

ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0071 – 1301 West Koenig Rezoning **P.C. DATE:** December 13, 2016

ADDRESS: 1301 West Koenig Lane

DISTRICT AREA: 7

OWNER: Hardeman Family Joint Venture, Ltd.
(Bryan Hardeman)

APPLICANT: Smith, Robertson,
Elliott & Douglas, L.L.P.
(David Hartman)

ZONING FROM: CS-MU-CO-NP

TO: MF-6-CO-NP for Tract 1 (5.04 acres);
CS-MU-CO-NP for Tract 2 (0.37 acres,
16,117.20 square feet)

TOTAL AREA: 5.415 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant multi-family residence-highest density – conditional overlay – neighborhood plan (MF-6-CO-NP) combining district zoning for Tract 1 and general commercial services – mixed use – conditional overlay – neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 2. The Conditional Overlay is to:

- a) limit height on Tracts 1 and 2 to 40 feet and four stories;
- b) limit building coverage on Tract 1 to 60%;
- c) limit impervious cover on Tract 1 to 70%;
- d) prohibit the following uses on Tract 2: agricultural sales and services, art workshop, building maintenance services, campground, commercial blood plasma center, construction sales and services, convenience storage, drop-off recycling collection facility, electronic prototype assembly, equipment repair services, equipment sales, kennels, laundry services, maintenance and service facilities, monument retail sales, outdoor entertainment, outdoor sports and recreation, pawn shop services, transitional housing, transportation terminal and vehicle storage;
- e) establish the following uses as conditional uses on Tract 2: custom manufacturing and plant nursery.
- f) A non-residential use on Tract 2 must be a minimum of 5,000 square feet.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated December 8, 2016, as provided in Attachment A.

PLANNING COMMISSION RECOMMENDATION:

December 13, 2016: *APPROVED MF-6-CO-NP DISTRICT ZONING FOR TRACT 1 AND CS-MU-CO-NP DISTRICT ZONING FOR TRACT 2, WITH CONDITIONS OF THE TRAFFIC IMPACT ANALYSIS, AS STAFF RECOMMENDED, AND INCLUDING THE 11*

ADDITIONAL ITEMS LISTED IN THE STATEMENT OF SUPPORT FROM THE BRENTWOOD NEIGHBORHOOD ASSOCIATION STEERING COMMITTEE INTO CONDITIONAL OVERLAYS OR A PUBLIC RESTRICTIVE COVENANT, TO THE EXTENT POSSIBLE.

[K. MCGRAW; P. SEEGER – 2ND] (12-0) T. NUCKOLS; A. PINEYRO DE HOYOS – ABSENT

ISSUES:

The Steering Committee of the Brentwood Neighborhood Association has submitted correspondence in support of the proposed rezoning, with conditions. Please refer to correspondence attached at the back of this report.

DEPARTMENT COMMENTS:

The subject lots are located on the south side of West Koenig Lane, between Woodrow Avenue and Grover Avenue, and were previously occupied by an automotive sales and repair use. There is a 30-foot wide drainage easement along the south property line. Driveway access is available to Woodrow, Koenig and Grover. The property has had general commercial services – mixed use – conditional overlay – neighborhood plan (CS-MU-CO-NP) zoning since Council approved the Brentwood Neighborhood Plan rezonings in May 2004. This property was identified as Tract 99b and the -CO prohibits a list of uses, establishes conditional uses, and limits height to 40 feet and 3 stories. There are consumer service-related and auto-related uses along Koenig Lane in the vicinity (GR-MU-CO-NP); a drainageway and McCallum High School to the east (SF-3-NP); a bowling alley to the south (CS-MU-CO-NP), and a consumer repair business, an office and single family residences to the west (LO-MU-NP; NO-MU-CO-NP; SF-3-NP). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The property is designated as Mixed Use on the adopted Future Land Use Map, and the Mixed Use designation is defined as “An area that is appropriate for a mix of residential and non-residential uses.” Please refer to Exhibit B. The Applicant proposes to rezone the property and create two zoning tracts in advance of redeveloping the property. The majority of the property, including a driveway access to Woodrow Avenue, would be rezoned to multi-family residence-highest density – conditional overlay – neighborhood plan (MF-6-CO-NP) for the purpose of constructing 394 apartment units, including a modification of the height limit to 40 feet and 4 stories (Tract 1). The MF-6 district does not have a site area requirement (hence no density limits), although other site development standards and compatibility standards continue to apply. Primary vehicular access to the apartments is proposed from Grover Avenue, and the southernmost lot on Woodrow Avenue is proposed to be retained as a driveway.

The remainder of the property, generally the two lots at the corner of Koenig and Woodrow, are proposed to be developed with 5,000 square feet of commercial uses with 3 bedroom units on the upper floors, with a change to the CO for height to be a maximum of 40 feet and 4 stories. An existing driveway location would be retained on Koenig Lane to serve both the

apartments and retail uses. The Applicant anticipates the project will be completed in 2018 and a conceptual site plan is provided as Exhibit E.

There are a number of older apartment properties on Woodrow and Grover, however, they are on smaller sites and have less intense MF zoning. Other similar sized MF-6-CO zoned properties are located in the general vicinity on North Lamar Boulevard, Burnet Road and further east on Koenig Lane, and all establish a maximum height at 60 feet or less. Staff recommends the proposed zoning as it promotes infill mixed use development while modifying the story limitation to achieve a smaller building footprint with more open space (by retaining MF-4 development standards for building coverage and impervious cover), and establishes primary vehicular access away from existing residential uses.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO-NP	Vacant automotive sales and repair
<i>North</i>	GR-MU-CO-NP	Service stations with food sales (two); Restaurant; Offices; Automotive sales
<i>South</i>	CS-MU-CO-NP	Indoor entertainment
<i>East</i>	SF-3-NP	Drainageway; Track and tennis courts associated with public secondary educational facility
<i>West</i>	GR-MU-CO-NP; LO-MU-NP; NO-MU-CO-NP; SF-3-NP	Restaurant (general); Consumer repair services; Administrative business office; Single family residences

NEIGHBORHOOD PLANNING AREA: Brentwood **TIA:** Is required – Please refer to Attachment A

WATERSHED: Shoal Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

An Educational Impact Statement (EIS) is provided as Attachment B.

Brentwood Elementary School

Lamar Middle School

McCallum High School

NEIGHBORHOOD ORGANIZATIONS:

120 – Brentwood Neighborhood Association

283 – North Austin Neighborhood Alliance

511 – Austin Neighborhoods Council

742 – Austin Independent School District

787 – Brentwood Neighborhood Plan Contact Team

1057 – Highland/Skyview Neighborhood Plan Contact Team

1228 – Sierra Group, Austin Regional Group 1340 – Austin Heritage Tree Foundation

1363 – SEL Texas
 1396 – Sustainable Neighborhoods
 1497 – Shoal Creek Conservancy
 1530 – Friends of Austin Neighborhoods
 1391 – Central Austin Community Development
 1424 – Preservation Austin
 1528 – Bike Austin
 1550 – Homeless Neighborhood Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2012-0025 – Woodrow Rezoning – 5806 Woodrow Avenue	SF-3-NP to NO-MU-NP	To Grant NO-MU-CO-NP w/CO for max. 50% impervious cover	Apvd NO-MU-CO-NP as Commission recommended (6-28-2012).

RELATED CASES:

The Brentwood Neighborhood Plan Area rezonings were completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on May 13, 2004 (NP-04-0018; C14-04-0012 – Ordinance No. 20040513-33A). The ordinance identified the subject tract as Tract 99b and rezoned the property from CS to CS-MU-CO-NP, with the Conditional Overlay prohibiting a list of uses, establishing plant nursery and custom manufacturing as conditional uses, and limiting height to 40 feet and 3 stories. Please refer to Exhibit C.

Tract 1 is platted as Lot 15, Wilder Addition Section 1, recorded in 1948 (C8-1948-1866) and Lot 1, Wilder Addition Section 2, recorded in 1985 (C8s-84-209). Tract 2 is platted as Lots 13 and 14, Wilder Addition Section 1. Please refer to Exhibit D.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Capital Metro (within ¼ mile)
Koenig Lane	60 feet	4 lane undivided	Arterial	Yes	Yes
Grover Avenue	70 feet	2 lane undivided	Collector	Yes	Yes
Woodrow Avenue	80 feet	2 lane undivided	Minor Arterial	Yes	Yes

CITY COUNCIL DATE: January 26, 2017

ACTION: Approved a Postponement request by the Applicant to February 9, 2017. Note: Staff to provide options on incorporating 1) mixed use into the project; 2) affordable housing units for families and 3) height at a reasonable level.

