

## ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0019

DISTRICT: 7

ZONING FROM: Tract 1: CS-MU-CO-NP  
Tract 2: MF-3-NP

TO: MF-6-CO-NP

ADDRESS: Tract 1: 5700 Grover Ave.  
Tract 2: 5612 Roosevelt Ave.

SITE AREA: Total, both tracts: 4.135 acres (180,120.6 sq. ft.)

PROPERTY OWNER:

Family Sports, Inc.,  
(John Donovan) (512) 422-0487

AGENT:

Smith Robertson, LLP  
(David Hartman), (512) 225-1704

CASE MANAGER Mark Graham (512-974-3574, [mark.graham@austintexas.gov](mailto:mark.graham@austintexas.gov) )

### STAFF RECOMMENDATION:

**The Staff recommendation is to grant multifamily residence, highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning for Tracts 1 and 2.**

**The conditional overlay (CO) contains the following development conditions:**

**Tract 1 and Tract 2 combined are 1) limited to 300 dwelling units, and 2) requires a 6 foot high solid fence to be installed and maintained along the west property line.**

**Tract 1 development standards: 1) a maximum building height of 45 feet and four stories and 2) a minimum 40 foot wide building or structure setback along west property line (adjacent to single family).**

**Tract 2 development standards: 1) a maximum building height of 35 feet and three stories; 2) a maximum of 20 multifamily dwelling units. 3) maximum impervious cover limited to 65%.**

*For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

### PLANNING COMMISSION ACTION / RECOMMENDATION:

**June 22, 2021: APPROVED MF-6-CO-NP COMBINING DISTRICT ZONING, AS STAFF RECOMMENDED, BY CONSENT**

**[G. COX, J. SHIEH – 2<sup>ND</sup>] (12-0) COMMISSIONER S. PRAXIS – NOT YET ARRIVED**

**June 8, 2021: APPROVED A POSTPONEMENT REQUEST BY STAFF TO JUNE 22, 2021.**

**[A. AZHAR, J. MUSHTALER – 2<sup>ND</sup>] (11-0) COMMISSIONERS Y. FLORES & J. SHIEH - ABSENT**

CITY COUNCIL ACTION:

**August 26, 2021:**

**July 29, 2021: *APPROVED MF-6-CO-NP COMBINING DISTRICT ZONING AS THE PLANNING COMMISSION RECOMMENDED, ON FIRST READING.***  
**VOTE 11-0**

ORDINANCE NUMBER:ISSUES

The Applicant met and discussed this case with representatives of the Brentwood Neighborhood Association. The Neighborhood determined that they could support the rezoning with some conditions. A letter of conditional support is attached, (*see Exhibit C*). The applicant is in agreement with the stated conditions of the neighborhood. Staff supports including the conditions in the Conditional Overlay to the extent possible, as reflected on page 1.

CASE MANAGER COMMENTS:

The requested rezoning is for two tracts of land. Tract 1 is located on the west side of Grover Avenue between West Koenig Lane and Houston Street. The site was the former Dart Bowling Alley. Tract 2 is an undeveloped site adjacent to Tract 1 and situated on the west side of Roosevelt Avenue where it terminates at Dart Bowl.

The subject site is south of The Pearl Apartments (under construction) and across Grover Ave. from the McCallum High School sports fields. There is a mix of small apartment buildings, single family and duplex residential buildings south of the rezoning tract along Grover Ave. South along Roosevelt there are duplexes and two new multi-family buildings in various stages of construction and development.

Existing and Proposed Zoning

The subject 4.135 acre (180,120 sq. ft.) rezoning site is comprised of 2 Tracts:

1. Tract 1 is 3.81 acres currently zoned general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district.
2. Tract 2 is a 0.32 acre parcel zoned multifamily residence, medium density-neighborhood plan (MF-3-NP) combining district

The requested zoning for both tracts is multifamily residence, highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. (*refer to Exhibit A: Zoning Map*).

#### Development Scale Comparable to The Pearl

The applicant proposes zoning and development regulations that would permit building about 300 residential units, mostly in a four-story building that is less than 45 feet in height. This building will be similar in scale to The Pearl Apartments building immediately adjacent to north at the intersection of Koenig Lane and Grover Avenue. A second smaller building with 16 to 20 units is planned for a location on the south side of the rezoning tract. Most or all of the parking will be in the four-story parking deck accessed from Grover Avenue. Four parking spaces may be provided under the smaller building. Compatibility requirements will guide design decisions related to building height and setback because there is SF-3-NP zoning along most of the west site boundary and also on the McCallum High School property.

The Applicant's requested conditional overlay is for a maximum building height of 45 feet and four stories; the rezoning adopted through the Neighborhood Plan currently limits a building height limit of 40 feet and three stories. A height limit of 45 feet is a modest increase compared to the maximum height of 90 feet allowed in the MF-6 zone district. The other Neighborhood Plan regulations were intended to regulate the CS base zoning. The uses that were prohibited or conditional in the neighborhood plan would not be permitted with the requested base zone district change to multifamily residential.

