

## ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0017 (7002, 7004, and  
7006 Guadalupe Street)

DISTRICT: 4

ADDRESS: 7002, 7004, and 7006 Guadalupe Street

ZONING FROM: TOD-NP (Medium Density  
Residential Subdistrict)

TO: TOD-NP (Mixed-Use  
Subdistrict) and other changes to  
participate in the city's density  
bonus program

SITE AREA: 0.8326 acres (36,266 square feet)

PROPERTY OWNER: JLCC Interests, LLC

AGENT: Drenner Group, PC (Leah M. Bojo)

CASE MANAGER: Jonathan Tomko (512) 974-1057, [jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov))

STAFF RECOMMENDATION:

**Staff recommends TOD-NP (Mixed-Use Subdistrict) and other changes as requested.**  
*See the basis of recommendation section below for more detail.*

PLANNING COMMISSION or ZONING AND PLATTING COMMISSION ACTION /  
RECOMMENDATION:

August 8, 2023: Case is scheduled to be heard by Planning Commission

CITY COUNCIL ACTION: TBD

ORDINANCE NUMBER: N/A

ISSUES: N/A

CASE MANAGER COMMENTS:

The three parcels in question currently have a total of 3 older single-family homes on 0.8326 acres, with a resulting density of 3.60 dwelling units per acre. This density level does not support local bus, bus rapid transit (BRT), light rail, or commuter rail service. The residential density required to support fixed or dedicated transit service is a minimum of 50 dwelling units per acre. Target residential densities to support robust fixed or dedicated transit in an urban center are within the range of 75 to 150 dwelling units per acre within ½ mile radius of the station area. Without an increase in density, and additional mixed-use development as parcels redevelop within the station area the CapMetro Red Line Crestview Station and associated connecting MetroRapid BRT will continue to struggle to perform.

BASIS OF RECOMMENDATION:

**The proposed zoning should be consistent with the purpose statement of the district sought.** The TOD Mixed-Use (TOD-NP) are located in the closest proximity to transit and are intended to become neighborhood centers. This is the highest density designation, which encourages urban-style development including active ground floor uses with commercial, office, or residential uses on the upper floors. Residential densities may exceed 45 units per acre if a specific level of affordable housing is provided and a moderate height bonus may be granted if additional affordable housing is provided, which the applicant is requesting.

**Zoning changes should promote compatibility with adjacent and nearby uses.** Staff recommends TOD Mixed-Use (TOD-NP) zoning for the property and the requested additional conditions to participate in the city's density bonus program based on the following considerations: 1) location on Guadalupe Street, an ASMP level 2 corridor with sidewalks, bike routes and CapMetro bus stops; 2) The street is suitable for additional residential development, 3) it is consistent with the development that has been granted to the north, south, and west within the TOD, 4) it is reasonable given the changes in the area since the TOD Plan was adopted in 2008. There has been substantial redevelopment of Highland Mall, the Triangle development to the south on Lamar, increased vertical mixed use along Burnet to the west and along Anderson Lane, 5) the rezoning would support goals in the Austin Strategic Housing Blueprint by providing more affordable housing within ¼ mile of high-frequency transit.

**Zoning should promote clearly identified community goals, such as creating employment opportunities or providing for affordable housing.** This rezoning case presents an opportunity as older properties within the station area begin to redevelop, to increase housing density to a level that will support fixed route transit (keep in mind with Project Connect this station area is going to be a major intersection of two fixed transit lines). This case can also support community goals by increasing a mix of uses which can support more employment opportunities and supports transit at the same time by providing more destinations within the station area. Lastly, the rezoning request also increases the height and provides income restricted affordable housing in exchange for the density bonus. Income restricted housing units near transit achieve a deeper level of affordability due to their locational advantages, they can reduce what is typically a household's second largest expense, transportation costs.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	TOD-NP	Three single family homes, approximately 1,200 square feet each, built in the early 1950s.
<i>North</i>	TOD-NP	Four townhomes, approximately 1,300 square feet each, built in 2002.
<i>South</i>	TOD-NP	18 unit, two story apartment complex approximately 7,400 square feet, built in 1972.
<i>East</i>	SF-6-NP, MF-1-CO-NP, and MF-2-NP	Two duplexes, approximately 1,500 square feet each, built in the early 1950s. One triplex approximately 1,800 square feet, built in 1976. One fourplex approximately 2,500 square feet, built in 1959.
<i>West</i>	TOD-NP	One duplex approximately 2,500 square feet (2010); one single family home (approximately 1,300 square feet), built in 1930.

NEIGHBORHOOD PLANNING AREA: Brentwood/Highland Combined Neighborhood Plan Area (Highland)

TIA: A Neighborhood Traffic Analysis (NTA) is required, will be performed for this project by ATD staff, and will be required at the time of site plan.

WATERSHED: Waller Creek Watershed

SCHOOLS: A.I.S.D.

Reilly Elementary School

Webb Middle School

McCallum High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Friends of Austin Neighborhoods, Highland Neighborhood Association, Highland/Skyview Neigh. Plan Contact Team, Homeless Neighborhood Association, Lamar Blvd./Justin Ln. TOD Staff Liaison, Neighborhood Empowerment Foundation, North Austin Neighborhood Alliance, SELTexas, Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2008-0030	Lamar/Justin TOD Station Area Plan	04.08.2008: The Planning Commission unanimously recommended (7-0) the Station Area Plan and associated plan amendments	12.11.2008: Approved Ordinance No. 20081211-0086 for Station Area Plan and Transit Oriented Development (7-0) 3 <sup>rd</sup> Reading

		with several amendments.	
C14-04-0012	Brentwood/Highland Neighborhood Plan	02.24.2004: Approved staff recommendation with exceptions (6-0)	03.25.2004: Approved on First Reading (6-0) 04.15.2004: Approved on Second Reading (7-0, 6-1, 5-2, 4-3, 6-0) 05.13.2004: Approved on Third Reading (7-0)  7004 Guadalupe was rezoned MF-2 to SF-6-NP  7002 and 7006 Guadalupe were rezoned SF-3 to SF-6-NP
C14-2023-0029 (7009 Guadalupe Street)	The applicant is proposing to rezone approximately 0.3448 acres from SF-6-NP to MF-2-NP. Related case: NPA-2023-0018.04 from Higher-Density Single Family to Multifamily	07.11.2023: Approved staff recommendation to grant multifamily residence-low density-neighborhood plan (MF-2-NP) Azhar, Maxwell 12-0	Scheduled to be heard by Council on August 31, 2023.
SP-2017-0154C	St. John's West Apartments	N/A	N/A

RELATED CASES:

NPA-2023-0018.01 - proposes to change the Station Area Plan's (SAP) Land Use and Design Concept Plan designation from Medium Density Residential to TOD Mixed Use. This proposed change to the Station Area Plan (SAP), via the NPA case, will also increase the Base Maximum Building Heights Map from 35 feet to 40 feet and allow the parcels to participate in the Development Bonus program to provide 10% of units at 60% of the Median Family Income (MFI).

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalk	Bicycle Route	Cap Metro (within ¼ mile)
Guadalupe Street	Level 2	84 feet	~61 feet	39 feet	Yes, on both sides of road	Yes, on Northbound side of road.	Yes
Kawnee Drive	Level 1	58 feet	~50 feet	30 feet	Yes, on one side of road.	None	Yes

OTHER STAFF COMMENTS:

Urban Design

UD1: The current land use at 7002, 7004, and 7006 Guadalupe Street is residential. 7002 appears to be a single family residence, 7004 is a duplex, 7006 is either a duplex or single family residence, and all the structures on each lot are single story. This type of use and scale characterizes the lots across the street on Guadalupe Street. On Kawnee Drive, across from 7006 Guadalupe Street, there is a two-story multi family unit.

The current Lamar Blvd/Justin Lane TOD Regulating Plan subdistrict for 7002, 7004, and 7006 Guadalupe Street is TOD Medium Density Residential. This subdistrict provides for a wide range of many housing types, including rowhouses, and moderate density apartment and condominium development. Section 2.3.1.B.3 points out that residential subdistricts are intended exclusively for residential uses. Figure 2-2 describes permitted land uses. The properties are on the edge of the TOD boundary. The neighboring SF-6-NP, MF-1-CO-NP, and MF-2-NP properties do not trigger compatibility standards. However, there will be a significant shift in scale from the existing one-story residential units on Guadalupe Street to the proposed TOD Mixed Use subdistrict.

The table below provides a summary of what would be allowed under current zoning and what would be allowed under the zoning proposed by the applicant.

C14-2023-0017

7002, 7004, 7006 Guadalupe St			
	Current	Proposed	Street Type
Zoning	TOD Medium Density Residential	TOD Mixed Use	Guadalupe St is a TOD Pedestrian Priority Street.  Kawnee St is a TOD Local Street <i>(Figure 3-4 Circulation Concept Plan Map)</i>
Land Use	7002 – residential 7004 – duplex 7006 – residential (duplex?)	n/a	
Min/Max Density	Minimum Density: 17 dwelling units per acre Maximum Density: 45 dwelling units per acre	Minimum building height is two stories. Maximum Density: 45 dwelling units per acre (unless a development bonus is used)	
Height	Base maximum height: 35 feet <i>(Figure 4-1)</i>	Maximum building height is 60 feet.  According to 4.3.3.B.3.a: In the TOD District within 100 feet of the TOD boundary, compatibility standards height limitations triggered by property outside of the TOD District shall be waived if owners of at least 66% of triggering properties within 25 feet of the site requesting the waiver agree. If there are no triggering properties within 25 feet, the height restriction shall be waived.	
FAR	Maximum FAR is 2:1	4.2.8 - The maximum FAR for all development within the Station Area shall be 2:1 unless a development bonus is granted as specified in Section 4.3.	
Development Bonus	Not eligible	Eligible	
Setbacks	For all properties within the TOD District, there are no minimum or maximum requirements for rear, interior side, or street side yard setbacks, except as required to comply with the building height and setback requirements in Subsection 4.2.10 Compatibility Standards. Section 4.2.6.C. states that if the street right-of-way is less than 60 feet in width, the minimum front yard setback for buildings three or more stories in height shall be 30 feet from the center line of the street to ensure adequate fire access. Section 4.2.10.B. states “a waiver of compatibility standards may be granted if a development bonus is utilized,” however, 4.3.2.B.b. states “In the TOD District within 100 feet of the TOD boundary, compatibility standards setbacks triggered by property outside of the TOD District shall not be waived.”		
Maximum Impervious Cover	85% maximum impervious cover	95% maximum impervious cover	
Compatibility Standards	Applies	Applies – Properties are within 100 feet of TOD boundary	

Residential subdistrict provides an increase in building entitlements for the existing Properties while also serving as a buffer between the SF-6-NP neighbors to the east and the TOD Mixed Use neighbors to the west.

#### Parks and Recreation

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

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

#### Site Plan

SP1. Site plans will be required for any new development other than single-family or duplex residential.

SP2. 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.

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

#### Transportation

ATD 1. The Austin Strategic Mobility Plan (ASMP) calls for 84 feet of right-of-way for Guadalupe Street. It is recommended that 42 feet of right-of-way from the centerline should be dedicated according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

ATD 2. The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Kawnee Drive. It is recommended that 29 feet of right-of-way from the centerline should be dedicated according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

ATD 3. A Neighborhood Traffic Analysis is required and will be performed for this project by ATD staff and will be required at the time of site plan. Results will be provided in a separate memo. LDC 25-6-114. 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. LDC 25-6-114.

Austin Water Utility

AW1. No comment on zoning change.

AW2. 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 TO FOLLOW


- A: Zoning Map
- B. Aerial Map
- C. Applicant's Request Letter
- D. TIA Determination Worksheet
- D. Correspondence from Interested Parties




ZONING CASE#: C14-2023-0017



 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

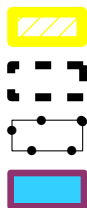


**Created: 2/21/2023**





## 7002, 7004, 7006 Guadalupe Street



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

ZONING CASE#: C14-2023-0017

LOCATION: 7002, 7004, 7006 Guadalupe St

SUBJECT AREA: 1.493 Acres

GRID: K28

MANAGER: Ricky Barba



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: 3/14/2023



Leah Bojo  
lbojo@drennergroupp.com  
512-807-2918



August 1, 2023

Lauren Middleton-Pratt  
Planning Department  
City of Austin  
Street Jones Building  
1000 E. 11<sup>th</sup> St, Ste 200  
Austin, TX 78702

Via Electronic Delivery

Re: 7002, 7004, and 7006 Guadalupe Street – Rezoning application for the approximately 0.8326-acre piece of property located at 7002, 7004, and 7006 Guadalupe Street in the City of Austin, Travis County, Texas (“the Property”)

Dear Ms. Middleton-Pratt:

As representatives of the owner of the Property, we respectfully submit the enclosed Rezoning and corresponding Neighborhood Plan Amendment (NPA) application packages. The project is titled 7002, 7004, and 7006 Guadalupe Street and is approximately 0.8326 acres of land, located on the west side of Guadalupe Street between Swanee Drive and Kawnee Drive. The Property is in the full purpose jurisdiction of the City of Austin.

The purpose of these applications is to amend the Lamar Boulevard/Justin Lane Transit Oriented Development (TOD) Station Area Plan (SAP) and Lamar Boulevard/Justin Lane TOD Regulating Plan to allow for a transit-supportive, multifamily residential use. These plans were approved on December 11, 2008.

The Property is currently zoned TOD-NP (Transit-Oriented Development – Neighborhood Plan) with the Medium Density Residential Subdistrict. We are requesting to rezone the Property to TOD-NP (Transit-Oriented Development – Neighborhood Plan) with the Mixed Use Subdistrict. We are simultaneously requesting to change the SAP’s Land Use and Design Concept Plan designation from Medium Density Residential to TOD Mixed Use. This proposed change to the SAP, via the NPA process, will also increase the Base Maximum Building Height Map from 35 to 40 feet and allow the parcels to participate in the Development Bonus program to provide 10% of units at 60% of the Median Family Income. These changes are requested in the corresponding maps in the Lamar/Justin TOD Regulating Plan.

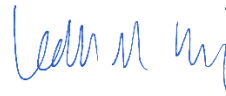
The Property is currently developed with circa 1950, 1954, and 1955 single-family and duplex uses predating the approval of the TOD plans.

August 1, 2023

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Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Sincerely,



Leah M. Bojo

cc: Joi Harden, Planning Department (*via electronic delivery*)  
Jorge Rouselin, Planning Department (*via electronic delivery*)  
Maureen Meredith, Planning Department (*via electronic delivery*)

**CITY OF AUSTIN**  
**TRAFFIC IMPACT ANALYSIS (TIA) DETERMINATION WORKSHEET**

APPLICANT MUST FILL IN WORKSHEET PRIOR TO SUBMITTING FOR TIA DETERMINATION

PROJECT NAME: \_\_\_\_\_

LOCATION: \_\_\_\_\_

APPLICANT: \_\_\_\_\_ TELEPHONE NO: \_\_\_\_\_

APPLICATION STATUS: \_\_\_\_\_ DEVELOPMENT ASSESSMENT: \_\_\_\_\_ ZONING: \_\_\_\_\_ SITE PLAN: \_\_\_\_\_

**EXISTING:****FOR OFFICE USE ONLY**

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY
			TOD-NP (Medium Density Residential Subdistrict)		210	FCE	15
			TOD-NP (Medium Density Residential Subdistrict)		210	FCE	15
			TOD-NP (Medium Density Residential Subdistrict)		210	FCE	15

**PROPOSED****FOR OFFICE USE ONLY**

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY
					221	FCE	669
						<b>NET TRIPS</b>	<b>624</b>

**ABUTTING ROADWAYS****FOR OFFICE USE ONLY**

STREET NAME	PROPOSED ACCESS?	PAVEMENT WIDTH	CLASSIFICATION


**FOR OFFICE USE ONLY**

A traffic impact analysis is required. The consultant preparing the study must meet with a transportation planner to discuss the scope and requirements of the study before beginning the study.

A traffic impact analysis is NOT required. The traffic generated by the proposal does not exceed the thresholds established in the Land Development Code.

The traffic impact analysis has been waived for the following reason: \_\_\_\_\_

☒ A neighborhood traffic analysis will be performed by the City for this project. The applicant may have to collect existing traffic counts. See a transportation planner for information.

REVIEWED BY:  DATE: 1/20/2023

DISTRIBUTION: \_\_\_\_\_  
 \_\_\_\_\_ FILE \_\_\_\_\_ CAP. METRO \_\_\_\_\_ TXDOT \_\_\_\_\_ TRANS. REV. \_\_\_\_\_ TRAVIS CO. \_\_\_\_\_ TRANS. DEPT.

TOTAL COPIES: \_\_\_\_\_

NOTE: A TIA determination must be made prior to submittal of any zoning or site plan application, therefore, this completed and reviewed form MUST ACCOMPANY any subsequent application for the IDENTICAL project. CHANGES to the proposed project will REQUIRE a new TIA determination to be made.

Email from Jolie Willis  
To: Maureen Meredith  
July 15, 2023 10:46am

Hello Maureen,

Please see below my comment on the follow case:

**Case Number:** NPA-2023-0018.01

**Contact:** Maureen Meredith, 512-974-2695

**Public Hearing:** July 25, 2023 - Planning Commission

I object to the amendment request changing the maximum building height from 35 ft to 40 ft.

I live at 106 E. Lisa Drive.

The 7000 block of Guadalupe is especially narrow and lacking in infrastructure. Since completion of the large development at the corner of St. Johns and Guadalupe, this street has grown more trafficked, more occupied, and more congested.

Moreover, this portion of Guadalupe is a direct route to Reilly Elementary School. I personally used this street to drive my kids to school. During the school year, I saw lots of families and children biking, walking, and riding to school on this street. I fear it's only a matter of time before something tragic happens. Cramming more people into a small space that wasn't designed for more people isn't progress; it's dangerous.

I am opposed to this amendment change request.

Thank you,  
Jolie Willis

---

**Comments received C14-2023-0017 (7002, 7004, 7006 Guadalupe St.)**

Email 7/31/23 10:20am  
From: Marylin Anderson  
To: Jonathan Tomko

102 W. Lisa Dr.

I am opposed to this case as I am against anything that increases density in this city.

Marylin Anderson

---

Email 8/1/23 7:54pm  
From: Jolie Willis  
To: Jonathan Tomko

From homeowner:  
Jolie Willis  
106 E Lisa Drive  
Austin TX 78752

Regarding Case Number: C14-2023-0017  
Jonathan Tomko, 512-974-1057  
Public Hearing: August 8, 2023, Planning Commission

I am opposed to the proposed zoning request from TOD-NP medium density to TOD-MP mixed use for the projects located at 7002, 7004, and 7006 Guadalupe Street.

This portion of Guadalupe Street is already dangerous. Cramming more people into a city block that doesn't have infrastructure to accommodate more people is not progress -- it's madness.

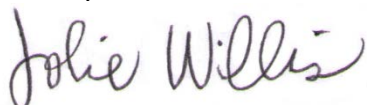
The map featured in your documentation doesn't accurately reflect ingress/egress points to my neighborhood. Swanee Drive is not a thoroughfare into the neighborhood.

Instead, those of us living in Huntland Heights have 1 access point into our neighborhood from Guadalupe -- that's Kenniston Drive. This access point is also how many families access a straight route to Reilly Elementary School.

The growing number of buses, cars, pedestrians, cyclists, and scooters along Guadalupe is untenable. Someone is going to be seriously injured.

Please be mindful of the danger created every time you approve another mixed-used, high density development. I ask that you to deny this proposed zoning amendment.

Thank you,

A handwritten signature in purple ink that reads "Jolie Willis". The signature is written in a cursive, flowing style.