

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHBORHOOD PLAN: Rosewood

CASE#: NPA-2022-0008.01

DATE FILED: July 22, 2022 (In-cycle)

PROJECT NAME: 3117-3121 E. 12th Street

PC DATE: May 23, 2023
May 9, 2023
April 25, 2023
March 28, 2023
February 28, 2023
January 10, 2023

ADDRESS/ES: 3121 E. 12th Street

DISTRICT AREA: 1

SITE AREA: 21,780 sq. ft.

OWNER/APPLICANT: 3121 E. 12th Horizontal Investors, LP

AGENT: Armbrust & Brown, PLLC (Michael Whellan)

CASE MANAGER: Maureen Meredith, Planning Dept.

PHONE: (512) 974-2695

STAFF EMAIL: Maureen.Meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Commercial

To: Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2022-0150

From: CS-1-CO-NP, CS-CO-NP, CS-MU-V-CO-NP

To: CS-MU-V-NP

NEIGHBORHOOD PLAN ADOPTION DATE: November 29, 2001

CITY COUNCIL DATE: TBD**ACTION:****PLANNING COMMISSION RECOMMENDATION:***May 23, 2023 -*

May 9, 2023 – Postponed to May 23, 2023 on the consent agenda at the request of the neighborhood. [J. P. Connolly – 1st; A. Woods – 2nd] Vote: 13-0.

April 25, 2023 – Postponed to May 9, 2023 on the consent agenda at the request of staff. [N. Barrera-Ramirez – 1st; F. Maxwell – 2nd] Vote: 8-0 [A. Azhar, J. P. Connolly, Y. Flores, A. Haynes and A. Woods absent].

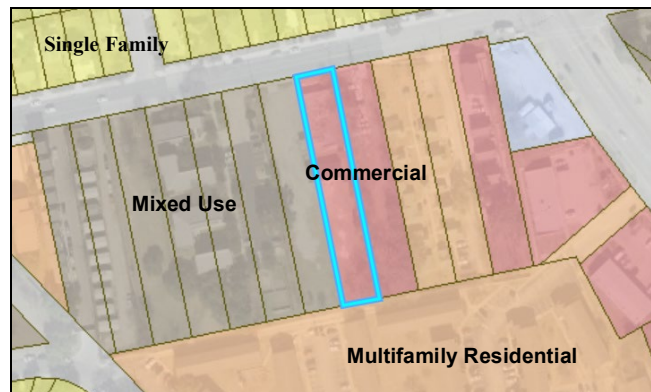
March 28, 2023 – Postponed to April 25, 2023 on the consent agenda at the request of staff. [J. Thompson – 1st; C. Hempel – 2nd] Vote: 13-0.

February 28, 2023 – Postponed to March 28, 2023 on the consent agenda at the request of staff. [R. Schneider – 1st; P. Howard – 2nd] Vote: 11-0 [Y. Flores absent. One vacancy on the dais].

January 10, 2023 – Postponed to February 28, 2023 on the consent agenda at the request of staff. [A. Azhar – 2nd; J. Thompson -2nd] Vote: 11-0 [P. Howard absent. One vacancy on the dais].

STAFF RECOMMENDATION: Staff supports the applicant's request for Mixed Use land use.

BASIS FOR STAFF'S RECOMMENDATION: Staff supports the applicants request for Mixed Use land use because there is existing Mixed Use land use directly to the west of property and along the south side of East 12th Street. Additionally, the property is approximately 300 feet west of Airport Blvd which is an activity corridor in the Imagine Austin Comprehensive Plan and approximately 0.5 miles from the MLK Station Neighborhood Activity Center. The property is within 0.9 miles of the MLK Jr. Rail Station and near other public transportation options along E. 12th Street, Airport Blvd., and Rosewood Avenue and Oak Springs Drive. Mixed Use land use is appropriate in this location.



Below are sections of the Rosewood neighborhood plan staff believe supports the applicants request for Mixed Use land use. The applicant is proposing to amend the conditional overlay on the property to remove the 40-foot maximum building height. Please see the associated zoning case report C14-2022-0150 for more information on the proposed zoning request

Goal Two: Promote affordable housing options in the Rosewood neighborhood, while reducing the number of vacant lots.

Objective 2.2

Provide for a variety of housing options.

Action 27: Allow the construction of garage apartments on single-family lots in the neighborhood. (Implementer: NPZD)

Goal Four: Promote commercial uses that serve the needs of neighborhood residents

Objective 4.1

Promote infill development on vacant commercial lots.

Objective 4.2

Increase business opportunities for the Rosewood neighborhood's residents.

Action 60: Review existing neighborhood services to evaluate the need for a small business incubator for the residents of East Austin and the Rosewood neighborhood that will facilitate the establishment of new businesses in East Austin and create jobs for area residents. (Implementer: RNPT)

Objective 4.3

Where zoning permits, promote small, neighborhood-oriented businesses services such as coffee shops, bookstores, restaurants, and corner stores.

Objective 4.4

Allow live-work/flex space (Mixed use development) on existing commercial zoning in the neighborhood (See zoning definitions below)

Objective 4.5

Retain the smaller-scale commercial character of existing commercial corridors in the neighborhood.

Action 71: Limit the height of buildings fronting on E. 12th Street, Manor Rd., Rosewood Ave., and Oak Springs, to 40 feet. (Implementer: NPZD)

Action 72: Establish a conditional overlay limiting land uses that pose a potential conflict with nearby residences. (Implementer: NPZD)

Objective 4.7

Attract neighborhood-friendly, neighborhood-oriented businesses to E. 12th St.

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

Commercial -Lots or parcels containing retail sales, services, hotel/motels and all recreational services that are predominantly privately owned and operated for profit (for example, theaters and bowling alleys). Included are private institutional uses (convalescent homes and rest homes in which medical or surgical services are not a main function of the institution), but not hospitals.

Purpose

1. Encourage employment centers, commercial activities, and other non- residential development to locate along major thoroughfares; and
2. Reserve limited areas for intense, auto-oriented commercial uses that are generally not compatible with residential or mixed use environments.

Application

1. Focus the highest intensity commercial and industrial activities along freeways and major highways; and
2. Should be used in areas with good transportation access such as frontage roads and arterial roadways, which are generally not suitable for residential development.

PROPOSED LAND USE ON THE PROPERTY

Mixed Use - An area that is appropriate for a mix of residential and non-residential uses.