February 9, 2017

ORDINANCE READINGS: 1st

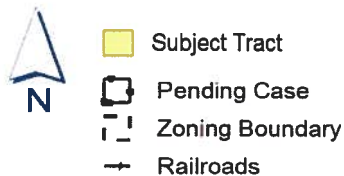
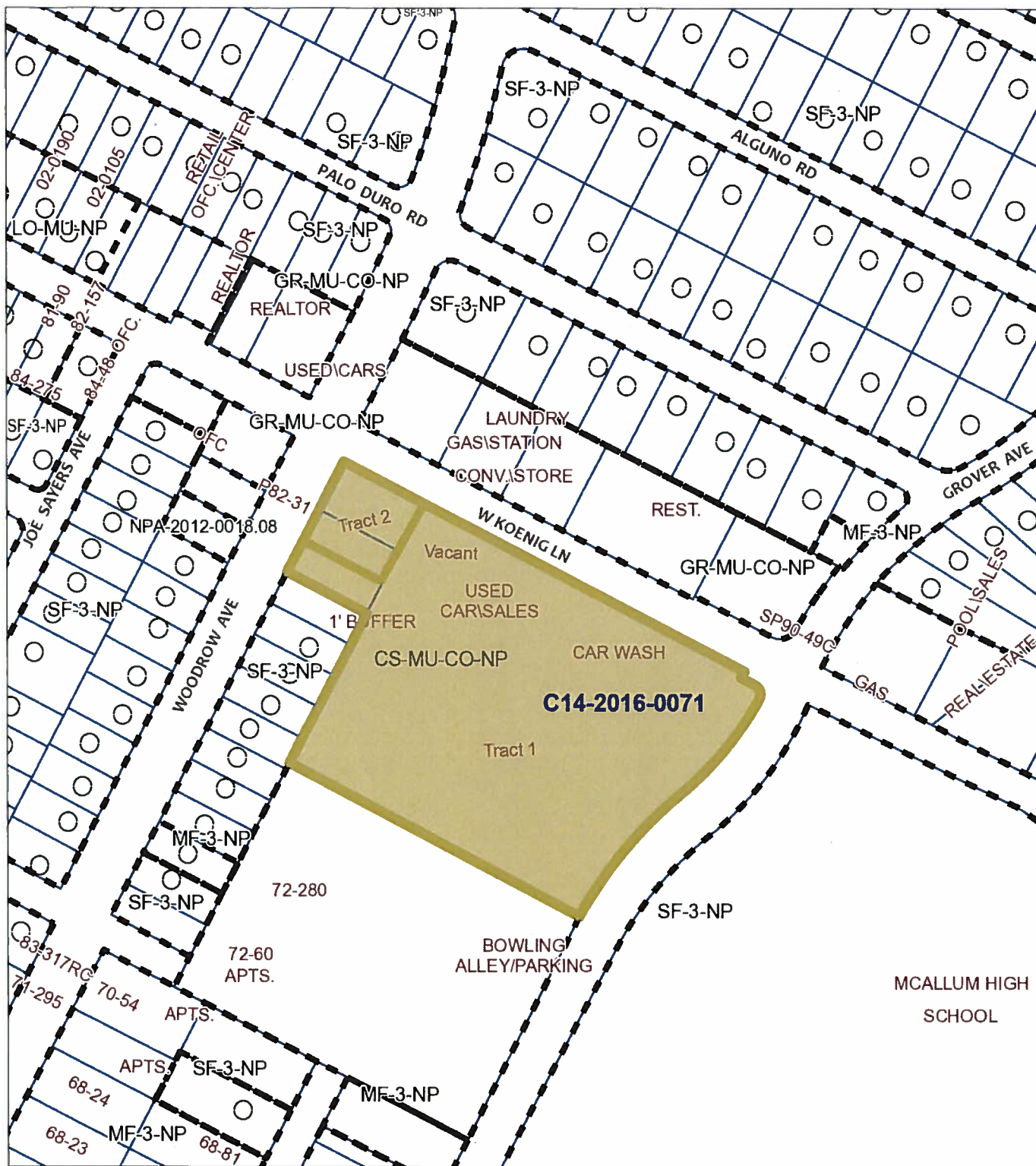
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719



100 200 Feet

1" = 200'

ZONING

ZONING CASE#: C14-2016-0071

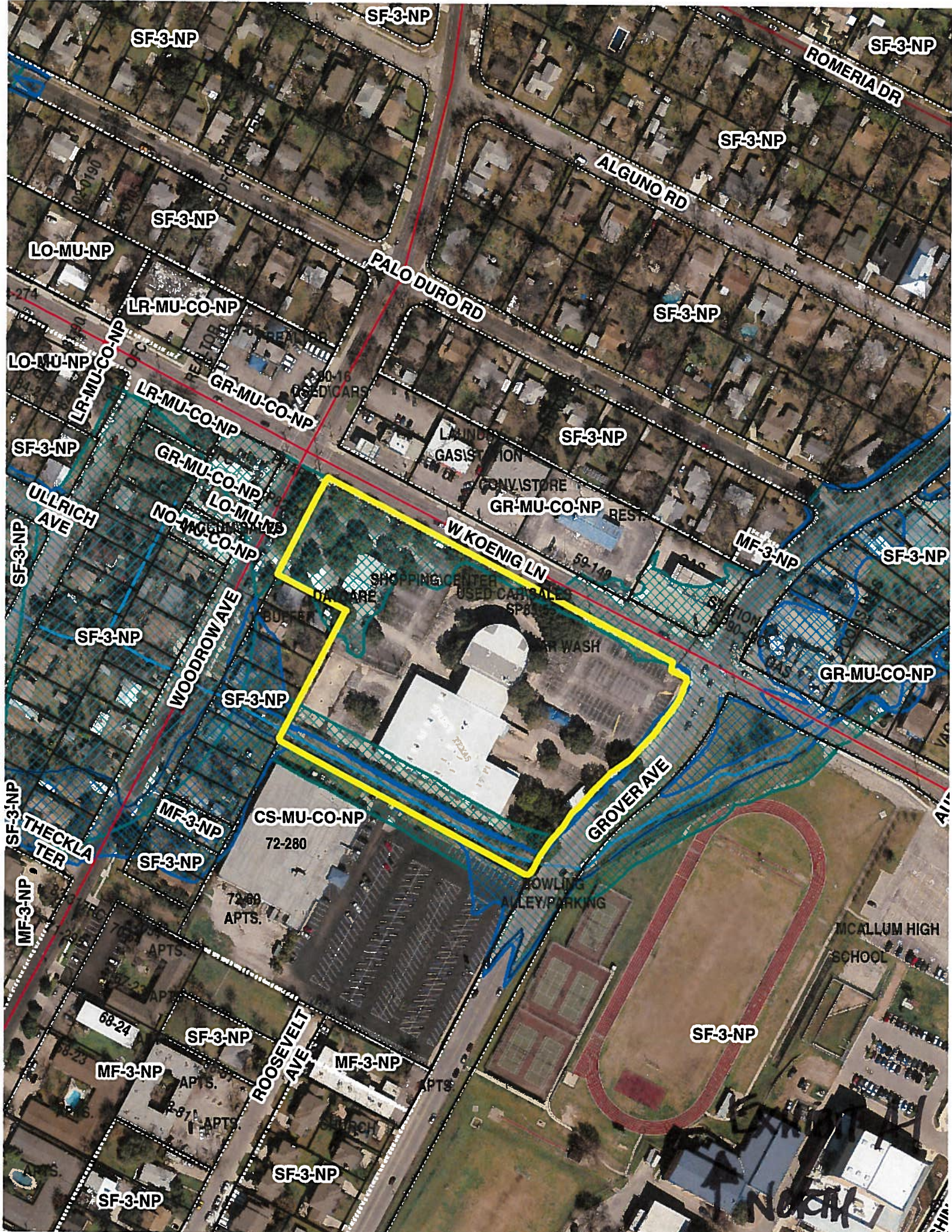
EXHIBIT A



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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created 08/17/16



SF-3-NP

SF-3-NP

SF-3-NP

SF-3-NP

SF-3-NP

LO-MU-NP

LR-MU-CO-NP

PALO DURO RD

ALGUNO RD

SF-3-NP

LO-MU-NP

LR-MU-CO-NP

GR-MU-CO-NP

LR-MU-CO-NP

SF-3-NP

GR-MU-CO-NP

LO-MU-NP

NO-MU-CO-NP

ULLRICH AVE

SF-3-NP

SF-3-NP

WOODROW AVE

SF-3-NP

W KOENIG LN

SF-3-NP

GR-MU-CO-NP

MF-3-NP

SF-3-NP

GR-MU-CO-NP

CS-MU-CO-NP

72-280

72-80 APTS.

MF-3-NP

SF-3-NP

THECKLA TER

MF-3-NP

MF-3-NP

SF-3-NP

MF-3-NP

ROOSEVELT AVE

SF-3-NP

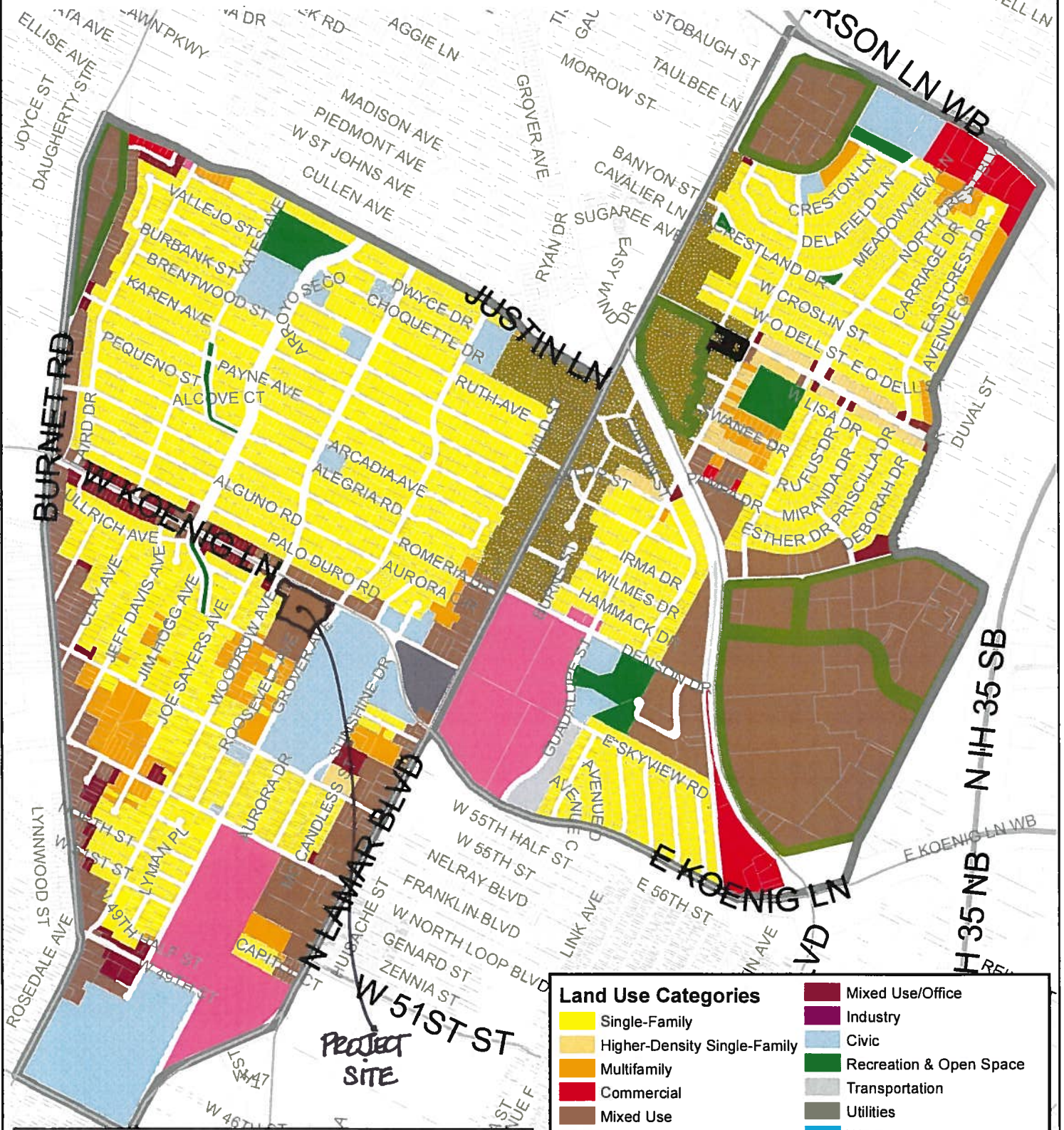
SF-3-NP

SF-3-NP

MCALLUM HIGH SCHOOL

NORTH

Brentwood/Highland Neighborhood Planning Area Future Land Use Map



- | | |
|---|--|
| Land Use Categories | |
| Single-Family | Mixed Use/Office |
| Higher-Density Single-Family | Industry |
| Multifamily | Civic |
| Commercial | Recreation & Open Space |
| Mixed Use | Transportation |
| Specific Regulating District | Utilities |
| Office | Water |
| Permitted Special Uses | |
| Cottage Lot | Urban Home |
| Neighborhood Urban Center | Mixed Use Building |

Adopted 5/13/2004 Last Revised 10/11/2012
City of Austin Planning and Development Review Department

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

Please see the Brentwood/Highland Neighborhood Plan document for more detailed description of the vision and future land use for areas within the neighborhood.

