

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0123 – 7900 South Congress DISTRICT: 2

ZONING FROM: DR; NO-CO TO: GR-MU-V-CO for Tract 1;
CS-MU-V-CO for Tract 2,
as amended

ADDRESSES: 7809 Peaceful Hill Lane; 7713 and 7715 and Byrdhill Ln; 7604, 7900 and 7900 1/2 South Congress Avenue

SITE AREA: 43.033 acres total
Tract 1 – 11.844 acres; Tract 2 – 31.189 acres

PROPERTY OWNERS:

Agape Christian Ministries Austin, Inc. (Lawrence A. Wilkerson) – Tract 1
RDO Properties, LLC (Bobby J. Ormand; Carolyn D. Ormand) – Tract 2

AGENT: Husch Blackwell (Nikelle Meade)

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – mixed use – vertical mixed use building – conditional overlay (GR-MU-V-CO) combining district zoning for Tract 1 and general commercial services – mixed use – vertical mixed use building – conditional overlay (CS-MU-V-CO) combining district zoning for Tract 2. The Conditional Overlay is for the following items:

- 1) requires a 30-foot wide vegetative buffer along the western property line of Tract 1 (Peaceful Hill Lane);**
- 2) prohibits vehicular access to Peaceful Hill Lane from Tract 1, except for the portion that will be dedicated as public right-of-way for the extension of Foremost Drive;**
- 3) prohibits the following uses on Tract 1: Alternative financial services, Automotive rentals, Automotive repair services, Automotive sales, Automotive washing (of any type), Bail bond services, Business or trade school, Business support services, Drop-off recycling collection facility, Exterminating services, Food preparation, Funeral services, Hospital services (general), Hotel-motel, Indoor entertainment, Indoor sports and recreation, Outdoor entertainment, Outdoor sports and recreation, Pawn shop services, Research services, Service station, and Theater;**
- 4) establishes the following conditional uses on Tract 1: Community recreation (private), Community recreation (public), Custom manufacturing, Medical offices (exceeding 5,000 square feet of gross floor area), and Hospital services (limited);**
- 5) establishes that no more than 50 percent of all building facades shall be located between 30 feet and 75 feet of the western property line;**

- 6) requires that at least 20 percent of all building facades shall be located more than 240 feet from the western property line; and
- 7) prohibits the following uses on Tract 2: alternative financial services, bail bond services, and pawn shop services. *For a summary of the basis of Staff's recommendation, see pages 3-5.*

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memo, dated October 6, 2022, as provided in Attachment A.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

December 6, 2022: APPROVED GR-MU-V-CO DISTRICT ZONING FOR TRACT 1 AND CS-MU-V-CO DISTRICT ZONING FOR TRACT 2, WITH CONDITIONS OF THE TRAFFIC IMPACT ANALYSIS, AS STAFF RECOMMENDED, WITH THE FOLLOWING MODIFICATIONS AND ADDITIONS TO THE -CO: A 30-FOOT WIDE VEGETATIVE BUFFER THAT MAINTAINS THE EXISTING TREES IS REQUIRED ALONG PEACEFUL HILL LANE; BUILDING HEIGHTS ARE REQUIRED TO FOLLOW THE APPLICANT'S CONCEPTUAL LAND USE PLAN; AND THE APPLICANT IS REQUIRED TO WORK WITH ATD TO MAXIMIZE LIGHTING AND SAFETY IMPROVEMENTS AT THE PEACEFUL HILL LANE AND FOREMOST DRIVE INTERSECTION.

[D. KING; L. STERN – 2ND] (11-0)

July 5, 2022: APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY STAFF [B. GREENBERG; J. KIOLBASSA – 2ND] (9-0) A. DENKLER, R. WOODY - ABSENT

CITY COUNCIL ACTION:

January 26, 2023:

ORDINANCE NUMBER:

ISSUES:

The December 6th Zoning and Platting Commission minutes as it relates to requiring building heights to follow the Applicant's Conceptual Plan were approved in error. Upon review of the meeting video, Staff observed that the Commission Chair stated that "within so many feet of Peaceful Hill Lane and so many feet of Foremost Drive, the height will be limited to 35 feet and then between x number of feet from Foremost Drive to the north, the height will be limited to 56 feet." Staff then stated that a drawing would be needed to show the heights and then the Chair added that the Applicant can work with Staff to ensure there is an accurate exhibit. The Tract 1 Height Limit Exhibit prepared by the Applicant is in accordance with the Commission action. Staff regrets the error and the resulting confusion for the Applicant and the Neighborhood.

On November 8, 2022, the Applicant amended the request for Tract 1 only to GR-MU-V-CO with the CO for a list of prohibited and conditional uses, vehicular access restrictions to

Peaceful Hill Lane and treatment of building facades. On October 14, 2022, the Applicant amended the request to include a list of prohibited uses for Tracts 1 and Tract 2. Please see correspondence following Attachment A.

The Applicant has met with representatives of Parkridge Gardens HOA and the Peaceful Hill Preservation Association. The Applicant has also contacted the South Austin Neighborhood Alliance (SANA), Onion Creek HOA, and representatives of Highmark Condominiums and Verrado Condominiums. Correspondence received in favor and in opposition to the proposed rezoning is attached at the back of this packet.

On January 12, 2022, the Applicant amended the original rezoning application filed in July 2021 to add a scrap and salvage business on South Congress (Tract 2). The amendment increased the size of the rezoning area from 11.844 acres to 43.033 acres and resulted in the requirement for the Applicant to prepare a Traffic Impact Analysis.

CASE MANAGER COMMENTS:

The rezoning area consists of two distinct tracts totaling 43.033 acres of land connected by a portion of South Boggy Creek which runs along the northern part of the rezoning area. The western 11.844 acres is designated as Tract 1, is undeveloped, fronts on Peaceful Hill Lane and has NO-CO, neighborhood office – conditional overlay since Council approval of two adjoining rezoning cases in 2003. The existing -CO requires a 20-foot wide vegetative buffer along Peaceful Hill Lane, references the conditions of a neighborhood traffic analysis, limits access to Dittmar Road and prohibits certain uses. ***Please refer to Exhibits B and B-1 – 2003 Rezoning Ordinances.*** The eastern 31.189 acres is designated as Tract 2, contains a scrap and salvage use which has been operational prior to annexation in 1984, takes access to South Congress Avenue and has had DR, development reserve zoning since that time.

There are single family residences and attached condominiums across Dittmar Road to the north (SF-3; SF-2; MF-2-CO; RR); a single family residence, office / warehouses, undeveloped land and apartments across South Congress to the east (SF-2; CS; GR; MF-4-CO); outdoor storage and condominiums to the south on Peaceful Hill Lane and recreational vehicle and boat storage to the south on South Congress Avenue (SF-6; SF-6-CO; CS-CO; CS-MU-CO); and single family residences in the Beaconridge II subdivision across Peaceful Hill Lane to the west (SF-2). South Congress Avenue is designated as a Project Connect corridor for the future extension of the proposed Orange Line, and is currently served by two Capital Metro bus routes, including a Metro Rapid Bus Route. ***Please refer to Exhibits A and A-1 – Zoning Map and Aerial View.***

The Applicant proposes to rezone Tract 1 which has frontage on Peaceful Hill Lane to the community commercial use – mixed use – vertical mixed use building – conditional overlay (GR-MU-V-CO) and Tract 2 to the general commercial services – mixed use – vertical mixed use building – conditional overlay (CS-MU-V-CO) district to facilitate a cohesive development of the following project:

- 1,218 mid-rise multifamily units
- 210,000 square feet of general office

- 136,000 square feet of shopping center

The Applicant's proposed Conditional Overlay on Tract 1 would establish a 30' vegetative buffer on Peaceful Hill, prohibit vehicular access to Peaceful Hill (the extension of Foremost Drive would connect to Peaceful Hill, as required by Code), limit uses to those allowed in the LR, neighborhood commercial district, and establish locational criteria for the amount of building facades in proximity to the west property line. On Tract 2, the proposed -CO would prohibit alternative financial services, bail bond services, and pawn shop services. The Applicant's proposed -CO has been incorporated in the Staff recommendation.

The Applicant has also provided a conceptual land use plan and a conceptual park plan, both of which show a 13.5 acre park intended for dedication to the City with private maintenance on the northern half of the property. The park plans also include the restoration of South Boggy Creek. The Applicant has been in discussions with the Parks and Recreation Department about the agreements necessary to codify the parkland arrangement. As depicted on the conceptual plan, the Applicant proposes to create a western extension of Foremost Drive from South Congress through the property to Peaceful Hill Lane. Direct vehicular access from the project is not proposed to West Dittmar Road or Peaceful Hill Lane.

The Applicant was required to prepare a traffic impact analysis (TIA) for the proposed project and include a neighborhood traffic analysis (NTA) component for development proposed on Tract 1 which contains the Peaceful Hill frontage. ***Please refer to Attachment A – Traffic Impact Analysis Memo and the Applicant's correspondence, Conceptual Plan and Parks Plan.***

BASIS FOR RECOMMENDATION

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

For Tract 1: The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways. The mixed use (MU) combining district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. Vertical mixed use building (V) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed use building. The 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.

For Tract 2: The proposed general commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. The MU, V and CO combining districts are described above.

The property has access to Peaceful Hill Lane both which is classified as Level 2 (collector) street and South Congress Avenue which is classified as a Level 3 (minor arterial) street.

2. *The proposed zoning should be consistent with the goals and objectives of the City Council.*
3. *Zoning should promote the policy of locating retail and more intense zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*
4. *Zoning changes should promote an orderly relationship among land uses.*

Staff recommends the Applicant's request for GR-MU-V-CO for Tract 1 and CS-MU-V-CO district zoning with the conditions of the Traffic Impact Analysis based on the following considerations outlined below.

For Tract 1, the GR base district is a less intensive commercial zoning district and provides a transition from the proposed CS zoned tract fronting South Congress Avenue and the residential neighborhoods along Peaceful Hill Lane. The -CO prohibits a list of more intensive uses and generally limits land uses to those allowed in the LR, neighborhood commercial district.

For Tract 2, land uses along this segment of South Congress Avenue are in transition from undeveloped tracts and heavy commercial / industrial uses to those that include multi-family residences. For example, there are three tracts directly across South Congress Avenue that have been rezoned to the multi-family residence-moderate-high density (MF-4) or the general commercial services – mixed use (CS-MU) district and are currently under construction or planned for apartments. Additionally, a supermarket and additional commercial / retail services have been constructed on land south of the South Congress Avenue / Ralph Ablanedo Drive intersection.

The property is also located along the South Congress Activity Corridor and extends west to Peaceful Hill Lane. The -MU district allows for the Applicant's intended construction of a residential, office and commercial development on the property and supports the goals stated in the Imagine Austin Comprehensive Plan and the Strategic Housing Blueprint.

The City Council recently approved an amendment to Subchapter E (*Design Standards and Mixed Use*) relating to Vertical Mixed Use Buildings (Ordinance No. 20220609-080) that will allow for VMU1 and VMU2 buildings to be constructed on South Congress Avenue between Riverside Drive and Ralph Ablanedo Drive. ***Please refer to Resolution No. 20200807-003 - Project Connect Contract with Voters, Exhibit A: System Plan - Exhibit A-***

3. A building constructed under vertical mixed use building (–V) standards is required to contain a mix of residential and commercial uses, and the result is typically retail, restaurants and offices on the ground floor, and residential units on the upper levels. A VMU1 building allows for up to 60 feet (consistent with the height restrictions of the GR and CS base districts). On the subject property, there is also the opportunity to waive: 1) the front, street side, and interior side yard setbacks, 2) the 2:1 floor-to-area ratio established by CS zoning, and 3) the minimum site area requirement which is the number of dwelling units on a site by

requiring a certain amount of square footage for a specific type of multi-family unit (efficiency, one bedroom, two bedroom). A –V building is also eligible for 60 percent of the minimum requirement for off-street parking. Finally, a –V building has an established affordability level for rental units which is 10 percent of the residential units set aside for households earning no more than 80 percent of the current Austin-Round Rock Metropolitan Statistical Area median family income (MFI) for a period of 99 years (\$66,180 is the June 2022 Income Limit for a 4-person household).

A VMU2 building is a recently approved option permitted along a light rail line and allows for up to an additional 30 feet in height and up to 90 feet in the GR and CS districts. There are two types of VMU2 buildings that include rental units:

- 1) 15% of the rental units in a building are affordable for a 40-year period (calculated from the date of issuance of a certificate of occupancy) for households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
- 2) 12% of the rental units are affordable for a 40-year period as described above for households earning 50% or less MFI.

The proposed development also incorporates a significant amount of area to be dedicated as parkland adjacent to South Boggy Creek, and covers portions of Tracts 1 and 2.

The TIA recommends improvements to the South Congress / Foremost Drive intersection including installation of a traffic signal, pedestrian and bicycle elements, and restriping the westbound approach. Improvements to the South Congress / Dittmar Road intersection including installation of a traffic signal, pedestrian and bicycle elements are also recommended.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	NO-CO; DR	Undeveloped (Tract 1); Scrap and salvage yard (Tract 2)
<i>North</i>	DR; SF-3; SF-2; RR; MF-2-CO	South Boggy Creek (City-owned); Single family residences in the Meadowcreek subdivision; Undeveloped; Attached condominiums
<i>South</i>	SF-6; SF-6-CO; CS-CO; CS-MU-CO	Outdoor storage of vehicles and equipment; Condominiums; RV and boat storage; Under construction for apartments
<i>East</i>	CS; GR; MF-4-CO	Office / warehouses; South Boggy Creek; Undeveloped; Apartments
<i>West</i>	DR; SF-2; SF-3	Single family residences in the Beaconridge II subdivision

NEIGHBORHOOD PLANNING AREA: Not Applicable TIA / NTA: Is required –
Please refer to Attachment A

WATERSHED: South Boggy Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

			sidewalk from Shallot Way to Mairo St (6-6-2013).
C14-2018-0091 – SOCO II – 8100, 8102 and 8104 South Congress Avenue	CS-CO to CS-MU	To Grant CS-MU-CO w/CO prohibiting adult-oriented businesses, auto rentals, repair, sales & washing, commercial blood plasma center and pawn shop services	Apvd CS-MU-CO as ZAP recommended, (11-29-2018).
C14-2008-0100 – South Congress Storage Rezoning – 8008 S Congress Ave	DR to CS	To Grant CS-CO w/CO for a list of prohibited uses being auto repair, auto rental, auto sales, auto washing, vehicle storage, convenience storage, commercial blood plasma center, adult-oriented uses, and pawn shop services, 50' landscape buffer, 100' building setback adjacent to DR zoned property and 2,000 trips/day.	Apvd CS-CO as ZAP recommended, except that automotive washing (of any type), convenience storage and vehicle storage were removed from the prohibited use list (9-25-2008).
C14-2008-0050 – Clark & Southside 13 – 8104 and 8200 S. Congress Ave.	DR; RR-CO; SF-2 to CS	To Grant CS-CO w/CO for list of prohibited uses being auto-related uses including vehicle storage, convenience storage, commercial blood plasma center, adult businesses and pawn shops; 50' landscape buffer, 100' building setback adjacent to DR zoned property & 2,000 trips.	Approved CS-CO as Commission recommended except for removing convenience storage and vehicle storage use from the prohibited use list (6-18-08).
C14-05-0034.SH – Peaceful Hill Subdivision – 308 Ralph Ablanado Dr and 8319 Peaceful Hill Ln	SF-6; W/LO; LI; DR to SF-4A	To Deny SF-4A	Apvd SF-4A-CO w/CO for: 1) 2,000 trips; 2) prohibit access to Peaceful Hill Ln.; 3) a residential use shall comply with

			the measures under Section 25-13-44 (Airport Overlay Land Use Table) that achieve a minimum outdoor-to-indoor noise level reduction of 25 decibels; 4) a 30' rear yard setback shall be established for a residential structure adjacent to a non-residential use or zoning district; and 5) the max height is one story adjacent to Crippen Sheet Metal. Restrictive Covenant for: 1) the Neighborhood Traffic Analysis; 2) construction of a pedestrian accessway to Peaceful Hill Ln; 3) center turn lane along Ralph Ablanado Dr frontage; 4) 6' solid masonry wall along property lines that do not abut Ralph Ablanado Dr on the south and Peaceful Hill Ln on the west, and 5) an 8' solid fence along the east property line (12-15-2005).
C14-99-0032 – Self Zoning Change – 7707 Peaceful Hill Ln	SF-2 to SF-3	To Grant SF-3	Apvd SF-3 (5-6-1999).
C14-94-0097 – Pecan Grove Venture II – 7400 S Congress Ave	DR to MF-2	Apvd MF-2-CO w/conds	Apvd MF-2-CO w/CO for Tract 1: CO establishes max. 150 units, 100' buffer along the west

			property line, prohibit access to Dittmar and Loganberry Court and RR for Tract 2 (5-9-1996).
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RELATED CASES:

The rezoning area was annexed into the City limits in November 1984. Council approved NO-CO for the southern portion of Tract 1 (6.98 acres - 7809 Peaceful Hill Lane) on June 5, 2003 (C14-02-0168 – Agape Christian Ministries). The Conditional Overlay establishes a 20-foot wide vegetative buffer along Peaceful Hill Lane, references the recommendations of the Neighborhood Traffic Analysis, and prohibits certain uses on the property. The northern portion of Tract 1 (4.648 acres - 7715 Byrdhill Lane) was also approved for NO-CO on June 5, 2003 with the CO limited to one access point to Dittmar and the recommendations of the Neighborhood Traffic Analysis (C14-02-0169 – Agape Christian Ministries). The DR zoned Tract 2 was the subject of a rezoning request for LI-CO that was recommended for denial by the Zoning and Platting Commission and expired per LDC Section 25-2-246(A)(2) (*Expiration of Application*) (C14-2011-0160 – Capital City Salvage).

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
South Congress Avenue	116' – 150'	70'	ASMP Level 3	Yes	Buffered Bike Lane	Yes
West Dittmar Road	53'	20'	ASMP Level 2	No	Shared Lane	Yes
Peaceful Hill Lane	60'	40'	ASMP Level 2	No	None	Yes
Byrdhill Lane	40'	20'	ASMP Level 1	No	None	No

ADDITIONAL STAFF COMMENTS:

Inclusive Planning

GR-MU-V-CO for the original 11.844 acres that takes access to Peaceful Hill Lane (Tract 1), and CS-MU-V-CO for the additional and adjacent 31.189 acres that takes access to South Congress (Tract 2).

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: Located along the South Congress Activity Corridor
Y	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
Y	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane. (mostly on S. Congress)
Y	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
Y	Connectivity and Education: Located within 0.50 miles from a public school or university.
Y	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
Y	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Y	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
Y	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
9	Total Number of "Yes's"

Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Impervious Cover

The maximum impervious cover allowed by CS-MU-V-CO zoning district is 90%, which is based on the more restrictive *watershed* regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the South Boggy Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location.

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

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.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

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 – Planning & Design Review

Parkland dedication will be required at the time of subdivision or site plan application for new residential units, per City Code § 25-1-601, as amended. The proposed development meets the criteria for land dedication in City Code Title 25, Article 14. The intensity of the proposed development creates a need for over six acres of additional parkland, per requirements described in § 25-1-602; when over six acres, parkland must be dedicated – see

§ 25-1-605 (A)(2)(a). As such, land dedication will be required, as well as any remaining fees in-lieu.

The development as proposed will require parkland dedication for the new residential units that will serve the surrounding neighborhood and future residents through the additional park investment. The Parks and Recreation Department (PARD) would consider a connection along South Boggy Creek 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 for the South Boggy Creek Greenbelt, a recommendation identified in the Parks and Recreation Department's Long Range Plan. It is also identified as a Tier II Urban Trail and continues east of South Congress Avenue to South Boggy Creek trail.

Given the critical need for parkland with such a development — see § 25-1-605 (A)(2)(a) — additional land may also be considered for a pocket or neighborhood park facility, as well. The surrounding neighborhood areas are currently park deficient, defined as being outside walking distance to existing parks. The dedication would satisfy the need for additional parks in park deficient areas of Central South Austin, another recommendation 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. At the applicant's request, PARD can provide an early determination letter of the requirements as stated in this review.

Site Plan and Compatibility Standards

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

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

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations. Compatibility compliance will be required along the south and west property lines.

- 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.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, height limitation is 60 feet.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.

Additional design regulations from LDC 25-2-1067 include the following:

- Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent property:
 - (1) in an urban family residence (SF-5) or more restrictive district
 - (2) on which a use permitted in an SF-5 or more restrictive zoning district is located
- The noise level of mechanical equipment may not exceed 70 decibels at the property line.
- A permanently placed refuse receptacle, including a dumpster, may not be located 20 feet or less from property:
 - (1) in an SF-5 or more restrictive zoning district; or
 - (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.

Austin Transportation Department – Engineering Review

A Neighborhood Traffic Analysis is required and has been performed for this project by ATD staff [LDC 25-6-114]. Results are provided in Attachment A. NTA requires three (3) consecutive 24-hour tube counts, preferably on Tuesday, Wednesday, and Thursday, during a non-holiday week when school is in session. Staff will contact the applicant to discuss the location of the tube counts. Results will be provided in a separate memo.

A traffic impact analysis is required and has been completed. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA [LDC 25-6-142]. Comments will be provided in a separate memo after TIA has been received.

FYI - There is a proposed Urban Trail within this site, along South Boggy Creek. There may be an easement required upon Subdivision or Site Plan application for the trail (12' minimum trail width per the urban trails plan) and room for maintenance activity. This is the same for Tier I and Tier II trails.

ASMP Assessment

The Austin Strategic Mobility Plan (ASMP) calls for 140 feet of right-of-way for S Congress Ave. Additional right-of-way may be required [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 60' feet of right-of-way for Dittmar Rd. Additional right-of-way may be required [LDC 25-6-51 and 25-6-55].

The Austin Strategic Mobility Plan (ASMP) calls for 64' feet of right-of-way for Peaceful Ln. Additional right-of-way may be required [LDC 25-6-51 and 25-6-55].

Per the Austin Strategic Mobility Plan (ASMP), Level 1 streets are all required to have 50 feet of right-of-way in constrained conditions and 60 feet of right of way in greenfield developments. Additional right-of-way may be required for Byrdhill Ln [LDC 25-6-51 and 25-6-55].

Water / Wastewater

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.

Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibits A and A-1 – Zoning Map and Aerial View

Exhibit A-3 – Resolution No. 20200807-003 – Project Connect Contract with Voters,

Exhibit A: System Plan

Exhibits B and B-1 – 2003 Zoning Ordinances

Attachment A: Traffic Impact Analysis Memo

Attachment B: Educational Impact Statement

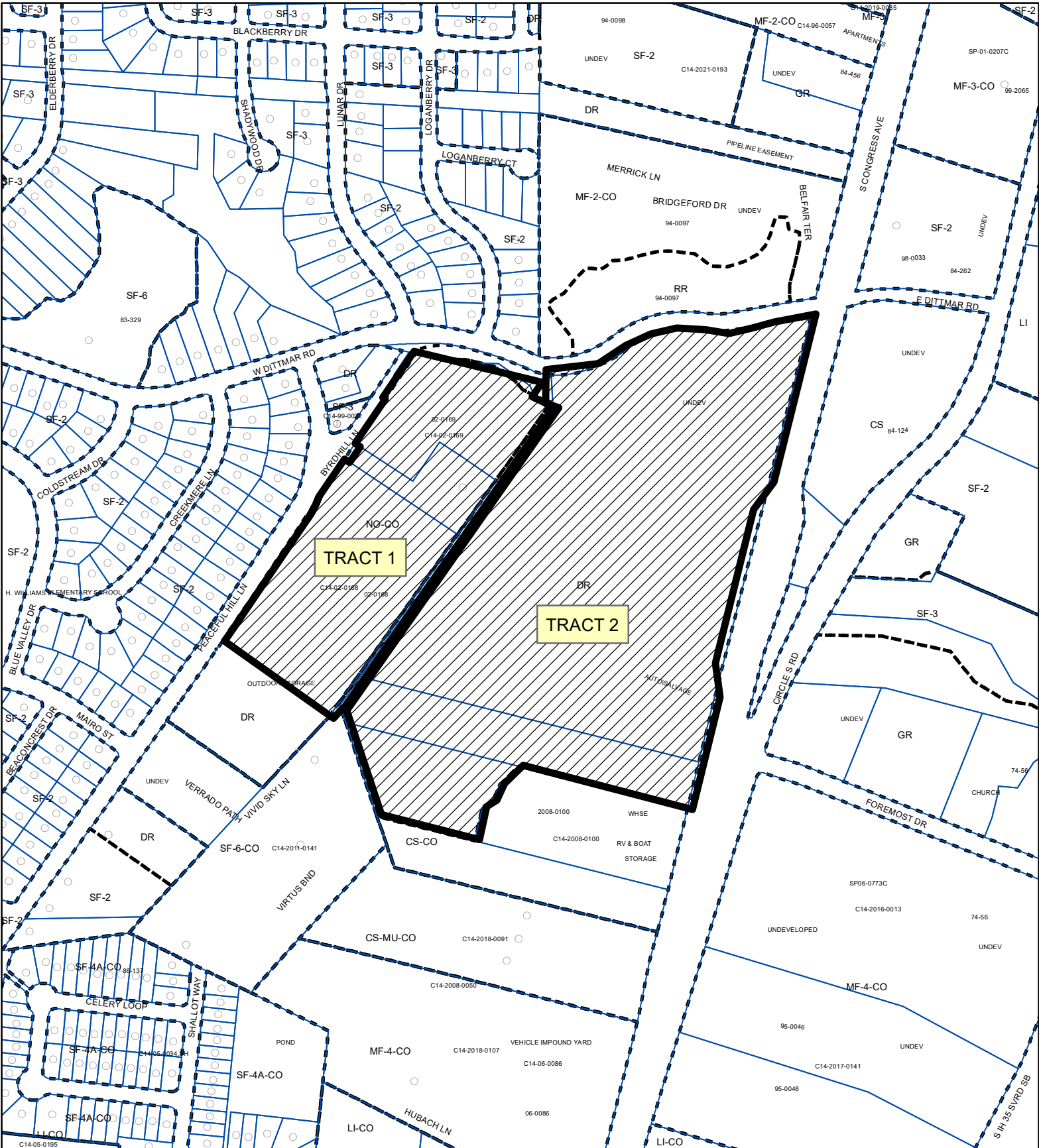
Applicant's correspondence

Conceptual Land Use Plan

Parks Plan

Tract 1 Height Limit Exhibit

Correspondence Received



ZONING

Exhibit A

ZONING CASE#: C14-2021-0123



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

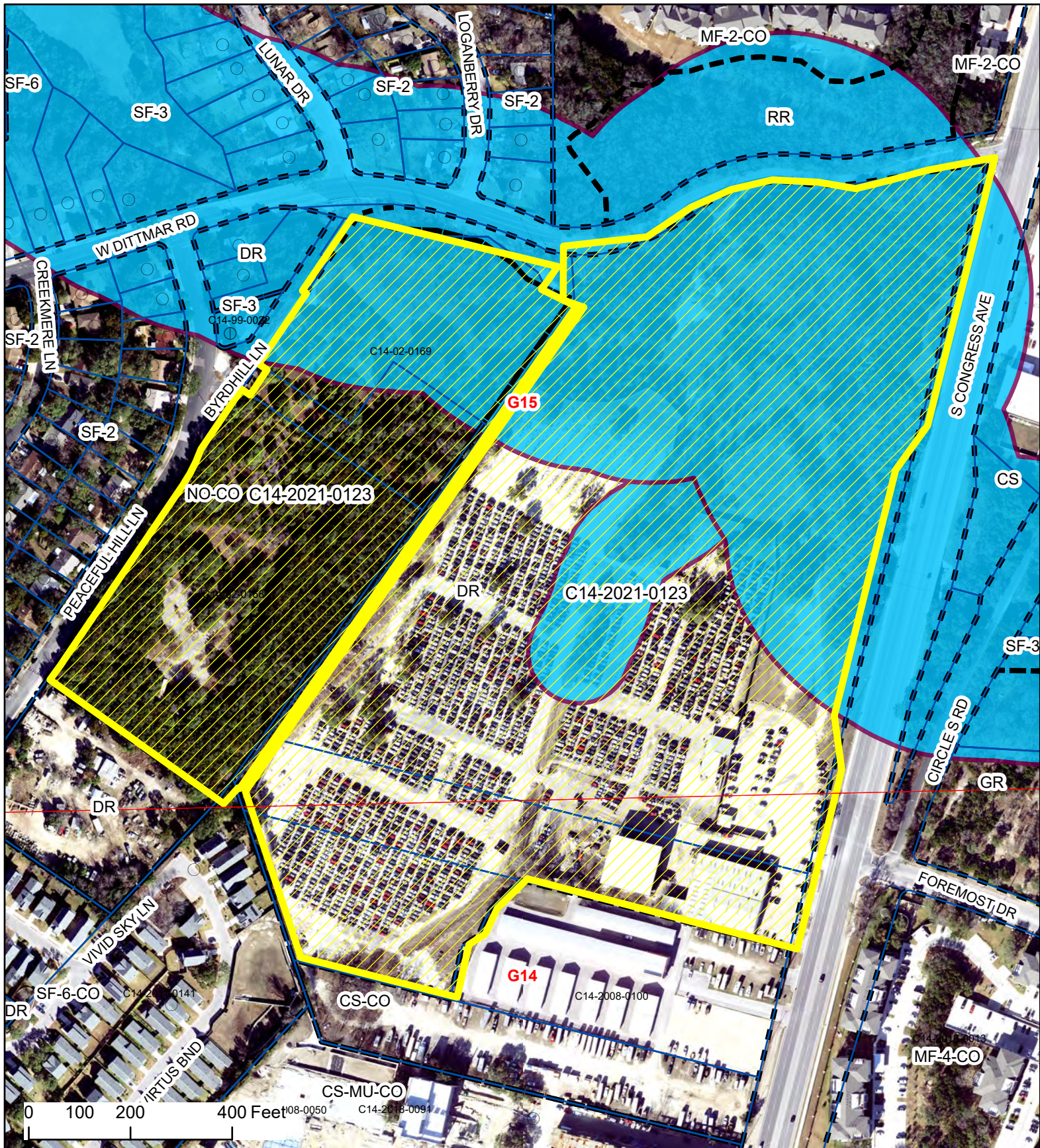
1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by 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: 10/17/2022



7900 South Congress (formerly known as Byrdhill Rezoning)

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

ZONING CASE#: C14-2021-0123 **Exhibit A - 1**
LOCATION: 7809 Peaceful Hill Ln;
 7900 South Congress Ave
SUBJECT AREA: 43.033 Acres
GRID: G15
MANAGER: Wendy Rhoades



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 completeness.

Created: 10/10/2022



METRO



projectconnect

SYSTEM PLAN INITIAL INVESTMENT

Adopted June 10, 2020

EXHIBIT A

LEGEND

LIGHT RAIL

- Orange Line
- Potential Future Extension
- Blue Line

METRO RAIL

- Red Line
- Green Line
- Potential Future Extension

METRO RAPID

- Gold Line
- Enhanced Metro Rapid Route
- Potential Future Extension

METROBUS

- Current Frequent Local Routes

METROEXPRESS

- Current MetroExpress
- Future MetroExpress

ADDITIONAL AVAILABLE SERVICES

- MetroAccess
- MetroBike
- CURRENT PARK & RIDE
- PROPOSED PARK & RIDE
- CIRCULATOR
- TUNNEL

