

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2016-0115  
2222 Town Lake Circle

**PC DATE:** February 28, 2017  
March 28, 2017

**ADDRESS:** 2222 & 2400 Town Lake Circle and 2217 & 22225 Elmont Drive

**AREA:** 6.74 acres

**NEIGHBORHOOD PLAN AREA:** (East Riverside Corridor) East Riverside Neighborhood

**OWNER:** Town Lake Holdings (David Cox)

**AGENT:** Graves, Dougherty, Moody, Hearn (Michael Whellan)

**REQUEST (ERC PLAN AMENDMENT):**

**Amendment No. 1:** Subdistrict Designation

**FROM:** ERC (Subdistrict: Neighborhood Mixed Use)

**TO:** ERC (Subdistrict: Corridor Mixed Use)

**Amendment No. 2:** Inclusion within the Hub

**FROM:** Outside the Hub boundary

**TO:** Inside the Hub boundary

**Amendment No. 3:** Maximum Height Allowed With a Development Bonus

**FROM:** Ineligible

**TO:** Eligible and with a Maximum Height of 120 Feet

**IMPORTANT PROCEDURAL NOTE:**

This is not a standard zoning case; rather, it is a set of amendments to the East Riverside Corridor (ERC) Regulating Plan. However, for purposes of public notice, staff review, and consideration by the Planning Commission and City Council, it has been, and will continue to be, processed as a rezoning case. When the ERC plan was adopted, the adopting ordinance provided that amendments to Figure 1-2 (subdistrict designation), which in turn would be reflected on Figures 1-7 (Height) and 1-8 (Bonus Height) are (procedurally) subject to Zoning Procedures. In addition, in 2015, ordinance 20151015-086 was approved which requires a public meeting be held to inform neighbors and neighborhood associations of the requested amendment. The public meeting for this request was held January 11, 2017.

**SUMMARY STAFF RECOMMENDATION:**

Staff recommendation is to approve the requested changes below:

- 1) The subdistrict designation for the subject tract be amended from Neighborhood Mixed Use to Corridor Mixed Use (an amendment to Exhibit 1-2 of the ERC Regulating Plan);
- 2) The subject tract be included within the Hub designated at Pleasant Valley and Riverside and at Lakeshore and Riverside (an amendment to Exhibit 1-6 of the ERC Regulating Plan); and
- 3) The subject tract be designated eligible for additional height (a development bonus), and that a (an amendment to Figure 1-8 of the ERC Regulating Plan). A maximum height of 120 feet be specified.

**PLANNING COMMISSION ACTION:**

JANUARY 24, 2017 – POSTPONED AT THE REQUEST OF STAFF TO FEBRUARY 28, 2017, VOTE 10-0 [T. WHITE 1<sup>ST</sup>, P. SEEGER 2<sup>ND</sup>, F. KAZI, S. OLIVER, J. VELA ABSENT].

FEBRUARY 28, 2017 – POSTPONED AT THE REQUEST OF STAFF TO MARCH 28, 2017, VOTE 10-0 [P. SEEGER 1<sup>ST</sup>, A. HART 2<sup>ND</sup>, J. THOMPSON, J. VELA, T. WHITE ABSENT].

**DEPARTMENT COMMENTS:**

The subject tract is approximately 6.74 acres located north of East Riverside Drive, south of Lady Bird Lake, along Elmont Drive surrounded by Town Lake Circle (see Exhibit A & B). The tract is comprised of a single parcel, which is currently vacant and previously contained a multi-family development, and was designated as Neighborhood Mixed Use (NMU) in the East Riverside Corridor (ERC) Regulating Plan.

To the north is Planned Use Development (Lakeshore PUD) zoning with a mix of uses. Multi-family has already been constructed and is occupied. A large office complex is currently under construction intended to be occupied by the Oracle Corporation. To the south, east and west is neighborhood mixed use (NMU) zoning with existing multifamily development. These properties have a height limit of 50 feet. Some are eligible for a height and density bonus.

The current request, to designate the property with the ERC subdistrict of Corridor Mixed Use (CMU), to include it within a designated Hub, and to allow for the opportunity for additional height by participating in the density bonus/community benefits program, is driven by the stated request to develop the parcel as a mixed use project, with more density than currently allowed under the NMU subdistrict. The density bonus allows the removal of the floor to area ratio similar to vertical mixed use (VMU).

The East Riverside Corridor density bonus program is intended to:

- Encourage construction of projects with height or density greater than is allowed in the ERC Subdistrict in exchange for the provision of community benefits;
- Encourage the provision of affordable housing and mixed income communities;
- Encourage additional density while allowing new development to support public benefits that are important to achieve as the East Riverside Corridor area transforms into a pedestrian-friendly urban neighborhood. These public benefits include affordable housing, open space, improved bicycling facilities, commercial or office uses, and improved flood and water quality controls.

**Required Public Benefit Percentages**

To be eligible for the development bonus described in Subsection 6.3.3, the applicant must provide public benefits as described below:

- A minimum of 50% of the Bonus Area shall be earned through the provision of on-site affordable housing or payment of an in-lieu fee for affordable housing, as described in Subsection 6.4.1; and
- A minimum of 25% of the Bonus Area shall be earned through the provision of publicly accessible open space, as described in Subsection 6.4.2; and
- The remainder of the Bonus Area shall be earned through the provision of any combination of public benefit options for which the project is eligible, as described in Section 6.4.
- A project providing a public benefit meeting multiple public benefit criteria will be granted cumulative Bonus Area for all benefits for which the criteria is met.

The applicant is proposing to provide affordable housing units in return for the density bonus and height bonus. The affordable housing provision of the East Riverside Corridor stipulates that 4 bonus square feet will be granted for each 1 square foot of on-site affordable housing provided.

Though preliminary and still in conceptual stages, the applicant has indicated the project would be approximately 600 multifamily units along with any additional commercial and/or live-work or pedestrian-oriented uses required by the ERC Regulating Plan. Structured parking would be interior of the residential and any other components.

The applicant is proposing 600 multifamily units with a unit mix of:  
420 one bedroom  
180 two bedrooms

An Education Impact Study (EIS) was conducted for this site. All schools have adequate capacity to handle the projected students (see attached EIS).