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EXHIBIT B

ORDINANCE NO. 040513-33A

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 1,015 ACRES OF LAND GENERALLY KNOWN AS THE BRENTWOOD NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON 137 TRACTS OF LAND.

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 137 tracts of land within the property described in Zoning Case No.C14-04-0012.001, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 1,015 acres of land in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A" incorporated into this ordinance, (the "Property"), and includes, as follows,

Romeria-Gateway Subdistrict area includes the lots adjacent to Romeria Street between Lamar Boulevard and the Grover Drainage Channel, as shown on Exhibit "B",

generally known as the Brentwood neighborhood plan combining district, locally known as the area bounded by Justin Lane on the north, 45th Street on the south, Lamar Boulevard on the east and Burnet Road on the west, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

Except as provided in this ordinance, the existing base zoning districts and conditions remain in effect.

PART 2. The base zoning districts for the 137 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, neighborhood office (NO) district, limited office (LO) district, limited office-conditional overlay (LO-CO) combining district, general office (GO) district, general office-conditional overlay (GO-CO) combining district, neighborhood commercial (LR) district, neighborhood commercial-conditional overlay (LR-CO) combining district, community commercial (GR) district, community

TRACT	ADDRESS	FROM	TO
92	1500, 1502, 1504, 1506, 1508, 1510, 1512 & 1514 KOENIG LN W	SF-3	LO-MU-NP
92	1514 KOENIG LN W	NO	LO-MU-NP
92	1516 KOENIG LN W	LO	LO-MU-NP
93a	1400 KOENIG LN W	GR-CO	GR-MU-CO-NP
93b	1406 & 1408 KOENIG LN W	LR	LR-MU-CO-NP
93b	1408 KOENIG LN W	SF-3	LR-MU-CO-NP
94	1200, 1206 & 1300 KOENIG LN W	GR	GR-MU-CO-NP
94	1306 KOENIG LN W	CS	GR-MU-CO-NP
94	1308 KOENIG LN W & 5903 WOODROW AVE	LR	GR-MU-CO-NP
95	1100 KOENIG LN W	CS	GR-MU-CO-NP
95	1102 & 1108 KOENIG LN W	GR	GR-MU-CO-NP
95	1108 & 1112 KOENIG LN W	LR	GR-MU-CO-NP
96	5908 AURORA DR	GR	LR-MU-CO-NP
96	5908 AURORA DR	CS	LR-MU-CO-NP
97	1006 KOENIG LN W	SF-3	GR-MU-CO-NP
97	1006 KOENIG LN W	CS	GR-MU-CO-NP
98	908 OLD KOENIG LN	SF-3	GR-MU-CO-NP
98	908 OLD KOENIG LN	CS	GR-MU-CO-NP
99a	5700 GROVER AVE	CS	CS-MU-CO-NP
99b	1303 KOENIG LN W	CS	CS-MU-CO-NP
100	5808 WOODROW AVE	SF-3, LR	LO-MU-NP
101a	1401 KOENIG LN W	LR	GR-MU-CO-NP
101b	1405 KOENIG LN W	LR	LR-MU-CO-NP
102	1501 KOENIG LN W	LO	LR-MU-CO-NP
103	1503, 1505, 1507, 1513, 1515, 1519, 1521, & 1523 KOENIG LN W	LO	LO-MU-NP
103	1509, 1511 & 1517 KOENIG LN W	SF-3	LO-MU-NP
104	1525 KOENIG LN W	LO	LR-MU-CO-NP
105	1615 & 1617 KOENIG LN W	LO	LR-MU-CO-NP
105	1601 KOENIG LN W	SF-3	LR-MU-CO-NP
106	1701 KOENIG LN W	LO	LR-MU-CO-NP
107a	1703, 1705, 1707, 1801, 1803, 1901, 1903, 1905, 1907 & 1909 KOENIG LN W	LO	LO-MU-NP
107a	1911 KOENIG LN W	SF-3	LO-MU-NP
107b	2003 KOENIG LN W	SF-3	LO-MU-CO-NP
107c	2005 KOENIG LN W	SF-3	LO-MU-NP
107c	2007 KOENIG LN W	NO	LO-MU-NP
108	4901 WOODROW AVE	LR	LR-MU-NP
109	1203 & 1209 49 ST W	MF-3	LO-MU-NP
109	1209, 1211, 1213, 1301 & 1307 49 ST W	SF-3	LO-MU-NP
110	5617 ADAMS AVE	LO	NO-MU-NP
111	2011 KOENIG LN W	SF-3	LO-MU-NP
112	1704 HOUSTON ST	NO	NO-MU-NP

Funeral services
Hotel-motel
Indoor sports and recreation
Outdoor entertainment
Pawn shop services
Research services
Restaurant (limited)

General retail sales (general)
Indoor entertainment
Medical offices (exceeds 5000 s.f.)
Outdoor sports and recreation
Personal improvement services
Restaurant (general)
Theater

11. The following uses are prohibited uses of Tract 99a:

Agricultural sales and services
Building maintenance services
Convenience storage
Laundry services
Plant nursery
Construction sales and services
Electronic prototype assembly
Equipment sales
Vehicle storage
Transitional housing

Art and craft studio (general)
Campground
Kennels
Monument retail sales
Custom manufacturing
Commercial blood plasma center
Equipment repair services
Maintenance and service facilities
Veterinary services
Transportation terminal

12. The following uses are prohibited uses of Tract 99b:

Agricultural sales and services
Building maintenance services
Convenience storage
Laundry services
Construction sales and services
Electronic prototype assembly
Equipment sales
Veterinary services
Transportation terminal

Art and craft studio (general)
Campground
Kennels
Monument retail sales
Commercial blood plasma center
Equipment repair services
Maintenance and service facilities
Transitional housing

13. Drive-in service is prohibited as an accessory use to commercial uses of Tracts 3, 11, 12, 15c, 38, 39, 82b, 83, 85, 86, 88, 90, 91, 93b, 96, 101b, 102, 104, 105, and 106.

14. The following uses are prohibited uses of Tract 101a:

Automotive rentals	Automotive repair services
Automotive washing (of any type)	Automotive sales
Business or trade school	Business support services
Commercial off-street parking	Communication services
Drop-off recycling collection facilities	Exterminating services
Funeral services	General retail sales (general)
Hospital services (general)	Hotel-motel
Indoor entertainment	Indoor sports and recreation
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Personal improvement services
Research services	Theater

15. The following uses are conditional uses of Tract 101a:

Medical offices (exceeding 5000 sq. ft.)	Hospital services (limited)
Community recreation (private)	Community recreation (public)
Congregate living	Residential treatment

16. Private secondary educational facilities use is a prohibited use of Tract 107b.

17. The following uses are prohibited uses of Tract 94, 95, 97, 98, 99a, and 99b:

Drop-off recycling collection facility	Outdoor entertainment
Outdoor sports and recreation	Pawn shop services

18. The following uses are prohibited uses of Tract 90:

Custom manufacturing	Financial services
Off-site accessory parking	Pet services
Plant nursery	Service station

19. The following uses are conditional uses of Tract 90:

College and university facilities	Private secondary educational facilities
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20. The following uses are conditional uses of Tracts 15c, 99a, and 99b:

Plant nursery	Custom manufacturing
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21. The following uses are prohibited uses of Tract 3:

Agricultural sales and services	Automotive rentals
Automotive sales	Automotive washing (of any type)
Campground	Commercial blood plasma center
Commercial off-street parking	Convenience storage
Drop-off recycling collection facility	Equipment repair services
Equipment sales	Exterminating services
Kennels	Laundry services
Maintenance and service facilities	Monument retail sales
Off-site accessory parking	Outdoor entertainment
Outdoor sports and recreation	Pawn shop services
Service station	Vehicle storage

22. The following uses are prohibited uses of Tract 58:

Business or trade school	Business support services
Off-site accessory parking	Personal services
Restaurant (limited)	

23. The following uses are prohibited uses of Tract 47a:

Business or trade school	Business support services
Off-site accessory parking	Restaurant (limited)

24. The following conditions apply to Tracts 94, 95, 97, 98, 99a and 99b:

- A. The maximum height of a building or structure is 40 feet from ground level.
- B. A building or structure may not exceed a height of three stories.

25. The following condition applies to Tract 93a:

There shall be no more than one driveway approach from Tract 93A to Koenig Lane and another to Woodrow Avenue.

26. The following conditions apply to Tract 90:

- A. The maximum height of a building or structure is 35 feet from ground level.
- B. The minimum interior side yard setback is five feet.
- C. The minimum rear yard setback is five feet.
- D. The maximum building coverage is 50 percent.
- E. The maximum impervious cover is 70 percent.

27. The following conditions apply to Tract 21:

- A. The maximum height of a building or structure is 30 feet from ground level.
- B. The maximum number of dwelling units is 12 units per acre.

