

ZONING CHANGE REVIEW SHEET

CASE: 1500 Crossing Place (C14-2024-0066)

DISTRICT: 3

ADDRESS: 1300 1/2, 1400, 1500, 1500 1/2, 1600 1/2, 1700 1/2, and 1706 1/2 Crossing Place

ZONING FROM: ERC-UR

TO: ERC-CMU (Hub)

SITE AREA: approximately 11.39 acres (approximately 496,148 square feet)

PROPERTY OWNER: 1500 Crossing Place Apartments

AGENT: Armbrust & Brown PLLC (Michael J. Whellan)

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

STAFF RECOMMEDATION:

Staff recommends granting East Riverside Corridor-Corridor Mixed Use (ERC-CMU) and adding the subject tract to the hub boundary and to increase the maximum building height up to 160 feet through participation in the City of Austin's voluntary density bonus program. *For a summary of the basis of Staff's recommendation, please see the basis of recommendation section below.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

August 13, 2024: Planning Commission approved staff recommendation of ERC-CMU, and adding the subject tract to the hub boundary and to increase the maximum building height up to 160 feet through participation in the City of Austin's voluntary density bonus program on the consent agenda on Vice Chair Azhar's motion, Commissioner Woods' second on a 12-0 vote. Commissioner Howard was absent.

CITY COUNCIL ACTION:

October 10, 2024: Case is scheduled to be heard by City Council.

ORDINANCE NUMBER:

N/A

ISSUES:

None

CASE MANAGER COMMENTS:

The property in question is currently occupied by the Belara Austin Apartments consisting of approximately 157 units on 11.39 acres, or approximately 13.7 dwelling units per acre. The site is located within the East Riverside Corridor (ERC) Regulating Plan whose intent is to, "present a long-term vision for the area to redevelop the existing low density, auto-oriented commercial and residential uses into an urban mixed-use neighborhood that is more pedestrian and bicycle friendly." The tract is within 1/3 mile of a proposed blue line stop for Capital Metro's Project Connect light rail line.

The residential density required to support fixed or dedicated transit service is a minimum of 50 dwelling units per acre. Target residential densities to support robust fixed or dedicated transit in an urban center are within the range of 75 to 150 dwelling units per acre within a 1/2 mile radius of the

station area. Without an increase in density, and additional mixed-use development as parcels redevelop within the station area, the CapMetro Blue Line Pleasant Valley Station and associated connecting MetroRapid Bus Rapid Transit (BRT) will struggle to perform.

The tract is surrounded on all four sides by several auto-centric older apartment complexes. The current land use pattern does not support transit and makes it rather unpleasant to reach daily needs. While it is noted that Crossing Place is not a through street today, the East Riverside Corridor Roadway Type Map within the adopted ERC Regulating Plan identifies a connection between the northern terminus of Crossing Place and Elmont Drive to the west as an “ERC Pedestrian Priority Collector (PPC) Future Street.” This means certain pedestrian and bicycle urban design standards will have to be met as this currently non-existent street, that completes the grid and improves connectivity, is prioritized with denser redevelopment.

BASIS OF RECOMMENDATION:

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

The East Riverside Corridor (ERC) Regulating Plan created land use districts to help guide development in accordance with proposed transit improvements. The proposed transit improvements, now known as Project Connect’s Blue Line Project, maintain the same general alignment and transit center alignment as shown in the ERC Regulating Plan. This site is located just north of East Riverside Drive which is identified as a Core Transit Corridor within the ERC. The Corridor Mixed Use (CMU) subdistrict is a more intensive district as it relates to density and height and allows participation in the City of Austin’s voluntary density bonus program.

Rezoning this lot to the CMU subdistrict and allowing inclusion within the Hub boundary would promote higher density and supports transit development. Based on the information above, Staff believes the proposed rezoning change is supported by the East Riverside Corridor Regulating Plan.

Zoning should promote clearly identified community goals, such as creating employment opportunities or providing for affordable housing. This rezoning case presents an opportunity as older properties within the station area begin to redevelop, to increase housing density to a level that will support fixed route transit. This case supports community goals by increasing the mix of land uses, increases employment opportunities, and provides more destinations within the station area. Lastly, the rezoning request also increases the height and provides income restricted affordable housing in exchange for the density bonus. Income restricted housing units near transit achieve a deeper level of affordability due to their locational advantages– they can reduce what is typically a household’s second largest expense, transportation costs.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	ERC-UR	Belara Austin Apartments
<i>North</i>	MF-3-NP	Estates at East Riverside Apartments
<i>South</i>	ERC-CMU and ERC-CMU	Tempo Apartments
<i>East</i>	ERC-UR and MF-2	Wildcreek Apartments

West	ERC-CMU	Collective on Riverside Apartments
------	---------	------------------------------------

NEIGHBORHOOD PLANNING AREA: East Riverside/Oltorf Combined (Pleasant Valley)
Neighborhood Planning Area

WATERSHED: Country Club West Watershed

SCHOOLS: Del Valle I.S.D.

Baty Elementary School

Ojeda Middle School

Del Valle High School

COMMUNITY REGISTRY LIST:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Crossing Gardenhome Owners Assn. (The), Del Valle Community Coalition, Del Valle Independent School District, East Austin Conservancy, East Riverside Corridor Staff Liaison, East Riverside/Oltorf Neighborhood Plan Contact Team, Friends of Austin Neighborhoods, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, Pleasant Valley, Preservation Austin, SELTexas, Sierra Club, Austin Regional Group, Southeast Austin Neighborhood Alliance

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2024-0018 (2323 Town Lake Circle)	The applicant is requesting to rezone approximately 1.0439 acres from ERC-NP (NMU-No Bonus) to ERC-NP (CMU-160).	TBD	TBD
C14-2023-0134 (2201 Willow Creek Drive)	The applicant is proposing to rezone approximately 7.085 acres from MF-3 to GR-V-MU. Applicant amended their request to GR-MU-V-DB90	TBD	TBD
C14-2022-0090 (2239 Cromwell Circle)	The Applicant is proposing to rezone approximately 12.20 acres from ERC-UR (Urban Residential Subdistrict) to ERC-NMU (Neighborhood	08.08.2023: Motion by Commissioner Maxwell, seconded by Commissioner Connolly to grant staff recommendation, approved on a vote	05.30.2024: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20240530-141 for East Riverside

	Mixed Use Subdistrict), inclusion in the Hub boundary with eligibility for a development bonus of 120 feet.	of 9-1. Commissioner Cox voted nay. Chair Shaw and Commissioner Mushtaler absent. One vacancy on the dais.	Corridor (ERC) base district (neighborhood mixed use subdistrict) zoning was approved on Council Member Ellis' motion, Council Member Qadri's second on an 11-0 vote.
--	---	--	---

RELATED CASES:

None

ADDITIONAL STAFF COMMENTS:Comprehensive Planning

The subject property located at 1500 Crossing Place is currently the site of Belara Austin, one amongst many renovated and updated properties marketed as luxury apartments in the immediate area with two bedrooms starting at \$1,626 ranging to \$1,706.

The property is within the 'Vulnerable' displacement risk area according to the Project Connect Anti-Displacement Map which states that vulnerable populations are present with no significant demographic change, while some tracts are near or contain high-value and high-appreciation area. Dashboard website:

<https://austin.maps.arcgis.com/apps/MapSeries/index.html?appid=799dbd68b43a4d9d8c0292befe8c9b34>.

The ERC Urban Residential district is intended to provide a range of housing types including townhouses, rowhouses, condos, or multifamily residential, education, and civic uses with a maximum base building height of 40 feet. The ERC Corridor Mixed Use subdistrict is primarily intended to provide residential and office over ground-floor commercial retail or office with a maximum base building height of 60 feet.

The site is currently not within the Hub area (Figure 1-6) which allows properties to participate in the development bonus for additional entitlements with the ERC Development Bonus Height Map (Figure 1-8) showing the Property as being ineligible for development bonus. The applicant has requested the subject property be included in the Hub area eligible for the development bonus up to 160 feet in building height, as are adjacent tracts to the west/northwest.

