

SECOND/THIRD READINGS SUMMARY SHEET

CASE: C14-2024-0181 – Far West Multifamily DISTRICT: 10

ADDRESS: 7201, 7201 1/2, 7205, 7121 Hart Lane

APPLICANT: Price Acacia Cliffs, LLC

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

CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057

E-MAIL: sherri.sirwaitis@austintexas.gov

REQUEST:

Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 7201, 7201 1/2, 7205, 7121 Hart Lane from multifamily residence-medium density (MF-3) district zoning to community commercial - vertical mixed use building-conditional overlay-density bonus 90 (GR-V-CO-DB90) combining district zoning.

PREVIOUS CITY COUNCIL ACTION:

March 27, 2025: Approved GR-V-CO-DB90 zoning, with a motion to amend PART 2(A) of the draft ordinance to remove “Art Gallery” as a prohibited use, on 1st reading only. Vote: 11-0; M. Duchen-1st, J. Velásquez-2nd.

ISSUES: N/A

ZONING CHANGE REVIEW SHEET

CASE: C14-2024-0181 – Far West Multifamily

DISTRICT: 10

ZONING FROM: MF-3

ZONING TO: GR-MU-V-DB90

ADDRESS: 7201, 7201 1/2, 7205, 7121 Hart Lane

SITE AREA: 10 acres
(435, 600 sq. ft.)

PROPERTY OWNER: Price Acacia Cliffs, LLC

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

CASE MANAGER: Cynthia Hadri 512-974-7620, Cynthia.hadri@austintexas.gov

STAFF RECOMMENDATION:

The staff recommendation is to grant community commercial - vertical mixed use building – conditional overlay - density bonus 90 (GR-V-CO-DB90) combined district zoning. The conditional overlay will prohibit the following uses:

- Administrative and Business Offices
- Alternative Financial Services
- Art Gallery
- Art Workshop
- Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing (of any type)
- Bail Bond Services
- Business or Trade School
- Business Support Services
- Commercial Off-Street Parking
- Communications Services
- Consumer Convenience Services
- Consumer Repair Services
- Drop-Off Recycling Collection Facility
- Exterminating Services
- Financial Services
- Food Preparation
- Food Sales
- Funeral Services
- General Retail Sales (Convenience)
- General Retail Sales (General)
- Hotel-Motel
- Indoor Entertainment
- Indoor Sports and Recreation
- Medical Offices—exceeding 5,000 sq. ft. gross floor area
- Medical Offices—not exceeding 5,000 sq. ft. gross floor area
- Off-Site Accessory Parking
- Outdoor Entertainment
- Outdoor Sports and Recreation
- Pawn Shop Services
- Pedicab Storage and Dispatch
- Performance Venue
- Personal Improvement Services
- Personal Services
- Pet Services
- Plant Nursery
- Printing and Publishing
- Professional Office
- Research Services
- Restaurant (General)
- Restaurant (Limited)
- Service Station
- Software Development
- Special Use Historic
- Theater

Staff recommends granting the applicant’s modification request to not provide pedestrian-oriented commercial space (to provide 0% of the requirement).

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

February 18, 2025: Approved staff’s recommendation of GR-V-CO-DB90 zoning 7-1, S. Boone, D. Fouts and T. Major-absent); C. Thompson-1st, H. Smith-2nd.

CITY COUNCIL ACTION:

March 27, 2025: Approved GR-V-CO-DB90 zoning, with a motion to amend PART 2(A) of the draft ordinance to remove “Art Gallery” as a prohibited use, on 1st reading only. Vote: 11-0; M. Duchen-1st, J. Velásquez-2nd.

April 10, 2025

ORDINANCE NUMBER:

ISSUES:

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. Subsequently, the applicant submitted this new rezoning application to request the -DB90 combining district.

CASE MANAGER COMMENTS:

The property in question is approximately 10 acres, developed with three multifamily buildings which have about 290 units. The site has access to Hart Lane (level 2) and is zoned multifamily residence medium density (MF-3) district zoning. The property has a Planned Unit Development (PUD) for the Dell Jewish Community Center to the west, multifamily residences (MF-3 and SF-3) to the north and east, along with various commercial uses for office and restaurants (GR-V and LO) to the south and east. The property is located in the Far West Center, an Imagine Austin Center and Far West boulevard, just to the south is a future core transit corridor. ***Please refer to Exhibits A (Zoning Map) and B (Aerial View).***

The applicant is requesting community commercial - mixed use - vertical mixed use building 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. The overall project would consist of approximately 650 to 700 residential units and will be seeking a complete (100%) modification for the ground floor commercial space requirement. ***Please refer to Exhibit C (Applicant’s Summary Letter).***

Staff is recommending the community commercial - vertical mixed use building – conditional overlay - density bonus 90 (GR-V-CO-DB90) combining district zoning for the

proposed 650-700 residential units. This would allow for approximate 78-84 increase in affordable units in a district that needs more affordable housing. The applicant stated the intent of the rezoning is to develop with DB90 which is why staff did not recommend the mixed use (MU) zoning from the request. The applicant agrees with the staff's alternate recommendation and made an agreement with the Northwest Austin Civic Association (NWACA) for the conditional overlay prohibiting all commercial uses in the community commercial (GR) district.

