

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: East MLK Combined (MLK-183)

CASE#: NPA-2023-0015.04

DATE FILED: September 29, 2023

PROJECT NAME: Heflin Housing

PC DATE: February 13, 2024

ADDRESS/ES: 5106 and 5108 Heflin Lane

DISTRICT AREA: 1

SITE AREA: 0.495 acres

OWNER/APPLICANT: Himount Partnership Group, LTD

AGENT: Thrower Design, LLC (Ron Thrower and Victoria Haase)

CASE MANAGER: Maureen Meredith

PHONE: (512) 974-2695

STAFF EMAIL: Maureen.Meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family

To: Multifamily Residential

Base District Zoning Change

Related Zoning Case: C14-2023-0117

From: SF-3-NP

To: MF-3-NP

NEIGHBORHOOD PLAN ADOPTION DATE: November 7, 2002

CITY COUNCIL DATE:

March 21, 2024

ACTION: Postponed to April 4, 2024 at CM Harper-Madison request.

April 4, 2024

ACTION: Postponed to May 2, 2024 at the request of the Applicant.

May 2, 2024

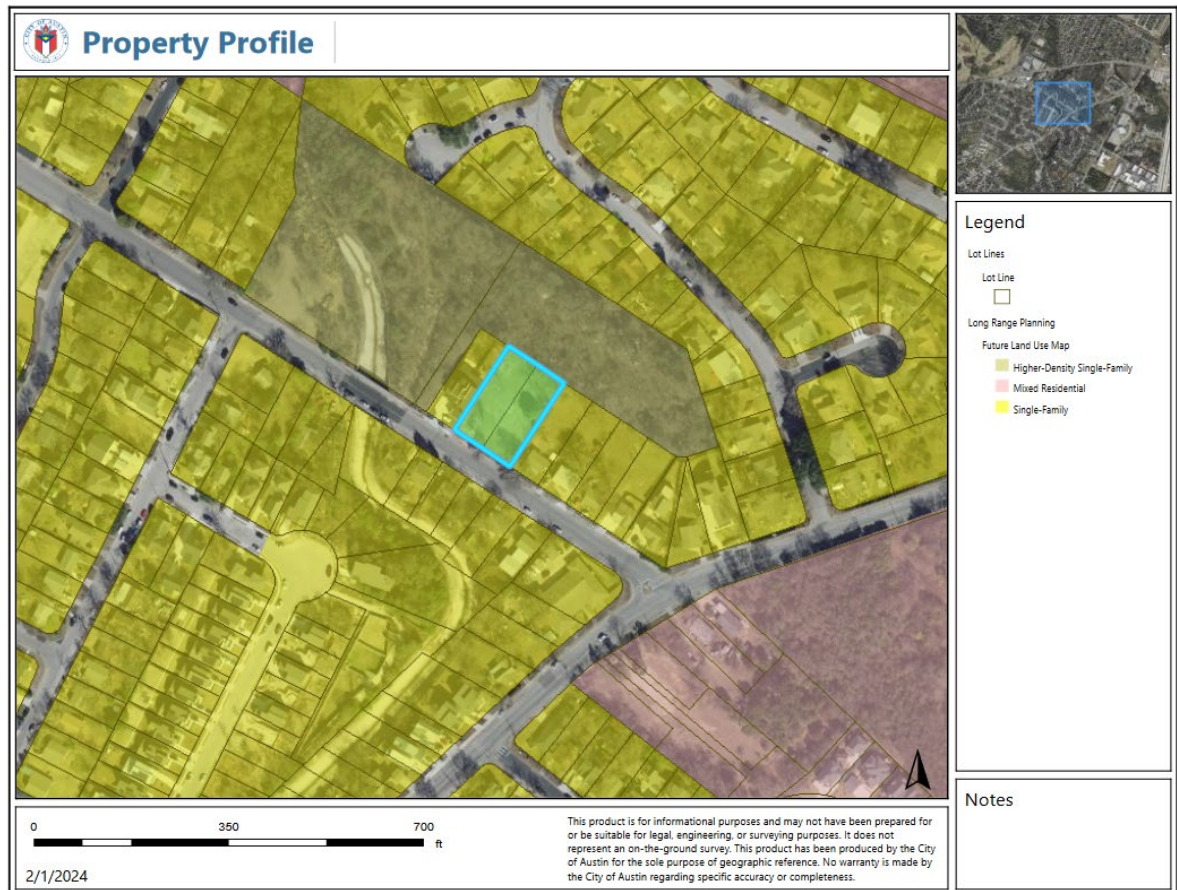
ACTION:

PLANNING COMMISSION RECOMMENDATION:

February 13, 2024 – After discussion, voted to approve staff’s recommendation of Higher Density Single Family land use. [A. Azhar – 1st; C. Hempel – 2nd] Vote:12 – 0 [One vacancy on the dais].

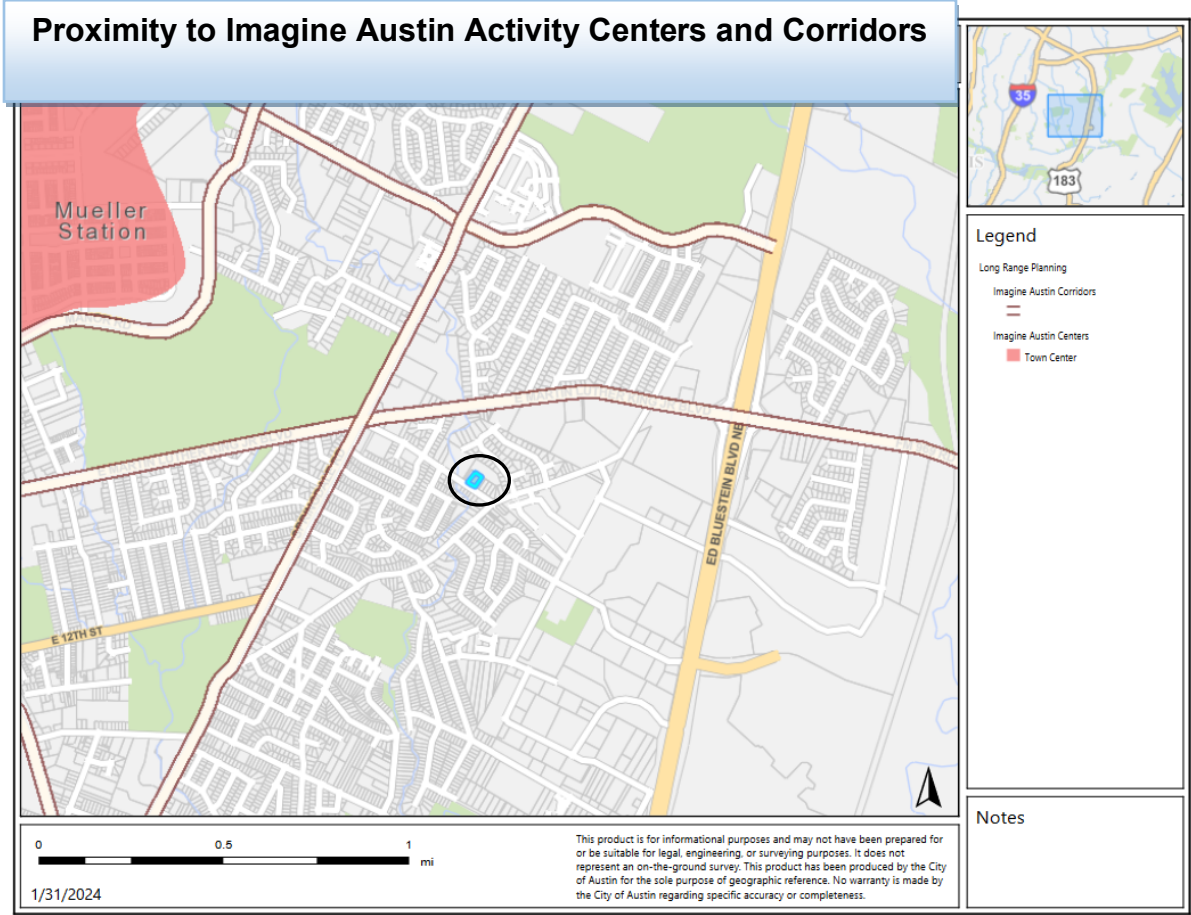
STAFF RECOMMENDATION: To not support the applicant’s request for Multifamily Residential land use but to support an alternative land use of Higher Density Single Family land use.

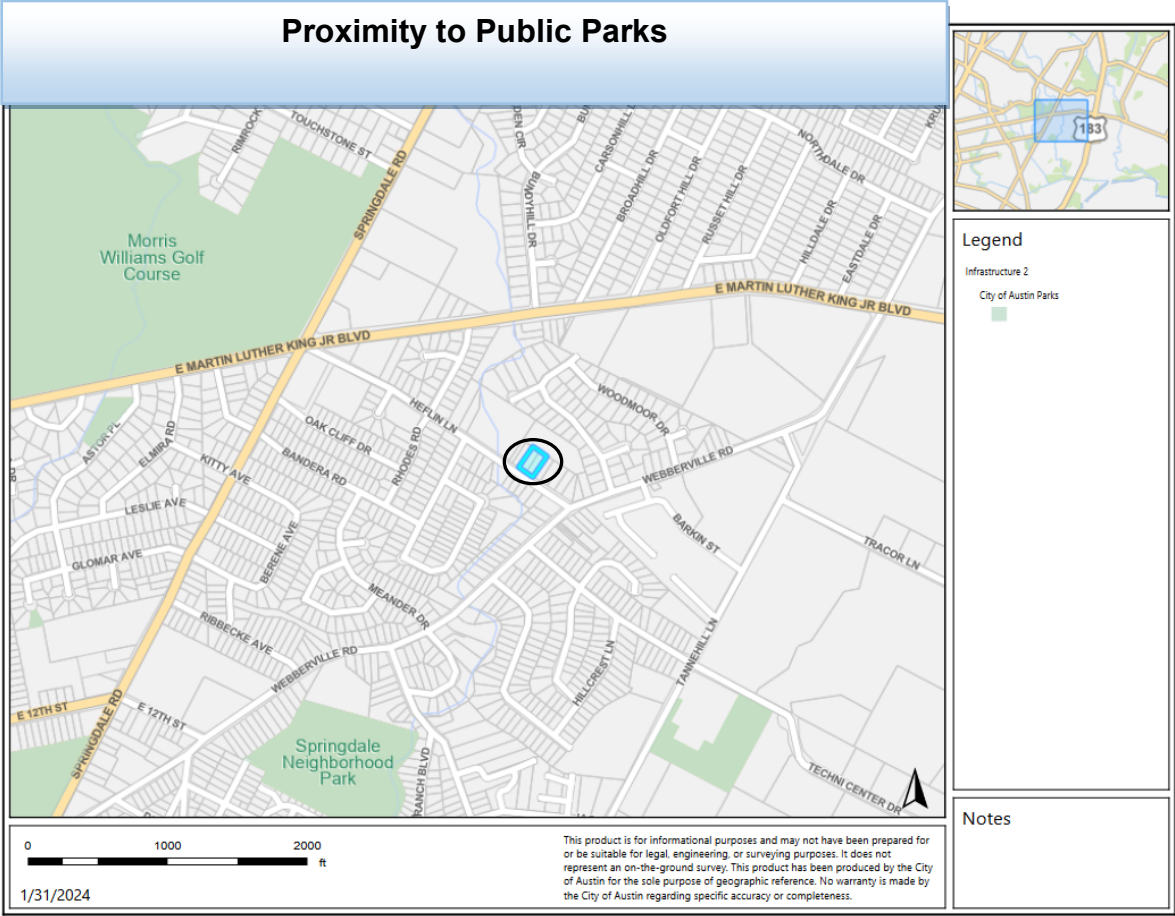
BASIS FOR STAFF’S RECOMMENDATION: Staff does not support the applicant’s request for Multifamily land use but supports the alternative land use of Higher Density Single Family because Higher Density Single Family land use is adjacent to the subject properties to the north and west and is more compatible with the surrounding single family land uses to the east and south.

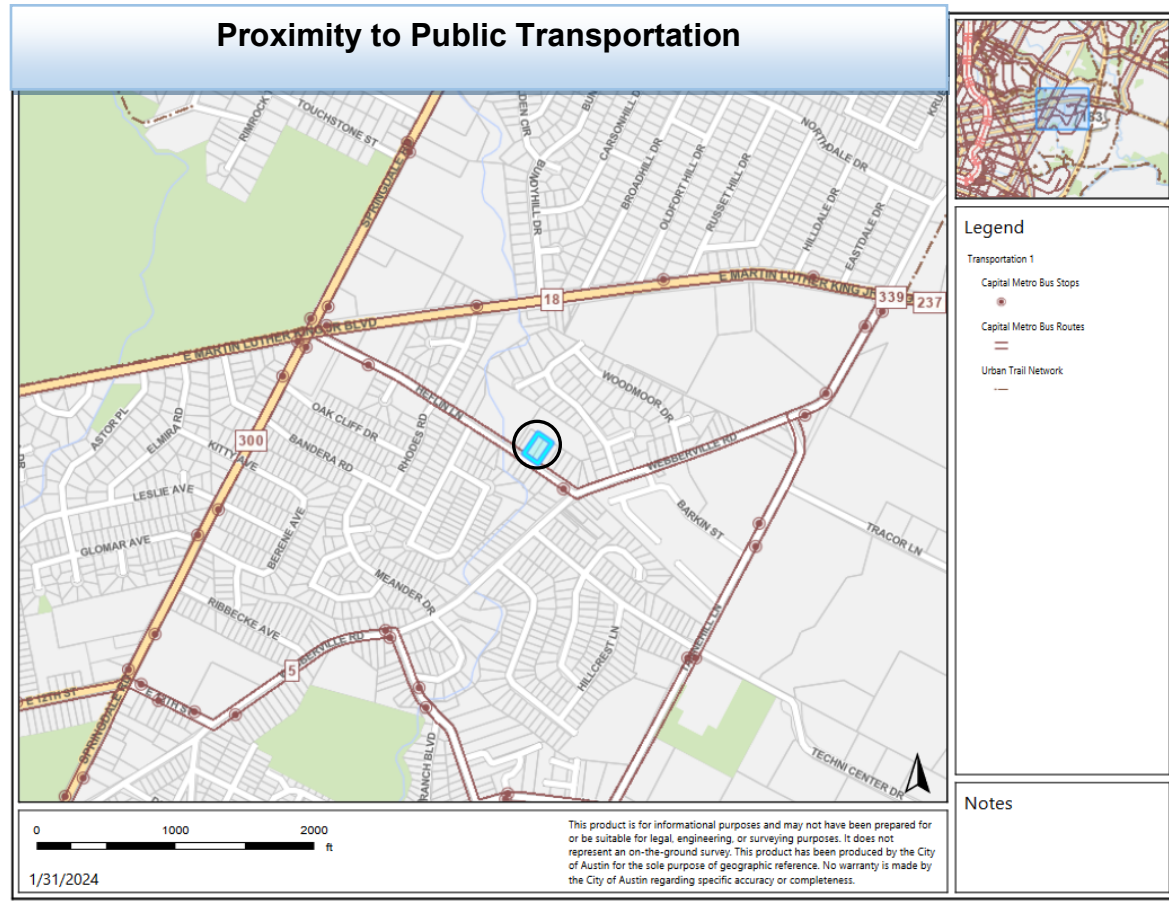


Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
Yes	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: • ~0.33 miles from Springdale Road and E. MLK Blvd, activity corridors (see map below)
Yes	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station. (see map below)
Yes	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane. • Sidewalks on north Heflin Lane
Yes	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center. • Limited services along Springdale Road and E. MLK Blvd
Yes	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market. • 0.5 miles from Double RR Grocery on E. MLK Blvd.
No	Connectivity and Education: Located within 0.50 miles from a public school or university. • 0.9 miles from Sims Elementary School • 1.4 miles from Ortega Elementary School
No	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail. • 0.7 miles from Springdale Neighborhood Park • 1.1 miles from Givens District Park
No	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.)
No	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Yes	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. • Applicant proposes approximately 11 dwelling units.
No	Mixed use: Provides a mix of residential and non-industrial uses.
No	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
No	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
No	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
No	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
No	Industrial Land: Preserves or enhances industrial land.
6	Number of "Yes's"
Imagine Austin Priority Program PUD Specific Bonus Features	
n/a	Public Space Features and Public Art: Incorporates public space features and/or public art into project (Ex: plazas, streetscapes, gardens, and other people-friendly spaces where different ages can socially interact).
n/a	Integrates and/or Expands Green Infrastructure: Preserves or expands Austin's green infrastructure (ex: parkland, community gardens, green streets, creeks, stormwater features that mimic natural hydrology) into the urban environment and transportation network.
n/a	Protects the Environment: Reduces greenhouse gas emissions, water, energy usage, and/or

	increases waste diversion.
n/a	Protects Environmentally Sensitive Lands: Protects Austin’s natural resources and environmental systems by limiting land use and transportation development over or near environmentally sensitive areas, preserves open space, and protects natural resources more than ordinance requirements.
n/a	Water/Wastewater Infrastructure: Sustainably manages Austin’s water resources and stream corridors through on-site use of storm water, effective landscaping, flood mitigation, and other low-impact development techniques more than ordinance requirements.
PUD zoning is not proposed	Total Number of “Yes’s”







IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

Regional Centers - Regional centers are the most urban places in the region. These centers are and will become the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Housing in regional centers will mostly consist of low to high-rise apartments, mixed use buildings, row houses, and townhouses. However, other housing types, such as single-family units, may be included depending on the location and character of the center. The densities, buildings heights, and overall character of a center will depend on its location.

Activity Centers for Redevelopment in Sensitive Environmental Areas - Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context.

Job Centers - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment

opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The applicant proposes to change the land use on the future land use map (FLUM) from Single Family to Multifamily Residential for approximately 11 dwelling units.

The application proposes to change the zoning on the property from SF-3-NP (Family Residence District – Neighborhood Plan) to MF-3-NP (Multifamily Residence Moderate-High Density district - Neighborhood Plan). For more information on the associated zoning case, see case report C14-2023-0117.

PUBLIC MEETINGS: The ordinance-required community meeting was virtually held on December 4, 2023. Approximately 213 community meeting notices were mailed to utility account holders and property owners who live within 500 feet of the subject property, in addition to neighborhood and environmental groups who requested notification for the area. The recorded meeting can be found here:

<https://publicinput.com/neighborhoodplanamendmentcases>. Two city staff members attended the meeting, Maureen Meredith and Mark Walters from the Planning Department and Victoria Haase from Thrower Design, LLC, the applicant's agent. One person from the neighborhood attended.

Below are highlights from Victoria Haase's presentation:

- The property owner wants to build missing-middle housing on the property.
- Under the existing SF-3-NP zoning, not enough units could be built.
- Under the proposed MF-3-NP zoning, about 11 units (average of one- and two-bedrooms) could be built on the site that is approximately 0.5 acres in size, but maybe less. If efficiency units are built, there could be more units built on the property, but not a lot of builders are building efficiency units.
- There is a bus line that runs down Heflin, so the units could have access to public transportation.
- The property has flood plain issues, but the buildings have to be built out of the flood plain.
- This will probably require a flood study, but will be done at a later point if the zoning is approved.

Q: What will actually be built on the property? Is the owner wanting to sell the property if they get the zoning or do they want to develop the property themselves?

A: The landowner wants to bring more residential units to the site. I don't know what the property owner's long-term plans are. Maybe partner with a developer because he's not a developer himself.

Comment:

- It's difficult for me to support this zoning change when it seems the owner may want to just sell the property to make more money.

Applicant Summary Letter from Application



September 11, 2023

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

Via Electronic Delivery

Re: Neighborhood Plan Amendment & Rezoning Application – Heflin Housing – 5108 Heflin Lane

Dear Mrs. Middleton-Pratt:

On behalf of the Owner(s) of the property referenced above, we respectfully submit the enclosed Neighborhood Plan Amendment and Rezoning applications. The subject tract is legally platted as Lots 2-3, Block 1 of the Flourmoy and Schorre Subdivision and is comprised of 0.49 acres. The land is located within the MLK-183 Neighborhood Planning Area and within Council District 1, represented by Natasha Harper-Madison.

The subject tract has a Future Land Use designation of *Single Family* and is zoned *SF-3-NP*. The request is to amend the Future Land Use designation to *Multifamily* and to rezone the property to *MF-3-NP*. The property is undeveloped today and offers opportunity for infill, missing middle development with quick access to existing transit service and within 300 ft of a bus stop. Further, the property is about a ¼ mile from two Imagine Austin Activity Corridors at the intersection of E. MLK Boulevard and Springdale Road.

We respectfully request support for the requests made. Please contact our office should you have need for additional information. Thank you for your time and attention to this application.

Kind regards,

A handwritten signature in black ink, appearing to read "Victoria Haase".

