

## ZONING CHANGE REVIEW SHEET

CASE: C14-2025-0006 (34<sup>th</sup> & West – Tract 1)

DISTRICT: 9

ADDRESS: 800, 804, 806, and 808, W 34th St; 3404 and 3406 West Ave

ZONING FROM: LO-ETOD-DBETOD-NP  
(Subdistrict 2)

TO: CS-MU-V-DB90-ETOD-DBETOD-NP  
(Subdistrict 2)

SITE AREA: approximately 1.6898 acres (approximately 73,607 square feet)

PROPERTY OWNER: West 34<sup>th</sup> Street Neighborhood Improvement Company, LLC

AGENT: Armbrust & Brown, PLLC (Michael Whellan)

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

### STAFF RECOMMEDATION:

**Staff does not recommend granting CS-MU-V-DB90-ETOD-DBETOD-NP (subdistrict 2) and makes the alternative recommendation of general commercial services-mixed use-vertical mixed use-conditional overlay-equitable transit oriented development-density bonus equitable transit oriented development-neighborhood plan (GR-MU-V-CO-ETOD-DBETOD-NP) combining district zoning (Subdistrict 2). The conditional overlay would prohibit a height over 45 feet if the tract is not developed to DBETOD standards. DBETOD allows for residential uses, modifies compatibility standards and site development regulations, and grants additional building height (90 feet in Subdistrict 2) in exchange for income-restricted housing.**

**The conditional overlay would also *prohibit* the following 17 uses:**

- |                                        |                                      |
|----------------------------------------|--------------------------------------|
| - Alternative Financial Services       | - Maintenance and Service Facilities |
| - Automotive Washing (of any type)     | - Monument Retail Sales              |
| - Bail Bond Services                   | - Outdoor Entertainment              |
| - Commercial Blood Plasma Center       | - Outdoor Sports and Recreation      |
| - Communication Service Facilities     | - Pawn Shop Services                 |
| - Communications Services              | - Pedicab Storage and Dispatch       |
| - Construction Sales and Services      | - Safety Services                    |
| - Laundry Services                     | - Transportation Terminal            |
| - Limited Warehousing and Distribution |                                      |

**The conditional overlay would also *conditionally allow* the following 9 uses:**

- |                                                 |                                            |
|-------------------------------------------------|--------------------------------------------|
| - Business or Trade School                      | - Private Secondary Educational Facilities |
| - Business Support Services                     | - Public Primary Educational Facilities    |
| - Hotel-Motel                                   | - Public Secondary Educational Facilities  |
| - Performance Venue ( $\leq$ 9,000 square feet) | - Theater (greater than 5,000 square feet) |
| - Private Primary Educational Facilities        |                                            |

*See the basis of recommendation section below for more information.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

July 8, 2025: Neighborhood postponement request to July 22, 2025, granted

July 22, 2025: The motion to grant staff's recommendation of GR-MU-V-CO-ETOD-DBETOD-NP) combining district zoning (Subdistrict 2) was approved on the consent agenda with a motion by Commission Barrera-Ramirez, seconded by Commissioner Ahmed with no objections. Commissioner Lan and Powell were absent.

CITY COUNCIL ACTION:

August 28, 2025: Case is scheduled to be heard by City Council.

ORDINANCE NUMBER:

TBD

ISSUES:

The subject tract is within the flight path of a helipad serving Ascension Seton Medical Center approximately 1,100 feet northwest of the site. Staff reviewed the helipad permit on file and does not have any concerns at this time. When a site plan is filed staff encourage those site plan reviewers to re-review the most current helipad permit and the proposed building heights at that time.

On March 9, 2023, City Council approved Resolution No. 20230309-016 accepting the Equitable Transit-Oriented Development Policy Plan and directing the City Manager regarding next steps for implementation of items intended to benefit the Project Connect Phase 1 Austin Light Rail project. This included development of code amendments to support transit in May of 2024 (Ordinance No. 20240516-005), including creation of the ETOD combining district (restrictions on non-transit supportive uses) and the DBETOD combining district (allowing residential use, and relaxing some development standards including increased height in exchange for income-restricted housing). Properties within one half-mile of the Phase 1 Austin Light Rail alignment and Priority Extensions were included within this overlay, and certain properties were rezoned through a City-initiated process to include the ETOD and DBETOD combining districts. Further, properties rezoned with DBETOD combining district were categorized into Subdistrict 1 (maximum allowable height of 120 feet) or Subdistrict 2 (maximum allowable height of 90 feet), generally based on property distance of ¼-mile or ½-mile from the Phase 1 alignment, respectively.

However, that rezoning process did not modify any base district zoning or any combining district zoning, which is the subject of this request.

CASE MANAGER COMMENTS:

A building constructed under ETOD and DBETOD standards allows for a mix of residential uses and transit-supportive commercial uses, and the result is typically retail, restaurants and offices on the ground floor, and residential units on upper levels. Those uses deemed non-transit-supportive have been prohibited or made as conditional within the ETOD combining district.

A property rezoned with multiple density program options, such as -DB90, -V, and -ETOD-DBETOD, may choose to utilize the density bonus option. If so, a single program must be selected.

A development utilizing the “density bonus ETOD” 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 up to 90 feet in the GR district (60 feet base district plus up to 30 feet height incentive) and relaxation of development and compatibility standards, such as floor to area ratio (FAR), setbacks and building coverage.

There are several methods of satisfying DBETOD development affordability requirements, based on whether the proposed units will be offered as rental or for ownership.

For rental units, the options are based on a tiered system tied to achievable maximum height or modified development standards.

- i. To achieve 60 feet in height or to utilize a development standard under DBETOD that is not height-related, a development must provide:
  - a minimum of 10% of the residential units as affordable for lease and occupancy by households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI;
- ii. To achieve 90 feet in height, a development must provide:
  - a minimum of 12% of the residential units as affordable for lease and occupancy by households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
  - a minimum of 10% of the residential units as affordable for lease and occupancy by households earning 50% or less MFI.
- iii. To achieve 120 feet in height, a development must provide:
  - a minimum of 15% of the residential units as affordable for lease and occupancy by households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
  - a minimum of 12% of the residential units as affordable for lease and occupancy by households earning 50% or less MFI.

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

- 1) a minimum of 12% of the units as affordable for ownership and occupancy by 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 125% of 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 site plan submittal.

#### BASIS OF RECOMMENDATION:

*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 comply with affordable housing requirements as per the DBETOD combining district regulations. This request continues to align with City objectives to increase density and affordability in exchange for relaxed development standards.

*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 and equitable transit-oriented development, as well as incentivizing vertical mixed use buildings throughout the City.

*The proposed zoning should satisfy a real public need and not provide special privilege to the owner.*

Part of the ETOD policy implementation included mitigation measures to help reduce displacement pressures during redevelopment. The implementation measures require development utilizing the DBETOD program to comply with residential redevelopment requirements to preserve existing affordable and/or attainable housing opportunities for low- and middle-income households. Further, implementation measures require new development utilizing the DBETOD program to provide the right to return to certain qualifying businesses (certain non-residential uses) in the new development with right to return to affordable, comparably sized spaces. The ETOD policies seek to balance the need for increased density and activity surrounding transit with displacement pressures associated with said redevelopment.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	LO-ETOD-DBETOD-NP	A three-story medical office building of approximately 38,000 square feet constructed in approximately 1983 with approximately 56,000 square feet of paved parking lot. A one-story office/retail single family home of approximately 1,500 square feet constructed in approximately 1929.
<i>North</i>	P-NP and SF-3-CO-NP	A one-story small office/retail single family home of approximately 1,500 square feet constructed in approximately 1960 with approximately 5,300 square feet of paved parking lot. Approximately 27,000 square feet of paved parking lot for the US Post Office at 3507 North Lamar Boulevard.
<i>South (across West 34<sup>th</sup> St.)</i>	LO-ETOD-DBETOD-NP (request for rezoning through related cases C14-2025-0007 and C14- 2025-0008)	<i>Parcels included in C14-2025-0007 and C14-2025-0008.</i> A three-story office building of approximately 8,100 square feet constructed in approximately 1979 with approximately 10,000 square feet of paved parking lot. A two-story medical office building of approximately 32,000 square feet constructed in approximately 1968 with approximately 40,000 square feet of paved parking lot.
<i>East (across West Ave.)</i>	LO-ETOD-DBETOD-NP	A two-story medical office building of approximately 24,000 square feet constructed in approximately 2013 with approximately 45,000 square feet of paved parking lot.
<i>West (across Owen Ave.)</i>	P-NP	Approximately 20,000 square feet of paved parking lot for the US Post Office at 3507 North Lamar Boulevard.



NEIGHBORHOOD PLANNING AREA: Central Austin Combined (CANPAC) - West University

WATERSHED: Shoal Creek Watershed

SCHOOLS: A.I.S.D.

Bryker Woods Elementary School

O Henry Middle School

Austin High School

COMMUNITY REGISTRY LIST:

Austin Independent School District, Austin Neighborhoods Council, CANPAC (Central Austin Neigh Plan Area Committee), Friends of Austin Neighborhoods, Friends of Heritage, Heritage Neighborhood Association, Homeless Neighborhood Association, Preservation Austin, Shoal Creek Conservancy

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2015-0030 (34 <sup>th</sup> & King Street)	The applicant is proposing to rezone property from SF-3-CO to GR-MU-CO, SF-4A-CO.	Withdrawn	Withdrawn
C14-2008-0223 (David Heaps)	The applicant is requesting to rezone the property from LO-NP to LO-MU-NP.	Withdrawn	Withdrawn
C14-2008-0067 (Medical Science Center)	The applicant is requesting to rezone property from LO-MU-NP to VMU.	Withdrawn	Withdrawn
C14-2007-0262 (Central Austin Combined Neighborhood Planning Area Vertical Mixed Use)	The applicant is proposing Vertical Mixed Use Zoning.	01.13.2009: N/A	06.11.2009: Ordinance No. 20090611-056 was approved with amendments and conditions on Council Member Shade's motion and Council Member Leffingwell's second on a 6-0 vote. Council Member Cole was absent.

RELATED CASES:

C14-2025-0007 – 34<sup>th</sup> & West (Tract 2)  
C14-2025-0008 – 34<sup>th</sup> & West (Tract 3)  
C14-2025-0009 – 34<sup>th</sup> & West (Tract 4)  
NPA-2024-0019.02 – 34<sup>th</sup> & West FLUM Amendment

ADDITIONAL STAFF COMMENTS:

Environmental

1. 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.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
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. 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.
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 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 will be required, as well as any remaining fees in-lieu.

This lot is in a parkland deficient area and, with the intensity of residential entitlements proposed by this zoning case (and the related tracts) the deficiency would grow with the new units. 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 § 25-1-609.

Note that 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.

Should the applicant wish to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: [ann.desanctis@austintexas.gov](mailto:ann.desanctis@austintexas.gov). At the applicant's request, PARD can provide an early determination letter of the requirements as stated in this review.

#### Site Plan

- SP1. Site plans will be required for any new development except for residential only projects with up to 4 units.
- SP2. 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.
- SP3. This tract is already developed and the proposed zoning change is within the footprint of an existing development.

#### **DB90**

- SP4. This site must meet affordability minimums per LDC 25-2-652 to be eligible for DB90. A signed approval letter from the Housing Department will be required with site plan submittal.
- SP5. W 34th 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.
- SP6. 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.

#### **DBETOD**

- SP7. This site must meet affordability minimums per LDC 25-2-654 to be eligible for DBETOD. A signed approval letter from the Housing Department will be required with site plan submittal.
- SP8. W 34th 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.
- SP9. Limitation on Mix of Uses:
- The maximum number of floors that can include non-residential uses is two.
  - A cocktail lounge or performance venue may only be located on the first or second story of the building.

- A residential use may not be located below a cocktail lounge or performance venue.

SP10. This site must comply with the maximum height requirements pursuant to 25-2-654(G)

Transportation and Public Works (TPW) Department – 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. *Please contact Kaylie Coleman ([kaylie.coleman@austintexas.gov](mailto:kaylie.coleman@austintexas.gov)) to coordinate the ZTA requirements. This comment can be cleared once the ZTA is finalized, and the fee has been paid. This is a comprehensive ZTA for the following zoning cases: C14-2025-0006; C14-2025-0007; C14-2025-0008; and C14-2025-0009. LDC 25-6, TCM 10.5.0.*
- TPW 2. The Austin Strategic Mobility Plan (ASMP) calls for 72 feet of right-of-way for W 34<sup>th</sup> ST. It is recommended that 36 feet of right-of-way from the existing centerline should be dedicated for W 34<sup>th</sup> ST according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

EXISTING STREET CHARACTERISTICS:

	<b>ASMP Classification</b>	<b>ASMP Required ROW</b>	<b>Existing ROW</b>	<b>Existing Pavement</b>	<b>Sidewalks</b>	<b>Bicycle Route</b>	<b>Capital Metro (within ¼ mile)</b>
W 34 <sup>th</sup> ST	Level 2	72'	51'	35'	Yes (5')	Yes	Yes
West AVE	Level 1	58'	63'	30'	No	No	Yes
Owen AVE	Level 1	58'	50'	31'	No	No	Yes

TIA:

The applicant has elected to conduct an alternative Zoning Transportation Analysis (ZTA) considering the trips generated by all 4 tracts. Please see the Zoning Transportation Analysis (ZTA) included below as *exhibit D*.

Austin Water Utility

AW1. No comments on zoning change.

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

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

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letter
- D. Zoning Transportation Analysis (ZTA)
- E. Educational Impact Statement (EIS)
- F. Correspondence from Interested Parties

ZONING CASE#: C14-2025-0006

 SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY  
 PROPOSED NEW DEVELOPMENT  
 EXISTING DEVELOPMENT

$$1'' = 400'$$

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.





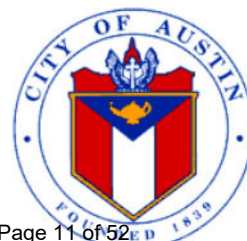


### 34th and West (Tract 1)

ZONING CASE#: C14-2025-0006  
LOCATION: 800, 804, 806, & 808 W. 34th St.  
3404 & 3406 West Ave.  
SUBJECT AREA: 1.69 Acres  
MANAGER: Beverly Villela



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





## ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

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

FACSIMILE 512-435-2360

March 18, 2025

Joi Harden, Zoning Officer  
Planning Department  
6310 Wilhelmina Delco Dr.  
Austin, Texas 78752

Subject: Rezoning and neighborhood plan amendment applications related to 800, 804, 806, 808 W. 34th St. and 3404, 3406 West Ave. ("Tract 1"), 901, 905, 907 W. 34th St., 3316 Grandview St., and a portion of 3317 N. Lamar Blvd. ("Tract 2"), 801 W. 34th St. ("Tract 3"), and 715, 725 W. 34th St. and 3301 West Ave. ("Tract 4") (collectively, the "Property")

