

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0140

DISTRICT: 7

ADDRESS: 5341, 5337 and 5339 Burnet Rd.
5401, 5403 and 5407 Clay Ave.; 1705 Houston St.;
and 5400, 5402, 5404, 5406 and 5408 William Holland Ave.

ZONING FROM: CS-MU-V-CO-NP,
CS-MU-CO-NP, and MF-3-NP

TO: CS-MU-V-CO-NP and
MF-6-NP

SITE AREA: approximately 2.4412 acres (approximately 106,338 sq. ft.)

PROPERTY OWNER: GDC-NRG Brentwood LLC

AGENT: David Hartman - DuBois, Bryant & Campbell, LLP

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

STAFF RECOMMENDATION:

Staff recommends granting general commercial services-mixed use-vertical mixed use-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning (we and multifamily residence-highest density-neighborhood plan (MF-6-NP) zoning.
Please see the basis of recommendation section below.

PLANNING COMMISSION or ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

June 13, 2023: approved on the motion by Commissioner Cox, seconded by Commissioner Barrera-Ramirez on a vote of 11-0. Vice-Chair Hempel absent. One vacancy on the dais.

CITY COUNCIL ACTION:

August 31, 2023: Case is scheduled to be heard by Council

ORDINANCE NUMBER: N/A

ISSUES: None

CASE MANAGER COMMENTS:

The property in question currently has a substantial amount of impervious area dedicated to parking. It contains older structures and is located along a major transit corridor between downtown Austin and uptown/Domain/North Burnet Gateway. Rezoning presents an opportunity to meet both the surrounding neighborhood's goals through adopted neighborhood plans, support alternative modes of transportation, and obtain income restricted affordable housing units through development incentives the city has in place. Details such as ingress and egress for traffic will be ironed out through the site planning process after rezoning.

BASIS OF RECOMMENDATION:

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

The proposed zoning change supports the Brentwood/Highland Combined Neighborhood Plan with mixed use along Clay Ave. and multifamily on the east side of the subject tract along William Holland Ave. Recognizing that that Burnet Rd. is a level 3 ASMP roadway and a major transit corridor it makes sense to see increased density within the subject tract. It also supports sound land use policy and Imagine Austin not to dedicate so much land to surface parking along such a major corridor.

2. The proposed zoning should be consistent with the goals and objectives of the City Council.

Recently the Burnet Rd. corridor was identified as a "larger corridor" by Ordinance No. 20221201-056, which modifies compatibility and parking standards for certain corridors to increase housing capacity and support transit investments. The ordinance reduces the distance at which compatibility standards apply, and allows greater height, and thus, more housing along the corridors in exchange for affordable housing and reduces minimum parking requirements for residential or mixed-use projects on listed corridors.

These corridors were specifically designated with the goal of helping generate more housing and supporting transit.

Furthermore, Imagine Austin, the City's Comprehensive Plan, and the Austin Strategic Housing Blueprint, the City's 10-year housing plan, set goals about concentrating new growth along Imagine Austin Activity Corridors and in Imagine Austin Activity Centers. The Blueprint sets a goal of at least 75% of new housing units should be within ½ mile of Imagine Austin Centers and Corridors. Rezoning parcels within ½ mile of centers and corridors is consistent with these goals and objectives adopted by the City Council.

3. Intensive multi-family zoning should be located on major arterials and highways.

CS-MU-V-CO-NP and MF-6-NP zoning will allow a mix of uses that support surrounding neighborhoods. These zoning categories will help activate the Burnet Rd. corridor making it more welcoming to other modes of transportation besides automobile. There are other development restrictions such as compatibility that reduce the redevelopment potential of this site and warrant more intense zoning which may be able to be built out in portions of the site.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|--|--|
| <i>Site</i> | CS-MU-V-CO-NP, CS-MU-CO-NP and MF-3-NP | Two <u>vacant</u> small two-story class B or C apartments (1968 and 1972), one <u>vacant</u> single-family home (2005), a <u>vacant</u> spa (approximately 9,400 sqft) (1956), a <u>vacant</u> 1-story medical clinic (approximately 24,000 sqft) (1964) |
| <i>North</i> | LO-MU-NP, NO-MU-NP, SF-3-NP (across Houston St.) | Small office, single and multifamily structures |
| <i>South</i> | CS-MU-V-CO-NP | Small store (approximately 5,000 sqft) (1958/1980) and approximately 5,900 sqft of surface parking |
| <i>East</i> | MF-3-NP, SF-3-NP (across William Holland Ave.) | Two single family homes (1947), Casa del Sol 2 story class B or C Apartments (approximately 20,000 sqft) (1969) and approximately 12,000 sqft of surface parking |
| <i>West</i> | CS-MU-V-CO-NP (across Clay Ave.) | Thundercloud Subs (approximately 1,000 sqft) (1970/1990) and approximately 11,500 sqft of surface parking |

NEIGHBORHOOD PLANNING AREA: Brentwood/Highland Combined Neighborhood Planning Area

TIA: Zoning transportation analysis shall be performed at zoning where anticipated trips are anticipated to exceed 2,000 unadjusted trips to satisfy the LDC requirement for a TIA but does not diminish the authority to require a traffic impact analysis at site plan. LDC 25-6, TCM 10.5.0.

WATERSHED: Shoal Creek Watershed

SCHOOLS: Austin I.S.D.

Elementary: Brentwood Elementary School

Middle: Lamar Middle School

High School: McCallum High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Brentwood Neighborhood Assn., Brentwood Neighborhood Plan Contact Team, Central Austin Community Development Corporation, Friends of Austin Neighborhoods, Homeless Neighborhood Association, Lower District 7 Green, NW Austin Neighbors, Neighborhood Empowerment Foundation, North Austin Neighborhood Alliance, Preservation Austin, SELTexas, Shoal Creek Conservancy, Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

| Number | Request | Commission | City Council |
|---------------|--|---|--|
| C14-2007-0161 | The applicant is proposing CS-MU-CO zoning for Vertical Mixed Use. | 10/23/07: Apvd staff rec for VMU (6-3, SK/DS/CG-no) | 11/08/07: Apvd Ord. 20071108-108 for CS-MU-CO (7-0); (all 3 rdgs) w/amendments prohibiting access to Lawnmont and a cap set at 175 units |
| C14-2009-0055 | Brentwood Neighborhood Planning Area Vertical Mixed Use Bldg (V) Zoning Opt-in/Opt Out Process | 08/11/09: Approved Motion 1 to grant vertical mixed-use building (V) zoning with dimensional standards, parking reduction and additional uses in office districts to Tracts 1-3, 11, 13-16 and 18-21. Approved Motion 2 to grant vertical mixed-use building (V) zoning with dimensional standards and additional uses in office districts to Tracts 4-10. Approved Motion 3 to excude Tract 17 from the vertical mixed use overlay district. Approved Motion 4 to grant an affordability level of 60% of the median family income for 10% of rental units in a VMU building. | 08/27/09: Apvd Ord. 20090827-078 for V (6-0); all 3 rdgs |
| C14-2012-0097 | The applicant is proposing to rezone 0.10 acres from CS-MU-CO-NP to CS-1-NP. | 10/9/12: Apvd CS-1-MU-V-CO-NP (staff); 9-0; | 02/28/13: Apvd ord. # 20130228-055 for (CS-1-MU-V-CO-NP); 5-2; (The agreement between the neighborhood and the applicant: The area to be designated CS-1 has been reduced to 5,440 |

| | | | |
|--|--|--|---|
| | | | <p>square feet and the new metes and bounds description has been attached to the ordinance; Items to be addressed at the conditional-use site plan phase by the planning commission include: The total area that 5-be used by the applicant as a cocktail lounge must meet the land development code parking requirements. The neighborhood has not agreed to waive parking ratio requirements but has agreed to support the variance to permit parking within 200 feet of a residence zoned SF-6 or more restrictive; "One Way Only" off Clay from the drive aisle on the north side of the buildings, running east (Clay) to west (Burnet); Employee Parking only: designate and add signage to the parking on the western boundary of the property, which is accessed from Clay (currently numbered spaces 45-52) as "employee parking only"; Add green screen: build a green screen along boundary of the property where residential screening is desirable to create some buffering of residences on Clay and other near</p> |
|--|--|--|---|

| | | | |
|--|--|--|---|
| | | | Brentwood residences, and Hours of operation: Reduce the closing hour of operation on Sunday through Wednesday to 12:00 A.M.; on Thursday to 1:00 a.m.; Fridays, Saturdays and holidays closing hour would remain 2:00 a.m.). |
|--|--|--|---|

RELATED CASES:

None

EXISTING STREET CHARACTERISTICS:

| Name | ASMP Classification | ASMP Required ROW | Existing ROW | Existing Pavement | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|------------------------|------------------------|-------------------------|-----------------|----------------------|--|---|--|
| Clay Ave | Level 1 | 58 | 40 | 29 | On west side | No | Yes |
| Houston St | Level 1 | 58 | 50 | 27 | On north side | No | Yes |
| William Holland Ave | Level1 | 58 | 58 | 28 | Portion of street closest to Burnet/North Loop | NO | Yes |
| Burnet Rd | Level 3 | 116 | 68 | 40 | Yes | Current shared. Proposed protected | Yes |

OTHER STAFF COMMENTS:**Comprehensive Planning**

Project Name and Proposed Use: C14-2022-0140, 5401-5403 Clay Ave. and 5402-5408 Wm. Holland Ave. Project: Brentwood Multifamily. 2.4412 from CS-MU-V-CO-NP and MF-3-NP to CS-MU-V-CO-NP and MF-6-NP. Vertical Mixed 350 unit multifamily project, with 12 percent of the VMU zoned units as income-restricted affordable housing for households earning up to 60 percent of Median Family Income

| Yes | Imagine Austin Decision Guidelines |
|-----|---|
| | Complete Community Measures |
| Y | Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: Along the Burnet Road Activity Corridor |
| Y | Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station. |
| Y | Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane. |
| Y | Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center. |
| Y | Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market. |
| | Connectivity and Education: Located within 0.50 miles from a public school or university. |
| | Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail. |
| Y | Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.) |
| Y | Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing. |
| Y | Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint. |
| | Mixed use: Provides a mix of residential and non-industrial uses. |
| Y | Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center). |
| | Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site. |
| | Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.) |
| | Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training. |
| | Industrial Land: Preserves or enhances industrial land. |
| 9 | Total Number of "Yes's" |

Environmental

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

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

According to floodplain maps there is a floodplain adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.

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

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.

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

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

Parks and Recreation

Parkland dedication will be required at the time of subdivision or site plan application for new residential units, per City Code § 25-1-601, as amended. The proposed development meets the criteria for land dedication in City Code Title 25, Article 14. As such, a partial land dedication may be required, as well as any remaining fees in-lieu.

The surrounding neighborhood area is currently park deficient, defined as being outside walking distance to existing parks. The development as proposed will require parkland dedication for the new residential units that will serve the neighborhood through the additional park investment. The Parks and Recreation Department (PARC) would consider a pocket park clustered around any mature or heritage trees toward satisfying the requirement at time of permitting (whether subdivision or site plan). Such a park would improve neighborhood park access, a recommendation identified 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).

Should the applicant wish 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, PARC can provide an early determination letter of the requirements as stated in this review.

Site Plan

General

A site plan will be required for any new development other than single-family, two-family or duplex residential.

Any new development is subject to the design standards in Subchapter E of the Land Development Code. Additional comments will be made when the site plan is submitted.

This site will be subject to the multifamily density provisions in Subchapter E 4.2.1.D.6.c.

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.

Compatibility Standards

The site is subject to compatibility standards due to the presence of SF-3 zoning to the west, north and east. The following standards apply:

- No structure in excess of two stories and 30 feet in height may be constructed within 50 feet of the property line of the compatibility-triggering property.
- No structure in excess of three stories and 40 feet in height may be constructed within 100 feet of the property line of the compatibility-triggering property.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, the height is limited to 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, the height is limited to 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
- Additional design regulations will be enforced at the time a site plan is submitted.

Demolition

In the event that demolition of existing buildings is proposed, the applicant is responsible for requesting demolition permits at the appropriate stage of the development process. The City Historic Preservation Office will review all proposed building demolitions. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Please be aware of the tenant notification requirements in 25-1-712 for any demolition of multifamily buildings with five or more occupied units, if applicable.

Neighborhood Planning Area

This site is located in the Brentwood/Highland Neighborhood Plan. Please see the City's Neighborhood Plans and Resources webpage for a copy of the recommended design guidelines.

Transportation

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Clay Ave. 29 feet of right-of-way from the existing centerline will need to be dedicated for Clay Ave according to the ASMP with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Houston St. 29 feet of right-of-way from the existing centerline will need to be dedicated for Houston St according to the ASMP with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for William Holland Ave. 29 feet of right-of-way from the existing centerline will need to be dedicated for William Holland Ave according to the ASMP with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 116 feet of right-of-way for Burnet Rd. 58 feet of right-of-way from the existing centerline will need to be dedicated for Burnet Rd. according to the ASMP with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

Zoning transportation analysis shall be performed at zoning where anticipated trips are anticipated to exceed 2,000 unadjusted trips to satisfy the LDC requirement for a TIA but does not diminish the authority to require a traffic impact analysis at site plan. LDC 25-6, TCM 10.5.0.

Austin Water Utility

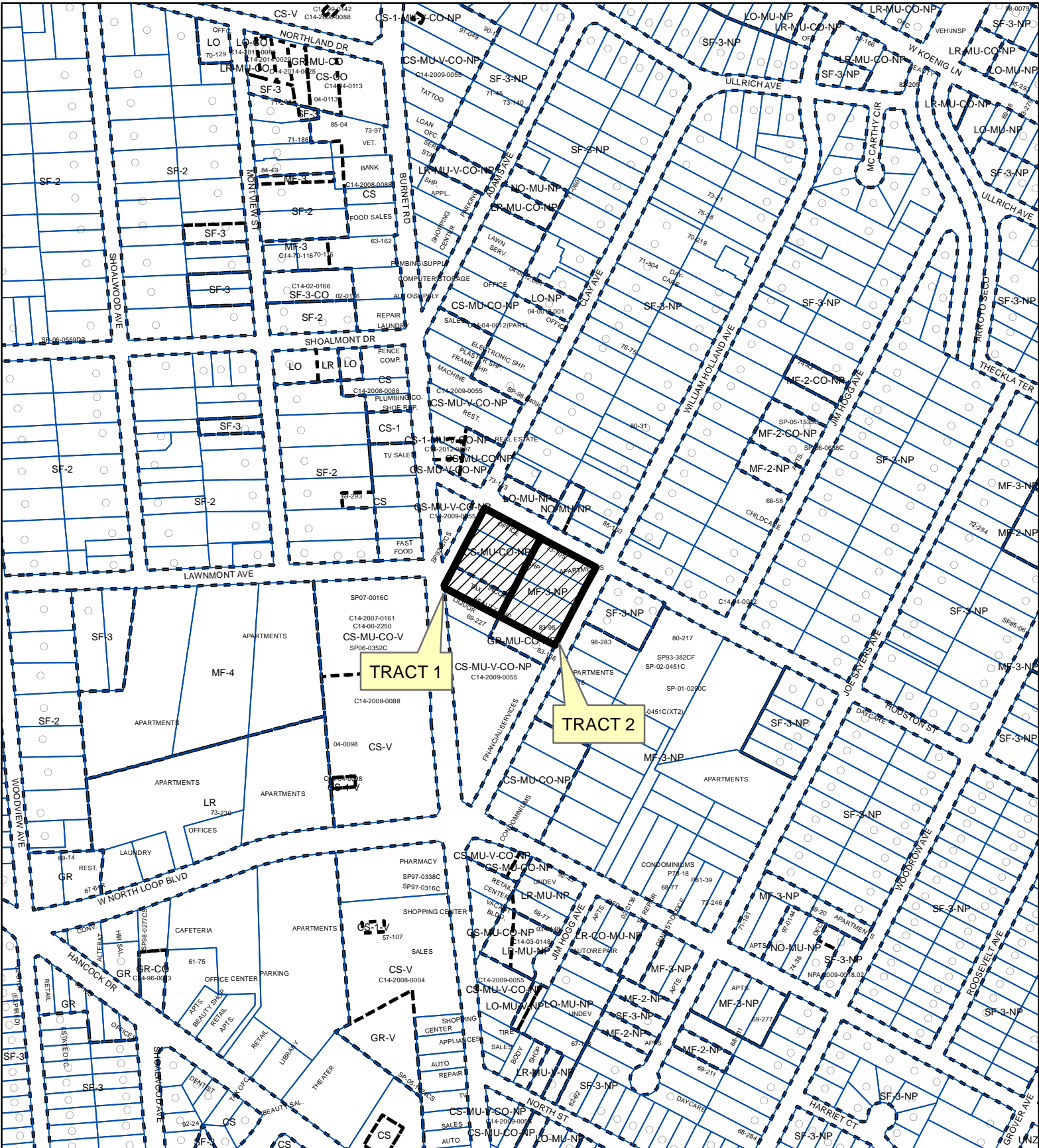
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

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.

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

- A: Zoning Map
- B. Aerial Map
- C. Applicant's Request Letter
- D. Neighborhood Traffic Analysis (NTA)
- E. Correspondence from Interested Parties



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2022-0140



1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

Created: 9/28/2022



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September 23, 2022

Rosie Truelove
Director, Housing and Planning Department
City of Austin
1000 E. 11th Street, Suite 200
Austin, Texas 78702

Re: Brentwood Multifamily - Rezoning Application for 2.4412 acres located at 5401, 5403 and 5407 Clay Avenue; 5402, 5404, 5406 and 5408 William Holland Avenue; and 1705 Houston Street, Austin, Texas ("Property")

Dear Ms. Truelove:

We respectfully submit the enclosed zoning application for 5401, 5403 and 5407 Clay Avenue; 5402, 5404, 5406 and 5408 William Holland Avenue; and 1705 Houston Street as representatives of the owners of the above stated Property.

The Property consists of eight lots totaling 2.4412 acres. The current zoning of the Property is CS-MU-V-CO-NP, CS-MU-CO-NP and MF-3-NP. We are requesting CS-MU-V-CO-NP zoning for the tracts that are currently zoned CS-MU-CO-NP, and MF-6-NP zoning for the lots that are currently zoned MF-3-NP. The application continues the prohibited uses and conditional use set forth in the existing Conditional Overlay that currently affects portions of the Property.

The purpose of the rezoning is to authorize development of a multifamily project on the Property, including providing a Vertical Mixed Use-2 project on the portions zoned VMU with 12 percent of the VMU zoned units as income-restricted affordable housing for households earning up to 60 percent of Median Family Income. The site is an excellent location for multifamily use, since it is served by multiple Capital Metro bus stops and routes (include a Metro Rapid route) and Burnet Road is an Imagine Austin Corridor, ASMP Transit Priority Network Roadway, and a Core Transit Corridor.

The Property is located within Brentwood/Highland Combined Neighborhood Plan. The Future Land Use Map shows the Property as Multifamily and Mixed-Use, and a related Neighborhood Plan Amendment is not required as confirmed by the enclosed email from Mark Walters dated September 23, 2022.

The attached TIA Determination Worksheet signed by Justin Good, P.E., on September 15, 2022 indicates that a neighborhood traffic analysis will be performed by the City for this project.

Rosie Truelove, Director, Housing and Planning Department

September 23, 2022

Page 2

If you have any questions about the rezoning application or need additional information, please do not hesitate to contact me. Thank you for your time and attention to this project.

Very truly yours,

A handwritten signature in blue ink, appearing to read "David Hartman", written over a horizontal line.

David Hartman



MEMORANDUM

To: Kathy Smith, P.E., PTOE (HDR)
CC: Renee Johns, AICP; Maria Cardenas
FROM: Nathan Aubert, P.E.
DATE: February 13, 2023
SUBJECT: Brentwood Multifamily NTA (C14-2022-0140)

The Transportation Development Services (TDS) division has performed a Neighborhood Traffic Analysis (NTA) for the above referenced case and offers the following comments.

The proposed development is composed of 8 tracts making up 2.44-acres at 401, 5403, 5407 Clay Avenue; 5402, 5404, 5406, 5408 William Holland Ave; and 1705 Houston Street in north Austin. The site is currently zoned CS-MU-V-CO-NP, CS-MU-CO-NP, and MF-3-NP. The applicant is looking to rezone to CS-MU-V-C-NP and MF-6-NP.



Figure 1: Site Location

Roadways

The tract proposes access to Clay Ave, and Houston St, and William Holland Ave—all of which are classified as Level 1 substandard collector streets in the vicinity of the project.

Clay Ave has 40 feet of right-of-way, 27 feet of pavement width, two unstriped travel lanes, curb and gutter, sidewalk on the west side of the street only, and no bicycle facilities.

Houston St has approximately 50 feet of right-of-way, 26 feet of pavement width, two unstriped travel lanes, curb and gutter with sidewalk on the north side of the street only, and no bicycle facilities.

William Holland Ave has approximately 49 feet of right-of-way, 26.5 feet of pavement width, two unstriped travel lanes, curb and gutter on both sides of the street with sidewalk along the frontage of a neighboring property on the eastern side, and no bicycle facilities.

Average 24-hour traffic volumes were collected on Clay Ave, Houston St, and William Holland Ave on December 6, 2022. Based on these collected counts, 2022 daily traffic volumes on Clay Avenue, Houston St and William Holland Avenue were approximately 700 vpd (vehicles per day), 3,000 vpd, and 550 vpd respectively.

Trip Generation and Traffic Analysis

The zoning case assumes 350 dwelling units of mid-rise multifamily housing (ITE Code 221). Based on the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition, the proposed development will generate 1623 vehicle trips per day. See Table 1 for a detailed breakdown of the trip generation.

Table 1 – Trip Generation

| Land Use | Size | Unadjusted Trip Generation |
|--------------------------------|--------------------|-----------------------------------|
| Multifamily Housing (Mid-Rise) | 350 Dwelling Units | 1,623 |
| TOTAL | | 1,623 |

Table 2 provides the expected distribution of site trips throughout the study area.

Table 2 – Trip Distribution

| Street | Traffic Distribution by Percent |
|---------------------|--|
| Clay Avenue | 20% |
| Houston Street | 70% |
| William Holland Ave | 10% |

Table 3 represents a breakdown of traffic on Clay Avenue, Houston Street, and William Holland Avenue: existing traffic, proposed site traffic, total traffic after development, and percentage increase in traffic.

Table 3 – Traffic Summary

| Street | Existing Traffic (vpd) | Site Traffic added to Roadway | Total Future Traffic | Percentage Increase in Traffic |
|------------------------|-------------------------------|--------------------------------------|-----------------------------|---------------------------------------|
| Clay Avenue | 627 | 325 | 952 | 52% |
| Houston Street | 2,870 | 1,136 | 4,006 | 39.5% |
| William Holland Avenue | 530 | 162 | 692 | 30.5% |

According to Section 25-6-116 of the Land Development Code, streets that have a pavement width less than 30 feet are considered to be operating at an undesirable traffic level if the average daily traffic volume for such roadway exceeds 1,200 vehicles per day. Houston St is currently operating at undesirable levels and will continue to do so with the addition of site traffic. Clay Avenue and William Holland Avenue will stay within the recommended threshold for Level 1 roadways defined in the LDC.

Recommendations/Conclusions

Based on the results of the NTA, the Austin Transportation Department (ATD) has the following recommendations and conclusions:

1. Houston Street, Clay Avenue and William Holland Avenue all have sidewalk gaps in the vicinity of the site. At time of site plan, this development will be required to complete gaps in the sidewalk network to adhere to ASMP standards. See Figure 1 for sidewalk construction locations proposed by the applicant.
2. If the number of units proposed in Table 1 is exceeded, the TDS division may be required to reassess the NTA.
3. The City Council may approve a zoning application if it is determined that the applicant has satisfactorily mitigated adverse traffic effects on the residential collector street.
4. Street Impact Fee (SIF) Ordinances 20201220-061 and 20201210-062 have been adopted by City Council and are effective as of December 21, 2020. The City has started collecting street impact fees with all building permits issued on or after June 21, 2022. For more information, please visit the City's Street Impact Fee website. Street Impact Fee calculation shall be performed at the time of the Site Plan submission to be collected at the time of building permit.
5. Any building permit(s) associated with this development issued on or after June 22, 2022, will be subject to the Street Impact Fee (SIF) program. During site plan review, TDS staff shall draft a SIF Offset Agreement for all eligible improvements and, if requested by the applicant, an Allocation Agreement to memorialize how offsets are to be applied throughout the development. The SIF will be calculated and invoiced for each building permit and any required SIF payments shall be made prior to building permit issuance.

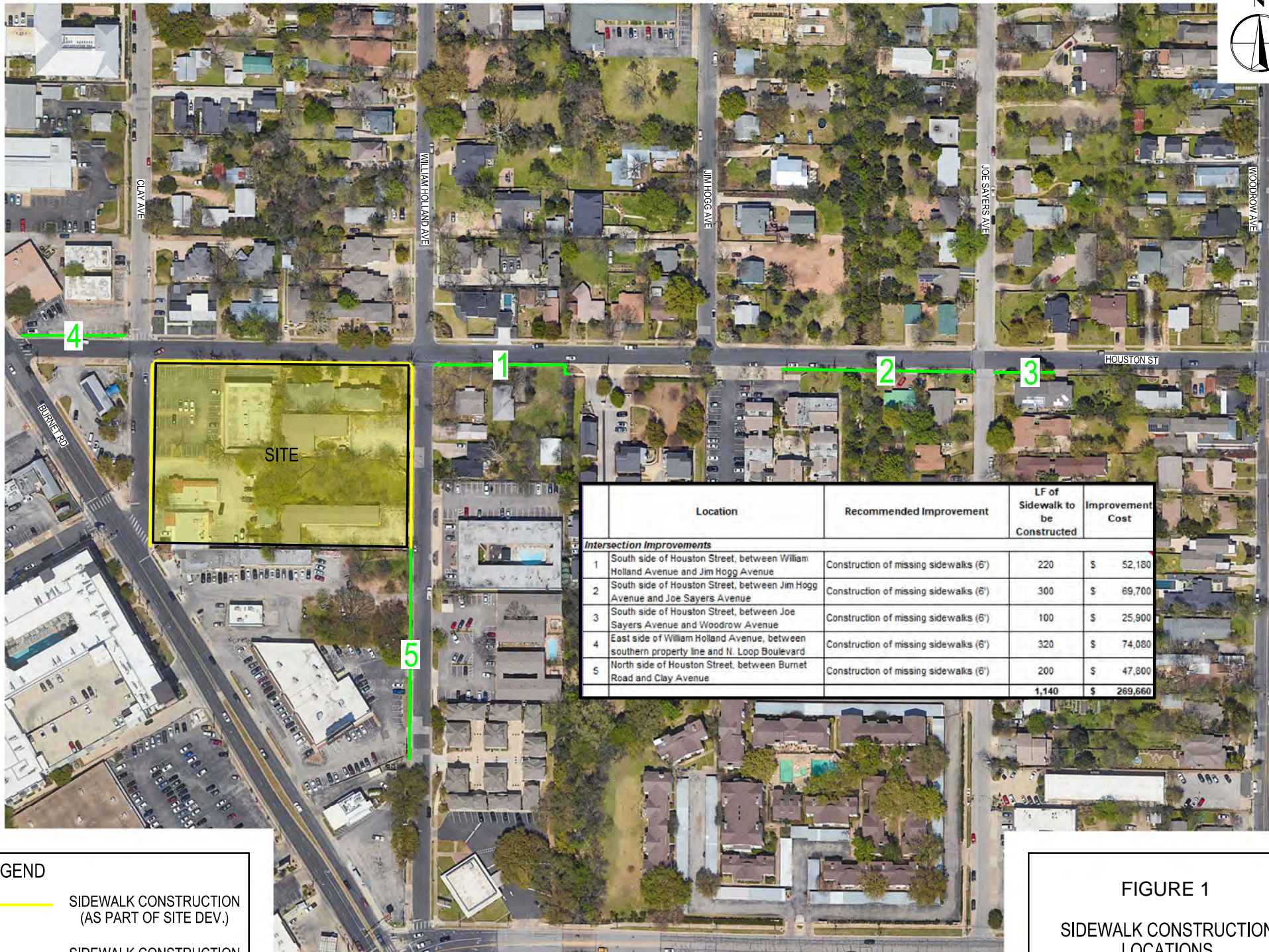
The site development permit for the above noted site shall not be released until the improvements are shown in the site plan. Please contact me at (512) 974-7136 if you have questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Nate Aubert". The signature is written in a cursive, flowing style.

Nathan Aubert, P.E.

Austin Transportation Department



Background Map Copyrighted by Google, 2022

FIGURE 1
SIDEWALK CONSTRUCTION LOCATIONS

Email From Abraham Martinez
3/23/23 6:35pm

Jonathan,

Good afternoon. I hereby request the prompt delivery of the case report for the upcoming planning commission meeting, as it has not yet been posted on the registrar. This raises concerns regarding the public's ability to sufficiently review staff's reasoning in a timely manner.

In consultation with Chair Shaw, I am advised to discuss the potential postponement of the meeting with you, due to these concerns. The current briefing date, March 28, allows only two business days for public review (including Friday), which may be inadequate.

In the interest of upholding the principles of public hearings, the City of Austin's commitment to public involvement, and the democratic process, I respectfully request that you consider postponing the meeting and inform the applicant of the rezoning request. Kindly evaluate this postponement request prior to the scheduled hearings.

Thank you for your attention to this matter and your dedication to ensuring a fair and transparent process.

Regards,
Abraham Martinez
D7 Resident

Email from Ramsey Wesley
3/24/23 9:41am

To whom it may concern:

I object to case number above. The reason being there has been multiple massive apartment complexes starting to be built on Burnet road. The traffic has become so bad and the units aren't even completed. With these multiple units that are planned Burnet road will not be able to handle the congestion. There was road constriction done recently that added a longer turning lane and a median. It has done nothing, but create more confusion and worsened the driving conditions.

Adding these units proposed will only create more strain to the local neighborhoods and the HEB. There will no longer be a sense of community and we will be victims of losing our voice. I live and work in the area and it's a shame what is happening to Burnet road. Adding these complexes is a terrible idea for the community. Especially, for those of us who call this area our home. Another example of developers destroying a part of Austin's history and culture. Again, I reject case number C14-2022-0140.

Wesley Ramsey

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: C14-2022-0140

Contact: Nicole Corona, 512-974-3146

Public Hearing: March 28, 2023, Planning Commission

Jeff McKillop

Your Name (please print)

☐ I am in favor
☒ I object

1611 Houston St. Austin 78756

Your address(es) affected by this application (optional)

Jeff Myo

Signature

032023

Date

Daytime Telephone (Optional): 512 944 7409

Comments: Doesn't fit plan for a 90 Foot building within 500 feet of a single family home violate Austin's zoning codes? This should be a no-brainer. The City has already declared Houston streets overused. William Holland has no credible awareness of exit or entrance to Clay has no clear entry to Burquet. This is a disgrace. The City should be completely opposed to this project.

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

City of Austin, Housing & Planning Department

Nicole Corona

P. O. Box 1088, Austin, TX 78767

Or email to:

nicole.corona@austintexas.gov

Email from Kit Randell

3/30/23 4:47pm

I am in favor

Kit Randall

5601 William Holland #B

Austin, TX 78756

Email from Barbara McArthur

6/7/23 11:37am

I received a rezoning notice for a public hearing for June 13.



NOTICE OF PUBLIC HEARING FOR REZONING

Mailing Date: June 2, 2023

Case Number: C14-2022-0140

Este aviso le informa de una audiencia pública tratando de un cambio de zonificación dentro de una distancia de 500 pies de su propiedad. Si usted desea recibir información en español, por favor llame al (512) 974-3531.

The City of Austin has sent this letter to inform you that we have received an application for rezoning of a property. We are notifying you because City Ordinance requires that all property owners within 500 feet, residents who have a City utility account address within 500 feet, and registered environmental or neighborhood organizations whose declared boundaries are within 500 feet be notified when the City receives an application.

| | |
|--------------------------|--|
| Project Location: | 5341, 5337 and 5339 Burnet Road; 5401, 5403 and 5407 Clay Avenue; 1705 Houston Street; and 5400, 5402, 5404, 5406 and 5408 William Holland Avenue |
| Owner: | GDC-NRG BRENTWOOD LLC |
| Applicant: | DuBois, Bryant & Campbell, L.L.P., David Hartman, (512) 685-3409 |

the addresses listed in this notice for the project location do not match the attached map which shows no addresses on Burnet Road.

I believe that zoning notifications should have the correct addresses, as listing addresses on a major arterial would impact transportation access and recent compatibility reductions.

Can you please resend a notice with the correct addresses?

Thank you,

Barbara McArthur