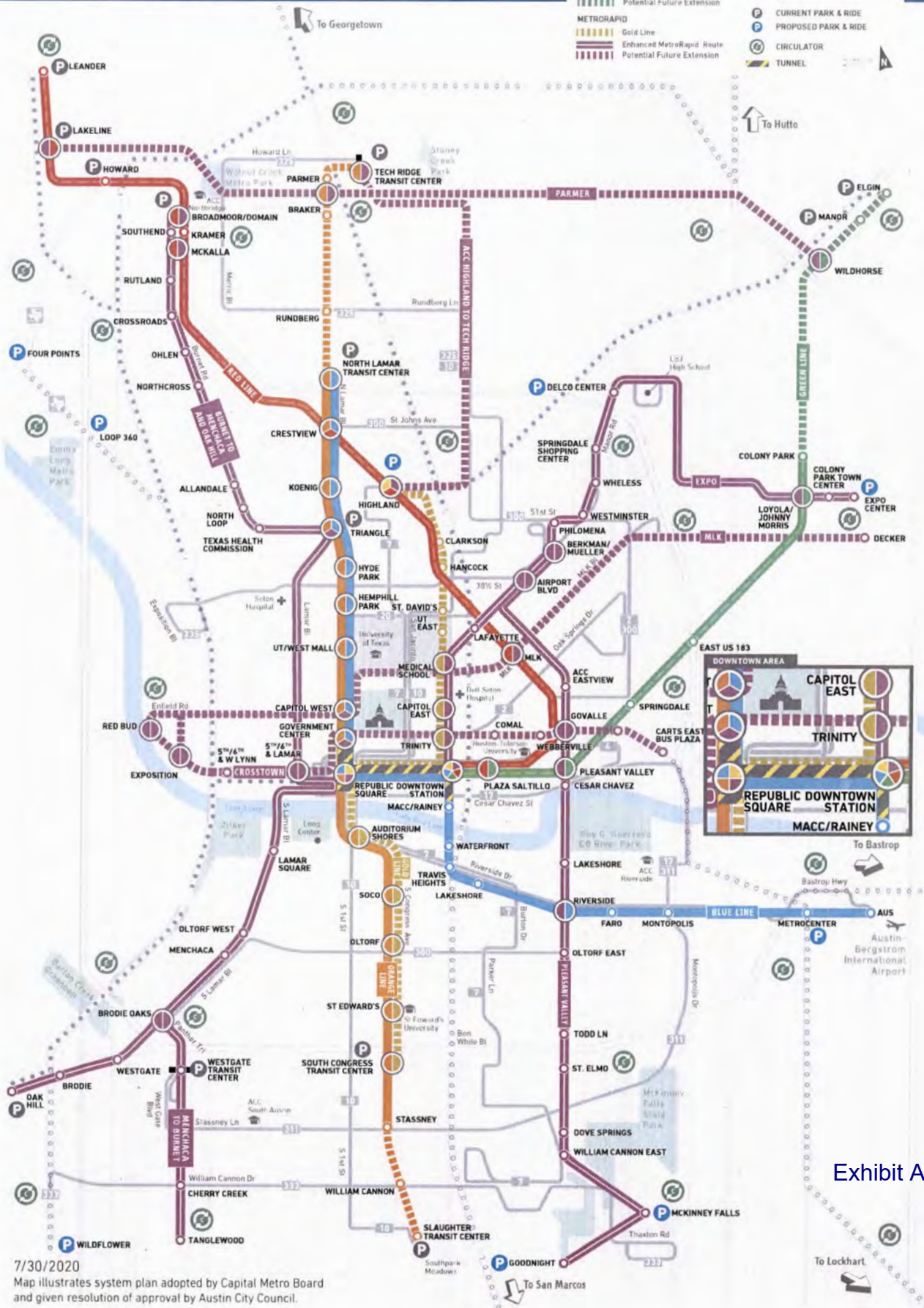


Exhibit A - 3

7/30/2020

Map illustrates system plan adopted by Capital Metro Board and given resolution of approval by Austin City Council.

ORDINANCE NO. 030605-31

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7809 PEACEFUL HILL LANE FROM DEVELOPMENT RESERVE (DR) DISTRICT TO NEIGHBORHOOD OFFICE-CONDITIONAL OVERLAY (NO-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from development reserve (DR) district to neighborhood office-conditional overlay (NO-CO) combining district on the property described in File C14-02-0168, as follows:

A 6.98 acre tract of land, more or less, out of the William Cannon League Survey No. 19, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 7809 Peaceful Hill Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A 20-foot wide vegetative buffer shall be provided and maintained along and adjacent to Peaceful Hill Lane. Improvements permitted within the buffer are limited to driveways, drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
2. Development on the Property is subject to the recommendations contained in the Neighborhood Traffic Analysis memorandum from the Transportation Review Section of the Watershed Protection and Development Review Department, dated April 2, 2003.

Exhibit B

3. The following uses are prohibited uses of the Property:

Bed and breakfast-Group 1
Professional office
College and university facilities
Congregate living
Residential treatment
Telecommunications tower-1

Bed and breakfast-Group 2
Software development
Community recreation (public)
Counseling services
Safety services
Urban farm

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood office (NO) base district and other applicable requirements of the City Code.

PART 3. The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on June 16, 2003.

PASSED AND APPROVED

June 5, 2003

§
§
§

Gustavo L. Garcia

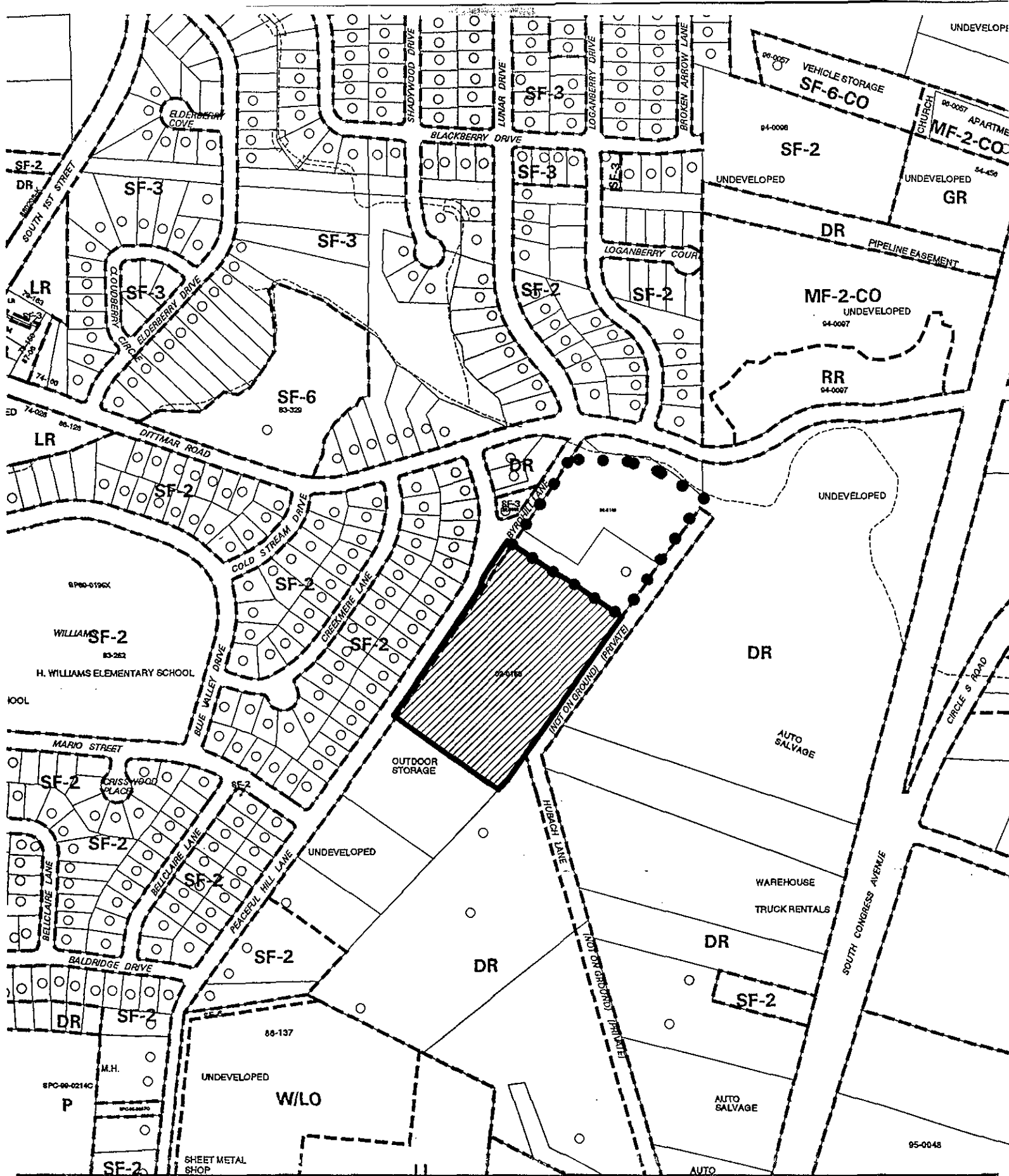
Gustavo L. Garcia
Mayor

APPROVED:

Sedora Jefferson
Sedora Jefferson
City Attorney

ATTEST:

Shirley A. Brown
Shirley A. Brown
City Clerk



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER G14
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-02-0168 ADDRESS: 7809 PEACEFUL HILL LANE SUBJECT AREA (acres): 6.873	DATE: 03-06 INTLS: SM	
	CASE MGR: W. WALSH			

ORDINANCE NO. 030605-32

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 7715 BYRDHILL LANE FROM DEVELOPMENT RESERVE (DR) DISTRICT TO NEIGHBORHOOD OFFICE-CONDITIONAL OVERLAY (NO-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from development reserve (DR) district to neighborhood office-conditional overlay (NO-CO) combining district on the property described in File C14-02-0169, as follows:

Tract A, Byrd Subdivision, a subdivision in the City of Austin, Travis County, according to the map or plat of record in Plat Book 76, Page 162, of the Plat Records of Travis County, Texas, and

A 3.505 acre tract of land, more or less, out of the William Cannon League Survey No. 19, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 7715 Byrdhill Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. Development on the Property is subject to the recommendations contained in the Neighborhood Traffic Analysis memorandum from the Transportation Review Section of the Watershed Protection and Development Review Department, dated April 2, 2003.
2. Vehicular access from the Property to Dittmar Road shall be from one access point.

Exhibit B - 1

3. The following uses are prohibited uses of the Property:

Bed and breakfast-Group 1
Professional office
College and university facilities
Congregate living
Residential treatment
Telecommunications tower-1

Bed and breakfast-Group 2
Software development
Community recreation (public)
Counseling services
Safety services
Urban farm

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the neighborhood office (NO) base district and other applicable requirements of the City Code.

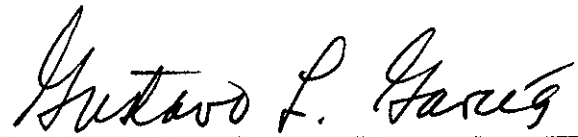
PART 3. The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

PART 4. This ordinance takes effect on June 16, 2003.

PASSED AND APPROVED

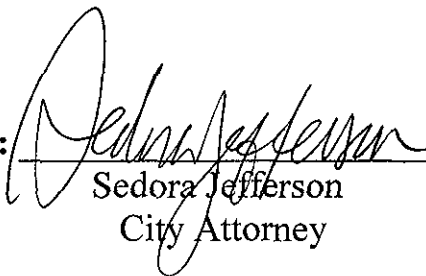
June 5, 2003

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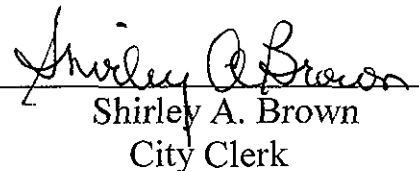
Gustavo L. Garcia
Mayor

APPROVED:

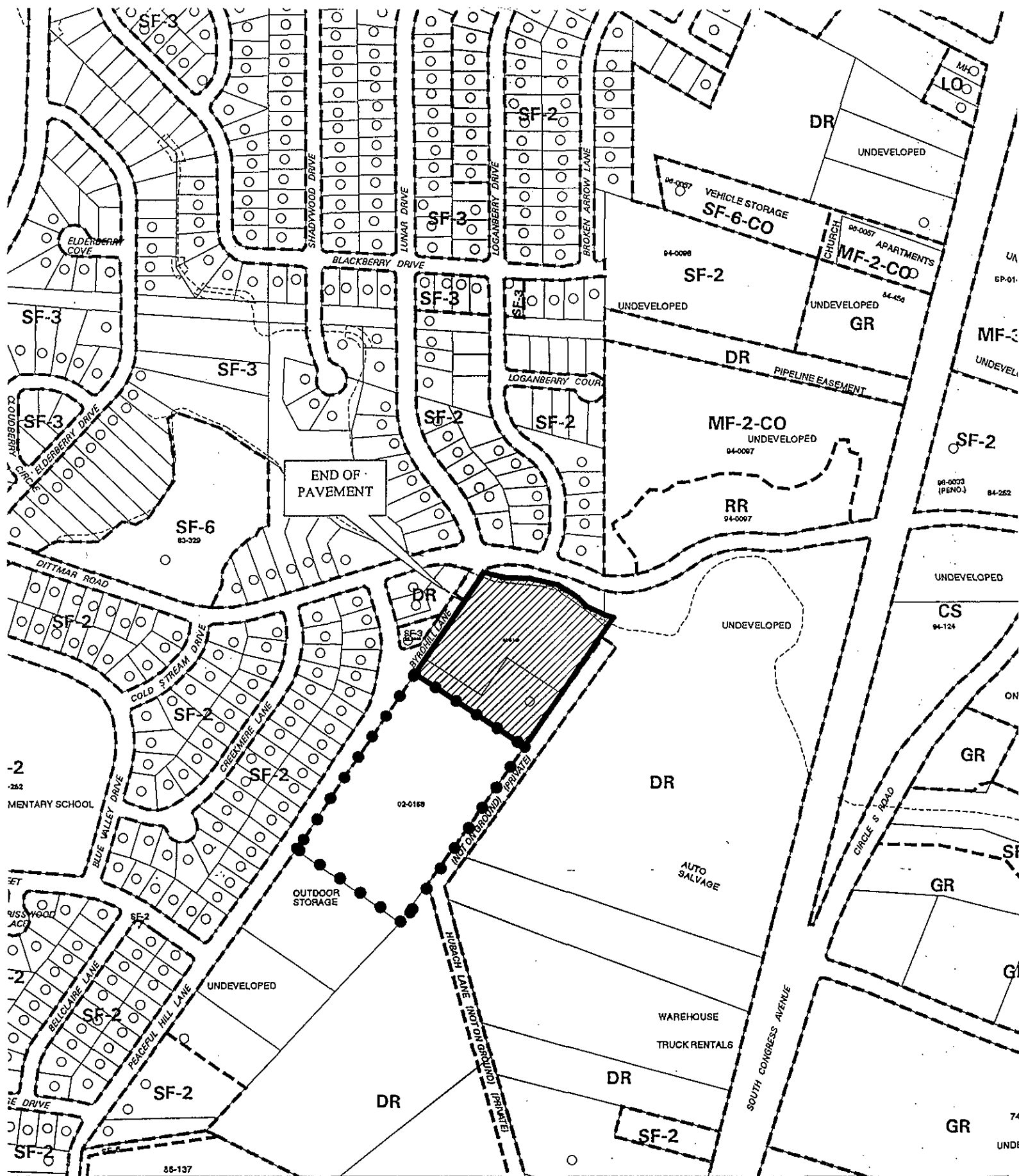


Sedora Jefferson
City Attorney

ATTEST:



Shirley A. Brown
City Clerk



 1" = 400' SHOP	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: W. WALSH	CASE #: C14-02-0169 ADDRESS: 7715 BYRDHILL LANE SUBJECT AREA (acres): 4.648	ZONING EXHIBIT B DATE: 03-05 INTLS: SM	CITY GRID REFERENCE NUMBER G15



MEMORANDUM

Date: October 6, 2022
To: Kathleen G. Smith, P.E., PTOE (HDR)
CC: Nathan Aubert, P.E. (ATD); Joan Minyard EIT (ATD)
Reference: Byrdhill Rezoning
Transportation Impact Analysis Final Memo
C14-2021-0123

Summary of the Transportation Impact Analysis (TIA):

The Austin Transportation Department (ATD) has reviewed the *"1709 Peaceful Hill Traffic Impact Analysis"* dated June 30, 2022 (received June 30, 2022) prepared by HDR Engineering, Inc. The proposed development consists of 1,218 dwelling units of mid-rise multifamily, 209,779 square feet of general office, and 135,541 square feet of shopping center. The site is located on the southwest corner of the intersection of South Congress Avenue and West Dittmar Road in south Austin. Site access will primarily consist of three full-access driveways: one on South Congress Avenue and two on Peaceful Hill Lane. The project is anticipated to be constructed by 2025.

Below is a summary of our review findings and recommendations:

1. The applicant shall design and construct the improvements and dedicate the easement identified in Table 2 below as part of the first site development application associated with this zoning case. Improvements to be built by the applicant should be included with the site plan. No temporary certificate of occupancy (TCO) or certificate of occupancy (CO) shall be issued until the construction of the identified improvements is complete. Note: Cost estimates **should not** be assumed to represent the maximum dollar value of improvements the applicant may be required to construct.
2. Development of this property should not vary from the approved uses or deviate from the approved intensities and estimated traffic generation assumptions within the finalized TIA document, including land uses, trip generation, trip distribution, traffic controls, driveway locations, and other identified conditions. Any change in the assumptions made to the TIA document shall be reviewed by ATD and may require a new or updated TIA/addendum.
3. Approval of this TIA does not grant nor guarantee approval of proposed driveway locations. Driveway locations must still be reviewed and approved by the appropriate City departments.
4. An electronic copy of the final TIA is required to be provided to ATD prior to the issuance of any site development permit.
5. The findings and recommendations of this TIA memorandum remain valid until five (5) years from the date of the traffic counts in the TIA or the date of this memo, whichever comes first, after which a revised TIA or addendum may be required.

6. Street Impact Fee Ordinances 20201220-061 [<https://www.austintexas.gov/edims/document.cfm?id=352887>] and 20201210-062 [<https://www.austintexas.gov/edims/document.cfm?id=352739>] have been adopted by City Council and are effective as of December 21, 2020. The City shall start collecting street impact fees with all building permits issued on or after June 22, 2022. For more information please visit the Street Impact Fee website [[austintexas.gov/streetimpactfee](https://www.austintexas.gov/streetimpactfee)].
7. Any building permit(s) associated with this development issued on or after June 22, 2022, will be subject to the Street Impact Fee (SIF) program. TDS staff shall draft a SIF Offset Agreement for all eligible improvements and, if requested by the applicant, an Allocation Agreement to memorialize how offsets are to be applied throughout the development. The SIF will be calculated and invoiced for each building permit and any required SIF payments shall be made prior to building permit issuance.

Assumptions:

1. Driveway access is being proposed on South Congress Avenue and Peaceful Hill Lane.
2. The anticipated buildout year is 2025.
3. The following reductions were applied for this development:
 - Transportation Demand Management (22% in both AM and PM to all land uses)
 - Internal Capture (10% in both AM and PM to all land uses)
 - Pass-by (34% in PM to Shopping Center)
4. Based on TxDOT AADT volume data, a two (2.0) percent annual growth rate was assumed to account for the increase in background traffic.
5. The following were identified as background projects expected to generate vehicle trips in addition to the general increase in background traffic:
 - South Congress Apartments (SP-2019-0213C)
 - SoCo II (SP-2019-0061C)

Trip Generation and Land Use

Based on the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition), the development will generate approximately 16,206 unadjusted daily vehicles trips at full buildout. Taking into account the trip reductions identified in the previous section, this development is anticipated to generate 12,641 adjusted daily vehicle trips. Table 1 shows the trip generation for the proposed development.

Table 1 – Trip Generation

ITE Code	Land Use	Size / Unit		24-Hour Two-Way Volume	AM Peak Hour	PM Peak Hour
Existing						
-	Vacant	-	-	-	-	-
Total Existing Trips				-	-	-
Proposed						
221	Mid-Rise Multifamily	1,218	DU	6,636	397	488
710	General Office	209,779	SF	2,177	224	230
820	Shopping Center	135,541	SF	7,393	220	680
Total Proposed Trips (Unadjusted)				16,206	841	1,398
Internal Capture Reduction (10%)				-	(84)	(140)
Pass-By Reduction (34% in PM to Shopping Center)				-	-	(231)
Transportation Demand Management Reduction (25%)				(3,565)	(165)	(225)
Total Adjusted Trips				12,641	591	802

Transportation Demand Management (TDM)

The applicant has agreed to provide Transportation Demand Management (TDM) measures to help reduce the number of vehicle trips expected to be generated by the development and in turn was granted a total TDM reduction of 22%. A Sustainable Modes Analysis was included in the TIA which was used to identify existing gaps in the pedestrian, bicycle, and transit system to determine which improvements should be associated with this development. The Sustainable Modes Analysis may also be used by future developments to identify pedestrian, bicycle, and transit needs in the area. By performing the Sustainable Modes Analysis and identifying specific pedestrian, bicycle, and transit infrastructure needs, the applicant was granted a 17% TDM reduction. Additional reductions were granted for the following TDM measures:

- Bicycle Parking (0.5%)
- Showers and Lockers (0.5%)
- TDM Coordinator (1%)
- TMA Membership (3%)

Summary of Recommended Improvements

Improvements to Roadway Infrastructure

The TIA analyzed a total of nine study intersections: three driveway intersections and six intersections external to the site. Based on the conclusions from this development's TIA, the following improvements have been identified and committed to by the applicant:

- Installation of a traffic signal, construction of associated pedestrian/bicycle improvements, and restriping the westbound approach to provide one left-turn lane and one thru/right-turn shared lane at the intersection of South Congress Avenue and Foremost Drive / Driveway A.
- Installation of a traffic signal and construction of associated pedestrian/bicycle improvements at the intersection of South Congress Avenue and West Dittmar Road.

- The applicant proposes extending Foremost Drive through the property to Peaceful Hill Lane. To ensure public access to this new extension, the applicant shall dedicate a public access easement that covers the width of the cross-section from South Congress Avenue to Peaceful Hill Lane.

Improvements to Transit

This area generally has adequate transit access along South Congress Avenue and is located along the future Orange Line route as part of Project Connect. As a result, no transit-related improvements have been proposed.

Improvements to Active Modes (Pedestrian and Bicycle Infrastructure)

There currently exists pedestrian and bicycle infrastructure in the area, however there are gaps in connectivity. To improve the active modes transportation network, the following improvements have been identified and committed to by the applicant:

- Construction of curb-protected bicycle lanes on the west side of South Congress Avenue along the property frontage. Please coordinate with ATD to determine final design.

Table 2 – Summary of Improvements

Items Eligible for Street Impact Fee Offset			
Location	Improvement	Estimated Cost	Developer Requirement
South Congress Avenue & Foremost Drive / Driveway A	Install traffic signal, construct associated pedestrian/bicycle elements, and restripe westbound approach to provide one left-turn lane and one thru/right-turn shared lane	\$360,000	Construct with first site plan application associated with zoning case
South Congress Avenue & West Dittmar Road	Install traffic signal and construct associated pedestrian/bicycle elements	\$350,000	Construct with first site plan application associated with zoning case
South Congress Avenue frontage	Construct curb-protected bicycle lane	\$544,223	Construct with first site plan application associated with zoning case
Subtotal		\$1,254,223	
Items Not Eligible for Street Impact Fee Offset			
Foremost Drive extension	Dedicate public access easement	\$118,643	Dedicate with first site plan application associated with zoning case
Subtotal		\$118,643	
Total		\$1,372,866	

Neighborhood Traffic Analysis

In addition to requiring a TIA, the applicant was also required to provide a Neighborhood Traffic Analysis (NTA) due to the proposed access to Peaceful Hill Lane. The property is currently zoned DR and NO-CO and the proposed zoning is CS-MU-V.

The tract proposes access to Peaceful Hill Lane, which is classified as a local collector street with 60 feet of right-of-way, 30 feet of pavement width, on-street parking, and two unstriped travel lanes. Curb and gutter and sidewalk is provided on the west side of the street, however there are no bicycle facilities present.

Average 24-hour traffic volumes were collected on Peaceful Hill Lane between June 22 and June 24, 2021. In order to account for the COVID-19 pandemic and school being out of session, an adjustment factor of 1.07 was applied to the collected counts. Based on these collected counts, average daily traffic volume on Peaceful Hill Lane was 779 vehicles per day.

Table 3 provides the expected distribution of site trips throughout the study area.

Table 3 – Trip Distribution	
Street	Traffic Distribution by Percent
Peaceful Hill Lane	10%
South Congress Avenue	90%

Table 4 represents a breakdown of traffic on Peaceful Hill Lane: existing traffic, proposed site traffic (based on 10% of total adjusted trips from Table 1), total traffic after development, and percentage increase in traffic.

Table 4 – Traffic Summary				
Street	Existing Traffic (vpd)	Proposed New Site Traffic to Roadway	Overall Traffic	Percentage Increase in Traffic
Peaceful Hill Lane	779	1,264	2,043	162.3%

According to Section 25-6-116 of the Land Development Code, streets which have a pavement width of 30 feet to less than 40 feet are considered to be operating at an undesirable traffic level if the average daily traffic volume for such a roadway exceeds 1,800 vehicles per day. Peaceful Hill Lane is currently operating at a desirable level, however it will exceed the 1,800 vehicles per day threshold with the introduction of site traffic. It should be noted that with the extension of Foremost Drive from South Congress Avenue to Peaceful Hill Lane, it is likely that a portion of the existing traffic on Peaceful Hill Lane will divert to this new extension rather than continue through to the Peaceful Hill Lane / West Dittmar Road intersection.

Given the recommendations and conclusions from the TIA, no additional improvements have been identified for construction as a result of the NTA.

If you have any questions or require additional information, please contact me at 512-974-1449.

A handwritten signature in black ink, appearing to read 'Justin Good', with a stylized, cursive script.

Justin Good, P.E.
Austin Transportation Department

EXHIBIT A

SITE LOCATION MAP



EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



PROJECT NAME: Byrdhill Rezoning

ADDRESS/LOCATION 7890 Peaceful Hill Ln., 7713&7715 Byrdhill Ln., 7604, 7900, 7900 ½ S. Congress

CASE #: C14-2021-0123

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

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

MF UNITS: 1,800 STUDENTS PER UNIT ASSUMPTION
Elementary School: 0.067 Middle School: .007 High School: .027

IMPACT ON SCHOOLS

On September 1, 2021 an Educational Impact Statement was submitted to the City of Austin for the same project, however, the number of multi-family units increased from 300 to 1,800 units.

The student yield factor of 0.10 (across all grade levels) for apartment homes was used to determine the number of projected students. This was determined by the district's demographer by looking at similar projects in the area that have been historically low.

The proposed 1,800-unit multifamily development is projected to add approximately 182 students across all grade levels to the projected student population. It is estimated that of the 182 students, 120 will be assigned to Williams Elementary School, 13 to Bedichek Middle School, and 49 to Crockett High School.

The percent of permanent capacity by enrollment for School Year 2025-26, including the additional students projected with this development, would be within the optimal utilization target range of 85-110% at Williams ES (108%), below the target range at Bedichek MS (62%), and Crockett ECHS (77%). The projected additional students at Bedichek MS and Crockett ECHS would not offset the anticipated decline in student enrollment.

TRANSPORTATION IMPACT

Students attending Williams ES and Bedichek MS will not qualify for transportation unless a hazardous route condition is identified. Students at Crockett ECHS will qualify for transportation and 1 additional bus will be needed.

SAFETY IMPACT

There are not any identified safety impacts at this time.

Date Prepared: 01.24.2022

Executive Director:

DocuSigned by:
Beth Wilson
38E0989C305B4F8...

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin
Independent
School District



DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Williams

ADDRESS: 500 Mairo St.

PERMANENT CAPACITY: 561

MOBILITY RATE: -4.2%

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	433	499	619
% of Permanent Capacity	77%	89%	110%

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	415	486	606
% of Permanent Capacity	74%	87%	108%

MIDDLE SCHOOL: Bedichek

ADDRESS: 6800 Bill Hughes Road

PERMANENT CAPACITY: 941

MOBILITY RATE: -11.9%

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	886	681	694
% of Permanent Capacity	94%	72%	74%

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	781	569	582
% of Permanent Capacity	83%	60%	62%

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	1,306
% of Permanent Capacity	67%	58%	61%

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	1,661
% of Permanent Capacity	72%	75%	77%

HUSCH BLACKWELL

Nikelle Meade
Partner

111 Congress Avenue, Suite 1400
Austin, Texas 78701
Direct/Mobile: 512.992.6001
nikelle.meade@huschblackwell.com

November 8, 2022

Wendy Rhoades
City of Austin
Housing and Planning Department
1000 E. 11th Street
Austin, Texas 78702

Re: Update to and Amendment of Zoning Application / 7900 S. Congress -- Zoning
Case No. C14-2021-0123

Hello Wendy,

Thank you for your time yesterday discussing the above-referenced case. Per our discussion, we have the following updates to and clarifications regarding our application:

1. The development will be developed as a single, unified site and development, not as two separate tracts. The Tract 1/Tract 2 designation was created by us only so that the uses on the part of the property closest to Peaceful Hill Lane could be more restrictive than on the rest of the property to alleviate community concerns.
2. The front face of and primary entrance to and exit from the development will be on South Congress, not on Peaceful Hill Lane. All development on the property will orient toward Congress and toward the center of the property where there will be public parkland, public activities, and open space. The development will in no way orient toward or “face” Peaceful Hill Lane.
3. Per discussions with neighbors in the existing homes on Peaceful Hill Lane, we now agree to close all vehicular access from “Tract 1” onto Peaceful Hill Lane. Originally, we proposed a vehicular access on the northwestern corner of the property onto Peaceful Hill. We now agree to remove that vehicular access.
4. We amend our request for the zoning on “Tract 1” to GR-MU-V-CO rather than CS-MU-V-CO, and to make Service Station an additional prohibited use (to be added to our prior list of use restrictions).
5. We agree to the following additional restrictions on all buildings constructed on “Tract 1”:
 - a. No more than 50% of all building façades may be located between 30’ and 75’ of the western property line of the property.

- b. At least 20% of all building façades must be located 240' or more from the western property line.
- 6. The applicant will be entering into an agreement with PARD to - at the applicant's expense – clean up and improve South Boggy Creek, extend the City's proposed Tier 2 Urban Trail on the Property along the creek, create a public park at least 13 acres in size, and maintain the improvements within the new public park.
- 7. The applicant agrees to design and construct Foremost Drive through the property in the mode of *Great Streets*, with enlarged sidewalks, street trees and street furniture, lighting, and bike lanes to enhance access to the Project Connect Orange Line and overall connectivity in the area.

We believe these additional agreements and restrictions further alleviate community concerns about the development. If you have any questions about any of these items, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Nikelle Meade". The signature is fluid and cursive, with the first name "Nikelle" and the last name "Meade" clearly distinguishable.

Nikelle S. Meade

HUSCH BLACKWELL

Nikelle Meade
Partner

111 Congress Avenue, Suite 1400
Austin, Texas 78701
Direct/Mobile: 512.992.6001

October 19, 2022

Wendy Rhoades
City of Austin
Housing and Planning Department
1000 E. 11th Street
Austin, Texas 78702

Re: Request to Amend Zoning Application / Zoning Case No. C14-2021-0123 –
7900 S. Congress

Dear Wendy:

The purpose of this letter is to formally request some amendments to the above-reference rezoning request. Our requested changes are as follows:

1. Change the name of the project to “7900 S. Congress”.
2. Add the following condition: a 30’ vegetative buffer will be preserved along the portion of the property abutting Peaceful Hill Lane.
3. Add the following condition restricting uses:
 - a. Add the following uses to the uses prohibited on the property:

Alternative Financial Services
Bail Bond Services
Pawn Shop
 - b. Add the following uses to the uses prohibited on Tract 1, which Tract is described and depicted on the attached **Exhibit A**, as follows:

Agricultural sales and services
Automotive rentals
Automotive repair services
Automotive sales
Automotive washing (of any type)
Building maintenance services
Business or trade school
Business support services
Campground

Commercial blood plasma center
Commercial off-street parking
Communication services
Construction sales and services
Convenience storage
Drop-off recycling collection facility
Electronic prototype assembly
Electronic testing
Equipment repair services
Equipment sales
Exterminating services
Food preparation
Funeral services
Hospital services (general)
Hotel-motel
Indoor Crop Production
Indoor entertainment
Indoor sports and recreation
Kennels
Laundry services
Limited warehousing and distribution
Maintenance and service facilities
Monument retail sales
Outdoor entertainment
Outdoor sports and recreation
Recreational Equipment Maintenance & Storage
Recreational Equipment Sales
Research services
Theater
Transportation terminal
Vehicle storage
Veterinary services

- c. Add the following uses to the uses conditional on Tract 1:

Community recreation (private)
Community recreation (public)
Custom manufacturing
Medical offices (exceeding 5,000 square feet of gross floor area)
Hospital services (limited)
Plant nursery

