

SECOND/THIRD READINGS SUMMARY SHEET

CASE: C14-2024-0111 (2600 E. MLK Jr. Blvd.)

DISTRICT: 1

ADDRESS: 2600 East Martin Luther King Jr. Boulevard

APPLICANT/OWNER: CTMS Holdings, LLC

AGENT: Drenner Group, PC (Leah Bojo)

CASE MANAGER: Jonathan Tomko (512) 974-1057, jonathan.tomko@austintexas.gov

REQUEST:

Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 2600 East Martin Luther King Jr. Boulevard (Boggy Creek Watershed) from general office-vertical mixed use building-conditional overlay-neighborhood plan (GO-V-CO-NP) combining district zoning to community commercial-mixed use-vertical mixed use building-conditional overlay-density bonus 90-neighborhood plan (GR-MU-V-CO-DB90-NP) combining district zoning.

PREVIOUS CITY COUNCIL ACTION:

April 10, 2025: Council approved staff recommendation on 1st reading only. Motion by Council Member Qadri, seconded by Council Member Harper-Madison, vote (11-0).

ISSUES: None

ZONING CHANGE REVIEW SHEET

CASE: C14-2024-0111 (2600 E. MLK Jr. Blvd.)

DISTRICT: 1

ADDRESS: 2600 East Martin Luther King Jr. Boulevard

ZONING FROM: GO-V-CO-NP

TO: GR-MU-V-CO-DB90-NP (as amended)

SITE AREA: approximately 1.99 acres (approximately 86,684 square feet)

PROPERTY OWNER: CTMS Holdings, LLC

AGENT: Drenner Group, PC (Leah Bojo)

CASE MANAGER: Jonathan Tomko (512) 974-1057, jonathan.tomko@austintexas.gov

STAFF RECOMMENDATION:

Staff recommends granting community commercial-mixed use-vertical mixed use-conditional overlay-density bonus 90-neighborhood plan (GR-MU-V-CO-DB90-NP) combining district zoning.

The conditional overlay would prohibit the following 15 uses:

- | | |
|------------------------------------|---|
| - Alternative Financial Services | - Automotive Rentals |
| - Automotive Repair Services | - Automotive Sales |
| - Automotive Washing (of any type) | - Bail Bond Services |
| - Commercial Off-Street Parking | - Drive thru as an accessory use (to any use) |
| - Drop Off Recycling Facility | - Exterminating Services |
| - Funeral Services | - Hotel-Motel |
| - Outdoor Entertainment | - Pawn Shop Services |
| - Service Station | |

The conditional overlay would conditionally allow the following 5 uses:

- | | |
|---------------------------------|-------------------------------|
| - Consumer Convenience Services | - Hospital Services (limited) |
| - Indoor Entertainment | - Indoor Sports & Recreation |
| - Offsite Accessory Parking | |

For a summary of the basis of Staff's recommendation, please see the basis of recommendation section below.

PLANNING COMMISSION ACTION / RECOMMENDATION:

December 17, 2024: Applicant postponement request to February 11, 2025, granted.

February 11, 2025: Staff postponement request to February 25, 2025, granted.

February 25, 2025: Recommended staff recommendation of GR-MU-V-DB90-CO-NP on the consent agenda, motion by Commissioner Haney, seconded by Commissioner Maxwell, unanimous.

CITY COUNCIL ACTION:

April 10, 2025: Council approved staff recommendation on 1st reading only. Motion by Council Member Qadri, seconded by Council Member Harper-Madison, vote (11-0).

April 24, 2025: Case is scheduled to be heard by City Council.

ORDINANCE NUMBER:

TBD

ISSUES:

The applicant is proposing to remove an existing conditional overlay of 2,000 vehicle trips per day, prohibiting business or trade school, business support services, restaurant (limited), off-site accessory parking and personal services.

In December 2023, Ordinance No. 20220609-080, Ordinance No. 20221201-056 and Ordinance No. 20221201-055 were invalidated. On March 11, 2024, Ordinance No. 20240229-073, was enacted to create the “DB90” combining district, which amended City Code Title 25 (Land Development) to create a new zoning district for a density bonus program that grants 30 feet in height above the base zoning district, to a maximum of 90 feet, and modifies site development regulations including compatibility standards.

