching the definition of "centrally located" that should apply to higher density zoning, and multifamily zoning does not support the local commercial uses allowed by VMU. The Code describes multifamily zoning above 36 units per acre as "high density" that is suitable for the central business district. MF-6, with no limit on units per acre, is described in **§ 25-2-67: "**An MF-6 district designation may be applied to a use in a centrally located area near supporting transportation and commercial facilities, an area adjacent to the central business district or a major institutional or employment center." In the context of Austin's Comprehensive Plan, MF-6 zoning should be confined to regional centers. The subject properties are not within a regional center.

IV. MF-6 does not support the purposes of commercial and mixed-use zoning

The site's current zoning (GR and CS) is at the upper limit of what is appropriate for local commercial uses adjacent to a mix of single-family and moderate density multifamily housing. The overwhelming problem with this collection of small parcels is that none of them has adequate access to South Lamar or off-street parking and loading, as recommended in **§ 25-2-91 (3)**. The most that can be built here is a small VMU project that meets GR site development standards, with the least intensive retail uses, to minimize traffic and parking burdens. Any upzoning is bound to conflict with transportation planning and to have adverse effects on nearby land uses. Thus, any upzoning would be inconsistent with the Comprehensive Plan and the purposes of the commercial zoning districts, even if the site were not in an environmentally sensitive location.

In our VMU analysis, a major concern was to support the purposes of commercial districts listed in **§ 25-2-91,** especially number 3, regarding traffic and other adverse effects on nearby uses:

(1) reserve areas for offices, retail stores, and service establishments that provide a broad range of goods and services to residents of Austin and the surrounding area;
(2) promote the grouping of office and commercial uses that are convenient for the public and that benefit the uses in a district;
(3) ensure adequate access and off-street parking and loading for office and commercial uses and minimize traffic congestion and other adverse effects on nearby land uses;
(4) encourage high standards of site planning, architecture, and landscape design for office and commercial development in the City;
(5) facilitate the planning for and provision of infrastructure improvements to meet traffic, commercial, and public service needs generated by the residents of Austin; and
(6) promote energy conservation.

Although most of South Lamar has entirely too much commercial zoning, the ZNA VMU plan was careful to value the smaller parcels that provide important neighborhood services and jobs. Upzoning these small properties for expensive residential space and eliminating their opportunities for local businesses would undermine all of those purposes and the neighborhood's planning goals.

V. Environmental hindsight supports the existing zoning

When ZNA approved the South Lamar VMU overlay 15 years ago, we did not realize that the Barton Springs Zone extended to South Lamar at this point. Now that we are all in the midst of an environmental and climate crisis, we ask that you join us in requesting that these environmentally sensitive properties be held to higher standards for redevelopment and recommend that the City Council deny the request for MF-6 rezoning.

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 participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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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.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the 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: C14-2020-0144
Contact: Kate Clark, 512-974-1237
Public Hearing: May 25, 2021, Planning Commission

Alanna Graves
Your Name (please print)

☐ I am in favor
☑ I object

2200 Dickson Dr. #101 Austin, TX 78704
Your address(es) affected by this application (optional)

Alleen Yun
Signature

5/9/21
Date

Daytime Telephone (Optional): 708-912-4121

Comments: I love the businesses at that location, and believe if we continue building residences along Lamar, those of us who have lived here for years will get priced out or the location will lose it's appeal. We love all the small businesses on Lamar, please don't rezone them!

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Kate Clark
P. O. Box 1088, Austin, TX 78767

Or email to:
Kate.Clark@austintexas.gov

Clark, Kate

From: Genny Duncan
Sent: Monday, May 24, 2021 12:34 PM
To: Clark, Kate
Subject: Re: Rezoning of 2700 South Lamar, Case C14-2020-0144

Planning Commission,

As a resident for many years of the Barton Hills/Ziker neighborhoods, I strongly oppose the rezoning of 2700 S Lamar. The parcels are in the Barton Springs Zone, an environmentally sensitive area, and the current zoning already allows midrise multifamily development, as indicated in the Imagine Austin plan and codified in ZNA's Vertical Mixed Use overlay plan approved in 2008.

Please recommend that the City Council deny the request for MF-6 rezoning!

Thanks for your thoughtful consideration and thank you for your service to Austin.

Genevieve L Duncan
2120 Rabb Rd, Austin, TX 78704

Clark, Kate

From: patrice peach
Sent: Monday, May 24, 2021 3:47 PM
To: Clark, Kate
Subject: no re-zoning for 2700 S Lamar, please!

I'll try to be brief and to the point.

Please consider that serious infrastructure improvements would have to

accompany this project. This is simply not worth it, and it also doesn't fit

with the Zilker neighborhood or South Lamar corridor. Please vote

(or advocate for) Smart Growth, not unbridled growth.

(see Imagine Austin Comprehensive Plan.)

Please don't go outside these very reasonable guidelines to admit

high-rise, high density apt. buildings / condos at this or any other location

in the South Lamar corridor. VMU units are a much better choice.

Thank You

Patrice Sullivan

Kinney ave.

Zilker, Austin Tx 78704

Clark, Kate

From: Larry Akers
Sent: Saturday, June 5, 2021 11:15 AM
To: Clark, Kate
Subject: zoning case -- 2700 S. Lamar

*** External Email - Exercise Caution ***

Commissioners:

Please recommend denying the re-zoning of the properties in this application, as current zoning already supports adequate redevelopment.
The Lamar corridor is already over-burdened with traffic, with much more to come. There is no need to add to the misery.

Thank you,

Larry Akers
2311 Ridgeview
Austin, Tx 78704

--

Clark, Kate

From: alexis sheehy
Sent: Monday, June 7, 2021 11:05 AM
To: Clark, Kate
Subject: 2700 S Lamar

Dear Ms Clark,

I am in favor of this rezoning request, but I would like to understand the transportation logistics. Specifically, will there be ingress/egress on Skyway Circle? If so, it would be great to get an ETA for the completion of the bike lane project (https://data.austintexas.gov/stories/s/Barton-Skyway/9hcr-2qhe/) on Barton Skyway, which would hopefully slow down and/or discourage additional traffic on this popular cut through alternative for S Lamar.

Thanks,
Alexis Sheehy
2901 Westhill Dr

Clark, Kate

From: Lorraine Atherton
Sent: Tuesday, June 8, 2021 12:38 PM
To: Shaw, Todd - BC; Hempel, Claire - BC; Azhar, Awais - BC; Cohen, Jessica - BC; Connolly, Joao - BC; Cox, Grayson - BC; Flores, Yvette - BC; Howard, Patrick - BC; Llanes, Carmen - BC; BC-Richard.Mendoza@austintexas.gov; Mushtaler, Jennifer - BC; Praxis, Solveij - BC; Schneider, Robert - BC; Shieh, James - BC; Singh, Arati - BC; Thompson, Jeffrey - BC
Cc: Kitchen, Ann; Tiemann, Donna; Rivera, Andrew; Clark, Kate
Subject: Item B. 13. Rezoning: C14-2020-0144 - 2700 S. Lamar, District 5
Attachments: 2700 SLamar (2021-06-06 version).pdf

Honorable Commissioners, Todd Shaw, Chair, Claire Hempel, Vice Chair, Awais Azhar, Jessica Cohen, Joao Paulo Connolly, Grayson Cox, Yvette Flores, Patrick Howard, Carmen Llanes Pulido, Richard Mendoza, Jennifer Mushtaler, Solveij Rosa Praxis, Robert Schneider, James Shieh, Arati Singh, and Jeffrey Thompson, Regarding item B. 13 - C14-2020-0144 - 2700 S. Lamar - District 5.

City of Austin Planning Commission,

Thank you for postponing this hearing, allowing us to meet with the applicant to discuss and clarify the major issues listed in our letter of opposition in May. I am here to report on the results of our meeting with the applicant last Friday.

Last night the Executive Committee of the Zilker Neighborhood Association voted to continue ZNA's support of the redevelopment of these parcels on South Lamar under the existing VMU zoning, and to support the extension of the VMU overlay to Tract 1 at 2700 S. Lamar if the owner requests it. This decision was based on information extracted from the applicant on Friday.

The ZNA zoning committee has calculated that the existing zoning, with VMU extended to Tract 1, could result in 483 residential units on 86% impervious cover. With MF6 zoning, the owner proposes to build 480 units in 8 floors and 80% impervious cover. The increased entitlements of MF6 would actually allow 686 units, but this is probably reduced by compatibility setbacks for height. The concept plan presented by the owner would likely contain only 463 units, if one assumes that most of the ground floor would be taken up by parking.