It appears existing zoning capacity has not allowed the subject property and others like it to respond to market forces which desire to fulfill the intent of the East Riverside Corridor plan through the creation of transit-supportive, higher-density mix of uses with the density bonus eligibility necessary to provide Affordable housing. The zoning request appears to be consistent with the intent of the East Riverside Corridor Master Plan in supporting the Pleasant

Valley Transit Plaza Development Hub serving as a gateway to downtown as well as urban planning and design best practices by increasing intensity of a mix of land uses in the urban core along a well-used transit line.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Country Club West Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

2. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

3. According to floodplain maps there is a floodplain within or 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. Development is extremely limited in a Critical Water Quality Zone, per LDC 25-8-261 and 25-8-262.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.
7. 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

No comments on rezoning.

PARD – Planning & Design Review

PR1: Parkland dedication will be required for the new residential units proposed by this development, multifamily with ERC-CMU zoning, at the time of subdivision or site plan, per

City Code § 25-1-601. The requirement may be met with dedicated land as determined using the criteria in City Code Title 25, Article 14, as amended.

The East Riverside Corridor Regulating Plan has specific requirements regarding the eligibility for the development bonus: to be eligible for the bonus, there must be some parkland dedicated as part of the development (cannot be satisfied only through fee in-lieu). See Article 6.4.2 of the Regulating Plan. PARD approval is required to authorize the development bonus. PARD may consider additional area along Country Club Creek toward dedication so long as the area meets PARD criteria.

Should any fees in-lieu also 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.

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

SP 1. Site plans will be required for any new development other than single-family or duplex residential.

SP 2. 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.

SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP 4. This tract is already developed, and the proposed zoning change is a footprint within the existing development

Transportation and Public Works Department (TPW) – Engineering Review

TPW 1. 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

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)

Crossing Place	Level 3	96'	99'	82'	Yes	No	Yes
----------------	---------	-----	-----	-----	-----	----	-----

TIA: A Zoning Transportation Analysis is required, see *exhibit C*.

Austin Water Utility

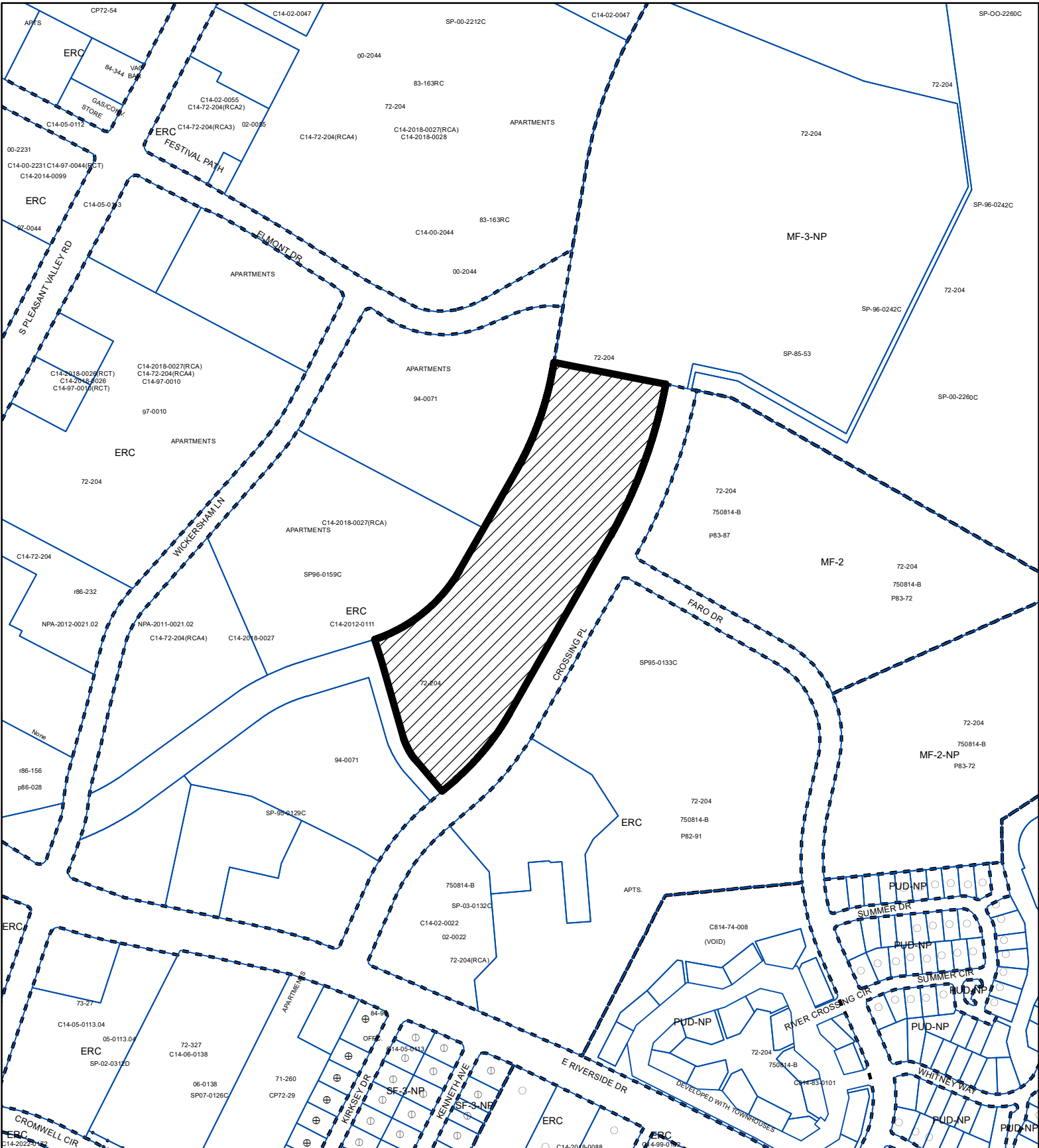
No comments on rezoning




INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

A. Zoning Map

B. Applicant's Summary Letter

C. Zoning Transportation Analysis (ZTA) Final Memo dated May 31, 2024



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2024-0066

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



Created: 4/18/2024

Figure 2. Land Use Context

Direction	Location	Zoning Designation	Height	Council Approval Year
West	Adjoining the Property	Corridor Mixed Use	160 ft.	2019
South	Adjoining the Property	Corridor Mixed Use	160 ft.	2019
East	Across Crossing Place	Urban Residential, MF-2	40 ft.	2013, 1975
North	Adjoining the Property	MF-3-NP	40 ft.	2006

Policy Context

The city has planned the East Riverside corridor for transit-supportive growth, with increased housing along the new Austin Light Rail – including through the following:

- **Imagine Austin (2012)**, which identified East Riverside Drive and Pleasant Valley Road as Imagine Austin corridors and identified the entire area as the Riverside Stations Imagine Austin center.
- **East Riverside Corridor Plan and Regulating Plan (2013)**, which planned the corridor area for transit-supportive growth and revised its land use regulations accordingly.
- **East Riverside Drive Corridor Mobility Plan (2013)**, which planned multimodal improvements to enhance connectivity and pedestrian and bicycle safety, and was funded through the 2016 Mobility Bond.
- **Project Connect (2020)**, which planned East Riverside Drive for the Austin Light Rail and Pleasant Valley Road for MetroRapid bus transit.
- **The Equitable Transit-Oriented Development (“ETOD”) Policy Plan (2023)**, which planned priorities for equitable transit-oriented policymaking along the Austin Light Rail and MetroRapid corridors.
- **Updates to the East Riverside Corridor Regulating Plan (Ongoing)**, an effort that plans to revise the ERC Regulating Plan in accordance with the city’s ETOD policies.

Policy Goals and Affordability

These planning efforts have identified a number of goals for the entire East Riverside area, including increasing housing to support robust transit service and to increase on-site affordable housing.

The primary tool through which the city seeks to achieve non-subsidized, on-site affordable housing in private projects is through the ERC Regulating Plan’s development bonus program, created in 2013. Yet we have calculated that, in the decade since the program started, it has seen only a roughly 35 percent participation rate among approved site plans for eligible, private projects.¹ As a result, income-restricted affordable units constitute only about 4 percent of the total units built on bonus-eligible sites to date.

Furthermore, this relatively low participation rate occurred despite a favorable macroeconomic environment, with lower interest rates and lower financing costs. Today’s environment is much more challenging, with increasing interest rates and more hesitant lenders.

This information indicates that the ERC Regulating Plan’s development bonus program may be miscalibrated, leading to a lower participation rate and hindering affordable unit production. Macroeconomic issues may pose further challenges to development bonus program participation.

¹ This analysis is based on approved site plans that: (1) were submitted under the East Riverside Corridor Regulating Plan’s regulations, (2) are located in the ERC Hub and thus are eligible for the development bonus, and (3) did not involve subsidization or public participation at time of development.

Ultimately, these factors will need to be addressed through study and recalibration process, such as the code amendment process Council has recently initiated for the ERC Regulating Plan. In the meantime, though, the city can continue to work to encourage applicants to use the city's bonus program and provide on-site affordable housing by approving requests for the full bonus height of 160 ft.

Case Rationale

We request that the city approve the CMU subdistrict designation for this Property, up to 160 ft. of bonus height, for the following reasons:

- **It is consistent with city policies for transit-supportive growth**, providing increased housing along two Transit Priority Network roadways (East Riverside Drive and Pleasant Valley Road) and within the Riverside Station's 'station area.' Additionally, the Property has easy access to CapMetro's 20 high-frequency bus route, the only route with service to and from the Austin-Bergstrom International Airport.
- **It will encourage on-site affordability** by making the Property eligible for the ERC's bonus program.
- **It is consistent with the city's land use policies**, which identify this area as the Riverside Stations Imagine Austin center and identify East Riverside and Pleasant Valley Road as Imagine Austin corridors.
- **It is supported by zoning case precedent**, in which Council has already designated over 100 acres adjoining the Property for the CMU subdistrict up to 160 ft. of bonus height – the same designation this Applicant is requesting.

As noted, this request would incentivize the Applicant to provide on-site, income-restricted affordable housing. However, we also recognize that the Property currently features a number of older market-rate, low-rise units today – and that the city is sensitive to housing growth in such areas. The Applicant plans to address such concerns by fully complying with the city's tenant relocation notification requirements. They additionally plan to go above and beyond those requirements by providing relocation compensation to tenants eligible for relocation notification and a 'right to return' preference policy for any existing tenants eligible for future income-restricted affordable units.

Conclusion

The city has planned this corridor for transit-supportive growth, including on-site affordable housing. However, the corridor's affordable housing bonus program has, to date, experienced a relatively low participation rate. This request will support the city's transit and affordability goals by increasing housing opportunities on the Property and by making the Property eligible for the full bonus height – thus incentivizing the Applicant to participate in the affordable housing bonus program.

I appreciate your consideration and look forward to answering any questions and providing further details.

Respectfully,

A handwritten signature in black ink, appearing to read 'Michael J. Whellan', with a stylized, flowing script.

Michael J. Whellan



MEMORANDUM

Date: May 31, 2024
To: Aditya Jatar, P.E., BOE Consulting Services
CC: Eduardo Mariño PhD., Julie Apagya Bonney
Transportation & Public Works Department (TPW)
Reference: **1500 Crossing Place**
Zoning Transportation Analysis (ZTA) Final Memo (C14-2024-0066)

The Transportation & Public Works Department (TPW) has reviewed the “1500 Crossing Place” ZTA, prepared by BOE Consulting Services. The site is comprised of one parcel located at 1500 Crossing Place (shown in Figure 1 below). The proposed redevelopment for this tract is multifamily residential buildings. The tract will contain 996 high-rise multifamily dwelling units. The existing site is comprised of 156 low-rise multifamily dwelling units.

Two full-access driveways will service the site. One driveway, situated at the intersection of Crossing Place and Faro Drive, will remain unchanged and serve as the main entrance for traffic and emergency services. The other driveway will be shifted southwest on Crossing Place, with coordination required to address any disrupted utilities. The development is anticipated to be built out by 2025.