Purpose

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

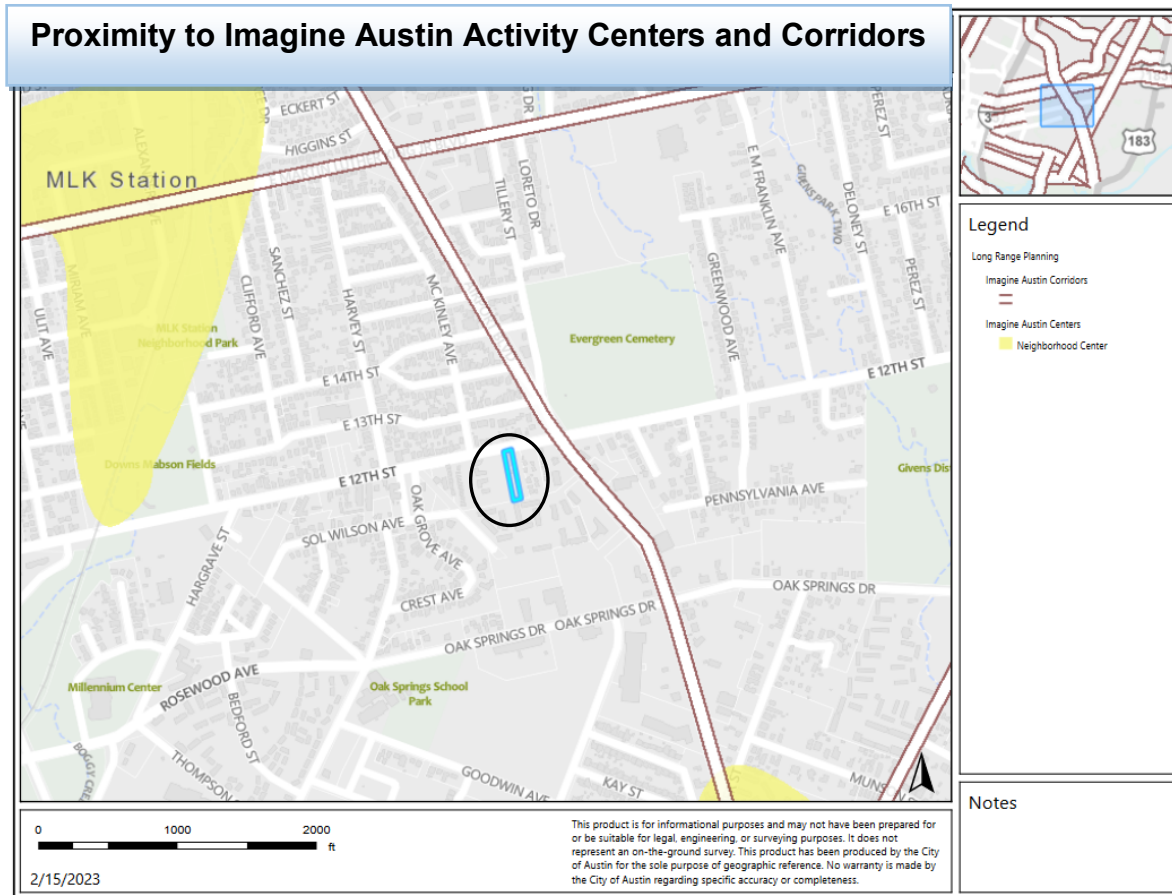
Application

1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core

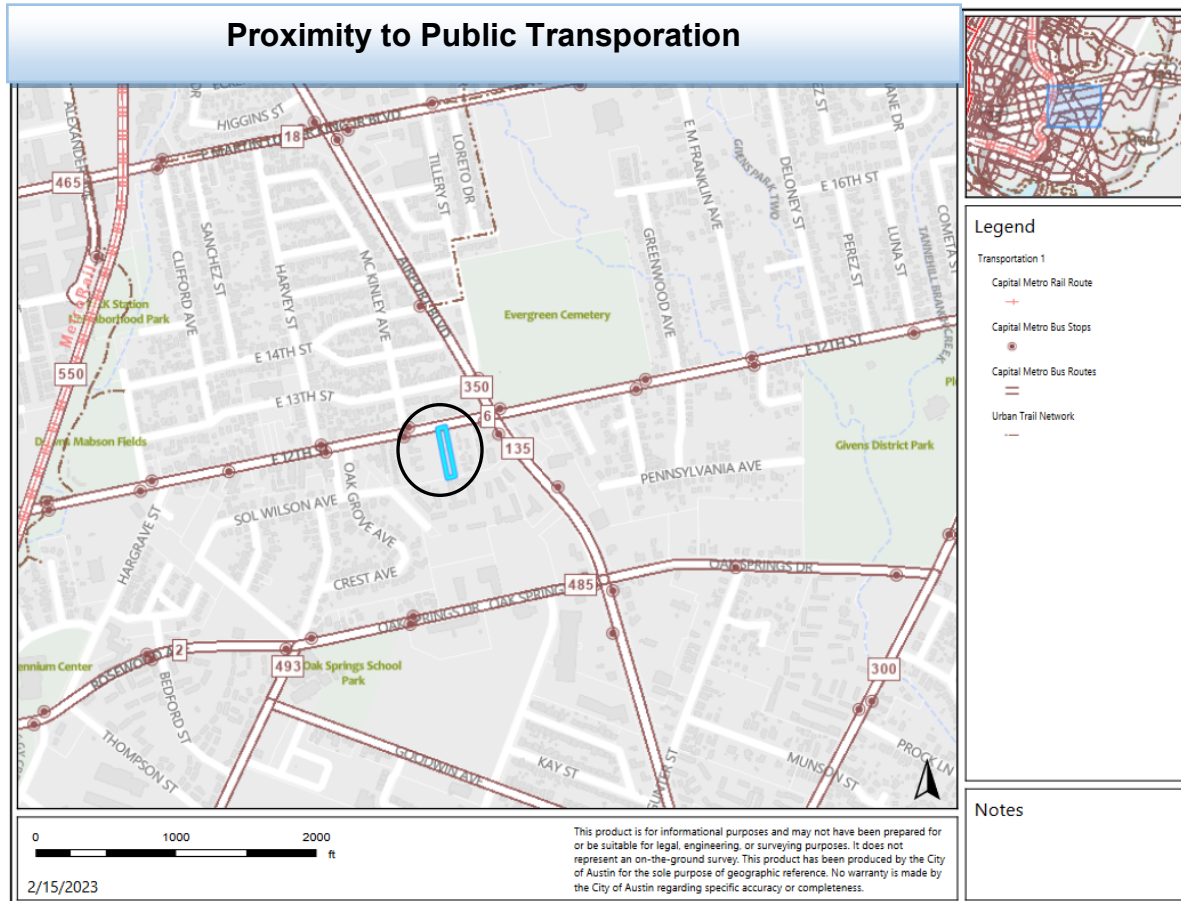
Transit Corridors (CTC) and Future Core Transit Corridors.

Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
Yes	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: <ul style="list-style-type: none"> • Approx. 300 feet west of Airport Blvd, an activity corridor. • Approx. ½ mile from E. MLK Activity Center
Yes	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
Yes	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Yes	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
Yes	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market. <ul style="list-style-type: none"> • Quick Stop Grocery 0.4 miles west. • Lone Star Family Market 0.6 miles on Airport Blvd. • Sky Market 0.8 miles
Yes	Connectivity and Education: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> • Oak Springs Elem. School 0.6 miles south • Texas Can Academy 0.7 miles
Yes	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.)
Yes	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing. <ul style="list-style-type: none"> • Proposing 10% units of the proposed 80-110 MF units at 60 MFI under VMU
Yes	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.
Yes	Mixed use: Provides a mix of residential and non-industrial uses.
Yes	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center). <ul style="list-style-type: none"> • Willie Mae Kirk Public Library 0.5 miles
	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.
11	Number of "Yes's"
Imagine Austin Priority Program PUD Specific Bonus Features	
n/a	Public Space Features and Public Art: Incorporates public space features and/or public art into project (Ex: plazas, streetscapes, gardens, and other people-friendly spaces where different ages can socially interact).
n/a	Integrates and/or Expands Green Infrastructure: Preserves or expands Austin's green infrastructure (ex: parkland, community gardens, green streets, creeks, stormwater features that mimic natural hydrology) into the urban environment and transportation network.

n/a	Protects the Environment: Reduces greenhouse gas emissions, water, energy usage, and/or increases waste diversion.
n/a	Protects Environmentally Sensitive Lands: Protects Austin's natural resources and environmental systems by limiting land use and transportation development over or near environmentally sensitive areas, preserves open space, and protects natural resources more than ordinance requirements.
n/a	Water/Wastewater Infrastructure: Sustainably manages Austin's water resources and stream corridors through on-site use of storm water, effective landscaping, flood mitigation, and other low-impact development techniques more than ordinance requirements.
n/a	Total Number of "Yes's"







IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

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. These centers will also be important hubs in the transit system.