28. The following conditions apply to Tract 47a:

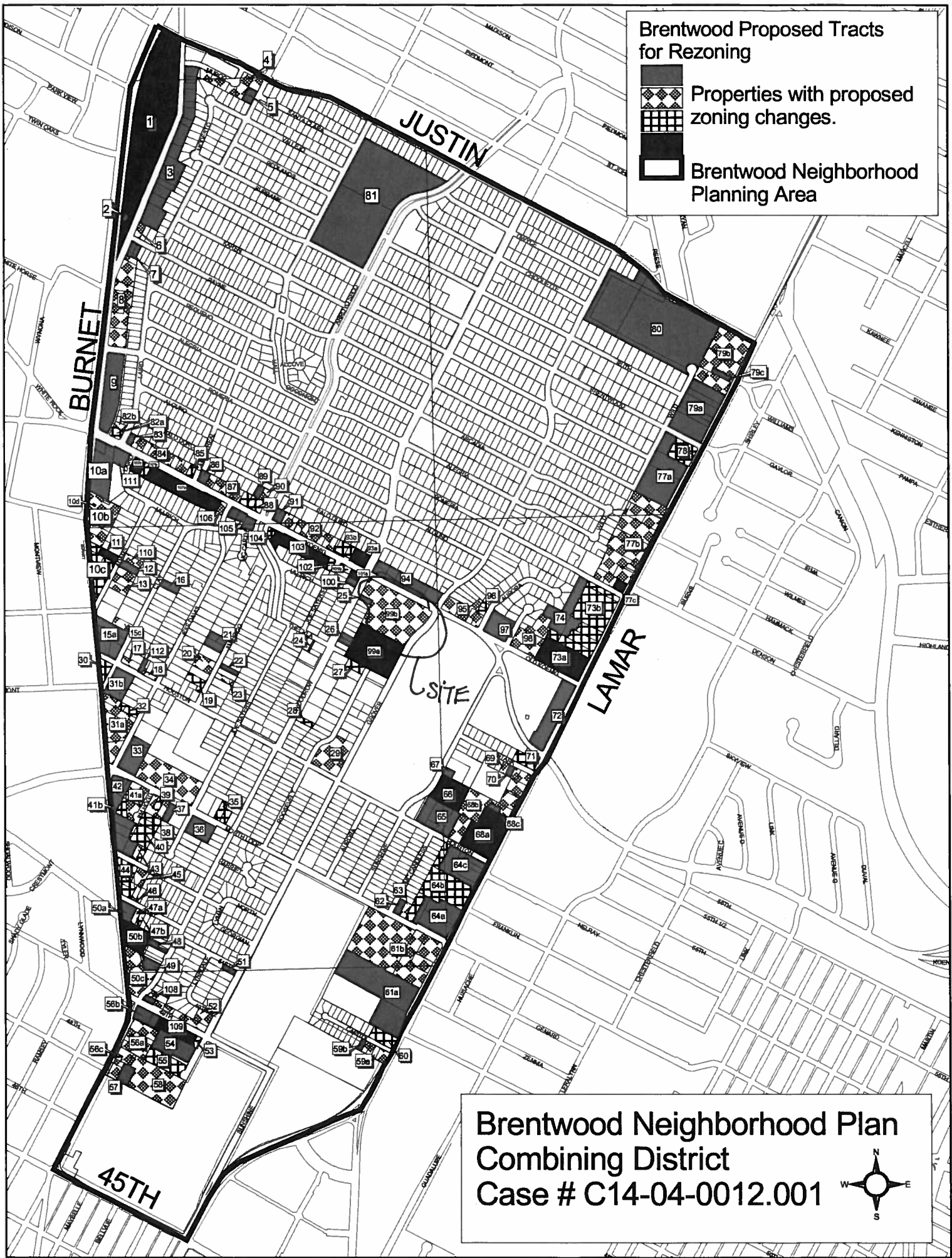
- A. The maximum height of a building or structure is 40 feet from ground level.
- B. The minimum front setback is 25 feet.

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. This ordinance takes effect on May 24, 2004.


PASSED AND APPROVED

_____ May 13, 2004	§ § § _____ Will Wynn Mayor
APPROVED: _____ David Allan Smith City Attorney	ATTEST: _____ Shirley A. Brown City Clerk



Brentwood Proposed Tracts for Rezoning

 Properties with proposed zoning changes.

 Brentwood Neighborhood Planning Area

**Brentwood Neighborhood Plan
Combining District
Case # C14-04-0012.001**



THE STATE OF TEXAS }
COUNTY OF TRAVIS } know All Men By These Presents:

[illegible][illegible]

APPROVED FOR ACCEPTANCE
On: 2-11-48
J. Mulvihill
J. Mulvihill - Director of Public Works

APPROVED BY CITY PLAN COMMISSION
A/c. 3-5-48
3-5-48
Chairman

DATE: June 14, 1911 H. D. Gause Secretary
ACCEPTED AND AUTHORIZED FOR RECORD BY THE CITY COUNCIL,
CITY OF AUSTIN, TEXAS.

*Stalin m = fellow
day of March 1980*

THE STATE OF TEXAS }
COUNTY OF TARRANT }
I, JAMES GUSTAV LINDBERG, Clerk of the County Court within and for the County and State aforesaid, do hereby certify and forwarding instrument of writing with its Certificate of Authenticity, to the County Clerk for record in my office on the 21st day of November, A.D. 1998 at 10:45 o'clock, P.M. when duly recorded on the 21st day of November, A.D. 1998 at 10:45 o'clock, P.M. in the County of Tarrant, State of Texas, Book 5, Page 19.

WITNESS MY HAND AND SEAL of the County of Tarrant County, Texas, on the date last written above.

Pd 6-15 SURVEYED BY AP Sehnal/Holt

Filed for record at Dallas, Tex. on 11-26-1999 by Blaine Kuntz nearly
Miss John Kimbrough, Travis County, Texas
Clark County Courthouse, Travis County, Texas

WILDER ADDITION
SECTION I

LEGEND—
 u Conc. Monuments Set
 w Conc. Nip found
 o Iron Slake Set
 e Iron Slake found
 Scale 1" = 60'

CG-1949-1866

- PORTION OF REZONING AREA

Plat of 120x120 Foot Area

Lot 1: 120.00' x 100.00' = 12,000.00 sq. ft.

Lot 2: 120.00' x 100.00' = 12,000.00 sq. ft.

Lot 3: 120.00' x 100.00' = 12,000.00 sq. ft.

Lot 4: 120.00' x 100.00' = 12,000.00 sq. ft.

Lot 5: 120.00' x 100.00' = 12,000.00 sq. ft.

Lot 6: 120.00' x 100.00' = 12,000.00 sq. ft.

Lot 7: 120.00' x 100.00' = 12,000.00 sq. ft.

Lot 8: 120.00' x 100.00' = 12,000.00 sq. ft.

Lot 9: 120.00' x 100.00' = 12,000.00 sq. ft.

Lot 10: 120.00' x 100.00' = 12,000.00 sq. ft.

Lot 11: 120.00' x 100.00' = 12,000.00 sq. ft.

Lot 12: 120.00' x 100.00' = 12,000.00 sq. ft.

Proposed Easement for Electric Main: 120.00' x 100.00' = 12,000.00 sq. ft.

Reserved: 120.00' x 100.00' = 12,000.00 sq. ft.

City of Austin: 120.00' x 100.00' = 12,000.00 sq. ft.

Plat 831, p. 233

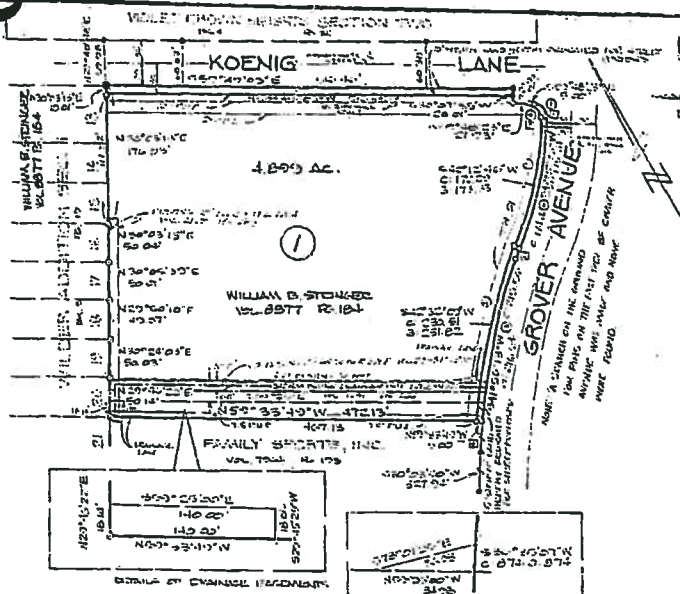
Bk. 12
 Broad Acres
 C. L. QUINN
 Vol. 104 Page 539
 Lot 1

Bk. 13
 Broad Acres
 R. T. HULL & SONS
 Vol. 104 Page 537
 Lot 1

DATE 23/06/23 BY 126

for Amended Restriction see Vol 916 page 197, *Need Records*.
" *Emilie Fleming, c. ckh.*
for Restrictions of Wilsons Addition see 1, see Vol. 907 page 178, *Need Records*.
" *Emilie Fleming, c. ckh.*

EXHIBIT D
RECORDED PLAT



WILDER ADDITION SECTION 2

BEARING LIST:

- 1. S 10° 05' 55" E C. 21.45' R. 23.02'
- 2. S 32° 28' 05" W C. 13.25' R. 15.45'
- 3. N 14° 13' 30" W C. 21.45' R. 23.45'
- 4. S 30° 55' 30" W C. 21.20' R. 22.20'

CURVE DATA:

	1	2	3
R	91.7700'	21.45' 50"	21.45' 50"
A	16.00'	46.53'	62.25'
T	15.84'	179.31'	325.82'
C	21.45'	63.72'	144.24'
		174.26'	258.55'

LEGEND

- CONCRETE MONUMENT FOUND
- IRON ROD FOUND
- IRON PIPE FOUND
- IRON ROD SET
- △ NAIL SET
- CONCRETE MONUMENT SET

	1	2	3
R	21.45' 15"	21.45' 15"	21.45' 20"
A	15.00'	46.53'	62.25'
T	15.31'	179.33'	325.82'
C	21.45'	172.29'	258.51'

STATE OF TEXAS:
COUNTY OF TRAVIS: KNOW ALL MEN BY THESE PRESENTS:

That I, William B. Stenger, owner of 5500 acres of land out of the County of Travis, Texas, who have a portion of Lots 10 and 11, Section 2, Township 10 North, Range 12 East, in the City of Austin, of record in Book 7, Page 141, Plat Record of Travis County, Texas, as conveyed to me with other property in a deed of record in Volume 677, Page 154, Book Records of Travis County, Texas, as having subdivided 5000 acres of land in accordance with this plat, and authorize to be known as WILDER ADDITION, SECTION 2, and its heretofore estate to be added to the use of the streets and easements therein, subject to any easements or restrictions heretofore granted.

WITNESS MY HAND, this 26th day of March, 1985 A.D.