#### BASIS OF RECOMMENDATION:

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

Multifamily residence, highest density (MF-6) district is intended to accommodate multifamily and group residential use. This district is appropriate for highest density housing in centrally located areas near supporting transportation and commercial facilities, in areas adjoining downtown Austin and major institutional or employment centers, and in other selected areas where highest density multifamily use is desirable.

Conditional overlay (CO) combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

In the subject case, the CO is used to permit a maximum height of 45 feet and four stories where the previous conditional overlay permitted 40 feet and three stories. Without the CO, the MF-6 district permits building heights up to 90 feet. Buildings in the adjacent SF-3-NP zoned properties are permitted up to 32 feet and the MF-3-NP zoned properties are permitted buildings up to 40 feet. Note that the SF-3-NP property next to Tract 2 is an active rezoning request (C14-2021-0018) for MF-3-NP zoning. Not only are the heights similar, the applicant is agreeing with the neighborhood to provide a 40-foot-wide building setback, (25 foot is required), between their building and the residences to the west.

Neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan. The subject rezoning tracts are within the Brentwood/Highland Combined Neighborhood Plan, more specifically in the Brentwood NP (Ord.# 040513-33A). The Future Land Use Map (FLUM) designates Tract 1 for Mixed Use and Tract 2 for Multifamily use. Planning staff determined that the proposed rezoning does not require a plan amendment or change to the FLUM.

#### Relation to 2004 Neighborhood Plan Rezoning case

The Brentwood NP adopted in May 2004 lists Tract 1 as 99a and establishes prohibited and conditional uses base on the base zoning of CS. The uses prohibited in Part 8, #11 are not permitted uses in the requested MF-6 base zone. Part 8, #17 lists Tract 99a and lists four more prohibited uses. Those uses too are not permitted in the requested MF-6 base zone district. Part 8, #20 establishes conditional uses for two uses that are not permitted in the requested MF-6 base zone. None of the Brentwood NP prohibited use or conditional use regulations for tract 99a Part 8, sections 11, 17, or 20 would apply because of the change in the base zone district.

Maximum building height is regulated in Part 8, #24, A & B. Both A and B would be modified with the requested zoning:

- A. Establishes the maximum height of a building or structure is 40 feet from ground level. Applicant request is 45 feet.
  - B. Establishes that a building or structure may not exceed a height of three stories. Applicant requests four stories.
2. *Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.*

The applicant proposes zoning that permits building 300 multifamily residences and parking next to a similar development that recently obtained zoning entitlements. The Pearl Apartments next door have frontage and access on West Koenig Lane and Grover Avenue. The subject property will take access to Grover. Granting the request would result in an equal treatment of similarly situated properties. Both locations are walkable to N. Lamar goods, services and CapMetro buses.

3. *The proposed zoning should satisfy a real public need and not provide special privilege to the owner.*

There is demand for additional housing in Austin and there are City policies encouraging new multifamily residences to be located in areas that are walkable, bicycle friendly and provide options for using public transportation instead of a single occupant vehicle for the daily commute. The subject rezoning would locate up to 300 residential units in an area with bus service on Woodrow with the #5 bus and Koenig Lane with the #337. MetroRapid service is available on Lamar at Brentwood Station, which is a half mile walk from the subject site. The morning peak- hour trip from Brentwood Station to One Texas Center is a 26-minute trip.

There are several bike routes close to the subject site. Woodrow Avenue, about two blocks west of the rezoning tract is north-south Bike Route 41 (medium comfort) and Joe Sayers Ave, three blocks west of the subject site is a high comfort route connecting to east-west Justin Lane route 22 (medium comfort). North Loop Blvd route # 28 (medium comfort) is and east-west about 2 blocks south. Adding 300 residences to Austin's housing stock in a location that's walkable, bike friendly and has transit options would satisfy a real public need.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	CS-MU-CO-NP	Bowling Alley (vacant)
North	MF-6-CO-NP	Multi-family attached residential
South	MF-3-NP, SF-3-NP (active case for rezoning to MF-3 C14-2021-0018)	Existing detached residential, proposed attached residential
East	Across Grover Ave. SF-3-NP	McCallum High School
West	SF-3-NP, MF-3-NP	Detached residential, attached residential

NEIGHBORHOOD PLANNING AREA: Brentwood/Highland Combined Neighborhood Plan. Per February 1, 2021 Memo from Maureen Meredith, Senior Planner, Housing and Planning Dept. to Intake Division, "A plan amendment is not required" for this proposal.

TIA: The Traffic Impact Analysis determination is deferred until site plan application when land use and intensity will be finalized.

WATERSHED: Shoal Creek – Urban

OVERLAYS: Residential Design Standards: LDC/25-2-Subchapter F; Selected Sign Ordinances

SCHOOLS: AISD Educational Impact Statement (*attached*).

Brentwood Elementary      Lamar Middle      McCallum High

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District

Austin Lost and Found Pets

Austin Neighborhoods Council

Bike Austin

Brentwood Neighborhood Assn.