Regional Centers - Regional centers are the most urban places in the region. These centers are and will become the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Housing in regional centers will mostly consist of low to high-rise apartments, mixed use buildings, row houses, and townhouses. However, other housing types, such as single-family units, may be included depending on the location and character of the center. The densities, buildings heights, and overall character of a center will depend on its location.

Activity Centers for Redevelopment in Sensitive Environmental Areas - Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context.

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.

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. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment

opportunities, but already have a mixture of uses, and could provide critical transportation connections. 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 plan amendment application was filed on or about July 29, 2022, which is in-cycle for neighborhood planning areas located on the east side of IH-35.

The applicant proposes to change the future land use map from Commercial to Mixed Use land use for a mixed-use development to include live-work spaces and 80-110 multifamily units and pedestrian-oriented commercial uses.

The applicant proposes to change the zoning on the property from CS-1-CO-NP (Commercial Liquor Sales district – Conditional Overlay combining district – Neighborhood Plan, CS-CO-NP (General Commercial Services district – Conditional Overlay combining district – Neighborhood Plan) and CS-MU-V-CO-NP General Commercial Services district - Mixed Use combining district – Vertical Mixed Use Building combining district – Conditional Overlay combining district -Neighborhood Plan) to CS-MU-V-NP (General Commercial Services district – Mixed Use combining district – Vertical Mixed Use Building combining district-Neighborhood Plan . For more information on the zoning case, please see case report C14-2022-0150.

PUBLIC MEETINGS: The ordinance-required community meeting was virtually held on November 1, 2022. Approximately 432 meeting notices sent to people who rent or own property within 500 feet of subject tract, in addition to neighborhood and environmental organizations who requested a notification for the area. Two city staff members attended the meeting, Maureen Meredith and Mark Walters from the Housing and Planning department, in addition to Michael Whellan and April Brown from Armbrust and Brown, the applicant's agent and Dick Hall from Greystar Group. Seven people from the neighborhood attended the meeting.

Below are highlights from Michael Whellan's presentation. His full PowerPoint presentation is in the back of this report.

- Live-work or flex space and 80-100 multifamily units.
- Will include affordable units per the VMU program.
- Property is largely vacant with a commercial building.
- Residential is appropriate on this property because it is within 500 feet of Airport Blvd, which is an activity corridor and on the ASMP Transit Priority Network roadway.

- These designations are important because the city uses them to guide growth and with the aim of concentrating new development around corridors.
- Our project would advance Imagine Austin planning principles, including to “focus future investments to support corridors and to expand the number and variety of housing choices throughout Austin.”
- Our site is made-up of three parcels, two of which are already designated as mixed and one that is currently designated for commercial.

Q: The applicant has another development on Oak Springs where they anticipate 250 units, and they are proposing 110 on this site. How do you anticipate the traffic pattern to adapt to that increase in density given the fact that Homewood Heights neighborhood currently has only one road that leads north out of the neighborhood?

A: The Oak Springs development did not need a zoning application and it's a separate development. The number of trips for E. 12th Street project is modest, relatively speaking, to the number of trips for Oak Springs. I can't speak directly to the trip patterns people will be going. Traffic Engineers make assumptions on trip patterns, but I'm not sure if they will go to Airport or another direction.

Q: What is the proposed height?

A: The maximum height would be to 60 feet. We are open to the discussion of balance height with affordable units. If you cap the height at 40 feet, it limits the number of affordable units.

Q. How will compatibility affect the property with single family across the street?

A: Those sites trigger compatibility 100 feet from the property line. We will be fully compliant with the compatibility standards.

Q: How many affordable units?

A: Affordable units will be 10% at 60% MFI. We estimate 80-110 residential units. We don't plan to go above what is required unless the City is willing to buy down affordability units, but these affordable units are being subsidized by the owner.

Q: I have a question about the proposal to eliminate the maximum 40 feet height on the property? The NPCT has never supported an increase in height except for one property that was in the center of a developer.

A: We are requesting that the 40 feet height limitation be removed as part of our zoning request. In the last 20 years, we've seen construction techniques that are a height that works for infill, especially infill of a vacant lot, which I think specifically is called out in the neighborhood plan. That's the rationale.

Q: Do the owners plan to flip the property or develop it themselves?

A: Right now, the current plan is for the owners to develop the property, although I can't say in the future what will happen as far as buying and selling the property.

Q: Is there a way to get a development agreement with the neighborhood on what will be built?

A: It's not unusual for the sale of a property to be contingent upon the successful rezoning of the property and because a site plan is very expensive to create, details of our development is usually not ironed out until after the rezoning process.

Q: Will there be affordable on-site units, or will it be fee-in-lieu?

A: There is no fee-in-lieu under VMU. The affordable timeframe is 40 years for rental properties at 60% MFI.

Q: Of the 80-110 proposed units, are they family-size units or studios?

A: The unit mix has not been determined yet because we haven't hired an architect.

A: What is the 60% MFI in Austin today?

Q: For a Household of one it's \$46,390; for a HH of two it's \$52,984; for a HH of three it's \$66,180.

A: What would the maximum height be if Affordability Unlocked was used on the property?

B: For Type 1, the height increase would be an additional 15 feet for a maximum of 75 feet. For Type 2 it would be 90 feet, depending on the level of affordability. Compatibility would be waived.

Q: Do you have a rough idea of the commercial services that would be developed?

A: The commercial part of the development will be market driven. The VMU is required to design the ground-floor specifically for commercial spaces, so it can accommodate pedestrian-oriented uses.

Q: Would a FLUM amendment set a precedence?

A: I believe the precedence was set when the neighborhood plan was created and the properties directly to the West had mixed-use land use on them. I don't know why some of the properties remained commercial during the planning process. Twenty years ago, when the plan was made, the commercial building on the property may have been an operation at that time and that was why it has the commercial land use on the future land use map.

Q: What are the community benefits? There are other unmet needs in the neighborhood.

A: We are happy to have this conversation off-line. We will be glad to meet.

Applicant Summary Letter from Application

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2380

July 27, 2022

Jerry Rusthoven, Chief Zoning Officer
City of Austin
Housing and Planning Department
1000 E. 11th St.
Austin, TX 78702

Re: Neighborhood Plan Amendment application for TCAD Parcel No. 0209150207, also known as 3121 E. 12th Street (the "Property")

Dear Mr. Rusthoven:

I am submitting the enclosed Neighborhood Plan Amendment ("NPA") application to change the Future Land Use Map ("FLUM") designation for the Property from Commercial to Mixed Use. The Property is a 0.5-acre site located in the Rosewood Neighborhood Planning Area. It is currently zoned CS-1-CO-NP and CS-CO-NP.

We are currently in the process of drafting an application to request CS-MU-V-NP zoning for the Property to allow for a project with a residential component located less than 500 feet from an Imagine Austin Corridor (Airport Boulevard). To prepare for this rezoning, we are submitting an associated NPA application to request a Mixed Use designation for the Property.

The adjacent parcels to the west of the Property, TCAD Parcel Nos. 0209150224 and 0209150223, will be included in the rezoning application and are currently designated for Mixed Use. Granting the requested FLUM amendment will unify the site and allow for the creation of needed residential units in Austin, including onsite affordable units as a condition of participation in the city's Vertical Mixed Use program.

Thank you for your consideration. I am available to answer questions and provide further details.

Respectfully,



Michael J. Whellan

**Letter of Recommendation from the Neighborhood
Plan Contact Team (NPCT)**

From: Jane Rivera

Sent: Thursday, April 6, 2023 2:18 PM

To: Haynes, Adam - BC <BC-Adam.Haynes@austintexas.gov>; Woods, Alice - BC <BC-Alice.Woods@austintexas.gov>; Azhar, Awais - BC <BC-Awais.Azhar@austintexas.gov>; Maxwell, Felicity - BC <BC-Felicity.Maxwell@austintexas.gov>; 'Grayson Cox' <bc-grayson.cos@austintexas.gov>; Anderson, Greg - BC <bc-Greg.Anderson@austintexas.gov>; Mushtaler, Jennifer - BC <BC-Jennifer.Mushtaler@austintexas.gov>; Thompson, Jeffrey - BC <bc-Jeffrey.Thompson@austintexas.gov>; 'Joao Connolly' <bc-joao.commolly@ausintexas.gov>; 'Patrick Howell' <bc-patrick.howell@austintexas.gov>; Shaw, Todd - BC <BC-Todd.Shaw@austintexas.gov>; 'Yvette Flores' <yvette.flores@austintexasgov>

Subject: Item NPA-2022-00008.01 from March 28, 2023 Agenda

*** External Email - Exercise Caution ***

Dear Commissioners:

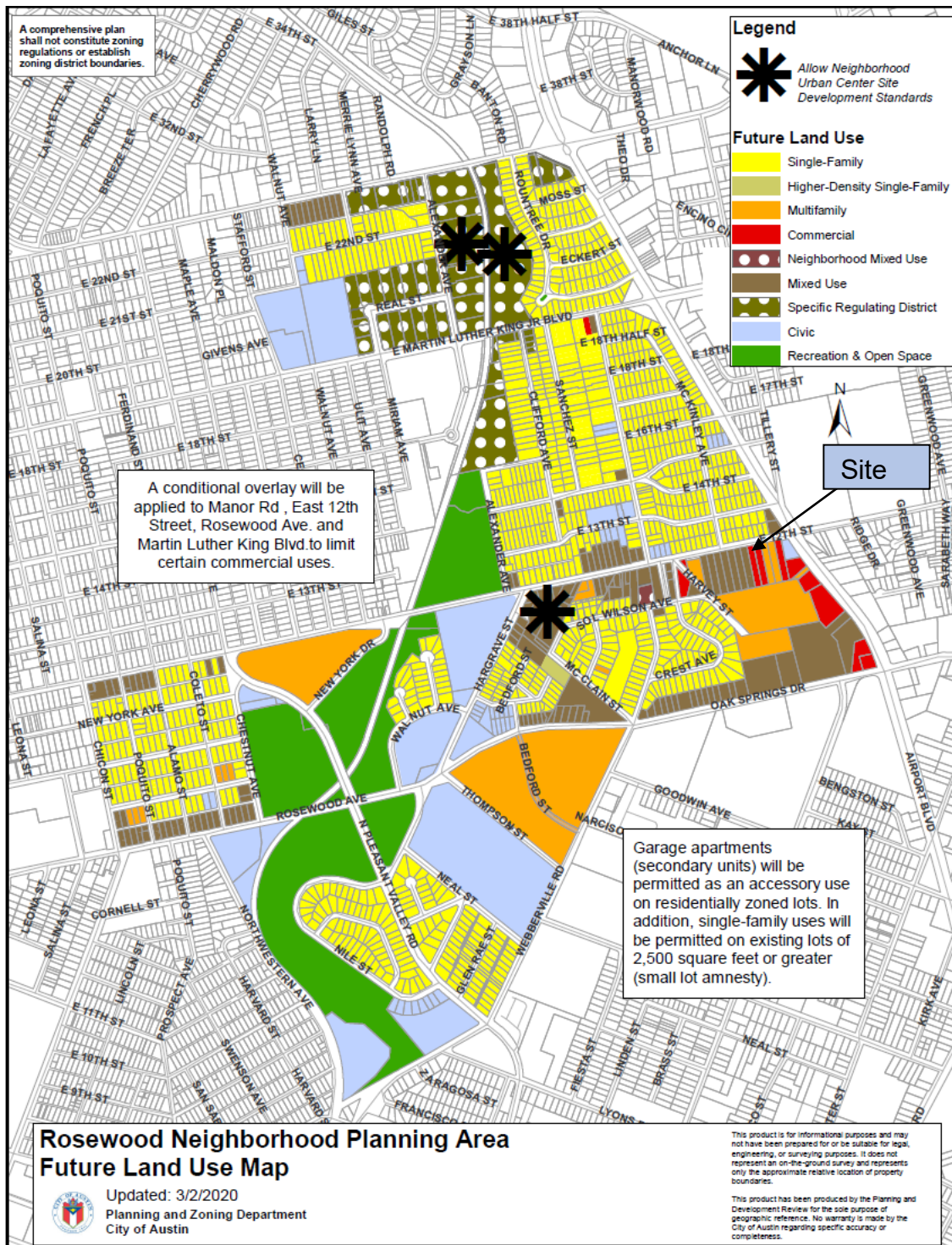
The Rosewood Neighborhood Contact Team held a special meeting March 29, 2023 to discuss the above item regarding 3117 and 3121 E. 12th Street. I understand that this item has been postponed until April 25. We feel it is important to share our concern with you prior to that date.

Our members appreciate the developer's idea of combined retail/commercial with multi-family housing in the same project. However, we have a serious concern about making a change to the Rosewood Neighborhood Plan that would remove the height restricted overlay. There is another property on East Twelfth Street which accomplished the same goals without requiring a change to our plan. Also, as we understand it, if we were to approve removing the overlay on these properties to permit greater height, that action would remove the overlay not only from the noted properties, but also from all properties on East Twelfth Street that are currently covered by the height restricted overlay. We cannot in good conscience approve a change that would apply to properties that may not even be inside the Rosewood Neighborhood Plan boundaries.

Therefore, we voted to support the most directly affected neighborhood, Homewood Heights, in opposing the proposed neighborhood plan amendment.

Sincerely,

Jane Rivera, Chair
Rosewood Neighborhood Planning Area





Rosewood Neighborhood Planning Area NPA-2022-0008.01

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






City of Austin
Housing and Planning Department
Created on 8/22/2022, by: MeeksS

Future Land Use

	Subject Tract		Mixed Use
	500 ft. notif. boundary		Multi-Family
	Civic		Neighborhood Mixed Use
	Commercial		Single-Family
	Higher-Density Single-Family		Transportation
	Mixed Residential		