William B. Stenger
William B. Stenger
491 W. 4th Street
Austin, Texas 78701

STATE OF TEXAS:
COUNTY OF TRAVIS:

Before me, the undersigned authority, on this day personally appeared, William B. Stenger, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

WITNESS MY HAND AND SEAL OF OFFICE, this 13th day of March, 1985 A.D.

Valerie P. Smith
Valerie P. Smith, Notary Public for Travis County, Texas
Notary Seal
1985

SUBDIVISION'S NOTE

I, Judith A. McGraw, as authorized under the laws of the State of Texas to practice the profession of Surveying, and hereby certify that this plat complies with Chapter 141 of the Austin City Code in law and correct and was prepared from a survey made on the ground under my supervision.

SUBMITTED BY: McGraw & McGraw Land Surveys, Inc.
401 Hancock Drive, Suite 6
Austin, Texas 78741
251-8901

Judith A. McGraw B-29-84 & 3-5-85
Judith A. McGraw, Reg. Professional Surveyor No. 2034 Date



APPROVED FOR ACCEPTANCE:

James B. Damm March 26, 1985
James B. Damm, Director
Office of Land Development Services

ACCEPTED AND AUTHORIZED FOR RECORD by the Planning Commission, City of Austin, Travis County, Texas, this 26th day of March, 1985 A.D.

Rafael Quintanilla Chairman
Rafael Quintanilla
Secretary
Judith E. Fowler Secretary
Judith E. Fowler

FILED FOR RECORD, this 30th day of April, 1985 A.D. at 4:35 o'clock P.M.
Doris Shropshire, Clerk, County Court, Travis County, Texas.

K. Terrell
K. Terrell
Deputy

STATE OF TEXAS:
COUNTY OF TRAVIS:

I, Doris Shropshire, Clerk, County Court, Travis County, Texas, within and for the County and State aforesaid, do hereby certify that the foregoing instrument of writing, with its certificate of authentication, was filed for record in my office on the 30th day of April, 1985 A.D. at 4:35 o'clock P.M., and duly recorded on the 30th day of April, 1985 A.D. at 4:35 o'clock P.M. in the Plat Records of said County in Book 85 Page 138D.

WITNESS MY HAND AND SEAL OF THE COURT of said County, the date last written above.
Doris Shropshire, Clerk, County Court, Travis County, Texas.

K. Terrell
K. Terrell
Deputy

NOTE:

Prior to construction on any lot, DRAINAGE PLANS will be submitted to the City of Austin for review. RAINFALL RUNOFFS shall be held to approved method.

10 YEAR FLOOD PLAIN NOTE:

The 10 Year Flood Plain for the tributary to Hancock Branch will be contained within the drainage easement provided herein.

Stephen A. Hay 3/13/85
Stephen A. Hay, P.E. Date



SIDEWALK NOTE:

Sidewalks are required on the subdivision side of Koenig Lane and Grover Avenue. Such sidewalks shall be installed prior to acceptance of any (Type I or Type II) driveway, setback and/or certificate of occupancy. Sidewalks which have not been installed within two years from the date of acceptance for maintenance, of the streets, may upon approval of the City Council, be constructed by the City of Austin, and assessment shall be made against the affected property for all engineering, administrative and construction costs.

VOID:

No structure in this subdivision shall be occupied until connected to a public water and sewerage system.

Vol. 95 Page 138D
Plat Record, Travis County, Texas

RECEIVED
SEP 28 1985
LAND SURV.

C85-84-209

RECORDED PLAT

SITE GENERAL NOTES

1. SITE HOTEL.

RHODE PARTNERS

1111 MARKET AVE
SUITE 1400
ARLINGTON, TEXAS 76010
(817) 342-8973
rhodepartners.com
© RHODE PARTNERS INC. 2017

**Koenig Lane
Apartments**

1381 W Koenig Lane
Arlington, TX 76010

SP PROJECT NUMBER: 1381W

PROJECT TEAM

ARCHITECT: RHODE PARTNERS

ENGINEER: J. L. HARRIS & ASSOCIATES, INC.

LANDSCAPE ARCHITECT: J. L. HARRIS & ASSOCIATES, INC.

PLANNING: J. L. HARRIS & ASSOCIATES, INC.

ENVIRONMENTAL: J. L. HARRIS & ASSOCIATES, INC.

SOILS: J. L. HARRIS & ASSOCIATES, INC.

WATER: J. L. HARRIS & ASSOCIATES, INC.

SEWER: J. L. HARRIS & ASSOCIATES, INC.

TRAIL: J. L. HARRIS & ASSOCIATES, INC.

UTILITY: J. L. HARRIS & ASSOCIATES, INC.

ASBESTOS: J. L. HARRIS & ASSOCIATES, INC.

LEAD: J. L. HARRIS & ASSOCIATES, INC.

NOISE: J. L. HARRIS & ASSOCIATES, INC.

VEGETATION: J. L. HARRIS & ASSOCIATES, INC.

WETLANDS: J. L. HARRIS & ASSOCIATES, INC.

WATER QUALITY: J. L. HARRIS & ASSOCIATES, INC.

WATER RESOURCES: J. L. HARRIS & ASSOCIATES, INC.

WATER USE: J. L. HARRIS & ASSOCIATES, INC.

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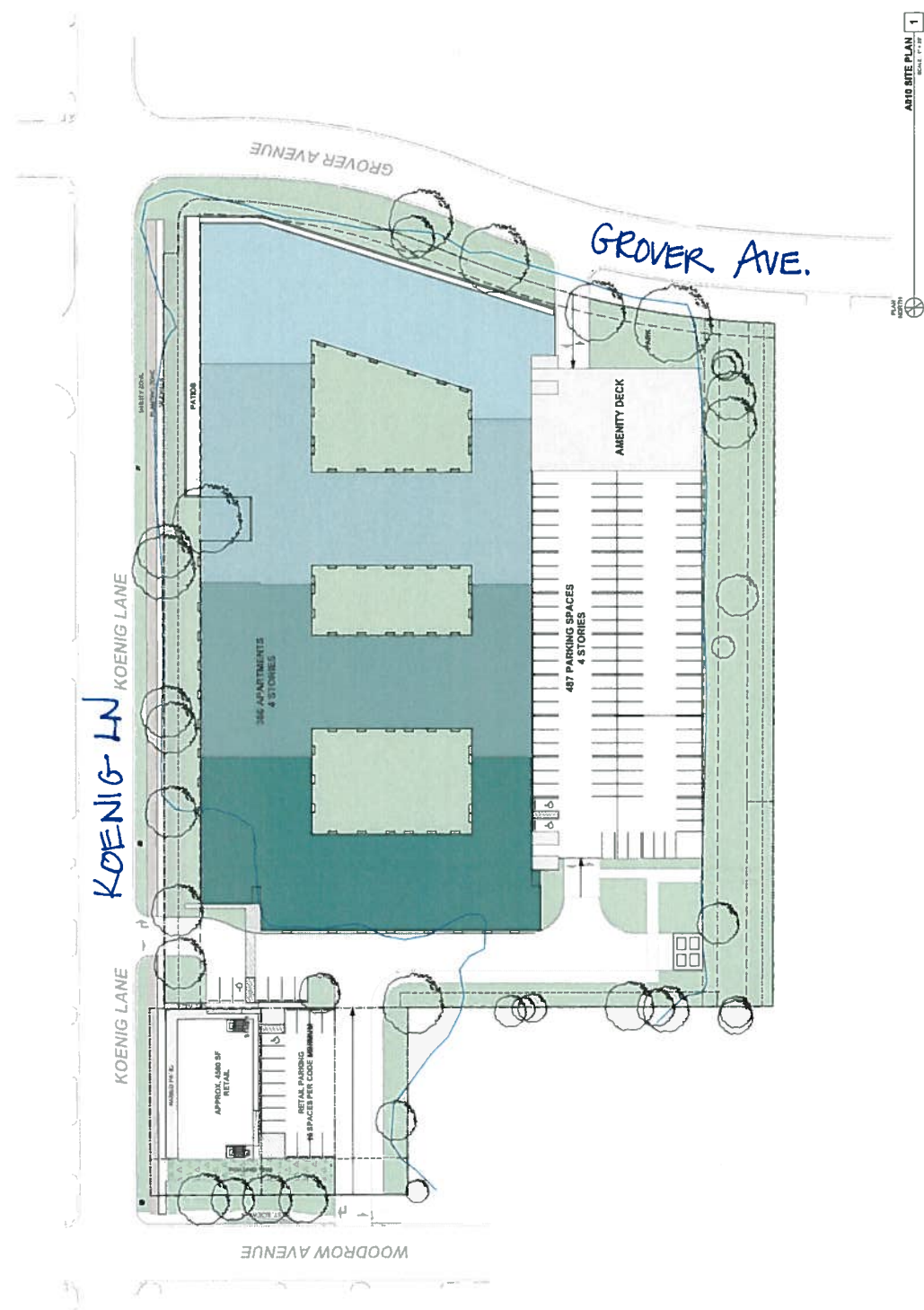
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WATER RESOURCES: J. L. HARRIS & ASSOCIATES, INC.



North

EXHIBIT E
Applicant's
CONCEPTUAL PLAN

SITE PLAN

A010

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant multi-family residence-highest density – conditional overlay – neighborhood plan (MF-6-CO-NP) combining district zoning for Tract 1 and general commercial services – mixed use – conditional overlay – neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 2. The Conditional Overlay is to:

- a) limit height on Tracts 1 and 2 to 40 feet and four stories;
- b) limit building coverage on Tract 1 to 60%;
- c) limit impervious cover on Tract 1 to 70%;
- d) prohibit the following uses on Tract 2: agricultural sales and services, art workshop, building maintenance services, campground, commercial blood plasma center, construction sales and services, convenience storage, drop-off recycling collection facility, electronic prototype assembly, equipment repair services, equipment sales, kennels, laundry services, maintenance and service facilities, monument retail sales, outdoor entertainment, outdoor sports and recreation, pawn shop services, transitional housing, transportation terminal and vehicle storage;
- e) establish the following uses as conditional uses on Tract 2: custom manufacturing and plant nursery.
- f) A non-residential use on Tract 2 must be a minimum of 5,000 square feet.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated December 8, 2016, as provided in Attachment A.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The proposed general commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The conditional overlay (CO) combining district may be applied in combination with most base districts. The district is intended to provide flexible and adaptive use or site development regulations by requiring standards tailored to individual properties. The neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

- 2. Intensive multi-family zoning should be located on highways and major arterials.*
- 3. Zoning changes should promote a balance of intensities and densities.*

Other similar sized MF-6-CO zoned properties are located in the general vicinity on North Lamar Boulevard, Burnet Road and further east on Koenig Lane, and all establish a maximum height at 60 feet or less. Staff recommends the proposed zoning as it promotes infill mixed use development while modifying the story limitation to achieve a smaller



INTERNAL MEMORANDUM

TO: Wendy Rhoades, Case Manager
Planning and Zoning Department

FROM: *Geo* Scott A. James, P.E., PTOE, Land Use Review/Transportation
Danielle Morin, Planner III
Development Services Department

DATE: December 8, 2016

SUBJECT: Traffic Impact Analysis for 1301/1303 West Koenig Lane development
Zoning Case C14 – 2016 - 0071

Section 25-6-114 of the Land Development Code requires that a traffic impact analysis (TIA) be conducted for a project proposed with a zoning application if the project is anticipated to generate more than 2,000 daily trips.

The project site is located on West Koenig Lane, west of North Lamar Boulevard. There are three proposed points of access to West Koenig Lane, Woodrow Avenue and Grover Avenue with the West Koenig Lane access is to operate as right in/ right out. The proposed development is to allow for a combination of multi-family apartments and specialty retail land uses. The project is anticipated to be complete in 2018.

Roadways

West Koenig Lane is a four (4) lane undivided arterial roadway in the vicinity of the site. In the vicinity of the site, West Koenig Lane measures 60 feet of ROW. The posted speed limit is 35 MPH. The roadway serves nearby McCallum High School (students and staff parking). Sidewalks are installed on both sides of the roadway.

North Lamar Boulevard is a four (4) lane divided arterial roadway with a center two way left turn lane and is classified a principal arterial with a posted speed limit of 40 MPH. Sidewalks are installed on both sides of the roadway.

Woodrow Avenue is a two (2) lane undivided minor arterial roadway with a posted speed limit of 30 MPH and 80 feet of ROW. On street parking is permitted and sidewalk is installed along eastern side of the roadway.

Houston Street is a two (2) lane local street with a posted speed limit of 30 MPH. Houston Street is the southern boundary street for the McCallum High School campus and has sidewalk installed along the north side of the roadway.

Grover Avenue is a two (2) lane collector roadway with a posted speed limit of 30 MPH and measures 70 feet of ROW. On street parking is permitted and sidewalk is installed along western side of the roadway. Grover Avenue is one boundary street for the McCallum High School campus.

Sunshine Drive is a two (2) lane local street with a posted speed limit of 25 MPH. This street serves as the primary vehicular access to McCallum High School and on street parking is permitted on both sides of the roadway. Sidewalk is installed along western side of the roadway

Old Koenig Lane is a two (2) lane local street with a posted speed limit of 30 MPH, offering connection from North Lamar Boulevard west to West Koenig Lane. Sidewalk is along the north side of the roadway.

Trip Generation and Traffic Analysis

Based on the ITE publication Trip Generation, 9th Edition, the proposed development will generate approximately 2,734 new daily trips per day (vpd). Table 1 below provides the unadjusted 24 hour trip estimate for the land use. No identified background projects were included in the analysis.

Table 1 – unadjusted list of estimated daily trips		
Land Uses (ITE Code)	Intensity	24-Hour
Multi-family Apartments (220)	394 DU	2,512
Specialty Retail (826)	5,000 SF	222
Total site trips		2,734

According to the scoping document, an internal capture discount of 5% as well as a 30% pass-by reduction for specialty retail were assigned to the PM peak hour. The resulting adjusted peak hour estimated trips are shown in Table 2 below:

Table 2 – adjusted list of estimated daily trips		AM Peak		PM Peak	
Land Uses (ITE Code)	Intensity	In	Out	In	Out
Multi-family Apartments (220)	394 DU	39	158	152	82
Specialty Retail (826)	5,000 SF	-	-	4	6
Total adjusted peak hour site trips		197		244	

For this study, weekday peak hour traffic counts (including pedestrian counts) were conducted on Wednesday, May 18, 2016 when schools were in session to determine how the high school related traffic may or not be affected by the proposed development. As the proposed peak hours of arrival and departure for this site do not directly match those for the adjacent school campus, the analysis provided indicates that the traffic impact of the development will be outside peak school arrival and dismissal times.

Table 4 shows the results of the 'existing' and 'forecast' conditions for this project.

Table 4 - Intersection Level of Service and Delay (sec/veh)								
Intersection	2016 Existing				2018 Forecast			
	AM		PM		AM		PM	
	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
Signalized Intersections								
West Koenig Lane and Woodrow Avenue	B	18.9	C	20.6	B	17.4	C	20.6
West Koenig Lane and Grover Avenue	C	20.4	C	20.6	C	20.8	C	20.4
West Koenig Lane and North Lamar Boulevard	E	69.7	E	69.3	E	68.8	E	75.3
Unsignalized Intersections (Stop controlled intersections)								
West Koenig Lane and McCallum High School Drive*	E*	40.6	A	0	E	40.7	A	0
West Koenig Lane and Sunshine Drive (2WS)*	F*	72.2	C	15.1	F	300	F	57.8
Old Koenig Lane and North Lamar Boulevard*	E	47.3	C	17.8	E	47.3	D	32.5
Grover Avenue and Houston Street (AWS)*	D	27.6	D	27.9	C	24.2	C	25

Table 5 shows the results of the 'site traffic + forecast' conditions, for both with and without improvements.

Table 5 - Intersection Level of Service and Delay (sec/veh)								
Intersection	2018 Site traffic + Forecasted (No Improvements)				2018 Site traffic + Forecasted (With Improvements)			
	AM		PM		AM		PM	
	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
Signalized Intersections								
West Koenig Lane and Woodrow Avenue	B	18.2	C	21.0	B	18.0	C	21.0
West Koenig Lane and Grover Avenue	C	21.5	C	24.9	B	18.2	C	25.0
West Koenig Lane and North Lamar Boulevard	E	75.8	F	86.2	E	69.4	E	78.6
Unsignalized Intersections								
West Koenig Lane and McCallum High School Drive*	E	46	A	0	E	46	A	0
West Koenig Lane and Sunshine Drive (2WS)*	F	431.8	F	69.5	F	431.8	F	69.5
Old Koenig Lane and North Lamar Boulevard*	E	48.9	D	33.8	E	48.9	D	33.8
Grover Avenue and Houston Street (AWS)*	D	27.3	D	29.6	D	27.3	D	29.6

*note: only the worst approach delays (not the overall intersection) are shown for the unsignalized intersections.

As shown in the tables above, the current and forecast operations of the intersections of West Koenig Lane and North Lamar Boulevard will continue to operate at LOS "E" or below. In addition, the analysis indicates that site traffic plus projected traffic can be mitigated by adjusting the signal operations. The applicant has proposed to cover the costs for signal timing adjustments for the three signalized intersections shown to degrade under 2018 forecast + site conditions (also called "2018 build out"). No other improvements are proposed.

Developer proposes to fund the cost for staff to retune the traffic signals at the following intersections:

West Koenig Lane and Woodrow Avenue

West Koenig Lane and Grover Avenue

West Koenig Lane and N. Lamar Boulevard

Staff concurs that traffic congestion along West Koenig Lane predates this site development proposal. According to the analysis, traffic congestion related to high school traffic is not compounded by the site traffic associated with this development.

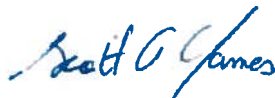
Recommendations

- 1) Prior to the 3rd Reading of City Council, the applicant shall post fiscal for the following improvements listed below:

Table 6 – List of Improvements			
Location	Improvements	Total Cost	Developer Share %
West Koenig Lane & Woodrow Avenue	Signal retiming	\$5,000	100%
West Koenig Lane & Grover Avenue	Signal retiming	\$5,000	100%
West Koenig Lane & N. Lamar Boulevard	Signal retiming	\$5,000	100%
Total cost participation		\$15,000	100%

- 2) Development of this property should not vary from the approved uses, nor exceed the approved intensities and estimated traffic generation assumptions within the TIA document (dated October 12, 2016), including land uses, trip generation, trip distribution, traffic controls and other identified conditions.
- 3) The findings and recommendations of this TIA memorandum remain valid until December 8, 2021, after which a revised TIA or addendum may be required.

If you have any questions or require additional information, please contact me at (512) 974 – 2208. Thank you.



Scott A. James, P.E., PTOE
Development Services Department
Land Use Review Division/ Transportation

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



PROJECT NAME: West Koenig Rezoning

ADDRESS/LOCATION: 1301 West Koenig Lane

CASE #: C14-2016-0071

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

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

MF UNITS: 391 STUDENTS PER UNIT ASSUMPTION
Elementary School: 0.097 Middle School: 0.032 High School: 0.041

IMPACT ON SCHOOLS

The district-wide student yield factor of 0.133 for apartment homes (across all grade levels) was used to determine the number of projected students. The proposed multifamily project (studios, 1 and 2 bedrooms at approx. \$2.00/SF) may not produce a large number of family-friendly units; therefore, the north central region student yield factor of 0.321 was not used. The 391 multifamily unit development is projected to add approximately 67 students across all grade levels to the projected student population. It is estimated that of the 67 students, 38 will be assigned to Brentwood Elementary School, 13 to Lamar Middle School, and 16 to McCallum High School.

The projected increase in enrollment by SY2020-21, coupled with the additional students from the proposed development, results in a percent of permanent capacity over the target range of 75-115% for all three schools (Brentwood ES at 119%; Lamar MS at 124%; and McCallum HS at 140%), assuming the mobility rates stay the same. The enrollment at these schools would need to be monitored to determine if strategies should be discussed to address overcrowding. Lamar and McCallum have a high number of transfer students into their fine arts academies; the projected increase in population and enrollment may affect the number of students able to transfer into the academies.

TRANSPORTATION IMPACT

Brentwood ES, Lamar MS, and McCallum HS are located within 2 miles of the proposed development; therefore students would not qualify for transportation unless a hazardous route condition was identified.

SAFETY IMPACT

There are no known safety impacts at this time.

Date Prepared: 10/20/2016

Director's Signature: _____

Paul Turner

10/20/16

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Brentwood	RATING: Met Standard
ADDRESS: 6700 Arroyo Seco	PERMANENT CAPACITY: 585
% QUALIFIED FOR FREE/REDUCED LUNCH: 27.44%	MOBILITY RATE: +2.8%

POPULATION (without mobility rate)			
ELEMENTARY SCHOOL STUDENTS	2015-16 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	597	641	679
% of Permanent Capacity	102%	110%	116%

ENROLLMENT (with mobility rate)			
ELEMENTARY SCHOOL STUDENTS	2015-16 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	614	659	697
% of Permanent Capacity	105%	113%	119%

MIDDLE SCHOOL: Lamar	RATING: Met Standard
ADDRESS: 6201 Wynona	PERMANENT CAPACITY: 1,008
% QUALIFIED FOR FREE/REDUCED LUNCH: 88.34%	MOBILITY RATE: +16.4%

POPULATION (without mobility rate)			
MIDDLE SCHOOL STUDENTS	2015-16 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	834	1,062	1,075
% of Permanent Capacity	83%	105%	107%

ENROLLMENT (with mobility rate)			
MIDDLE SCHOOL STUDENTS	2015-16 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	971	1,236	1,249
% of Permanent Capacity	96%	123%	124%

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



HIGH SCHOOL: McCallum	RATING: Met Standard
ADDRESS: 5600 Sunshine Drive	PERMANENT CAPACITY: 1,596
% QUALIFIED FOR FREE/REDUCED LUNCH: 29.43%	MOBILITY RATE: +23.6%

POPULATION (without mobility rate)			
HIGH SCHOOL STUDENTS	2015-16 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,414	1,797	1,813
% of Permanent Capacity	89%	113%	114%

ENROLLMENT (with mobility rate)			
HIGH SCHOOL STUDENTS	2015-16 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	1,747	2,220	2,236
% of Permanent Capacity	109%	139%	140%

*The 5-Year Projected Enrollment (with and without the proposed development) is an estimate calculated with the assumption that the stated mobility rates (transfers in and out of the school) remain the same over the 5-year period. These estimates are for the sole purpose of the Educational Impact Statement and should not be used for any other purposes.

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant multi-family residence-highest density – conditional overlay – neighborhood plan (MF-6-CO-NP) combining district zoning for Tract 1 and general commercial services – mixed use – conditional overlay – neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 2. The Conditional Overlay is to:

- a) limit height on Tracts 1 and 2 to 40 feet and four stories;
- b) limit building coverage on Tract 1 to 60%;
- c) limit impervious cover on Tract 1 to 70%;
- d) prohibit the following uses on Tract 2: agricultural sales and services, art workshop, building maintenance services, campground, commercial blood plasma center, construction sales and services, convenience storage, drop-off recycling collection facility, electronic prototype assembly, equipment repair services, equipment sales, kennels, laundry services, maintenance and service facilities, monument retail sales, outdoor entertainment, outdoor sports and recreation, pawn shop services, transitional housing, transportation terminal and vehicle storage;
- e) establish the following uses as conditional uses on Tract 2: custom manufacturing and plant nursery.
- f) A non-residential use on Tract 2 must be a minimum of 5,000 square feet.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated December 8, 2016, as provided in Attachment A.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The proposed general commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The conditional overlay (CO) combining district may be applied in combination with most base districts. The district is intended to provide flexible and adaptive use or site development regulations by requiring standards tailored to individual properties. The neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

- 2. Intensive multi-family zoning should be located on highways and major arterials.*
- 3. Zoning changes should promote a balance of intensities and densities.*

Other similar sized MF-6-CO zoned properties are located in the general vicinity on North Lamar Boulevard, Burnet Road and further east on Koenig Lane, and all establish a maximum height at 60 feet or less. Staff recommends the proposed zoning as it promotes infill mixed use development while modifying the story limitation to achieve a smaller

building footprint with more open space, and establishes primary vehicular access away from existing residential uses.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area contains a vacant automotive sales and repair use. There are groupings of trees interspersed throughout the site.

Impervious Cover

The maximum impervious cover allowed by CS-MU zoning district would be 95%; the maximum impervious cover allowed by the MF-6 zoning district would be 80%. Both figures are based on the impervious cover limits allowed by the zoning districts.

Comprehensive Planning

This rezoning case is located on the south side of W. Koenig Lane, on 5.4 acres of land located in the Brentwood Neighborhood Planning Area, which is part of the Brentwood / Highland Combined Neighborhood Planning Area. The property contains a large commercial building and several large parking lots, and was the previous location of an auto dealership. Surrounding land uses includes commercial and retail use to the north, south, and west and undeveloped land and a public high school to the east. The proposed use is a multifamily apartment complex with a total of 394 units. A small portion of this site, which is not included this rezoning (0.37 acres), will retain its commercial zoning designation for 5,000 sq. ft. of retail. The applicant is also asking for a modification of the existing conditional overlay that currently only allows a structure to be not taller than three stories and no more than 40 ft. in height. The applicant is requesting the CO be modified to construct up to a 4 story building but maintain the 40 ft. maximum height requirement.

Connectivity. Public sidewalks are located on both sides of the Koenig Lane, and a CapMetro transit stop is located within walking distance on this site. The Walkscore for this location is 69/100, meaning some errands can be accomplished on foot and public transit is nearby.

Brentwood/Highland Combined Neighborhood Plan (BHCNPA)

The BHCNP Future Land Use Map (FLUM) classifies this portion of the planning areas as 'Mixed Use.' Mixed Use is defined as an area that is intended for a mix and non-residential uses, including retail and commercial services. The following text and policies are excerpted from the BHCNP and are applicable to this case:

Goal 3. Encourage a mixture of compatible and appropriately scaled business and residential land uses in the neighborhood and mixed-use development on major corridors to enhance this diversity. (p. 28)

Goal 6: Improve affordability of home-ownership and rental properties. (p. 28)

The eastern segment of Koenig Lane currently consists of commercial uses including auto sales, service stations, restaurants and offices. Many of the current uses are automobile-oriented. The Future Land Use Map designates the eastern segment of Koenig Lane as Commercial Mixed-Use. The plan envisions a transition for this segment as existing businesses leave and redevelopment occurs. The desired uses for the area **are pedestrian-oriented commercial as well as some residential preferably above the commercial uses.** (P. 35)

Land Use Objective B3: Ensure that there is a mix of residential and commercial zoning to accommodate both housing and the services residents need in the neighborhood, and that commercial zoning in each area is appropriate for its location. (p. 60)

Recommendations:

2. Maintain commercial zoning on the corridors and in transitional areas between the corridors and residential areas.
3. Allow mixed use on commercial corridors.

Land Use Objective B4: Encourage the development of neighborhood serving businesses and offices by maintaining and adding neighborhood commercial and limited office on smaller corridors and in transitional areas between corridors and residential areas where appropriate. (p. 61)

Recommendations:

1. Add the Mixed-Use (MU) Combining District on Koenig and interior properties with commercial or office zoning.
2. Allow neighborhood serving commercial uses at intersections on Koenig west of Woodrow.
3. Allow neighborhood and community serving office uses on interior properties on Koenig west of Woodrow.

URBAN DESIGN GUIDELINES

OBJECTIVE 3: Redevelopment of multi-family residential projects should be compatible with adjacent single-family areas. (p. 122)

Guideline 3.1: Multi-family buildings less than 100 feet in width on any street facing side are more in keeping with the scale of the neighborhood. Building facades that express the interior organization of suites or structural bays relate better to the scale of single-family houses.

Guideline 3.2: Landscaped front yards with porches or balconies and a walkway connecting the building to the street sidewalk are neighborhood characteristics. Front doors and windows facing the street encourage neighborliness and enhance security by putting “eyes on the street”. Ground floor suites should have exterior doors facing the street.

Guidelines 3.4: Parking lots along the street detract from the pedestrian-oriented character of the neighborhood. Locate parking lots to the side or behind the building, or buffer the lot from street view by a fence or hedge, low enough to screen the cars but allowing visibility for security, helps to preserve the quality of the streetscape.

A multi-family apartment complex, especially with a retail component, appears to be supported by the text and policies of the BHCNPA. The plan also encourages via text, policy and design guidelines that multifamily and commercial uses be developed so they are attractive, and pedestrian and neighborhood oriented.

Imagine Austin

The subject property is not located along within an Activity Center or along an Activity Corridor. However, the following policies are applicable to cases along corridors, is the classification of Koenig Lane:

- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, **corridors** and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **LUT P5.** Create healthy and family-friendly communities through development that includes a **mixture of land uses and housing types** and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **HN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

Based upon the policies taken from both the small area plan for this area, and Imagine Austin, this project appears to be supported because it offers a mixture of uses, including residential and commercial along this busy corridor. It is also hoped that the developer designs this project in conformance with the BHCNPA Design Guidelines to make this a neighborhood serving and pedestrian friendly project.

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 Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

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

According to floodplain maps there is a floodplain within the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within 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.

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.

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.

Site Plan

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

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Development on this site will be subject to Subchapter E: Design Standards and Mixed Use. Additional comments will be provided upon submittal of site plans by the applicant.

Compatibility standards are triggered by the SF-3-NP-zoned properties adjoining the subject tract on the west. These standards include height and setback provisions, and other design regulations as indicated in Article 10: Compatibility Standards in the City of Austin Land Development Code.

Water / Wastewater

FYI: 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 any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be

required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria and suitability for operation and maintenance. 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.



Brentwood Neighborhood Association

RE: Rezoning Case # C14-2016-0071

In response to Rezoning Case # C14-2016-0071, following a series of meetings with the project development group, the Steering Committee for the Brentwood Neighborhood Association (BNA) would support the proposed rezoning of 5.04 acres of land located at 1301 W. Koenig Lane with the following Conditional Overlays and Restrictive Covenants from the developer:

The following items will be included in a Conditional Overlay (part of zoning):

- 1). Conditional Overlay included in MF-6-CO tract to limit the height to 40 feet and the number of stories to four.
- 2). Conditional Overlay included in MF-6-CO tract to limit the building coverage to 60%.
- 3). Conditional Overlay included in MF-6-CO tract to limit the impervious cover to 70%.
- 4). Primary Residential Garage access will be on Grover Lane.
- 5). No "Urban Core" parking reduction for the Commercial/Retail use section; or sufficient Overflow parking allotted in Residential Garage.
- 6). No waivers on setback and building massing compatibility standards.
- 7). All commercial design guidelines are met concerning Koenig Lane and Woodrow Avenue sidewalks, lighting, landscaping, tree shading, and utilities; no Administrative Waivers will be sought.
- 8). Adequate screening from automobile lights in parking garages, especially in proximity to SF-3 properties on Woodrow Avenue.
- 9). Signage and traffic control measures at Woodrow entrance/egress that states "Right Turn Only 7 AM – 10 AM/4 PM – 7 PM MON - FRI".
- 10). Parkland Dedication fee is not waived, and the funds are preserved for use within 2 miles of location per ordinance.
- 11). Installation of detention pond on property to meet 100-year storm criteria.

The following are items that the Brentwood Neighborhood Association would request to be included in a Restrictive Covenant entered into between the BNA and the developer:

- 1). Commercial/Retail space will not be used as a leasing office for apartments, and the developer will seek out active, vibrant retail options as dictated by market forces.
- 2). Commercial/Retail use frontage should be concentrated on W. Koenig Lane; limited frontage along Woodrow Avenue.

- 3). Three bedroom units will be included in the overall site plan to increase the mix of housing options, as presented at our public forum.
- 4). Bus/transit turnout included along W. Koenig Lane, with support and input from Capital Metro. The Developer will, at a minimum, work to preserve the existing bus stop locations along the perimeter of the property and assure pedestrian safety is incorporated in the design.
- 5). The developer, working with City of Austin transportation staff, will commit to including roadway improvements along W. Koenig Lane, Grover Avenue, and Woodrow Avenue in the site design that seek to reduce the frequency of accidents and address safety concerns.
- 6). City of Austin staff and property development group will commit to yearly traffic impact analysis, especially at the intersections of Koenig and Woodrow and Koenig and Grover.
- 7). The developer will honor commitment to preservation of heritage trees, placement of plantings and trees along the property, and installation of 'rain garden' concept, as presented at public forum.
- 8). Installation of a walking trail/greenspace area along the southern property boundary from Grover to Woodrow. This would be seen as a positive, shared community asset within the large 5.04 acre space that is being rezoned to accommodate more density along major corridors within the Brentwood neighborhood.

John Halaburt

Brentwood Neighborhood Association

President

PUBLIC HEARING INFORMATION

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For additional information on the City of Austin's land development process, visit our website:
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Case Number: C14-2016-0071

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: December 13, 2016, Planning Commission

January 26, 2017, City Council

MARK LYON
 Your Name (please print)

1102 WEST KOENIG LANE

Your address(es) affected by this application

Wendy E. Lyon

Signature

12/3/2016

Date

Daytime Telephone: 512 451 5736

Comments:

The accompanying printed
material states that Tract 1
remains as CS-MU-CO-NP,
while the website correctly
(I think!) indicates that Tract 1
will be MF-b, etc.
Better proofreading would be
good!
Still, I am in favor.

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

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C14-2016-0071

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: December 13, 2016, Planning Commission

January 26, 2017, City Council

JOHN E. HATHAWAY
Your Name (please print)

5808 Woodrow Ave.
Your address(es) affected by this application

[Signature] 12-3-16
Signature Date

Daytime Telephone: 512-453-7353

Comments: _____

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2016-0071
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: December 13, 2016, Planning Commission
January 26, 2017, City Council

Mary Kristine Poland
Your Name (please print)

5709 Woodrow Ave. 78756

Your address(es) affected by this application

Kristine Poland
Signature

Date

12/12/16

Daytime Telephone: 512-914-5505

Comments: Our household is not opposed to this project. However, it is imperative for the wellbeing of my family's neighbors that traffic calming measures be put in place on Woodrow Ave as traffic increases with this development. Also, the driveway onto Woodrow Ave. will cause significant traffic flow issues unless a sign is installed stating "No Left Turn M-F 7-10a & 4-7p". Finally, we ask that the developer strongly consider incorporating green space/walking path that could be shared by neighbors.

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

City of Austin
Planning & Zoning Department
Wendy Rhoades @ austintexas.gov
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2016-0071
Contact: Wendy Rhoades, 512-974-7719
Public Hearings: December 13, 2016, Planning Commission
January 26, 2017, City Council

Richard Poland

Your Name (please print)

5709 Woodrow Ave.

Your address(es) affected by this application

12/13/16

Date

Signature

Daytime Telephone: 512-970-4872

Comments: 1. The driveway onto Woodrow will cause major traffic

unless the city installs a "no left turn M-F 7-10a/4-7p" at that driveway

2. Traffic patterns will change and increase greatly. Residents request traffic calming measures to be put in place along Woodrow Ave.

3. No variances on parking for the commercial businesses within the the development (provide sufficient parking on site or overflow into residential garage.)

4. Greenspace/walking path is incorporated on property as a shared space for neighbors.

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2016-0071

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: December 13, 2016, Planning Commission

January 26, 2017, City Council

TRACY COLE

Your Name (please print)

5003 WOODROW AVE

Your address(es) affected by this application



Signature

Daytime Telephone: (512) 454-9794

Date

12/6/16

Comments: MY MAIN CONCERN IS THE INCREASE IN TRAFFIC THIS WILL BRING TO THE AREA. I CAN RARELY GET OUT OF MY DRIVEWAY AT RUSH HOUR! ALSO, IT IS ZONED NO PARKING/TOWAWAY ZONE BUT THE CITY NEVER ENFORCES THIS RULE. THEY WILL TICKET IF CALLED - BUT NEVER TOW. IM ALSO CONCERNED WITH AN INCREASE IN NOISE AND RUNOFF - IM ZONED FLOOD - BUT I FIND IT SURPRISING THAT THIS LAND IS SOMEHOW COMPLETELY OUT OF THE FLOOD ZONE! I WORRY ABOUT MY PROPERTY VALUES.

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

☐ I am in favor
☒ I object

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Case Number: C14-2016-0071

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: December 13, 2016, Planning Commission
January 26, 2017, City Council

DAVID C. GREEN
Your Name (please print)
5701 WOODROW AVE APT
DAVID C. GREEN 203

☐ I am in favor
☒ I object

Your address(es) affected by this application

David C. Green 12-8-16
Signature Date

Daytime Telephone: 512-767-4521

Comments: THE CRIME ELEMENT
AN INCREASE IN RESIDENTS IN
LARGE NUMBERS WOULD LEAD
TO AN INCREASE IN CRIME: DRUG
DEALERS, RAPES, MURDER, ALL
KINDS OF CRIME.

PLANNING COMMISSION-DEC 13, 2016
CASE NUMBER C14-2016-0071
WENDY RHODES
DEC 13, 2016 CITY COUNCIL JAN 26, 2017

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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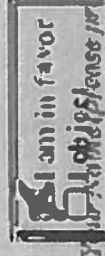
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Case Number: C14-2016-0071
 Contact: Wendy Rhoades, 512-974-7719
 Public Hearings: December 13, 2016, Planning Commission
 January 26, 2017, City Council

Erin Becker

5706 Woodrow Ave, Austin 78756



Your address(es) affected by this application

Erin Becker

12/13/16

Signature

Date

Daytime Telephone: 512-367-0733

Comments:

My main concern is increased traffic, both pedestrian and cars. During high traffic hours, I would like to see a right turn only policy on cars exiting onto Woodrow. I would love to see the addition of some greenspace within the new development. I would also love to see a sidewalk added to the west side of Woodrow, which I think would increase pedestrian safety.

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City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C14-2016-0071

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: December 13, 2016, Planning Commission
January 26, 2017, City Council**

Jon Pearson
Your Name (please print)

5804 Woodrow

Your address(es) affected by this application

Jon Pearson

Signature

Dec. 13, 2016

Date

Daytime Telephone: *512-495-4297*

Comments: *Tract 1 development is fine as long as adequate off street parking is required of developer by the city.*

Tract 2 should become neighborhood parkland decided to city by developer of Tract 1.

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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

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

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before 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: C14-2016-0071

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: December 13, 2016, Planning Commission
January 26, 2017, City Council

Jon Pearson
Your Name (please print)

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

5804 Woodrow

Your address(es) affected by this application

[Signature]
Signature

Dec. 15, 2016
Date

Daytime Telephone: 512-495-4297

Comments: Tract 1 development is fine as long as adequate off street parking is required of developer by the city.

Tract 2 should become neighborhood parkland decided to city by developers of tract 1.

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

City of Austin
Planning & Zoning Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C14-2016-0071

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: December 13, 2016, Planning Commission
January 26, 2017, City Council**

Linda Norelli

Your Name (please print)

1501 Ulrich Ave

Your address(es) affected by this application

[Signature]

Signature

12/28/16

Date

Daytime Telephone: 512/452-8504

Comments: Tract V was a car dealership with

limited traffic. Even though the

zoning code is the same, there is no

assurance that traffic will not be

affected.

AND the fact that Tract I zoning

will be changed to include high density

multi-family residences nearly guarantees

more traffic. I do NOT believe that

this tract is "in area adjoining downtown."

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City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C14-2016-0071

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: December 13, 2016, Planning Commission
 January 26, 2017, City Council

R. Neuman Langlois
 Your Name (please print)

☐ I am in favor
☒ I object

1308 Palo Duro Rd.
 Your address(es) affected by this application

R. Neuman Langlois
 Signature

Date

Daytime Telephone: _____

Comments: Koenig lane is already over crowded and dangerous as any examinations of accident reports from either Grover & Koenig or in particular the noise from Koenig is already profound & ceases throughout the day and night with the thunder of dumpsters in the middle of the night. There is insufficient parking available, so non-residential parking would spread into the neighborhood. Height and tense of population restrictions must be installed & attached to any mixed use facility
 If you use this form to comment, it may be returned to:

City of Austin
 Planning & Zoning Department
 Wendy Rhoades
 P. O. Box 1088
 Austin, TX 78767-8810

Rhoades, Wendy

From: David Hartman <dhartman@smith-robertson.com>
Sent: Tuesday, January 24, 2017 3:20 PM
To: Rhoades, Wendy
Subject: Postponement Request: Case C14-2016-0071; 1301 Koenig Lane (July 26 2017 Council Agenda Item #77), applicant requests postponement of first reading to Feb. 9, 2017 Council agenda

Good afternoon:

I hope you are doing well.

I represent the applicant for rezoning case # C14-2016-0071 (1301 Koenig Lane), currently scheduled for consideration by the City Council on first reading at their meeting this Thursday January 26, 2017. I respectfully request that first reading of this rezoning case be postponed from Jan. 26 to the Feb. 9, 2017, Council agenda. This is the applicants first request.

Thanks for your consideration, and let me know if any questions.

Regards, David

David Hartman, Partner
SMITH|ROBERTSON|ELLIOTT
221 West Sixth Street, Suite 1100
Austin, Texas 78701
Direct Line: (512) 225-1704
Direct Fax: (512) 225-1714
Cell: (512) 297-5640
Email: dhartman@smith-robertson.com
www.smith-robertson.com



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