Brentwood Neighborhood Plan Contact Team

Central Austin Community Development

Corporation

Central Austin Urbanists

Friends of Austin Neighborhoods

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

North Austin Neighborhood Alliance

Preservation Austin

SEL Texas

Shoal Creek Conservancy

Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

Number	Request	Commission	City Council
NPA-2012-0018.08 Woodrow Rezoning 5806 Woodrow Ave.	Amend NP from single family residence to multifamily residence	To grant	Apvd. 06/28/2012 Ord.# 20120628-125
C14-2012-0025 5806 Woodrow Ave.	Rezone from SF-3-NP to NO-MU-NP	To grant w/CO for max 50% impervious cover	Apvd. NO-MU-CO-NP 06/28/2012 Ord.# 20120628-125
C14-2016-0071 The Pearl Rezoning 1301 West Koenig Ln.	Rezone 5.415 acres from CS-MU-CO-NP to MF-6-CO-NP for tract 1 (5.04 acres) and CS-MU-CO-NP for Tract 2 (0.37 Acres). Part 2.A. No Woodrow access for vehicles, except emergency. B. Development of Tract 1 shall comply with the following: 1. Maximum height 45 feet and 4 stories. 2. Maximum building coverage is limited to 60 percent. 3. Maximum impervious cover is limited to 70 percent. C. Development of Tract 2 shall comply with the following: maximum height of a building or structure is limited to 40 feet and 4 stories. D. List of Prohibited uses for Tract 2: Agricultural sales and services, Art workshop, Building maintenance services, Campground,	To grant with conditions of TIA and 11 items in agreement with Brentwood Neighborhood Association Steering Committee.	Apvd.05/11/2017 Ord.# 20170511-022

Number	Request	Commission	City Council
	Commercial blood plasma center, Construction sales and services, convenience storage, Equipment repair services, electronic prototype assembly, kennels, equipment sales, maintenance and service facilities, laundry services, outdoor entertainment, monument retail sales, pawn shop services, outdoor sports and recreation, transportation terminal, transitional housing, vehicle storage, drop-off recycling collection facility. E. Conditional uses for Tract 2: Custom manufacturing, plant nursery. F. a non-residential use may not be less than 5,000 square feet.		
NPA-2021-0018.01 McCarleys .32 5610 Roosevelt Ave	Amend Neighborhood Plan from single family to multifamily residence	Scheduled for PC 06/08/2021	Not scheduled
C14-2021-0018 McCarleys .32	Rezone 0.32 acres from SF-3-NP to MF-3-NP	Scheduled for PC 06/08/2021	Not Scheduled

RELATED CASES:

040513-33A, Brentwood Neighborhood Plan, May 13, 2004, includes tract list and Conditional Overlays

LEGAL DESCRIPTION:

Tax parcel number: 0228060319

VOLUME 07964, PAGE 00193 AND VOLUME 12611, PAGE: 1008

## OTHER STAFF COMMENTS:

### Comprehensive Planning

The subject tract for this zoning case is located on the west side of Grover Avenue on a 4.135 acre parcel, which contains a bowling alley, a motorcycle driving school and vacant land. The property is located 0.38 miles from the **North Lamar Activity Corridor**. This case is located within the Brentwood/Highland Combined Neighborhood Planning Area (Brentwood).

Surrounding uses include an apartment complex and commercial uses to the north; to the south are single family houses, small apartment buildings and a high school sports field; to the east is McCallum High School and to the west are single family house and small apartment buildings. The proposed use is to construct a 300-unit multifamily apartment complex and a request to modify the existing conditional overlay from 40 to 45 feet for the maximum building height in order to build up to a four-story apartment building.

**Connectivity.** Public sidewalks are located on one side of Grover Avenue. There is a CapMetro transit stop is located less than 500 feet away and a variety of goods and services located within a half a mile of the subject property, including a public school, which are all accessible by foot. Connectivity and mobility options are above average.

### **Brentwood/Highland Combined Neighborhood Plan (BHCNPA)**

The BHCNP Future Land Use Map (FLUM) classifies this portion of the planning areas as Mixed Use and a smaller portion of the property as Multifamily. 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)

**South Brentwood Mixed Residential (pg. 35)** The mixed-residential land use pattern was chosen to encourage a diversity of housing types as well as residents that have diverse incomes, ages, and lifestyles. It is important to stress that the plan recommends maintaining the existing character and scale of each of the mixed-residential areas.

**Roosevelt Multi-family Area (pg. 38)** The Roosevelt area is primarily multi-family. It has some medium size apartment buildings, but it does not have large apartment buildings or complexes. In addition, the single-family homes in the area bring diversity, and make it feel more like a neighborhood. The plan strongly recommends the maintenance of this character. The Future Land Use Map designates this area as a mix of single-family and multi-family.



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

**Recommendations:**

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

The Plan acknowledges the mixing of single family and multifamily uses in the area and wants new multifamily buildings to be compatible with existing single family houses by implementing the suggestions in the voluntary design guidelines. This property is also located along a commercial segment of the planning area and Mixed Use was designated over the majority of the property, which supports multifamily use.

**Imagine Austin**

The subject property is located near the **North 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.

The following Imagine Austin policies are applicable to this case:

- **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 **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 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 and Imagine Austin, and mobility and connectivity strengths in the area, this multi-family project appears to support the Imagine Austin Comprehensive Plan. Imagine Austin has no policies on structural/building heights.

### Environmental

1. 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.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is a floodplain within or adjacent to 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.
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. 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.

### Parks and Recreation Department

PR1: Parkland dedication will be required for the new residential units proposed by this development, multifamily with MF-6-CO-NP zoning, at the time of subdivision or site plan, per City Code § 25-1-601. The proposed development meets the criteria for land dedication in City Code Title 25, Article 14. As such, a partial land dedication will be required, as well as any remaining fees in-lieu.

There is currently a need for increased connectivity to parkland for this site, a requirement for dedication per City Code § 25-1-605. The development as proposed will require parkland dedication for the new residential units that will serve the Brentwood neighborhood through the additional park investment. The Parks and Recreation Department (PARC) would consider a connection to the Woodrow Pocket Park/trail, from Theckla Terrace and Roosevelt Avenue, toward satisfying the requirement at time of permitting (whether subdivision or site plan). Such a connection would improve neighborhood connectivity, and satisfy an acquisition need to address park deficiency in the Central Austin area, a recommendation identified in the Parks and Recreation Department's Long Range Plan.

Should there be any remaining fees in-lieu, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

Should the applicant wish to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: [thomas.rowlinson@austintexas.gov](mailto:thomas.rowlinson@austintexas.gov).

### Site Plan

- SP1. It appears the subject property contains land that has not been subdivided or is not a legal tract. A subdivision application must be submitted for review and approved prior to site plan approval (Section 25-1-61) or an exception to platting must be obtained; contact [DSD\\_SubdivisionReview@austintexas.gov](mailto:DSD_SubdivisionReview@austintexas.gov) to discuss a Land Status Determination.
- SP2. Any development which occurs in an SF-6 or less restrictive zoning district which is located <540 feet from property in an SF-5 or more restrictive zoning district will be subject to residential compatibility development regulations.

The site is subject to residential compatibility standards along the western property line:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the western property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

- SP3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when a site plan is submitted.

INFO: A site plan is required for any new development other than single-family or duplex residential.

### 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, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7<sup>th</sup> 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.

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies a need for 70' of right-of-way for Grover Avenue. Traffic impact analysis was waived, the determination is deferred until site plan application, when land use and intensity will be finalized.

<b>Name</b>	<b>Existing ROW</b>	<b>ASMP Required ROW</b>	<b>Pavement</b>	<b>ASMP Classification</b>	<b>Sidewalks</b>	<b>Bicycle Route</b>	<b>Capital Metro (within ¼ mile)</b>
Grover Ave	63'	70'	41'	2	Yes	Yes	No

INDEX OF EXHIBITS TO FOLLOW

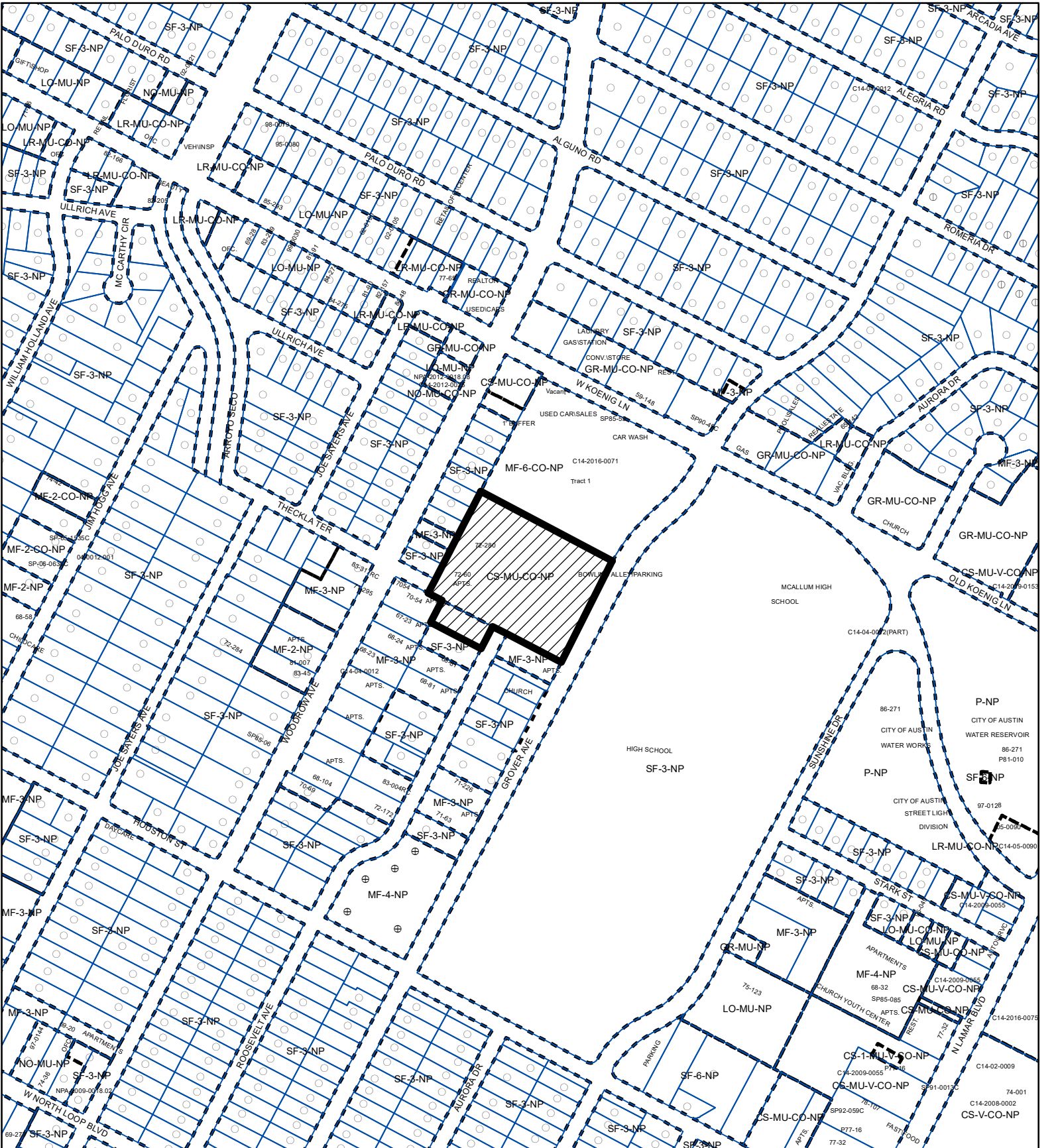
Exhibit A: Zoning Map

Exhibit B: Aerial Map

Exhibit C: Brentwood Neighborhood Association Steering Committee Letter of support

Attachment A: Educational Impact Analysis


Correspondence





**ZONING** Exhibit A

**ZONING CASE#:** C14-2021-0019

**N**

 **SUBJECT TRACT**

 **PENDING CASE**

 **ZONING BOUNDARY**

1" = 400'

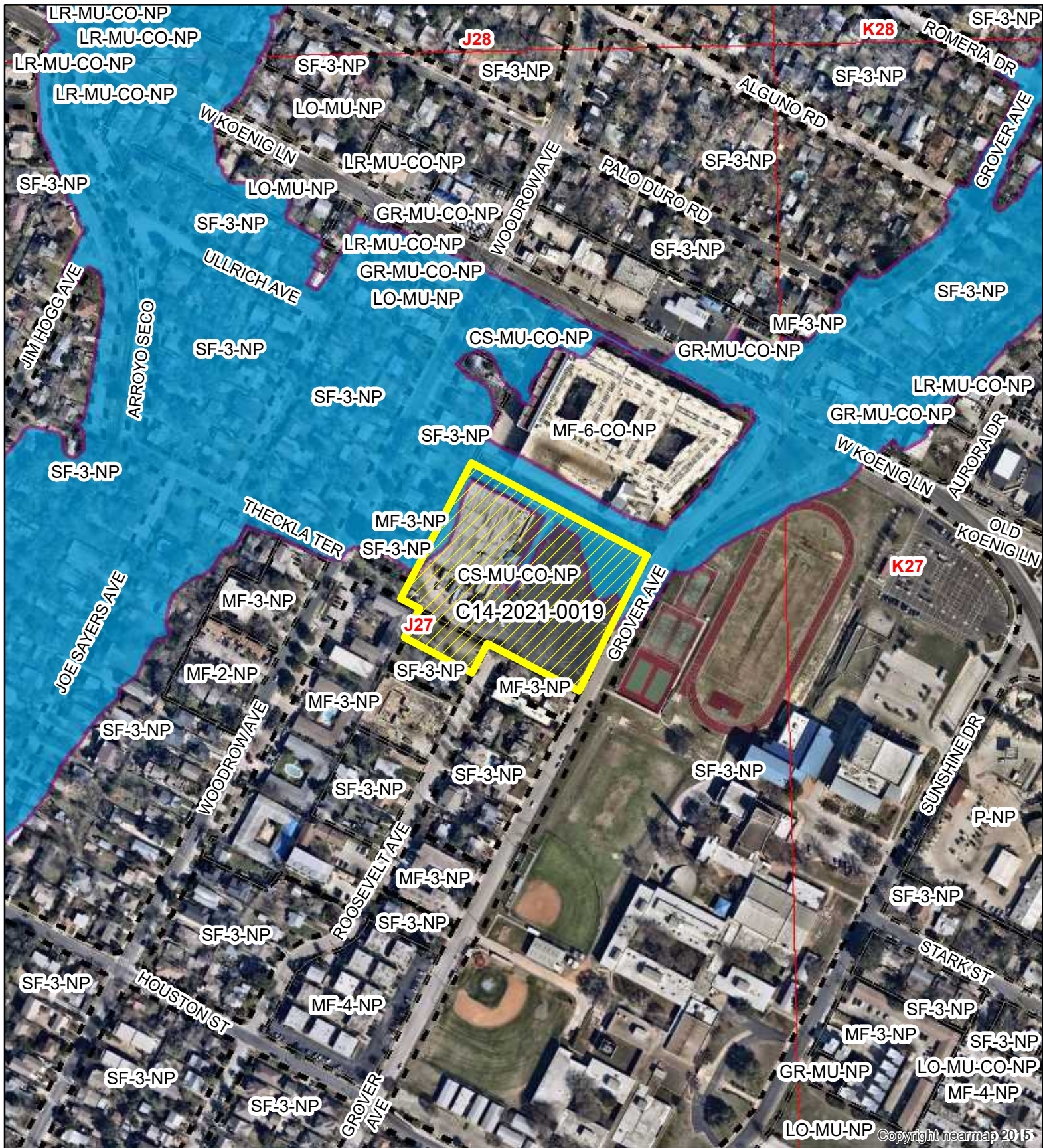
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This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



**Created: 2/24/2021**





1" = 300'

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

5700 Grover Ave & 5612 Roosevelt Ave.

Exhibit B

ZONING CASE#: C14-2021-0019  
 LOCATION: 5700 Grover Ave & 5612 Roosevelt Ave.  
 SUBJECT AREA: 4.135 Acres  
 GRID: J27  
 MANAGER: MARK GRAHAM



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.





## BRENTWOOD NEIGHBORHOOD ASSOCIATION

Date: June 1, 2021

To: Planning Commission, City Council, City Staff and Applicant

From: Brentwood Neighborhood Association (BNA) Steering Committee

Re: #C14-2021-0019 – Letter of Support (Conditional)

Following a series of meetings with the Applicant, the Steering Committee of the Brentwood Neighborhood Association wants to express its support for the proposed rezoning to MF-6-CO-NP on 3.81 acres of land (Tract 1) at 5700 Grover Avenue and .32 acres of land (Tract 2) located at 5612 Roosevelt Avenue. BNA Steering Committee's support is based on the following conditions and qualifications:

- 1) The City will require a Conditional Overlay as part of the re-zoning; any items which cannot be included within the Conditional Overlay will be addressed in a Private Restrictive Covenant (PRC) between the Applicant and the Brentwood Neighborhood Association. The PRC will be finalized (signed by both parties and properly recorded with the proper legal entities) prior to third and final reading of the zoning ordinance. The Applicant shall provide the PRC through their legal counsel and at their sole expense.
- 2) The project shall be limited to 300 Dwelling units (maximum) on Tracts 1 & 2 (combined).
- 3) Tract 1:
  - a) Maximum 45' height and four (4) stories on Tract 1; (this is an amendment to the current 40' height conditional overlay).
- 4) Tract 2:
  - a) Maximum 35' height and three (3) stories on Tracts 2;
  - b) Maximum twenty (20) multi-family "carriage house" units, with maximum of four (4) on-site "tuck-under" garages accessed from Roosevelt Ave.; the remaining parking for carriage house units will be provided in the Tract 1 parking garage (accessed only from Grover Ave.);
  - c) Maximum impervious cover on Tract 2 shall be limited to 65%.
- 5) Buffering:
  - a) Minimum 40' wide building setback (complying with Compatibility height restrictions) between the proposed multi-family dwelling units and associated parking garage and adjacent single family; (NOTE: Compatibility Standards require a 25' building setback for maximum 30' height or two (2) stories, and a 50' building setback for maximum 40' height or three (3) stories);
  - b) 6' high solid wooden fence along the west property line of Tract 1 and Tract 2, except for any 8' high solid wooden fence that may be authorized via variance pursuant to item 5(c) below;
  - c) Applicant will not seek any height variances from LDC Chapter 25, Article 10 (Compatibility Standards) for the project along the southern and western property boundary of Tract 1 and Tract 2 adjacent to single family residences. If applicant seeks any height variances from Compatibility Standards for the project along the eastern property boundary of Tract 1 adjacent to McCallum High (which is zoned SF-3-NP), the applicant will include a request for variance for maximum 8' high solid wooden fence along the south and west property boundary of Tract 1 and Tract 2.

6) Lighting:

- a) Adequate screening of lighting (exterior, interior and vehicular) shall be required between the parking garage and multi-family units located on Tract 1 and single family zoned residential tracts located along Roosevelt Avenue and Woodrow Avenue;
- b) For the proposed PARD recreational trail, security lighting will be coordinated with PARD staff to ensure lighting does not impact adjacent neighbors along the west property line. Lighting such as bollard/low lighting along the entirety of the recreational trail is recommended;
- c) Dark Skies: Property will be developed in accordance with dark skies requirements of Commercial Design Standards/Subchapter E, Section 2.5 (Exterior Lighting).

7) Drainage:

- a) On-site detention and water quality pond will comply with current City Code (currently no detention or water quality controls).

8) Transportation and Parking:

- a) At time of site plan application, applicant will make reasonable efforts to incorporate installation (or provide funding) for pedestrian/bike improvements across existing Grover Avenue as agreed by Austin Transportation Department (ATD). This may require observation by ATD of traffic operating on Grover Avenue upon completion of construction. ATD has agreed that one or more of the following improvements across existing Grover Avenue are eligible for final review and possible approval that the developer will fund: rectangular rapid flashing beacon, marked crosswalk, refuge islands, delineators, modified/improved street striping, or other similar devices;
- b) Access to the Parking Garage (structured parking) shall be only from Grover Avenue. Parking garage will be sited toward Grover Avenue (away from Single Family residences);
- c) Only emergency vehicle access will be from Roosevelt Avenue to Tract 1 with City staff approval.

9) Parkland:

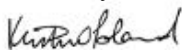
- a) Parkland Dedication fees shall not be waived and any required fees shall be utilized on park project within BNA's boundaries;
- b) Coordination with PARD regarding Shared Use Path connecting Woodrow Pocket Park/Trail to Roosevelt Ave. and Theckla Terrace at time of site plan application with City staff approval.

Upon acceptance of the above noted items either in Conditional Overlay and /or Public Restrictive Covenant (between the City and the Applicant) and acceptance of the Private Restrictive Covenant (between the Applicant and BNA), the Brentwood Neighborhood Associations' Steering Committee will represent their support for the proposed rezoning as outlined herein. We believe that these conditions of approval will provide the neighborhood with our desired protections, while allowing the Applicant to develop a dense, multi-family project within central Austin.

While we support both affordable housing (which exists throughout Brentwood) and mixed uses (residential with commercial/retail), we understand that the developer's vision for this project is market-rate housing and we believe this development is compatible with Brentwood's neighborhood plan. This project as an opportunity to transform the "Dart Bowl" property into a dense development that will provide additional housing in both Brentwood and District 7.

We ask that the Planning Commission and City Council support these carefully crafted conditions and qualifications by granting the requested re-zoning. Your help in this endeavor is greatly appreciated.

Sincerely,



Kristine Poland, President  
Brentwood Neighborhood Association



# EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin  
Independent  
School District



**PROJECT NAME:** 5700 Grover Ave. & 5612 Roosevelt Ave.

**ADDRESS/LOCATION:** 5700 Grover Ave. & 5612 Roosevelt Ave.

**CASE #:** C14-2021-0019

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

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

# MF UNITS: 300 STUDENTS PER UNIT ASSUMPTION  
Elementary School: .005 Middle School: .007 High School: .007

## IMPACT ON SCHOOLS

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 similar market rate multifamily complexes built within the area. Research indicates that these new market rate units do not yield many students.

The 300-unit multifamily development is projected to add approximately 6 students across all grade levels to the projected student population. It is estimated that of the 6 students, 2 will be assigned to Brentwood Elementary School, 2 to Lamar Middle School, and 2 to Murchison High School.

The percent of permanent capacity by enrollment for SY 2025/26, including the additional students projected with this development, would be above the optimal utilization target range of 85-110% at Brentwood ES (110%), Lamar MS (127%) and McCallum HS (131%). In SY 2022/23, a newly modernized Brentwood Elementary will open at a larger capacity that will accommodate the projected increase in enrollment. Lamar and McCallum will continue to utilize portables to accommodate their enrollment, and the district will need to consider strategies to address overcrowding for the long-term.

## TRANSPORTATION IMPACT

Students attending Brentwood ES, Lamar MS, and McCallum HS 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:** 03/29/2021

**Executive Director:** \_\_\_\_\_

DocuSigned by:

Beth Wilson

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# EDUCATIONAL IMPACT STATEMENT

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School District



## DATA ANALYSIS WORKSHEET

### ELEMENTARY SCHOOL: Brentwood

ADDRESS: 512 E. Huntland Dr.

PERMANENT CAPACITY: 585

MOBILITY RATE: -1.3%

#### 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	549	656	658
% of Permanent Capacity	94%	112%	112%

#### 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	542	639	641
% of Permanent Capacity	93%	109%	110%

### MIDDLE SCHOOL: Lamar

ADDRESS: 6201 Wynona St.

PERMANENT CAPACITY: 1,008

MOBILITY RATE: +14.4%

#### 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	1,075	1,185	1,187
% of Permanent Capacity	107%	118%	118%

#### 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	1,230	1,281	1,283
% of Permanent Capacity	122%	127%	127%

# EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin  
Independent  
School District



## HIGH SCHOOL: McCallum

ADDRESS: 5600 Sunshine Drive

PERMANENT CAPACITY: 1,596

MOBILITY RATE: +4.8%

### 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	1,752	2,008	2,010
% of Permanent Capacity	110%	126%	126%

### 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	1,836	2,081	2,083
% of Permanent Capacity	115%	130%	131%

## PUBLIC HEARING INFORMATION

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

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

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

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

For additional information on the City of Austin's land development process, visit our website:  
[www.austintexas.gov/planning](http://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: C14-2021-0019

Contact: Mark Graham, 512-974-3574

Public Hearing: June 08, 2021, Planning Commission

Benjamin Edelstein

Your Name (please print)

☐ I am in favor  
☒ I object

5604 Roosevelt Ave ATx 78756

Your address(es) affected by this application

[Signature]

Signature

6-7-21

Date

Daytime Telephone: 512-289-9370

Comments:

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

City of Austin, Housing and Planning Department

Mark Graham

P. O. Box 1088, Austin, TX 78767

Or email to:

[mark.graham@austintexas.gov](mailto:mark.graham@austintexas.gov)

Dear Mayor Adler and Austin City Council Members,

The McCallum High School Campus Advisory Council (CAC) is writing regarding case number C14-2021-0019, in which the applicant seeks a rezoning to allow 300 units on two combined sites at 5700 Grover Avenue (the old Dart Bowl location) and 5612 Roosevelt Avenue. The proposed project is directly across Grover from McCallum High School.

**The McCallum CAC requests your support for solutions to two major issues related to this project.** Please note that the city's required Educational Impact Statement (EIS) is limited to estimating the number of students a project is likely to generate, which is negligible in this case likely due to the smaller unit size and anticipated cost of market rate units. The EIS is not designed to identify or address the type of issues outlined below.

- (1) **Affordable Housing:** The proposed project constitutes an upzoning to allow a greater number of units, yet it does not appear to include any affordable units at a time when many AISD families and staff struggle to remain in Austin due to rising housing costs. We believe it is especially important to provide affordable units in major new projects in high opportunity areas, such as this one.

**Solution: As a condition of rezoning, please require at least ten percent of the proposed 300 units to be affordable at the 60% Median Family Income (MFI) level for rental units or at the 80% MFI level for ownership units.**

- (2) **Campus Access:** McCallum currently relies on street parking on Grover to maintain campus access for students, faculty, and volunteers during school hours. Additionally, McCallum is home to the district-wide Fine Arts Academy, which enrolls roughly 500 students from neighborhoods all across the city, many of whom must drive to attend this acclaimed program (despite repeated requests, AISD does not provide bus transportation for the Academy, and not every student is able to access our campus using Cap Metro, though many do). We do not yet know the parking impacts of The Pearl apartments, a soon-to-be-opened project by the same developer at the corner of Grover and 2222, also directly across from McCallum. Needless to say, we are extremely concerned about the parking impacts of adding another 300 units to Grover in addition to The Pearl. Though both projects will provide garage parking for tenants, it is often easier for tenants and their visitors to park on the street. During school hours, this would significantly impede campus access for many of our students, faculty, and volunteers.

**Solution: As a condition of rezoning, please commit to installing signage on the stretch of Grover adjacent to McCallum to reserve street parking for school use only during school hours.**

As many of you will recall, the AISD Trustees expressed similar concerns during the CodeNEXT process, specifically citing the loss of affordable housing and the potential

for reduced access to campuses due to proposed on-site parking reductions for nearby projects. The McCallum CAC reiterates these concerns and strongly urges you to recommend the above solutions as conditions of rezoning for this project.

As always, thank you for your consideration and your service to our shared community.

McCallum High School Campus Advisory Council  
Elaine Bohls-Graham and Claire Mathias, Co-chairs  
Susan Moffat, Secretary

Approved May 3, 2021

*Campus Advisory Councils (CACs) are committees of parents, students, business and community representatives, teachers, principals, and other campus staff. The formation of CACs is required by state law (Texas Education Code, §11.251)*

**From:** [Caroline Bailey](#)  
**To:** [Graham, Mark](#)  
**Subject:** Support for C14-2021-0019  
**Date:** Tuesday, July 27, 2021 2:06:31 PM

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\*\*\* External Email - Exercise Caution \*\*\*

Good afternoon Mark,

I am writing to express my enthusiastic support for the rezoning of 5700 Grover Avenue and 5612 Roosevelt Avenue to MF-6-CO-NP, which is on the Council agenda for Thursday, 7/29. This is a fantastic high opportunity area for more homes - directly across from a high school, on or near several bus routes, close to several businesses within walking or biking distance. I am especially excited about the improved impervious cover and additional flood mitigation that a new multi-family development would provide.

Plus, above all, more homes is always a good community benefit!

I live in District 9, but I work in District 7 - by the Burnet HEB, very close to these properties. I would love to see more affordable homes near my job where I could potentially walk or bike to work very easily.

Thank you for your time and consideration.

Have a great day!

--

**Caroline Bailey, AICP**

**CAUTION:** This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to [cybersecurity@austintexas.gov](mailto:cybersecurity@austintexas.gov).