CASE MANAGER COMMENTS:

The property in question is currently a vacant office/medical use, formerly used as the Capital Area Research and Radiation Center. It is approximately 16,000 square feet constructed in approximately 1972. The site also contains approximately 25,000 square feet of paved area. To the east of the subject tract is Campbell Elementary School, which includes approximately 60,000 square foot one-story school, approximately 47,000 square foot paved area, playgrounds and fields. To the south of the subject tract across East Martin Luther King Jr. Boulevard are two undeveloped lots. To the west of the subject tract (across Cedar Avenue) are three contributing single-family homes in the Rogers Washington Holy Cross Historic District. Constructed between 1957 and 1958. To the north of the subject tract is Campbell Elementary School.

The applicant is requesting community commercial-mixed use-vertical mixed use– density bonus 90 (GR-MU-V-DB90) combining district for a proposed development that would include multi-family units requiring an affordable component. A building constructed under density bonus 90 (–DB90) standards allows for a mix of residential uses and commercial uses, and the result is typically retail, restaurants and offices on the ground floor, and residential units on upper levels.

A development utilizing the “density bonus 90” incentives is permitted with a base GR district, and must include an affordability component for residential use in order to obtain incentives, including height maximum of 90 feet in the GR district (60 feet base plus 30 feet incentive) and relaxation of development and compatibility standards, such as FAR, setbacks and building coverage. There are several methods of satisfying DB90 development affordability requirements. There are two options for projects including rental units:

- 1) a minimum of 12% of the rental units in a building are **affordable** for a 40-year period for households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
- 2) a minimum of 10% of the rental units are affordable for a 40-year period as described above for households earning 50% or less MFI.

There are two options of satisfying DB90 development affordability requirements which include ownership units:

- 1) a minimum of 12% of the rental units in a building are affordable for a 40-year period for households earning 80% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
- 2) an in-lieu-fee payment to the Housing Trust Fund, equivalent to the required percentage of the total residential units, including the mix of bedrooms required, at the rate set in the fee schedule at the time of final site plan submission.

BASIS OF RECOMMENDATION:

1. *The rezoning should be consistent with the policies and principles adopted by the City Council.*

City Council has provided policy and direction for having more residential density and increased affordability, as well as incentivizing vertical mixed use buildings throughout the City. This request is consistent with the “VMU2” option and Ordinance No. 20240229-073, which replaced the invalidated “VMU2” option.

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

GR-MU-V-DB90 (DB90) combining district, in exchange for providing affordable housing units and in combination with commercial base zoning districts, allows a mixture of office, retail, commercial, and residential uses with modifications of compatibility standards and site development regulations including increased building height.

3. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

This rezoning authorizes a property to participate in a voluntary density bonus or incentive program that provides modifications to development regulations or other regulatory-related benefits in exchange for community benefits. In exchange for increased development potential, the development is required to comply with affordable housing requirements.

4. *The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission.*

The Austin City Council and Planning Commission have recognized the importance of adopting and implementing Imagine Austin, the Austin Strategic Housing Blueprint, the Austin Climate Equity Plan, and the Austin Strategic Mobility Plan (ASMP) to both current and future Austinites. These plans highlight the importance of encouraging new development and transit supportive housing density along major roadways and along and within Imagine Austin Activity Corridors and Centers where future public capital improvements can be focused. This includes public transportation, bike lanes, sidewalks and other infrastructure which can provide more transportation alternatives. This site is along the MLK Imagine Austin Corridor, and within the MLK Station Imagine Austin Activity Center. East Martin Luther King Jr. Boulevard is also identified as part of the ASMP Transit Priority Network. Approving this request would be consistent with the policies and principles adopted by City Council and Planning Commission.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO-V-CO-NP	Office/Medical Use approximately 16,000 square feet constructed in approximately 1972. Approximately 25,000 square feet of paved area
<i>North</i>	MF-3-NP	Campbell Elementary School, includes approximately 60,000 square foot one-story school, approximately 47,000 square foot paved area, playgrounds and fields
<i>South</i>	LO-V-NP	Two undeveloped lots
<i>East</i>	MF-3-NP	Campbell Elementary School, includes approximately 60,000 square foot one-story school, approximately 47,000 square foot paved area, playgrounds and fields
<i>West</i> (across Cedar Avenue)	SF-3-HD-NP	Three contributing single-family homes in the Rogers Washington Holy Cross Historic District. Constructed between 1957 and 1958.

NEIGHBORHOOD PLANNING AREA: Rosewood Neighborhood Planning Area

WATERSHED: Boggy Creek Watershed

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: A.I.S.D.

Campbell Elementary School

Kealing Middle School

McCallum High School

COMMUNITY REGISTRY LIST:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Del Valle Community Coalition, East Austin Conservancy, Friends of Austin Neighborhoods, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, Neighbors United for Progress, Overton Family Committee, Preservation Austin, Rosewood Neighborhood Plan Contact Team, SELTexas, Save Our Springs Alliance, Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2024-0107 (Manor Road Revision Rezone)	The applicant is requesting to rezone approximately 0.68 acres from TOD-NP to CS-DB90-NP.	Tentatively scheduled for March 11, 2025	Tentatively scheduled for April 10, 2025.
C14-2024-0077 (2002 Manor Road Rezoning)	The applicant is requesting to rezone approximately 0.66 acres from CS-V-CO-NP to CS-CO-DB90-NP.	To Grant CS-V-DB90-CO-NP (11.12.2024)	Approved CS-V-DB90-CO-NP as Planning Commission and Staff Recommended (01.30.2025)
C14-2019-0105 (2711-2717 Manor Road)	The Applicant proposes to rezone 0.92 acres from SF-3-NP to CS-V-NP.	To Grant CS-V-CO-NP (12.10.2019)	Approved CS-V-CO-NP as Planning Commission and Staff Commission Recommended (01.23.2020)

RELATED CASES:

Historic – DA-2024-165526 - Demolish a ca. 1972 auxiliary hospital building to construct a new mixed-use development.

NPA-2024-0008.01 – Request to change Future Land Use Map (FLUM) from Civic to Mixed Use land use.

C14-2009-0106 – Tract was included within the Rosewood Neighborhood Planning Area VMU Building (V) Zoning Opt-In Process

ADDITIONAL STAFF COMMENTS:

Environmental

No comments on rezoning

Fire

No comments on rezoning

PARD – Planning & Design Review

PR1: Parkland dedication will be required for the new applicable uses proposed by this development, multifamily with CS-MU-V-DB90 zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, 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 § 25-1-609, as amended.

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 of whether fees in-lieu of land will be allowed.

Site Plan

SP1. Site plans will be required for any new development other than single-family or duplex residential.

SP2. 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.

SP3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP4. On and after July 15th, 2024, this site will need to comply with compatibility requirements based on ordinance # 20240516-004 on the South and West property line.

SP5. This site is within the Rosewood Neighborhood Plan.

SP6. This tract is already developed, and the proposed zoning change is a footprint within the existing development.

DB90 Rezoning

SP7. This site must meet affordability minimums to be eligible for DB90. A signed approval letter from the Housing Department will be required with site plan submittal.

SP8. Martin Luther King Jr. Boulevard is the Principal Street for this site. Any buildings fronting this street will be required to have 75% of the ground floor as commercial uses.

SP9. This site is adjacent to a site that contains one to three dwelling units and is zoned SF-5 or more restrictive. A compatibility buffer 25' in width, designed to 25-8-700 and 25-2-652(G) will be required.

Transportation and Public Works Department (TPW) – Engineering Review

TPW 1. 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. The traffic impact analysis for this site is not required, the traffic generated by the proposal does not exceed the thresholds established in the City of Austin Land Development Code. [LDC 25-6-113].

TPW 2. An approved Neighborhood Traffic Analysis memo was required and have been received. LDC 25-6-114.

TPW 3. The Austin Strategic Mobility Plan (ASMP) calls for 80 feet of right-of-way for E MARTIN LUTHER KING JR BLVD. It is recommended that 40 feet of right-of-way from the existing centerline should be dedicated for E MARTIN LUTHER KING JR BLVD according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

TPW 4. The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for CEDAR AVE. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for CEDAR AVE according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
E MARTIN LUTHER KING JR BLVD	Corridor Mobility - Level 3	80 feet	73 feet	37 feet	Existing 5 ft sidewalks	No	Yes
CEDAR AVE	Local Mobility - Level 1	58 feet	54 feet	27 feet	Existing 5 ft sidewalks	No	Yes

TIA:

A TIA is not required. An approved Neighborhood Traffic Analysis memo was required and has been received per LDC 25-6-114 (please see *exhibit D* below).

