

## SECOND/THIRD READING SUMMARY SHEET

**ZONING CASE NUMBER:** C14-2011-0154 – Hanover South Lamar 2

**REQUEST:** SF-3, GR-CO to MF-6-CO

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 903 and 905 South Lamar Boulevard from SF-3, GR-CO to MF-6-CO combining district zoning.

The Ordinance reflects those conditions imposed by Council on 1<sup>st</sup> reading.

Conditions met as follows:

- Maximum of 60 feet in height.

**SUMMARY STAFF RECOMMENDATION:** Staff recommends approval of MF-6-CO (multi-family highest density – conditional overlay) district zoning.

**PLANNING COMMISSION RECOMMENDATION:** 12/13/11 - The Planning Commission approved the staff recommendation on consent (8-0. Anderson absent).

**DEPARTMENT COMMENTS:** This property is currently zoned under a commercial and single family district and is developed with offices. The applicant seeks to rezone these tracts in conjunction with 807, 809 and a portion of 811 South Lamar (C14-2011-0153) in order to develop a mixed-use residential and retail project. The proposed multifamily portion of the project will include 350 units. The conditional overlay as proposed by the applicant will limit the maximum allowable height to 60 feet.

**PROPERTY OWNER:** Fine Art Services, Inc.(John Traber); SOLA Management, LLC. (Daryl Kunik)

**AGENT:** Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson-Lynch)

**DATE OF FIRST READING/VOTE:** 1/12/12 – Approved 1<sup>st</sup> reading (7-0)

**CITY COUNCIL DATE:** 11/19/09 – 2<sup>nd</sup>/3<sup>rd</sup> reading

**ASSIGNED STAFF:** Stephen Rye

**PHONE:** 974-7604

**E-MAIL:** [stephen.rye@ci.austin.tx.us](mailto:stephen.rye@ci.austin.tx.us)

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2011-0154 – Hanover South Lamar 2

**P.C. DATE:** December 13, 2011

**ADDRESS:** 903 and 905 South Lamar Boulevard

**OWNER/APPLICANT:** Fine Art Services, Inc.(John Traber); SOLA Management, LLC. (Daryl Kunik)

**AGENT:** Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson-Lynch)

**ZONING FROM:** SF-3, GR-CO

**TO:** MF-6-CO

**AREA:** 0.814acres (35,457 ft<sup>2</sup>)

**SUMMARY STAFF RECOMMENDATION:** Staff recommends approval of MF-6-CO (multi-family highest density – conditional overlay) district zoning.

**PLANNING COMMISSION RECOMMENDATION:** 12/13/11 - The Planning Commission approved the staff recommendation on consent (8-0, Anderson absent).

**DEPARTMENT COMMENTS:** This property is currently zoned under a commercial and single family district and is developed with offices. The applicant seeks to rezone these tracts in conjunction with 807, 809 and a portion of 811 South Lamar (C14-2011-0153) in order to develop a mixed-use residential and retail project. The proposed multifamily portion of the project will include 350 units. The conditional overlay as proposed by the applicant will limit the maximum allowable height to 60 feet.

### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3, GR-CO	Office
<i>North</i>	CS-V	Office, undeveloped
<i>South</i>	CS	Condominium
<i>East</i>	P	Park
<i>West</i>	CS, SF-3	Commercial, multi-family, single family

**TIA:** Waived

**WATERSHED:** West Bouldin Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

### **NEIGHBORHOOD ORGANIZATIONS:**

South Central Coalition  
Austin Heights Condominium Home Owners Association  
Zilker Neighborhood Association  
Bouldin Creek Neighborhood Association  
Terrell Lane Interceptor Association  
Barton Springs/Edwards Aquifer Conservation District  
South Central Alliance  
Save Our Springs Alliance

### **CASE HISTORIES**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>COUNCIL</b>
C14-2011-0047	SF-3 to CS-V	Under review	Under review
C14-2008-0060	Zilker VMU (GR-MU-CO to GR-MU-V-CO)	Approved 9/3/2008; (7-0).	Approved 10/20/2008; (7-0).

### **BASIS FOR RECOMMENDATION**

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

Multifamily residence highest density (MF-6) is the designation for multifamily and group residential use. An MF-6 district designation may be applied to a use in a centrally located area near supporting transportation and commercial facilities, an area adjacent to the central business district or a major institutional or employment center, or an area for which the high density multifamily use is desired.

The property is adjacent to the central business district and within the urban core.

- 2. Intensive multi-family zoning should be located on major arterials and highways.*

The property is located on Lamar Boulevard, a major north-south core transit corridor.

## **EXISTING CONDITIONS**

### **Environmental**

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

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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

### **Water and Wastewater**

If the landowner intends to serve the site with City of Austin water and wastewater utilities, the landowner, at own expense will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

**Transportation:**

No additional right-of-way is needed at this time.

A traffic impact analysis was waived for this case because the applicant has agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

South Lamar Blvd. is classified in the Bicycle Plan as Bike Route No. 43.

Capital Metro bus service (Routes No. 3, 103, 338 and 484) is available along S. Lamar Blvd.

There are existing sidewalks along both sides of South Lamar Blvd.

**Existing Street Characteristics:**

<i>Name</i>	<i>ROW</i>	<i>Pavement</i>	<i>Classification</i>	<i>ADT</i>
S. Lamar Blvd.	Varies	MAD4	Major Arterial	36,041

**Site Plan:**

Development on this site will be subject to Subchapter E commercial Design Standards, and South Lamar Blvd. is classified as a Core Transit Corridor. Additional comments will be provided upon submittal of the site development permit and plans for this project.

**CITY COUNCIL DATE:** 1/12/12

**ACTION:** Approved on 1<sup>st</sup> reading (7-0).

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Stephen Rye

**PHONE:** 974-7604  
[stephen.rye@ci.austin.tx.us](mailto:stephen.rye@ci.austin.tx.us)



# Metcalfe Williams LLP

ATTORNEYS AT LAW

MICHELE ROGERSON LYNCH  
Director of Land Use & Entitlements

(512) 961-8845  
mlynch@metcalfewilliams.com

November 9, 2011

Mr. Greg Guernsey, Director  
Planning and Development Review Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78704

**Via Hand Delivery**

Re: 903 and 905 South Lamar; 0.814 acres ("the Property"); Proposed rezoning from SF-3 and GR-CO to MF-6-CO (Multifamily Residence Highest Density District Conditional Overlay).

Dear Mr. Guernsey:

As representatives of the prospective buyer of the above referenced Property, we respectfully submit this letter regarding the rezoning application. The project is entitled Hanover South Lamar and the Property is located at 903 and 905 South Lamar just north of the intersection of Treadwell. The prospective buyer intends to redevelop the Property with a multifamily project. The multifamily project also encompasses 807, 809 and 811 South Lamar, which is part of a separate rezoning application for MF-6. In addition, a portion of the project has existing CS-V zoning that will encompass the vertical mixed use portion of the overall multifamily project covering 3.44 acres and 350 units. The portion of the project encompassing this application will contain approximately 77 units. A Traffic Impact Analysis (TIA) is waived as the portion of the project on these lots as well as the overall project does not generate more than 2,000 trips per day.

The current zoning on the Property is a mixture of SF-3 and GR-CO and we are requesting MF-6. We propose that the Conditional Overlay (CO) would limit the height to 60 feet. Surrounding zoning includes CS, CS-V, SF-3 and P-NP. Surrounding land uses include multifamily apartments, restaurant, retail, commercial shopping center, single family.

If you have any questions about the rezoning request or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Very truly yours,

Michele Rogerson Lynch

Enclosures

cc: Stephen Rye, Case Manager, via hand delivery  
David Ott, The Hanover Company, via electronic mail  
Steven C. Metcalfe, Firm

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development)

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2011-0154

Contact: Stephen Rye, (512) 974-7604

Public Hearing: Dec 13, 2011, Planning Commission

Jan 12, 2012, City Council

*Claudette Walker*

Your Name (please print)

☐ I am in favor  
☒ I object

*Claudette Walker, 100 S Lamar Blvd*

Your address(es) affected by this application

*Rising Sun, Inc Claudette Walker* 12/8/11

Signature

Date

Daytime Telephone: *512-328-2452*

Comments: *Please, Please the traffic on South Lamar, is so very, very bad! The bike riders, skate boarders & walkers can hardly get thru now. Why do we need another condo or multi-family unit on this busy through-way street. I guess tax base is more important then safety, Right?*

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

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

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Contact: Stephen Rye, (512) 974-7604

Public Hearing: Dec 13, 2011, Planning Commission  
Jan 12, 2012, City Council

Geoffrey Trithel

Your Name (please print)

1304 Treadwell

Your address(es) affected by this application

*[Signature]*

Signature

Daytime Telephone: 560-2087

12/5/2011

Date

Comments:

① Property Taxes Affect

② Traffic Increase

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

City of Austin

Planning & Development Review Department

Stephen Rye

P. O. Box 1088

Austin, TX 78767-8810

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









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