This case required an Educational Impact Statement (EIS) from Austin Independent School district. The project will demolish 290 units and propose 700-unit multifamily development. It is projected to add approximately 88 students across all grade levels to the projected student population. The percentage of permanent capacity by enrollment for School Year 2028-29, including the additional students projected with this development, would be within the optimal utilization target range of 85-110% at Doss ES (87%) and Murchison MS (104%), and below for Anderson HS (84%). ***Please refer to Exhibit D (Educational Impact Statement).***

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 residential 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.*

The community commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways.

The mixed use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

The vertical mixed use building (v) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed use building.

The density bonus 90 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.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-3	Multifamily Residential
<i>North</i>	MF-3 and SF-3	Multifamily Residential
<i>South</i>	GR-V	Commercial offices and Restaurants
<i>East</i>	MF-3 and LO	Multifamily Residential and Offices
<i>West</i>	PUD and GR	Dell Jewish Community Center

NEIGHBORHOOD PLANNING AREA: N/A

WATERSHED: Shoal Creek (Urban)

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Austin Independent School District

Doss Elementary School Murchison Middle School Anderson High School

COMMUNITY REGISTRY LIST:

Austin Independent School District
Austin Lost and Found Pets
Austin Neighborhoods Council
Austin Regional Group
Friends of Austin Neighborhoods
NW Austin Neighbors
Neighborhood Empowerment Foundation

Northwest Austin Civic Association
SELTexas
Save Our Springs Alliance
Sierra Club
TNR BCP - Travis County Natural
Resources

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2007-0066 Dell Jewish Community Center Rezoning	SF-3 to GO	Application changed to a PUD	Application changed to a PUD
C814-2008-0016 – Dell Jewish Community Center	SF-3 to PUD	To Grant PUD (08/19/2008)	Approved PUD as Zoning and Platting Commission Recommended (09/25/2008)

RELATED CASES: N/A

Comprehensive Planning:

Project Name and Proposed Use: 7121 HART LANE. C14-2024-0181. Project: Far West Multifamily. 10 acres from MF-3 to GR-MU-V-DB90. Existing: 290 multifamily low-rise residential units. Proposed: 700 multifamily mid-rise residential units. Demolition is proposed with 290 residential units to be demolished. Applicant describes the utilization of DB90 for the provision of approximately 78 to 84 affordable units. Applicant additionally seeks to waive the ground floor commercial requirement. Proposal seeks Density Bonus 90 Combining District (Ordinance No. 20240229-073), which sets affordability minimums on ownership and rental units, and further allows for an increase of up to 30 ft in height above the base zone allowance, with a maximum limit of 90 feet in total height. DB90 additionally releases the site from some base zoning district development standards, including maximum floor area ratio.

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. Names of Activity Centers/Activity Corridors/Job Centers *: <ul style="list-style-type: none"> • Within the Far West Neighborhood Center
Y	Mobility and Public Transit *: Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> • 0.03 miles from bus stop along Hart LN
Y	Mobility and Bike/Ped Access *: Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> • Sidewalk and bike lane present along Hart LN
Y	Connectivity, Good and Services, Employment *: Provides or is located within 0.50 miles to goods and services, and/or employment center. <ul style="list-style-type: none"> • Goods and Services present along Far W BLVD
Y	Connectivity and Food Access *: Provides or is located within 0.50 miles of a grocery store/farmers market. <ul style="list-style-type: none"> • 0.5 miles to HEB along Far W BLVD
Y	Connectivity and Education *: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> • 0.5 miles to Murchison Middle School
Y	Connectivity and Healthy Living *: Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> • 0.3 miles to Loewy Family Playground
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.) <ul style="list-style-type: none"> • Medical clinic present along Far W BLVD within 0.5 miles
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.
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. <ul style="list-style-type: none"> • Housing Affordability to be fulfilled based on full participation in DB90
	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). <ul style="list-style-type: none"> • 0.5 miles to Old Quarry Branch Austin Public Library
	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 a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.

	Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone
11	Number of “Yes’s”

Drainage:

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City’s Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental:

The site is 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 no floodplain within or adjacent to 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.

Fire: There are no comments.

PARD – Planning & Design Review:

Parkland dedication will be required for the new applicable uses proposed by this development, of multifamily residential units, at the time of subdivision or site plan, per City Code § 25-1-601. The requirement shall be met with fees in-lieu, per the Parkland Early Determination #1945 issued in June 2024. 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.

Residential units that are certified affordable and income-restricted are exempt from the parkland dedication requirements per City Code § 25-1-601(D)(4). Parkland dedication will be required for any new market-rate residential units that may be proposed by this development, at the time of subdivision or site plan, per City Code § 25-1-601.

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

Site Plan:

Site plans will be required for any new development except for residential only projects with up to 4 units.

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

This tract is already developed and the proposed zoning change is within the footprint of an existing development.

DB90 Rezoning

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.

Hart Lane is the Principal Street for this site. Any buildings fronting this street will be required to have 75% of the ground floor as commercial or civic uses. NOTE: A lobby serving a use other than a pedestrian-oriented commercial or civic space is not counted as a pedestrian-oriented commercial or civic place.

If a building includes a mix of uses, a non-residential use:

- may not be located above a residential use; and
- may not be located on or above the third story of the building

Austin Transportation Department – Engineering Review:

The site is subject to the approved TIA with zoning case # C14-2007-0066. Provide a TIA compliance memo indicating how many trips have been used, how many trips are left, etc. Additionally, provide a copy of fiscal receipts to ensure the site complies with the required mitigations. The TIA may need to be revised upon further review. Reference: TCM 10.4.4.

Updated TIA determination letter no longer requires the TIA Compliance Memo.

The Austin Strategic Mobility Plan (ASMP) calls for 84 feet of right-of-way for Hart Ln. It is recommended that 42 feet of right-of-way from the existing centerline should be dedicated

according to the ASMP 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)
Hart Ln	Level 2	84'	66'	44'	Yes	No	Yes

Austin Water Utility:

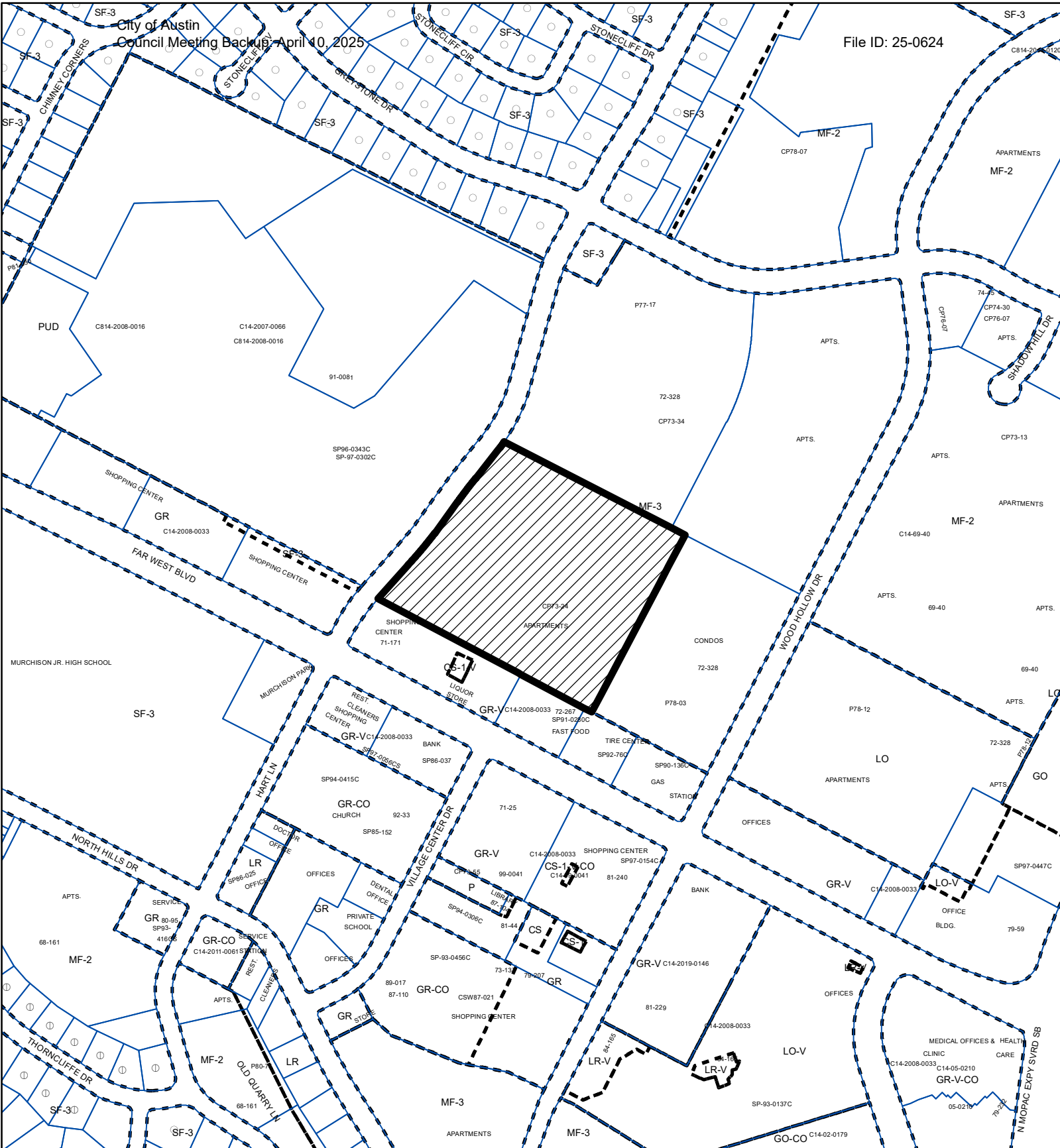
No comments on zoning change.

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
- D. Educational Impact Statement
- Correspondence from Interested Parties



ZONING

ZONING CASE#: C14-2024-0181






-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

Exhibit A
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.





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Created: 12/16/2024



Far West Multifamily

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C14-2024-0181
 LOCATION: 7201, 7201 1/2, 7205, and 7121 Hart Ln.
 SUBJECT AREA: 10 Acres
 MANAGER: Cynthia Hadri



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Created: 12/18/2024

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2360

December 2, 2024

Joi Harden, Planning Officer
Planning Department
6310 Wilhelmina Delco Drive
Austin, Texas 78752

Re: Rezoning application for 7201, 7201½, 7205, 7121 Hart Ln. (the "Property")

Dear Ms. Harden,

On behalf of Price Acacia Cliffs, LLC (the "Applicant"), please accept the attached application requesting the City:

- Rezone the Property from MF-3 to GR-MU-V-DB90; and
- Waive Section 25-2-652(F)(3)(b) of the Land Development Code (the ground-floor commercial requirement), as allowed under Section 25-2-652(F)(3)(e)(i).

The Property's existing zoning would allow by-right redevelopment – but without any affordable housing option. Approving the Applicant's request would allow the Property's future redevelopment to proceed under an affordable housing bonus program that requires income-restricted affordable housing. At this time, the Applicant projects that redevelopment under the Density Bonus 90 ("DB90") program would provide between 650 to 700 total housing units, including an estimated 78 to 84 affordable units.

Land Use Context

The Property is roughly 10 acres and is characterized by the following land use context:

- **The Property is located in one of the few Imagine Austin Activity Centers in District 10.** The Strategic Housing Blueprint calls for 75 percent of new units to be within a half-mile of Imagine Austin Centers and Corridors. However, District 10 – despite being one of the largest districts in the city – has relatively fewer such areas, limiting the locations in the district that the city would prioritize for housing growth. As shown in Figure 1 below, the Property is located at the heart of the Far West Center, one of the few Imagine Austin Centers in District 10.
- **The Property has access to one of the few CapMetro routes serving District 10.** The City also prioritizes housing growth along CapMetro's public transit network. However, the vast majority of District 10 lacks any CapMetro transit access. The Property is located within a five-minute walk of two bus routes, with access to downtown Austin, the University of Texas at Austin, Northcross Mall, the Texas Capitol Building, Auditorium Shores, Zilker Park, and Barton Creek Square Mall, among other places.
- **The Property is a compatible distance from lower-intensity residential areas.** The Property is largely surrounded by commercial properties (to the south, along the Far West corridor), multifamily properties (to the east and north), and the Shalom Austin Dell Jewish Community Campus' Planned Unit Development (to the west, across Hart Lane). It is over 580 ft. from the nearest single-family property.
- **The Property currently features older low-rise buildings approaching the end of their structural life.** The Property features three 50-year old multifamily buildings (290 units). While the Applicant has maintained these structures well, their age poses a number of challenges. The Property is currently zoned to allow the Applicant to redevelop by right 360 market-rate units – with no option for on-site affordable housing.

Figure 1. Site Map, within Far West Imagine Austin Center

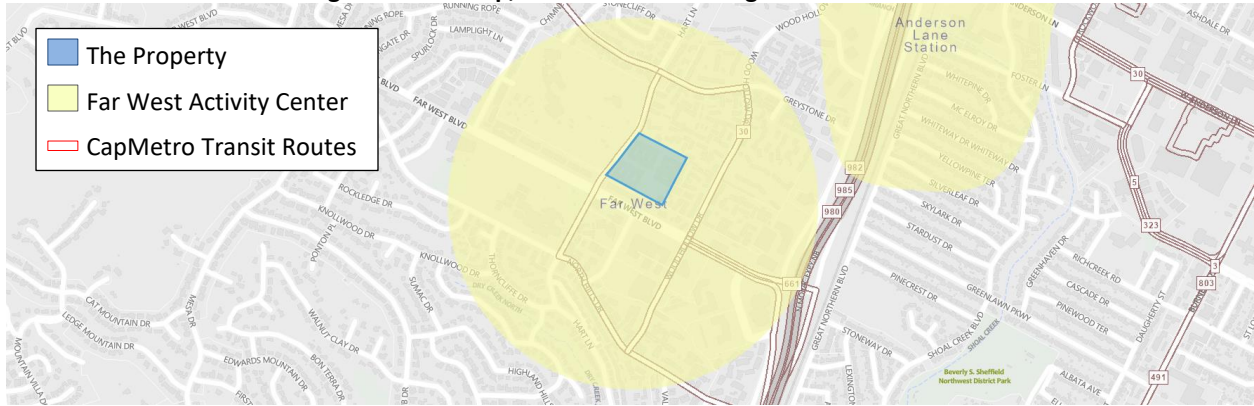


Figure 2. CapMetro Transit Network

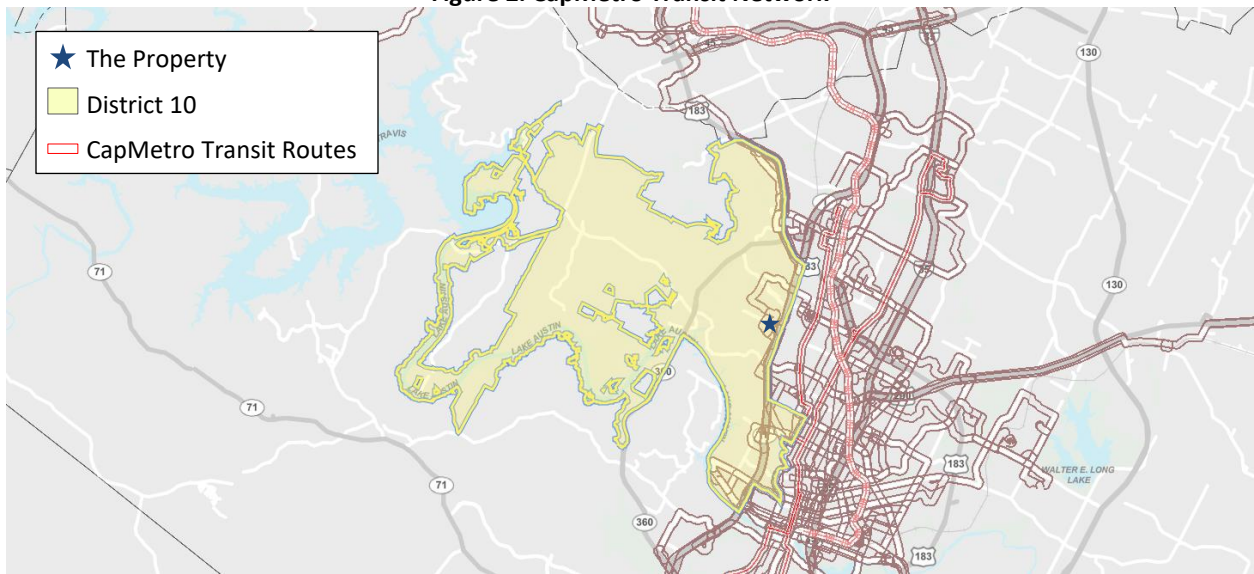


Figure 3. Land Use Context

Direction	Location	Zoning Designation	Existing Land Use
South	Adjoining the Property	GR-V, CS-1-V	Commercial
West	Across Hart Lane	GR, PUD	Civic
North	Adjoining the Property	MF-3	Multifamily
East	Adjoining the Property	MF-3	Multifamily

Policy Context: Housing and Affordability

While the city has made meaningful progress on its housing and affordability goals overall, this progress has not been evenly distributed across all areas. The Strategic Housing Blueprint established a goal of 8,456 new units affordable to households earning at or below 80 percent of the Median Family Income by 2028 (which includes units at the 60 percent and 30 percent MFI levels).

However, HousingWorks reports that, over the first five years of tracking progress toward Austin’s housing goals, District 10 has only produced 31 of the 8,456 needed affordable units. HousingWorks further reports that District 10 currently features only 2 percent of the city’s subsidized units, the second-lowest such share among Council districts.

This information indicates that more progress is needed to meet the city’s goals for income-restricted affordable units in District 10. Yet, District 10 has only limited areas where new growth is encouraged (Imagine Austin Centers and Corridors). As a result, it is important that the city leverage District 10’s few Imagine Austin Centers and Corridors to achieve increased housing and new long-term income-restricted affordable units.

Case Rationale

We request that the city approve GR-MU-V-DB90 zoning for this Property for the following reasons:

- **It will incentivize on-site, income-restricted affordable housing in District 10 – rather than by-right market-rate housing.** The city has fallen far short of its affordable housing goals for District 10, producing only 31 such units over five years. In contrast, the Applicant estimates that a DB90 project on the Property could produce 78 to 84 income-restricted units – more than *double* District 10’s five-year affordable housing production.

While the Property currently features 290 older units, none of these are income-restricted today. Furthermore, the Property’s existing MF-3 zoning currently allows by-right redevelopment for up to 360 new market-rate units – but with no option for an affordable housing bonus. The Applicant’s request would incentivize on-site, long-term, income-restricted affordable housing.

- **It is consistent with the city’s land use policies for housing growth and compatibility.** The Property is located at the heart of the Far West Imagine Austin Center – one of the few such areas in District 10 that city policies identify as an appropriate location for increased housing growth. Additionally, the increased height allowed under DB90 is fully consistent with the surrounding land use context, which is largely characterized by commercial, multifamily, and civic uses. The closest lower-intensity residential (single-family) area is over 580 ft. away from the Property.

We further request that the city waive Section 25-2-652(F)(3)(b) of the Land Development Code (the ground-floor commercial requirement) and allow development of a fully residential building, as allowed under Section 25-2-652(F)(3)(e)(i), for the following reasons:

- **The Property is located on Hart Lane, which operates as a multifamily roadway.** While Hart Lane is an appropriate location for multifamily residential housing – as indicated by the area’s existing multifamily zoning and by its location within the Far West Center – it does not operate as a commercial corridor and is unlikely to support meaningful commercial uses going forward.
- **Approving the waiver will support the ability to provide housing and affordability on the Property.** Requiring the ground floor be designed for future commercial space that may never be feasible on Hart Lane may make site layout and other design decisions more difficult. In contrast, approving the requested waiver would allow for a fully residential design, which would help support the site’s ability to provide housing – including affordable housing.

Conclusion

The city has made meaningful progress on its housing and affordability goals overall – but more progress is needed in District 10, which has relatively fewer areas designated for additional housing growth. The Property is located at the heart of the Far West Imagine Austin Center, one of the few areas in District 10 that is identified for additional growth and features existing transit service. The current zoning would allow the Property to redevelop today as a fully market-rate project, without any option for affordable housing. The Applicant’s request, instead, would incentivize the Property to provide on-site, long-term, income-restricted housing through a city-run affordable housing bonus program.

Ultimately, the Applicant projects a DB90 project on the Property could produce an estimated 78 to 84 income-restricted affordable units – more than double the 31 affordable units produced in all of District 10 over five years.

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". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael J. Whellan

EDUCATIONAL IMPACT STATEMENT

Austin
Independent
School District



Prepared for the City of Austin



PROJECT NAME: Far West Multifamily

ADDRESS/LOCATION 7201, 7201 1/2, 7205, 7121 Hart Lane

CASE #: C14-2024-0181

NEW SINGLE FAMILY

DEMOLITION OF MULTIFAMILY

NEW MULTIFAMILY

TAX CREDIT

# SF UNITS:	<u> </u>	STUDENTS PER UNIT ASSUMPTION
		Elementary School: <u> </u> Middle School: <u> </u> High School: <u> </u>

# MF UNITS:	<u>700</u>	STUDENTS PER UNIT ASSUMPTION
		Elementary School: <u>.059</u> Middle School: <u>.029</u> High School: <u>.039</u>

IMPACT ON SCHOOLS

In December 2024 Educational Impact Statement was submitted to the City of Austin for 700 MF units. The student yield factor of 0.127 (across all grade levels) for apartment homes was used to determine the number of projected students. This was determined by the district’s demographer by looking at the district average for multifamily units.

The project will demolish 290 units and propose 700-unit multifamily development. It is projected to add approximately 88 students across all grade levels to the projected student population. It is estimated that of the 88 students, 41 will be assigned to Doss Elementary School, 20 to Murchison Middle School, and 27 to Anderson High School.

The percentage of permanent capacity by enrollment for School Year 2028-29, including the additional students projected with this development, would be within the optimal utilization target range of 85-110% at Doss ES (87%) and Murchison MS (104%), and below for Anderson HS (84%).

TRANSPORTATION IMPACT

All Students attending will not qualify for transportation unless a hazardous route condition is identified.

SAFETY IMPACT

There are not any identified safety impacts currently.

Date Prepared: 01.15.2025

Executive Director:

DocuSigned by:

Beth Wilson

38E0989C305B4F8...

EDUCATIONAL IMPACT STATEMENT

Austin
Independent
School District



Prepared for the City of Austin

DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Doss

ADDRESS: 7005 Northledge Dr

PERMANENT CAPACITY: 1,040

MOBILITY RATE: +8.0%

POPULATION (without mobility rate)

ELEMENTARY SCHOOL STUDENTS	2023-24 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	848	794	835
% of Permanent Capacity	82%	76%	80%

ENROLLMENT (with mobility rate)

ELEMENTARY SCHOOL STUDENTS	2023-24 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	916	862	903
% of Permanent Capacity	88%	83%	87%

MIDDLE SCHOOL: Murchison

ADDRESS: 3700 N Hills Dr

PERMANENT CAPACITY: 1,271

MOBILITY RATE: -2.1%

POPULATION (without mobility rate)

MIDDLE SCHOOL STUDENTS	2023-24 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,249	1,326	1,346
% of Permanent Capacity	98%	104%	106%

ENROLLMENT (with mobility rate)

MIDDLE SCHOOL STUDENTS	2023-24 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	1,223	1,300	1,320
% of Permanent Capacity	96%	102%	104%

EDUCATIONAL IMPACT STATEMENT

Austin
 Independent
 School District



Prepared for the City of Austin

HIGH SCHOOL: Anderson

ADDRESS: 8403 Mesa Dr

PERMANENT CAPACITY: 2,397

MOBILITY RATE: -.01%

POPULATION (without mobility rate)

HIGH SCHOOL STUDENTS	2023-24 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	2,167	1,983	2,010
% of Permanent Capacity	90%	83%	84%%

ENROLLMENT (with mobility rate)

HIGH SCHOOL STUDENTS	2023-24 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	2,164	1,980	2,007
% of Permanent Capacity	90%	83%	84%

From: [Richard Law](#)
To: [Sirwaitis, Sherri](#)
Cc: [Jim Allison](#)
Subject: Fwd: FW: Public Hearing Case No: C14-2024-0181
Date: Sunday, February 16, 2025 2:42:07 PM

-

External Email - Exercise Caution

Ms. Sirwaitis,
As President of the Edgecliff NW HOA, I wanted to forward our objection to you regarding the Public Hearing Case No: C14-2024-0181 that I had sent to Ms. Hadri.
Regards
Richard Law

----- Forwarded message -----

From: **Richard Law** <>
Date: Sat, 15 Feb 2025 at 16:08
Subject: Re: FW: Public Hearing Case No: C14-2024-0181
To: Jim Allison <>
Cc: cynthia.hadri@austintexas.gov <cynthia.hadri@austintexas.gov>

Ms. Hadri
As President of the Edgecliff NW HOA, we would like to register our concerns regarding the redevelopment of the Acacia Cliffs site. Price Reality (the developers?) have been in touch with our HOA.

Our concerns are specific.

- Drainage from Acacia Cliffs has impacted our community for years. We have not had any response from the owners.
- Individuals on the Acacia Cliffs side have continuously removed pickets from the fencing to gain access (walk through) to Wood Hollow, at the east side of our property.
- Impact of demolition and construction to value of the Edgecliff NW homes facing Acacia Cliffs. Assuming that the project will take a significant amount of time to complete, these homeowners will have to deal with noise, dust and pollution. The construction period will hinder their ability to sell their property.

What is the appropriate mechanism to register our concerns and assure the Edgecliff NW HOA community that this project will not adversely affect their homes?

Best regards
Richard Law

President, Edgecliff NW HOA
Austin, Texas

On Fri, 14 Feb 2025 at 14:39, Jim Allison <> wrote:

Ms. Hadri: Attached please find my objection to the proposed rezoning of 7201, 7201 ½, 7205, 7121 Hart Lane, scheduled for public hearing on February 18, 2025. Please include my objection in the record of this matter. James P. Allison

James P. Allison

Allison, Bass & Magee, LLP

1301 Nueces St, Suite. 201

Austin, Texas 78701

*Information contained in this e-mail is attorney-client privileged and confidential information intended for the use of the individual or entity named. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.

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 "cybersecurity@austintexas.gov".

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: C14-2024-0181
Contact: Cynthia Hadri, 512-974-7620
Public Hearing: February 18, 2025, Zoning and Platting Commission

JAMES P. ALLISON

Your Name (please print)

I am in favor
 I object

7122 Wood Hollow Dr. #5, Austin, Texas 78731

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

[Signature]

Signature

2/14/25

Date

Daytime Telephone (Optional): 512-482-0701

Comments: This proposed re-zoning will adversely affect the neighborhood and area property, including my residence, which is immediately adjacent to the project. The increased density is incompatible with the current use and available facilities, leading to increased crime, transportation overcrowding, and drainage issues.

If you use this form to comment, it may be returned to:
City of Austin, Planning Department
Cynthia Hadri
P. O. Box 1088, Austin, TX 78767
Or email to:
cynthia.hadri@austintexas.gov

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Case Number: C14-2024-0181
Contact: Cynthia Hadri, 512-974-7620
Public Hearing: February 18, 2025, Zoning and Platting Commission

LILA DEWEERD
Your Name (please print)

I am in favor
 I object

7121 KACT LN
Your address(es) affected by this application (optional)

[Signature] 2/11/25
Signature Date

Daytime Telephone (Optional): _____

Comments: I object to this rezoning. I
Am concerned about the impact this
will have on traffic and safety,
especially since there is an elementary
and middle school almost directly across
the street. There is also already
a new mixed-use property approved
close by at 3525 Far West. A second
similar property only compounds my safety
and traffic concerns.

If you use this form to comment, it may be returned to:
City of Austin, Planning Department
Cynthia Hadri
P. O. Box 1088, Austin, TX 78767
Or email to:
cynthia.hadri@austintexas.gov

RESOLUTION NO. 2025-01

WHEREAS, Price Acacia Cliffs LLC (Price Realty) owns that certain tract of real property located at 7201, 72011/2, 7205, 7121 Hart Lane; and,

WHEREAS, Price Realty has filed a zoning application with the City of Austin under File No. CI4- 2024-0181 to rezone the property to permit development and use of the property for a mid-rise multi-family residential project that will include affordable housing under the City's DB90 program; and,

WHEREAS, the service area of the Northwest Austin Civic Association (NWACA) is a diverse mixed-use neighborhood with a range of low and moderate density housing options; and

WHEREAS, the site proposed for mixed use development on Hart Lane is immediately adjacent to existing employment and shopping areas on Far West Blvd and is served by existing transit; and,

WHEREAS, in consideration of NWACA's support of the Zoning Case, Price Realty has agreed to a conditional overlay that has been included in the staff recommendation and recommended to Council by the Zoning and Platting Commission to exclude the following land uses

- Administrative and Business Offices
- Alternative Financial Services 12
- Art Workshop
- Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing (of any type)
- Bail Bond Services 10
- Business or Trade School
- Business Support Services
- Commercial Off-Street Parking
- Communications Services
- Consumer Convenience Services
- Consumer Repair Services
- Drop-Off Recycling Collection Facility
- Exterminating Services
- Financial Services
- Food Preparation
- Food Sales
- Funeral Services
- General Retail Sales (Convenience)
- General Retail Sales (General)
- Hotel-Motel
- Indoor Entertainment
- Indoor Sports and Recreation

- Medical Offices—exceeding 5,000 sq. ft. gross floor area
- Medical Offices—not exceeding 5,000 sq. ft. gross floor area
- Off-Site Accessory Parking 14
- Outdoor Entertainment
- Outdoor Sports and Recreation
- Pawn Shop Services
- Pedicab Storage and Dispatch
- Performance Venue
- Personal Improvement Services
- Personal Services
- Pet Services
- Plant Nursery
- Printing and Publishing
- Professional Office
- Research Services
- Restaurant (General)
- Restaurant (Limited)
- Service Station
- Software Development
- Special Use Historic
- Theater; and,

WHEREAS, the engineering analysis requested by NWACA indicates that, based on the results of the capacity analysis, all movements at the intersection of Hart Lane and the proposed project driveway will perform at LOS B or better and will experience minimal queuing under 2028 buildout conditions; and,

WHEREAS, Price Realty has agreed to join NWACA in asking Council Member Duchon to offer direction from the dais that the City Parks Department utilize any fee in-lieu of parkland dedication within the service area for which the fees were assessed, and specifically at the Hyridge Drive entrance to the Steck Valley Greenbelt for a playscape.

THEREFORE, BE IT RESOLVED BY THE NORTHWEST AUSTIN CIVIC ASSOCIATION (NWACA) Board of Directors supports the rezoning of 7201, 7201 1/2, 7205, 7121 Hart Lane from MF3 to GR-V-CO-DB90 subject to the above conditions.

ADOPTED: February 19, 2025

ATTEST:
President



Joyce Statz,