

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET**NEIGHORHOOD PLAN:** North Shoal Creek**CASE#:** NPA-2022-0031.01**DATE FILED:** August 24, 2022 (Out of cycle)**PROJECT NAME:** 8640 and 8700 Shoal Creek Blvd.**PC DATE:** February 28, 2023**ADDRESS:** 8640 and 8700 Shoal Creek Blvd.**DISTRICT AREA:** 7**SITE AREA:** 3.1047 acres**OWNER/APPLICANT:** Karnak Holdings LLC, a Texas Limited Liability company**AGENT:** David Hartman, DuBois Bryant & Campbell**CASE MANAGER:** Kathleen Fox**PHONE:** (512) 974-7877**STAFF EMAIL:** Kathleen.Fox@austintexas.gov**TYPE OF AMENDMENT:****Change in Future Land Use Designation****From:** Industry**To:** Mixed Use Activity Corridor**Base District Zoning Change****Related Zoning Case:** C14-2020-0117**From:** LI-NP **To:** LI-PDA-NP**NEIGHBORHOOD PLAN ADOPTION DATE:** August 23, 2018**CITY COUNCIL DATE:** date pending**ACTION:****PLANNING COMMISSION RECOMMENDATION:** Pending**STAFF RECOMMENDATION:** Staff recommends the applicant's request for Mixed-Use Activity Corridor

BASIS FOR STAFF'S RECOMMENDATION: The property is located adjacent to the *North Burnet/Gateway Station Regional Center*, which supports a variety of land uses, including multifamily and mixed use. The developer wanted to construct a 330-unit apartment complex. Multifamily uses are already located along Shoal Creek Boulevard. The property is also located close to Anderson Lane, which contains a variety of residential and commercial land uses and is a major activity corridor for this area of Austin. Mopac Expressway also connects to Anderson Road and is approximately two-thirds of a mile from the subject property. North Shoal Creek Neighborhood Plan policies (see below) supports a variety of housing types.

Finally, Shoal Creek Boulevard is a high opportunity area, which is undergoing a transition away from purely light industrial uses to a variety of commercial, mixed use and multifamily land uses. Staff noted the lack of public sidewalks and walkability along Shoal Creek Boulevard. The proposed height of the proposed multifamily building is 75 ft. tall, or 6 stories.

The North Shoal Creek Neighborhood Plan Contact Team voted to approve the developer's request, provided they provide an affordable housing component to this multifamily project (see attached letter at the end of this report).

Below are sections of the North Shoal Creek Plan document that relate to this request.

North Shoal Creek Neighborhood Plan Policies and Text Related to Neighborhood Plan Amendment:

VISION: Shoal Creek Boulevard is a tree-lined connection for vehicles, pedestrians, and bicyclists with several distinct places along its path through the planning area. Along its route there is a diverse mix of retail, services, large and small local businesses, as well as a variety of housing.

Text: From north to south, Shoal Creek Boulevard's diverse mix of uses and buildings creates a more varied character than the other commercial roadways in the planning area. Most of the buildings are one or two-stories, although there are a few taller buildings. The northern third of the roadway is a mixed use/industrial area with a collection of offices, light industrial uses, warehouses, and apartments. Except for the First Texas Honda dealership, the middle section (centered around the intersection with Steck Avenue) has smaller-scaled buildings containing retail, services, offices, and apartments.

Shoal Creek Boulevard serves as a transition between the planning area's Residential Interior and the taller buildings along the MoPac frontage road. The actual Shoal Creek further serves as a buffer between the single-family homes on its east and the commercial and industrial uses to its west. **As properties along Shoal Creek Boulevard redevelop, they should contribute to a more pedestrian-friendly environment. The parking lots and driveways lining the street should be replaced by building frontages, public spaces, and broad sidewalks shaded by street trees. Properties adjacent to the railroad tracks are more appropriate for taller buildings and non-residential uses.**

Land Use Policies for Shoal Creek Boulevard

- SC P1 Maintain the northern portion uses with a balance of one- to three-story offices, apartments, warehouses, and live-work spaces.
- SC P2 Encourage development of a mixed-use district with local-serving shops and services near Steck Ave.
- SC P3 Continue to support more intensive uses near Anderson Lane, such as commercial and services, while providing opportunities to add residential components.

Related Policies & Actions

- MC P2 Improve and promote transit to connect to other areas of Austin.
- MC P8 Make it safer for people to walk around the neighborhood and to nearby commercial areas.
- MC A14 In partnership with the Shoal Creek Conservancy, connect the Shoal Creek Trail through the planning area with enhanced pedestrian and bicycle infrastructure.

Goal:

Maintain a balance of housing types for a variety household sizes and incomes.

Housing Opportunity Policies:

H P1 Meet the housing needs of people of all races/ethnicities, ages, abilities, and other protected classes with a variety of housing options within North Shoal Creek.

H P2 Encourage and support a range of affordable housing in appropriate locations.

H P3 Encourage location of residential units near transit to improve overall housing and transportation affordability.

H P4 Create opportunities for more families to live in North Shoal Creek through preservation of existing multiple bedroom apartments and condos, and promotion of two and three bedroom units in new construction.

H P5 Support implementation of Austin's Strategic Housing Blueprint and the City's affirmatively furthering fair housing policies as consistent with Community Character goals and policies.

Strategic Housing Blueprint

The Blueprint includes goals for affordable housing in every City Council district to ensure that there is affordable housing throughout the city. It also includes goals for the construction of 60,000 housing units affordable to households at 80% median family income (MFI) and below, and another 75,000 units for households earning greater than 80% MFI broken into specific goals for households at different income levels. (pg. 2)

LAND USE DESCRIPTIONS***EXISTING LAND USE ON THE PROPERTY***

Industry – The industry district is found in areas with established light industrial and office uses or in areas where those uses may be appropriate in the future. The district is generally not compatible with, nor should it be located adjacent to residential uses. Residential uses are not allowed in this district due to noise, vibrations, truck traffic, emissions, and storage of hazardous materials. This district is appropriate for individual sites or smaller groupings of industrial uses.

Character and Intent

--Entirely industrial/office/services, no residential uses.

Typical Land Uses:

Primary Uses: Light Manufacturing centers, distribution and warehousing, technology/data centers, flexible industrial spaces, contractor yards.

Secondary Uses: Commercial, office, civic, and institutional uses; ponds and storm water facilities.

Industry District Features.

The following features were identified as characteristics that should be typical to the Industry District:

- Offices, warehouses, industrial parks with truck loading facilities
- Building heights generally one to three stories
- Adequate parking, visible from street

- Storage yards or containers screened from view of street
- Deep front setbacks
- Landscaping along street frontages.

PROPOSED LAND USE ON THE PROPERTY

Mixed Use Activity Corridor – Mostly mixed-use or commercial, some residential parcels. This character district is applied along major commercial roadways well-served by transit, designated as Activity Corridors on Imagine Austin’s “Growth Concept Map,” and other roads identified through the planning process. Access to frequent transit makes these corridors good locations for a mix of housing and commercial uses. This district offers residents along the corridor and in nearby neighborhoods convenient access to work, entertainment, shopping, and services. Although they provide access to local residents, these corridors can be destinations for people across Austin and the region. Buildings along these corridors will be taller near major roadways. If adjacent to single-family areas design considerations such as lower heights, architectural designs, and landscaping should be used to ensure compatibility with residential lots.

Typical Land Uses

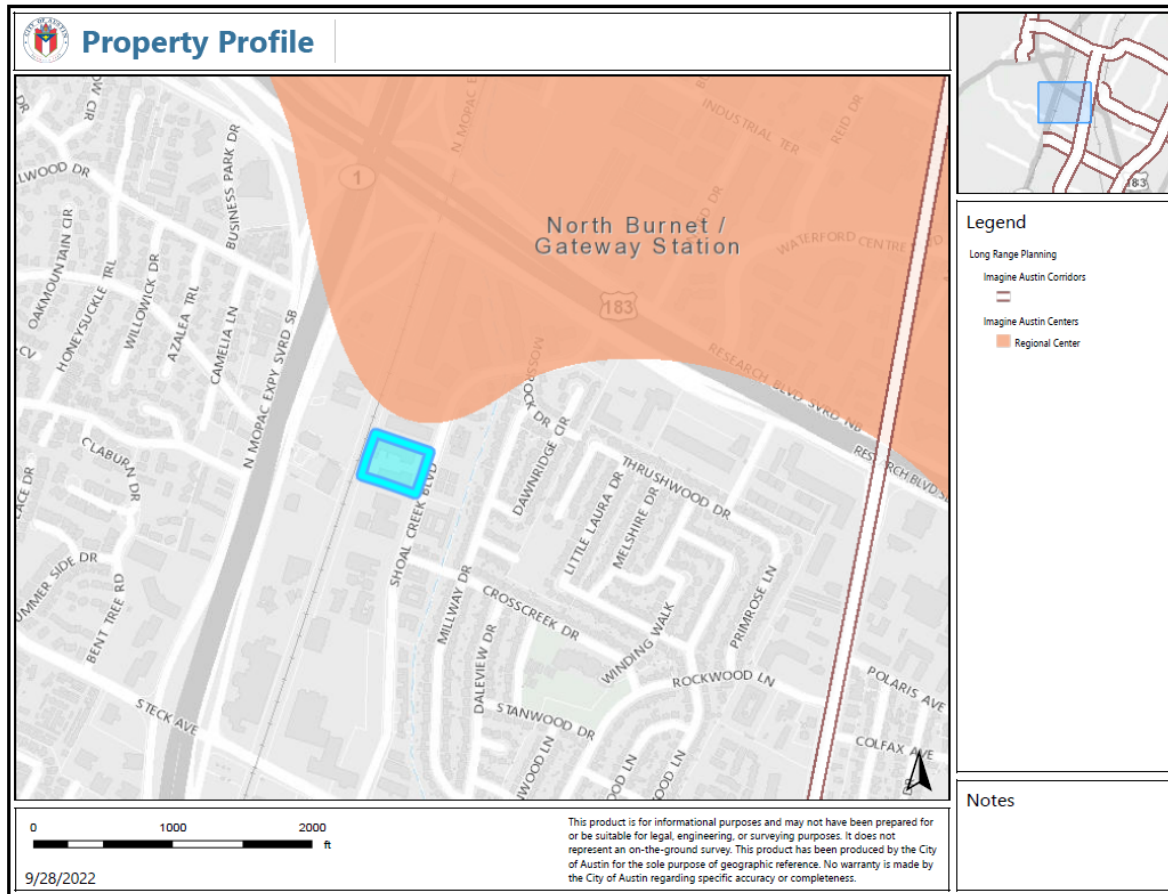
Primary Uses: Mixed-use, commercial, retail, restaurants, transit-oriented development

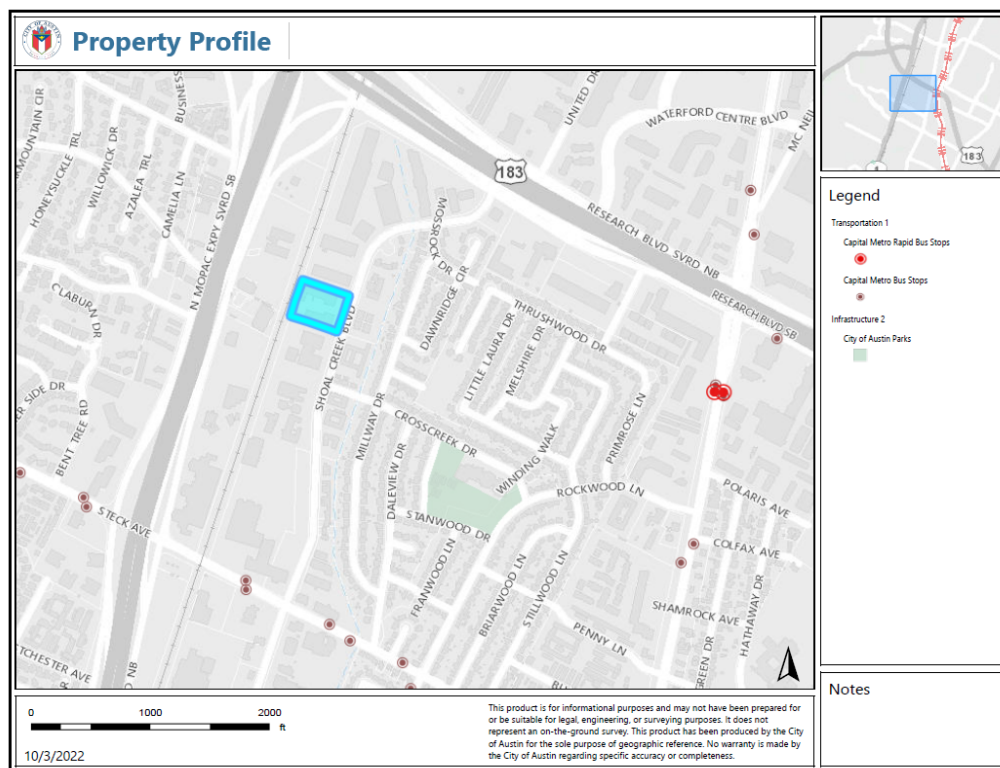
Secondary Uses: Multi-family, office, civic and institutional uses, community buildings

MIXED USE ACTIVITY CORRIDOR FEATURES. The following features are identified as characteristics that should be typical to the Mixed-Use Activity Corridor:

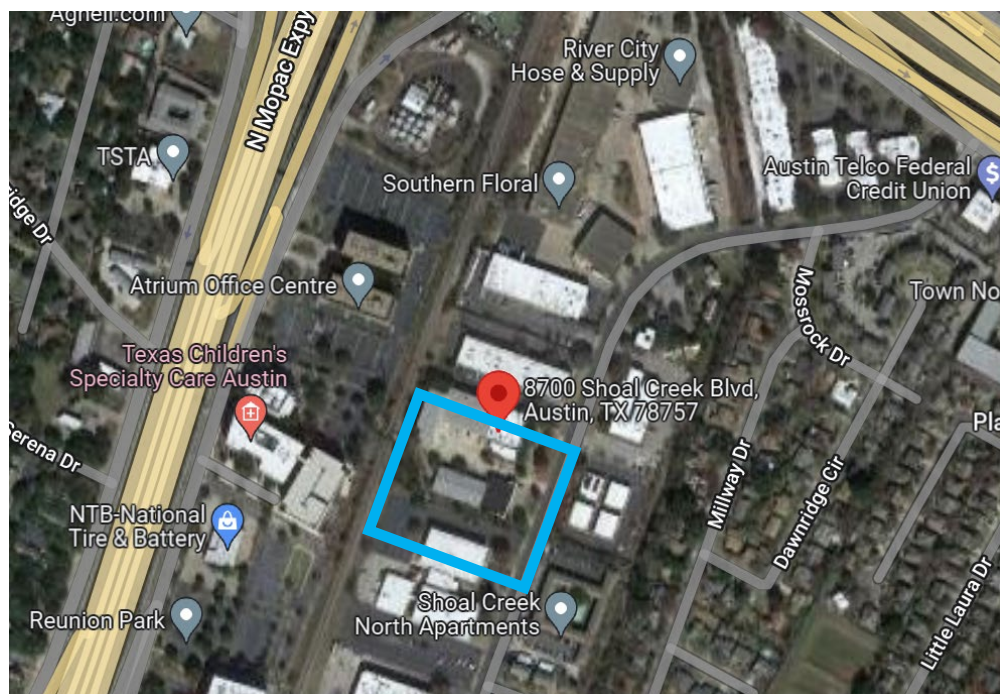
- Buildings located close to the street
- Wider sidewalks, street furniture, and street trees
- Sidewalk cafe seating allowed
- Façades with display windows along sidewalk
- Pedestrian-scaled lighting
- Buildings no taller than five stories, and heights should vary from lot to lot
- Development should support increased transit ridership
- Building heights should step down to be compatible with adjacent houses
- Placement of windows and balconies should respect the privacy neighboring of residences
- Landscaping and architectural designs to buffer adjacent residences
- Mostly mixed-use, neighborhood and region-serving commercial, some apartment buildings
- Parking structures hidden from the street or adjacent houses
- Surface parking on the side of or behind buildings
- Limited drive-thru facilities
- Open and green space should be incorporated into developments.

IMAGINE AUSTIN CENTERS and CORRIDORS



PUBLIC TRANSPORTATION and PARKS MAP

Located 0.51 miles from the nearest public transit stop and 0.29 mile from a park



Imagine Austin Decision Guideline Checklist

Project Name and Proposed Use: 8640 and 8700 Shoal Creek Blvd. NPA-2022-0031.01. Proposed Use: 330 multifamily units

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: Adjacent to North Burnet / Gateway Station Regional Center
	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 (ONLY BIKE LANE)
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.)
	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.
	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.
6	Total Number of "Yes's"

IMAGINE AUSTIN GROWTH CONCEPT MAP DEFINITIONS

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings, and be important hubs in the transit system.

Regional Centers - Are the most urban of the three activity centers, which are or will be centers for retail, cultural, recreational, and entertainment destinations in Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. The densities, buildings heights, and overall character of a center will vary depending on location.

Job Centers - Job centers accommodate those businesses not well-suited for residential or environmentally-sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

Activity Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also 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. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant, or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The application was filed on August 24, 2022, which is out-of-cycle for neighborhood planning areas on the west side of I.H.-35. which is out of cycle for neighborhood planning area located on the west side of IH-35. The month of February would be the normal filing period. The applicant received permission to file out-of-cycle from the North Shoal Creek Neighborhood Plan Contact Team.

The applicant proposes to change the future land use map from Industry to Mixed-Use Activity Corridor.

There is an associated zoning change request to change the zoning from LI – Limited Industrial to LI-PDA. When the neighborhood plan was adopted, staff did not add the NP to zoning to the properties in the planning area. For more information on the zoning request, please see the zoning case report C14-2020-0117.

PUBLIC MEETINGS: The ordinance-required community meeting was held on Tuesday, October 4, 2022, from 6 to 7 PM. Approximately 304 meeting notices were mailed to people who own property or have utility accounts within 500 feet of the subject property, in addition to neighborhood organizations and environmental groups who requested notification for the area.

Attendance: Two City of Austin Staff members: Kathleen Fox, and Mark Walters; three members representing the developer: David Hartman (DH, agent), Ben Browder (BB) and Scott Foster (SF); and 10 meeting attendees.

Kathleen Fox gave a brief presentation on the NPA process and a brief overview of the site area. Mark Walters was the moderator.

David Hartman (DH), the agent, discussed how there were two office buildings on the property, one was vacant while the other had a book fulfillment center. The site had no existing water quality controls. The developer wanted to construct a 330-unit market rate apartment complex. He went over the benefits of project, namely that it is located along the Shoal Creek City Urban Trail route, and the zone, Zone LI-PDA, meant that in exchange for prohibiting dirty uses on the site, they would be authorized to construct a multifamily project. The project called for a 6-story building with an additional two levels underground. **BB:** All parking would be unseen from the road and mostly underground, there would be two underground floors and six above on a platform. **DH** discussed several North Shoal Creek NP policies that supports creating more housing opportunities in the planning area.

Questions and Comments:

Q: Why LI-PDA instead of multifamily zoning? **DH:** LI-PDA eliminates dirty uses but allows multifamily. Using PDA in zoning string was common for multifamily uses.

C: 330 multifamily units will create additional traffic congestion and traffic delays. There are no public sidewalks along Shoal Creek Boulevard. They discussed their issues with heavy traffic in the area. **DH:** Explained during rush hour, that one car would be added per minute to the roadway and a multifamily project would divert more semitruck traffic away from Shoal Creek Blvd.

C: There are no public sidewalks along this portion of Shoal Creek Blvd. Children walk to school with no public sidewalks to the nearby public elementary school. Also concerned about residents in this high-rise apartment building being able to look into their house. **DH:** Most of the units will be one and two bedroom units. He also discussed how developer is required to submit to AISD an application to prepare for more students. **BB:** There is an existing Dark Skies Ordinance, that would minimize light pollution from this project.

C: Voiced concern about flooding problems from Shoal Creek, including into the underground garage for this project. **SF and DH:** Current site is required to handle 25-year stormwater event (for detention) but this project will be engineered to handle 100 year storm events. The developer also plans to widen the drainage area. Residential units and the garage will be above grade to prevent flooding, including into the underground garage.

Q: The train track next to these properties run during all hours of the day, which they can even feel in their house when the train goes by. How will this project stop the noise and vibration from disturbing the tenants in this apartment building? **DH:** He discussed how he lived in a development located next to the railroad tracks and it did not bother him. He added that there were many residential uses located along this train tracks.

C: There is no plan for affordable housing. Discussed how there is not only a housing crisis in Austin but an affordable living crisis. This problem will not be solved unless the developer offers some affordable units in this project to alleviate this problem. **DH:** Zone LI-PDA does not require affordable housing units, which is

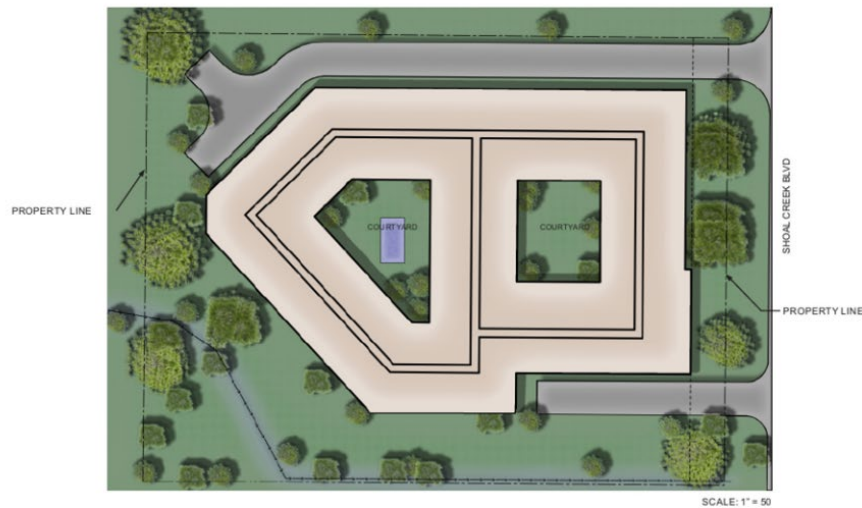
renting units well below the market rate. Those apartment buildings, which have bonus density options, are usually buildings that are 90 ft. in height or taller.

Q: What is the height of this apartment building? And will the apartments be for sale or rent? **DH:** The building height is 75 ft. tall, or 6 stories, but will be built on a platform. The apartments will be for rent.

Mark Walters explained the Planning Commission was not scheduled but property owners and renters within a 500 ft. radius will be notified by mail when that meeting is scheduled.

Concept Plan

BUILDING INFO:
6 Stories above grade
2 Stories below grade
330 Total Units



DAVIES
COLLABORATIVE

08.30.2022

Conceptual Site Plan

Oden Hughes - Shoal Creek



1

CITY COUNCIL DATE:

ACTION:

Not scheduled at this time.

Out of Cycle Letter from Application

From: Jon Menegay <[REDACTED]>
Sent: Monday, August 1, 2022 5:31 PM
To: David Hartman <dhartman@smith-robertson.com>
Cc: ben@ohpartners.com
Subject: Re: FW: Request Consent from North Shoal Creek NP Contact Team to file out-of-cycle NPA Application to authorize multifamily (8640 & 8700 Shoal Creek Blvd.)

The North Shoal Creek contact team has voted to consent to the out of cycle NPA application to authorize multifamily for 8640 & 8700 Shoal Creek Boulevard.

Jon Menegay

Letter of Recommendation from the North Shoal Creek NPCT

November 11, 2022

To: City of Austin Planning Commission and City Council Members

Re: Proposed Neighborhood Plan Amendment Case (NPA-2022-0031.01) and Rezoning (C14-2022-117) for 8640 & 8700 Shoal Creek Boulevard.

This letter is in response to the above-referenced Neighborhood Plan Amendment (NPA) and Rezoning applications initiated by David Hartman on behalf of OHT Partners for the property located at 8640 & 8700 Shoal Creek Boulevard in Austin, Texas. The property is currently vacant and zoned "LI" (Limited Industrial Services), and the Future Land Use Map/Character District of the North Shoal Creek Neighborhood Plan designates the tract as "Industry." The applicant is seeking to rezone the property to LI-PDA (Planned Development Agreement) and amend the FLUM/Character District to Mixed-Use Activity Corridor in order to proceed with development of a multifamily development.

Members of the North Shoal Creek Neighborhood Plan Contact Team (NSCNPCT), along with members of the North Shoal Creek Neighborhood Association (NSCNA) and other interested parties initially met with the applicant's representatives to discuss these applications on September 1, 2022, and again in the City hosted community virtual meeting on October 4, 2022. Members of the NSCNPCT and NSCNA also met with the applicant October 20, 2022. Members of the Contact Team met with the applicant on October 12, October 19 and November 7, 2022. There have been numerous telephone conversations as well. This dialogue between members of the applicant's development team and members of our community included discussion of many facets of the proposed development. A key component of these conversations has been to focus on solutions the development team have agreed to provide for the proposed development. The team has worked with us in a collaborative manner to address issues we have raised. We have enclosed the applicant's list of Proposed Development Standards to be incorporated with the approval of this project, as agreed with the applicant, and the NSCNPCT.

The North Shoal Creek Neighborhood Plan (NSCNP) added approximately 151 acres that could be used as housing, focusing on the perimeter of NSCNP including Shoal Creek Boulevard. As such, the proposed multifamily development fulfills and enhances the vision of the NSCNP. Although the Neighborhood Plan reflects on page 34 that the "Mixed-Use Activity Corridor: Pedestrian-oriented mixed-use, residential or commercial buildings, with a variety of heights up to 5 stories" due to changes which have occurred since the plan was written and approved, and the current emphasis on additional housing, the Contact Team believes that the increased height of 75 feet is warranted.

Further, the proposed multifamily project also meets the following NSCNP Housing Opportunity Goals and Policies:

Housing Goal: Maintain a balance of housing types for a variety household sizes and incomes.

Housing Policy 1 (HP1): Meet the housing needs of people of all races/ethnicities, ages, abilities, and other protected classes with a variety of housing options within North Shoal Creek.

Housing Policy 2 (HP2): Encourage and support a range of affordable housing in appropriate locations.

Housing Policy 3 (HP3): Encourage location of residential units near transit to improve overall housing and transportation affordability.

It is noted that the Character District (Future Land Use) *Allowed Zones* on page A15 of the Neighborhood Plan shows that PDA is an allowed use under Mixed-Use Activity Corridor.

The North Shoal Creek Neighborhood Plan Contact Team met on October 20, 2022 and again on November 10, 2022 in accordance with our bylaws to discuss the applicant's proposed future land use amendment from Industry to Mixed-Use Activity Corridor and rezoning from "LI" (Limited Industrial Services), to LI-PDA (Planned Development Agreement). On November 10, 2022 The Contact Team approved a resolution to recommend approval of the proposed North Shoal Creek Neighborhood Plan Amendment, NPA-2022-0031.01—To amend the future land use map (FLUM) from Industry to Mixed-Use Activity Corridor land use of 8640 and 8700 Shoal Creek Blvd and that the proposed rezoning of 8640 and 8700 Shoal Creek Blvd, C14-2022-0177—To change the zoning on the property from LI-NP (Limited Industrial Services—Neighborhood Plan) to LI-PDA-NP (Limited Industrial Services—Planned Development Area—Neighborhood Plan) including the attached Proposed Development Standards for a proposed multifamily apartment complex and associated parking contingent upon ten percent (10 %) of the housing units be affordable at 80 % MFI.

A copy of the resolution is enclosed.