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>SUB-DISTRICT</b>	<b>LAND USES</b>
<i>Site</i>	ERC	NMU	Vacant, formerly multifamily
<i>West</i>	ERC	NMU	Multifamily Residential
<i>East/Northeast</i>	ERC	NMU	Multifamily Residential
<i>South</i>	ERC	NMU	Multifamily Residential
<i>North</i>	PUD-NP	N/A	Lake Shore District PUD (Residential-Commercial Mixed Use)

ERC Subdistricts: CMU: Corridor Mixed Use; NMU: Neighborhood Mixed Use UR: Urban Residential NR: Neighborhood Residential;

**TIA:** Required, see attached memo.

**WATERSHED:** Lady Bird Lake

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**NEIGHBORHOOD ASSOCIATIONS & COMMUNITY ORGANIZATIONS:**

Crossing Garden Home Owners Association  
Austin Neighborhoods Council  
Montopolis Area Neighborhood Alliance  
Austin Independent School District  
East Riverside/Oltorf Neighborhood Plan Contact Team  
Waterfront Condominium HOA  
Friends of Austin Neighborhoods  
Homeless Neighborhood Organization  
Sierra Club, Austin Regional Group  
Pleasant Valley  
Del Valle Community Coalition

Austin Heritage Tree Foundation  
 SEL Texas  
 Preservation Austin  
 East Austin Conservancy

### **SCHOOLS:**

Austin Independent School District:

Metz Elementary School      Martin Middle School      Eastside Memorial HS at Johnston

### **RELATED ZONING HISTORY:**

#### **ERC**

This property and those around it were rezoned to ERC as part of the ERC Regulating Plan adoption on May 9, 2013 (C14-2012-0112), with the exception of the PUD to the north. Lakeshore PUD (C814-06-0109) was adopted by Council in May 2007.

Prior to ERC Regulating Plan adoption, the subject parcel was zoned MF-4. Property to the south and north were commercially zoned GR and CS-1. Tracts to the west were MF-4 based, while the east was a mix of multifamily (MF-3, MF-4) and commercial (GR, CS) zoning. As noted, these properties were developed at the time of the ERC Master Plan and Regulating Plan adoption, and so were developed under the then-existing zoning district and site development standards.

Though the zoning district is now identical on all parcels within the ERC Regulating Plan (with the exception of PUDs), it is the subdistrict designation in this Plan that specifies primary and allowed uses and site development standards. The subject tract currently maintains Neighborhood Mixed Use (NMU) subdistrict designation. Property to the west, south and east has been designated Neighborhood Mixed Use, similar to the subject tract. .

The exception is the Lakeshore (PUD) to the north/northwest on the opposite side of Elmont Drive. Although the PUD is included in the ERC, it was not assigned an ERC subdistrict, and therefore is not subject to the site development standards or uses for other ERC properties. Instead, development of the PUD is subject to the regulations and requirements of that PUD.

There has been one other zoning case modifying the ERC subdistricts. The details for that case are below:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2014-0099 1500 S. Pleasant Valley	NMU-CMU Inclusion in HUB, Height Map (60ft), Development Bonus Height Map (65 ft).	Forwarded to Council without a recommendation.	Approved CMU, Inclusion in HUB, Height Map (60ft), Development Bonus Height Map (65 ft). (11-6-2014)



**ABUTTING STREETS & TRANSIT:**

Street Name	ROW Width	Pavement Width	Classification	Bicycle Plan	Bus Service within	Sidewalks
Elmont Drive	80'	45'	Collector (Per the ERC, this road is classified as a Pedestrian Priority Collector)	Yes	Yes UT Shuttle and E-Bus	Yes
Town Lake Circle	60 ft.	40 ft.	Local (Per the ERC, this road is classified as an Urban Collector)	No	No	Yes

**CITY COUNCIL DATE:** Scheduled for consideration April 20, 2017

**ORDINANCE READINGS:****ORDINANCE NUMBER:****CASE MANAGERS:**

Andrew Moore - 512-974-7604 e-mail: Andrew.moore@austintexas.gov

**SUMMARY STAFF RECOMMENDATION**

The property currently is designated East Riverside Corridor (ERC) district zoning. This district was established for properties included within the East Riverside Corridor Master Plan and East Riverside Corridor Regulating Plan. The purpose of the ERC district is to provide appropriate standards to ensure a high quality appearance for development and redevelopment and promote pedestrian-friendly design, to improve access to transit services and create an environment that promotes walking and cycling, among other goals identified in the Master Plan. This application, if approved, would not change the ERC zoning district designation.

There are five subdistricts within the ERC zoning district; each has distinct site development and use standards to ensure that the development is in line with the East Riverside Corridor Master Plan vision. Additional standards apply depending on the roadway type(s) adjacent to the tract, and tracts within an ERC Hub may also have specific standards.

The applicant is proposing to change the subdistrict designation from Neighborhood Residential to Corridor Mixed Use, be added to the Hub designated for Pleasant Valley and Riverside and Lakeshore, and be allowed the opportunity to participate in a development bonus/community benefit program for additional height. Staff from zoning, urban design, and other disciplines have reviewed and processed what is technically a plan amendment, as a rezoning case. This is the first such amendment for the ERC Regulating Plan.

**BASIS FOR RECOMMENDATION****Amendment # 1 / Amendment to the Subdistrict Designation (ERC Plan Figure 1-2)**

The subject tract is currently designated Neighborhood Mixed Use (see Exhibit C – 1). Per the ERC Regulating Plan, Neighborhood Mixed Use (NMU) is a subdistrict between the

higher density, more active urban subdistricts and predominately residential subdistricts. The subdistrict provides for mid-rise residential with neighborhood-oriented retail and smaller employers. It is intended to have opportunities for attached residential and small-scale commercial uses. The NMU subdistrict allows for attached residential such as townhouse, condominium residential, multifamily residential, smaller scale retail for a variety of commercial uses, office, multi-family buildings.

Corridor Mixed Use (CMU) is the highest density district designation within the East Riverside Corridor and, per the Plan, would typically be expressed as residential or office uses over commercial ground floor uses, such as retail or office. The ground floors of these buildings are envisioned to be primarily retail or office while upper floors may be office and/or residential. Mixed use development is key within this subdistrict because it will help to create a walkable environment with a variety of land uses located in a compact area. The following table highlights differences in uses and site development standards of the CMU and NMU subdistricts.

**Permitted Land Uses in ERC Subdistricts**

	<b>CMU</b>	<b>NMU</b>
Residential, attached	Permitted	Permitted
Residential, detached	Not Permitted	Not Permitted
Smaller-scale Retail (less than 50,000 sq ft)	Permitted	Permitted
General Retail	Permitted	Not Permitted
Office	Permitted	Permitted
Warehousing & Light Manufacturing	Not Permitted	Not Permitted
Education/Religion	Permitted	Permitted
Hospitality (hotels/motels)	Permitted	Permitted
Civic Uses (public)	Permitted	Permitted

A key difference between CMU and NMU can be found in the specific site development standards, a comparison of which can be found below:

**Development Standards in ERC Subdistricts**

	<b>CMU</b>	<b>NMU</b>
Maximum Building Height *	60 feet	50 feet
Maximum FAR*	2 to 1	1 to 1
Desired Minimum FAR	60%	60%
Impervious Cover	90%	80%

\* Maximum FAR waived and maximum height increased with development bonus.

As can be determined, CMU generally allows for higher buildings, a denser floor-area-ratio (FAR), and higher impervious cover allowances.

Nevertheless, staff recommends the subdistrict designation of Corridor Mixed Use (CMU) for a couple of reasons. First, the current NMU does not permit general retail, thus precluding that option from a mixed-use development, which staff believes will be useful on Ellmont with the completion of the Lakeshore PUD office development and multifamily fronting Ellmont. Although the specific types of commercial envisioned in the project are unknown, staff does not see the need to preclude this variety of retail. Second, Corridor Mixed Use (CMU) allows for an additional height and FAR. The Lakeshore PUD creates what staff

considers as an additional HUB. The stepping down towards single family development as envisioned for the NMU district is not relevant as this property is between two HUBs.

**Amendment # 2 / Amendment to the Hub boundary (ERC Plan Figure 1-6) and  
Amendment # 3 / Amendment to the Maximum Height Available under Development  
Bonus (ERC Plan Figure 1-8)**

The request to be included in a designated Hub is both its own request, but also is a necessary request in order to consider the third request. Per the Regulating Plan, only properties within the Hub boundaries are eligible for development bonuses in exchange for the provision of specified community benefits.

The ERC Regulating Plan designates four Hubs along E. Riverside and other major streets, corresponding to future transit hubs. These are areas in which the most intensive development within the corridor is encouraged (see Figure 1-6). Following the vision set out in the Master Plan, a key purpose of the Regulating Plan is to: promote transit-supportive development and redevelopment within the ERC Hubs in order to successfully integrate land use and transit by providing greater density than the City of Austin average, a mix of uses, and a quality pedestrian environment around defined centers. It follows that Hubs are seen as dense and vibrant or areas where the most intensive development is encouraged, with urban form and uses that require less reliance on the automobile and are more accommodating of pedestrian, transit, and bicycle transportation.

But more than just an area of concentrated, transit-oriented development and density, these areas were seen as unique, identifiable places that would become distinct designations with housing, shops, and offices. The Master Plan describes hubs as bringing together people, jobs, and services designed in a way that makes it efficient, safe, and convenient to travel on foot or by bicycle, transit, or car. The Plan goes on to discuss the benefits of dense, transit-supportive development.

The boundary of a designated Hub was not specified as some uniform buffer depth or outer edge of equal distance in the Regulating Plan. In fact, a casual review of the Hub map shows a relatively smallish Hub at Riverside and Hwy 71 (the “East Riverside Gateway”) when compared with the Hub at Riverside and Montopolis (the “Montopolis Gateway”). Meanwhile the Hub at Pleasant Valley (the “Pleasant Valley Transit Plaza”) is nearly indistinguishable from the one at Lakeshore (the “Lakeshore Center”). In contrast, the Master Plan depicted these Hubs as more or less uniform (see Exhibit C-3); per that plan, the Hub represented an approximate 5-minute walk from a primary transit stop. Elsewhere, the Master Plan’s text refers to a distance of 1/3rd mile.

The fact these Hub boundaries are not of uniform shape and size in the Regulating Plan reflects the fact the boundaries were based on a public process involving neighborhood stakeholders. According to current and former Urban Design staff (who were the primary points of contact and authors of the ERC plans), these Hubs were identified and the boundaries determined, based upon public feedback, as well as requests and responses from individual property owners. Boundaries largely aligned with parcel boundaries.

Of note, development of a CMU property within a Hub is not subject to the compatibility requirements with which other subdistricts must comply. However, that is a moot point in this case because the subject tract is not adjacent to any triggering properties (i.e., duplex, single-family attached, single-family, small lot single-family, or two-family residential).

Another distinction of development within a Hub is that it may be eligible for additional development bonuses if the project provides community benefits. This leads to the third proposed amendment.

Currently the property is outside the Hub. Only if it is within the Hub can it become eligible for development bonuses. The Regulating Plan provides for additional height or FAR in exchange for community benefits, such as affordable housing, mixed income communities, open space, improved bicycling facilities or improved flood and water quality controls (see Figure 1-8).

Pursuing a development bonus is optional, pursued at the time of site planning. The development bonus requirements must be met in full to receive the bonus. The bonus is increased FAR or height, but not both. The Regulating Plan identifies a Bonus Area which is the greater of either a gross floor area that exceeds the base FAR by right limitation or that exceeds the maximum height by right limitation.

Just as the FAR for subdistricts has been specified by the Regulating Plan, so has the potential, or bonus, height. Under current designation, NMU has a maximum height of 50 feet; if CMU is designated (Amendment #1), this increases to 60 feet, by right. If the property is added to the Hub (Amendment #2) there is no additional entitlement to height – unless the property is determined eligible for bonus development and a bonus height is specified (Amendment #3).

The Regulating Plan provides four options for bonus height: ineligible, 65 feet, 120 feet, and 160 feet. The applicant has requested 120 feet and staff supports this request.

In contrast to the public feedback process(es) that led to the delineation of Hub boundaries, there was no such process for determining which properties were eligible for development bonus height and what that height should be. Indeed, not every CMU subdistrict is within a Hub and eligible for development bonuses. Further, there are both NMU and Neighborhood Residential (NR) subdistricts within a Hub and some of these have been designated eligible for the bonus. At the same time, not every CMU-designated property within a Hub, that is deemed eligible, is assigned the same bonus height; some are entitled to 120 and others 160. Hence, there is no direct correlation between a property's subdistrict designation and its maximum bonus height; rather, eligibility for bonus height, and a specified maximum height, is based on location.

### Summary

**Given the location of this property adjacent to the Lakeshore PUD and proximity to the two HUBS, staff thinks the designation of the property as a Corridor Mixed Use subdistrict is appropriate. Additionally, staff thinks the property should be included with the Pleasant Valley Transit Plaza Hub and Lakeshore boundary because of its proximity to the future transit stop, and because Elmont Drive has existing bus and bicycle options. Lastly, staff supports designating the property as eligible for development bonus height in exchange for the provision of community benefits. Given the options of 65, 120 and 160 feet as a maximum height, staff supports specification of 120 feet, as requested by the applicant, as the maximum bonus height at this time.**

To implement these recommendations requires an amendment to the ERC Regulating Plan that would amend Figures 1-2, 1-6, and 1-8 of the Plan.

Figure 1-7, East Riverside Corridor Height Map – without a development bonus (see Exhibit C-7) would also be updated to reflect the CMU designation, if so granted. This Plan Figure is illustrative of the subdistrict site development standards, and is not regulatory as are other Plan exhibits; the subdistrict designations on Figure 1-2 are reflected, and controlling over the heights depicted in Figure 1-7, but not the other way around.

In fact, such an update was anticipated when the Regulating Plan was adopted. As specified in the adopting ordinance: *Approved amendments to Figure 1-2 will also be reflected as necessary in Figure 1-7 (East Riverside Corridor Height Map) and Figure 1-8 (East Riverside Corridor Development Bonus Height Map) of the regulating plan.*

### Additional Information

The East Riverside Corridor Regulating Plan, adopted by Council in May 2013, can be found here: [ftp://ftp.ci.austin.tx.us/npzd/Austingo/erc\\_reg\\_plan\\_adopted.pdf](ftp://ftp.ci.austin.tx.us/npzd/Austingo/erc_reg_plan_adopted.pdf)

More information on the East Riverside Corridor Master Plan can be found here: <http://www.austintexas.gov/page/east-riverside-corridor-master-plan>

### ADDITIONAL DEPARTMENTAL REVIEW COMMENTS

DSD Transportation Review - Natalia Rodriguez - 512-974-3099

- TR1. A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments will be provided in a separate memo.
- TR2. This site shall comply with all design criteria within the East Riverside Corridor Regulating Plan (ERC).
- TR3. Additional right-of-way maybe required at the time of subdivision and/or site plan.
- TR4. Chad Crager, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.
- TR5. FYI – the site is over five (5) acres; therefore a street is required to break up the block ERC 3.5.4. The required street shall comply with ERC 3.5.3 and at a minimum, the cross section shall comply with Local Collector Street within ERC Appendix A. This street will be required during the Subdivision and Site Plan Applications.
- TR6. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)

Elmont Drive	80 ft.	45 ft.	Collector (Per the ERC, this road is classified as a Pedestrian Priority Collector)	Yes	No	Yes
Town Lake Circle	60 ft.	40 ft.	Local (Per the ERC, this road is classified as an Urban Collector)	No	No	Yes

NPZ Environmental Review - Mike McDougal 512-974-6380

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Lady Bird Lake Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

NPZ Site Plan Review - Katie Wettick 512-974-3529

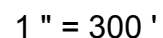
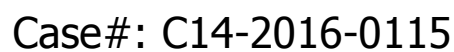
- SP1. Site plans will be required for any new development other than single-family or duplex residential.

- SP2. Any new development is subject to the requirements of the East Riverside Corridor Regulating Plan. Additional comments will be made when the site plan is submitted.

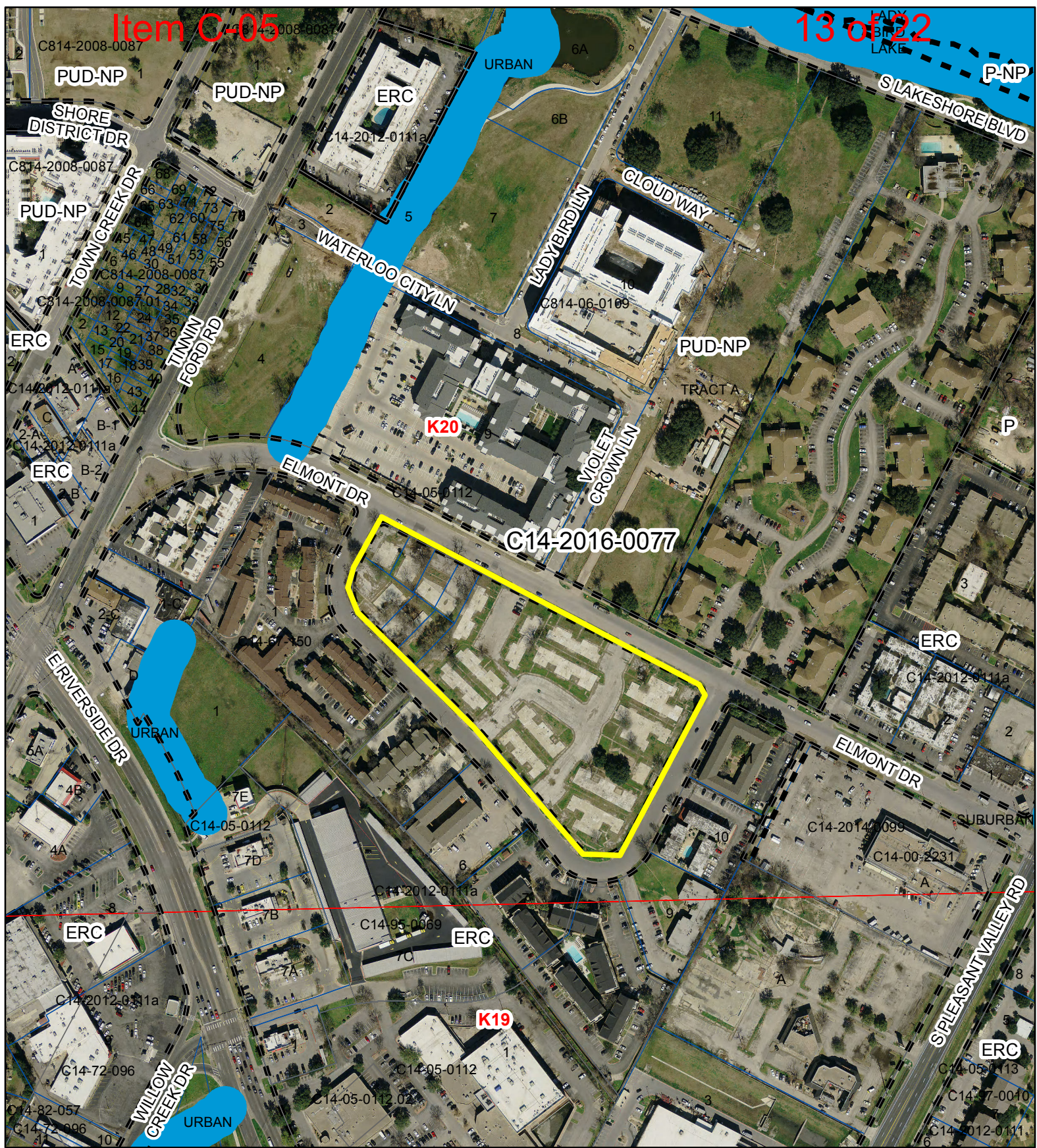
NPZ Austin Water Utility Review - Neil Kepple 512-972-0077

