

ZONING CHANGE REVIEW SHEETCASE: C14-2020-0149 – 4215 S. LamarDISTRICT: 5ZONING FROM: Unzoned and CSTO: CS-VADDRESS: 2428 W. Ben White Blvd. SVRD WB and
4215 S. Lamar Blvd. SVRD NBSITE AREA: 1.85 acresPROPERTY OWNERS:Strait Lakehills LTD and
Vaquero Austin Lamar Partners LPAGENT:

Drenner Group PC (Amanda Swor)

CASE MANAGER: Kate Clark (512-974-1237, kate.clark@austintexas.gov)STAFF RECOMMENDATION:**Staff recommends general commercial services-vertical mixed use building (CS-V) combining district.** *For a summary of the basis of staff's recommendation, see page 2.*PLANNING COMMISSION ACTION / RECOMMENDATION:**June 8, 2021****Approved staff's recommendation on the consent agenda.
Vote: 11-0. [Commissioner Azhar - 1st, Commission Mushtaler - 2nd; Commissioners Flores and Shieh were absent].**CITY COUNCIL ACTION:**July 29, 2021****Scheduled for City Council**ORDINANCE NUMBER:ISSUES

There are no known issues at this time. Staff has received a comment on this case requesting to be made part of the record. Please refer to *Exhibit C: Correspondence Received* for all written or emailed comments.

CASE MANAGER COMMENTS:

This tract is located at the intersection of S. Lamar Blvd and W. Ben White Blvd and is approximately 1.85 acres in size. It is partially zoned CS with the remaining area unzoned. The area that is not zoned is vacated TxDOT right-of-way. It is adjacent to tracts that are zoned CS-1-

V and CS-V to the east. To the south across W. Ben White Blvd are properties zoned CS-NP and across S. Lamar Blvd to the north are properties zone GR, please see *Exhibit A: Zoning Map* and *Exhibit B: Aerial Map*.

The applicant is requesting to rezone to CS-V to construct a mixed use development with up to 350 units. Due to the number of proposed residential units, staff provide AISD the Educational Impact Statement (EIS) forms submitted in the rezoning application. Their response is included in *Exhibit D: EIS from AISD*.

BASIS OF RECOMMENDATION:

- 1. The proposed zoning should be consistent with the purpose statement of the district sought. Zoning changes should promote compatibility with adjacent and nearby uses.*

The applicants are requesting to add vertical mixed use building (-V) to their property's zoning. This tract is located along S. Lamar Blvd which is designated as a Core Transit Corridor within the City's Land Development Code. Zoning the unzoned portion of the property and rezoning the CS portion of this property to CS-V would be consistent with the purpose statement of the combining district and be compatible with the existing zoning pattern.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	Unzoned and CS	Vacated TXDOT right-of-way and undeveloped
North	Unzoned	Right-of-way (S. Lamar Blvd)
South	Unzoned	Right-of-way (W. Ben White Blvd)
East	CS-1 and CS-V	General Retail Sales (General)
West	Unzoned	Right-of-way (S. Lamar Blvd & W. Ben White Blvd)

NEIGHBORHOOD PLANNING AREA: South Lamar Combined NP Area - South Lamar (suspended)

TIA: A TIA shall be required at the time of site plan if triggered per LDC 25-6-113.

WATERSHED: Barton Creek Watershed-Barton Springs Zone

OVERLAYS: Barton Springs Overlay, Residential Design Standards, Selected Sign Ordinances and Wildland Urban Interface (Proximity Class - Within 1.5 miles of a Wildland Area).

SCHOOLS: Joslin Elementary, Covington Middle and Crockett High Schools

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Bike Austin
 East Oak Hill Neighborhood Association
 Friends of Austin Neighborhoods
 Go Austin Vamos Austin 78745
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 Oak Hill Trails Association

Onion Creek Homeowners Assoc.
 Perry Grid 614
 Preservation Austin
 SELTexas
 Sierra Club, Austin Regional Group
 South Austin Neighborhood Alliance (Sana)
 South Central Coalition
 TNR BCP - Travis County Natural
 Resources
 Westgate Neighborhood Plan Contact Team

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2014-0017 Westgate Neighborhood Plan Area Rezoning	To add -NP, as well as design tools & special use infill options, restricted parking, restricted mobile food vending to various properties.	Forward to City Council with no recommendation.	Approved rezoning that implemented the land use recommendations of the Westgate NP w/the following design tools and restrictions: 1) Parking placement and impervious cover restrictions; 2) Garage placement; 3) Front porch setback. Restrictions: 1) Mobile food establishment restrictions; 2) Front yard parking restrictions. (11/6/14).
C14-2008-0043 Barton Hills Neighborhood Planning Area Vertical Mixed Use Bldg (V) Zoning Opt-In/ Opt-Out	To add -V (Vertical Mixed Use) zoning to various properties.	Approved adding (V) to various tracts.	Approved adding (V) as Commission recommended. (6/18/08).

Number	Request	Commission	City Council
C14-2008-0019 South Lamar Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-In/ Opt-Out	To add -V (Vertical Mixed Use) zoning to various properties.	Approved adding (V) to various tracts.	Approved adding (V) as Commission recommended. (6/18/08).

RELATED CASES:

C14-2018-0094: The applicant proposed to zone approximately 1.53 acres from unzoned to CS. Planning Commission approved CS district zoning on October 23, 2018. City Council approved CS district zoning as Planning Commission recommend on November 15, 2018.

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
W Ben White Blvd	350'	Varies (divided)	Level 4	Yes	Shared Lane	Yes
S Lamar Blvd	230'- 1800'	Varies (divided)	Level 4	Yes	Shared Lane	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

This rezoning case is located on the northeast corner of S. Lamar Blvd and W. Ben White Blvd, on a 1.85-acre parcel. This property is located within the boundaries of an Activity Center for Redevelopment in Sensitive Environmental Areas (Lamar & Ben White) and along the South Lamar Activity Corridor. This case is not located within the boundaries of an adopted neighborhood plan. Surrounding land uses include a shopping center to the north; to the south is the 290/71 interchange and commercial uses; to the east is shopping center; and to the west are commercial uses. The proposed use is a vertical mixed use project consisting of 350 live/work units and 5,000 square feet of commercial uses.

Connectivity

There is a public transit stop located 400 feet from the subject property along S. Lamar Blvd. There are public sidewalks on one side of W Ben White Blvd and along both sides of S. Lamar Blvd. Mobility options are average while connectivity options in the area are above average.

Imagine Austin

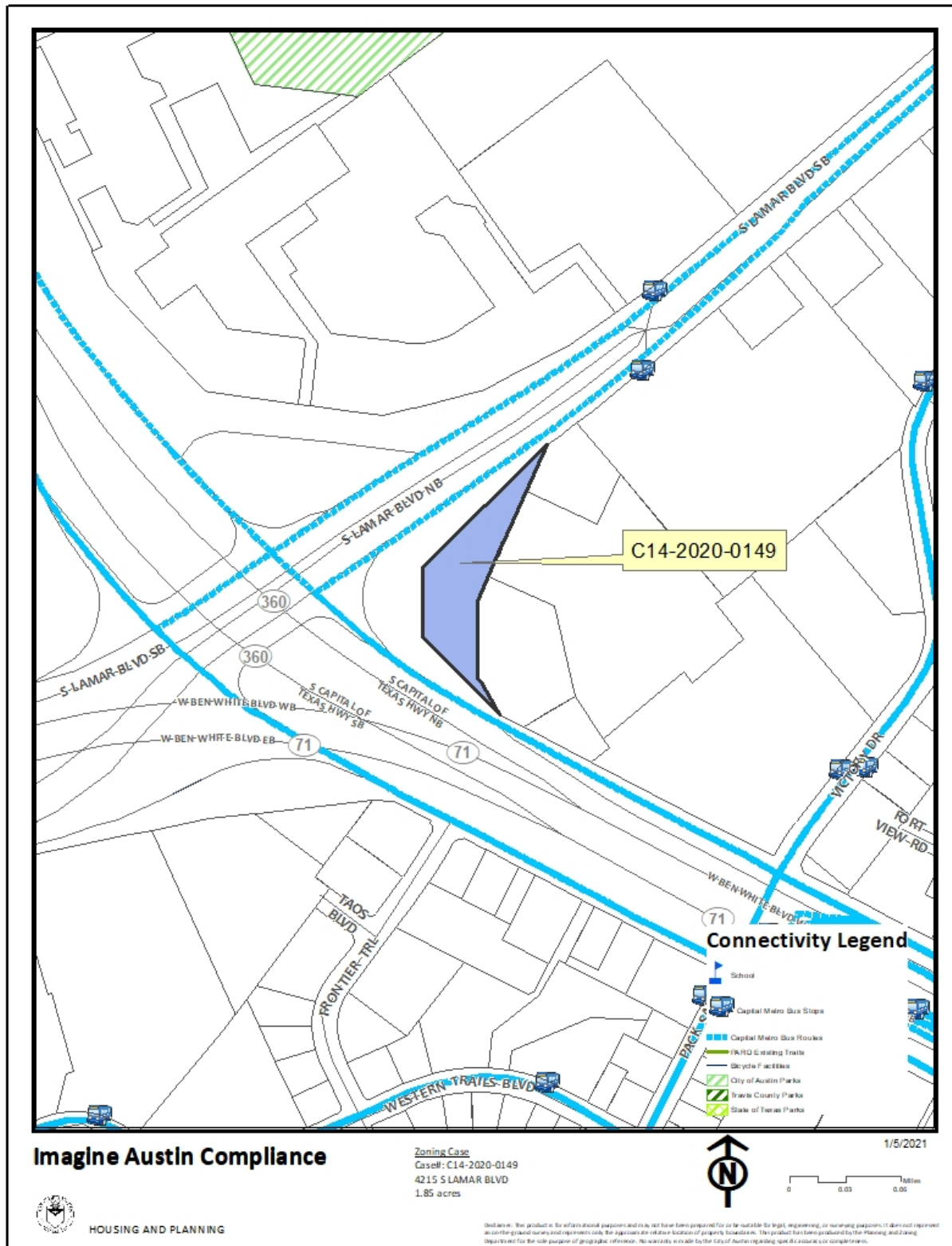
The site is situated over an Activity Center for Redevelopment in Sensitive Environmental Areas (Lamar and Ben White) and along the South Lamar Activity Corridor. Page 106 of the Imagine Austin Comprehensive Plan states, “Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context.” One of the Land Use and Transportation policies, LUT P21 (p. 102), clarifies the intent, “Ensure that redevelopment in the Edwards Aquifer’s recharge and contributing zones maintains the quantity and quality of recharge of the aquifer.”

The property is also located along the South Lamar Activity Corridor. Activity Corridors are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. They are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.

Imagine Austin has no policies on structural height. The following IACP policies are also applicable to this case:

- LUT P3. Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- LUT P5. Create healthy and family-friendly communities through development that includes a mix 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 P1. Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin’s diverse population.

Based on this proposed project, being situated along an Activity Corridor and over an Activity Center for Redevelopment in Sensitive Environmental Areas, which permits mixed use as long as environmental issues are addressed and improved with high quality development; the Imagine Austin policies referenced above that supports mixed use; and including a rare missing middle housing type (live/work) in an area that has mobility and connectivity options, this project supports the Imagine Austin Comprehensive Plan.



Environmental

1. This site is located over the Edwards Aquifer verification zone per GIS. A geologic assessment is necessary to confirm the Recharge Zone status. The site is in the Barton Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.
2. Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the Recharge Zone (if the property is located in the Recharge Zone); otherwise 20% impervious cover in the Barton Creek Watershed.
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. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site. Runoff from the site is required to comply with pollutant load restrictions as specified in Land Development Code.
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.

PARD Review

PR1: Parkland dedication will be required for the new residential units proposed by this development, multifamily with CS-V zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Site Plan

1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
2. In order to take advantage of the proposed V in the zoning string, affordable housing will need to be provided and certified by the Housing and Planning Department.
3. There is a site plan currently under review for this property (SP-2018-0544C) which provides for a proposed restaurant with drive through, along with associated parking and drainage facilities.

Transportation

ASMP Assessment

Both S. Lamar Blvd and W. Ben White Blvd are included in the Austin Strategic Mobility Plan (ASMP) adopted 04/11/2019 and maintained by TxDOT. ATD will defer to TxDOT for their identified right of way dedication needs with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

Transportation Assessment

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

Austin Water Utility

AW1. 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, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Based on current public infrastructure configurations, service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7th floor. Ph: 512-972-0211.

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.

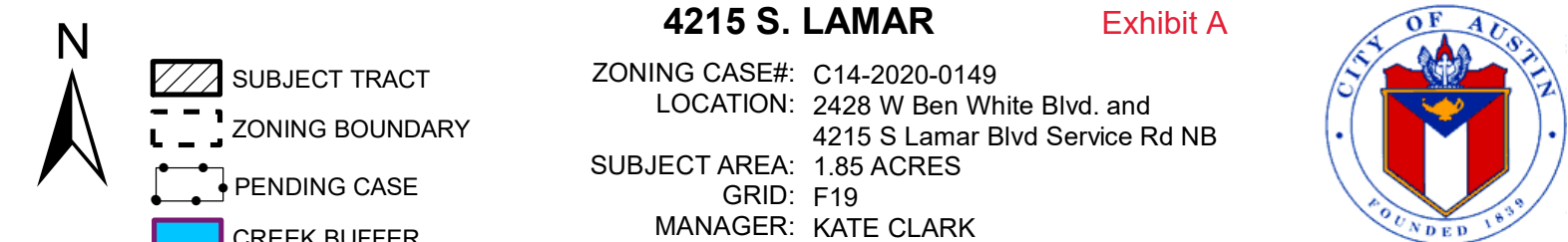
INDEX OF EXHIBITS TO FOLLOW

Exhibit A: Zoning Map

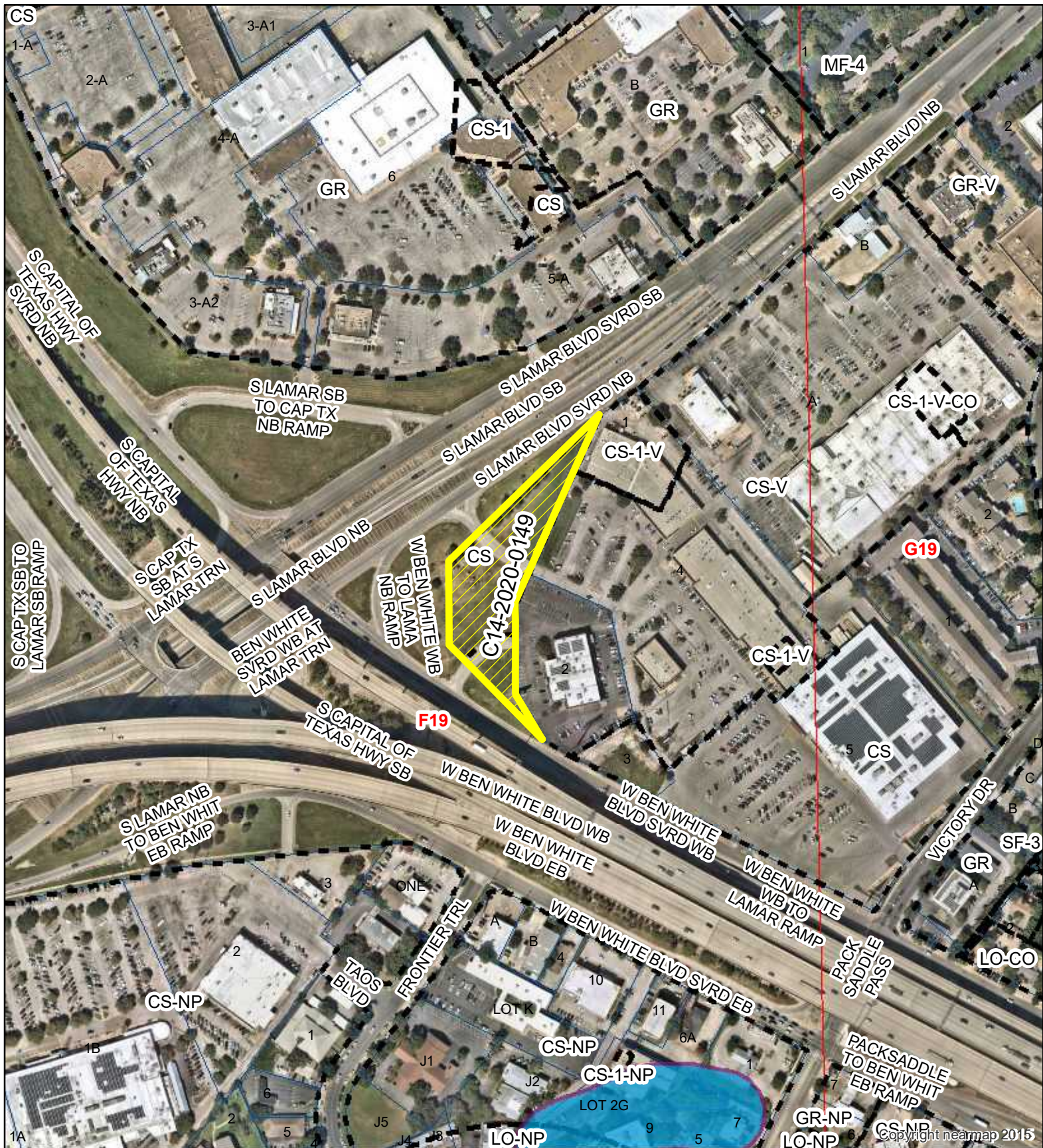
Exhibit B: Aerial Map

Exhibit C: Correspondence Received

Exhibit D: EIS from AISD



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.



4215 S. LAMAR

Exhibit B

ZONING CASE#: C14-2020-0149
 LOCATION: 2428 W Ben White Blvd. and
 4215 S Lamar Blvd Service Rd NB
 SUBJECT AREA: 1.85 ACRES
 GRID: F19
 MANAGER: KATE CLARK



1" = 300'

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

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Clark, Kate

From: Gloria Hreha <GloriaH@paincaretx.com>
Sent: Thursday, January 7, 2021 11:44 AM
To: Clark, Kate
Cc: Andy Joshi
Subject: RE: Rezoning Notice case #C14-2020-0149

If you can add to your staff backup that Dr. Joshi is interested in the rezoning process that would be great. Thanks.

Gloria Hreha
Financial Analyst
Pain Care Physicians
2315 W. Ben White Blvd
Austin, TX 78704
www.paincarephysicians.com
(O) (512) 326-5440 ext 212

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



PROJECT NAME: 4215 S. Lamar Blvd

ADDRESS/LOCATION: 4215 S. Lamar Blvd

CASE #: C14-2020-0149

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

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

MF UNITS: 350 STUDENTS PER UNIT ASSUMPTION
Elementary School: .008 Middle School: .006 High School: .005

IMPACT ON SCHOOLS

Market rate areas complexes built after 2010

The student yield factor of 0.019 (across all grade levels) for apartment homes was used to determine the number of projected students. This factor was provided by the district's demographer and is based on other market rate multi-family complexes built within the area since 2010.

The 350-unit multifamily development is projected to add approximately 7 students across all grade levels to the projected student population. It is estimated that of the 7 students, 3 will be assigned to Joslin Elementary School, 2 to Covington Middle School, and 2 to Crockett Early College High School.

The percent of permanent capacity by enrollment for SY 2025/26, including the additional students projected with this development, would be below the optimal utilization target range of 85-110% at Joslin ES (79%), Covington MS (60%) and Crockett ECHS (75%). The projected additional students at the schools will not offset the anticipated decline in student enrollment. All of these schools will be able to accommodate the projected additional student population from the proposed development.

TRANSPORTATION IMPACT

Students within the proposed development attending Joslin ES or Covington MS will qualify for transportation. Students attending Crockett ECHS will not qualify for transportation unless a hazardous route condition is identified.

SAFETY IMPACT

There are not any identified safety impacts at this time.

Date Prepared: 02/09/2021

Executive Director: _____

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Joslin

ADDRESS: 4500 Menchaca Road

PERMANENT CAPACITY: 374

MOBILITY RATE: +46.1%

POPULATION (without mobility rate)

ELEMENTARY SCHOOL STUDENTS	2020-21 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	167	210	213
% of Permanent Capacity	45%	56%	57%

ENROLLMENT (with mobility rate)

ELEMENTARY SCHOOL STUDENTS	2020-21 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	244	292	295
% of Permanent Capacity	65%	78%	79%

MIDDLE SCHOOL: Covington

ADDRESS: 3700 Convict Hill Road

PERMANENT CAPACITY: 1,125

MOBILITY RATE: +0.3%

POPULATION (without mobility rate)

MIDDLE SCHOOL STUDENTS	2020-21 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	793	675	677
% of Permanent Capacity	71%	60%	60%

ENROLLMENT (with mobility rate)

MIDDLE SCHOOL STUDENTS	2020-21 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	795	670	672
% of Permanent Capacity	71%	60%	60%

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



HIGH SCHOOL: Crockett

ADDRESS: 5601 Menchaca Road

PERMANENT CAPACITY: 2,163

MOBILITY RATE: +8.0%

POPULATION (without mobility rate)

HIGH SCHOOL STUDENTS	2020-21 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,440	1,257	1,259
% of Permanent Capacity	67%	58%	58%

ENROLLMENT (with mobility rate)

HIGH SCHOOL STUDENTS	2020-21 Enrollment	5- Year Projected Enrollment (without proposed development)	5-Year Projected Enrollment (with proposed development)
Number	1,555	1,612	1,614
% of Permanent Capacity	72%	75%	75%