Figure 1: Site Location

Adjacent Roadway Characteristics:

The site proposes two driveways on Crossing Place.

Faro Drive: A two-lane road divided by a double yellow line, classified as a Level 1 road in the ASMP, requiring 58 to 64 feet of ROW. The site frontage includes sidewalks, a pedestrian crosswalk, street parking, and curbs and gutters. The existing ADT on Faro Drive is estimated at 2,500 vehicles per day.

According to the 11th Edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual, the development will generate approximately 3,047 net new daily trips, 167 AM peak hour trips, and 194 PM peak hour trips.

ITE Code	Land Use	Size		24-Hour Two-Way Volume	AM Peak Hour			PM Peak Hour		
					Enter	Exit	Total	Enter	Exit	Total
EXISTING DEVELOPMENT										
220	Multi-Family (Low Rise)	156	du	1,075	17	54	71	55	32	88
EXISTING DEVELOPMENT				1,075	17	54	71	55	32	88
PROPOSED DEVELOPMENT										
222	Multi-Family (High Rise)	996	du	4,122	62	176	238	175	107	282
PROPOSED DEVELOPMENT				4,122	62	176	238	175	107	282
NET DEVELOPMENT				3,047	45	122	167	120	75	194
<p>¹This table was populated utilizing the criteria set by the ITE Trip Generation Handbook defining when a rate is to be utilized versus an equation.</p>										

Table 2 Projected Volume Analysis

Roadway Segment	COA ASMP Classification	Existing Cross Section	Future Cross Section	2023 ADT ⁽¹⁾	2025 ADT ⁽²⁾	2025 ADT ⁽³⁾ Site	2025 S+F ADT	Typical ADT Range ⁽⁴⁾
Crossing Place: E Riverside Dr - Faro Dr	Corridor Mobility; Street Level 3	2D-OP	2D-OP	7,712	8,024	2,913	10,937	10,000 - 20,000

⁽¹⁾ 2023 ADT for the segment is available from 24-Hour counts taken along section of Crossing PI between E Riverside and Faro Dr

⁽²⁾ Growth factor of 2% per year has been applied to calculate 2025 ADT.

⁽³⁾ 2025 Site ADT for the segment is based on applying 95% (direction distribution along Crossing PI Segment) to the net ADT.

⁽⁴⁾ Typical ADT Range is based on COA Street Design Guide Multimodal Design Table. See Appendix E of ZTA Report.

Recommendations/Conclusions:

1. The site is required to achieve a minimum of 20% trip reduction using various Transportation Demand Management (TDM) measures per the Transportation Criteria Manual (TCM). Potential measures include:
 - Transit Proximity
 - Daily Tenant Parking Rates
 - Visitor Parking Pricing
 - Delivery Supportive Amenities
 - Mobility Wallet
 - Bicycle Access and Connectivity
 - Sustainable Modes Improvements
 - Marketing and Information
2. ASMP ROW requirements have been assessed, and dedications of ROW may be necessary to fulfill ASMP criteria, to be confirmed during the Site Plan phase.
3. The development is subject to the City of Austin Street Impact Fee, governed by Ordinance #20201220-061 & 20201210-062. The fee will be calculated during the Site Plan submission and collected upon obtaining the building permit. Any fee reductions will only be granted after completing specified construction tasks, unless already included in the initial Site Plan application.
4. The site proposes utilizing two existing driveways for traffic circulation, located at the intersection of Faro Drive and Crossing Place, and along Crossing Place south of the site. Approval of this ZTA does not guarantee approval of the proposed driveway locations, which will be reviewed during the site plan process by appropriate City departments.
5. This ZTA does not exempt the development from being required to conduct a Transportation Assessment or Full TIA at the time of site plan.

Please contact me at 512-974-7136 if you have questions or require additional information.

Sincerely,

A handwritten signature in black ink that reads "Nate Aubert". The signature is written in a cursive, slightly stylized font.

Nate Aubert P.E.,