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 Austin Water 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 fees once the landowner makes an application for Austin Water utility tap permits.














**ZONING**

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

ZONING CASE#: C14-2016-0115  
LOCATION: 2222 Town Lake Circle  
SUBJECT AREA: 6.74 ACRES  
GRID: K20  
MANAGER: ANDREW MOORE



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



# Item C-05 EDUCATIONAL IMPACT STATEMENT

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Prepared for the City of Austin

Austin  
Independent  
School District



PROJECT NAME: 2222 Town Lake Multifamily

ADDRESS/LOCATION: 2222 and 2400 Town Lake Circle & 2225 Elmont Drive

CASE #: C14-2016-0115

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

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

# MF UNITS: 600 STUDENTS PER UNIT ASSUMPTION  
Elementary School: 0.126 Middle School: 0.044 High School: 0.049

## IMPACT ON SCHOOLS

The student yield factor for the east region (across all grade levels) is 0.219 for apartment homes. The 600 multi-family unit development is projected to add approximately 131 students across all grade levels to the projected student population. It is estimated that of the 131 students, 76 will be assigned to Metz Elementary School, 26 to Martin Middle School, and 29 to Eastside Memorial High School. However, it should be noted, because approximately 420 of the units (70%) are proposed to be one-bedroom, it is highly unlikely that this development will generate the projected number of students (using the standard calculation).

The projected additional students at Metz ES, Martin MS and Eastside Memorial HS would not offset the anticipated decline in enrollment. The percent of permanent capacity by enrollment for SY 2021-22, including the additional students projected with this development, would be below the target range of 75-115% for all schools, Metz (60%), Martin (44%) and Eastside (47%) assuming the mobility rates remain the same. All of the schools will be able to accommodate the projected additional student population from the proposed development.

## TRANSPORTATION IMPACT

Students within the proposed development attending Metz ES, Martin MS and Eastside Memorial HS will qualify for transportation due to the distance from the proposed development to the schools. One additional bus for the elementary students would be added to accommodate the number of projected students.

## SAFETY IMPACT

There are no known safety impacts at this time.

Date Prepared: 2/14/17

Director's Signature: \_\_\_\_\_

Paul Turner

# Item C-05

## EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin  
Independent  
School District

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### DATA ANALYSIS WORKSHEET

<b>ELEMENTARY SCHOOL:</b> Metz	<b>RATING:</b> Met Standard
<b>ADDRESS:</b> 84 Robert T. Martinez Jr. St.	<b>PERMANENT CAPACITY:</b> 524
<b>% QUALIFIED FOR FREE/REDUCED LUNCH:</b> 91.95%	<b>MOBILITY RATE:</b> +38.5%

POPULATION (without mobility rate)			
ELEMENTARY SCHOOL STUDENTS	2016-17 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	226	200	226
% of Permanent Capacity	43%	38%	43%

ENROLLMENT (with mobility rate)			
ELEMENTARY SCHOOL STUDENTS	2016-17 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	313	277	313
% of Permanent Capacity	60%	53%	60%

<b>MIDDLE SCHOOL:</b> Martin	<b>RATING:</b> Improvement Required
<b>ADDRESS:</b> 1601 Haskell St.	<b>PERMANENT CAPACITY:</b> 804
<b>% QUALIFIED FOR FREE/REDUCED LUNCH:</b> 95.25%	<b>MOBILITY RATE:</b> -56.3%

POPULATION (without mobility rate)			
MIDDLE SCHOOL STUDENTS	2016-17 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,008	780	806
% of Permanent Capacity	125%	97%	100%

ENROLLMENT (with mobility rate)			
MIDDLE SCHOOL STUDENTS	2016-17 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	440	340	352
% of Permanent Capacity	55%	42%	44%

# Item C-05

## EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin  
Independent  
School District

16 of 22



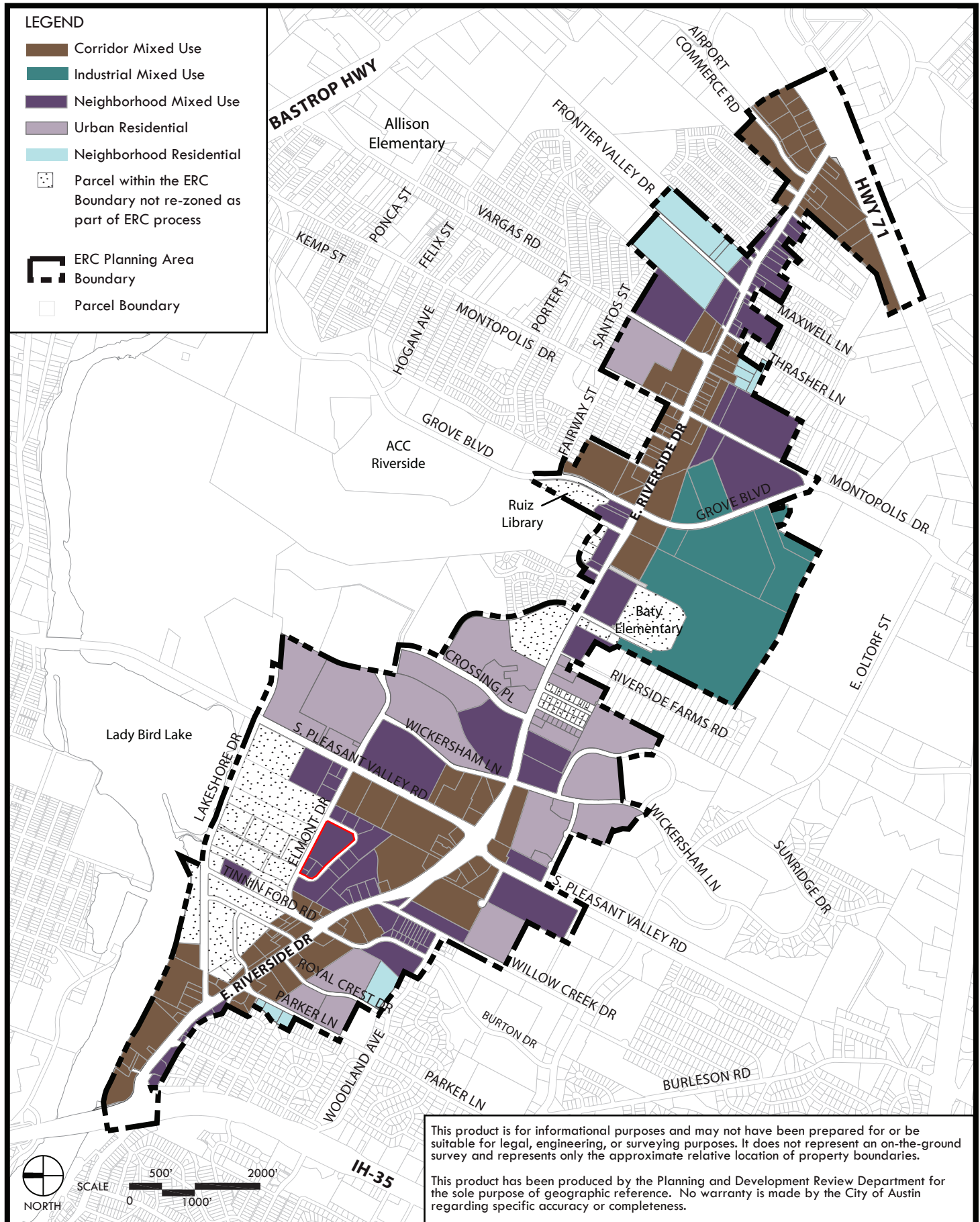
<b>HIGH SCHOOL:</b> Eastside Memorial	<b>RATING:</b> Met Standard
<b>ADDRESS:</b> 1012 Arthur Stiles Road	<b>PERMANENT CAPACITY:</b> 1,156
<b>% QUALIFIED FOR FREE/REDUCED LUNCH:</b> 87.71%	<b>MOBILITY RATE:</b> -40.8%

POPULATION (without mobility rate)			
HIGH SCHOOL STUDENTS	2016-17 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	964	884	913
% of Permanent Capacity	83%	76%	79%

ENROLLMENT (with mobility rate)			
HIGH SCHOOL STUDENTS	2016-17 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	571	524	541
% of Permanent Capacity	49%	45%	47%

\*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.

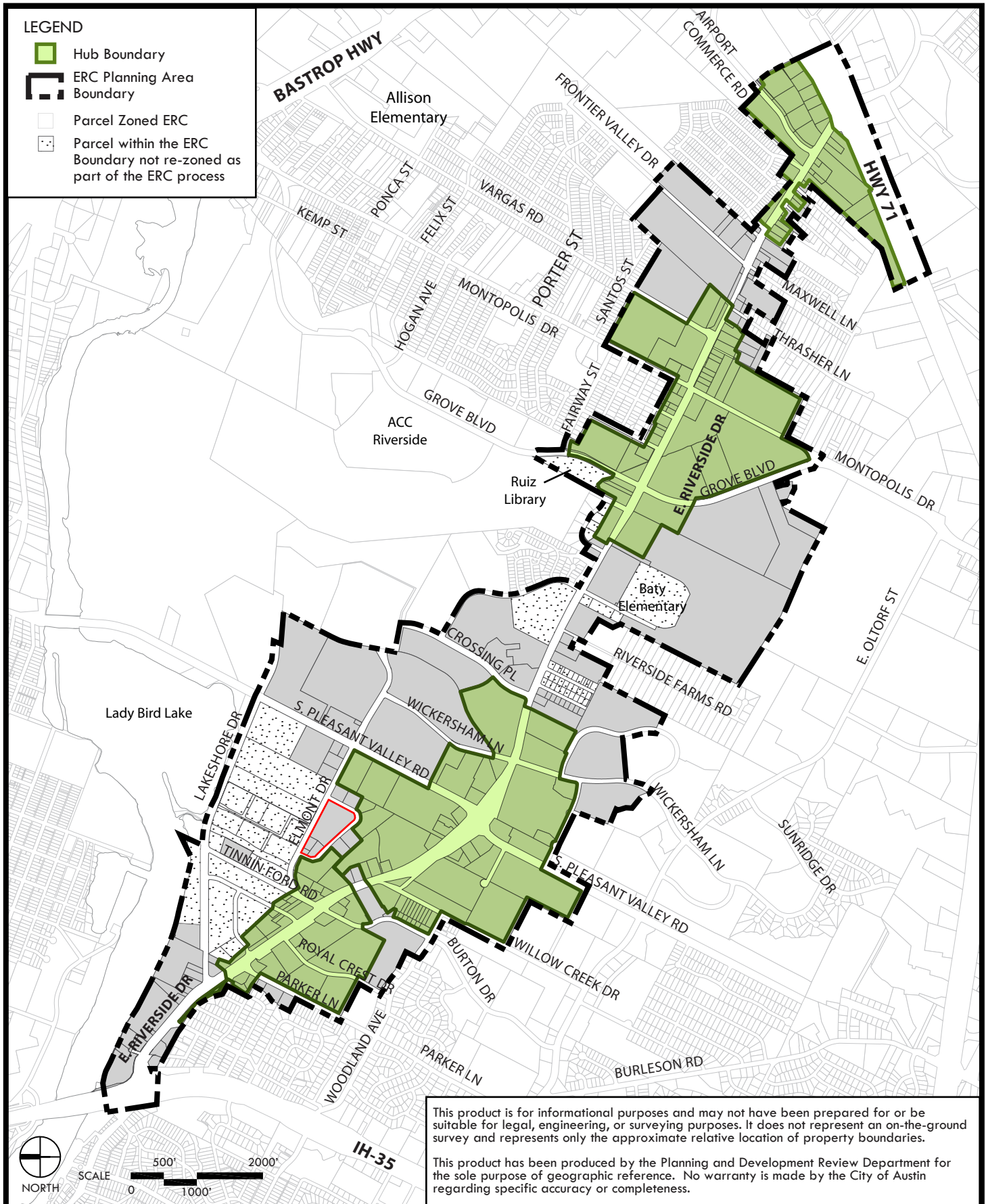
Identifies the subdistrict for each property within the ERC boundary.





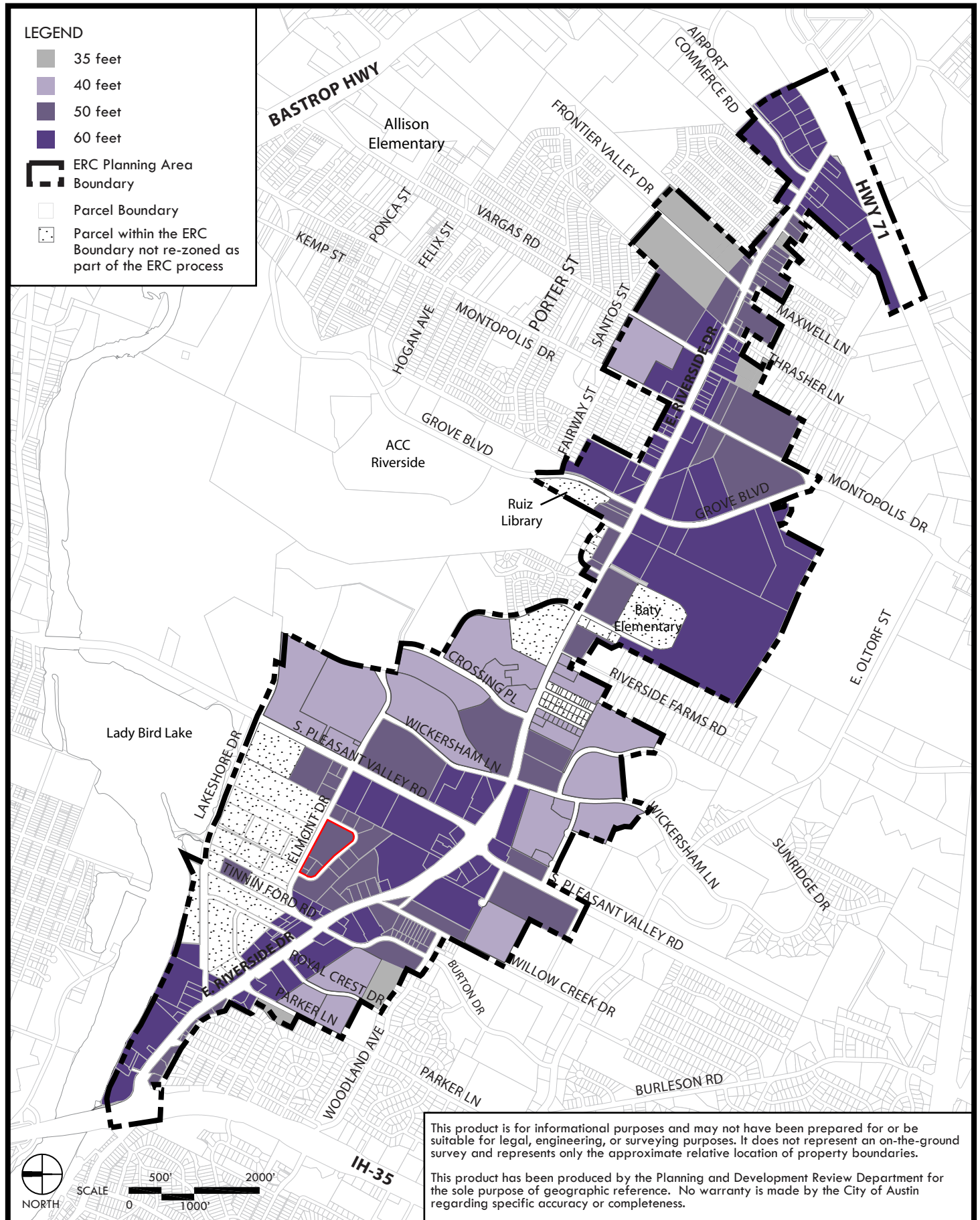
**FIGURE 1-6: East Riverside Corridor Hub Map**

This map shows the Hubs within the ERC boundary. Properties located within a Hub are eligible for additional entitlements as outlined in Article 6.

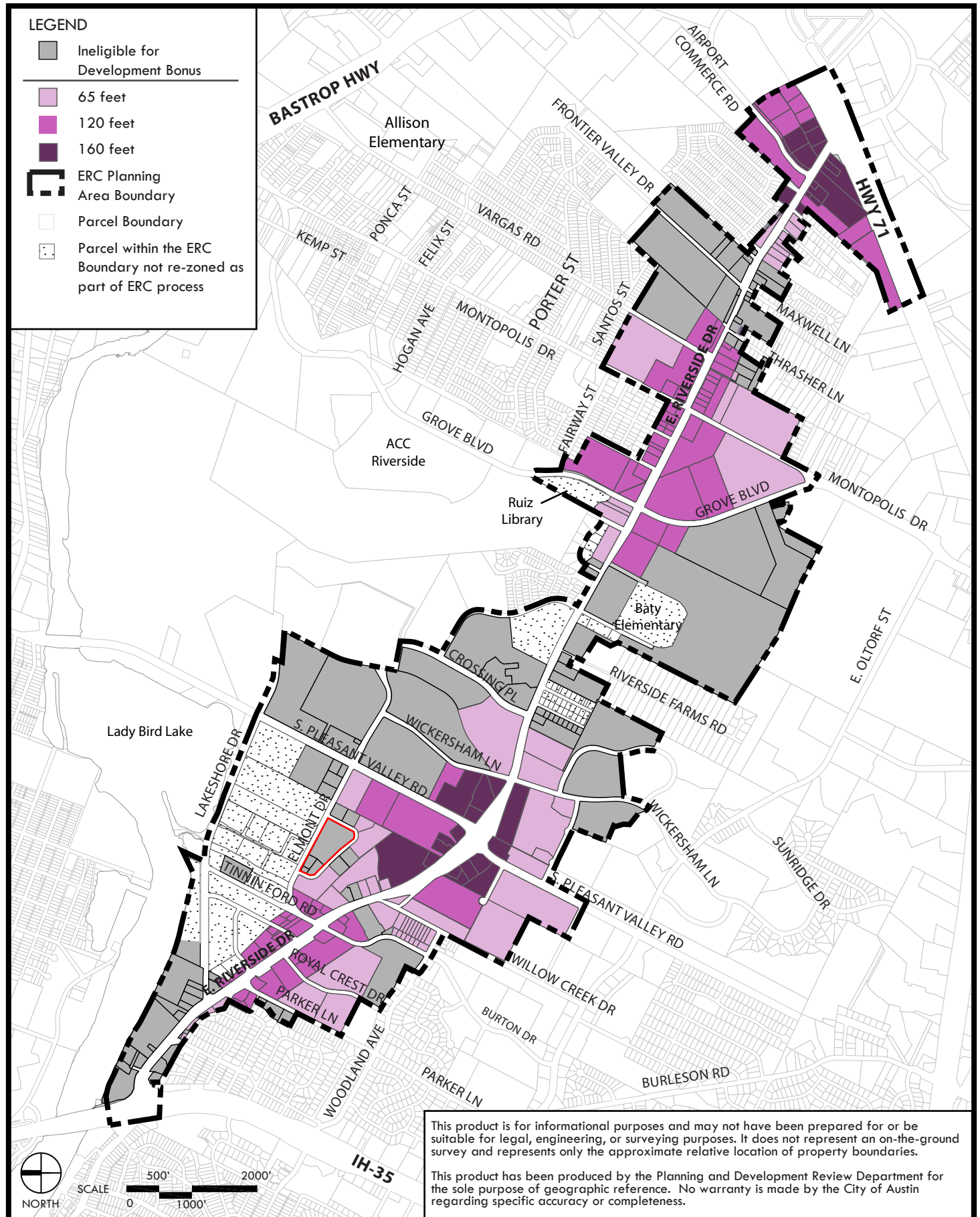




This map shows allowable building heights on a parcel without a development bonus.



This map shows eligible properties and maximum heights allowed with a development bonus.





C14-2016-0115 Town Lake/Elmont Zoning Change Request from NMU to CMU  
Meeting w/developer and agent arranged by Andrew Moore, Case Manager  
6:30 p.m. Wednesday, January 11, 2017 – Ruiz Library

Application is for an upzoning from Neighborhood Mixed-Use (NMU) to Corridor Mixed-Use (CMU). (See attached pdf of meeting materials provided by Andy; the subdistrict development standards for each type are included for comparison; pertinent maps from the ERC Regulating Plan are also included).

Planning Commission hearing is January 24, 2017.  
City Council hearing is February 16, 2017.

David Cox, Town Lake Holdings, LLC, and his representative, Michael Whelan, attended in order to answer questions and describe the project.

The property is approximately 6.75 acres. It was purchased in late 2008 or 2009 (the old London Apartments.) More tracts around the site were purchased as they became available. The site is currently vacant and has been for some time. The London apartments were in terrible shape. The complex was the source of so many problems that APD asked that the complex be demolished, which was done.

The proposal for the property is to build approximately 600 multi-family rental units: 420 one-bedroom and 180 two-bedroom units. It's too early in the process to have any idea what the price points are. Pricing will probably be based on unit size—with a range of prices. For example, for one-bedroom units, they could have one price for units starting at 500 sq. ft., another for 700 sq. ft. and another for 800 sq. ft. They might build some townhome style units—not single-family homes—and no home ownership opportunities. Strictly rental.

It will be at least 15 months, probably longer, before any construction begins.

#### Concerns raised:

Target audience –No 3 or more bedroom units so project is not trying to attract families. The site is directly across the street from the Oracle project. Applicant assumes that the project will be attractive to many of the Oracle employees, but have not met with Oracle reps yet. Will do that closer to the end of construction.

Two of the attendees at the meeting last night manage numerous apartment complexes in Austin, 15 of which are in “Riverside,” including the Collections on Riverside. (I'm not sure if they meant the Riverside NPA or EROC.)

The attendees (4) from the Collections stated that they saw the flyers posted in their complex and came to the meeting thinking that the meeting was about rent control and affordable housing. None of them knew where the flyers came from. Two of the men left when they learned that this was not a discussion on rent control and affordability. [Does anyone know who generated and distributed these flyers?]

The two attendees who manage apartment complexes explained that the reason there are so many one-bedroom units is because they are easier to rent than two-bedroom or more apartments. They said the proportion of proposed 1-bedroom units to 2-bedroom units is normal. In their experience, when people want three or more bedrooms they move to Leander or Cedar Park, or elsewhere outside of Austin.

Lack of Affordable Housing – Without CMU, there won't be enough room for affordable housing. With CMU, if they can utilize a density bonus, they would be able to include affordable housing in the project. The affordable housing would be available to tenants making 60% MFI. They weren't sure, but they think the bonus may require up to 50% of the bonus space to be affordable. It would definitely be more than just two or three affordable units.

Developer stated that without CMU, they could not include affordable units in the project. [Clarification needed from City Staff and the developer – the height bonus map indicates that the density height bonus is prohibited on these tracts; however, with the increase of FAR from NMU's 1:1 to CMU's 2:2 FAR (doubles square footage), will they still be able to provide enough density to include affordable housing without the extra CMU height density bonus? Or would the change from NMU to CMU remove the restriction against the density height bonus or is there another density bonus besides extra height available with CMU that could be used to gain affordable housing on-site?]

Lack of Mixed-Use or Live-Work Units - Proposal is currently for multi-family rental only. CMU would allow them to build the project as a "podium" or "pedestal" (not sure of which term they used) building. Parking would not be underground, but would be enclosed within the center of the base (at least the first two floors) of the building. Live-work units could wrap around the first two floors and encase the parking garage. The CMU zoning would allow them to develop the first two floors with high enough ceilings and other design features so that those units could easily be converted from live-work units to small retail or other small allowed commercial uses.

At this time, the developer feels that the project should start out as multi-family, and, if it could be built out as described above, they could add the retail element when the time is right. This site is not on an "active edge" and does not have to meet those design requirements.

Concern about adding more CMU to the Riverside NPA without any reduction of CMU elsewhere in the Corridor.

It is too early in the planning stages to be able to provide the detailed information that will be available as they get deeper into development of a site plan.

The Case Manager would like feedback from the contact team on this case as soon as possible, and definitely before the Planning Com'n hearing.

(Notes prepared by Toni House, EROC NPCT Secretary)