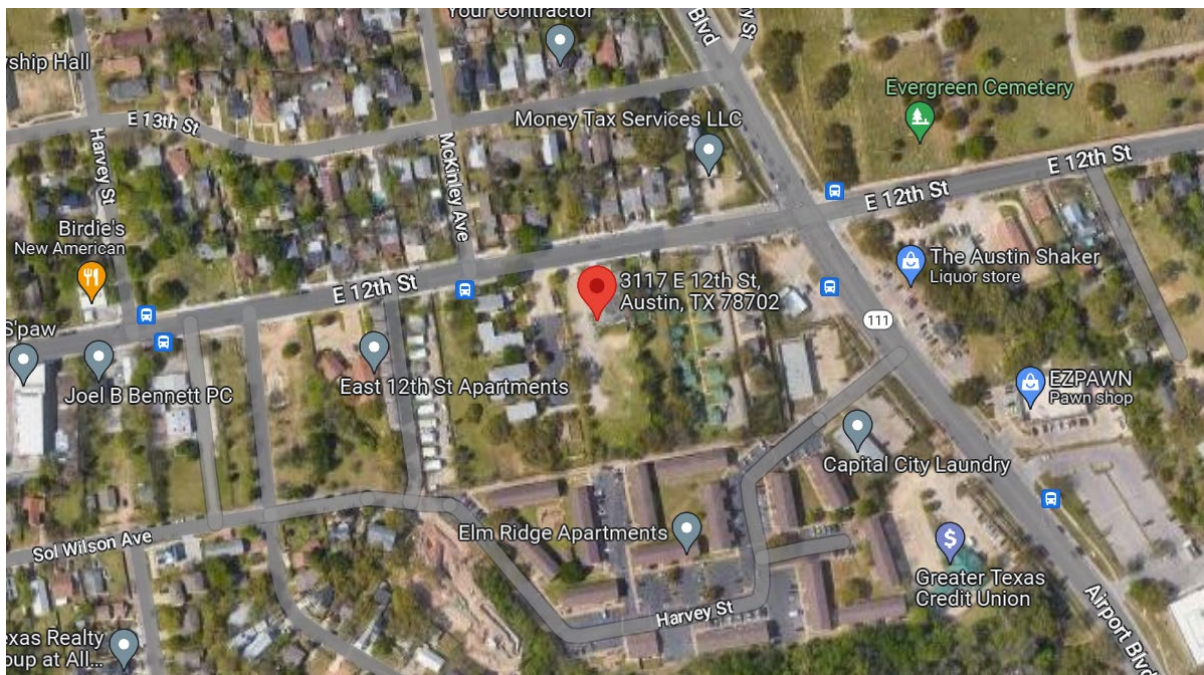
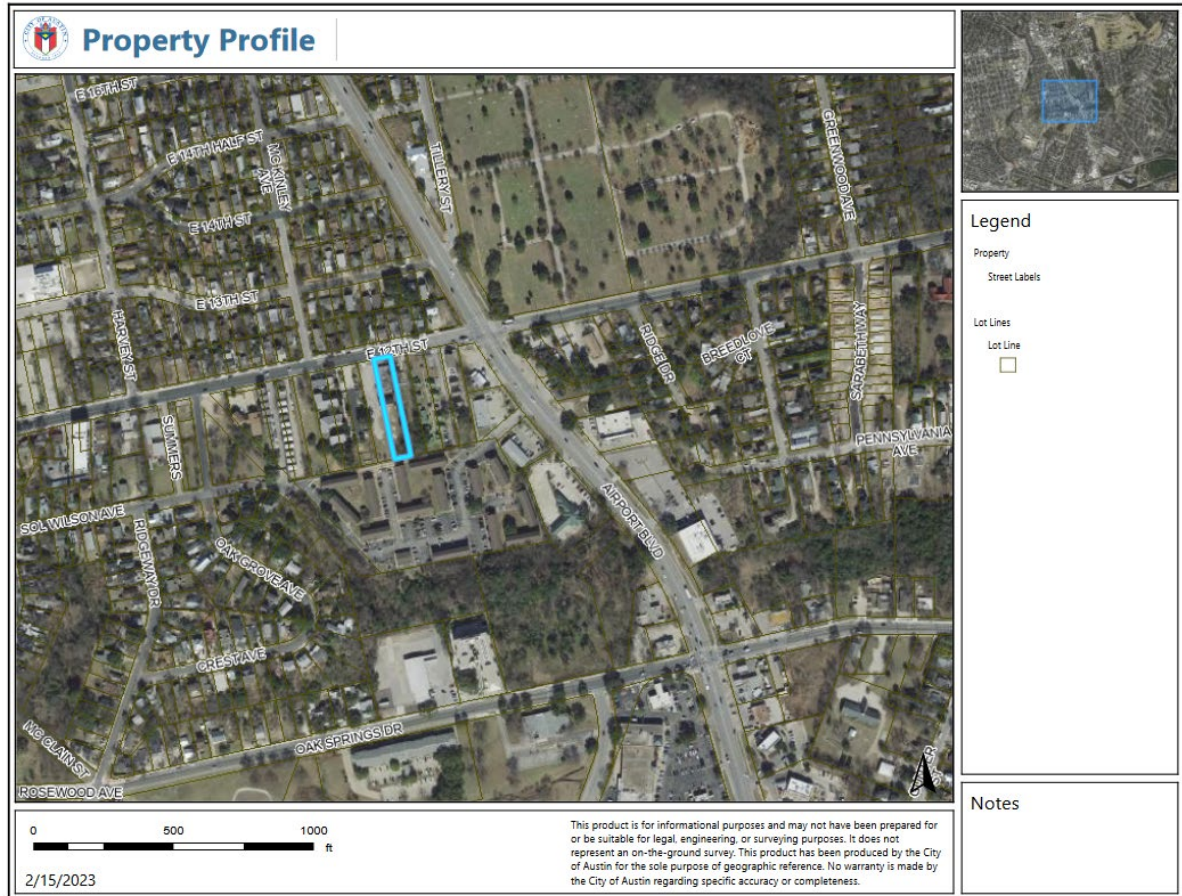
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 ZONING BOUNDARY