For the reasons discussed above, we support the proposed redevelopment of these vacant tracts to a multifamily development. We support the applicant's request to rezone from LI to LI-PDA including the attached Proposed Development Standards, and the request to change the FLUM/Character District from Industry to Mixed Use Activity Corridor to provide much needed apartments (including affordable units) to meet the City's growing demand for housing.

Sincerely,

Jon Menegay
Jon Menegay,
Chair, NSC NP Contact Team

Enclosures

1. Contact Team Resolution
2. Proposed Development Standard

Enclosure 1

RESOLUTION REGARDING PROPERTY AT 8640 AND 8700 SHOAL CREEK BLVD

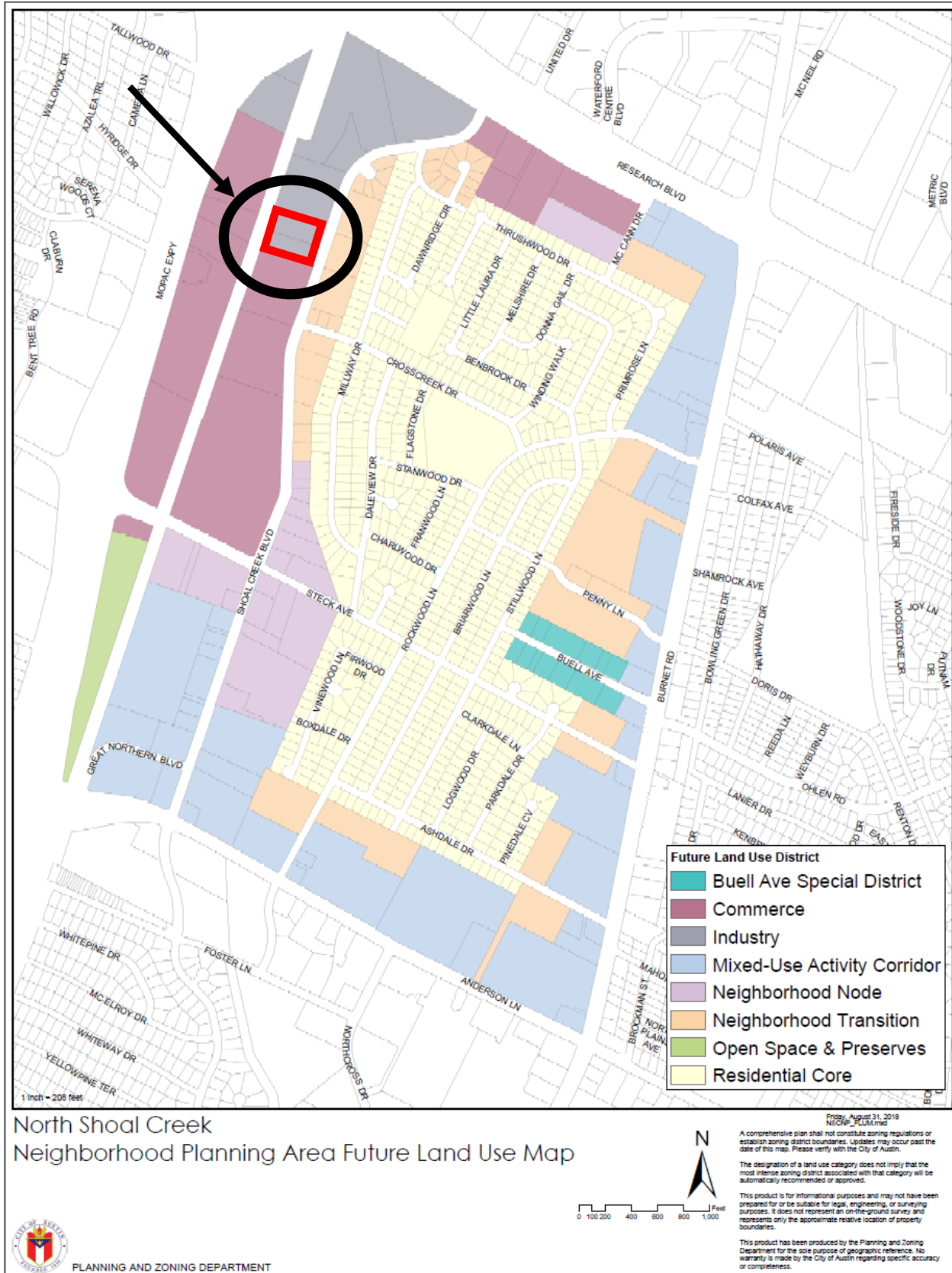
Be it resolved that the North Shoal Creek Neighborhood Plan Contact Team recommends that

The proposed North Shoal Creek Neighborhood Plan Amendment, NPA-2022-0031.01—To amend the future land use map (FLUM) from Industry to Mixed-Use Activity Corridor land use be approved and that

The proposed rezoning of 8640 and 8700 Shoal Creek Blvd, **C14-2022-0177**– To change the zoning on the property from **LI-NP (Limited Industrial Services—Neighborhood Plan)** to **LI-PDA-NP (Limited Industrial Services—Planned Development Area—Neighborhood Plan)** for a proposed multifamily apartment complex and associated parking be approved and that

This recommendation is contingent upon ten percent (10 %) of the housing units be affordable at 80 % MFI.

Approved November 10, 2022



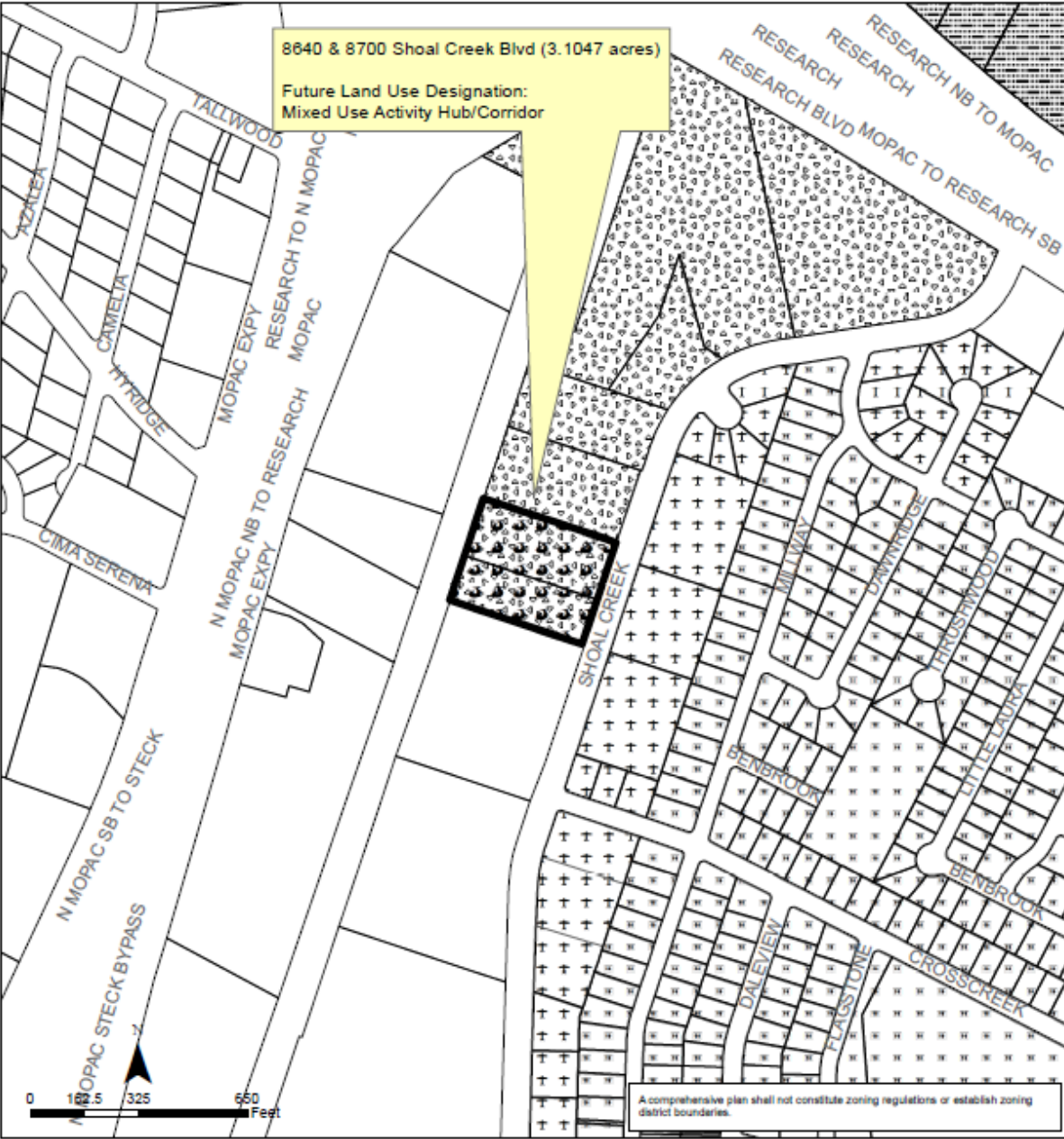


Exhibit A
North Shoal Creek Neighborhood Planning Area
NPA-2022-0031.01

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 completeness.



City of Austin
Housing and Planning Department
Created on 8/30/2022, by: MeeksS

Future Land Use

	Subject Tract		High Density Mixed-Use
	Neighborhood Transition		Industry
	Residential Core		