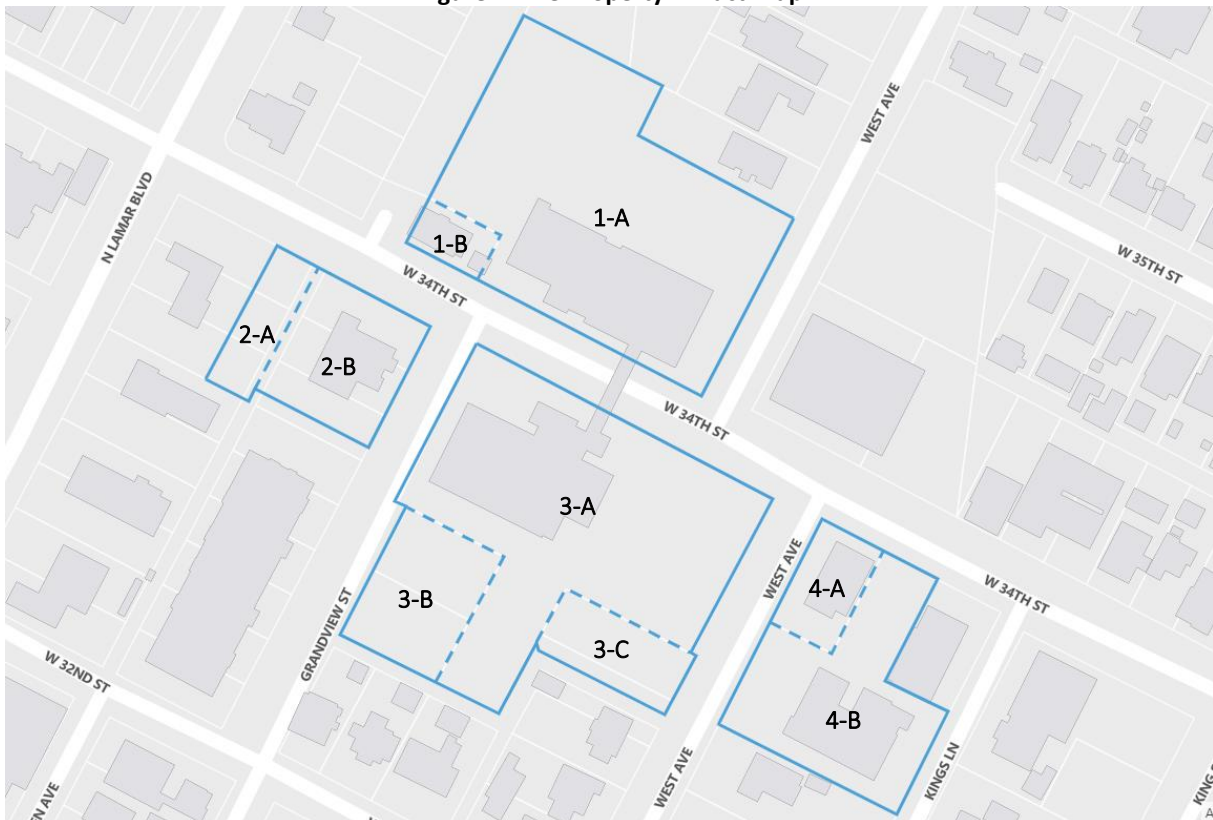
Dear Ms. Harden,

On behalf of West 34th Street Neighborhood Improvement Company, LLC (the "Owner"), I am submitting five applications related to four tracts at the intersection of West 34th Street and West Avenue. Together, these applications will better align the city's land use regulations to provide for a broader mix of uses at this 'node.' This letter replaces the letter dated December 3, 2024.

### Applicant Request

The Property consists of four tracts as shown in Figure 1 below.

Figure 1. The Property – Tract Map





Today, the Property features a variety of zoning and Future Land Use Map (“FLUM”) designations. We are requesting consolidating these designations into one comprehensive, unified designation for both the FLUM (Mixed-Use) and for zoning (CS-MU-V-DB90-ETOD-DBETOD-NP), as shown in Figure 2 below. This includes removing the existing conditional overlay, which has largely been superseded by the ETOD and DBETOD combining districts.

Importantly, the Property already features the DBETOD designation, which allows increased height today.

**Figure 2. Future Land Use Map and Zoning – Current Designations and Request**

Tract	FLUM Designation	Request (FLUM)	Zoning Designation	Subdistrict	Request (Zoning)	Request (Subdistrict)
1-A	Mixed-Use/Office	Mixed-Use	LO-ETOD-DBETOD-NP	2	CS-MU-V-DB90-ETOD-DBETOD-NP	2
1-B	Mixed-Use/Office		LO-ETOD-DBETOD-NP	2		2
2-A	Mixed-Use		CS-CO-ETOD-DBETOD-NP	2		2
2-B	Mixed-Use/Office		LO-ETOD-DBETOD-NP	2		2
3-A	Mixed-Use/Office		LO-ETOD-DBETOD-NP	1		1
3-B	Single-Family		LO-CO-ETOD-DBETOD-NP	2		1
3-C	Single-Family		LO-CO-ETOD-DBETOD-NP	1		1
4-A	Mixed-Use/Office		LO-ETOD-DBETOD-NP	1		1
4-B	Mixed-Use/Office		LO-ETOD-DBETOD-NP	1		1

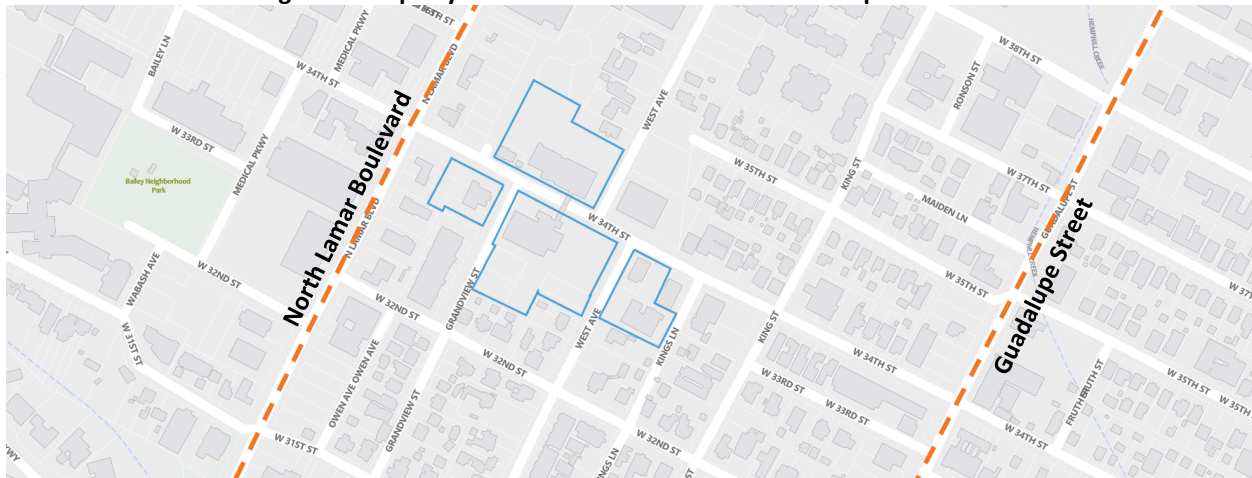
This request would also re-designate Tract 3-B from Subdistrict 2 to Subdistrict 1 within the DBETOD combining district, to match Tracts 3-A and 3-C (which are already designated today for Subdistrict 1).

#### Site Context

The Property consists of four distinct tracts along West 34th Street, near its intersection with West Avenue. The area is characterized by the following land use context:

- **The Property is within a 10-minute walk of 10 bus routes**, including both of the two existing MetroRapid routes (801 and 803), one of only five Night Owl routes (481), an Express route (982), a Crosstown route (335), and five Local routes (1, 3, 5, 30, and 491).
- **The Property is within three City-identified ETOD Station Areas**, including the Seton Medical Center Station Area, the Hyde Park (38th) Station Area, and the Rosedale Station Area.
- **The Property is located on West 34th, which connects two major corridors (North Lamar and Guadalupe)**. The four tracts that constitute the Property span roughly half of the distance between the two corridors, as shown in Figure 3 below.
- **The Property has both north-south and east-west connectivity**. The four tracts are generally oriented around West 34th's intersection with West Avenue. While West Avenue ‘jogs’ slightly as it crosses West 34th Street, it is one of only two north-south connections between North Lamar and Guadalupe (the other being King Street), forming a key ‘node’ between the two corridors.
- **The city has designated West 34th generally for mixed-use zoning districts and FLUM categories**, including CS and LO base zoning districts (as well as a small amount of P and SF-3 base zoning) and Mixed-Use and Mixed-Use/Office FLUM designations (as well as a small amount of Civic and Single-Family).
- **The city has designated West 34th for mixed-use, equitable transit-oriented development** by applying the ETOD and DBETOD combining districts to most properties along West 34th Street between North Lamar and Guadalupe. This designation currently provides between 70 ft. to 120 ft. of height along this street

Figure 3. Property Context – North Lamar and Guadalupe Corridors



### Applicant Request

As noted, the Owner is applying to designate the Property for “Mixed-Use” on the Future Land Use Map, rezone the Property to CS-MU-V-DB90-ETOD-DBETOD-NP, and designate Tract 3-B for Subdistrict 1 within the DBETOD combining district. This request would:

- **Update the Future Land Use Map to designate the Property for “Mixed-Use,”** which better reflects the city’s new equitable transit-oriented development policies.
- **Establish General Commercial Services (CS) as the new base zoning,** which would allow for a more diverse mix of walkable uses (with the safeguard that the ETOD combining district restricts less desirable uses).
- **Allow the full range of available density bonus options,** including Vertical Mixed-Use and Density Bonus 90, in addition to Density Bonus ETOD, to allow for future optionality while encouraging affordability.
- **Remove the existing conditional overlay,** which currently consists primarily of outdated height restrictions that the DBETOD combining district has since superseded and use restrictions that the ETOD combining district now regulates. (See Attachment A for existing conditional overlay provisions.)
- **Provide consistent regulations for Tract 3** by matching Tract 3-B’s subdistrict designation within the DBETOD combining district to the designation already provided for Tracts 3-A and 3-C (Subdistrict 1).

### Case Rationale

We believe that this request is appropriate for the following reasons:

- **This request will support the city’s housing goals** by making the Property eligible for a range of different city-run affordable housing bonus programs. Providing this optionality will encourage future projects on the Property to proceed in a manner that requires on-site affordability, whether at 60 ft., 90 ft. or 120 ft.
- **This request is consistent with the city’s land use policies for West 34th Street.** The city has already designated this street for a mix of commercial and residential uses as well as for additional ‘transit-oriented’ height. The Owner’s request supports this policy direction by allowing a greater mix of walkable uses – with the additional safeguard that the ETOD combining district restricted auto-oriented and less desirable uses.
- **This request will support the city’s transit and ‘mode-shift’ goals** by allowing a broader range of walkable commercial uses within a 10-minute walk of 10 different transit routes and within three ETOD station areas.

For context, the Austin Strategic Mobility Plan (“ASMP”) sets a ‘50/50 mode split’ goal aiming to have half of residents commuting via an alternative to a single-occupancy vehicle by 2039. To reach this goal, the ASMP specifies that “Allowing for mixed-use and infill development can increase access to safe and convenient transportation options beyond car travel by providing pedestrian, bicycle, and transit access to many types of nearby destinations.”

This request helps accomplish that by providing a mix of housing and commercial uses with easy access to both MetroRapid routes (each of which features 10-minute frequency during regular weekday hours), a Night Owl route (with service until 3am), and a Crosstown route (with east-west connectivity to Cherrywood and Mueller), among other routes. Together, these 10 available routes allow direct transit access to downtown, the University of Texas at Austin, the Texas Capitol, Auditorium Shores, Zilker Park, South Congress, Southpark Meadows, the Domain, Burnet Road, North Lamar, South Lamar, Mueller, the Grove at Shoal Creek, East 12th Street, Menchaca Road, and Slaughter Lane, among other areas.

### Conclusion

We believe that our requests for a Mixed-Use FLUM designation, for CS-MU-V-DB90-ETOD-DBETOD-NP zoning, and for designating Tract 3-B for Subdistrict 1 within the DBETOD combining district are appropriate, consistent with the land-use context, and would support the city’s housing and transit goals. I appreciate your consideration and am available if you have questions or if you would like to discuss this case further.

Respectfully,

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

Michael J. Whellan

**Attachment A – Existing Conditional Overlay Provisions  
(Excerpted from Ordinance No. 040826-57)**

- **Tract 2-A** is subject to the following conditional overlay provisions:
  - Maximum Height: 50 ft.
  - Conditional Uses: Automotive Rentals, Sales, or Repair Services  
Club or Lodge  
Commercial Blood Plasma Center  
Building Maintenance Services  
Hospital Services (General)  
Residential Treatment  
Hotel-Motel  
Service Station  
Laundry Services  
Transitional Housing  
Research Services
  - Prohibited Uses: Agricultural Sales and Services  
Automotive Washing (Of Any Type)  
Campground  
Maintenance and Service Facilities  
Convenience Storage  
Drop-Off Recycling Collection Facilities  
Outdoor Sports and Recreation  
Pawn Shop Services  
Transportation Terminal  
Indoor Sports and Recreation  
Kennels  
Limited Warehousing and Distribution  
Commercial Off-Street Parking  
Construction Sales and Services  
Monument Retail Sales  
Outdoor Entertainment  
Electronic Prototype Assembly  
Equipment Repair Services  
Equipment Sales  
Vehicle Storage
- **Tract 3-B** is subject to the following conditional overlay provisions:
  - Maximum Height: 30 ft.
- **Tract 3-C** is listed with a conditional overlay combining district, but no such conditional overlay provisions have yet been identified.



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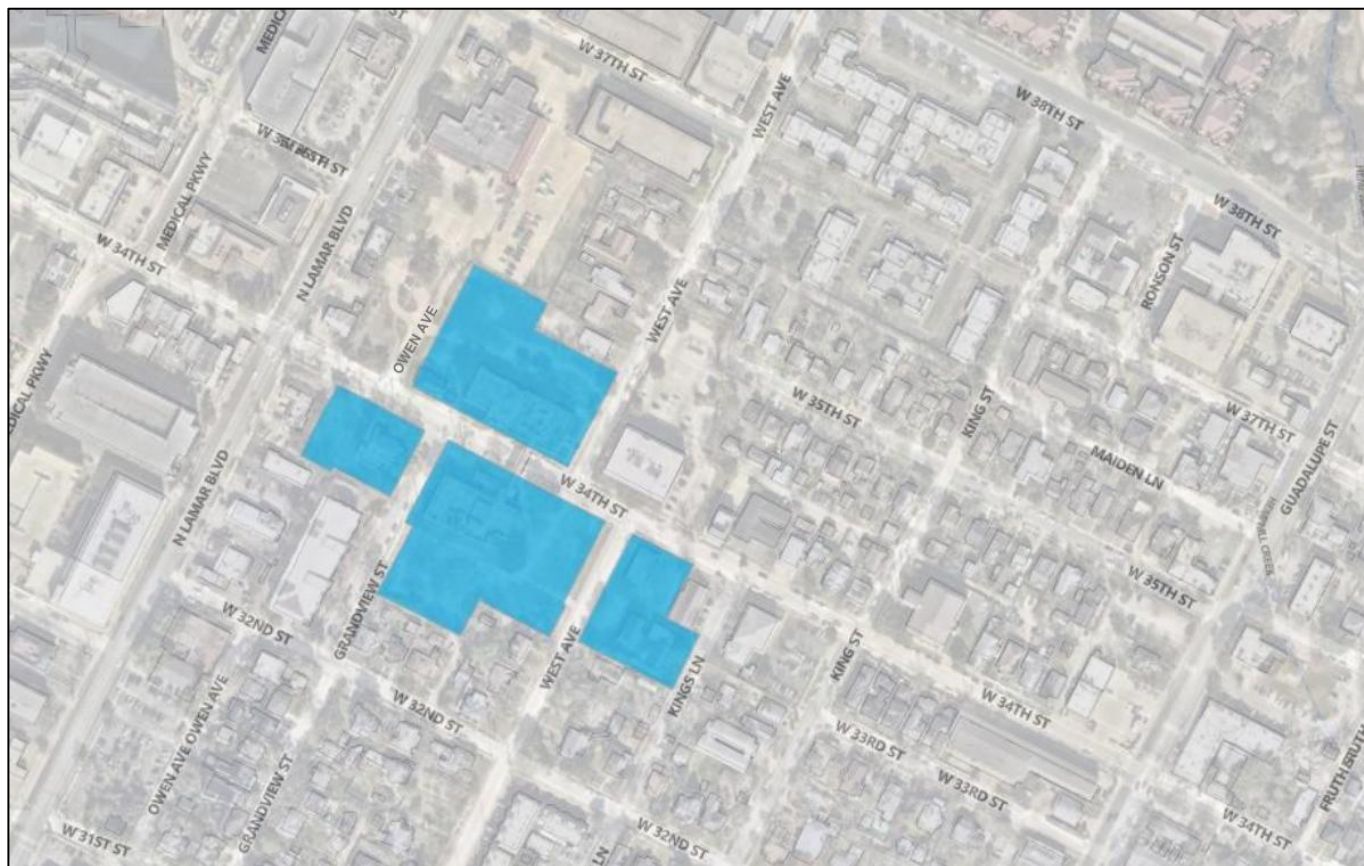
## MEMORANDUM

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**Date:** April 16, 2025  
**To:** Aditya Jatar, P.E., BOE Consulting Services  
**CC:** Kaylie Coleman, Matiur Rahman, Bryan Golden,  
Transportation and Public Works Department  
**Reference:** **W 34<sup>th</sup> St & West Ave Site**, Austin  
Zoning Transportation Analysis (**ZTA**) Final Memo

---

The Transportation and Public Works Department has reviewed the 3/19/2025 “W 34<sup>th</sup> St & West Ave Redevelopment ZTA”, prepared by BOE Consulting Services. The proposed site comprises of Mid-Rise Multi-Family (950 dwelling units) and Strip Retail Plaza (17,000 SF). The development location is shown in Figure 1 below. The proposed development is anticipated to be completed in 2028, and phasing is currently unknown. The project proposes access to the surrounding roadway network through seven driveways, one full access and one right-in/right-out (RIRO) on W 34<sup>th</sup> St, three full access on West Ave, one full access on Owen Ave, and one full access on Grandview St.



*Figure 1: Site Location*

### **Adjacent Roadway Characteristics:**

The site proposes access to W 34<sup>th</sup> St, West Ave, Owen Ave, and Grandview St through six full access driveways and one RIRO driveway. The following section provides a brief description of W 34<sup>th</sup> St, West Ave, Owen Ave, and Grandview St.

**W 34<sup>th</sup> St:** W 34<sup>th</sup> St along the site frontage is currently a Level 2 road in the ASMP and 72-84' ROW is required as per ASMP. It currently has two travel lanes with curb and gutter and sidewalk on both sides of the road. There's also on street bike lane in both directions on W 34<sup>th</sup> St west of West Ave. The average daily traffic on W 34<sup>th</sup> St was about 4,260 vehicles per day based on 2024 traffic count data.

**West Ave:** West Ave segment adjacent to the site is currently a Level 1 road in the ASMP and 58 or 64' ROW is required as per ASMP. It currently has two travel lanes with curb and gutter and sidewalk on both sides of the road, with some portions on the west side of West Ave missing sidewalk. The average daily traffic on West Ave was about 730 vehicles per day based on 2024 traffic count data.

**Owen Ave:** Owen Ave segment adjacent to the site is currently a Level 1 road in the ASMP and 58 or 64' ROW is required as per ASMP. It currently has two travel lanes with curb and gutter on both sides of the road and sidewalk on the west side of the road. The average daily traffic on Owen Ave was about 361 vehicles per day based on 2023 traffic count data.

**Grandview St:** Grandview St segment adjacent to the site is currently a Level 1 road in the ASMP and 58 or 64' ROW is required as per ASMP. It currently has two travel lanes with curb and gutter and sidewalk on both sides of the road, with some portions on the west side of Grandview St missing sidewalk. The average daily traffic on Grandview St was about 150 vehicles per day based on 2023 traffic count data.

### **Trip Generation and Traffic Analysis:**

Based on the Institute of Transportation Engineers (ITE) Trip Generation Manual (11<sup>th</sup> Edition), the development will generate 1,203 adjusted daily trips, 91 AM peak hour adjusted trips and 73 PM peak hour adjusted trips, details are shown in Table 1.

**Table 1: Trip Generation**

Tract	ITE Code	Land Use	Intensity	Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
<b>Proposed Use (Unadjusted)</b>						
1	221	Multifamily Housing (Mid Rise)	350 Dwelling Units	1,623	142	137
1	822	Strip Retail Plaza (<40k)	10,000 Square Feet	652	24	78
2	221	Multifamily Housing (Mid Rise)	100 Dwelling Units	431	32	39
3	221	Multifamily Housing (Mid Rise)	350 Dwelling Units	1,623	142	137
3	822	Strip Retail Plaza (<40k)	7,000 Square Feet	525	17	60
4	221	Multifamily Housing (Mid Rise)	150 Dwelling Units	669	54	59
<b>Total Unadjusted Trips</b>				5,522	412	510
<b>Existing Trip Reduction</b>				3,214	237	336
<b>TDM Reduction (20% Minimum)</b>				1,104	82	102
<b>Total Adjusted Trips</b>				1,203	91	73

Average Daily Traffic (ADT) was estimated for the 2024 existing conditions based on collected traffic count data. The growth factor of 2% per year from 2024-2028 was assumed to estimate the projected ADT volumes for 2028 forecasted conditions. Table 2 shows both the existing traffic volumes as well as projected volumes on the road segments in the vicinity of the site.



**Table 2 Projected Volume Analysis**

Road Segment	ASMP Class	Existing Cross Section	Future ASMP cross section	2024 ADT	2026 ADT (Site + Forecasted)
W 34 <sup>th</sup> St: Near Lamar	Level 2	2 Lanes, undivided	2 Lanes, undivided	3,165	3,786
W 34 <sup>th</sup> St: E of West Ave	Level 2	2 Lanes, undivided	2 Lanes, undivided	4,257	5,078
West Ave: S of W 34 <sup>th</sup> St	Level 1	2 Lanes, undivided	2 Lanes, undivided	726	946
West Ave: N of W 34 <sup>th</sup> St	Level 1	2 Lanes, undivided	2 Lanes, undivided	868	1,020
Owen Ave: N of W 34 <sup>th</sup> St	Level 1	2 Lanes, undivided	2 Lanes, undivided	361	471
Kings Ln: S of W 34 <sup>th</sup> St	Level 1	2 Lanes, undivided	2 Lanes, undivided	61	66
Grandview St: S of W 34 <sup>th</sup> St	Level 1	2 Lanes, undivided	2 Lanes, undivided	153	276

Projected volume analysis showed that adjusted site traffic plus forecasted volume at anticipated build out year will remain below the midblock road segment capacity. Moreover, several Transportation Demand Management (TDM) measures per Transportation Criteria Manual (TCM) were also proposed to achieve a minimum of 20% trip reduction. These TDM measures will also minimize the impact on the transportation network. ASMP Right-of-way (ROW) assessment for abutting road segments and turn lane analysis for all driveways for the proposed new driveways were also conducted.

**Recommendations/conclusions:**

As a condition for approval for the above referenced zoning review case, the applicant shall adhere to the following recommendations:

- This site is required to achieve a minimum of 20% trip reduction utilizing various TDM measures per TCM. This site proposes the following TDM measure categories to achieve the TDM related trip reductions, details will be determined at site plan stage. The applicant has the flexibility to substitute and/or add other relevant TDM measures as per the TCM at the time of the site plan as long as an overall trip reduction of 20% is achieved.
  - Internal Capture
  - Reduced Parking Supply
  - Unbundled Parking
  - Transportation Management Association Membership
  - Designated Mobility Coordinator
  - Marketing and Information
  - Sustainable Modes Improvements
- The proposed development is subject to the City of Austin Street Impact Fee (Ordinance # 20201220-061 & 20201210-062). Street Impact Fee (SIF) calculation shall be performed at the time of the Site Plan submission and will be collected at the time of building permit. No offsets to the proposed development's SIF will be issued until the completion of identified construction items unless those items are included in the proposed Site Plan application.
- ASMP ROW needs have been assessed and this site might require ROW dedications to meet the ASMP requirements. This will be confirmed at the time of Site Plan stage.
- Site shall be utilizing seven driveways for general traffic circulation; one full access and one right-in/right-out (RIRO) on W 34th St, three full access on West Ave, one full access on Owen Ave, and one full access on Grandview St. Approval of this ZTA does not grant nor

guarantee approval of proposed driveway locations. Driveways will be further reviewed during site plan review by the appropriate City departments.

- ZTA does not relieve a development of its Transportation Assessment or Full TIA requirement at time of site plan.

Please contact me at [manar.hasan@austintexas.gov](mailto:manar.hasan@austintexas.gov) if you have questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Manar Hasan".

Manar Hasan, P.E.



# EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin  
Independent  
School District



**PROJECT NAME:** 34<sup>th</sup> & West Tracts

**ADDRESS/LOCATION** 800, 804, 806, 808 W. 34th St. and 3404, 3406 West Ave. ("Tract 1"), 901, 905, 907 W. 34th St., 3316 Grandview St., and a portion of 3317 N. Lamar Blvd. ("Tract 2"), 801 W. 34th St. ("Tract 3"), and 715, 725 W. 34th St. and 3301 West Ave. ("Tract 4")

**CASE #:** C14-2025-0006-0009

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

# SF UNITS: \_\_\_\_\_ **STUDENTS PER UNIT ASSUMPTION**  
Elementary School: \_\_\_\_\_ Middle School: \_\_\_\_\_ High School: \_\_\_\_\_

# MF UNITS: 950 **STUDENTS PER UNIT ASSUMPTION**  
Elementary School: .059 Middle School: .029 High School: .039

## IMPACT ON SCHOOLS

In April 2025 an Educational Impact Statement was submitted to the City of Austin for 950 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 0 units and propose 950 units of multifamily development. The development is projected to add approximately 121 students across all grade levels to the projected student population. It is estimated that of the 121 students, 56 will be assigned to Bryker Woods Elementary, 28 at O. Henry MS, and 37 at Austin High School.

The percentage of permanent capacity by enrollment for School Year 2028-29, including the additional students projected with this development would be under the optimal utilization target range of 85-110% at O. Henry MS (80%) and at optimal utilization at Austin HS (106%), and at Bryker Woods ES (105%).

## TRANSPORTATION IMPACT

All additional students from this development would be considered bus riders. This would require a whole new bus route for all zoned schools, which would have a large financial impact on the district.

## SAFETY IMPACT

No safety impacts were determined at this time.

**Date Prepared:** 05.06.2025

**Executive Director:**

DocuSigned by:  
Beth Wilson  
38E0989C305B4E8...

# EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin  
Independent  
School District



## DATA ANALYSIS WORKSHEET

### ELEMENTARY SCHOOL: Bryker Woods

ADDRESS: 3303 Kerby Ln

PERMANENT CAPACITY: 264

MOBILITY RATE: 8.1%

#### 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	235	204	260
% of Permanent Capacity	89%	77%	98%

#### 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	254	222	278
% of Permanent Capacity	96%	84%	105%

### MIDDLE SCHOOL: O. Henry

ADDRESS: 2610 W 10th St

PERMANENT CAPACITY: 878

MOBILITY RATE: -14.5%

#### 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	801	792	820
% of Permanent Capacity	91%	90%	93%

#### 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	685	676	704
% of Permanent Capacity	78%	77%	80%

# EDUCATIONAL IMPACT STATEMENT

*Prepared for the City of Austin*

Austin  
Independent  
School District

**HIGH SCHOOL: Austin**

ADDRESS: 1715 W Cesar Chavez St

PERMANENT CAPACITY: 2,193

MOBILITY RATE: 11%

**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	2,111	2,062	2099
% of Permanent Capacity	96%	94%	96%

**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	2,343	2,294	2,331
% of Permanent Capacity	107%	105%	106%

EXHIBIT C

July 22, 2025

RE: Heritage Neighborhood Association Support for the 34th and West Cases (NPA-2024-0019.02, C14-2025-0006, C14-2025-0007, C14-2025-0008, C14-2025-0009)

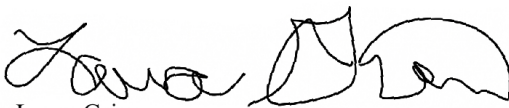
Mayor, City Council, and Planning Commissioners:

On behalf of the Heritage Neighborhood Association, I ask that you **support** the applicant's request for GR-MU-V-CO-ETOD-DBETOD-NP zoning for tracts 1, 2b, 3 and 4 and CS-MU-V-CO-ETOD-DBETOD-NP zoning for tract 2A in the "34th and West" cases.

We recognize that the city is seeking to support its transit and affordability goals. At the same time, as a neighborhood association, we have a duty to work to address the concerns that members of the Heritage Neighborhood Association have voiced. We believe that the cases before you today, which feature conditional overlays and a private restrictive covenant, help meet the city's needs while addressing community concerns.

Our members have worked with the applicant on a compromise proposal that provides them with additional height, density, and uses while also providing enhanced compatibility buffering, limits on 'big box' stores and other uses, restrictions on hours of operation, and a 'trigger' to require residential uses, among other things.

Accordingly, we would ask that you support the applicant's requested rezoning. Thank you for your consideration.

A handwritten signature in black ink, appearing to read 'Laura Grim', with a stylized flourish at the end.

Laura Grim  
President, Heritage Neighborhood Association

## PUBLIC HEARING INFORMATION

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<https://bit.ly/ATXZoningComment>



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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.

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**Case Number: C14-2025-0006**

**Contact: Jonathan Tomko, 512-974-1057**

**Public Hearing: July 8, 2025 Planning Commission**

Mark Blalock  
Your Name (please print)

3206 Kings + 102  
Your address(es) affected by this application

Wm A Blalock 7/1/25  
Signature Date

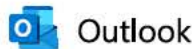
Daytime Telephone: 512 293 1041

Comments: seems like an  
exciting project!

<input checked="checked" type="checkbox"/> I am in favor
<input type="checkbox"/> I object

If you use this form to comment, it may be returned to:  
City of Austin, Planning Department  
**Jonathan Tomko**  
P. O. Box 1088, Austin, TX 78767

Or email to:  
[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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**Proposed Zoning Changes, Case Numbers: C14-2025-0006, C14-2025-0007, C14-2025-0008, C14-2025-0009**

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**From** George Nelson <[REDACTED]>  
**Date** Thu 7/3/2025 2:11 PM  
**To** Tomko, Jonathan <[REDACTED]>

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

External Email - Exercise Caution

City of Austin Planning Commission: LADIES & GENTLEMENS: I OBJECT to the proposed zoning changes requested by West 34th Street Neighborhood Improvement Company, LLC as described in each and all of the above cases.

I only support SINGLE FAMILY zoning and its resulting (limited) density, furthermore, I have been in the neighborhood at 3204 West Ave. for more than 75 years since about 1950. Accordingly, as public servants your instructions are to vote against the proposed changes on 8 July 2025 or any date(s) as a result of postponement.

Additionally, I request comment time during the meeting using ZOOM so please provide information such as "link", etc.

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

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



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City of Austin

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Case Number: C14-2025-0006 through C14-2025-0009  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

*Daniel Mottola*

Your Name (please print)

*706 W. 35th St-*

Your address(es) affected by this application

*[Signature]*

Signature

*6-30-25*

Date

Daytime Telephone: \_\_\_\_\_

Comments: \_\_\_\_\_

*We support city staff  
recommendations*

*Housing is critical*

*community-supporting  
commercial mixed use*

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

Or email to:  
[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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Case Number: C14-2025-0006 through C14-2025-00089  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

*Marc McDaniel*

Your Name (please print)

*811 W 31st & 807 W 31st*

Your address(es) affected by this application

*Mar Red*

Signature

*6/30/25*

Date

Daytime Telephone: *512 431 3230*

Comments:

*Proposed changes are not compatible with surrounding neighborhood*

- ① Too High*
- ② High Traffic Businesses Allowed*
- ③ No commitment to Residential*

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

City of Austin, Planning Department  
Jonathan Tomko  
P. O. Box 1088, Austin, TX 78767

Or email to:

[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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Case Number: C14-2025-0006 through C14-2025-0008 **0009**  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

**JAY FARRELL**

Your Name (please print)

☐ I am in favor  
☒ I object

**616 W. 31 1/2 ST 78705**

Your address(es) affected by this application

**Jay Farrell Family**

Signature

Date

Daytime Telephone: **512 695-7245**

Comments:

**OBJECT TO ADDED HEIGHT  
OBJECT TO SOME OF ALLOWED USES.  
CONCERN ABOUT IMPACT ON NORTH TRAFFIC.**

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

Or email to:  
[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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Case Number: C14-2025-0006 through C14-2025-0008-0009

Contact: Jonathan Tomko, 512-974-1057

Public Hearing: July 8, 2025 Planning Commission

Brenda Bell

Your Name (please print)

3102 West Avenue

Your address(es) affected by this application

Brenda Bell

Signature

☐ I am in favor  
☒ object

6/30/2025

Date

Daytime Telephone: 512 674 1268

Comments:

The lack of any requirement for housing - which our neighborhood enthusiastically supports and which the COA claims to support as well - is unacceptable. I also have a great deal of concern about the extreme additional height which would be allowed.

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

City of Austin, Planning Department

Jonathan Tomko

P. O. Box 1088, Austin, TX 78767

Or email to:

[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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Case Number: C14-2025-0006 through C14-2025-00079  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

JILL PARRISH

Your Name (please print)

☐ I am in favor  
☒ I object

613 W. 31st

Your address(es) affected by this application

Jill Parrish

Signature

6/30/25  
Date

Daytime Telephone: 512-573-8596

Comments: I am very concerned about the lack of housing, being asked to approve a development that will significantly impact our neighborhood with NO site plan. We want a compatible development which is not, in my opinion, a 90-120 ft building.

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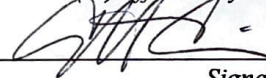
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Case Number: C14-2025-0006 through C14-2025-00089  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

Lizzie Cain Clark  
Your Name (please print)

☐ I am in favor  
☒ I object

3011 West Avenue  
Your address(es) affected by this application

  
Signature

6/30/25  
Date

Daytime Telephone: 512 426 6575

Comments: Concerned about lack of housing,  
height compatibility with neighborhood

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

Or email to:  
[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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Case Number: C14-2025-0006 through C14-2025-0008

Contact: Jonathan Tomko, 512-974-1057

Public Hearing: July 8, 2025 Planning Commission

*Ray Williams*

Your Name (please print)

611 W. 33<sup>rd</sup> St.

Your address(es) affected by this application

*Ray Williams*

Signature

Daytime Telephone: 978.317.3906

6/30/25

Date

Comments:

*Concerns about lack of  
housing, parking on street,  
late hours traffic*

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

Or email to:  
[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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Case Number: C14-2025-00060-809 all 4 tracts  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

Jolene Kibbassa  
Your Name (please print)

☐ I am in favor  
☒ I object

3007 West Ave.  
Your address(es) affected by this application

Signature

Date

Daytime Telephone: \_\_\_\_\_

Comments:

① applicant has not committed to housing  
② added height, so close to factory! Heart Hospital helipads

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City of Austin, Planning Department  
Jonathan Tomko  
P. O. Box 1088, Austin, TX 78767

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Case Number: C14-2025-0006 through C14-2025-0008-0009

Contact: Jonathan Tomko, 512-974-1057

Public Hearing: July 8, 2025 Planning Commission

MARY LYNN GEHRETT

Your Name (please print)

804 W 31<sup>st</sup> ST, AUSTIN, TX 78705

Your address(es) affected by this application

Mary Lynn Gehrett

Signature

6/30/25

Date

Daytime Telephone: 630.272.8030

Comments: Lack of housing requirement, density issues, concern about incompatible uses allowed with CS.

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

City of Austin, Planning Department

Jonathan Tomko

P. O. Box 1088, Austin, TX 78767

Or email to:

[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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Case Number: C14-2025-0006 through C14-2025-0009  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

John M Good

Your Name (please print)

☐ I am in favor  
☒ I object

2913 PEARL ST #101, AUSTIN, TX 78705

Your address(es) affected by this application

John M Good

Signature

06/30/2025

Date

Daytime Telephone: 512 825 3806

Comments: Lack of requirement for family housing.

Building heights are too high.

Hotel and entertainment venues are disruptive to the neighborhood due to hours of operations

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Jonathan Tomko

P. O. Box 1088, Austin, TX 78767

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[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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Case Number: C14-2025-0006 — 214-2025-0009  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

JAMES HOLLIDAY

Your Name (please print)

☐ I am in favor  
☒ I object

3111 GRANDVIEW ST.

Your address(es) affected by this application

*[Signature]*

Signature

6/30/2025

Date

Daytime Telephone: \_\_\_\_\_

Comments: I WOULD LIKE TO SEE ANY  
DEVELOPMENT ON THIS SITE BE  
ZONED AS LR or CR, or  
BE SIMILARLY CONSIDERED FOR  
NEIGHBORHOOD SUPPORTIVE USES.

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

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Jonathan Tomko

P. O. Box 1088, Austin, TX 78767

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Case Number: C14-2025-0006 through C14-2025-~~0008~~-0009  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

John Foxworth  
Your Name (please print)

☐ I am in favor  
☒ I object

808 W. 29th #204, 78705  
Your address(es) affected by this application

*[Signature]*  
Signature

June 30, 2025  
Date

Daytime Telephone: 512

Comments: I do not think CS is appropriate for this location. I think height should be limited due to the helicopter paths to two nearby hospital helipads.

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

Or email to:  
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Case Number: C14-2025-0006 through C14-2025-0009

Contact: Jonathan Tomko, 512-974-1057

Public Hearing: July 8, 2025 Planning Commission

Christopher Toth  
Your Name (please print)

☐ I am in favor  
☒ I object

607 W 29th St  
Your address(es) affected by this application

*[Signature]*

Signature

30 June 2025  
Date

Daytime Telephone: \_\_\_\_\_

Comments:

My project in the area should include  
Housing!

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

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Jonathan Tomko

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Case Number: C14-2025-0006 through C14-2025-0009  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

Rebecca Marcus

Your Name (please print)

607 W 29th 1/2 St, Austin 78705

Your address(es) affected by this application

[Signature]

Signature

6/30/25

Date

Daytime Telephone: \_\_\_\_\_

Comments: - Lacks housing  
- too high for the neighborhood

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

Or email to:  
[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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Case Number: C14-2025-0006 through C14-2025-0008 - 0009

Contact: Jonathan Tomko, 512-974-1057

Public Hearing: July 8, 2025 Planning Commission

Grace Rivers

Your Name (please print)

2905 Rio Grande St. Austin 78705

Your address(es) affected by this application

*[Signature]*

Signature

06/30/2025

Date

Daytime Telephone: \_\_\_\_\_

Comments: Lack of requirement for housing, traffic to neighborhood, flight path for helicopters to hospital, height of buildings.

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

City of Austin, Planning Department

Jonathan Tomko

P. O. Box 1088, Austin, TX 78767

Or email to:

[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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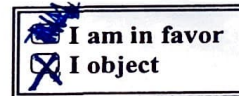
Case Number: C14-2025-0006 through C14-2025-0008 9

Contact: Jonathan Tomko, 512-974-1057

Public Hearing: July 8, 2025 Planning Commission

Lisa Squires

Your Name (please print)



637 W. 31 1/2 ST

Your address(es) affected by this application

Lisa Squires

Signature

06/30/25

Date

Daytime Telephone: 512-264-5426

Comments:

There is a lack of requirement for housing

I'm concerned about added height allowed and the incompatible property uses.

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

City of Austin, Planning Department

Jonathan Tomko

P. O. Box 1088, Austin, TX 78767

Or email to:

[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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Case Number: C14-2025-0006 through C14-2025-0008  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

Jonathan Kini

Your Name (please print)

☐ I am in favor  
☒ I object

810 W. 31st Street, 78705  
Your address(es) affected by this application

[Signature]

Signature

6/30/25  
Date

Daytime Telephone: 210-445-4463

Comments:

Lack of requirement for housing  
Concern about the added height allowed  
Helicopter path  
No consideration given to topography of the area

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

Or email to:  
[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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Case Number: C14-2025-0006 through C14-2025-0009  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

DANA ANTHONY

Your Name (please print)

709 W. 31st 78705

Your address(es) affected by this application

Dana Anthony

Signature

08-30-2025

Date

Daytime Telephone: 512 914 3574

Comments: Star flight helicopter flight  
path & height.  
Lack of housing

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

Or email to:  
[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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Case Number: C14-2025-0006 through C14-2025-0008  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

Jeffrey H. Spores

Your Name (please print)

637 W. 31st St.

☒ I am in favor  
☐ I object

Your address (as) affected by this application

Jeffrey H. Spores

Signature

June 30, 2025

Date

Daytime Telephone: (612) 669-2703

Comments:

I agree with the Prohibition  
and Conditional with on maximum  
on-site parking. JH

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

Or email to:  
[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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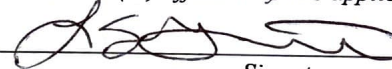
Case Number: C14-2025-0006 through C14-2025-0008 - 0009  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

Laura Grim

Your Name (please print)

☐ I am in favor  
☒ I object

3001 Washington Square  
Your address(es) affected by this application



Signature

6-30-25  
Date

Daytime Telephone: 512-784-8151

Comments:

Concern about height  
concerned about uses that  
include heavy traffic and  
noise.

If you use this form to comment, it may be returned to:  
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Jonathan Tomko  
P. O. Box 1088, Austin, TX 78767

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Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

Scott Barthow  
Your Name (please print)

611 W 35th St  
Your address(es) affected by this application

☐ I am in favor  
☒ I object

*[Signature]*  
Signature

6-27-25  
Date

Daytime Telephone: \_\_\_\_\_

Comments:

- Height (too tall)
- lack of residential housing

If you use this form to comment, it may be returned to:  
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Case Number: C14-2025-0006 through C14-2025-0008

Contact: Jonathan Tomko, 512-974-1057

Public Hearing: July 8, 2025 Planning Commission

0009

Jeff Webster

Your Name (please print)

706 W. 31st ST, Austin, TX 78705

Your address(es) affected by this application

*[Signature]*

Signature

6-30-2025

Date

Daytime Telephone: 512-579-6829

Comments: lacks housing

☐ I am in favor  
☒ I object

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

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Case Number: C14-2025-0006 through C14-2025-0008 **0009**  
Contact: Jonathan Tomko, 512-974-1057  
Public Hearing: July 8, 2025 Planning Commission

Laurie Eden

Your Name (please print)

3200 Grandview St. #15

Your address(es) affected by this application

Austin, TX 78705

Laurie Eden

Signature

☐ I am in favor  
☒ I object

6/30/25  
Date

Daytime Telephone: 702-524-3098

Comments: helicopter route

traffic on streets

hours of new development

height of buildings

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City of Austin, Planning Department

Jonathan Tomko

P. O. Box 1088, Austin, TX 78767

Or email to:

[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



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Case Number: C14-2025-0006 through C14-2025-0009

Contact: Jonathan Tomko, 512-974-1057

Public Hearing: July 8, 2025 Planning Commission

Willis Wade Odell

Your Name (please print)

☐ I am in favor  
☒ I object

3009 Washington St 78705

Your address(es) affected by this application

Jx. Drake Odell

Signature

6/30/25

Date

Daytime Telephone: (512) 477-1288

Comments: Too much height, too much planned medical space. Don't want charter school in the neighborhood. Development too close to Heart Hospital <sup># Saton</sup> heli-pads. Current streets cannot handle peak hour traffic and removal of parking is bad for residents.

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For additional information on the City of Austin's land development process, visit our website: [www.austintexas.gov/planning](http://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: C14-2025-0006 through C14-2025-0009

Contact: Jonathan Tomko, 512-974-1057

Public Hearing: July 8, 2025 Planning Commission

Betsy Greenberg

Your Name (please print)

☐ I am in favor  
☒ I object

3009 Washington St

Your address(es) affected by this application

Betsy Greenberg

Signature

6/30/2025

Date

Daytime Telephone: 512-689-7538

Comments: DBETOP provides plenty of height, so I'm opposed to further increase. The uses that generate a lot of traffic, like large medical and surgery centers need to be prohibited or limited. This location is for housing and the zoning would encourage commercial uses that are incompatible with the residential neighbors.

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

City of Austin, Planning Department

Jonathan Tomko

P. O. Box 1088, Austin, TX 78767

Or email to:

[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@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.

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Case Number: C14-2025-0006 through C14-2025-0009

Contact: Jonathan Tomko, 512-974-1057

Public Hearing: July 8, 2025 Planning Commission

Jennifer Carlson

Your Name (please print)

704 W. 35th St., Austin TX 78705

Your address(es) affected by this application

Jay Cl

Signature

6-30-25

Date

Daytime Telephone: (361) 655-4416

Comments: I object to the proposed designations which are not neighborhood-supportive and which do not guarantee the housing our community needs. I support City staff's recommendation of GR-CO-MU-V-ETOD-DBETOD-NP, which would incentivize the applicant to provide housing and uses beneficial to our community.

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

City of Austin, Planning Department

Jonathan Tomko

P. O. Box 1088, Austin, TX 78767

Or email to:

[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)