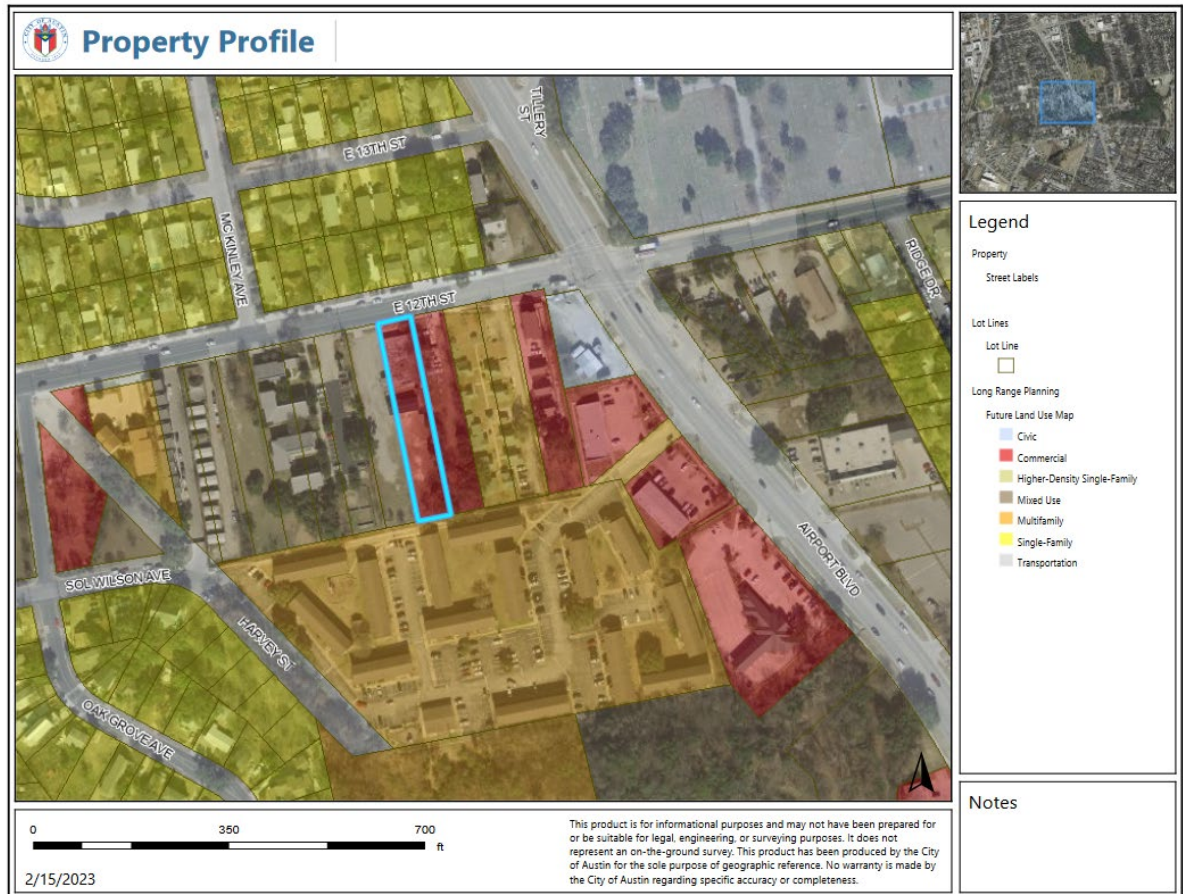
ZONING CASE#: C14-2022-0150

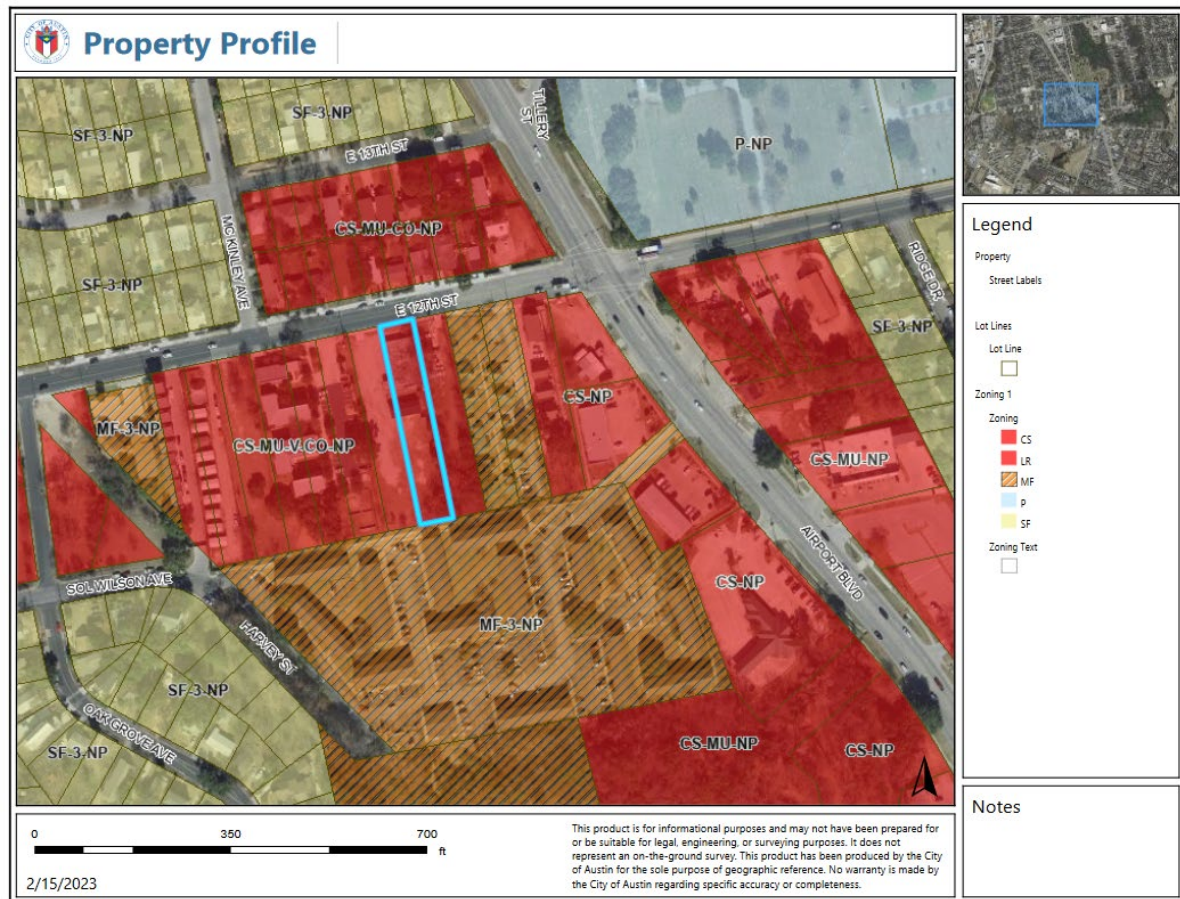


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3121 E. 12th Street

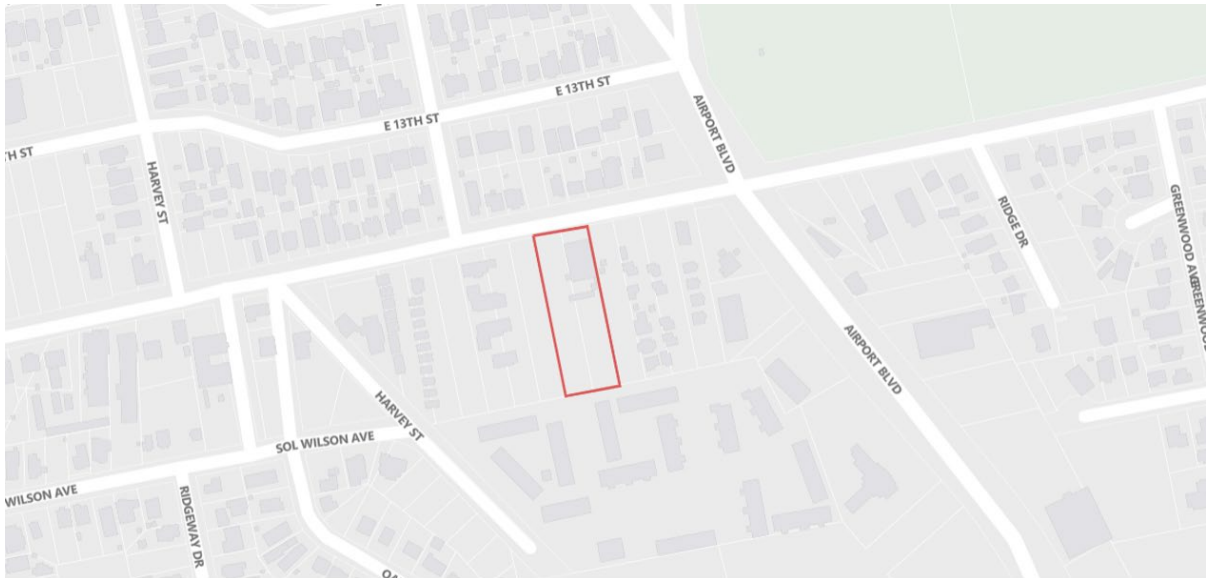
REZONING AND FUTURE LAND USE MAP AMENDMENT

1

Overview

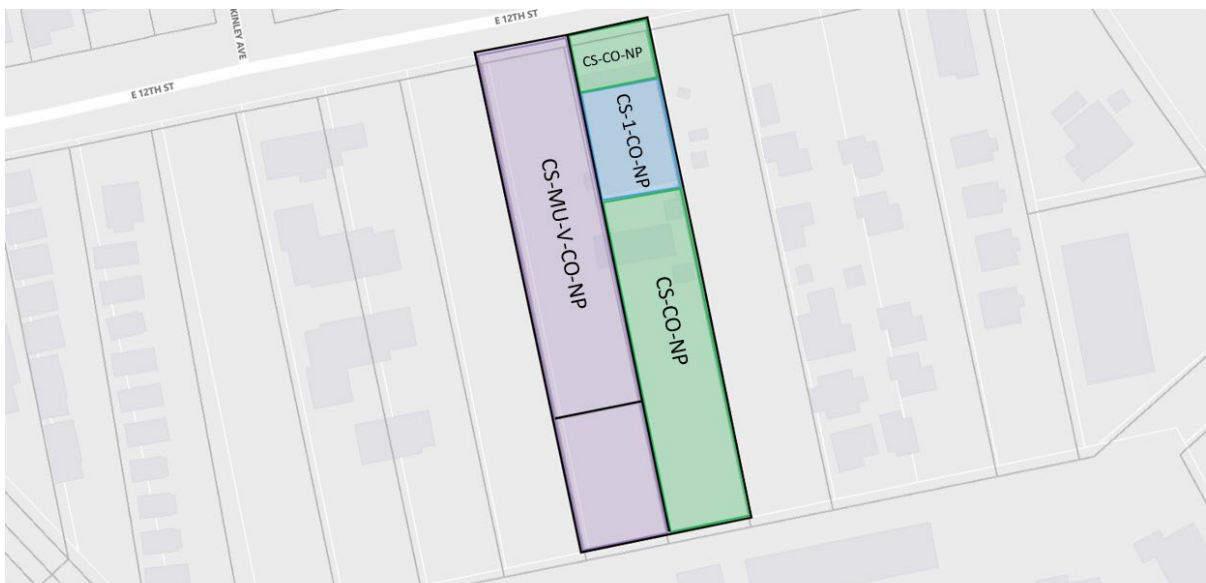
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- Request:** Amend the Future Land Use Map (FLUM) designation for one parcel from Commercial to Mixed Use and rezone the property from CS-MU-V-CO-NP, CS-1-CO-NP, AND CS-CO-NP to CS-MU-V-P.
- Proposal:** A mixed use development with live-work space and approximately 80-110 multifamily residential units.
- Rationale:** Follows the Rosewood Neighborhood Plan goals and aligns with Council and city planning policies.

4



Site Location: 3121 E. 12th

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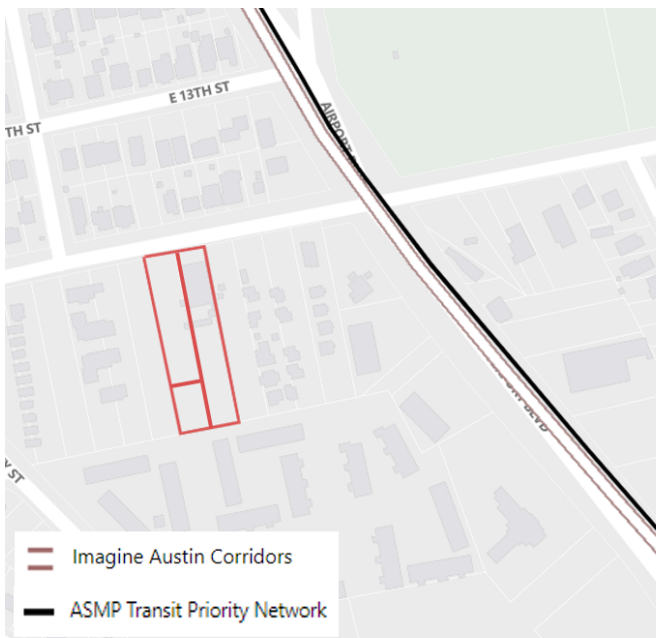
Zoning: 3121 E. 12th

6



Current Use: Undeveloped and Vacant Commercial Space

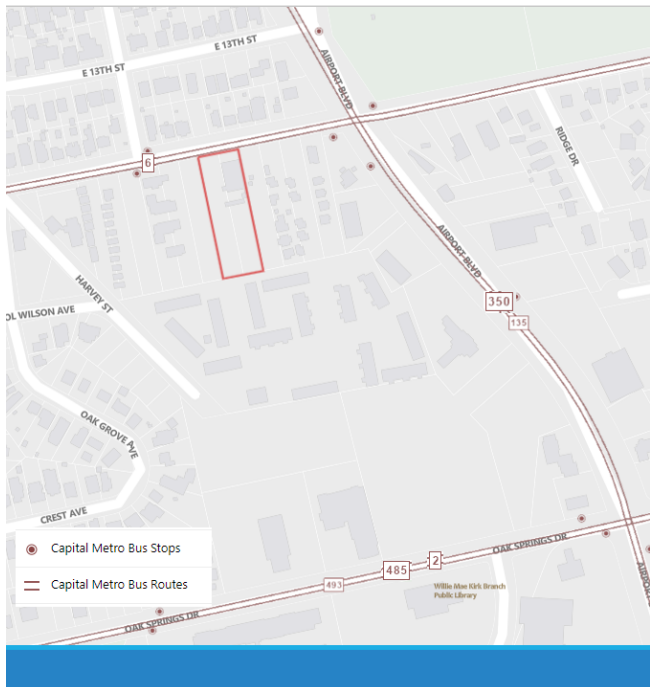
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Imagine Austin and ASMP

- Imagine Austin establishes a vision in which the City “**will focus future investments to support [...] corridors**” and will “**expand the number and variety of housing choices throughout Austin.**”
- The ASMP’s first land use policy is to “**promote transit-supportive densities along the Transit Priority Network**”.

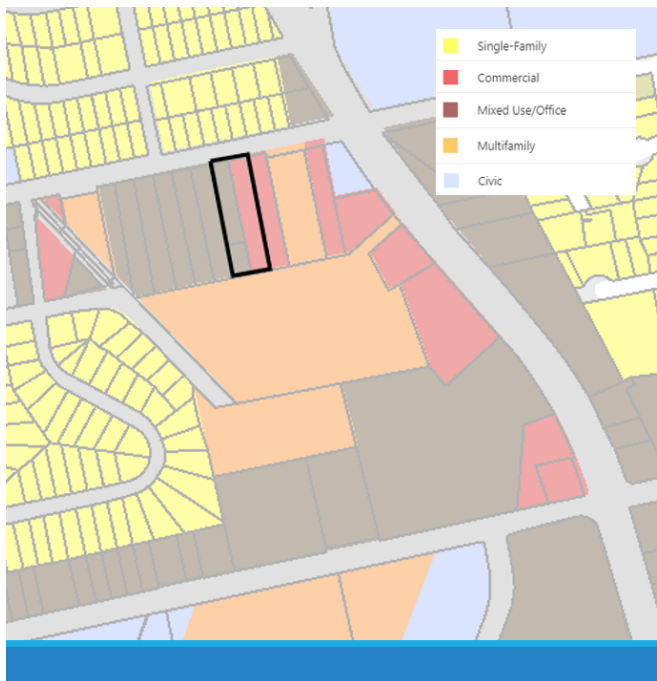
8



Proximity to Transit

- Route 6 (East 12th) run east-west into downtown
- Route 350 (Airport Blvd.) runs north-south from ACC Riverside to Lamar and 183
- Route 485 (Night Owl Cameron) runs from downtown through Mueller to Rutherford
- Route 2 (Rosewood) weekday high-frequency route into downtown

9



Future Land Use Map

- One of the three parcels is currently designated for Commercial (red). Our request is for Mixed Use (brown).
- Mixed Use is consistent with the surrounding uses and the envisioned project is compatible with nearby multifamily uses.

10

Rosewood Neighborhood Plan

Promote affordable housing options



Reduce the number of vacant lots



Allow mixed use development on existing commercial zoning



Recap

The site is located near an Imagine Austin Activity Corridor and an ASMP Transit Network Priority Roadway.

Council and City planning policies encourage development along corridors and transit lines, and seek to allow residential uses on commercially zoned properties.

Mixed Use is consistent with other land uses in the area, and our request aligns with city and Council policies.

The proposal aligns with goals in the Rosewood Neighborhood Plan.

Questions?

Correspondence Received

PUBLIC HEARING COMMENT FORM	
<p>If you use this form to comment, it may be submitted to:</p> <p>City of Austin Housing and Planning Department Maureen Meredith P. O. Box 1088 Austin, TX 78767-8810</p>	
<p>If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.</p>	
<p>Case Number: NPA-2022-0008.01 Contact: Maureen Meredith, 512-974-2695 or Maureen.Meredith@austintexas.gov Public Hearing: Jan 10, 2023 - Planning Commission</p>	
<p><input type="checkbox"/> I am in favor <input checked="" type="checkbox"/> I object</p>	
<p><u>Lena Baker Shaw</u> Your Name (please print)</p>	
<p><u>1171 Dakarove Ave</u> Your address(es) affected by this application</p>	
<p><u>Lena Baker Shaw</u> Signature</p>	<p><u>1-5-2023</u> Date</p>
<p>Comments: <u>It will increase traffic and invade privacy, & increase property taxes</u></p>	

-----Original Message-----

From: Greg Hammond

Sent: Wednesday, September 14, 2022 8:26 AM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Subject: NPA-2022-0008.01

*** External Email - Exercise Caution ***

Hi Maureen,

I just wanted to voice personal support for a change on this case from commercial to mixed use. I generally think that's good for this 12th Street corridor.

Thanks!

-Greg Hammond

(No longer Homewood Heights NA president).

2604 Sol Wilson Ave

512-658-7518

From: Morgan Terrill <
Sent: Tuesday, May 16, 2023 10:54 AM
To: Tomko, Jonathan <Jonathan.Tomko@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Homewoodheightsneighborhood@
Subject: Case NPA-2022-0008.01 - AGAINST REZONING

Hello,

I am against the rezoning and the removal of the conditional overlay. I understand neither the city nor the developer is responsible for infrastructure amendments. How will we manage the additional traffic (which has already gotten pretty bad)? Pedestrian traffic? Bus stops? Stop lights? They also speak of low income housing, but only a small percentage of these units are required to be low income and usually aren't affordable to low income families. There are plenty of other multi-use buildings that have abided by the Rosewood Neighborhood Plan and have successfully built, sold and leased units for mixed use. I am against the amendment change.

Morgan Terrill
3115 E 13th St 78702

.....

From: Jenny Grayson
Sent: Monday, May 15, 2023 8:37 PM
To: Tomko, Jonathan <Jonathan.Tomko@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Chris Page <Homewoodheightsneighborhood@
Subject: Case NPA-2022-0008.01

Dear Jonathan and Maureen,

I am emailing you all to formally express my opposition to the proposed zoning changes for 3117-3121 E. 12 Street.

I am against the rezoning and the removal of the conditional overlay. We have a neighborhood plan for the area (that was approved by the city council) and allows building to be built up to 40 feet in our residential areas. Plenty of large developments have successfully built multi-use properties within this guideline, and allowing the conditional overlay to be removed could be cause for all of 12th street to turn into 100 foot buildings.

Furthermore, not the city nor the developer is responsible for infrastructure amendments. How will we manage the additional traffic? Pedestrian traffic? Bus stops? Stop lights? They also speak of low income housing, but only a small percentage of these units are required to be low income and usually aren't affordable to low income families. Low income units are limited to single bedroom units. Low income needs to be for families, and families cannot live in a one bedroom unit.

For me, the main takeaway is that plenty of other multi-use buildings have abided by the Rosewood Neighborhood Plan and have successfully built, sold and leased units for mixed use. I am against the amendment change and am here to tell you so. I will do my best to voice my opinion at the commission meeting this Friday.

Thank you,
Jenny Grayson
E 14th residents since 2010
512-293-8819

.....

From: Imad Ahmed <
Sent: Monday, May 15, 2023 11:43 AM
To: Tomko, Jonathan <Jonathan.Tomko@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Case #NPA-2022-0008.01

Hello,

I live in the McKinley Heights neighborhood and my neighborhood association notified me about a city planning commission meeting this Friday to discuss the removal of Rosewood Neighborhood Plan's conditional overlay of a 40 foot maximum for building height in the area.

Unfortunately, I cannot attend this meeting as I am out of the country this Friday. But I did want to share my views as a resident of the area. What is important to me and many residents in the area is that the many empty and dilapidated lots on 12th street get utilized in a way that is beneficial for the community. I am therefore for the removal of the conditional overlay if we are reasonably certain that the development will begin soon. Increasing the height limit from 40 feet to 100 feet, not just for this property but for all the commercial properties on 12th street, will increase housing supply and bring more retail/office/restaurants to the area, which I think most of the residents in the area would love to see. We've seen denser development really

benefit neighborhoods like Saltillo, South Lamar, South First, and South Congress, and I'd like to see the same for East 12th Street.

The re-zoning notification refers to a special meeting on March 29th where residents voted to oppose the proposed neighborhood plan amendment. I was at the meeting, and there were only a couple individuals who were very vocal in their opposition and swayed the others at the meeting. But based on my conversations with neighbors, I think those individuals are the minority -- most want to see more dense development in our area, which you'd likely get with the proposed neighborhood plan amendment.

Imad Ahmed

.....

From: Ryah Christensen <

Sent: Sunday, May 14, 2023 3:13 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Tomko, Jonathan <Jonathan.Tomko@austintexas.gov>

Subject: C14-2022-0150

Dear Commissioners,

I am writing to object to Armbrust & Brown's request to change the Neighborhood Plan on E.12th street.

On its surface, the developer / investor's request to change the zoning on 3117 and 3121 E.12th to VMU seems innocuous. But please consider the consequences of their request to remove the Conditional Overlay that is buried within the zoning request. Also consider our neighborhood's history with developers / investors using upzoning as an investment tool to increase their portfolios, and not a means to build actual affordable housing.

Granting this request will remove height restrictions for the whole E. 12th block and pave the way for future developers to build at a scale that is not in line with our neighborhood's goals to balance development with current residents' quality of life. It will also not necessarily lead to increased affordable housing in the area. Current property owners like Eureka holdings, who have amassed considerable property and increased entitlements on many occasions, have never built anything and seem to have no plans to do so. Armbrust & Brown, who is representing Geyser Group on this application, has let us know that their client has NO ACTUAL PLANS for the proposed housing development that they are using as leverage for this zoning / NP amendment request. Without an actual development plan, and without City requirements that zoning changes / NP amendments are contingent on realizing promised development AND fulfilling good faith promises made to neighborhoods in

exchange for their support, there is no reason to believe that upzoning properties will solve any housing or underused land issues.

I hope that you will not grant the removal of the Conditional Overlay on the properties in question. I also hope that you will devise strategies that encourage investors / developers to actually develop the land they own in a manner that is respectful to their neighbors', and this City's, needs.

Thank you for your consideration,
Ryah Christensen (20 year resident of Homewood Heights)