Austin Water Utility

AW1. No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letter dated February 18, 2025
- D. Neighborhood Transportation Analysis (NTA) Memo dated July 24, 2024
- E. Memo Outlining Historic Landmark Commission Timeline/Actions
- F. Correspondence from Interested Parties



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

2600 E Martin Luther King Jr Boulevard

ZONING CASE#: C14-2024-0111

LOCATION: 2600 E MLK Jr Blvd

SUBJECT AREA: 1.99

MANAGER: Jonathan Tomko



Page 0 of 22
Created: 2/19/2025

by: MeeksS

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

DRENNER GROUP

February 18, 2025

Ms. Lauren Middleton-Pratt
Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

Re: 2600 E Martin Luther King Jr Blvd – Zoning application for 1.99-acre property located at 2600 E MLK Jr Blvd Austin, TX 78702, comprised of TCAD ID: 0212101002 (the "Property")

Dear Ms. Middleton-Pratt:

As representatives of the owners of the Property, we respectfully submit the enclosed Zoning application package. The project is titled '2600 E Martin Luther King Jr Blvd' and is 1.99 acres of land (per TCAD), located on the north side of E Martin Luther King Jr Blvd between Cedar Avenue and Miriam Avenue. The Property is in the Full Purpose Jurisdiction of the City of Austin.

The Property is currently zoned GO-V-CO-NP (General Office – Vertical Mixed-Use Building – Conditional Overlay – Neighborhood Plan). The requested zoning is to GR-MU-V-DB90-**CO**-NP (Community Commercial – Mixed Use – Vertical Mixed-Use Building – Density Bonus 90 – **Conditional Overlay** – Neighborhood Plan).

The existing conditional overlay to be removed requires that any site plan or building permit for the Property may not be approved, released, or issued if the completed development or uses, considered cumulatively with all existing or previously authorized development and uses, generates traffic exceeding 2000 trips per day. Additionally, the conditional overlay prohibits Business or Trade School, Business Support Services, Restaurant (limited), Off-site Accessory Parking and Personal Services, which we propose to remove as well. This request includes the DB90 (Density Bonus 90) combining district that was approved on February 29, 2024, via Ordinance No. 20240229-073.

The proposed conditional overlay would require the building to have a 15' step back from the property line at 60' height. Additionally, the following uses will be prohibited or conditional as part of the conditional overlay:

Prohibited Uses:

- Alternative Financial Services
- Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing (of any type)
- Bail Bond Services
- Commercial Off-Street Parking
- Drive Thru as an Accessory Use
- Drop Off Recycling Facility
- Exterminating Services
- Funeral Services
- Hotel-Motel
- Outdoor Entertainment
- Pawn Shop Services
- Service Station

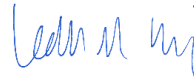
Conditional Uses:

- Consumer Convenience Services
- Hospital Services (limited)
- Indoor Entertainment
- Indoor Sports & Recreation
- Offsite Accessory Parking

The Property is located in the Rosewood Neighborhood Planning Area (NPA) and has a Future Land Use Map (FLUM) designation of Civic. The application to amend the FLUM from Civic to Mixed Use is being submitted simultaneously.

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

Sincerely,



Leah M. Bojo

cc: Joi Harden, Planning Department (*via electronic delivery*)
Jonathan Tomko, Planning Department (*via electronic delivery*)

MEMORANDUM

To: Caroline Leonard
CC: Kaylie Coleman, Bryan Golden
FROM: Matiur Rahman, Ph.D., P.Eng.
DATE: July 24, 2024
SUBJECT: 2600 E Martin Luther King Jr. Blvd NTA (C14-2024-0111)

The proposed development consists of 300 Multifamily Housing units. The site is a 1.99-acre tract on the Northeast corner of E Martin Luther King Jr Blvd & Cedar Ave, as shown in Figure 1 below. This site proposes access to E Martin Luther King Jr Blvd and Cedar Ave, which are level 3 and level 1 streets, respectively. The Transportation Development Services (TDS) division has conducted an NTA and offers the following comments.



Figure 1: Site Location

Roadways

E Martin Luther King Jr Blvd: The ASMP designates E Martin Luther King Jr Blvd as a Level 3 road. The pavement width of E Martin Luther King Jr Blvd along the site frontage is approximately 40 feet. There are four striped travel lanes with curb, gutter, and sidewalk along the site frontage of E Martin Luther King Jr Blvd. It functions as a 35-mph street. According to the ASMP, the required right-of-way of E Martin Luther King Jr Blvd in the vicinity of the site is 80 feet.

Cedar Ave: The ASMP designates Cedar Ave as a Level 1 road. The pavement width of Cedar Ave along the site frontage is approximately 30 feet. There are two unstriped travel lanes with curb, gutter, and sidewalk along the site frontage of Cedar Ave. It functions as a 25-mph street. According to the ASMP, the required right-of-way of Cedar Ave in the vicinity of the site is 58/64 feet.

Trip Generation and Traffic Analysis

Based on the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition, the proposed development will generate 1,998 vehicle trips per day. See Table 1 for a detailed breakdown of the trip generation.

Table 1. Trip Generation

Land Use	ITE Code	Units	Trip Generation
Existing			
Medical Office	720	16,800 Square Feet	614
Proposed			
Multifamily Housing (Low-Rise)	220	300 Dwelling Units	1,998
NET TRIPS			1,384

24-hour traffic volumes were collected at three points, see Figure 2 below, on Cedar Ave and E Martin Luther King Jr Blvd on May 14th, 15th, and 16th, 2023.



Figure 2: Tube count locations

Table 2 provides an assumed trip distribution for the proposed land uses. This development proposes access to E Martin Luther King Jr Blvd and Cedar Ave.

Table 2. Trip Distribution

Street	Expected Trip Distribution (Percentage)
Cedar Ave, North of E Martin Luther King Jr Blvd (Location 1)	30%
E Martin Luther King Jr Blvd, East of Cedar Ave	60%
Cedar Ave, South of Rogers Ave (Location 2)	10%

Table 3 represents a breakdown of traffic on E Martin Luther King Jr Blvd and Cedar Ave: existing traffic, proposed site traffic, and total traffic after development.

Table 3. Traffic Summary

Street	Existing Traffic from Counts (vehicles per day, vpd)	Site Traffic added to Roadway (vpd)	Total Future Traffic (vpd)
Cedar Ave, North of E Martin Luther King Jr Blvd (Location 1)	1,257	415	1,672
Cedar Ave, South of Rogers Ave (Location 3)	1,149	138	1,287

According to Section 25-6-116 of the Land Development Code (LDC), residential local or collector streets that have between 30 and 40 feet of pavement width are operating at an undesirable level if the average daily traffic volume for such a roadway exceeds 1,800 vehicles per day. Based on the LDC criteria, Cedar Ave is currently operating at desirable levels and will continue operating at desirable levels with the addition of site traffic.

This site will be subject to the Street Impact Fee (SIF), which will help fund roadway capacity projects identified in RCP necessitated by new developments. SIF calculation shall be performed during the Site Plan review and fee will be collected at the time of building permit. For SIF-related information, please visit the City's SIF website (<https://www.austintexas.gov/department/street-impact-fee>).

This assessment is based on the proposed uses and access; any changes in these assumptions may require an updated NTA. This NTA does not grant nor guarantee approval of proposed driveway types or locations. Driveway types and locations will be reviewed with the site plan application.

Please contact me at (512) 978-1699 if you have questions or require additional information.

Sincerely,



Matiur Rahman, Ph.D., P.Eng.
Transportation and Public Works Department, City of Austin



MEMORANDUM

TO: Planning Commission

FROM: Kim McKnight, Historic Preservation Division Manager, Planning Department

DATE: February 18, 2025

SUBJECT: Historic Landmark Commission review timeline for demolition of extant building at 2600 E. Martin Luther King, Jr. Blvd.

This memorandum provides information about the Historic Landmark Commission's (HLC) review of the proposed demolition of the building at 2600 E. Martin Luther King, Jr. Blvd., which served as the Capital Area Research and Radiation Center until 1989 and is the last remaining building of the Holy Cross Hospital Complex.

The HLC first reviewed this case at its regular meeting on January 8, 2025, under case numbers DA 2024-165526 and GF-2024-165917. The HLC's purview is limited to review of demolition of extant buildings over 45 years old if the building is located outside a Local Historic District or National Register Historic District; as such, the Commission may not review new construction plans for the site after demolition has occurred.

The Land Development Code, in [§25-11-213 \(G\) \(Building, Demolition, and Relocation Permits and Certificates of Appropriateness Relating to Certain Buildings, Structures or Sites\)](#) specifies that:

The building official shall not issue a building permit, relocation permit, or demolition permit for a structure to which this section applies until the earlier of: (1) the date the Commission makes a decision not to initiate a historic zoning designation case regarding the structure; (2) the date on which the Commission approves an application for a certificate of appropriateness, or makes recommendations on an application for a building permit; (3) except as provided in Subsection (G)(4), the expiration of 75 days after the date of the first Commission meeting at which the application is posted on the agenda; or (4) the expiration of 180 days after receipt of a complete application for a contributing structure within a National Register Historic District or a pending historic area (HD) combining district.

The Commission has 75 days [from January 8, 2025](#), to complete its review, which in this case will be March 23, 2025. The 75-day span includes the January 8, February 5, and March 5, 2025, regular HLC meetings. If the HLC finds that a property is eligible for designation as a City of Austin historic landmark, a two-step process must be completed over the course of two separate public hearings. First, the HLC must initiate historic zoning in a motion during a regular meeting. Then, the item will be posted again on the HLC agenda at a subsequent meeting agenda for potential recommendation of the initiated historic zoning case to the Land Use Commission and City Council. [§25-11-214 \(D\) \(Pendency of Designation\)](#) states:

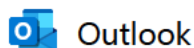
(D) A designation is no longer pending if: (1) the Commission issues a final certificate of appropriateness, or a demolition, relocation, or building permit, as applicable; (2) the Commission does not make a final decision on whether to recommend designation of the structure as a historic landmark by the 75th day after the date of the first Commission meeting at which an item is posted on the agenda for action on an application for demolition, relocation, or historic zoning; (3) the Commission makes a final decision to recommend that the structure not be designated a historic landmark; or (4) the council makes a final decision not to designate the structure as a historic landmark.

The Commission did not initiate historic zoning for 2600 E. Martin Luther King, Jr. Blvd. at the second of the three public hearings, and as a result, there is no longer sufficient time within the 75-day review period to recommend historic zoning for the item to a land use commission or City Council. During the last of the public hearings, March 5, 2025, at which the item is eligible to appear, the HLC may:

- release the demolition permit upon completion of a City of Austin Documentation Package, which provides archival documentation of the property to the Austin History Center, or
- take no action.

Should the Commission take no action, the demolition request will be released on March 23, 2025, after the required 75 days have elapsed.

cc: Lauren Middleton-Pratt, Director, Planning Department
Andrea Bates, Assistant Director, Planning Department
Joi Harden, Zoning Officer, Planning Department
Jonathan Tomko, Planner Principal, Planning Department
Historic Landmark Commission



Case Number: C14-2024-0111 and NPA-2024-0008.01

From Lynn Morris <[REDACTED]>

Date Wed 12/11/2024 7:25 AM

To Tomko, Jonathan <[REDACTED]>; Meredith, Maureen
<[REDACTED]>

External Email - Exercise Caution

I would like to express my support for the development at 2600 E Martin Luther King.

Case Number: C14-2024-0111 and NPA-2024-0008.01

I will not be able to make the December 17th meeting. Is there a link on line I can fill out these forms. If not please state I strongly support this development. This development will have a huge economic impact to the community via jobs, services, shopping and all Austin to move forward in my a new history for that area.

If you have any questions please contact me at the below email or number.

Lynn Morris
[REDACTED]

CAUTION: This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook.

For any additional questions or concerns, contact CSIRT at "[REDACTED]".

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 both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code:
<https://bit.ly/ATXZoningComment>.



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. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2024-0111
Contact: Jonathan Tomko, 512-974-1057
Public Hearing: December 17, 2024, Planning Commission

Michael Bachhurst
Your Name (please print)

2504 Gibbons Ave
Your address(es) affected by this application

☐ I am in favor
☒ I object

[Signature]
Signature

12/12/2024
Date

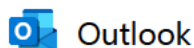
Daytime Telephone: *512-925-5645*

Comments: *We were given less than 5 days to consider this application does not include planned development.*

If you use this form to comment, it may be returned to:
City of Austin - Planning Department

Jonathan Tomko
P. O. Box 1088
Austin, TX 78767-8810

Or email to:
jonathan.tomko@austintexas.gov



Re: Rezoning hearing C14-2024-0111

From Bridget Gayle Ground <[REDACTED]>
Date Mon 12/30/2024 1:01 PM
To Tomko, Jonathan <[REDACTED]>

External Email - Exercise Caution

Hi Jonathan,

Thanks very much for this update. I am providing a testimony below. Thanks again for your help and please let me know if anything else is needed to get this added to the backup.

--

I am a resident living within 500 feet of the property related to Zoning case C14-2024-0111 / Plan Amendment case NPA-2024-0008.01 / Demolition permit DA 24-165526. I am concerned that the proposed rezoning request and development/demolition plans are not compatible with the site given its historic nature and proximity to a public elementary school.

The existing building on this property is the **last remaining structure** associated with the Holy Cross Hospital, **the city's first hospital for Black patients** that was recently granted a historical marker through the Texas Historic Commission's Undertold Markers program (<https://austin.towers.net/marking-the-medical-history-of-east-austin-at-holy-cross-hospital/>).

The site merits a use that honors this history--ideally preserving this historically and culturally significant structure, which would build on the efforts of the immediately adjacent Rogers Washington Holy Cross Historic District in demonstrating the determination and success of the African American community in Austin. Preservation would also maintain an appropriate scale with the adjacent neighborhoods and other historically significant structures along this stretch of MLK, such as the Della Phillips House and Fuller-Sheffield Funeral Home (both located less than 500 feet on either side of the property).

This site also borders Campbell Elementary School. Given the longstanding civic use of these neighboring properties--as a hospital and as a school--I would hope to see the city invest in this site in a way that revives it as a civic space to complement and enrich its surrounding neighborhoods and school, rather than converting it to non-civic commercial use.

Finally, I am concerned that community input has been limited. Notices of an 8/5/2024 Community Meeting related to this case were sent to residents living within 500 feet of the property or within the Rosewood Planning Area, but not those within Chestnut or Upper Boggy Creek. Because this site forms the prominent intersection of these three planning areas, I feel that input should be sought from all. Furthermore, during this meeting, the applicant requested email addresses from participating residents in order to

Thank you for your consideration of these concerns.

Sincerely,
Bridget Ground
1806 Cedar Avenue

On Mon, Dec 30, 2024 at 6:33 AM Tomko, Jonathan <[REDACTED]> wrote:

Hi Bridget,

The applicant requested a postponement on this case to the 2/11/25 Planning Commission Meeting. If you would still like to view the 12/17/24 Planning Commission meeting, where this postponement was granted, you can do so [here](#).

Dec 17, 2024 Planning Commission - Austin, TX

WORKING GROUP/COMMITTEE UPDATE. FUTURE AGENDA ITEMS. Dec 17, 2024 Planning Commission

austintx.new.swagit.com

Let me know if you have any other questions, or if you have any written testimony about this case you can send it to me to include in the case backup.

Thank you,

Jonathan

From: Bridget Gayle Ground <[REDACTED]>
Sent: Sunday, December 22, 2024 10:52 AM
To: Tomko, Jonathan <[REDACTED]>
Subject: Rezoning hearing C14-2024-0111

You don't often get email from [REDACTED]. [Learn why this is important](#)

External Email - Exercise Caution

Hi Jonathan,

I'm writing to inquire about a recent Planning Commission/rezoning meeting (re: C14-2024-0111, on 12/17/2024) that I unfortunately missed. Is there a recording or minutes that I can access? I have expressed some concerns about this development in a previous zoning case meeting (related to the historic nature of the site and proximity to a historic neighborhood and school) so am eager for any updates or opportunities to share further feedback.

CAUTION: This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook.

For any additional questions or concerns, contact CSIRT at "[REDACTED]".

CAUTION: This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook.

For any additional questions or concerns, contact CSIRT at "[REDACTED]".