Subchapter E includes standards and incentives explicitly for the development of Vertical Mixed Use (VMU) buildings. Subchapter E, Article 4 states: *"The mixed use provisions define the uses of land and the siting and character of the improvements and structures allowed on the land in a manner that encourages a balanced and sustainable mix of uses. They promote an efficient pedestrian-access network that connects the nonresidential and residential uses and transit facilities. Redevelopment of underutilized parcels and infill development of vacant parcels should foster pedestrian-oriented residential and mixed use development."* Article 4.3.3 goes on to list multiple pages of the superior aspects of VMU development over other zoning districts. For these reasons it is of great concern that neighborhoods would get an inferior product with MF-6 zoning such as that applied for at 2700 S. Lamar Blvd.

To sum up, in the meeting on Friday the applicants disclosed that they do not intend to build more housing than could be achieved under VMU, and they might build much less. The primary difference appears to be that MF6 zoning would relieve them of the obligation to provide the community benefits, such as income-restricted units, required by VMU. The MF6 rezoning could set a precedent for overriding existing VMU zoning on core transit corridors. The ZNA Executive Committee therefore requests that the Planning

Commission recommend against the MF6 rezoning and encourage the applicant to request an extension of the VMU overlay to Tract 1.
Thank you for your service to Austin.
Sincerely,
Lorraine Atherton
For the ZNA Zoning Committee

P.S. About the offer of affordable units:

On Friday the ZNA zoning committee discovered that the applicant in this case, as of March, owns the entire Goodwill property shown in pink on the attached exhibit. When we first heard of this case last year, we assumed that Goodwill was a partner, because the rezoning request includes a parking lot on the Goodwill site. We expected the applicant to present a proposal that would coordinate with the redevelopment of the Goodwill site, including the 109 units of permanent supportive housing that already had ZNA support from the 2013 rezoning. We were disappointed, to put it mildly, to learn that Goodwill is not a partner, that the applicant has no other nonprofit partner to manage or administer any affordable housing, and that they are refusing to include the bulk of the Goodwill property in this rezoning case.

The refusal to include all of 2738 South Lamar in the rezoning case eliminates the prospects for meaningful negotiation on the other factors (besides residential affordability) affecting this case. That includes impervious cover limits and the use of the Redevelopment Exception in the SOS ordinance 25-8-26, the area and location of the Parkland Dedication requirement, preservation of numerous trees, protection of the storm sewer and unnamed stream through the center of the property and its effect on the downstream multifamily buildings, coordination of the shared driveway and parking that will have to be moved on the Goodwill site, a traffic impact analysis to aid coordination of traffic controls and improved pedestrian access that will be required between the two existing crosswalks and on Dickson, and preservation of the community of four-plexes on Skyway Circle (which presents the opportunity for 18 new moderately priced townhouse units). I will be available at the hearing to answer your questions about these issues.

BARTON SKWY
RAE DELL AVE
RAE DELL AVE
WESTHILL DR
WESTHILL DR
BARTON VILLAGE CIR
BARTON SKWY
SKYWAY CIR
WESTOAK DR
WESTFOREST DR
WESTWAY CIR
private
Unnamed Stream
PARAMOUNT AVE
ANN ARBOR AVE
LA CASA DR
MONTCLAIRE ST
DICKSON DR
S LAMAR BLVD
BARTON SKWY
MENCHACA RD
private
2801
2803
2805
2807
2809
2800
2802
2804
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10,620 GR-V
10,622 GR-V
2,123 GR
20,113 GR
6,838 CS-1-V
17,197 GR-V-CO
9,867 CS-1-V
4,282 CS-1-V
7,478 MF-3
9,282 CS-1-V
1,215 CS-1-V
22,893 GR-V
7,985 GR-MU-CO
7,146 GR-MU-CO
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Case Number: C14-2020-0144
Contact: Kate Clark, 512-974-1237
Public Hearing: July 29, 2021, City Council

DOUGLAS OLDMIXON / JO-DEE BENSON
Your Name (please print)

☒ **I am in favor**
☐ **I object**

2620 + 2612 S. LAMAR, 2001 LA CASA DR
Your address(es) affected by this application (optional)

Signature

15 JUL 21
Date

Daytime Telephone (Optional):

Comments: CREATIVE COMBINATIONS OF RETAIL, OFFICE AND RESIDENTIAL USES IS PRECISELY WHAT AUSTIN NEEDS ACROSS THE CITY, AND ESPECIALLY ON MAJOR TRANSIT CORRIDORS ADJACENT TO TRADITIONAL SFR DEVELOPMENTS AND NEIGHBORHOODS. OUR THREE NEARBY PROPERTIES AND OUR HOME IN THE NEIGHBORHOOD WILL ALL BENEFIT! WE STRONGLY SUPPORT SUCH SOLUTIONS!

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Kate Clark
P. O. Box 1088, Austin, TX 78767
Or email to:
Kate.Clark@austintexas.gov

Clark, Kate

From: Allie Runas
Sent: Monday, September 13, 2021 5:58 PM
To: Clark, Kate
Subject: Comment in Support of C14-2020-0144

Hi Kate,

I'd like to submit a comment in support of the proposed zoning changes for zoning case C14-2020-0144.

My name is Allie Runas, and I live across the street from the addresses included in the case at 2717 S Lamar Blvd.

I really enjoy living in the neighborhood and think that adding more places to live on South Lamar is a great thing. Looking for apartments was really hard, especially after falling in love with 78704. It was so hard to find a unit in the area that got me close to where I like to go but wasn't completely out of budget. I hope more housing on South Lamar helps keep prices steady and, fingers crossed, not so exorbitant. Our neighborhood has amazing restaurants, bars, shops, and services that I love that I can walk to. It's easy to get around with the bust as well, and I think adding more housing on the 803 corridor will help with the mode split goals Austin has as well as make other Austinites' lives easier like mine has become.

Thank you,

Allie Runas
--
Allison Paige Runas
[redacted] | (210)241-1180

Exhibit D

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent School District

PROJECT NAME: **2700 S. Lamar**

ADDRESS/LOCATION: 2700 S. Lamar Blvd.

CASE #: C14-2020-0144

☐ NEW SINGLE FAMILY ☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY ☐ TAX CREDIT

SF UNITS: _____ STUDENTS PER UNIT ASSUMPTION

Elementary School: _____ Middle School: _____ High School: _____

MF UNITS: 500 STUDENTS PER UNIT ASSUMPTION

Elementary School: .008 Middle School: .006 High School: .004

IMPACT ON SCHOOLS

The student yield factor of 0.018 (across all grade levels) for apartment homes was used to determine the number of projected students. This factor was provided by the district's demographer and is based on other market rate multifamily complexes built within the area since 2010.

The 500-unit multifamily development is projected to add approximately 9 students across all grade levels to the projected student population. It is estimated that of the 9 students, 4 will be assigned to Barton Hills Elementary School, 3 to O. Henry Middle School, and 2 to Austin High School.

The percent of permanent capacity by enrollment for School Year 2025/26, including the additional students projected with this development, would be within the optimal utilization target range of 85-110% at Barton Hills ES (95%) and Austin HS (101%), and below the target range at O. Henry MS (68%). The projected additional students at O. Henry would not offset the anticipated decline in student enrollment. All of these schools will be able to accommodate the projected additional student population from the proposed development.

TRANSPORTATION IMPACT

Students within the proposed development attending O. Henry MS or Austin HS will qualify for transportation. Students attending Barton Hills ES will not qualify for transportation unless a hazardous route condition is identified.

SAFETY IMPACT

There are not any identified safety impacts at this time.

Date Prepared: **02/09/2021** **Executive Director:** DocuSigned by: Beth Wilson 38E0989C305B4F8...

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent School District

DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Barton Hills

ADDRESS: 2108 Barton Hills Drive

PERMANENT CAPACITY: 418

MOBILITY RATE: +65.0%

POPULATION (without mobility rate)

ELEMENTARY SCHOOL STUDENTS	2020-21 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	240	240	244
% of Permanent Capacity	57%	57%	58%

ENROLLMENT (with mobility rate)

ELEMENTARY SCHOOL STUDENTS	2020-21 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	396	392	396
% of Permanent Capacity	95%	94%	95%

MIDDLE SCHOOL: O. Henry

ADDRESS: 2610 West 10th St.

PERMANENT CAPACITY: 945

MOBILITY RATE: -1.5%

POPULATION (without mobility rate)

MIDDLE SCHOOL STUDENTS	2020-21 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	939	657	660
% of Permanent Capacity	99%	70%	70%

ENROLLMENT (with mobility rate)

MIDDLE SCHOOL STUDENTS	2020-21 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	925	636	639
% of Permanent Capacity	98%	67%	68%

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District

HIGH SCHOOL: Austin

ADDRESS: 1715 W. Cesar Chavez St.

PERMANENT CAPACITY: 2,247
MOBILITY RATE: +11.5%

POPULATION (without mobility rate)

HIGH SCHOOL STUDENTS	2020-21 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	2,110	2,037	2,039
% of Permanent Capacity	94%	91%	91%

ENROLLMENT (with mobility rate)

HIGH SCHOOL STUDENTS	2020-21 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	2,353	2,269	2,271
% of Permanent Capacity	105%	101%	101%

Exhibit E

C14-2020-0144

COMMISSIONER QUESTIONS FOR PLANNING COMMISSION (MAY 25, 2021)

Chair Shaw:

- Are those properties within the Barton Springs Zone limited to an impervious cover of 15% IC?
  As it relates to this rezoning case, yes, per Article 13 Save our Springs Initiative (aka SOS) impervious cover in the Edwards Aquifer Recharge Zone of the Barton Springs Zone (BSZ) is limited to 15%. This limit will apply within the area of the site that is in the BSZ. That being said, properties within this site may be able to apply for 25-8-26 of the LCD (*Redevelopment Exception in the Barton Springs Zone*). If they do, the Redevelopment Exception will be worked out during the site planning stage with DSD Environmental Review. We cannot modify or condition the language or requirements within 25-8-26 at the time of zoning.

Commissioner Mushtaler:

- We have two MF-6 zoning requests - one on Burnett and one on South Lamar. I am curious to know the densest and closest zoning to each of these. Both requests are very near or on top of SF1 so I am looking to see if there is a transition step-down type buffer that makes sense.
  The area being requested to be rezoned in case no. C14-2020-0144 is adjacent to GR and MF-3 zoning (north), and GR-MU-CO and GR-V-CO zoning (southwest). Zoning across Dickerson Drive includes GR and MF-4 zoning and across S. Lamar is CS-V and GR-CO zoning. The closest single-family zoning district to this site is SF-3 to the southwest (approximately 255 feet) and to the northeast (approximately 335 feet). Both of these SF-3 zoning districts have GR base district zoning between them and the requested rezoning area.

Commissioner Schneider Questions:

- Has the applicant provided any preliminary renderings of the project? If so, could you provide them?
  No preliminary renderings were provided with the rezoning application.

- Could you remind me of the height limit for this project, is it 90 feet under MF-6, and would the project be able to build to the full 90 feet?
  Yes, the applicant is requesting the full height of MF-6 (90 feet).
  - Could you point me to any nearby projects at this height limit?
    There are no other MF-6 zoned properties within this area.
  - How would the height limit be managed near the neighboring properties? I understand some are residential, some are retail. Would compatibility apply and what would the impact be on the heights on the proposed development?
    There is SF-3 zoning at the intersection of Barton Skyway and Skyway Circle (southwest) and along La Casa Drive (northeast) which could trigger compatibility. Impact to height on the proposed development would be subject to 25-2-1063 (*Height Limitations and Setbacks for Large Sites*) and would be determined during the site planning stage. The other residential areas immediate adjacent to or near this site are zoned MF-3 and MF-4 and contain multifamily residential developments. These properties would not trigger compatibility.

- The impervious cover for MF-6 is 80 percent, if I recall correctly. A substantial portion of the project is within the Barton Springs zone:
  - How will the project be reviewed regarding its impact on Barton Springs, for example, will this project receive additional review (for example from the Environmental Commission)?

All multifamily developments receive full Environmental review, from both DSD and WPD reviewers. This includes review of temporary and permanent erosion and sedimentation controls, sensitive environmental features, and drainage and water quality controls. If the proposed project follows all applicable regulations, the Environmental Commission will not be called on. However, if the applicant requests to vary from applicable code, the Environmental Commission may be involved. Additionally, properties within this site may be able to apply for 25-8-26 of the LCD (*Redevelopment Exception in the Barton Springs Zone*). Depending on the type of development, in order to use the Redevelopment Exception, review and approval from the City Council may be required. City Council approval for use of the Redevelopment Exception would be determined at time of site plan review.

- Are there code or other requirements to handle run-off from residents' vehicles to ameliorate any impact on Barton Springs?
  When a project is in more than one watershed, the water quality and detention requirements for each watershed apply within the limits of that watershed. Also, the amount of stormwater that can be transferred across watershed boundaries is limited by code [LDC 25-8-365]. In this case, this means that stormwater that falls on the Barton Springs Zone (BSZ) portion of the site will receive the BSZ level of water quality treatment. Stormwater in the BSZ receives the highest level of treatment [LDC 25-8-233, 25-8-184].
- Has the applicant indicated how they will handle runoff?
  Staff does not review the drainage plans at this stage. However, all runoff will receive full review by the DSD Drainage and Water Quality review engineers as well as review of erosion and sedimentation controls when the development application is submitted.
- Are there limits for building within the Barton Springs Zone, and if so how do they apply in this case?
  Article 13 Save our Springs Initiative (aka SOS) limits impervious cover in the Edwards Aquifer Recharge Zone of the Barton Springs Zone (BSZ) to 15 percent. This limit will apply within the area of the site that is in the BSZ. That being said, properties within this site may be able to apply for 25-8-26 of the LCD (*Redevelopment Exception in the Barton Springs Zone*). If they do, the Redevelopment Exception will be worked out during the site planning stage with DSD Environmental Review. We cannot modify or condition the language or requirements within 25-8-26 at the time of zoning.

- Some have indicated that a VMU designation might be more appropriate for this project.
  - Other than mixed uses -- such as retail at ground level -- could you explain what would be different in this project if it were zoned VMU versus MF-6?
    Currently five of the seven tracts have “V” in their zoning string and are eligible to develop a VMU buildings. If the property owner developed a qualified VMU building they would receive the following dimensional exemptions and parking reductions:
    - No minimum site area per unit (no density limits per zoning/unit)
    - No maximum Floor to Area Ratio (FAR)
    - No maximum building coverage
    - No side setbacks (street side or interior side)
    - No front zoning setback
    - 40% parking reduction

    Compatibility requirements and base zoning height still apply for VMU buildings.

- Staff indicates that the applicant may be making a voluntary commitment to 50 units affordable at 60 percent MFI.
    - how will applicant memorialize that commitment, is there a pending agreement with a nonprofit organization?
      The applicant stated their commitment within their rezoning application cover letter. To staff's knowledge, no other commitments or private agreements have been made.
    - if the project were zoned VMU, would there also be a 10 percent affordable requirement, though at 80 percent MFI?
      In order for a property owner to receive the dimension exemptions and parking reductions under VMU, they must provide affordable housing. Because the five tracts within this rezoning case opted-in during the City's VMU process, they are subject to *Zilker Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process* (Ordinance No. 20081016-049). Affordability requirements under this ordinance are as follows:
        - 10% of total units for rental at 60% MFI

COMMISSIONER QUESTIONS FOR PLANNING COMMISSION (JUNE 8, 2021)

Commissioner Schneider Questions:

- I'd like to get a better understanding of the redevelopment exception under SOS, since a significant portion of the site is in the Barton Springs Zone. Have there been previous cases in the Barton Springs zone where an applicant claimed a redevelopment exception? Yes – these are not unusual. What sort of detention, if any, was required for those sites? Please see below for the rest of these questions. How much impervious cover was allowed? On this project, what sort of detention ponds might be required? Is that determined, in part, but the number of units, the number of vehicle trips, or other requirements?

  The governing code is LDC 25-8-26. The questions above are answered in sections E and F which are copied below, with a few modifications to make it more understandable. For the complete text please see the link.
  (E) The requirements of this subchapter do not apply to the redevelopment of property if the redevelopment meets all of the following conditions:
  1) The redevelopment may not increase the existing amount of **impervious cover** on the site.
  2) The redevelopment may not increase non-compliance, if any, with Critical Water Quality Zone Restrictions, Critical Environmental Features, Wetland Protection, or Section 25-8-482 Water Quality Transition Zone in the Barton Springs Zone.
  3) The redevelopment must provide an Environmental Resource Inventory and comply with current code for all construction phase environmental requirements, including erosion and sedimentation controls.
  4) The **water quality controls** on the redevelopment site must provide a level of water quality treatment that is equal to or greater than that which was previously provided.
  5) For a commercial or multifamily redevelopment, the owner or operator must obtain a permit under Section 25-8-233 (Barton Springs Zone Operating Permit) for both sedimentation/filtration ponds and SOS ponds. **[This is standard Barton Springs Zone operating permit, required for all sites in the BSZ.]**
  6) For a site with more than 40 percent net site area impervious cover, the redevelopment must have:
     a. sedimentation/filtration ponds for the entire site; or

b. SOS ponds for a portion of the site, and sedimentation/filtration ponds for the remainder of the redeveloped site.

7) For a site with 40 percent or less net site area impervious cover, the redevelopment must have SOS ponds for the entire site.
8) The property owner must mitigate the effects of the redevelopment, if required by and in accordance with Subsection (H). **["(H) Redevelopment of property under this section requires the purchase or restriction of mitigation land if the site has a sedimentation/filtration pond."]**
9) Redevelopment may not be located within the Erosion Hazard Zone, unless protective works are provided as prescribed in the Drainage Criteria Manual.

(F) City Council approval of a redevelopment in accordance with Subsection (G) is required if the redevelopment:

1) includes more than 25 dwelling units;
2) is located outside the City's zoning jurisdiction;
3) is proposed on property with an existing industrial or civic use;
4) is inconsistent with a neighborhood plan; or
5) will generate more than 2,000 vehicle trips a day above the estimated traffic level based on the most recent authorized use on the property.

- As I read the map, the former Goodwill site is not included in the rezoning case. Is some portion of the parking that the Goodwill site used part of this case? Would the Goodwill site be losing parking under the proposal. If so, would this change how the Goodwill site might be used in the future, for example limiting retail uses?
  From the Applicant: The former Goodwill building at 2800 South Lamar is not part of the rezoning case and is vacant. If the former Goodwill building were to be used in its current configuration, current building square footage, and for retail uses, it would require 54 parking spaces. The remaining part of the Goodwill tract that is not part of the zoning case totals over 60,800 square feet and has sufficient space to accommodate the required parking. Additionally, any changes to the Goodwill building, such as change of use or redevelopment, will trigger a city review that ensures full compliance with all city requirements, including parking requirements.

  2800 South Lamar is zoned GR-V-CO (and is not part of this zoning case). If the owner of that property choose to develop a Vertical Mixed Use building, it would be required to have ground-floor commercial or pedestrian-oriented uses, with a residential use on at least one floor above the ground floor. The CO for this property prohibited a set of and uses and vehicular access to Skyway Circle expect for pedestrian, bicycle and emergency ingress/egress. Except for these COs, this property would be able to developed under GR standards.

- I'd like to understand better the parkland dedication requirement. How much parkland designation would be required, and is this contingent on the density, the number of units, or other factors? Would there typically be an on-site parkland dedication?
  Parkland dedication is based on the number of residential units (or hotel keys) proposed in a development application. The requirement is proportionate to the impact a new development would have on the City's park system. The rezoning has proposed 500 units (50 affordable), equal to a need for an additional 7.2 to 8 acres of parkland (depending on whether the affordable units are exempt under SMART Housing). For high intensity developments that owe over 6 acres of parkland, City Code has a provision that land must be provided, unless the development site does

not have land available that would comply with City standards for dedicated parkland - see City Code § 25-1-605 (A) (2). The site is located in the 'urban core', a boundary that limits the amount of parkland that can be required for dedication to 15 percent of the gross site area. In this instance, it would equal to roughly 0.44 acres (15 percent of 2.91 acres). The remaining parkland requirement would be satisfied with fees in-lieu of land. PARD staff will review the site development to determine whether it has land available to meet park standards. Onsite parkland dedication is based on whether the development qualifies for fee in-lieu of land (see City Code § 25-1-605) and whether the site has land that complies with parkland standards (see City Code § 25-1-603).

- Are there protected trees on the site, have they been mapped?
  A tree survey is not required at the time of zoning; however, a site plan application must include a tree survey and the applicant will have to comply with the current tree ordinance.

- I'd like to better understand how traffic will be handled. How will traffic management be aligned with the South Lamar Corridor plan? The nearest intersection with a traffic light is Menchaca, but the property does not include frontage there. Will there be a left turn from the other street, Dickson Dr, onto Lamar?
  The site will be required to comply with City criteria for access and driveway design, including spacing and offset from existing driveways onto S Lamar Blvd. At this time ATD staff has not reviewed a concept plan for this site that includes a proposed access design. The site will be required to construct all back of curb improvements (bike lane, sidewalk, trees, etc.) along their site per the South Lamar Corridor Plan and may participate in the construction of off-site mitigations that have been identified from the South Lamar Corridor Plan, Austin Strategic Mobility Plan as well as other identified transit and multi-modal improvements in the area. Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113.