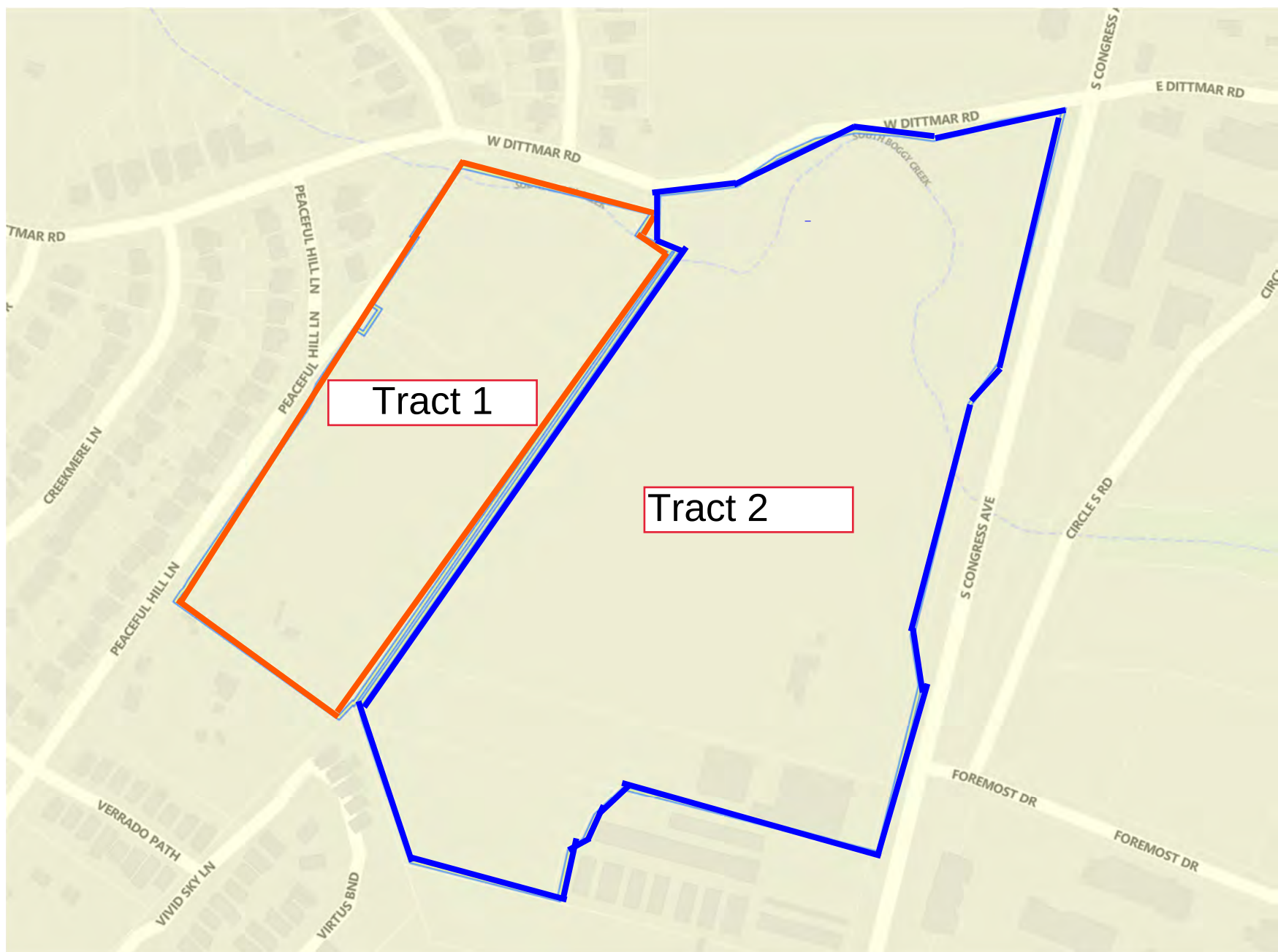
Wendy Rhoades
October 19, 2022
Page 3

Let me know if you have any questions or if anything further is needed to make these changes.
Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Nikelle Meade". The script is fluid and cursive, with the first name "Nikelle" and last name "Meade" clearly distinguishable.

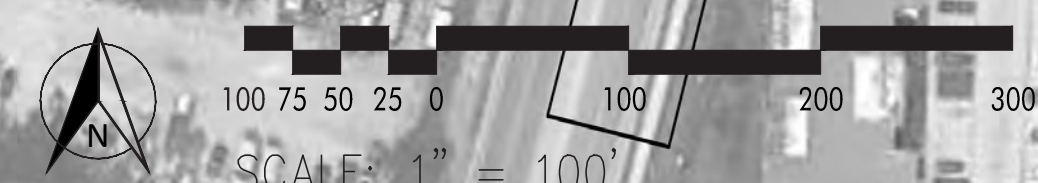
Nikelle S. Meade



30' LANDSCAPE BUFFER
EXISTING TREES TO REMAIN.
LANDSCAPE IMPROVEMENTS
PROPOSED TREES:

- PROPOSED TREES
- LIVE OAK
- CHERRY LAUREL
- EASTERN RED CEDAR
- MEXICAN WHITE OAK

	GROSS SITE AREA (ac)	MF UNITS	OFFICE	RETAIL	STORIES
BLOCK A	11.00	297	0	9,000	3 TO 5
BLOCK B	10.29	419	0	8,000	5
BLOCK C	13.62	400	0	35,000	5
BLOCK D	5.83	102	200,000	37,000	5
ROW	2.29				
TOTAL	43.66	1218	200,000	89,000	





September 14, 2021

Wendy Rhoades
Planner
Housing and Planning Department
City of Austin

Re: Rezoning at 7809 Peaceful Hill Lane and 7713 & 7715 Byrdhill Lane

Dear Ms. Rhoades:

The purpose of this letter is to inform you that the Parkridge Gardens HOA is in support of the proposed GR-MU-V-CO rezoning for the proposed multifamily development. We were initially concerned about an increase in zoning entitlements, but the developer has met with our HOA and presented a project design that adds value and community benefits that surrounding neighborhoods can enjoy while maintaining the natural landscaping and protecting the creek. Our support is subject to the following conditions as represented to us by the developer:

1. **Open Space:** The developer has shared a concept that includes a public park and trail system on site that will be operated and maintained by the developer but open and free for public use.
2. **Building Elevation and Height:** The building heights will comply with compatibility standards and be in line with the existing tree sight lines.
3. **Creek Preservation:** There is a beautiful creek within this property that is rarely enjoyed because it is hidden on this heavily wooded site. This creek will not be removed, but rather, enhanced by the surrounding park and trail system.
4. **Tree Preservation:** All heritage trees will be preserved and seventy-eight (78%) of the total number of protected trees will be preserved and serve as landscaping and a natural buffer.
5. **Dittmar Bridge Bat Community:** The bat community will not be intentionally disturbed or, removed or relocated from their natural habitat.

Sincerely,



Dagan Martinez-Vargas
President of HOA for Parkridge Gardens

THE CHURCH IN AUSTIN

2530 S. Congress Ave. Phone (512) 443-0078
Austin, Texas 78704 Fax (512) 443-0188

September 13, 2021

Wendy Rhoades
Planner
Housing and Planning Department
City of Austin

Re: Rezoning at 7809 Peaceful Hill Lane and 7713 & 7715 Byrdhill Lane

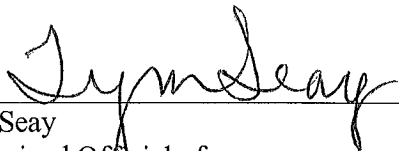
Dear Ms. Rhoades:

The Church in Austin owns the property where Valor Public School's South Austin School is located at 220 Foremost Drive, just east of the proposed rezoning to GR-MU-V-CO for a multifamily development. The purpose of this letter is to inform you that the Church is in support of the project. The Church leases our property to Valor, and we believe it is beneficial to have nature trails for the Valor student body.

In addition, the Church uses our property, and one of the Church's goals is to provide nature trails for our church families including their children. We want to provide our church members with opportunities to deepen their spiritual walk with God by being out in His creation and admiring natural beauty. We lead nature walks on our campus, and we have found that these outdoor walks provide spiritual and physical benefits for our church members.

I have spoken preliminarily with the developer to discuss his proposal to create trail connectivity with the neighborhoods west of South Congress Avenue. We support the development. He has also mentioned creating an accessible park system which we may be interested supporting once we have reviewed the specifics.

Sincerely,



Tym Seay
Authorized Official of
The Church in Austin

We, the undersigned property owners near 7900 & 7604 S. Congress Avenue, 7809 Peaceful Hill Lane and 7713 & 7715 Byrdhill Lane, are in support of the zoning change to General Commercial Services with Vertical Mixed Use (CS-MU-V).

	Name	Address	Phone	Signature
1	Jim Sampson	7601 S CONGRESS, SUITE 600		
2	Kaleb Hutchison	7604 Whispering Oaks Dr.		
3	Kevin Lindsay	7500 W Slaughter Ln		
4	Helen Michael	1102 Horizon Ct.		Helen Michael
5	Becky Sampson	7601 S. Congress, SUITE 600		Becky Sampson
6	BRIAN EVANS	5211 KNCINITAS 78749		
7	Andrew Garcia	101 Clearday dr. #121 78745		
8	Armen Galvan	215 Verredo Path 78749		
9	Shama Kooray	10101 S 1st St #219 78745		
10	Megan Brainerd	4301 Grand Ave PARKWAY APT 303 78704		Megan
11	Ryan Bradford	1912 Crestgate Tr. Unit A, ATX TX		
12	William Cook	1707 H 133		
13	Michael P. Plessig	3331 E Slaughter Ln ATX		
14	David Whitace	4500 Steiner Ranch Blvd		
15	MARCUS CROW	11108 VISA ROSE Dr		
16	CHRIS NEWMAN	8805 TX SUN DR 78748		
17	Gina Mecherions	8805 TX SUN DR 78748		
18	Beardon Pace	10801 OLD MANCHACA RD 78748		
19	MANISH PANDEYA	908 Wesssex Way, 78748		
20	Robin Speer	8103 Clipper # 78745		
21	John Coleman	2306 Alford Drive ATX 78745		
22	Justin Irwin	7910 CreekRene Lane		
23	Blake Masters	10400 La Costa Dr., ATX 78747		
24	Adam Lazzari	7601 S. Congress, Ave Suite 200		
25	Chris Ruedas	604 N. Bluff Dr 78745		
26				

We, the undersigned property owners near 7900 & 7604 S. Congress Avenue, 7809 Peaceful Hill Lane and 7713 & 7715 Byrdhill Lane, are in support of the zoning change to General Commercial Services with Vertical Mixed Use (CS-MU-V).

	Name	Address	Phone	Signature
1	Joe Giovannoli	7401 Merrick Ln, Austin, TX 78748		
2	Ariel Ritchie	517 Blackberry Dr, Austin, TX 78745		
3				
4				
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We, the undersigned property owners near 7809 Peaceful Hill Lane and 7713 & 7715 Byrdhill Lane, are in support of the zoning change to Community Commercial Mixed Use.