Victoria Haase
www.throwerdesign.com
512-998-5900 Cell
512-476-4456 Office

P.O. BOX 41957, AUSTIN, TEXAS 78704

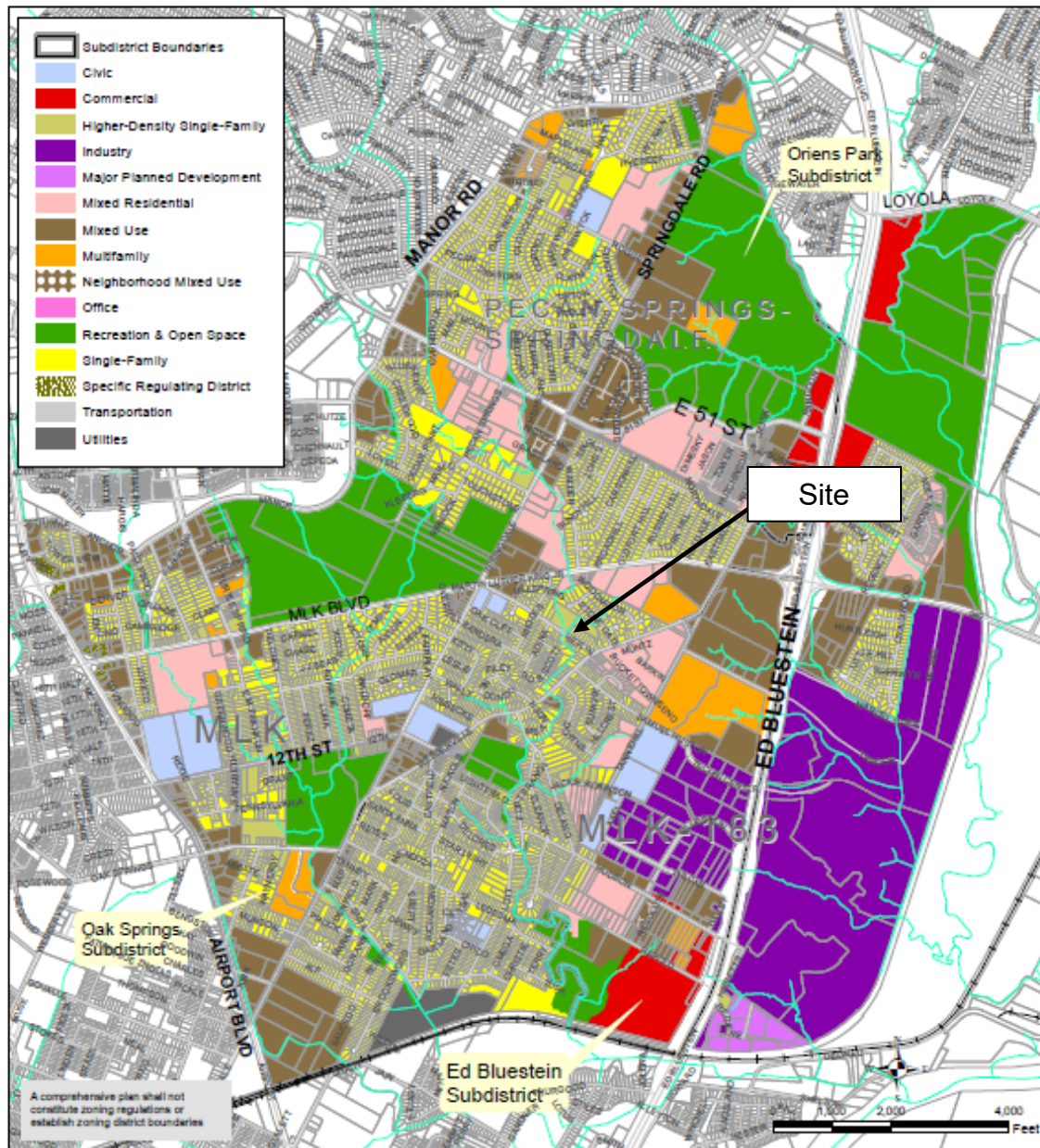
**Letter of Recommendation from the Neighborhood
Plan Contact Team (NPCT)**

(No letter as of April 12, 2024)

.....

From: Meredith, Maureen
Sent: Wednesday, January 31, 2024 4:35 PM
Cc: Tomko, Jonathan <Jonathan.Tomko@austintexas.gov>; Victoria
<Victoria@throwerdesign.com>; Ron Thrower <rnt@throwerdesign.com>
Subject: E MLK NPCT Rec?: NPA-2023-0015.04_5106 Heflin Lane
Importance: High

Dear E MLK Combined NPCT:
Cases **NPA-2023-0015.04 and C14-2023-01117_5106 and 5108 Heflin Lane** are scheduled for the February 13, 2024 Planning Commission hearing date. If your NPCT would like to submit a letter of recommendation to be included in our staff case reports, please email it to me and Jonathn Tomko, the zoning planner, **no later than Tuesday, February 6, 2024 by 4:30 pm** which is when our staff reports are due.
Thanks.
Maureen



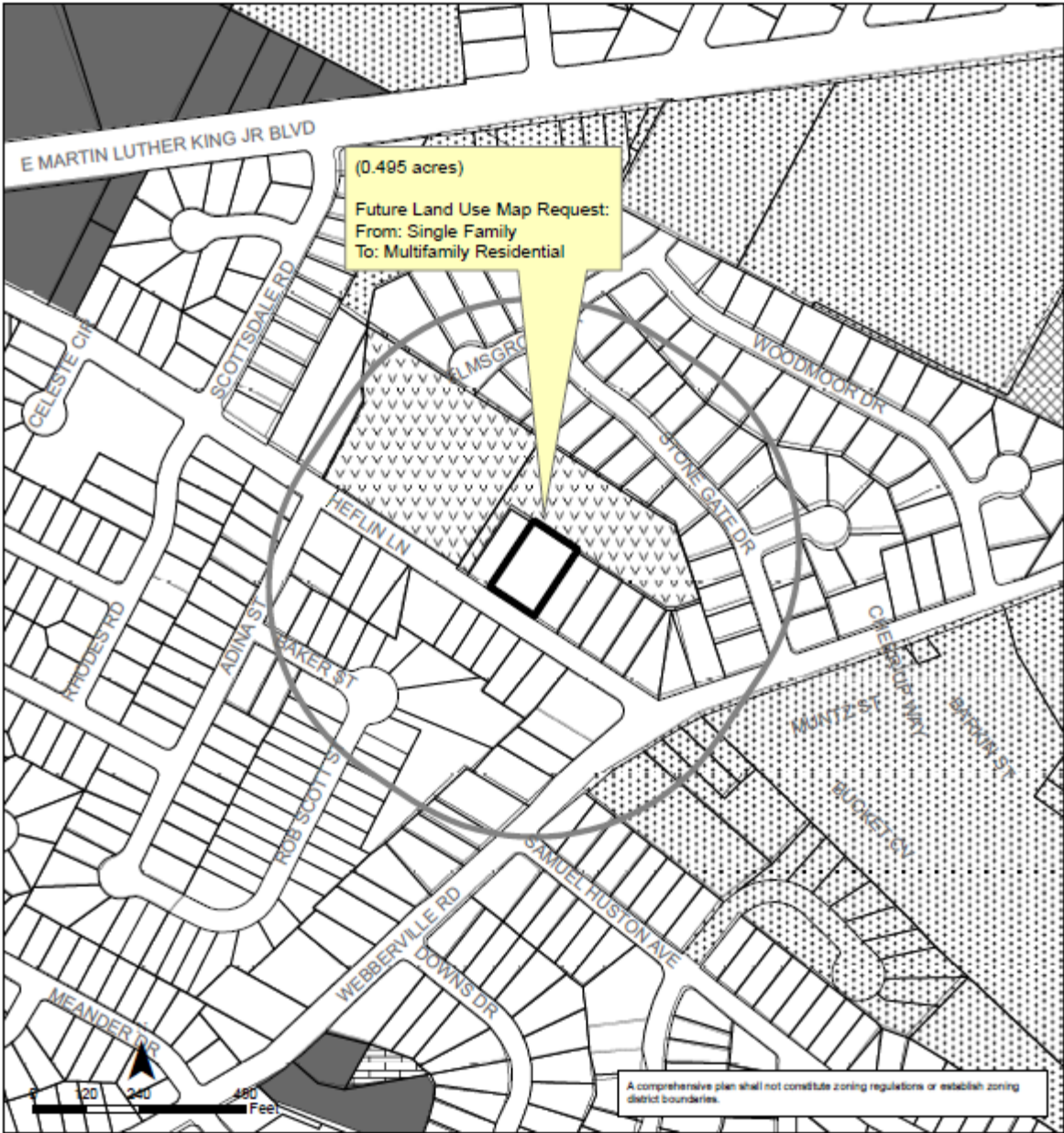
East MLK Combined Neighborhood Planning Area Future Land Use Map

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

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

City of Austin
Housing and Planning Department

Last Updated: 8/30/2023

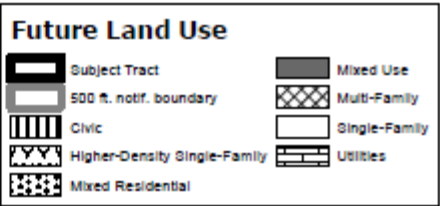


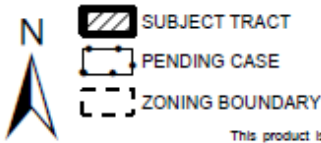
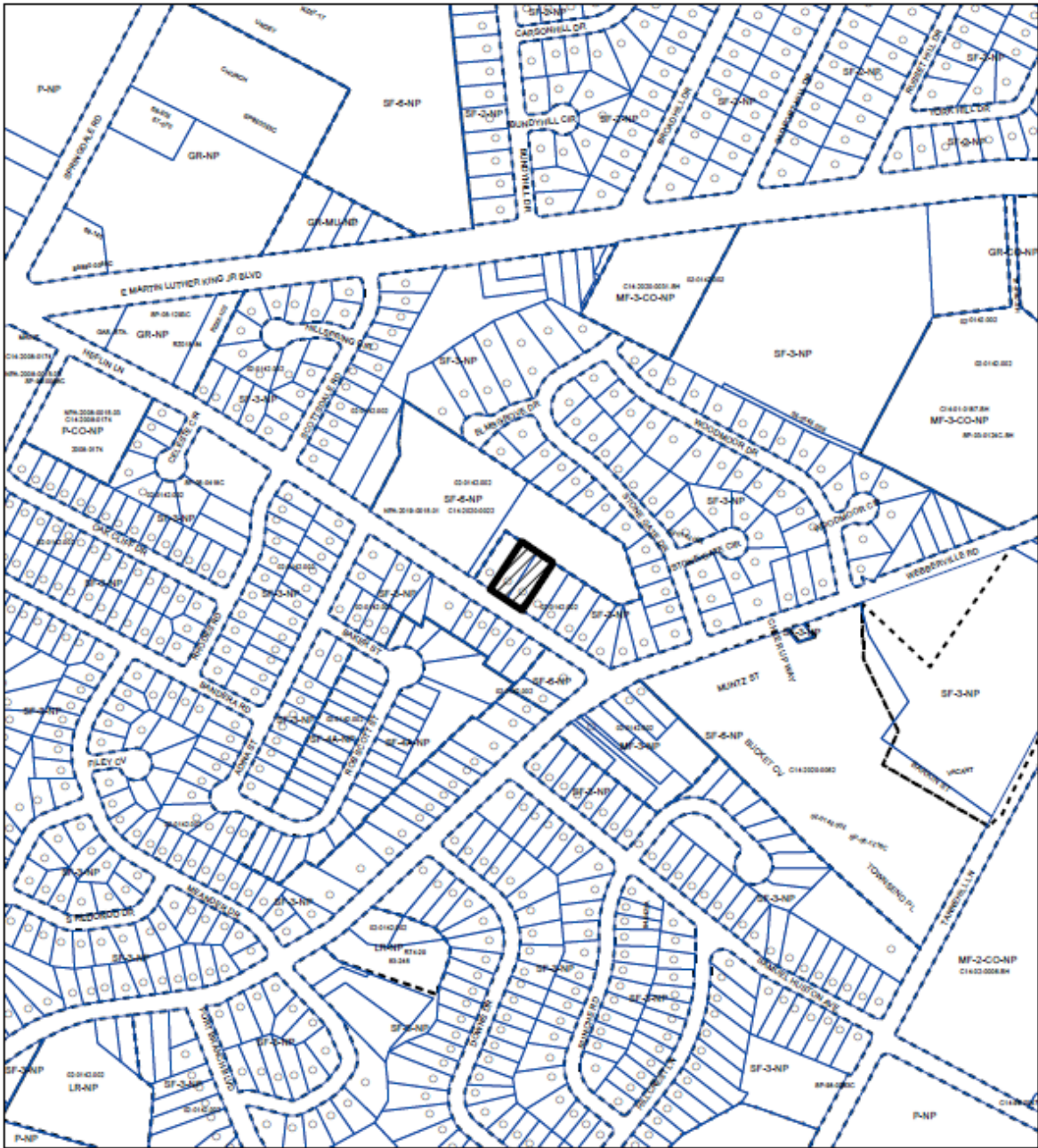
East MLK Combined Neighborhood Planning Area
NPA-2023-0015.04

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

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

 City of Austin
Housing and Planning Department
Created on 10/11/2023, by: meekss





1" = 400'

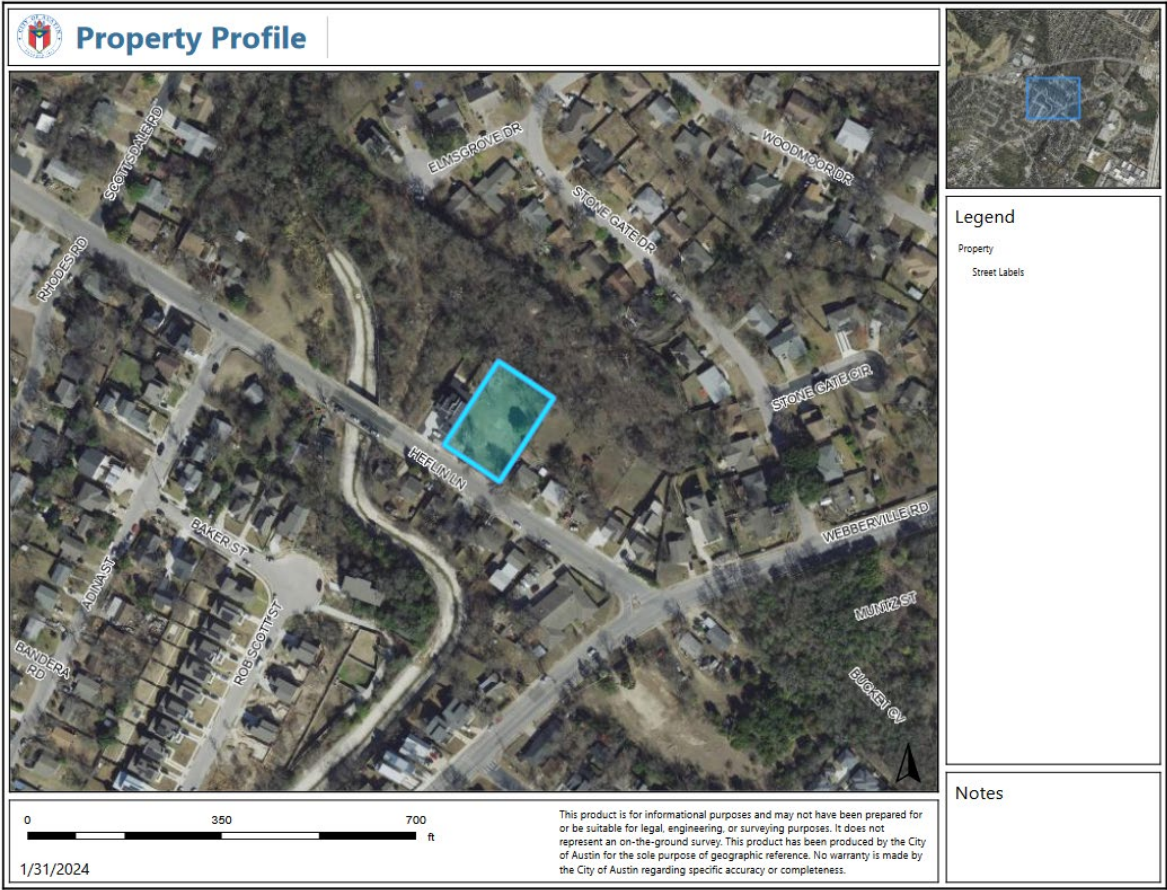
ZONING
ZONING CASE#: C14-2023-0117

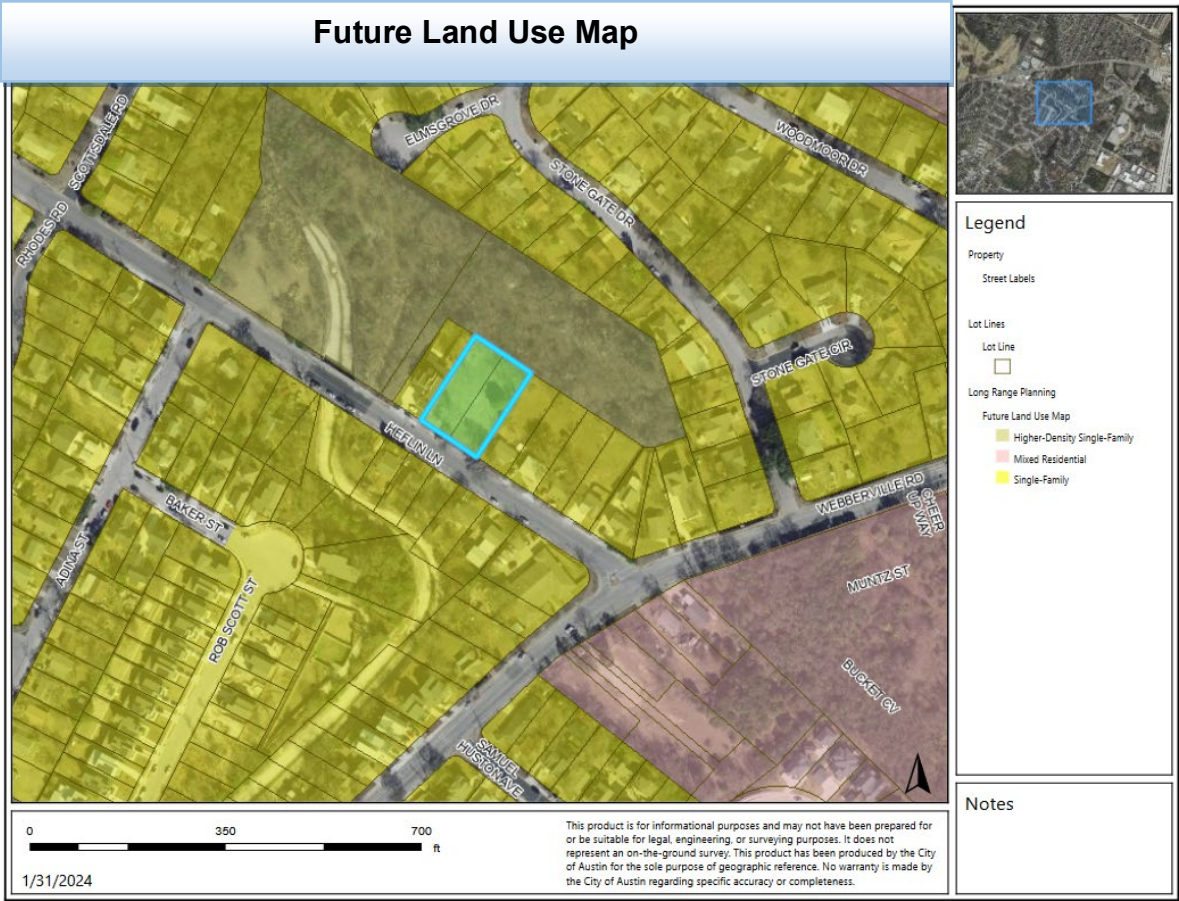
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

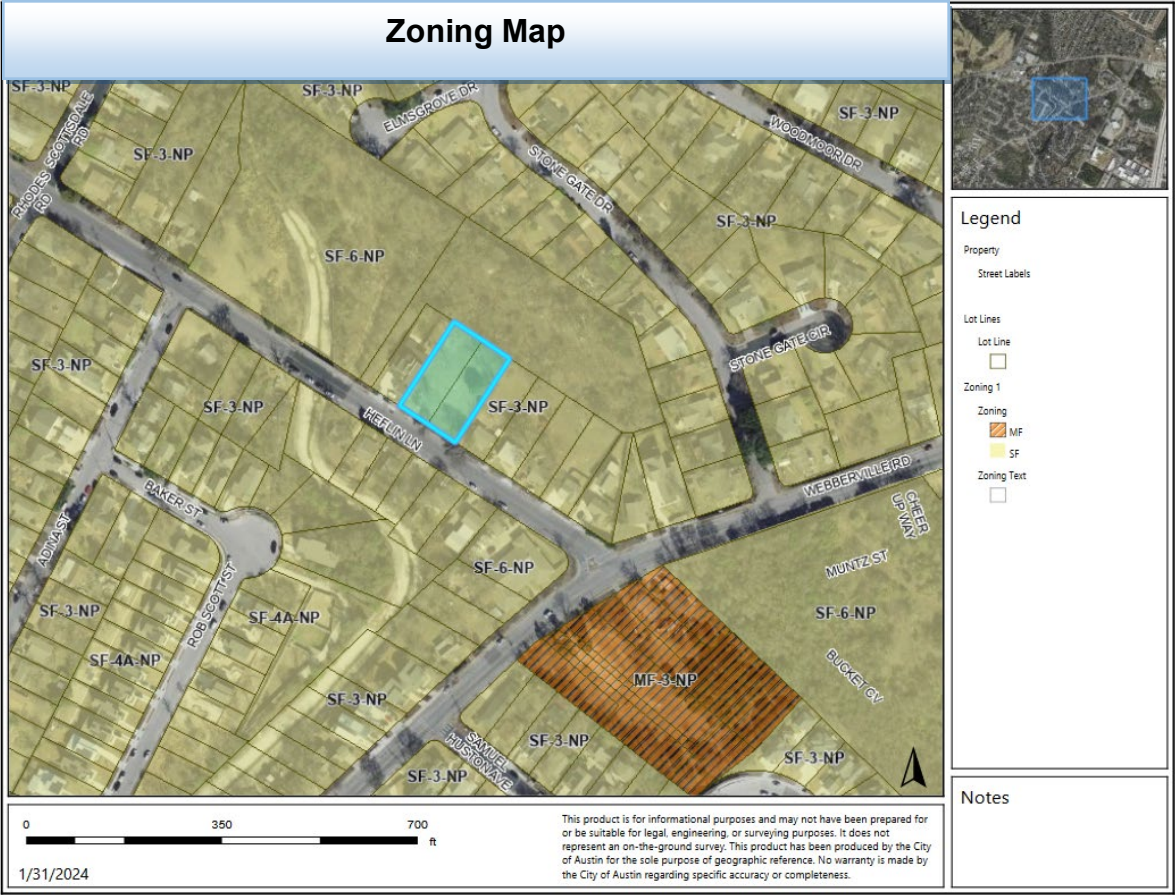
This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or

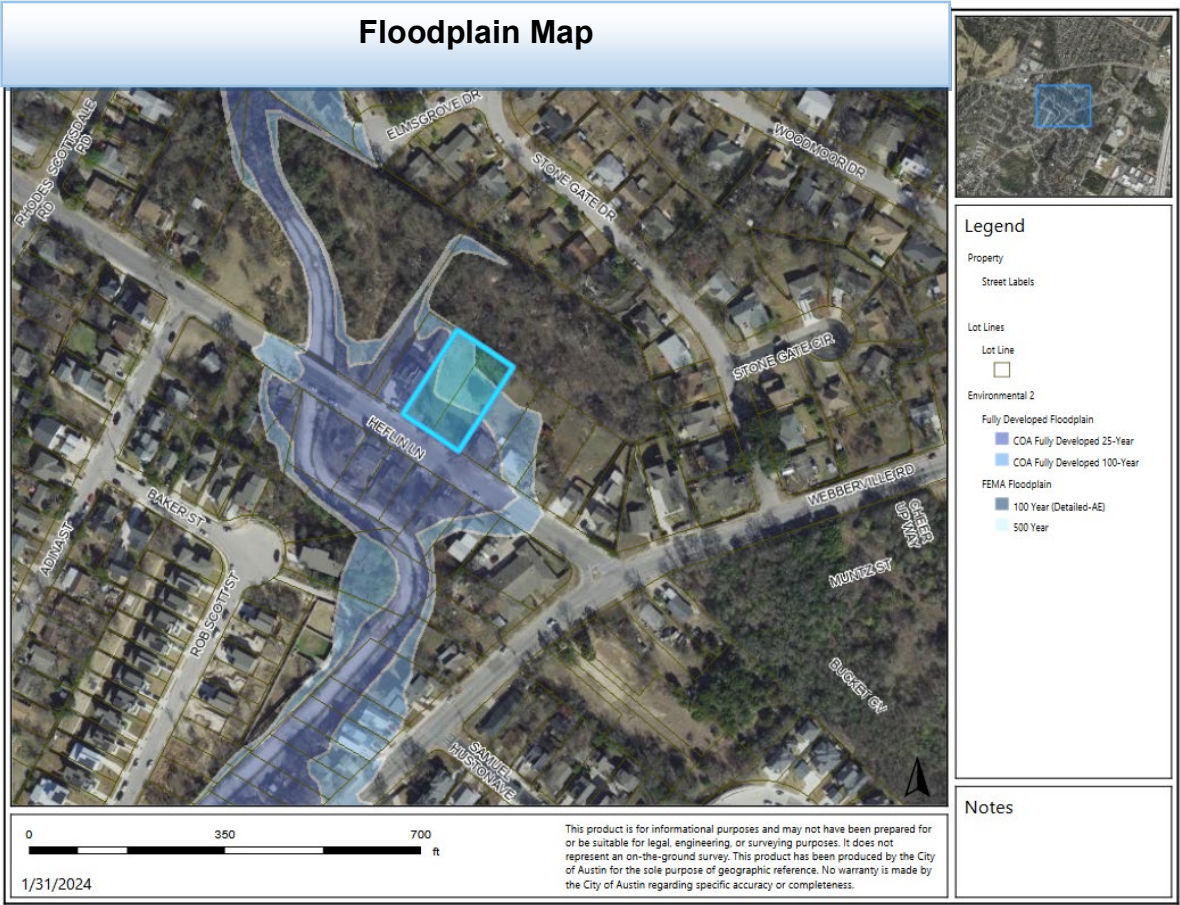


Created: 10/5/2023

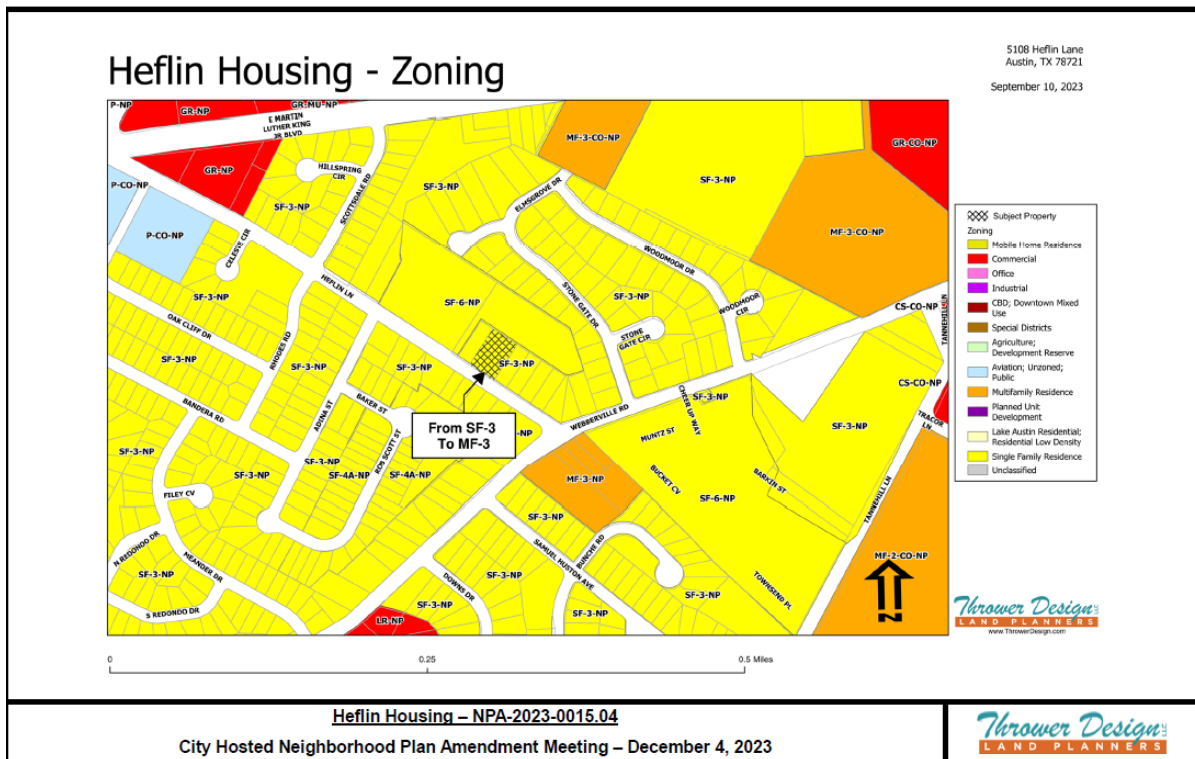
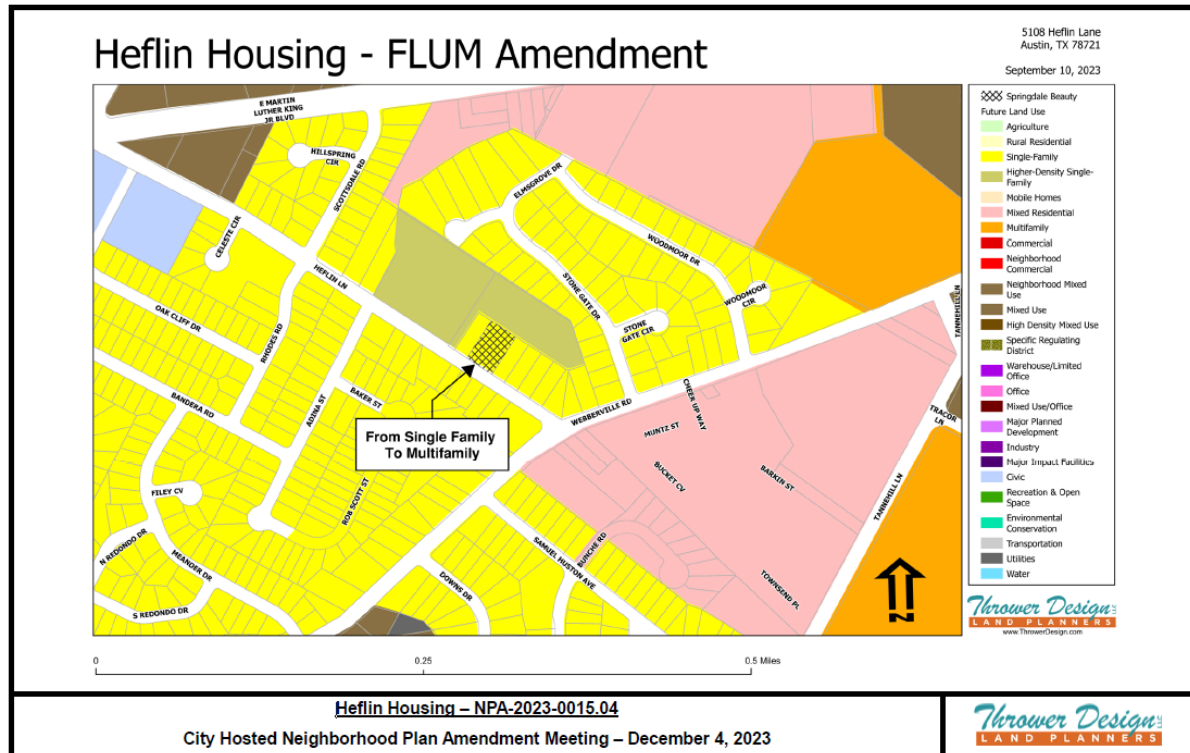








**Victoria Haase's Presentation at the December 4, 2023
Virtual Community Meeting**



Multi-Family FLUM

**MF-3-NP Zoning = Maximum of 11 unit
BUT, likely less**

Heflin Housing – NPA-2023-0015.04

City Hosted Neighborhood Plan Amendment Meeting – December 4, 2023

Thrower Design
LAND PLANNERS

Correspondence Received

From: Cristina Vincent

Sent: Wednesday, January 31, 2024 6:34 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Cc: Tomko, Jonathan <Jonathan.Tomko@austintexas.gov>; EMLKCT Chair <>; Adam Sharp <

Subject: Re: E MLK NPCT Rec?: NPA-2023-0015.04_5106 Heflin Lane

External Email - Exercise Caution

Hello,

I would like to register my official opposition to **NPA-2023-0015.04 and C14-2023-01117_5106 and 5108 Heflin Lane**. Heflin Lane is on CapMetro bus route 18 which runs from the East to West side of Austin along the major transportation corridor MLK Blvd. Being a resident in this area, I can attest to being in a food desert with very little if any development in the past 5+ years that has any benefit whatsoever to the community. If any upzoning is to occur to properties on these main transportation corridors, it should be to mixed use (minimally) to allow for more commercial development to benefit the community. Based on my observation, upzoning from SF3 to MF provides negligible density and is simply a way for a developer/land owner with no ties to the community to benefit financially by building uninspired luxury housing that sells for higher than the median home price for the entire metropolitan Austin area. Thrower Designs refers to themselves as "land planners" and herein lies the issue. They are looking only at a specific piece of land and how to maximize the financial gain for their client. They are not community planners nor do they have any interest in adding benefit to the community.

This rezoning and neighborhood plan amendment does not benefit the community and should therefore not be supported or approved.

Sincerely,
Cristina Vincent

PUBLIC HEARING COMMENT FORM

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

Maureen Meredith
City of Austin
Street Jones Bldg.
Planning Department
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2023-0015.04
Contact: Maureen Meredith, 512-974-2695 or
Maureen.Meredith@austintexas.gov
Public Hearing: March 21, 2024 - City Council

SAMUEL M. AUSTIN, III

Your Name (please print)

☐ I am in favor
☒ I object

4402 ELMGROVE DRIVE

Your address(es) affected by this application

[Signature]

Signature

03/10/2024

Date

Comments:

PUBLIC HEARING COMMENT FORM

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

Maureen Meredith
City of Austin
Street Jones Bldg.
Planning Department
P. O. Box 1088
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2023-0015.04
Contact: Maureen Meredith, 512-974-2695 or
Maureen.Meredith@austintexas.gov
Public Hearing: Feb 13, 2024 - Planning Commission

☐ I am in favor
☒ I object

Tal Tamir

Your Name (please print)

5003 Baker St #1, Austin TX 78721

Your address(es) affected by this application

2/13/24
Date

Signature

Comments: