

ZONING CHANGE REVIEW SHEET

CASE: C14-2024-0113 – 704 E. 53rd Street

DISTRICT: 4

ZONING FROM: CS-CO-NP

ZONING TO: CS-MU-V-CO-DB90-NP

ADDRESS: 704, 706, 706 1/2 and 708 East 53rd Street

PROPERTY OWNER: JEV Family LTD

SITE AREA: 0.7424 acres
(32, 339 sq. ft.)

AGENT: Drenner Group, PC (Leah Bojo)

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

STAFF RECOMMENDATION:

The staff recommendation is to grant general commercial - mixed use - vertical mixed use building - conditional overlay - density bonus 90 - neighborhood plan (CS-MU-V-CO-DB90-NP) combined district zoning. The proposed conditional overlay maintains the conditions on Tract 49 from Ordinance No. 020523-31 in the North Loop Neighborhood Plan Rezoning case C14-02-0009.

The following uses are prohibited uses on the property:

- Adult oriented businesses
- Agricultural sales and services
- Automotive rentals
- Automotive repair services
- Automotive sales
- Campground
- Commercial blood plasma center
- Construction Sales
- Convenience storage
- Equipment repair services
- Equipment sales
- Exterminating services
- Funeral services
- Hospital services (general)
- Kennels
- Laundry Services
- Limited warehousing and distribution
- Medical offices (exceeding 5,000 sq. ft.)
- Pawn shop services
- Residential treatment
- Service station
- ~~Transitional housing~~
- Transportation terminal
- Vehicle storage

The following uses are conditional uses on the property:

- Congregate living
- Drive-in service as an accessory use to a commercial use

PLANNING COMMISSION ACTION / RECOMMENDATION:

January 14, 2025: *APPROVED THE STAFF'S RECOMMENDATION FOR CS-MU-V-CO-DB90-NP, REMOVED TRANSITIONAL HOUSING FROM PROHIBITED USES.*

*[A. AZHAR; D. SKIDMORE - 2ND] (11-0) A. HAYNES – OFF THE DIAS;
R. JOHNSON – ABSENT.*

Resend and Reconsider Consent Agenda:

*APPROVED THE STAFF'S RECOMMENDATION FOR CS-MU-V-CO-DB90-NP,
REMOVED TRANSITIONAL HOUSING FROM PROHIBITED USES.*

*[A. AZHAR; A. WOODS- 2ND] (10-1) G. COX – AGAINST; N. BARRERA-RAMIREZ
AND D. SKIDMORE – OFF THE DIAS; R. JOHNSON – ABSENT.*

CITY COUNCIL ACTION:

February 27, 2025:

ORDINANCE NUMBER:

ISSUES:

In December 2023, Ordinance No. 20220609-080, Ordinance No. 20221201-056 and Ordinance No. 20221201-055 were invalidated. On March 11, 2024, Ordinance No. 20240229-073, was enacted to create the “DB90” combining district, which amended City Code Title 25 (Land Development) to create a new zoning district for a density bonus program that grants 30 feet in height above the base zoning district, to a maximum of 90 feet, and modifies site development regulations including compatibility standards. Subsequently, the applicant submitted this new rezoning application to request the -DB90 combining district.

CASE MANAGER COMMENTS:

The property in question is approximately 0.74 acres, partially developed with automotive uses and vacant land, has access to East 53rd Street (level 2), and is zoned general commercial - conditional overlay - neighborhood plan (CS-CO-NP). The property has single family residences (SF-3-NP) to the north, south and west, Automotive uses (CS-V-NP and CS-CO-NP) to the north and west. There is multifamily residential (CS-V-NP) to the north along with a variety of commercial uses and food sales (CS-V-NP, CS-V-CO-NP, CS-CO-NP and LR-MU-CO-NP) to the north, south and east. ***Please refer to Exhibits A (Zoning Map) and B (Aerial View).***

The applicant is requesting general commercial - mixed use - vertical mixed use building - conditional overlay - density bonus 90 - neighborhood plan (CS-MU-V-CO-DB90-NP) combining district for a proposed development that would include multi-family units requiring an affordable component. A building constructed under density bonus 90 (DB90) standards allows for a mix of residential uses and commercial uses, and the result is typically retail, restaurants and offices on the ground floor, and residential units on upper levels. The overall

project would consist of approximately 73 residential units and will not be seeking a modification for the ground floor commercial space requirement. ***Please refer to Exhibit C (Applicant's Summary Letter).***

Staff is recommending the general commercial - mixed use - vertical mixed use building - conditional overlay - density bonus 90 - neighborhood plan (CS-MU-V-CO-DB90-NP) combining district zoning for the proposed 73 residential units, to allow for a unified development with a total of 139 dwelling units. The CS-MU-V-CO-DB90-NP request will allow for more density near the Airport Blvd Core Transit Corridor. The site is located within the North Loop Neighborhood plan and within the Highland Mall Station Regional Center.

A development utilizing the “density bonus 90” incentives is permitted with a base CS district and must include an affordability component for residential use in order to obtain incentives, including height maximum of 90 feet in the CS district (60 feet base plus 30 feet incentive) and relaxation of development and compatibility standards, such as FAR, setbacks and building coverage. There are several methods of satisfying DB90 development affordability requirements.

There are two options for projects including rental units:

- 1) a minimum of 12% of the rental units in a building are affordable for a 40-year period for households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
- 2) a minimum of 10% of the rental units are affordable for a 40-year period as described above for households earning 50% or less MFI.

There are two options of satisfying DB90 development affordability requirements which include ownership units:

- 1) a minimum of 12% of the residential units in a building are affordable for a 40-year period for households earning 80% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
- 2) an in-lieu-fee payment to the Housing Trust Fund, equivalent to the required percentage of the total residential units, including the mix of bedrooms required, at the rate set in the fee schedule at the time of final site plan submission.

BASIS OF RECOMMENDATION:

1. *The rezoning should be consistent with the policies and principles adopted by the City Council.*

City Council has provided policy and direction for having more residential density and increased affordability, as well as incentivizing vertical mixed use buildings throughout the City. This request is consistent with the “VMU2” option and Ordinance No. 20240229-073, which replaced the invalidated “VMU2” option.

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

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

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

The vertical mixed use building (v) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed use building.
The conditional overlay combining district may be applied in combination with any base district. the district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

The density bonus 90 combining district, in exchange for providing affordable housing units and in combination with commercial base zoning districts, allows a mixture of office, retail, commercial, and residential uses with modifications of compatibility standards and site development regulations including increased building height.

The neighborhood plan district denotes a tract located within the boundaries of an adopted neighborhood plan.

3. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

This rezoning authorizes a property to participate in a voluntary density bonus or incentive program that provides modifications to development regulations or other regulatory-related benefits in exchange for community benefits. In exchange for increased development potential, the development is required to comply with affordable housing requirements.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-CO-NP	Vacant & Automotive Uses
<i>North</i>	SF-3-NP & CS-V-NP	Single Family Residential, Multifamily Residential and Automotive Uses
<i>South</i>	LR-MU-CO-NP, GR-CO-NP & SF-3-NP	Food Sales (Zucchini Kill) and Single Family Residential
<i>East</i>	CS-V-NP & CS-V-CO-NP	Restaurant and Commercial Uses
<i>West</i>	CS-CO-NP & SF-3-NP	Single Family Residential & Automotive Uses

NEIGHBORHOOD PLANNING AREA: North Loop Neighborhood Planning Area

WATERSHED: Tannehill Branch Watershed

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Austin Independent School District

Reilly Elementary School

Lamar Middle School

McCallum High School

COMMUNITY REGISTRY LIST:

Austin Independent School District
Austin Lost and Found Pets
Austin Neighborhoods Council
Austin Regional Group
Central Austin Community Development Corporation
Friends of Austin Neighborhoods
Go Vamos Austin – North
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
North Austin Neighborhood Alliance
North Lamar Neighborhood Association

North Lamar/Georgian Neighborhood Team
North Loop IBIZ District
North Loop Neighborhood Association
North Loop Neighborhood Plan Contact Team
Preservation Austin
Red Line Parkway Initiative
Ridgetop Neighborhood Association
SELTexas
Save Our Springs Alliance
Sierra Club

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0002 – North Loop Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-In/Out	Amending the boundaries of the VMU Overlay District and/or rezoning selected tracts within the North Loop Neighborhood Planning Area with the vertical mixed use building "V" combining district. The planning area is bounded by IH-35 to the east, 45th St, Red River St, and 51st St to the south, Lamar Blvd to the west, and Koenig Lane on the north.	To Grant all amendments for the North Loop NPA (01/29/2008)	Approved the Neighborhood Plan as Planning Commission Recommended (03/20/2008)
C14-2008-0002.001 – North Loop Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt	These properties were intended by the Neighborhood Plan Contact Team to be opted into VMU as a part of the original North Loop VMU case that was adopted by City Council on March 20, 2008. However, due to an error, these properties were omitted from the original case and are now being brought forward as an auxiliary case. The neighborhood has recommended all VMU incentives for properties within this 10 acre area.	To Grant all amendments for the North Loop NPA (05/13/2008)	Approved the Neighborhood Plan as Planning Commission Recommended (06/05/2008)

RELATED CASES:

C14-02-0009 - North Loop Neighborhood Plan Combining District Rezonings

C14-2024-0112 – 5301 Martin Avenue: Associated with this rezoning case as they will be one unified development. The applicant is requesting to rezone from CS-CO-NP and SF-3-NP to CS-MU-V-CODB90-NP in order to develop 36 residential dwelling units. This case is going to Planning Commission on January 14, 2025 for a recommendation.

C14-2024-0114 – 5210 Bruning Avenue: Associated with this rezoning case as they will be one unified development. The applicant is requesting to rezone from GR-CO-NP to GR-MU-V-CO-DB90-NP. in order to develop 30 residential dwelling units. This case is going to Planning Commission on January 14, 2025 for a recommendation.

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning:

Project Name and Proposed Use: 704 E 53RD STREET. C14-2024-0113. North Loop Neighborhood Plan. FLUM: Mixed Use. Project: 704 E 53rd Street. 0.7424 acres from CS-CO-NP to CS-MU-V-CO-DB90-NP. Existing: Auto Sales and Vacant. Proposed: 73 Multifamily units. Demolition is proposed, with 0 residential units to be demolished. Proposal seeks Density Bonus 90 Combining District (Ordinance No. 20240229-073), which sets affordability minimums on ownership and rental units, and further allows for an increase of up to 30 ft in height above the base zone allowance, with a maximum limit of 90 feet in total height. DB90 additionally releases the site from some base zoning district development standards, including maximum floor area ratio.

Yes	Imagine Austin Decision Guidelines
Complete Community Measures *	
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Names of Activity Centers/Activity Corridors/Job Centers *: <ul style="list-style-type: none"> • Within Highland Mall Station Regional Center; Adjacent to 53rd Street Activity Corridor; 0.07 miles to Airport Boulevard Activity Corridor
Y	Mobility and Public Transit *: Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> • 0.13 miles to bus stop along Duval St
Y	Mobility and Bike/Ped Access *: Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> • Sidewalk and bike lane present along E 53rd Street
Y	Connectivity, Good and Services, Employment *: Provides or is located within 0.50 miles to goods and services, and/or employment center. <ul style="list-style-type: none"> • Goods and Services present along Airport Blvd and E 53rd Street
	Connectivity and Food Access *: Provides or is located within 0.50 miles of a grocery store/farmers market.
Y	Connectivity and Education *: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> • 0.3 miles to Ridgetop Elementary School

Y	Connectivity and Healthy Living * : Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> • 0.2 miles to Bruning Green (pocket park)
	Connectivity and Health * : Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
Y	Housing Choice * : Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
Y	Housing Affordability * : Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	Mixed use * : Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy * : Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation : Preserves or enhances a historically and/or culturally significant site.
	Creative Economy : Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education : Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land : Preserves or enhances industrial land.
Y	Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone
9	Number of "Yes's"

Drainage:

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

Environmental:

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

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

According to floodplain maps there is no floodplain within or adjacent to the project location.

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

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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

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

Fire: No Comments.

PARD – Planning & Design Review:

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

The Parks and Recreation Department (PARD) would consider a connection along the Red Line, from E 53rd Street to the northernmost corner of the site, toward satisfying the requirement at time of permitting (whether subdivision or site plan). Such a connection would satisfy an acquisition need for the Red Line, a recommendation identified in the Parks and Recreation Department's Long Range Plan.

Should there be any remaining fees in-lieu, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-609.

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

Site Plan:

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

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

Compatibility Standards

The site is subject to compatibility standards due to the proximity/adjacency of SF3 zoning on the Northwest side of the property).

Reference 25-2-1051, 25-2-1053

Any structure that is located:

- a. At least 50 feet but less than 75 feet from any part of a triggering property may not exceed 60 feet
- b. Less than 50 feet from any part of a triggering property may not exceed 40 feet

Reference 25-2-1061

A 25-foot (15-foot if site is less than 75 feet wide) compatibility buffer is required along the property line shared with the triggering property. No vertical structures are permitted in the compatibility buffer.

Reference 25-2-1062(B)

An on-site amenity, including a swimming pool, tennis court, ball court, or playground, may not be constructed 25 feet or less from the triggering property.

Reference 25-2-1062

DB90 Rezoning

This site must meet affordability minimums to be eligible for DB90. A signed approval letter from the Housing Department will be required with site plan submittal.

E. 53rd Street is the Principal Street for this site. Any buildings fronting this street will be required to have 75% of the ground floor as commercial uses.

This site is adjacent to a site that contains one to three dwelling units and is zoned SF-5 or more restrictive. A compatibility buffer 25' in width, designed to 25-8-700 and 25-2-652(G) will be required.

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

FYI This site is in the North Loop Neighborhood Plan

Austin Transportation Department – Engineering Review:

The Austin Strategic Mobility Plan (ASMP) calls for 72 feet of right-of-way for 53rd St. It is recommended that 36 feet of right-of-way from the existing centerline should be dedicated for 53rd St according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

A Neighborhood Traffic Analysis is required and will be performed for this project by TPW staff. Results will be provided in a separate memo. LDC 25-6-114. NTA requires three (3) consecutive 24-hour tube counts, preferably on Tuesday, Wednesday, and Thursday, during a

non-holiday week when school is in session. Please contact the area engineers, Mustafa Wali (mustafa.wali@austintexas.gov) or Ramin Komeili (ramin.komeili@austintexas.gov) to discuss the location of the tube counts. Results will be provided in a separate memo. LDC 25-6-114. NTA fees will be added in AMANDA. This comment will be cleared once the Memo is approved, and the fees are paid.

Existing Street Characteristics:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
53 rd St	Level 2	72 Feet	55 Feet	40 Feet	Yes	Yes	Yes

Austin Water Utility:





No comments on zoning change.

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

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

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letter
- D. Neighborhood Traffic Analysis (NTA) Memo
- E. C14-02-0009 - North Loop Neighborhood Plan Combining District Ordinance Correspondence from Interested Parties


 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

ZONING
ZONING CASE#: C14-2024-0113



Exhibit A
1" = 400'

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

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.

June 27, 2024

Ms. Lauren Middleton-Pratt
Permitting and Development Center (PDC)
6310 Wilhelmina Delco Drive
Austin, TX 78752

Via Electronic Delivery

Re: 704 E 53rd Street – Zoning application for 0.7424-acre combined properties located at 704, 706, 706 ½ and 708 E 53rd Street, Austin, TX 78751, comprised of TCAD IDs: 0225102305, 0225102304, 0225102301 and 0225102303 (the "Property")

Dear Ms. Middleton-Pratt:

As representatives of the owners of the Property, we respectfully submit the enclosed Zoning application package. The project is titled 704 E 53rd Street and is 0.7424-acres of combined land, located on the north side of E 53rd Street between Martin Avenue and Eilers Avenue. The Property is in the Full Purpose Jurisdiction of the City of Austin.

The Property is currently zoned CS-CO-NP (General Commercial Services – Conditional Overlay – Neighborhood Plan). The requested zoning is to CS-MU-V-CO-DB90-NP (General Commercial Services – Mixed Use – Vertical Mixed-Use Building – Conditional Overlay – Density Bonus 90 – Neighborhood Plan).

Zoning Ordinance No. 20020523-031 established the Neighborhood Planning Area and includes a Conditional Overlay. The Conditional Overlay restricts certain uses on the Property as shown below, which we propose to remain.

The following uses are prohibited uses on the 704, 706 and 708 E 53rd Street:

- Adult oriented businesses
- Automotive rentals
- Automotive sales
- Commercial blood plasma center
- Equipment repair services
- Exterminating services
- Hospital services (general)
- Laundry Services
- Medical offices (exceeding 5,000 sq. ft.)
- Residential treatment
- Transitional housing
- Transportation terminal
- Agricultural sales and services
- Automotive repair services
- Campground
- Convenience storage
- Equipment sales
- Funeral services
- Kennels
- Limited warehousing and distribution
- Pawn shop services
- Service station
- Vehicle storage
- Congregate living
- Drive-in service as an accessory use to a commercial use

This request includes the DB90 (Density Bonus 90) combining district, that was recently approved on February 29, 2024, via Ordinance No. 20240229-073.

The Property is located in the North Loop Neighborhood Planning Area (NPA) and has a Future Land Use Map (FLUM) designation of Mixed Use. The FLUM designation will remain as Mixed Use and a Neighborhood Plan Amendment is not necessary.

A Traffic Impact Analysis (TIA) determination from the Austin Transportation Department identified that a Neighborhood Traffic Analysis (NTA) is required. This rezoning application is associated with two (2) other rezoning applications titled 5301 Martin Avenue and 5210 Bruning Avenue.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Sincerely,



Leah M. Bojo

cc: Joi Harden, Planning Department (*via electronic delivery*)



MEMORANDUM

To: Kathleen Strain, P.E. (WPS)
CC: Renee Johns, AICP; Mustafa Wali (TDS/TPW)
FROM: Austin Jones, P.E.
DATE: October 1, 2024
SUBJECT: Volz Project NTA | C14-2024-0112 & C14-2024-0113

The proposed development includes of 6 tracts making up 1.05-acres at 5301, 5303 Martin Avenue, 704, 706, 706.5, 708 E 53rd Street, as shown in Figure 1 below. The site is currently zoned CS-CO-NP, and SF-3-NP. The applicant is looking to rezone to CS-MU-V-CO-DB90-NP. The site proposes access to Martin Avenue and East 53rd Street, which are classified as Level 1 (local street) and Level 2 (collector street) respectively. The development project will include 6-story buildings and is anticipated to be completed by 2027. The Transportation Development Services (TDS) division has conducted a Neighborhood Traffic Analysis (NTA) and offers the following comments.

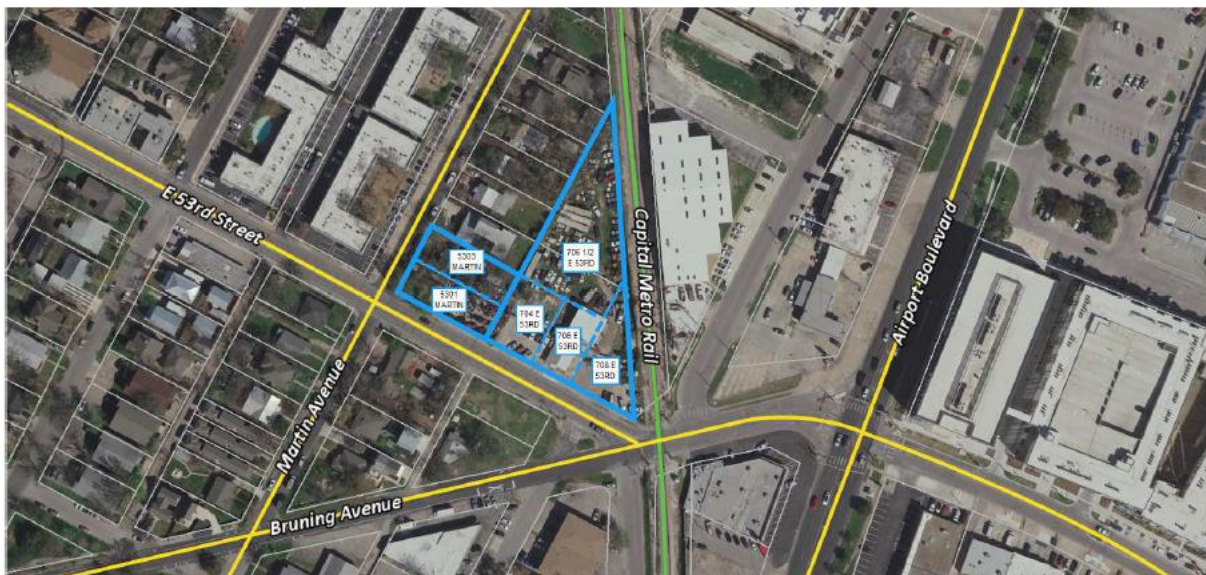


Figure 1: Site Location

Roadways

Martin Ave has approximately 55 feet of right-of-way, 27 feet of pavement width, two unstriped travel lanes, curb and gutter, sidewalk on the west side of the street only, and no bicycle facilities. The street functions with a speed limit of 25 mph. According to the Austin Strategic Mobility Plan (ASMP), the required right-of-way in the vicinity of the site is 58 or 64 feet.

East 53rd St has approximately 50 feet of right-of-way, 37 feet of pavement width, two striped travel lanes, curb and gutter with sidewalks and protected bike lanes on both sides of the street. The street functions with a speed limit of 20 mph. According to the Austin Strategic Mobility Plan (ASMP), the required right-of-way in the vicinity of the site is 72 feet.

Trip Generation and Traffic Analysis

The zoning cases assumes 109 dwelling units of mid-rise multifamily housing (ITE Code 221). Based on the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition, the proposed development will generate 473 vehicle trips per day.

This site includes several existing land uses that currently generate 67 vehicle trips per day. Assuming the existing land uses and the proposed uses as part of these zoning cases, this development will generate 406 vehicle trips per day. See Table 1 for a detailed breakdown of the existing and proposed land uses and trip generation.

Table 1 – Trip Generation

Land Use (ITE Code)	Size	Unadjusted Trip Generation
<u>Existing</u>		
Single-Family Detached Housing (210)	2 SF Units	30
Automobile Sales (Used) (841)	1,358 Square Feet	37
SUM EXISTING		67
<u>Proposed Uses</u>		
Multifamily Housing (Mid- Rise) (221)	109 Dwelling Units	473
NET TRIPS		406

24-hour traffic volumes were collected on Martin Ave, and on East 53rd St, both east and west of Martin Ave on August 28, 2024. The 2024 daily traffic volumes on Martin Ave, East 53rd St west of Martin Ave, and East 53rd St east of Martin Ave were approximately 238 vpd (vehicles per day), 5,235 vpd, and 5,263 vpd, respectively.

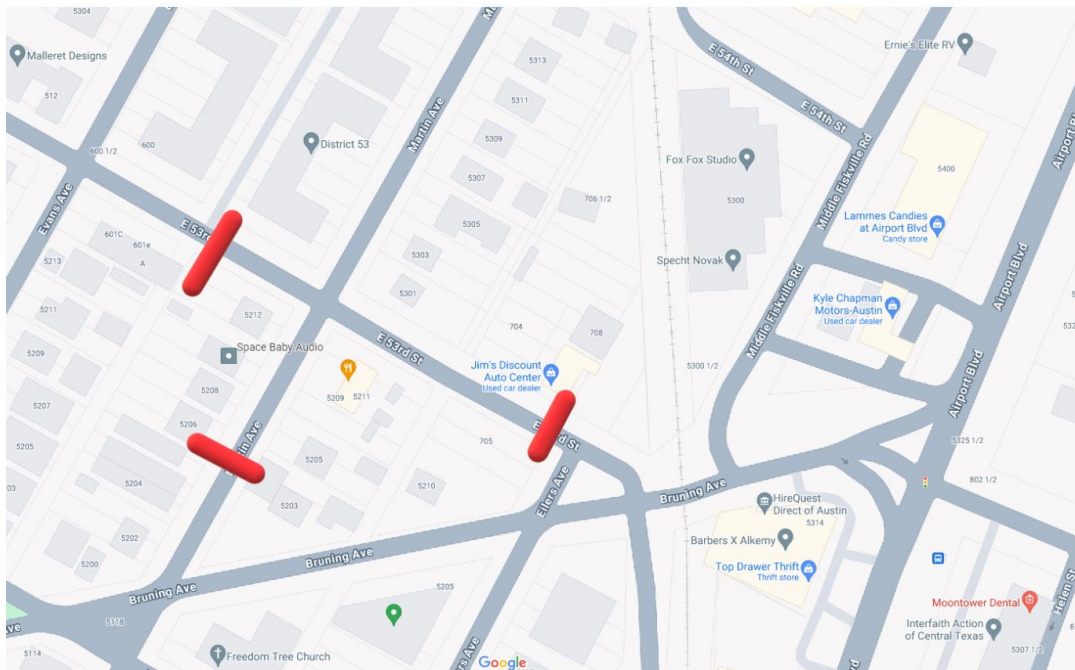


Figure 2: Tube Count Locations

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

Table 2. Trip Distribution

Street	Traffic Distribution by Percent
Martin Ave	5%
East 53 rd St	95%

Table 3 represents a breakdown of traffic on Martin Ave, and East 53rd St: existing traffic, proposed site traffic, total traffic after development, and percentage increase in traffic.

Table 3. Traffic Summary

Street	Existing Traffic from Counts (vehicles per day, vpd)	Site Traffic added to Roadway (vpd)	Total Future Traffic (vpd)	Percentage Increase in Traffic (%)
Martin Ave	238	20	258	8%
East 53 rd St	5,249	386	5,635	7%

According to Section 25-6-116 of the Land Development Code, streets that have a pavement width less than 30 feet are considered to be operating at a desirable traffic level if the average daily traffic volume for such roadway is below 1,200 vehicles per day. Based on the LDC criteria, Martin Avenue is currently operating at a desirable level and will continue operating at desirable level with the addition of site traffic.

According to Section 25-6-116 of the Land Development Code, streets that have a pavement width of 30 ft to less than 40 feet are considered at a desirable traffic level if the average daily traffic volume for such roadway is below 1,800 vehicles per day. Based on the LDC criteria, East 53rd St is currently not operating at desirable levels and will continue to do so with the addition of site traffic.

Recommendations and Conclusions

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

1. Martin Avenue currently lacks sidewalks along its length on one side. During the site plan review, this development will be required to construct sidewalks, along with associated curb ramps and gutters along its frontage.
2. As per ASMP, East 53rd Street is being proposed to be studied for corridor mobility improvements, those improvements include mobility, safety, and connectivity improvements to accommodate multiple modes of transportation, including driving, walking, biking, and taking transit.

3. As per ASMP, the required ROW for East 53rd Street is 72 feet, and for Martin Avenue, it is either 58 or 64 feet.
4. If the number of units proposed in Table 1 is exceeded, the TDS division may be required to reassess the NTA.
5. This site will be subject to Street Impact Fee (SIF), which will help fund roadway capacity projects identified in RCP necessitated by new developments. The SIF calculation shall be performed during the Site Plan review, and the fee will be collected at the time of building permit application. For more information on Impact Fees, please visit the City's SIF website (<https://www.austintexas.gov/department/street-impact-fee>).
6. This assessment is based on the proposed uses. Any changes in these assumptions may require an updated NTA.
7. This NTA does not grant nor guarantee approval of proposed driveway types or locations. Driveway types and locations will be reviewed with the site plan application.

The site development permit for the above noted site shall not be released until the improvements are shown in the site plan. Please contact me at (512) 978-1671 if you have questions or require additional information.

A handwritten signature in blue ink, appearing to read 'Austin Jones', with a long, sweeping horizontal line extending to the right.

Austin Jones, P.E.
Transportation and Public Works Department

ORDINANCE NO. 020523-31

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 614.97 ACRES OF LAND GENERALLY KNOWN AS THE NORTH LOOP NEIGHBORHOOD PLAN AREA ("NORTH LOOP") AND TO CHANGE THE BASE ZONING DISTRICTS ON 101 TRACTS OF LAND IN NORTH LOOP.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 101 tracts of land within the property described in File C14-02-0009, as follows:

Approximately 614.97 acres of land, in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A", (the "Property"),

generally known as the North Loop Neighborhood Plan (NP) combining district, locally known as the property bounded by Koenig Lane on the north, IH-35 on the east, Lamar Boulevard on the west and 45th Street, Red River Street and 51st Street on the south, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The base zoning districts for the 101 tracts of land are changed from family residence (SF-3) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, limited office (LO) district, general office (GO) district, neighborhood commercial (LR) district, community commercial (GR) district, community commercial-conditional overly (GR-CO) combining district, general commercial services (CS) district, general commercial services-conditional overlay (CS-CO) combining district, commercial-liquor sales (CS-1) district, and commercial-liquor sales-conditional overlay (CS-1-CO) combining district to family residence-neighborhood plan (SF-3-NP) combining district, multifamily residence low density-neighborhood plan (MF-2-NP) combining district, multifamily residence medium density-neighborhood plan (MF-3-NP) combining district, multifamily residence moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district, neighborhood office-neighborhood plan (NO-NP) combining district, limited office-neighborhood plan (LO-

NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district, neighborhood commercial-conditional overlay neighborhood plan (LR-CO-NP) combining district, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, community commercial-mixed used-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, commercial-liquor sales-conditional overlay neighborhood plan (CS-1-CO-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below.

TRACT	ADDRESS	FROM	TO
1a	5607 LAMAR BV N	CS	CS-CO-NP
1a	5501 LAMAR BV N	CS & GR	CS-CO-NP
1b	600 NELRAY BV	CS	CS-CO-NP
1c	5555 LAMAR BV N	CS, CS-1, & LO	CS-CO-NP, CS-1-CO-NP
1d	700 NELRAY BV	LO	LO-MU-NP
2	707, 709 NELRAY BV; 0 LAMAR BV N (LOT 38 NORTHFIELD ADDITION); 5403, 5409, 5415, 5417 LAMAR BV N	CS	CS-CO-NP
3	5301, 5319 LAMAR BV N	CS	CS-CO-NP
4a	701 NORTH LOOP BV E	CS	CS-MU-CO-NP
4a	5237, 5241 LAMAR BV N; 5253 LAMAR BV N (LOT 18-19, 20-21 LOT 22 *LESS 987 SF INTO ROW BLK B MURRAY PLACE)	CS	CS-CO-NP
4b	5225 LAMAR BV N	CS, LR, LO, MF-3	CS-CO-NP, LR-MU-NP, LO-MU-NP, MF-3-NP
4c	0 LAMAR BV N (LOT 6-7 BLK B MURRAY PLACE); 0 LAMAR BV N (LOT 8-9 BLK B MURRAY PLACE); 5201 & 5209 LAMAR BV N; 702 ZENNIA ST	CS	CS-CO-NP
5a	5101, 5115, 5117 LAMAR BV N; 620 51 ST W	CS	CS-CO-NP
5b	703 ZENNIA ST	LO	LO-NP
6	703, 705 NELRAY BV ; 702, 704, 710, 712 FRANKLIN BV	SF-3	MF-3-NP

7	612 NORTH LOOP BV W	LO	LO-MU-CO-NP
8	301 KOENIG LN W	CS	CS-MU-CO-NP
9	101, 111, 115, 211 KOENIG LN W	CS	CS-MU-CO-NP
10	201, 501 KOENIG LN E	CS	CS-MU-CO-NP
11	702 56 ST E; 5600 AIRPORT BV	CS	CS-MU-CO-NP
12	601, 605 56 ST E; 5500, 5504 MARTIN AV; 0 56 ST E (LOT 32 BLK 33 *LESS N 10FT HIGHLANDS THE PLUS ADJ 1/2 VAC ST) ; 0 MARTIN AV (S12.5FT OF LOT 24 * & N12.5FT OF LOT 25 BLK 34 *LESS E5FT HIGHLANDS THE)	CS	CS-CO-NP
13	5501, 5509, 5511 MARTIN AV	CS	CS-CO-NP
14	711 56 ST E; 5500, 5502, 5504, 5506, 5508 MIDDLE FISKVILLE RD	CS	CS-CO-NP
15	5500, 5512, 0 AIRPORT BV (N TRI OF BLK 1 HILL LOU H MRS SUBD)	CS	CS-CO-NP
16	701 55 ST E	CS	CS-CO-NP
17	5408, 5410, 5414, 5416, 5418, 5420 MIDDLE FISKVILLE RD	CS	CS-CO-NP
18	5406 MIDDLE FISKVILLE RD	SF-3	CS-CO-NP
19	5402 MIDDLE FISKVILLE RD	CS	CS-CO-NP
20	5400 MIDDLE FISKVILLE RD	SF-3	CS-CO-NP
21a	5420 AIRPORT BV	CS, CS-1	CS-CO-NP, CS-1-CO-NP
21b	5324, 5400, 5410 AIRPORT BV	CS	CS-CO-NP
22	5306 MIDDLE FISKVILLE RD	CS	CS-CO-NP
23a	5639 AIRPORT BV; 901, 909, 921 REINLI ST	CS	CS-CO-NP
23b	5619 AIRPORT BV	CS, CS-1 & CS-1-CO	CS-CO-NP, CS-1-CO-NP & CS-1-CO-NP
23c	5520 HELEN ST	CS	CS-MU-CO-NP
23d	5555 AIRPORT BV	CS	CS-CO-NP
24	5501 AIRPORT BV	CS & CS-1	CS-CO-NP & CS-1-CO-NP
25a	5335 AIRPORT BV	CS	CS-CO-NP
25b	5325 AIRPORT BV	CS-1	CS-1-CO-NP
26a	5307 AIRPORT BV; 819 53 1/2 ST E	CS	CS-CO-NP
26b	818 53 ST E	LO	LO-CO-NP
26c	823 53 1/2 ST E	LR & CS	LR-CO-NP & CS-CO-NP
27a	5205, 5207 AIRPORT BV	CS	CS-CO-NP
27b	819, 821 53 ST E	LO	LO-CO-NP
28	5201 AIRPORT BV	CS & CS-1	CS-CO-NP & CS-1-CO-NP
29	813, 815 52 ST E; 5105 AIRPORT BV	CS	CS-CO-NP
30	5101 AIRPORT BV	CS	CS-CO-NP

31	808 51 ST E	CS-CO	CS-CO-NP
32	5009, 5011 AIRPORT BV	CS	CS-CO-NP
33	5001, 5003 AIRPORT BV	CS & CS-1	CS-CO-NP & CS-1-CO-NP
34	4917 AIRPORT BV	CS	CS-CO-NP
35	4909, 4915 AIRPORT BV; 908 49 1/2 ST E	GR	GR-CO-NP
35	0 49 1/2 ST E (LOT 3 *RESUB OF LT A NORTH HARMON TERRACE)	LR & GR	GR-CO-NP
36a	4905 AIRPORT BV; 907 49 1/2 ST E	GR	GR-CO-NP
36b	4901 AIRPORT BV	CS	CS-CO-NP
36c	902, 904 49 ST E	CS & CS-1	CS-CO-NP & CS-1-CO-NP
37	903 49 ST E	LR & CS	CS-CO-NP
38	4801, 4803 AIRPORT BV; 909 48 1/2 ST E	CS	CS-CO-NP
39a	4715, 4721, 0 AIRPORT BV (LOT 2 DYESS SUBD). 908 48 ST E	CS	CS-CO-NP
39b	4712 HARMON AV	GR	GR-CO-NP
39c	4608 HARMON AV	CS & CS-1	CS-CO-NP & CS-1-CO-NP
40	108, 110 A, 112, 114 A NORTH LOOP BV E	SF-3	GR-CO-NP
41a	100, 104, 106 NORTH LOOP BV W	GR, LO	GR-CO-NP
41b	100, 102, 0 NORTH LOOP BV W (W 85FT OF LOT 30-32 BLK 44 HIGHLANDS THE)	CS	CS-CO-NP
41b	110 NORTH LOOP BV E	LR, CS	CS-CO-NP
41b	120 NORTH LOOP BV W	LR	CS-CO-NP
42	200 53 ST E; 5303 AVENUE F	LR	LR-CO-NP
43	204 53 ST E	GR	GR-CO-NP
43	5300 AVENUE G	LR	GR-CO-NP
44	5301, 5303 AVENUE G	LR	LR-CO-NP
45	5302 AVENUE H	LR	GR-CO-NP
45	5300 AVENUE H	CS	GR-CO-NP
46	5303 DUVAL ST	LO	LO-CO-NP
47	5300, 5302 EVANS AV	CS	CS-CO-NP
48	600 54 ST E; 600 53 ST E (LOT 1-8, LOT 9-16, LOT 25-32 BLK 26 HIGHLANDS THE)	CS	CS-MU-CO-NP
49	704, 706, 708 53 ST E; 5301 MARTIN AV; 0 53 ST E (LOT 17-18 *& 10 FT ADJ ALLEY BLK 27 HIGHLANDS THE); 0 53 ST E (LOT 19-20 *& 10FT ADJ ALLEY BLK 27 HIGHLANDS THE)	CS	CS-CO-NP
50	225 NORTH LOOP BV W; 5219 LERALLYNN ST	LO	LO-MU-CO-NP
51	209 NORTH LOOP BV W	CS	CS-CO-NP
52	101, 103, 109, 111 NORTH LOOP BV E; 117 NORTH LOOP BV W; 5208, 5210, 5212 AVENUE F	CS	CS-CO-NP
53	201 53 ST E	CS	CS-CO-NP

54	207 53 ST E	LR	LR-CO-NP
55	5213 AVENUE G	LR	LR-CO-NP
56	5214 AVENUE H	CS	CS-MU-CO-NP
57	401 53 ST E	LR	LR-CO-NP
58	501 53 ST E	GR	GR-CO-NP
59a	5213 EVANS AV	LR	LR-MU-CO-NP
59b	601 53 ST E	LR	LR-CO-NP
60	5211 MARTIN AV	SF-3, LR	LR-MU-CO-NP
61	705 53 ST E; 5210 BRUNING AV	GR	GR-CO-NP
62	5201, 5203, 5205, 5207 EVANS AV	LO	LO-MU-CO-NP
63	5206 EILERS AV	CS	CS-MU-CO-NP
64	5211 EILERS AV	CS	CS-MU-CO-NP
65	5204 CLARKSON AV	LO	LO-MU-CO-NP
66	5102 DUVAL ST ; 404 51 ST E	CS	CS-MU-CO-NP
67	5100 BRUNING AV	CS	CS-MU-CO-NP
68	0 BRUNING AV (LOT 1 BLK 14 HIGHLANDS THE)	CS	CS-MU-CO-NP
69	500 51 ST E	CS	CS-MU-CO-NP
70	5101 EVANS AV	CS	CS-MU-CO-NP
71	5102, 5106 CLARKSON AV	CS	CS-MU-CO-NP
72	4701 RED RIVER ST #101 - 304; 4705 RED RIVER ST	CS	CS-MU-CO-NP
73	4700 DEPEW AV	CS, MF-2	CS-MU-CO-NP, MF-2-NP
74	4625 RED RIVER ST	CS	CS-MU-CO-NP
75	4624 DEPEW AV	CS	CS-MU-CO-NP
76	900 51 ST E	GO	GO-MU-CO-NP
77a	940 51 ST E	LO	LO-MU-NP
77b	944 51 ST E	GR	GR-MU-CO-NP
78	905 & 907 51 ST E	LO	LO-MU-NP
79	4817 HARMON AV	MF-2	SF-3-NP
80a	4705, 4707, 4709, 4715 HARMON AV	CS	CS-MU-CO-NP
80b	4719 HARMON AV	LO	LO-MU-CO-NP
81	4701 HARMON AV	LO	LO-MU-CO-NP
82	4610, 4612 CONNELLY ST	LO	LO-MU-CO-NP
83	4606 CONNELLY ST	LO	LO-MU-CO-NP
84	906 49 ST E ; 909 49 1/2 ST E	LO	LO-MU-CO-NP
85	822, 908 REINLI ST ; 919 KOENIG LN E; 5804, 5812, 5816 INTERSTATE HY 35 N	CS	CS-CO-NP
86a	5510, 5526, 5610, 5656, 5740 INTERSTATE HY 35 N; 0 INTERSTATE HY 35 N (LOT 2 *RESUB LOT 41-42 LESS W45.57FT AV DUVAL HEIGHTS); 925, 959 REINLI ST	CS	CS-CO-NP
86b	922 56 1/2 ST E	LO & CS	LO-CO-NP & CS-CO-NP
86c	5500 INTERSTATE HY 35 N	MF-3 & CS	NO-NP; CS-CO-NP
86d	5330 INTERSTATE HY 35 N	CS	CS-CO-NP

87	1011, 1015 53 ½ ST E	CS	CS-CO-NP
88a	1014 53 ST E (LOT 2 * 2022 SF LOT 3 HASTER F SUBD LOT 1 *107X170FT AV *RESUB PT HILL LOU H MRS SUBD)	CS	CS-CO-NP
88b	1014 53 ST E (LOT 1 HASTER F SUBD E 50'LT 1 BLK O RIDGETOP SUBD)	GR-CO	GR-CO-NP
89a	1000 52 ST E ; 1009 53 ST E	GR	GR-CO-NP
89b	5210 INTERSTATE HY 35 N	GR & CS	GR-CO-NP & CS-CO-NP
90	1000 51 ST E; 1003 52 ST E	GR	GR-CO-NP
91	1000 50 ST E	LR & GR	CS-CO-NP
91	1006 50 ST E	LO	CS-CO-NP
91	1008 50 ST E ; 0 INTERSTATE HWY 35 N (LOT 2 * 272 SQ FT OF BLK B RIDGETOP)	LR	CS-CO-NP
92a	4911 HARMON AV	LO	LO-CO-NP
92b	4920 INTERSTATE HY 35 N	LO & CS	LO-CO-NP & CS-CO-NP
93	4916 INTERSTATE HY 35 N	CS	CS-CO-NP
94	4900, 4904, 4908, 4912 INTERSTATE HY 35 N	CS	CS-CO-NP
95a	4834 INTERSTATE HY 35 N	LR	CS-CO-NP
95b	4812 INTERSTATE HY 35 N	GR-CO, GR, CS, LO	GR-CO-NP, CS-CO-NP, LO-CO-NP
95c	4806 INTERSTATE HY 35 N	GR	GR-CO-NP
96	4800 INTERSTATE HY 35 N	CS & CS-1	CS-CO-NP & CS-1-CO-NP
97	4600, 4704, 4706 INTERSTATE HY 35 N	CS	CS-CO-NP
98	1001 46 ST E	CS, CS-1	CS-CO-NP, CS-1-CO-NP
98	1003, 1007, 1011, 1019 46 ST E ; 4507, 4511 AIRPORT BV ; 4512 INTERSTATE HY 35 N	CS	CS-CO-NP
99	901, 903 51 ST E	SF-3	GR-CO-NP
100	O BRUNING AVE (BLK 17 HIGHLANDS THE)	SF-3	P-NP
101	5413 GUADALUPE	MF-3	MF-4-CO-NP

PART 3. The following applies to an existing legal lot with single-family residential use within the boundaries of the NP combining district:

1. The minimum lot area is 2,500 square feet.
2. The minimum lot width is 25 feet.
3. For a lot with an area of 3,500 square feet or less, the impervious coverage may not exceed 65 percent.

PART 4. Secondary apartment special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Sections 25-2-1462 and 25-2-1463 of the Code

PART 5. Corner store special use is permitted on lots in residential districts within the boundaries of the NP combining district as set forth in Sections 25-2-1482 through 25-2-1485 of the Code.

PART 6. Tracts 2, 3, 4a, 4b, 4c, 5a, 5b, 9 through 22, 24, 25a, 25b, 26a, 26b, 26c, 27a, 27b, 28 through 35, 36a, 36b, 36c, 37, 38, 39a, 39b, 39c, 40, 41a, 41b, 42 through 49, 51 through 58, 59a, 59b, 60, 61, 66 through 69, 84, and 99 may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code:

PART 7. Tracts 1a, 1b, 1c, 11 through 22, 24, 25a and 25b may be developed as neighborhood urban center special use as set forth in Sections 25-2-1521 through Section 25-2-1524 of the Code.

PART 8. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions.

1. The following uses are conditional uses on Tracts 1a, 1b, 1c, 2, 3, 4a, 4b, 4c, 5a, 8, 9, and 10:

Adult oriented businesses
Automotive sales
Commercial blood plasma center
Convenience storage
Equipment sales
Vehicle storage

Agricultural sales and services
Campground
Construction sales and services
Equipment repair services
Kennels

2. The following uses are prohibited uses on Tracts 11 through 22, 23a, 23b, 23c, 23d, 24, 25a, 25b, 26a, 26c, 27a, 28, 29, 30, 32, 33, 34, 36b, 36c, 37, 38, 39a, 39c, 80a, 85, 86a, 86b, 86c, 86d, 87, 88a, 89b, 91, 92b, 93, 94, 95a, 95b, 96, 97, and 98:

Adult oriented businesses
Residential treatment

Pawn shop services
Transitional housing

3. The following uses are conditional uses on Tracts 16 through 22, 23c, 23d, 24, 25a, 25b, 26a, 26c, 27a, 28, 29, 30, and 31:

Agricultural sales and services
Campground
Construction sales and services
Equipment repair services
Kennels

Automotive sales
Commercial blood plasma center
Convenience storage
Equipment sales
Vehicle storage

4. The following uses are conditional uses on Tracts 11 through 15, 23a, 23b, 32, 33, 34, 36b, 36c, 37, 38, 39a, and 39c:

Agricultural sales and services
Commercial blood plasma center
Convenience storage
Equipment sales
Vehicle storage

Campground
Construction sales and services
Equipment repair services
Kennels

5. A site plan or building permit for the Tract 31 may not be approved, released, or issued, if the completed development or uses of Tract 31, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 300 trips per day.

6. Vehicular access from Tract 31 to 51st Street is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

7. The following uses are prohibited uses on Tract 31:

Adult oriented businesses
Residential treatment
Transitional housing

Pawn shop services
Restaurant (drive-in, fast food)

8. The following uses are prohibited uses on Tract 23b:

Cocktail lounge

Liquor sales

9. The following uses are prohibited uses on Tracts 35, 36a, 39b, 89a, 90, 95c, and 99:

Pawn shop services

Residential treatment

10. The following uses are prohibited uses on Tracts 41b, 47, 48, 49, 51, 52, 53, 56, 63, 64, and 66 through 75:

Adult oriented businesses
Automotive rentals
Automotive sales
Commercial blood plasma center
Equipment repair services
Exterminating services
Hospital services (general)
Laundry services
Medical offices (exceeding 5,000 s.f.)
Residential treatment
Transitional housing
Transportation terminal

Agricultural sales and services
Automotive repair services
Campground
Convenience storage
Equipment sales
Funeral services
Kennels
Limited warehousing and distribution
Pawn shop services
Service station
Vehicle storage

11. Construction sales and services use is a prohibited use on a site exceeding 8,000 square feet of gross floor area on Tracts 41b, 47, 48, 49, 51, 52, 53, 56, 63, 64, and 66 through 75.

12. The following uses are conditional uses on Tracts 40, 41a, 41b, 43, 45, 47, 48, 49, 51, 52, 53, 56, 58, 61, 63, 64, and 66 through 75.

Congregate living
Drive-in service as an accessory use to a commercial use.

13. The following uses are prohibited uses on Tracts 40, 41a, 43, 45, 58, and 61:

Automotive rentals
Automotive sales
Funeral services
Medical offices (exceeding 5,000 s.f.)
Residential treatment

Automotive repair services
Exterminating services
Hospital services (general)
Pawn shop services
Service station

14. The following uses are prohibited uses on Tracts 7, 42, 44, 46, 50, 54, 55, 57, 59a, 59b, 60, 62, and 65:

Medical offices (exceeding 5,000 s.f.)
Service station

Residential treatment

15. The following uses are conditional uses on Tracts 80a, 85, 86a, 86b, 86c, 86d, 87, 88a, 89b, 91, 92b, 93, 94, 95a, 95b, 96, 97, and 98:

Campground

Convenience storage

Kennels

Commercial blood plasma center

Equipment sales

Vehicle storage

16. Residential treatment use is a prohibited use on Tracts 26b, 27b, 76, 80b, and 81 through 84.

17. The followings uses are prohibited uses on Tract 88b:

Automotive repair services

Pawn shop services

Restaurant (drive-in, fast food)

Exterminating services

Residential treatment

Service station

18. The following conditions apply to Tract 88b:

- a. The floor area ratio (F.A.R.) may not exceed 1 to 1 for general retail sales (general) use, general retail sales (convenience) use, and financial services use.
- b. The floor area ratio (F.A.R.) may not exceed 0.45 to 1 for restaurant (general) use and restaurant (limited) use.
- c. The floor area ratio (F.A.R.) may not exceed 0.38 to 1 for food sales use.
- d. Vehicular access from the Property to 53rd Street is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

19. The following conditions apply to Tract 101:

- a. Hospital services (limited) use is a prohibited use.
- b. The maximum height of a building is 40 feet from ground level.
- c. The minimum front yard setback is 25 feet.

- d. The maximum building coverage is 55 percent.
 - e. The maximum impervious cover is 65 percent.
20. The following conditions apply to a 0.510 acre tract of land out of Tract 95b, the tract of land described by metes and bounds in Exhibit "C" incorporated into this ordinance:
- a. General retail sales (general) and general retail sales (convenience) use may not exceed 13,260 square feet of gross floor area.
 - b. Restaurant (general) use may not exceed 9,730 square feet of gross floor area.
 - c. Restaurant (drive-in, fast food) use may not exceed 3,160 square feet of gross floor area.
 - d. Financial services use may not exceed 12,500 square feet of gross floor area.
 - e. Food sales use may not exceed 2,730 square feet of gross floor area.
 - f. Vehicular access is prohibited from the property to Harmon Avenue. All vehicular access to the property shall be from other adjacent public streets or through other adjacent property.
21. The following condition applies to a 1.26 acre tract of land out of Tract 95b, the tract of land described by metes and bounds in Exhibits "D" and "E" incorporated into this ordinance:

Vehicular access is prohibited from the property to Harmon Avenue. All vehicular access to the property shall be from other adjacent public streets or through other adjacent property.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

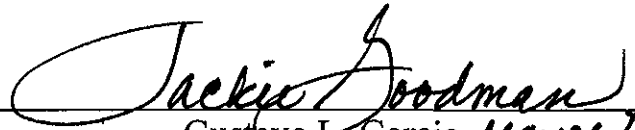
PART 9. The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 10. This ordinance takes effect on June 3, 2002.


PASSED AND APPROVED

May 23, 2002

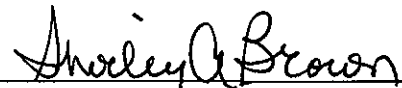
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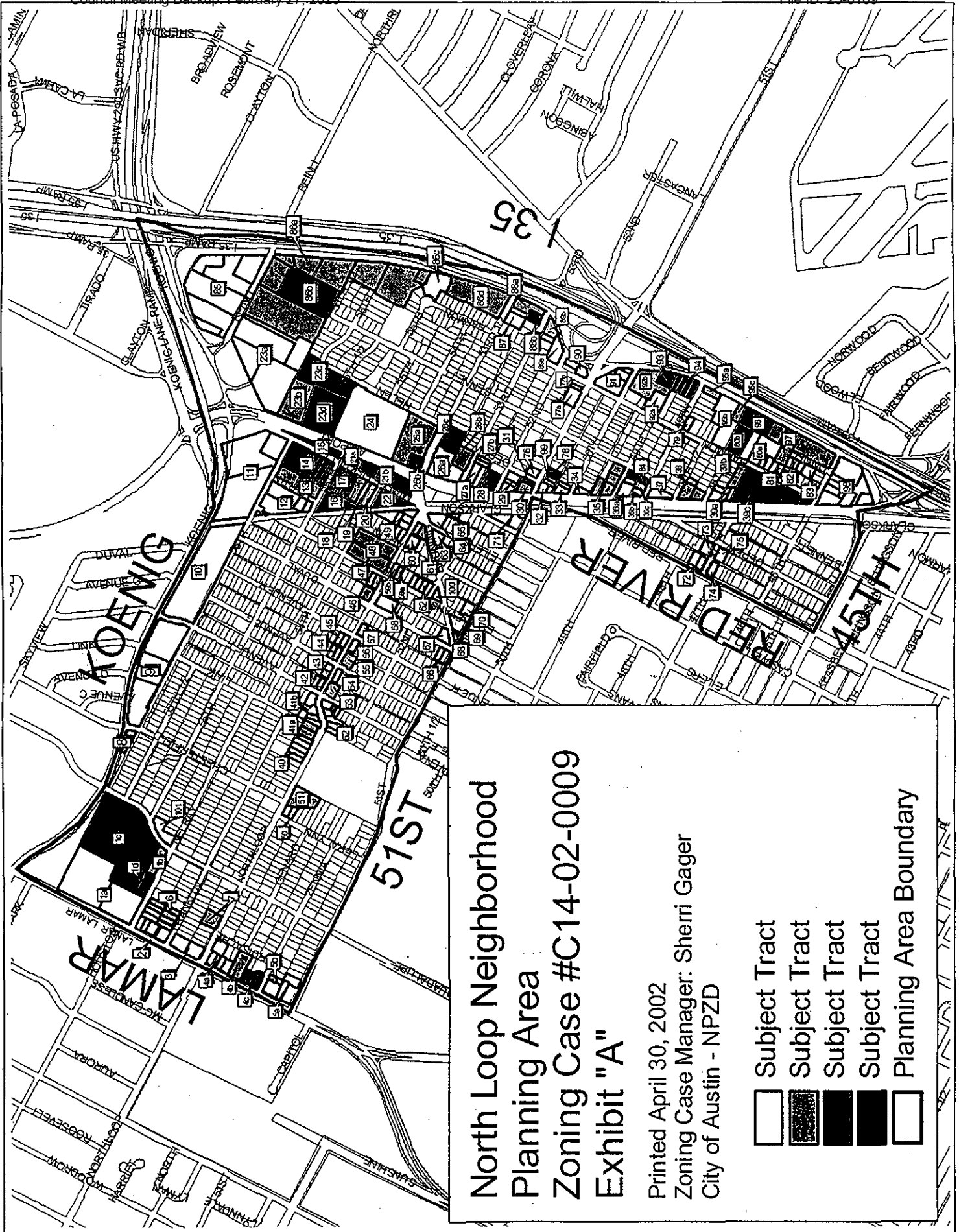

Gustavo L. Garcia *Mayor Pro Tem*
Mayor

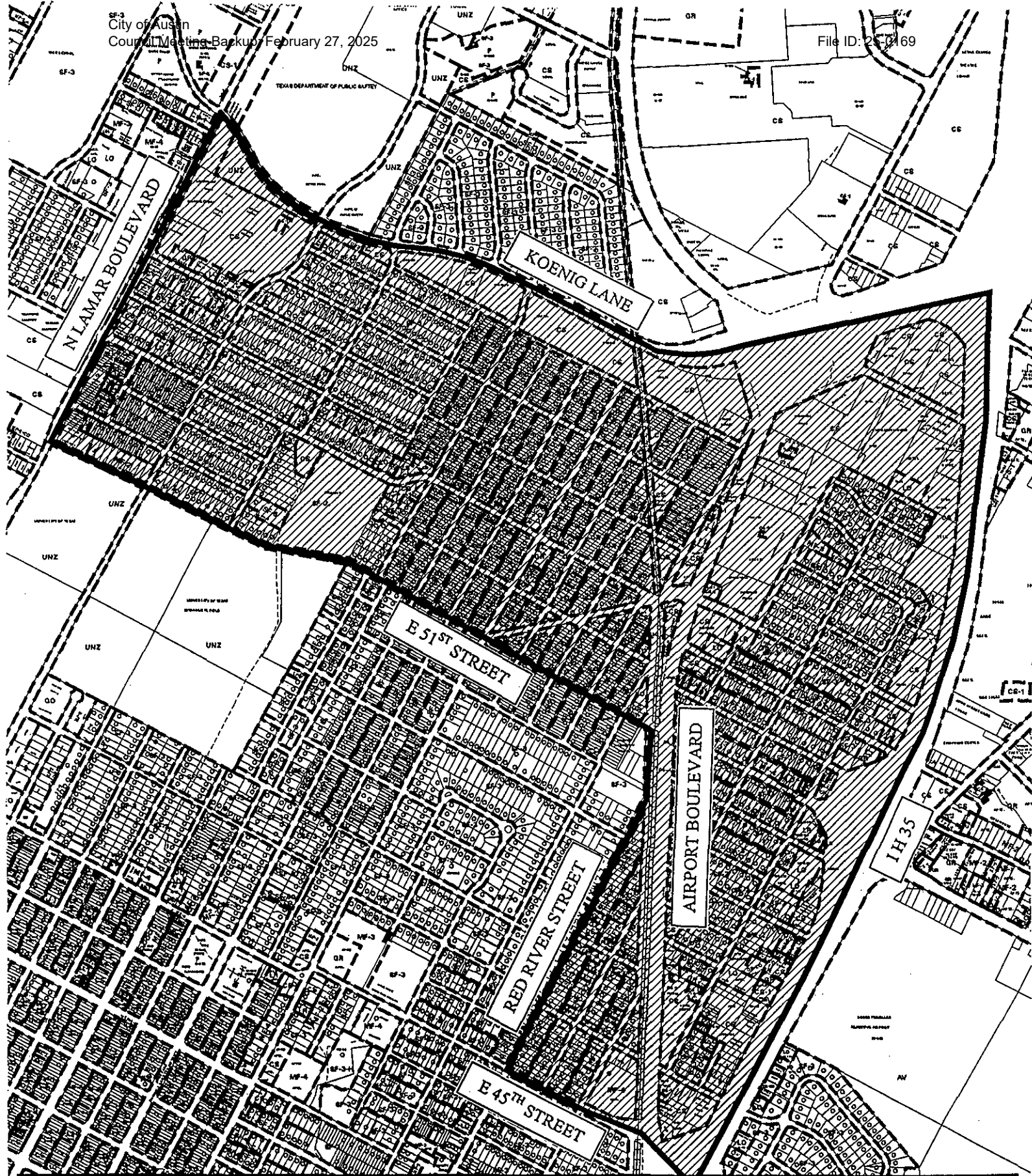
APPROVED:



Sedora Jefferson
City Attorney

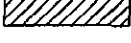

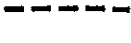
ATTEST:


Shirley A. Brown
City Clerk






1" = 1000'

SUBJECT TRACT 
PENDING CASE 
ZONING BOUNDARY 
CASE MGR: S. GAGER

CASE #: C14-02-0009
ADDRESS: W KOENIG LANE
SUBJECT AREA (acres): 614.970

ZONING EXHIBIT B

DATE: 02-05

INTLS: SM

CITY GRID
REFERENCE
NUMBER
K25-27

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



PROJECT NAME: _____

ADDRESS/LOCATION 5210 Bruning Avenue, 704 E 53rd Street, 5301 Martin Ave.

CASE #: C14-2024-0112, C14-2024-0113 and C14-2024-01114

☐ NEW SINGLE FAMILY

☒ DEMOLITION OF SINGLE FAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

SF UNITS: _____ STUDENTS PER UNIT ASSUMPTION
Elementary School: _____ Middle School: _____ High School: _____

MF UNITS: 139 STUDENTS PER UNIT ASSUMPTION
Elementary School: .059 Middle School: .029 High School: .039

IMPACT ON SCHOOLS

In December 2024 the Educational Impact Statement was submitted to the City of Austin for 139 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.

Due to the location of the proposed development, there is a road that will go through, and the development would be zoned to two different elementary schools. The project will demolish 3 units and propose 139-unit multifamily development. It is projected to add approximately 19 students across all grade levels to the projected student population. It is estimated that of the 19 students, 6 will be assigned to Reily Elementary School, 2 to Ridgetop Elementary 4 to Lamar Middle School, and 6 to McCallum High School.

The percentage of permanent capacity by enrollment for School Year 2028-29, including the additional students projected with this development, would all be below the optimal utilization target range of 85-110% at Ridgetop ES (81%), at optimal utilization at Reily ES (94%), and above at Lamar MS (127%) and McCallum HS (123%). The enrollment at Lamar MS and McCallum HS will need to be closely monitored to determine the impact on its capacity.

TRANSPORTATION IMPACT

Students who will be attending Reily, Ridgetop and McCallum will be considered walkers unless a hazardous route is determined. Students attending Lamar will be eligible for transportation, but no added bus will be needed.

SAFETY IMPACT

There are not any identified safety impacts currently.

Date Prepared: 01.15.2025

Executive Director:

DocuSigned by:

Beth Wilson

38E0989C305B4F8...

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Reily

ADDRESS: 405 Denson Drive

PERMANENT CAPACITY: 384

MOBILITY RATE: 47.9%

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	238	240	246
% of Permanent Capacity	62%	63%	64%

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	352	354	360
% of Permanent Capacity	92%	92%	94%

ELEMENTARY SCHOOL: Ridgetop

ADDRESS: 5005 Caswell Ave

PERMANENT CAPACITY: 440

MOBILITY RATE: -12.4%

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	150	149	151
% of Permanent Capacity	34%	34%	34%

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	356	355	357
% of Permanent Capacity	81%	81%	81%

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



MIDDLE SCHOOL: Lamar

ADDRESS: 6201 Wynona Ave

PERMANENT CAPACITY: 968

MOBILITY RATE: .03%

POPULATION (without mobility rate)

MIDDLE SCHOOL STUDENTS	2023-24 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,095	1,221	1,225
% of Permanent Capacity	113%	126%	127%

ENROLLMENT (with mobility rate)

MIDDLE SCHOOL STUDENTS	2023-24 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	1,098	1,224	1,228
% of Permanent Capacity	113%	126%	127%

HIGH SCHOOL: McCallum

ADDRESS: 5600 Sunshine Dr

PERMANENT CAPACITY: 1,542

MOBILITY RATE: 2.7%

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	1,827	1,836	1,842
% of Permanent Capacity	118%	119%	119%

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	1,876	1,885	1,891
% of Permanent Capacity	122%	122%	123%



Re: Case numbers C14-2024-0114, C14-2024-0113, and C14-2024-0112

From David Ross

Date Thu 1/9/2025 2:58 PM

To Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>

External Email - Exercise Caution

Cynthia,

We would like to sign up to speak in opposition. We would also like to include a formal objection. Thank you for your help.

Dave & Pam Ross

On Thursday, January 9, 2025 at 02:51:45 PM CST, Hadri, Cynthia <cynthia.hadri@austintexas.gov> wrote:

Hi Dave,

I will be sending out the speaker registration link along with the agenda on Friday afternoon once it is posted online. I will also share the staff reports that are uploaded to the Planning Commission's website. Will you be signing up to speak in opposition or in favor of the rezonings?

If you'd like to include a formal objection for the City Council and Commissioner's, I can submit it with the backup that they receive prior to the public hearings.

Best Regards,

Cynthia Hadri

Planner III | Current Planning

City of Austin, Planning Department

O: (512) 974-7620

From: David Ross

Sent: Thursday, January 9, 2025 2:10:42 PM

To: Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>

Subject: Re: Case numbers C14-2024-0114, C14-2024-0113, and C14-2024-0112

External Email - Exercise Caution

Thank you Cynthia for responding to my email regarding the properties on Martin, Bruning and 53rd street. I plan on attending via online on January 14th. The notice says if I want to participate at the Hearing I have to register to speak in advance. Can you tell me how I can register.

Thanks,
Dave & Pam Ross

Hi David and Pam,

I'm sorry for the late response, I was out of the office. There are three individual rezoning cases submitted for one unified development. The applicant is seeking multiple rezonings in order to build approximately 139 multifamily residential units with ground floor commercial on the properties.

For case C14-2024-0112, the zoning request is to go from CS-CO-NP & SF-3-NP to CS-MU-V-CO-DB90-NP. The addresses associated with this rezoning are 5301 and 5303 Martin Avenue. Approximately 36 dwelling units are proposed to be constructed with a request of 90 feet for max height.

For case C14-2024-0113, the zoning request is to go from CS-CO-NP to CS-MU-V-CO-DB90-NP. The addresses associated with this rezoning are 704, 706, 706 1/2 and 708 East 53rd street. Approximately 73 dwelling units are proposed to be constructed with a request of 90 feet for max height.

For case C14-2024-0114, the zoning request is to go from GR-CO-NP to GR-MU-V-CO-DB90-NP. The addresses associated with this rezoning are 5210 Bruning Avenue and 705 East 53rd Street. Approximately 30 dwelling units are proposed to be constructed with a request of 90 feet for max height.

The notice does have the acronym descriptions but if you'd like me to send those via email I can. Also, if you'd like to discuss over the phone I am happy to give you a call and discuss these cases with you and/or Pam. I can also connect you directly with the applicant, Leah Bojo, if you'd like.

Best Regards,
Cynthia Hadri
Senior Planner | Current Planning
City of Austin, Planning Department
O: (512) 974-7620

Please note: E-mail correspondence to and from the City of Austin is subject to required disclosure under the Texas Public Information Act.

From: David Ross
Sent: Saturday, January 4, 2025 3:56 PM
To: Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>
Subject: Case numbers C14-2024-0114, C14-2024-0113, and C14-2024-0112

External Email - Exercise Caution

We received a notice of Public Hearing for Rezoning to be heard by the Planning Commission on January 14, 2025. In order to understand the cases we would like to know what the proposed zoning change is. The letter states it is going from GR-CO-NP to GR-MU-V-CO-DB90-NP. Can you please explain in layman terms what this means.

Thank you,
Pam & Dave Ross
704 E 52 St

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Re: Rezoning for three cases - public hearing 1/14 at 6 pm

From Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>

Date Fri 1/10/2025 5:19 PM

To Teresa Anderson

Hi Teresa,

I will include your email and objections letters in the backup given to the commissioners. Regarding the tree, this will be addressed at the time of site plan, not rezoning.

Best regards,

Cynthia Hadri

Senior Planner | Current Planning

City of Austin, Planning Department

O: (512) 974-7620

Please note: E-mail correspondence to and from the City of Austin is subject to required disclosure under the Texas Public Information Act.

From: Teresa Anderson

Sent: Friday, January 10, 2025 4:06 PM

To: Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>

Subject: Rezoning for three cases - public hearing 1/14 at 6 pm

External Email - Exercise Caution

Good afternoon,

I plan on attending the public hearing, as I object the rezoning that the JEV Family LTD is intending. The owner has been a terrible land use commercial company and has several violations, especially at 5210 Bruning Ave. E.g., In Aug 2019, Tammy Lewis (code inspector) put signs in the alley saying it would be a \$2,000 fine for littering, as they have so much litter.

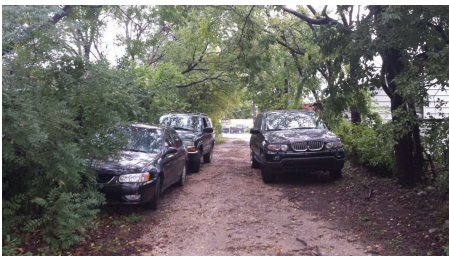
My former neighbor reported this on Aug 12, 2019:

"Thank you for reporting your city services needs. Your service request for Austin Code - Request Code Officer, 19-00305895, has been closed and transferred to the Austin Code Department's system for investigation. Below are details on the assigned Inspector, their contact information, and your case number: 2019-166290 CC Inspector Name: Edmond Su Inspector Phone: 512-974-2519 Address: 5210 BRUNING AVE City: AUSTIN Zip Code: 78751"

They abandoned cars and put them in the alley and sometimes parked on my property:



And put vehicles in the alley in the past (glad they are not doing that now):




Loads of litter in the past and still currently:







Will they keep this tree, as it is a native and should not be torn down:



 Case14-2024-0114.jpeg

 Case_C14-2024-0112.jpeg

 Case_C14-2024-0113.jpeg

I hope my documentation makes sense to your group.
Best regards,
Teresa

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My former garage was burgled three times in 2013 and emailed to my 'hood:


TA

NNADL<nnadl-bounces@northfieldna.org> on behalf of Teresa Anderson

To: North Loop Neighborhood Listserv; ridgetopna@yahoogroups.com; president@highlandneighborhood.com

Wed 9/11/2013 9:55 PM

Flagged



2 attachments (573 KB)

Save all to OneDrive

Save All Attachments

After a long day of work, really sad to come home to see my garage burgled again (hit in May). I've been looking at web cameras, etc. but did not have time to invest in a system for my garage. I had my Orbea Orca cable-locked to an eye-bolt within my garage, but they just cut it (probably with my tools they didn't take in May). I am deducing that the burglars saw me ride it somewhere in the 'hood, because in May it was in the shop (and I thought I was lucky).

The residents of 5210 Bruning Ave were probably the burglars.

Here's the attempted burglary at my back door, even though my house has a security system. Glad for my later residential neighbors built an ADU, so my property is looked after them.





Re: C14-2024-0112 - 5301 Martin Avenue, C14-2024-0113 - 704 E 53rd Street & C14-2024-0114 - 5210 Bruning Avenue

From David Ross

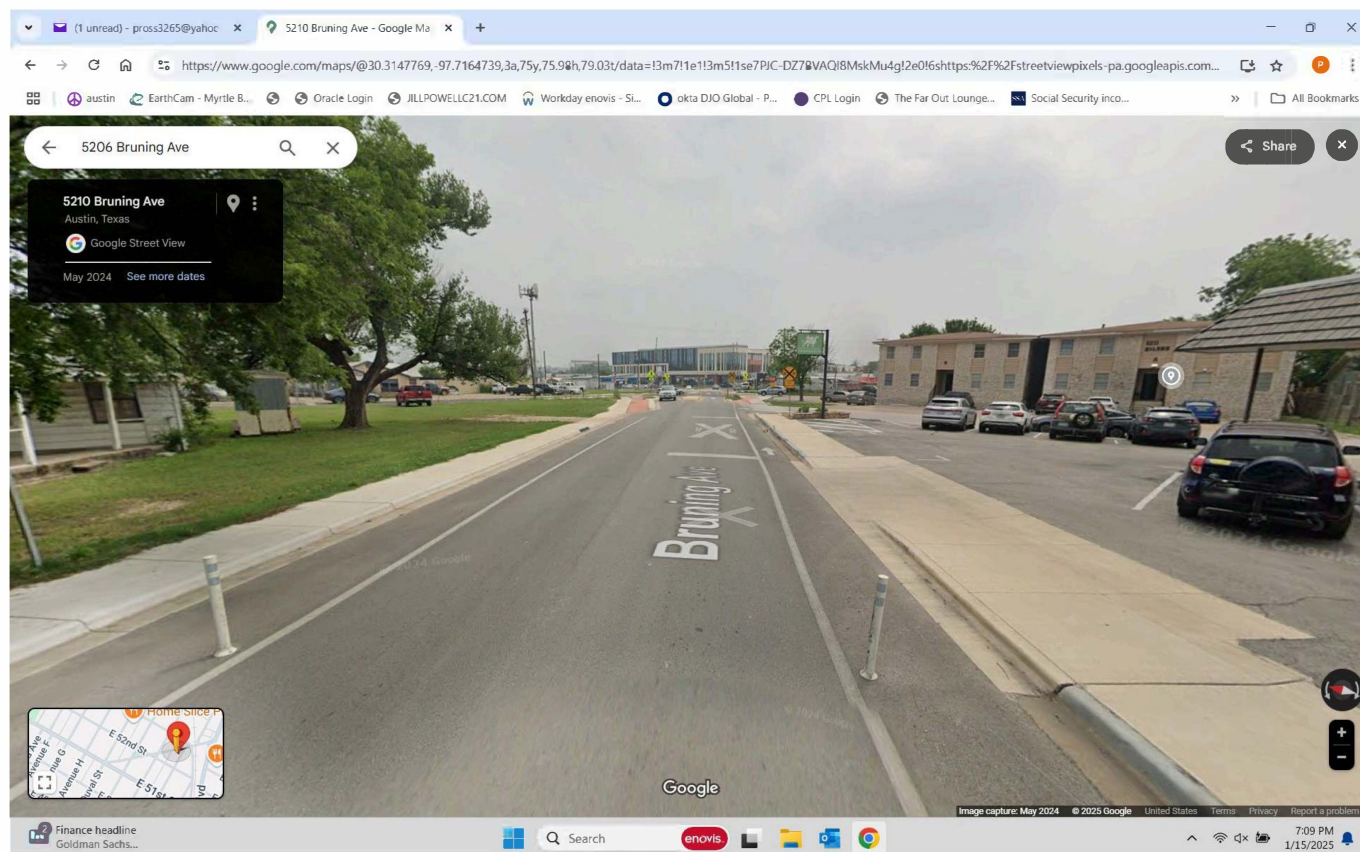
Date Wed 1/15/2025 7:20 PM

To Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>

External Email - Exercise Caution

Cynthia

Another big safety issue with 5210 Bruning is the board removed the restriction against transitional housing without notifying the homeowners in the area of this request in writing. That was not mentioned in the letter we received from the city in the mail. As shown below there is the Griffin school directly across the street from 5210 Bruning. Children walk to this building all day every school day from their main school building. This doesn't seem safe to me. The white house on the left is 5210 Bruning and the green street sign on the right is the school.



On Wednesday, January 15, 2025 at 04:41:33 PM CST, Hadri, Cynthia <cynthia.hadri@austintexas.gov> wrote:

Hi David,

Thank you for your comments and concerns, I'll include them for the City Council.

Best Regards,
Cynthia Hadri
Senior Planner | Current Planning
City of Austin, Planning Department
O: (512) 974-7620

Please note: E-mail correspondence to and from the City of Austin is subject to required disclosure under the Texas Public Information Act.

From: David Ross
Sent: Wednesday, January 15, 2025 4:39 PM
To: Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>
Subject: Re: C14-2024-0112 - 5301 Martin Avenue, C14-2024-0113 - 704 E 53rd Street & C14-2024-0114 - 5210 Bruning Avenue

External Email - Exercise Caution

Attached is a picture of parking on 52nd street near 5210 Bruning. Most of these cars are Home Slice Pizza customers. No sidewalks, no street lights.

David Ross

On Wednesday, January 15, 2025 at 04:09:55 PM CST, David Ross <pross3265@yahoo.com> wrote:

Cynthia

I did not receive an e-mail with remote instructions so I would appreciate you forwarding this objection e-mail to the review board for further consideration.

Item #14 5210 Bruning is a small triangle .352 acre lot with 53rd on one side, Bruning on another side, an alley on the back and Clarkson and Middle Fiskville roads both crossing in front of the lot. The front corner of the lot is approx. 100 feet from a rail road crossing and maybe another 100 more feet to Airport road so it is a very busy intersection that is 10X worse then a train is crossing.

Parking is another issue. Home Slice Pizza is 2 short blocks away and their parking lot only holds maybe 10% of customers cars at night when the weather is nice so I would guess maybe 100 - 200 cars park bumper to bumper on the streets in the neighborhood.

There are very few sidewalks or street lights on these side streets. This makes walking and even driving very dangerous when cars park on both sides of the side streets at night. Where will parking be for 30 more family units along with apartment workers on a .35 acre lot? My guess is on the side streets. There is such a lack of street parking at night that many people park right up to the crossing intersections making it impossible to see cross traffic until you are already into the intersection. These are my main concerns.

Thanks
David Ross

On Wednesday, January 15, 2025 at 03:25:40 PM CST, Hadri, Cynthia <cynthia.hadri@austintexas.gov> wrote:

Hi David,

Apologies for you not being able to speak last night, I saw that you signed up to speak virtually and were sent the link to call into the meeting from the Land Use Liaison. There should have been instructions in that email, however being that you were not able to speak to your opposition would you like to include it via email to me so I can include it in the staff report moving forward to City Council? I spoke with a few of the neighbors that came last night and they will also be sending in letters of opposition. There has also been someone that has reached out regarding the petition process so this should make it's way around the neighborhood soon as well.

Please let me know if you need anything else.

Best Regards,
Cynthia Hadri
Senior Planner | Current Planning
City of Austin, Planning Department
O: (512) 974-7620

Please note: E-mail correspondence to and from the City of Austin is subject to required disclosure under the Texas Public Information Act.

From: David Ross
Sent: Tuesday, January 14, 2025 8:04 PM
To: Hadri, Cynthia <Cynthia.Hadri@austintexas.gov>
Subject: Re: C14-2024-0112 - 5301 Martin Avenue, C14-2024-0113 - 704 E 53rd Street & C14-2024-0114 - 5210 Bruning Avenue

External Email - Exercise Caution

I was not able to speak against item #14 because I was not called on my phone number (as your e-mail said) I gave when registering. Star 6 did not work while viewing the meeting on the cities web site. I agree the item should have been post-phoned until the February meeting with the neighborhood. How does one get into the que? The instructions in the e-mail and attachment are not clear at all.

David Ross

On Friday, January 10, 2025 at 05:17:17 PM CST, Hadri, Cynthia <cynthia.hadri@austintexas.gov> wrote:

Good afternoon,

The Planning Commission (PC) agenda is attached and the Staff report is provided in the link below. The 5301 Martin Avenue, 704 E 53rd Street and 5210 Bruning Avenue Rezoning cases are Items 12, 13 and 14 on the agenda. Please refer to pages 8-9 for speaker registration and information regarding presentation / handout materials. Page 9 includes information about Speaker testimony time allocation and parking validation.

Please view the [Planning Commission Webpage](#) for the agenda and backup material (Staff Report).

Please note, the PC meeting has the option of allowing the public to participate via telephone as well as in-person. **In order to address the PC by telephone, please be sure to sign up through the speaker registration link below prior to 2 pm on Tuesday, January 14th.**

Please email any presentations or handouts to Commission Liaison Ella Garcia at LandUseLiaison@austintexas.gov by 1:00 PM day of the meeting.

Speaker registration link: <https://forms.office.com/g/irmTaGAqPp>

In-person speakers are able to sign up any time **prior to 5:30 pm.**

Thank you,



Cynthia Hadri (she/her)
Senior Planner | Current Planning
Planning Department
512-974-7620
cynthia.hadri@austintexas.gov

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