	Name	Address	Phone	Signature
1	Robert Janicka	305 Loganberry Ct, 78745		
2	Sarah Janicka	305 Loganberry Ct, 78745		
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From:
To: [Rhoades, Wendy](#)
Subject: Zoning Case # C14-2021-0123
Date: Sunday, November 27, 2022 12:55:30 AM

You don't often get email from mdortiz86@gmail.com. [Learn why this is important](#)

*** External Email - Exercise Caution ***

Zoning Case # C14-2021-0123
Name: Monica Ortiz, Andrew Velis
Address: 516 E Slaughter Ln #2203
Date: Nov 27, 2022

I am in favor of Tract 1 & Tract 2 for mixed use development for the above zoning case number.

I've attached a photo of the zoning map and public hearing info application mailed to us.

Thank you,
Monica Ortiz

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.

From:
To: [Rhoades, Wendy](#)
Cc:
Subject: Public Hearing Case #: C14-2021-0123
Date: Tuesday, June 28, 2022 7:33:17 PM

*** External Email - Exercise Caution ***

Dear Wendy Rhoades,

Attached are my comments regarding a new zoning proposal in my neighborhood. Thank you for your time and consideration.

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.

PUBLIC HEARING INFORMATION	
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Sarah Pool

PUBLIC HEARING INFORMATION

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Case Number: C14-2021-0123

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: July 5, 2022, Zoning and Platting Commission

Chris Boswell

Your Name (please print)

☐ I am in favor
☒ I object

7618 Luner Dr Austin 78745

Your address(es) affected by this application (optional)

Chris Boswell

Signature

6-26-22

Date

Daytime Telephone (Optional): 512-200-5543

Comments: I am against unless a retention wall is built for me and my neighbors fixing our flooding issues. The proposed build will drastically add water to the creek. If raising our homes is also a requirement that will also be done at the cost of developer. The retention wall should also give property back due to erosion.
level That was lost

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

City of Austin, Housing & Planning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov

OVER →

From: Rhoades, Wendy
To: Important * public hearing info - chris boswell
Subject: Friday, July 1, 2022 3:18:12 AM

From: Rhoades, Wendy
To: Important * public hearing info - chris boswell
Subject: Friday, July 1, 2022 3:18:12 AM

INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / rezonificación será revisada y se tomarán medidas en dos reuniones públicas diferentes: antes de la Comisión de Usos Urbanos y el consejo municipal. Aunque se espera que solicitantes y/o su(s) agente(s) se presenten en una audiencia pública, usted no está obligado de atender. Esta reunión se llevará a cabo tanto en línea a través de internet igual como en persona. Por estos medios tendrá la oportunidad de hablar A FAVOR o EN CONTRA del propuesto desarrollo o cambio. Póngase en contacto con el administrador de casos para más información sobre cómo participar en las audiencias públicas. Usted también puede contactar organizaciones ambientales o asociaciones de vecinos que han expresado interés en una aplicación que afecta a su vecindario.

El personal está llevando a cabo un programa piloto para recibir comentarios en línea sobre el caso, al que se puede acceder a través de este enlace o código QR: <https://bit.ly/ATXZoningComment>.



Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rezonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgará una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación MU- Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos en los siete distritos con zonificación para comercio. Como resultado, la designación MU- Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio. Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la Internet: www.austintexas.gov/planning.

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes de la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial. La correspondencia la información enviada a la Ciudad de Austin están sujetas a la Ley de Información Pública de Texas (Capítulo 552) y serán publicadas en línea.

Numero de caso: C14-2021-0123

Persona designada: Wendy Rhoades, 512-974-7719

Audiencia Publica: 5 de Julio, 2022, Comisión de Zonificación y Platting

Su nombre (en letra de molde)

☐ A favor
☐ En contra

Su domicilio(s) afectado(s) por esta solicitud (opcional)

Firma

Fecha

Número de teléfono durante el día (Opcional):

Comentarios: *a flood survey and flow analysis should be done by a hydrogeologist and then reviewed by watershed, under the advisement of Wendy Rhodes to be clear that our properties are protected. An agreement needs to be made in writing before any type of development starts, and the retention wall starts before and is finished before the construction of proposed project.*

Si usted usa esta forma para proveer comentarios, puede retornarlos:

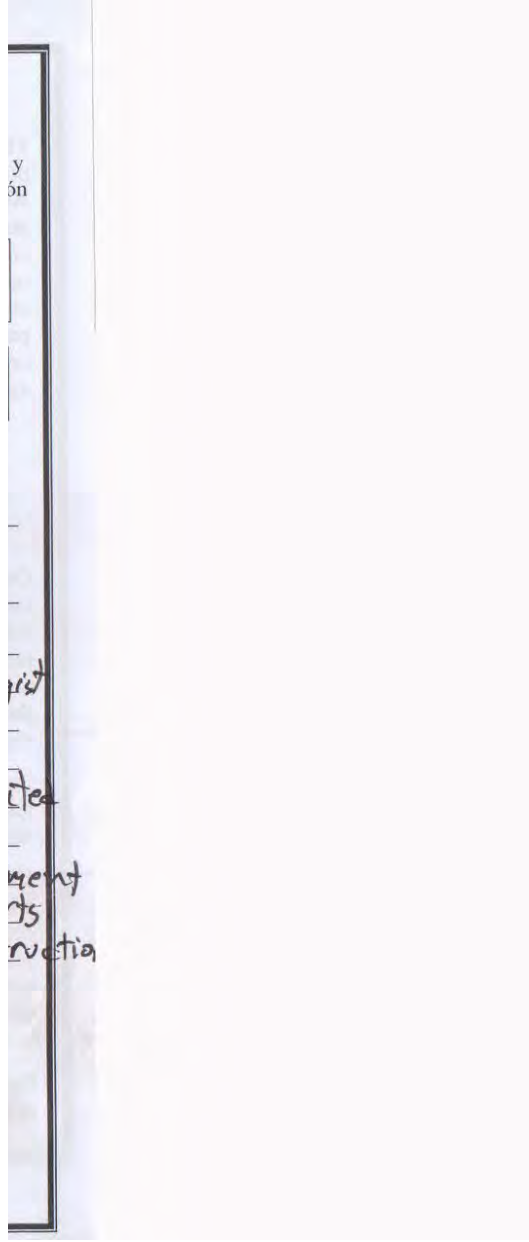
City of Austin, Housing & Planning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

O por correo electrónico a:

wendy.rhoades@austintexas.gov



*** External Email - Exercise Caution ***

Sent from my iPhone
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.

PUBLIC HEARING INFORMATION

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Case Number: C14-2021-0123

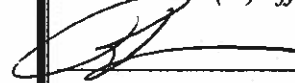
Contact: Wendy Rhoades, 512-974-7719

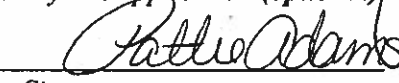
Public Hearing: July 5, 2022, Zoning and Platting Commission

Patricia (Sharon) Adams (owner)
Your Name (please print) Robyn Powell (tenant)

☐ I am in favor
☒ I object

8000 Peaceful Hill Lane
Your address(es) affected by this application (optional)





Signature

6/25/22

Date

Daytime Telephone (Optional): 512 940 8776 (tenant)
512 680 5850 (owner)

Comments:

The proposed mixed use development would significantly change the character of Peaceful Hill Lane and make it much less peaceful. DO NOT DO IT!!!
It will RUIN this neighborhood

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

City of Austin, Housing & Planning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov

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Case Number: C14-2021-0123

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: July 5, 2022, Zoning and Platting Commission

Samantha Stevens

Your Name (please print)

☐ I am in favor
☒ I object

7911 Vivid Sky Ln Austin 78748

Your address(es) affected by this application (optional)

Samantha Stevens

Signature

6/29/22

Date

Daytime Telephone (Optional): 512-930-8917

Comments: Peaceful Hill Ln + Dittmar
are narrow roads with no sidewalks
and are not suitable for the
increased traffic of any
commercial bldgs or apartments
Traffic can only enter off of
Congress to access these areas
without causing a huge traffic
problem in our neighborhood.

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

City of Austin, Housing & Planning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov

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Case Number: **C14-2021-0123** *C14-2022-0077*
Contact: **Wendy Rhoades, 512-974-7719**
Public Hearing: **December 8, 2022, Zoning and Platting Commission**

Joan Judy
Your Name (please print)

☐ I am in favor
☒ I object

7607 Loganberry Dr. 78745
Your address(es) affected by this application (optional)

Joan Judy *11/28/22*
Signature Date

Daytime Telephone (Optional):

Comments: *As a neighbor, I support the neighborhood's objection to this zoning by submitting a valid petition. Objections include: excessive traffic load, no substandard Ralph Albarrado, incompatible building height, and unknown retail component.*
Thank you,

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

City of Austin, Housing & Planning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov

From:
To: [Rhoades, Wendy](#)
Subject: Peaceful Hill Rezoning
Date: Sunday, December 4, 2022 4:40:19 PM

*** External Email - Exercise Caution ***

Wendy,

I'm writing on behalf of our adjacent neighbors just across South Boggy Creek.

When the new apartments were approved at 7400 South Congress just beside my home at 301 Blackberry, we were able to keep the entry and exit to those new buildings channeled out onto South Congress, and avoided having our Blackberry connected as a through street to Congress to provide a rear access.

I notice in the case of this new and otherwise similar apartment development just across the creek from us that Foremost is being planned as a through street in the name of "connectivity." It will completely change the existing character of the residential neighborhood if Foremost becomes a connector from Peaceful Hill all the way through to I-35.

Providing denser housing on public transit routes is a worthy goal, but changing the character of an existing neighborhood is a sacrilege, and should be avoided at all costs. The same is true of forcing an existing residential neighborhood to accept the presence of four story apartments towers over the current single story owner occupied private homes.

Connectivity and denser housing are worthwhile goals, but not in the context of ruining the quality of life of people who have invested years of their earnings in a quiet and calm existence that will be destroyed by this proposed new group of dense apartments.

Peaceful hill should be granted the same right to a deeply wooded set-back and no heavily traveled connector street that was afforded to our neighborhood just to the north of them by a few blocks.

Please, be considerate.

Thank you.

~Ed Miller

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.

From:
To: [Rhoades, Wendy](#)
Subject: Peaceful Hill Rezoning
Date: Sunday, December 4, 2022 4:45:21 PM

*** External Email - Exercise Caution ***

Hello Wendy,

I'm writing on behalf of our adjacent neighbors just across South Boggy Creek.

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Thank you.

Dot Aikman
Your Friendly Neighborhood Real Estate Broker
Sky Realty
512-633-5281

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 participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code:
<https://bit.ly/ATXZoningComment>



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.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the 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. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2021-0123

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: December 6, 2022, Zoning and Platting Commission

Zane Schnantz

Your Name (please print)

7602 Loganberry Dr Austin, TX

Your address(es) affected by this application (optional)

[Signature]

Signature

11/25/22

Date

☐ I am in favor
☒ I object

Daytime Telephone (Optional):

Comments:

Ditmar road is already dangerous as it is. It can not support any more traffic.

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov