

# Redevelopment Exception in the Barton Springs Zone

## 2428 W Ben White Mixed Use Development

SP-2021-0278C

*Mike McDougal*  
*Environmental Policy Program Manager*  
*Development Services Department*

# AGENDA

---

THE SITE

THE CODE

THE PROJECT

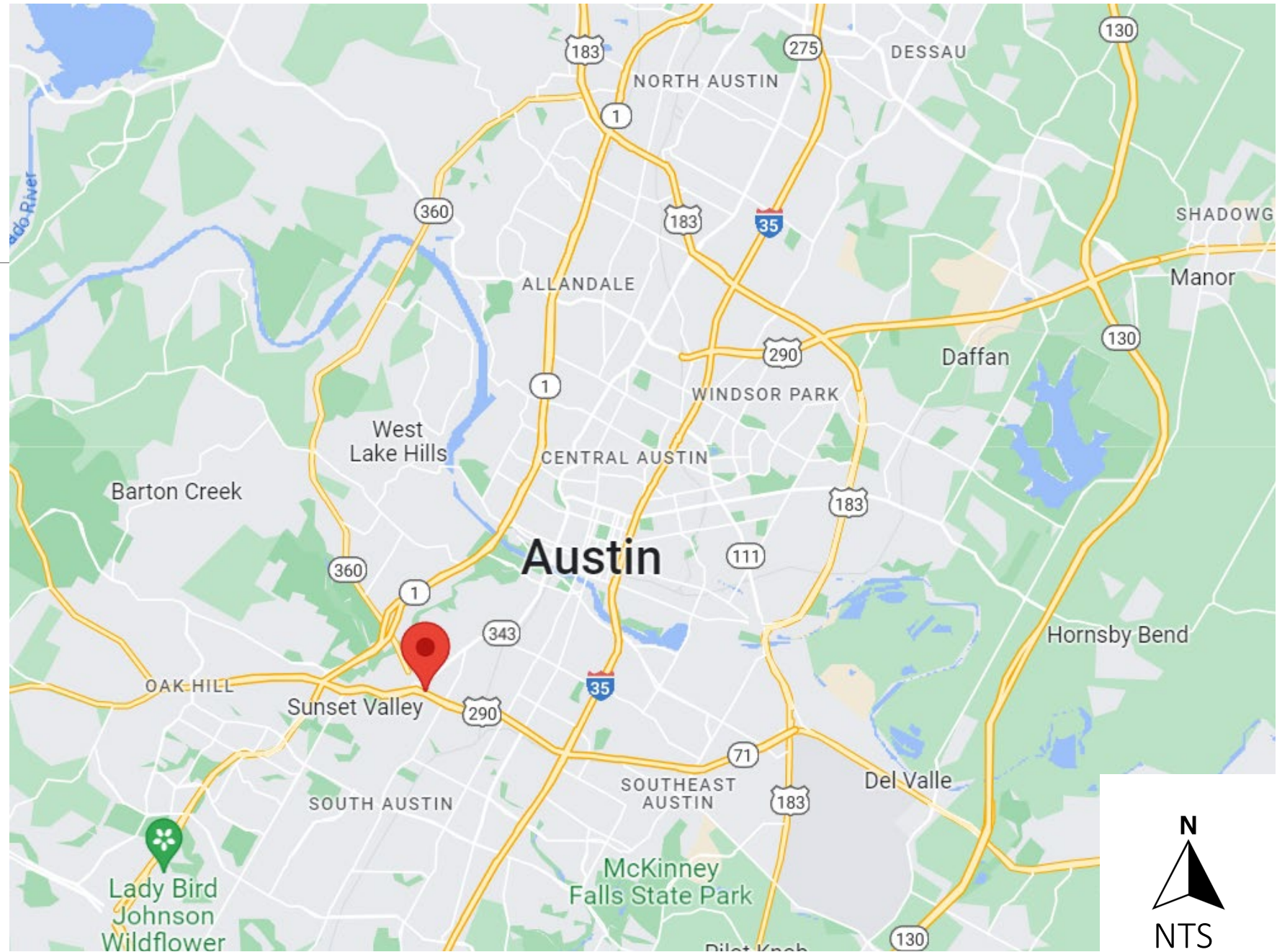
# The Site

2428 W BEN WHITE BLVD

FORMERLY STRAIT MUSIC (CA 2000 TO RECENT)

FORMERLY LAKEHILLS CINEMA (CA 1978 TO 1999)

# Vicinity Map



# Local Map



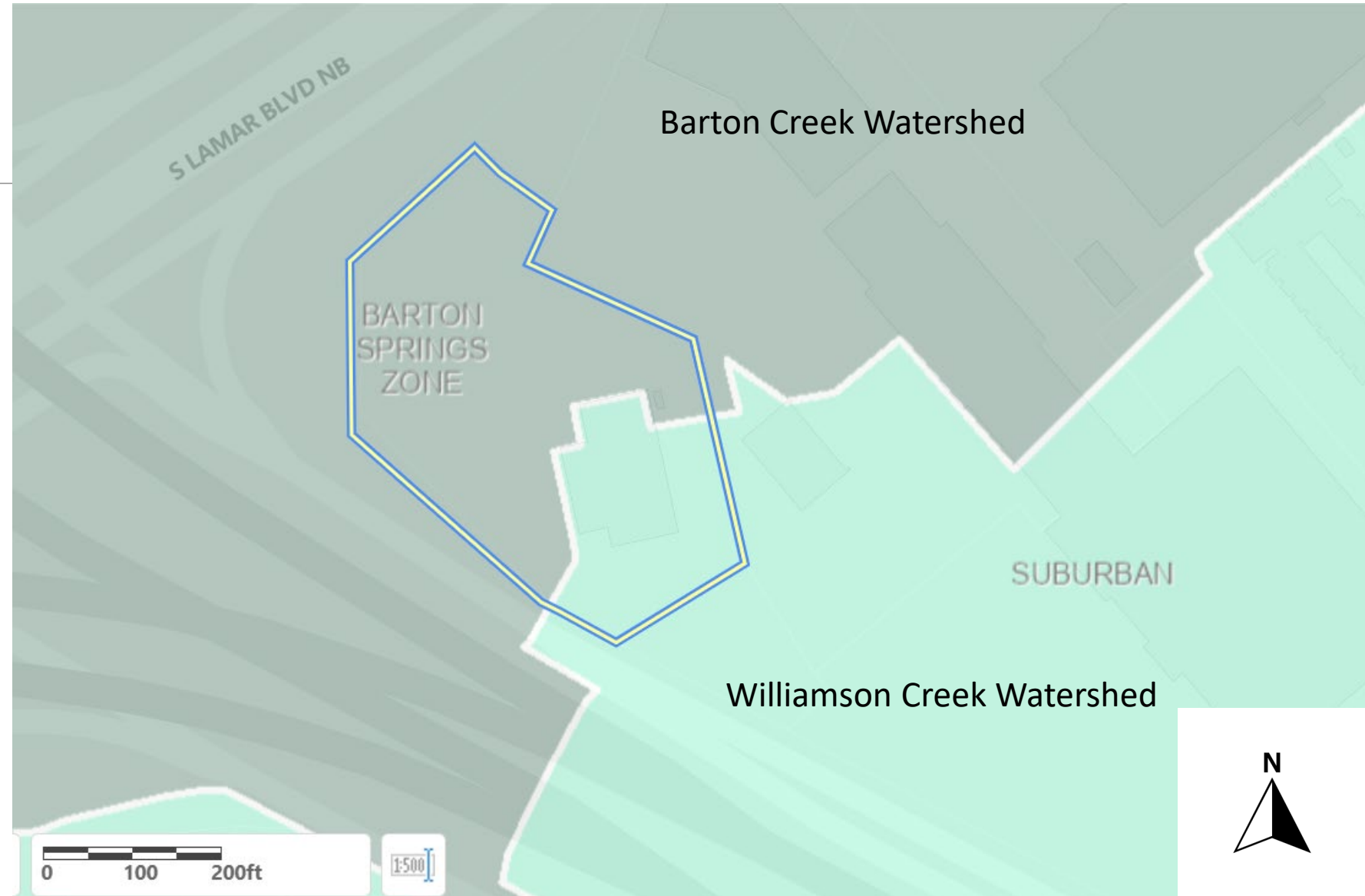
# PROPERTY DATA

---

- Barton Creek Watershed Classification AND Suburban Watershed Classification
- Barton Creek Watershed AND Williamson Creek Watershed
- Full Purpose Jurisdiction
- Council District 5



# Watershed Map



# The Code



# The Redevelopment Exception

---

The applicant is seeking to use the Redevelopment Exception.

LDC 25-8-25 describes the redevelopment exception requirements in the suburban watershed classification.

LDC 25-8-26 describes the redevelopment exception requirements in the Barton Springs Zone watershed classification.

# The Redevelopment Exception - continued

---

Per LDC 25-8-26, Council approval if the redevelopment proposes more than 25 dwelling units.

The project proposes 309 multifamily units with 10 administrative / business suites on the primary ground floor frontage.

# What is the Redevelopment Exception?

---

What does this mean?

In the briefest summary, the redevelopment exception replaces many of the environmental regulations in LDC 25-8 Subchapter A. For example:

- Grading limits are deleted by the redevelopment exception;
- Construction on slopes limits are deleted by the redevelopment exception; and
- The impervious cover limit for a proposed project is reset to equal whatever impervious cover exists on site currently.

# What is the Redevelopment Exception?

## - continued

---

The most basic description is “keep what you’ve got”. That is, the applicant may demolish whatever is there and build a new project of equal size. *This is a very brief summary of the redevelopment exception and it does summarize the complicated details.*

There are more detailed requirements associated with this, such as:

- Water quality requirements; and
- For the BSZ, a public approval process. This is the purpose of my presentation. The redevelopment exception in the BSZ requires approval of City Council with a recommendation from the EV Commission.

# What are the conditions of the Redevelopment Exception?

---

25-8-26(E) lays out nine conditions:

1. May not increase impervious cover.
2. May not increase non-compliance Critical Water Quality Zone, Water Quality Transition Zone, or Critical Environmental Feature requirements.
3. Must comply with Environmental Resource Inventory, Erosion and Sedimentation Control, and fiscal requirements.

# What are the conditions of the Redevelopment Exception? - continued

---

25-8-26(E) lays out nine conditions:

4. The water quality controls on the redevelopment site must provide a level of water quality treatment that is equal to or greater than that which was previously provided.
5. Must obtain a Barton Springs Zone Operating Permit for ponds.
6. A site with more than 40 percent net site area impervious cover must have standard ponds for the entire site or SOS ponds for a portion of the site, and standard ponds for the remainder of the redeveloped site.

# What are the conditions of the Redevelopment Exception? - continued

---

25-8-26(E) lays out nine conditions:

7. A site with 40 percent or less net site area impervious cover, must have SOS ponds for the entire site.
8. Must mitigate the effects of the redevelopment, if applicable per ECM Appendix Q4.
9. May not be located within the Erosion Hazard Zone.



# REDEVELOPMENT EXCEPTION COMPLIANCE

---

Staff has determined that this project complies with the requirements of the Redevelopment Exception in the Barton Springs Zone and in the Suburban Watershed classifications per LDC 25-8-25 and 26.

# Why are we here?

---

25-8-26 (F) requires City Council approval if the project proposes more than 25 dwelling units. Before presenting this to City Council, a recommendation from the EV Commission is necessary.

# Recommendation Considerations

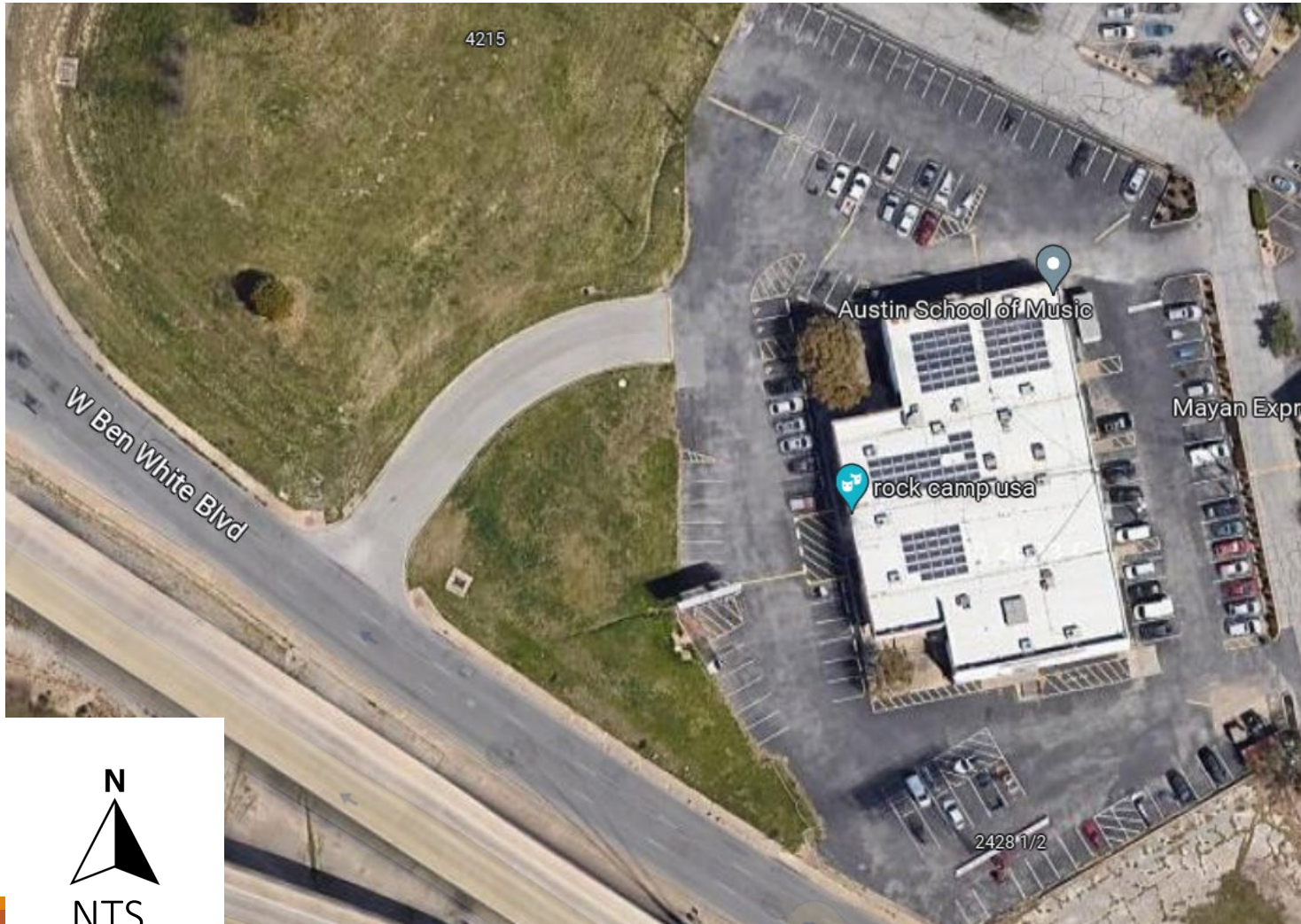
---

25-8-26(G) states that City Council shall consider the following factors in determining whether to approve a proposed redevelopment:

1. benefits of the redevelopment to the community;
2. whether the proposed mitigation or manner of development offsets the potential environmental impact of the redevelopment;
3. the effects of offsite infrastructure requirements of the redevelopment; and
4. compatibility with the City's comprehensive plan.

# The Project

# EXISTING CONDITIONS

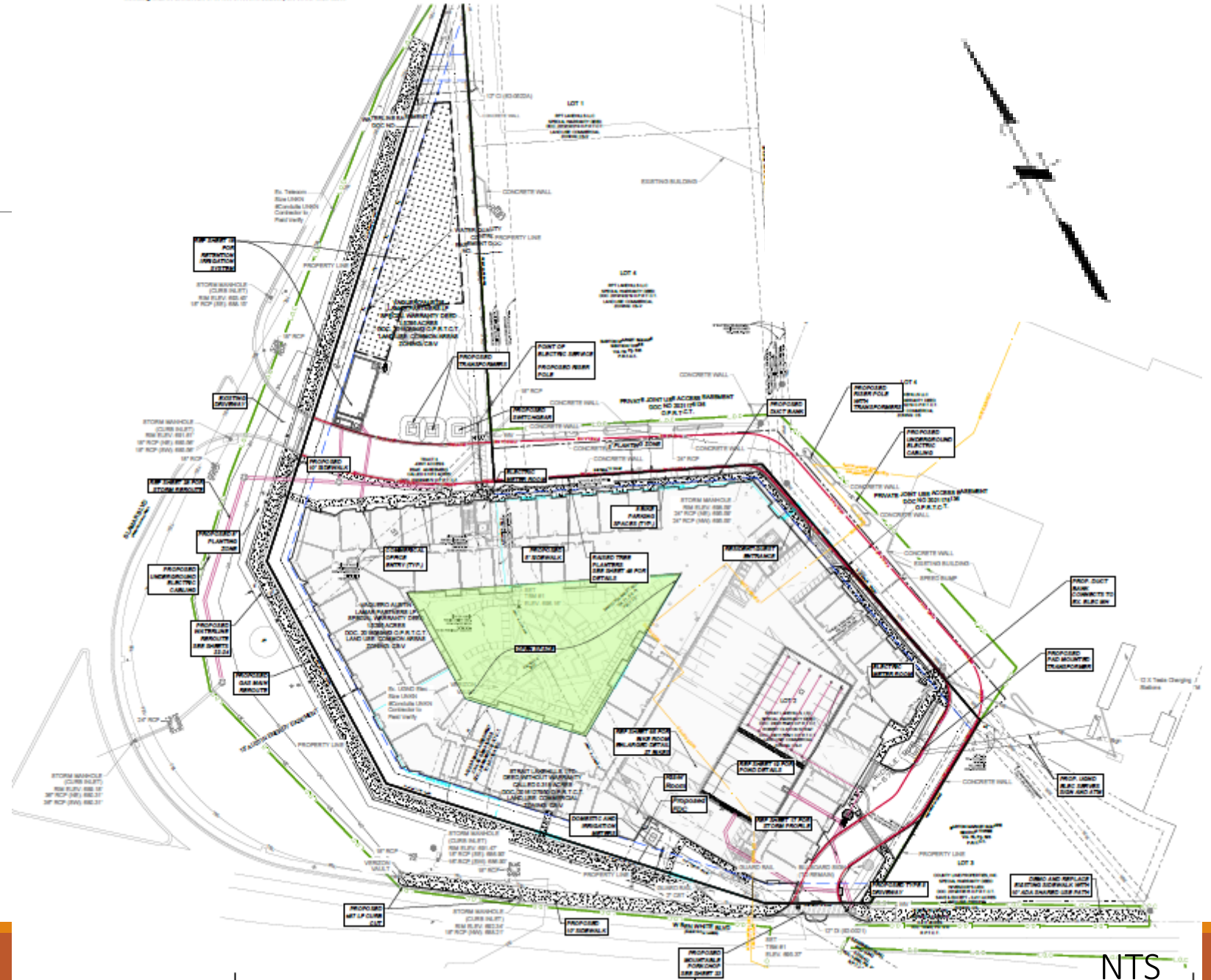


The site is approximately 3.8 acres. The immediate prior use was retail; further back in time the use was a movie theater.



# PROJECT

The project will consist of 309 multifamily units with 10 administrative / business suites on the primary ground floor frontage.





# WHAT CODE ASKS OF THE ENVIRONMENTAL COMMISSION

---

City Council approval of the redevelopment exception is required.

City Council requests a recommendation from the Environmental Commission.

This recommendation is only a vote for or against the redevelopment exception on this property.

This is NOT a variance request. Conditions are inapplicable.

Here is what the Code directs City Council to consider:



# CONSIDERATIONS FOR COUNCIL

---

## **(1) benefits of the redevelopment to the community.**

Proposed benefits include: 309 multifamily units with 10 administrative / business suites on the primary ground floor frontage; 10% of the multifamily units are affordable at 60% MFI; providing water quality on a site that currently has none; reducing the total impervious cover below what is present currently.

# CONSIDERATIONS FOR COUNCIL - continued

---

- (2) whether the proposed mitigation or manner of development offsets the potential environmental impact of the redevelopment:**

There will be a payment into the Barton Springs Zone Mitigation Fund in the amount of \$99,325.14.

Existing site contains no water quality control measures, and proposed site includes full treatment of impervious cover to current code standards.

# CONSIDERATIONS FOR COUNCIL - continued

---

## **(3) the effects of offsite infrastructure requirements of the redevelopment:**

There will be an increase COA offsite wastewater capacity per SER 4968, which includes 375 LF of new 12” wastewater infrastructure in City of Austin ROW along Roundup Trail between Pawnee pathway and Menchaca Rd.

# CONSIDERATIONS FOR COUNCIL - continued

---

There will be the construction of an offsite pedestrian refuge island, ADA compliant curb ramps, and crosswalk striping at the Victory Drive and West Ben White Frontage road intersection per identified ATD improvements.

1500 LF 10' Shared Use path constructed according to CPO(Corridor Planning Office) and ATD identified offsite improvements for Lamar Blvd.

# CONSIDERATIONS FOR COUNCIL - continued

---

## **(4) compatibility with the City's comprehensive plan:**

The project is:

- on an Imagine Austin corridor
- in an Imagine Austin Center
- on a Core Transit Corridor
- on a CapMetro MetroRapid line
- on a Project Connect Enhanced MetroRapid route

# CONSIDERATIONS FOR COUNCIL - continued

---

Meets the following Imagine Austin goals:

- Encourages infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- Directs housing and employment growth to activity centers and corridors, preserving and integrating existing affordable housing where possible.
- Protects and improve the water quality of the city's creeks, lakes, and aquifers for use and the support of aquatic life.

# APPLICANT PRESENTATION