

## ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0049 (Bolm East PDA)

DISTRICT: 3

ADDRESS: 901 ½, 905 ½, 907 ½ and 1031 ½ Linger Lane, 1001 and 1003 Ed Bluestein Boulevard NB, 6700 Bolm Road

ZONING FROM: LI

TO: LI-PDA

SITE AREA: 44.3568 acres

PROPERTY OWNER: APAC-Texas, Inc.

AGENT: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov))

### STAFF RECOMMEDATION:

**Staff recommends LI-PDA, Limited Industrial-Planned Development Area District, zoning with the following conditions:**

- 1) **Per the Aboveground Hazardous Materials Risk and Consequence Assessment Report dated August 18, 2022 (*please see Exhibit D*), a condition shall be established in the PDA overlay in order to create the determined setback distances from the nearby hazardous materials. Therefore, the PDA overlay shall include the following language:**

*“A 330-foot building setback shall be provided and maintained measured from the major utility facility located south of the Property and any residential use, as shown on Exhibit E.”*

- 2) **The property shall be subject to the conditions/recommendations listed in the Zoning Traffic Analysis Memo (*please see ZTA Memorandum – Exhibit F*).**

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION: **October 3, 2023:** Postponed to October 17, 2023 at the staff's request on consent (10-0, C. Acosta-absent); Flores-1<sup>st</sup>, Fouts-2<sup>nd</sup>.

**October 17, 2023:** Postponed to November 14, 2023 at the neighborhood's request by consent (10-0, C. Acosta-absent); B. Greenberg-1st, A. Flores-2nd.

**November 14, 2023:** Postponed to November 21, 2023 at the Commission's request by consent (9-0, S. Boone, C. Thompson-absent); B. Greenberg-1st, A. Flores-2nd.

**November 21, 2023:** Postponed to December 19, 2023 at the neighborhood's request by consent (9-0, S. Boone-off the dais); B. Greenberg-1st, L. Stern-2nd.

**December 19, 2023:** Approved staff's recommendation of LI-PDA zoning by consent, with the following additional conditions agreed to by the applicant and the neighborhood:

1) **250-foot building setback from the Colorado River.**

2) **Music venues will only be included within a restaurant use.**

**Vote:** (8-0, S. Boone and L. Stern-absent); B. Greenberg-1st, Y. Flores-2nd.

CITY COUNCIL ACTION: **March 21, 2024**

ISSUES: N/A

PROPOSED PDA CONDITIONS:

1) Through the PDA overlay the following uses are additional permitted uses to the LI base district:

**Permitted Uses by Right:**

Residential Uses

Condominium Residential  
Multifamily Residential  
Single-Family Residential  
Single-Family Attached Residential  
Small Lot Single-Family Residential  
Townhouse Residential  
Short-Term Rental

Commercial Uses

Cocktail Lounge (Limited to 20,000 sq. ft. on the property. Any sq. ft. over this limit will require a conditional use permit)

Consumer Repair Services  
Marina  
Liquor Sales  
Pet Services  
Recreational Equipment Sales  
Recreational Equipment Maintenance and Storage

Agricultural Uses

Aquaponic System  
Horticulture  
Market Garden

Civic Uses

Camp  
Club or Lodge  
Convention Center  
Parks & Recreation (General)  
Parks and Recreation Services (Special)  
Guidance Services  
Hospital Services (Limited)  
Hospital Services (General)

2) The following uses are prohibited as principal uses on the property:

**Prohibited Uses:**

Commercial Uses

Bail Bond Services

Drop-Off Recycling Collection Facility  
Exterminating Services  
Funeral Services  
Scrap and Salvage Services

**Industrial Uses**

Basic Industry  
General Warehousing and Distribution  
Monument Retail Sales  
Resource Extraction  
Recycling Center

3) In addition, the applicant proposes the following modification to the LI base zoning district through the PDA:

**Site Development Regulations:**

Minimum Lot Area Size: 1,000 sq. ft.

Minimum Lot Width: 25 ft

Maximum Height: 180 ft

**Minimum Setbacks**

Minimum setbacks for single-family residential, single-family attached residential, and small lot single-family residential uses:

Front Yard: 10 ft

Street Side Yard: 10 ft

Interior Side Yard: 0 ft

Rear Yard: 0 ft

Minimum setbacks for all other uses:

Front Yard: 0 ft

Street Side Yard: 0 ft

Interior Side Yard: 0 ft

Rear Yard: 0 ft

Maximum Floor Area Ratio (FAR): 4:1

Maximum impervious cover: 85%

Maximum building coverage: 85%

Minimum Site Area: None

**4) Code Modification:**

LDC Section 25-6-471(D) (*Off-Street Parking Facility Required*) is modified such that a parking facility may be located anywhere within the boundaries of the property regardless of where the use for the facility is located within the property subject to formal review at time of site plan.

**5) Buffer Zone:**

A 100-foot wide buffer zone shall be established and maintained between property developed with the Residential uses listed below:

- Condominium Residential
- Multifamily Residential
- Single-Family Residential
- Single-Family Attached Residential
- Small Lot Single-Family Residential
- Townhouse Residential
- Short-Term Rental

And the following Commercial and Industrial uses listed below:

- Automotive Rentals
- Automotive Sales
- Construction Sales and Services
- Light Manufacturing
- Limited Warehousing and Distribution
- Research Assembly Services
- Research Testing Services
- Research Warehousing Services
- Vehicle Storage

Improvements permitted within the buffer zone are limited to driveways, parking facilities, solid fences, pedestrian trails, hike and bike trails, recreational facilities, detention and water quality re-irrigation facilities, drainage, underground utility improvements, overhead electric or communication lines, or those improvements that may be otherwise required or allowed by the City of Austin.

**6) Conditional Uses:**

- Outdoor Entertainment
- Research Warehousing Services
- Research Assembly Services
- Research Testing Services

Automotive Sales - if located within 100-feet of uses of the Residential uses listed below:

- Condominium Residential
- Multifamily Residential
- Single-Family Residential
- Single-Family Attached Residential
- Small Lot Single-Family Residential
- Townhouse Residential
- Short-Term Rental

Cocktail Lounge – if over the 20,000 sq. ft. limit established for this use as permitted use on the property.



CASE MANAGER COMMENTS:

The property in question is 44+ acre tract of land that is currently developed with a basic industry use (concrete plant) that is zoned LI. To the north, there is a city owned parkland area that is zoned LI and a residential neighborhood that is zoned SF-2. The tract of land to the south is zoned P-NP and contains a City of Austin decommissioned water treatment plant. That site is currently being utilized as an Austin Water Utility Occupational Development and Support Center. There is a highway to the west, Ed Bluestein Boulevard/U.S. Highway 183, and a vacant lot and a state office zoned LI-CO-NP. The property is bordered by the Colorado River to the west.

In this case, the applicant is requesting to add a PDA, Planned Development District, overlay to the existing LI zoning to redevelop this property with a mixture of uses: 1,883,910 sq ft of office, 20,556 sq. ft of retail, 49,000 sq. ft. restaurant (*Please see Applicant's Request Letter - Exhibit C*).

The staff recommends LI-PDA, Limited Industrial-Planned Development Area District, zoning. The property meets the intent of the proposed zoning. The site under consideration is a 44.36 acre tract of land that fronts onto the service road for Ed Bluestein Boulevard/ U.S. Highway 183, a Level 5/highway. The proposed zoning will permit the applicant to redevelop this large accessible tract of land with a mixture of residential, commercial and civic uses that will provide new housing opportunities and services to the surrounding community. The property is located on the Colorado River near city parkland and there are proposed urban trails adjacent to this site, along the western and eastern boundaries.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

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

Limited industrial service (LI) district is the designation for a commercial service use or limited manufacturing use generally located on a moderately-sized site.

The purpose of a planned development area (PDA) combining district is to:

(1) provide for industrial and commercial uses in certain commercial and industrial base districts; or

(2) incorporate the terms of a planned development area agreement into a zoning ordinance following annexation of a property that is subject to a planned development area agreement.

*2. The proposed zoning should promote consistency and orderly planning.*

LI-PDA zoning will be compatible with surrounding land uses as it is consistent with existing zoning patterns in this area because there is industrial and public (LI, P) zoning to the south, industrial (LI) zoning to the north and industrial zoning (LI-CO-NP) across Ed Bluestein Boulevard, to the west. This area is in the process of transitioning to a mixed use area that will permit a variety of residential and commercial uses along a major highway.

*3. The proposed zoning should allow for reasonable use of the property.*

The proposed zoning will permit the applicant to redevelop this large accessible tract of land with a mixture of residential, commercial and civic uses that will provide new housing opportunities and services to the surrounding community. The site under consideration is located on the Colorado River near civic amenities, such city parkland directly to the north (Bolm District Park) and further to the northeast (John Trevino Metropolitan Park). There are proposed urban trails adjacent to this site, along the western boundary (183 Tollway Shared Use Path) and along the eastern boundary (Colorado River Trail).

EXISTING ZONING AND LAND USES:

|              | ZONING        | LAND USES   |
|--------------|---------------|---|
| <i>Site</i>  | LI            | Basic Industry (Texas Concrete Materials)   |
| <i>North</i> | LI, SF-2      | Parkland (Bolm District Park), Single Family Residences (Knollwood on the Colorado River Neighborhood)                        |
| <i>South</i> | P-NP          | Former Austin Wastewater Processing Facility (Govalle WWTP), Austin Water Utility Occupational Development and Support Center |
| <i>East</i>  | County        | Colorado River  |
| <i>West</i>  | LI-CO-NP, ROW | Vacant Tract, State Surplus Store, Ed Bluestein Boulevard/U.S. Highway 183  |

NEIGHBORHOOD PLANNING AREA: N/A

OVERLAY ZONE: Airport Overlay (Controlled Compatible Land Use Area)

TIA: Deferred to the time of Site Plan, ZTA Required with the Zoning Application

WATERSHED: Colorado River

SCHOOLS: Austin I.S.D.

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District  
 Austin Lost and Found Pets  
 Austin Neighborhoods Council  
 Del Valle Community Coalition  
 Dog's Head Neighborhood Association  
 Friends of Austin Neighborhoods  
 Homeless Neighborhood Association  
 Knollwood on the Colorado Neighborhood Association  
 Neighborhood Empowerment Foundation  
 Neighbors United for Progress  
 SELTexas  
 Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

| NUMBER   | REQUEST           | COMMISSION  | CITY COUNCIL   |
|--|-------------------|---|--|
| C14-2021-0020.SH<br>(Libertad: 900 Gardner Road)           | P-NP to GR-MU-NP  | 3/08/22: To grant GR-MU-NP as recommended. (11-0) [A. Azhar- 1st, R. Schneider- 2nd; J. Shieh and J. Thompson- Absent]                          | 5/05/22: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220505-056 for GR-MU-NP combining district zoning was approved on Council Member Renteria's motion, Mayor Pro Tem Alter's second on a 9-0 vote. Council Members Kelly and Pool were absent. |
| C14-2019-0013<br>(Aero Mobile Home Park: 101 Hergotz Lane) | SF-3 to MH        | 5/07/19: To grant MF zoning as recommended by Staff, on consent (9-0). [D. King- 1st, A. Tatkov-2nd; N. Barrera-Ramirez- Absent, 1 Vacancy]     | 6/06/19: The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20190606-089 for MH district zoning was approved on Council Member Flannigan's motion, Council Member Renteria's second on a 10-0 vote. Council Member Harper-Madison was absent.                 |
| C14-2016-0082<br>(6011 Bolm Road)                          | GR-NP to GR-MU-NP | 9/27/16: To grant GR-MU-NP as rec. on consent.  | 11/10/16: To grant GR-MU-NP, on consent.   |
| C14-2011-0096<br>(6405 Hergotz Lane)                       | SF-3 to MF-3      | 9/20/11: To grant MF-1-CO zoning, with a CO to limit the development to SF-6 district density [S. Baldrige, G. Bourgeois-2 <sup>nd</sup> (6-0). | 10/20/11: Approved Ordinance No. 20111020-082 for MF-1-CO district zoning  |

RELATED CASES:

C14-74-146 - Previous Rezoning Case  
 C8i-2023-0003 – Subdivision Case  
 SP-89-0102D; SP-95-0051C – Site Plan Cases

OTHER STAFF COMMENTS:Comprehensive Planning

**Project Name and Proposed Use:** 1031-1/2 LINGER LAN, 6700 BOLM RD, 1001 and 1003 ED BLUESTEIN BLVD. C14-2023-0049. Project: Bolm East PDA. 44.36 acres from LI to LI-PDA. Tract 1: Concrete plant to mixed use (1,883,910 sq ft of office, 20,556 sq. ft of retail, 49,000 sq. ft. restaurant). Tract 2, which is included in a separate submittal contains additional uses.

| Yes | Imagine Austin Decision Guidelines  |
|-----|---|
|     | <b>Complete Community Measures</b>  |
|     | <b>Imagine Austin Growth Concept Map:</b> 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.<br><b>Name(s) of Activity Center/Activity Corridor/Job Center:</b>  |
|     | <b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station.   |
|     | <b>Mobility and Bike/Ped Access:</b> Adjoins a public sidewalk, shared path, and/or bike lane.  |
| Y   | <b>Connectivity, Good and Services, Employment:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.   |
|     | <b>Connectivity and Food Access:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.  |
|     | <b>Connectivity and Education:</b> Located within 0.50 miles from a public school or university.  |
| Y   | <b>Connectivity and Healthy Living:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail.   |
|     | <b>Connectivity and Health:</b> 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.)   |
|     | <b>Housing Affordability:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.   |
|     | <b>Housing Choice:</b> Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint. |
| Y   | <b>Mixed use:</b> Provides a mix of residential and non-industrial uses.  |
|     | <b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).   |
|     | <b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.  |
|     | <b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)  |
| Y   | <b>Workforce Development, the Economy and Education:</b> Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.            |
|     | <b>Industrial Land:</b> Preserves or enhances industrial land.  |
| 4   | <b>Total Number of "Yes's"</b>  |

### Environmental

No comments.

### Environmental Officer

FYI, the property at 1031 ½ Linger Ln contains Floodplain, a Critical Water Quality Zone, Erosion Hazard Zone, and other environmental features that will impact development on the site.

### Fire

Per the Risk and Consequences Assessment Report by Yvonne Espinoza, PE dated August 18, 2022 – A public restrictive covenant shall be established in order to create the determined setback distances from the nearby hazardous materials. Provide documentation reflecting these conditions for approval.

### Parks and Recreation

Parkland dedication will be required at the time of subdivision or site plan application for new applicable uses, per City Code § 25-1-601, as amended. The proposed development meets the criteria for land dedication in City Code Title 25, Article 14. As such, land dedication will be required, as well as any remaining fees in-lieu.

The development as proposed will require parkland dedication for the new applicable uses that will serve the Austin region through the additional park investment. The Parks and Recreation Department (PARC) will require the dedication of the Colorado River frontage toward satisfying the requirement at time of permitting (whether subdivision or site plan). That dedication will also involve a connection to Bolm District Park and access to Right of Way. Such parkland would advance a City goal of providing recreation along the Colorado River, as identified in the Parks and Recreation Department's Long Range Plan.

Should there be any remaining fees in-lieu, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

Should the applicant wish to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: [thomas.rowlinson@austintexas.gov](mailto:thomas.rowlinson@austintexas.gov). At the applicant's request, PARC can provide an early determination letter of the requirements as stated in this review.

### Site Plan

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

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.

Any development which occurs in an SF-6 or less restrictive use or 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.

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

### **Compatibility Standards**

The site is subject to compatibility standards. Along the North property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

Additional design regulations will be enforced at the time a site plan is submitted.

### **Airport Overlay**

FYI – This site is located within the Austin-Bergstrom Airport Controlled Compatible Land Use Area Overlay. No use will be allowed that can create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. Airport Hazard Zoning Committee review may be required prior to Planning Commission Hearing. Additional comments may be generated during the site plan review process.

### Transportation

Zoning transportation analysis shall be performed at zoning where anticipated trips are anticipated to exceed 2,000 unadjusted trips to satisfy the LDC requirement for a TIA but does not diminish the authority to require a traffic impact analysis at site plan. LDC 25-6, TCM 10.5.0. Final ATD Engineering recommendation is pending the review of and approval of the ZTA; additional comments may be forthcoming (*please see ZTA Memorandum – Exhibit E*).

The Austin Strategic Mobility Plan (ASMP) calls for a new roadway (Hester Road) throughout this site; this new roadway shall connect Hester Road to Bolm Road.

There is a proposed Urban Trail adjacent to this site, along the western boundary (183 Tollway Shared Use Path). The easement required is a minimum of 20 ft as this allows for a 12 ft trail (minimum trail width per the urban trails plan) and room for maintenance activity.

There is a proposed Urban Trail adjacent to this site, along the eastern boundary (Colorado River Trail). The easement required is a minimum of 20 ft as this allows for a 12 ft trail (minimum trail width per the urban trails plan) and room for maintenance activity.

The adjacent street characteristics table is provided below:

| Name        | ASMP Classification | ASMP Required ROW | Existing ROW | Existing Pavement | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|-------------|---------------------|-------------------|--------------|-------------------|-----------|---------------|-------------------------------|
| Linger Lane | Level 1             | 58'               |              | 36'               | No        | No            | No                            |
| Hester Road | Level 2             | 84'               | N/A          | N/A               | N/A       | N/A           | No                            |

### Water Utility

No comments on zoning change.

FYI: 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.

Service Extension Requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at [ser@austintexas.gov](mailto:ser@austintexas.gov).

All new development within the proposed project will be subject to City Code Chapter 25-9 and any future amendments relating to reclaimed water connections, water benchmarking, and mandatory onsite water reuse.

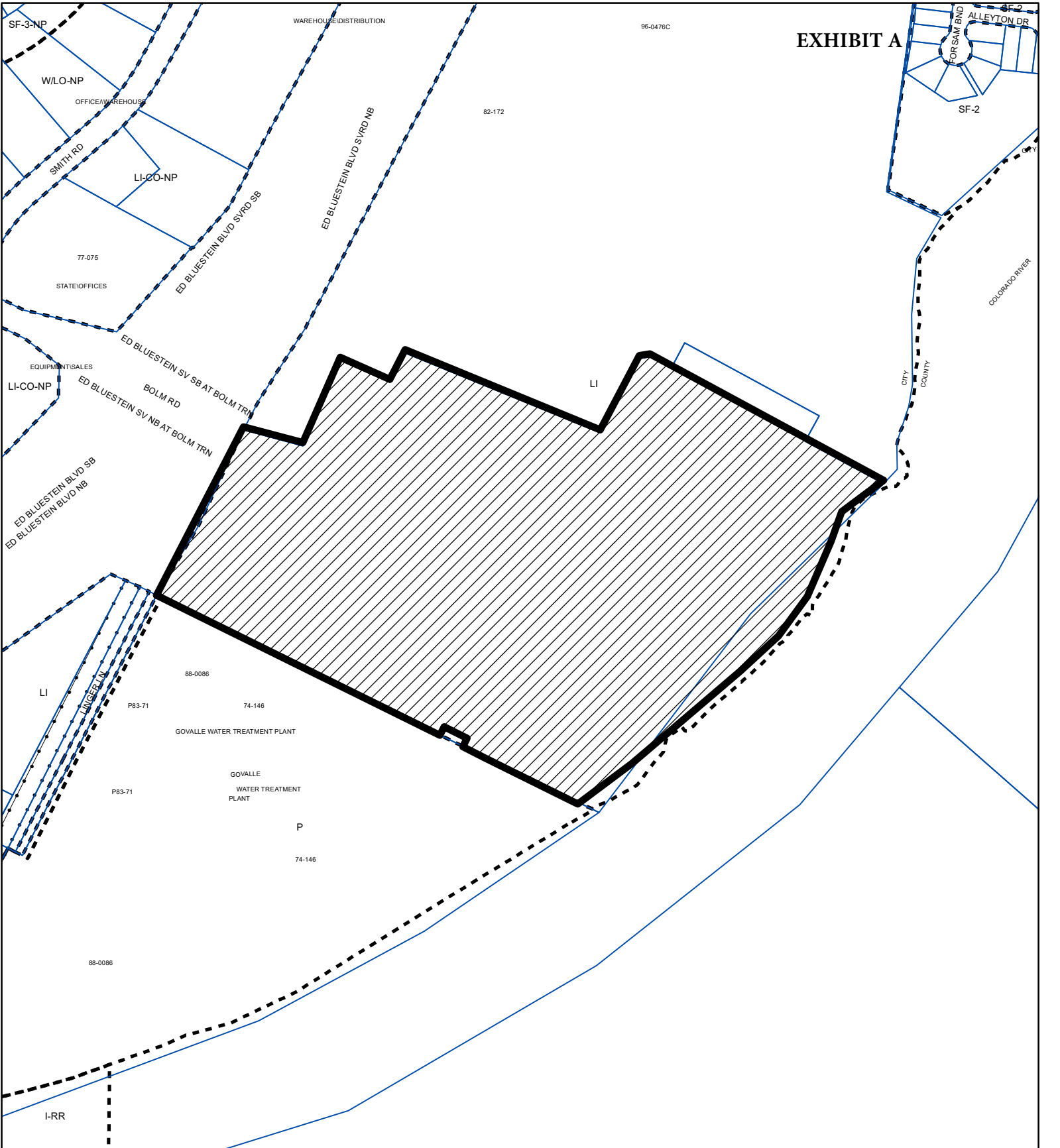
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.


#### INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Applicant's Request Letter
- D. Aboveground Hazardous Materials Risk and Consequence Assessment Report
- E. Building Setback Between the Major Utilities Facility and Residential Uses
- F. Zoning Traffic Analysis
- G. Postponement Requests by the Neighborhood/Neighbors




EXHIBIT A







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SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1 " = 400 '

**ZONING**  
**ZONING CASE#: C14-2023-0049**

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: 4/11/2023**



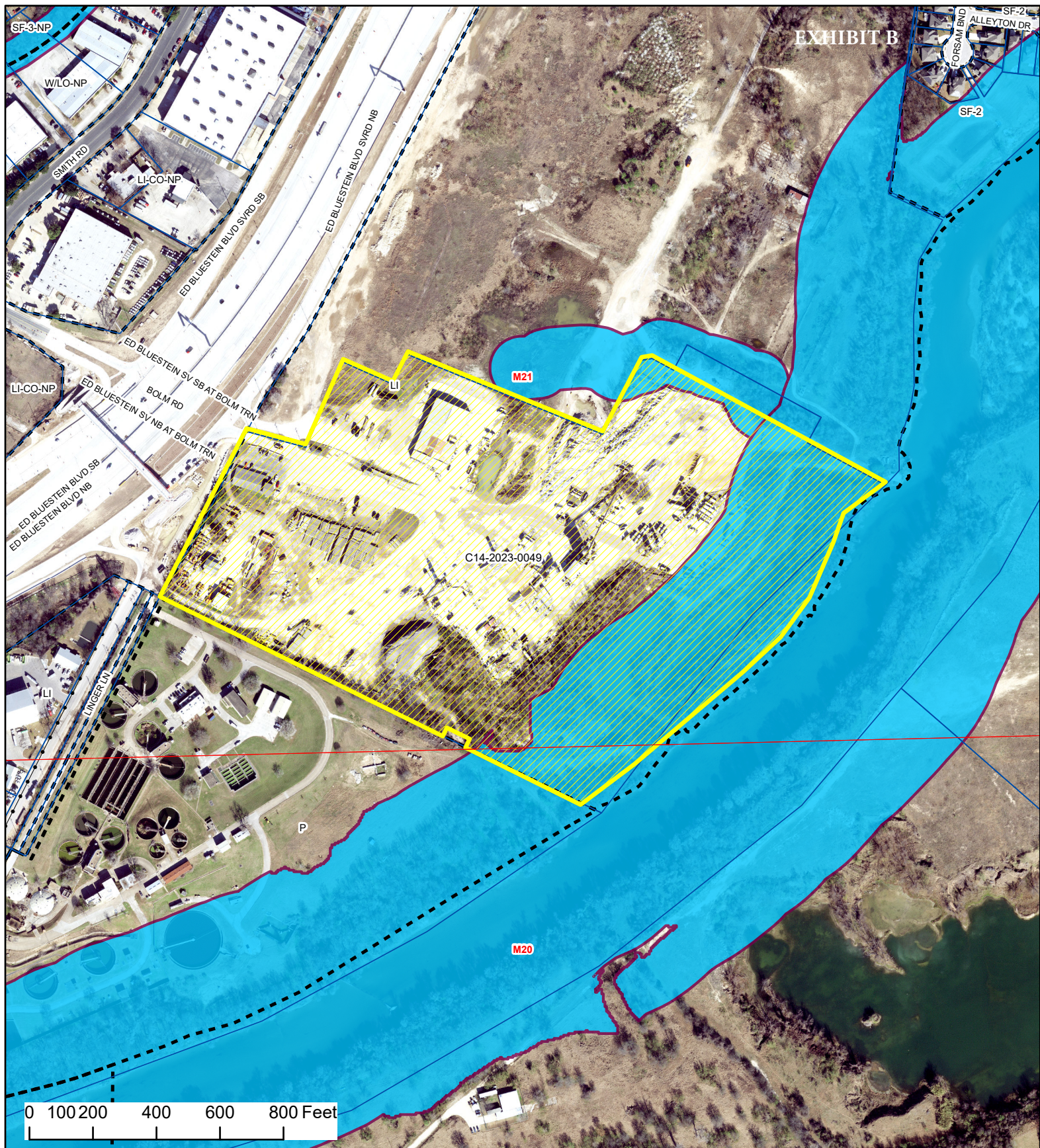






EXHIBIT B

## Bolm East PDA

ZONING CASE#: C14-2023-0049  
 LOCATION: 901 1/2, 905 1/2, 907 1/2,  
 1031 1/2 Linger Ln, 1001 & 1003  
 Ed Bluestein Blvd NB, 6700 Bolm Rd  
 SUBJECT AREA: 44.36 Acres  
 GRID: M21  
 MANAGER: Jonathan Tomko



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



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: 5/24/2023



March 29, 2023

Rosie Truelove  
Director, Housing & Planning Department  
City of Austin  
1000 E. 11th Street, Suite 200  
Austin, Texas 78702

Re: Zoning Application for property located at 1031 ½ Linger Lane, 6700 Bolm Road,  
1001 & 1003 Ed Bluestein Boulevard NB, Austin, Texas, 78721, also known as  
TCAD Parcel No. 0202210234 & 0202210235 (the “Application”)

Dear Ms. Truelove:

This letter, along with the Application is submitted to rezone ±44.3568 acres of land located at 1031 ½ Linger Lane, 6700 Bolm Road, 1001 & 1003 Ed Bluestein Boulevard NB, Austin, Travis County, Texas (the “Property”).

The Property is zoned Limited Industrial Services District (LI) and is currently developed with an aggregate processing plant. The proposed project will include the development of a mixed use project including office and retail uses (the “Project”). In order to facilitate development of the Project, this Application is submitted to rezone the property from LI to Limited Industrial Services – Planned Development Area Combining District (LI-PDA). The modified development regulations proposed with this Application are provided in Exhibit “A” and attached for reference.

Thank you in advance for your time and consideration of this zoning request. If you have any questions or need additional information, please do not hesitate to contact me at (512) 435-2300 or Amanda Morrow at (512) 435-2368.

Very truly yours,

**ARMBRUST & BROWN, PLLC**



Richard T. Suttle, Jr.

cc: Tony Curp  
Schafer Smartt  
Amanda Morrow  
Amanda Hendrix

## **EXHIBIT “A”**

### **SITE DEVELOPMENT STANDARDS – BOLM EAST**

#### **Section 1. Applicable Site Development Regulations**

- A. If there is a conflict between this Ordinance and applicable City of Austin rules, regulations and ordinances, this Ordinance including the Exhibits shall control.

#### **Section 2. Authorized Uses**

- A. All Limited Industrial (LI) uses are permitted uses of the Property, except as set forth in Subsection B and C of this Section. The following are additional permitted uses:

|                                     |  |
|-------------------------------------|--|
| Condominium residential             | Multi-Family residential                       |
| Single-Family residential           | Single-Family attached residential             |
| Small lot Single-Family Residential | Townhouse residential                          |
| Short-term rental                   | Consumer repair services                       |
| Cocktail lounge*                    | Marina   |
| Liquor sales                        | Pet services                                   |
| Recreational equipment sales        | Recreational equipment maintenance and storage |
| Horticulture                        | Convention center                              |
| Camp                                | Hospital services (General)                    |
| Aquaponic System                    | Hospital services (limited)                    |
| Market garden                       | Parks & Recreation (General)                   |
| Club or lodge                       | Parks and Recreation Services (Special)        |
| Guidance services                   |  |

\*The total square footage of cocktail lounge shall be limited to 20,000 square feet for the entire property. Any square footage over 20,000 square feet will require a conditional use permit.

- B. The following uses are conditional uses of the Property:
- |                               |                            |
|-------------------------------|----------------------------|
| Outdoor entertainment         | Research assembly services |
| Research warehousing services | Research testing services  |
- .C. The following uses are prohibited as principal uses of the Property:

|  |                            |
|--|----------------------------|
| Bail bond services                     | Recycling Center           |
| Drop-Off recycling collection facility | Exterminating services     |
| Funeral services                       | Scrap and salvage services |
| General warehousing and distribution   | Basic industry             |
| Resource extraction                    | Monument retail sales      |

### Section 3. Site Development Regulations

#### A. Base District Regulations

- 1) Development of the Property shall conform to the site development regulations authorized for the Limited Industrial Services (LI) district as set forth in the City Code, except as provided for in this Ordinance.
- 2) The following development regulations shall apply to the property:
  - a) Minimum setbacks:
    - a. Minimum setbacks for single-family residential, single-family attached residential, and small lot single-family residential uses:
      - i. Front Yard: 10-ft
      - ii. Street Side Yard: 10-ft
      - iii. Interior Side Yard: 0-ft
      - iv. Rear Yard: 0-ft
    - b. Minimum setbacks for all other uses:
      - v. Front Yard: 0-ft
      - vi. Street Side Yard: 0-ft
      - vii. Interior Side Yard: 0-ft
      - viii. Rear Yard: 0-ft
  - b) The maximum height is 180 feet.
  - c) The maximum floor-to-area ratio is 4:1
  - d) The maximum impervious cover is 85%
  - e) The maximum building coverage is 85%
  - f) The minimum lot width is 25-ft
  - g) The minimum lot area is 1,000 square feet
  - h) There are no minimum site area requirements
- 3) Section 25-6-471(D) (*Off-Street Parking Facility Required*) is modified such that a parking facility may be located anywhere within the boundaries of the Property regardless of where the use for the facility is located within the Property subject to formal review at time of site plan.
- 4) Section 3.A(5) applies to the following uses:

|                                     |                                    |
|-------------------------------------|------------------------------------|
| Condominium residential             | Multi-Family residential           |
| Single-family residential           | Single-family attached residential |
| Small lot single-family residential | Townhouse residential              |


Short-term rental

- 5) A 100-foot wide buffer zone shall be established and maintained between property developed with the uses in Section 3.A(4) and the following uses:

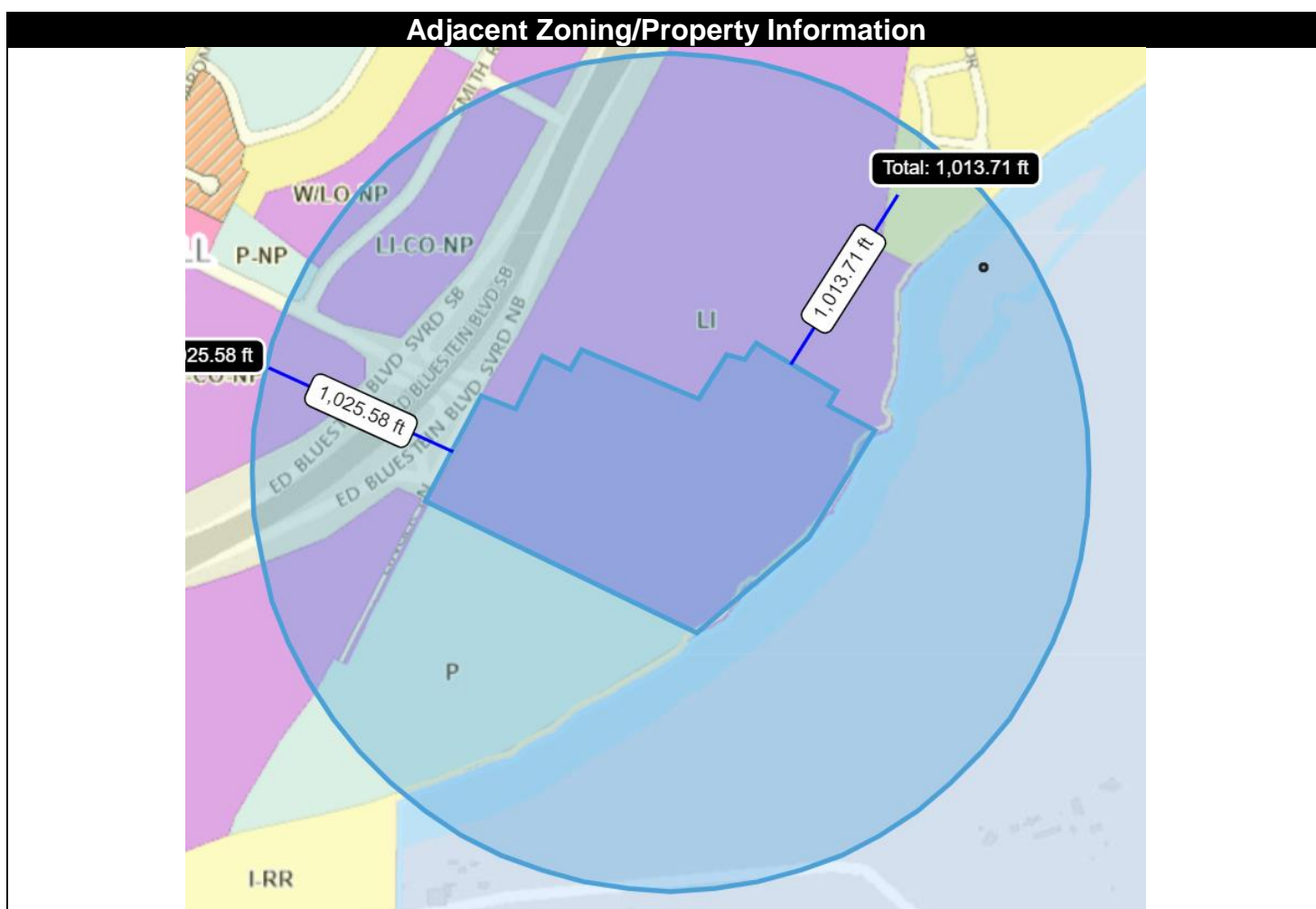
|                                 |                                      |
|---------------------------------|--------------------------------------|
| Automotive rentals              | Automotive sales**                   |
| Light manufacturing             | Limited warehousing and distribution |
| Construction sales and services | Research assembly services           |
| Research testing services       | Research warehousing services        |
| Vehicle Storage                 |                                      |

Improvements permitted within the buffer zone are limited to driveways, parking facilities, solid fences, pedestrian trails, hike and bike trails, recreational facilities, detention and water quality re-irrigation facilities, drainage, underground utility improvements, overhead electric or communication lines, or those improvements that may be otherwise required or allowed by the City of Austin.

\*\* Automotive sales is a conditional use if located within 100-feet of uses listed listed in Section 3.A(4)

|   |  |  |
|---|--|--|
|  | <b>ABOVEGROUND HAZARDOUS MATERIALS RISK AND CONSEQUENCE ASSESSMENT REPORT</b>  |  |
|   | <b>Address:</b> 6700 Bolm Rd.  | <b>Case Number:</b> Informal Zoning Case |
|   | <b>Project Name:</b>   | <b>Report Date:</b> August 18, 2022      |
|   | <b>Prepared By:</b> Yvonne Espinoza, Consulting Engineer<br><b>Contact Information:</b> 512-974-0185, <a href="mailto:yvonne.espinoza@austintexas.gov">yvonne.espinoza@austintexas.gov</a> |  |

| Project Information    |              |
|------------------------|--------------|
| <b>Current Zoning</b>  | LI           |
| <b>Proposed Zoning</b> | MULTI-FAMILY |
| <b>Parcel Size</b>     | -            |



| Address Ranges within 1000 Ft. |                   |                  |           |
|--------------------------------|-------------------|------------------|-----------|
| Address Range(s)               | Street            | Address Range(s) | Street    |
| 850-1516                       | Ed Bluestein Blvd | 713-1032         | Linger Ln |
| 6500-6700                      | Bolm Rd           | 1000-1600        | Smith Rd  |
|                                |                   |                  |           |
|                                |                   |                  |           |
|                                |                   |                  |           |

**ABOVEGROUND HAZARDOUS MATERIALS RISK AND CONSEQUENCE ASSESSMENT REPORT****Address:** 6700 Bolm Rd.**Case Number:** Informal Zoning Case**Project Name:****Report Date:** August 18, 2022**Prepared By:** Yvonne Espinoza, Consulting Engineer**Contact Information:** 512-974-0185, [yvonne.espinoza@austintexas.gov](mailto:yvonne.espinoza@austintexas.gov)**HMP Sites within 1000 Ft.**

| Business  | Address        | Zoning   | HMP Type | Last Insp. | Concern? |
|---|----------------|----------|----------|------------|----------|
| COA-AWU Govalle Occupational Development and Support Center | 911 Linger Ln. | P        | A        | 02/2020    | Y        |
| Southwaste Disposal   | 800 Linger Ln. | LI       | B        | 02/2020    | N        |
| Wastewater Transport Services                               | 826 Linger Ln. | LI       | C        | 04/2020    | N        |
| COA FASD/DTM/Wireless Communication                         | 1006 Smith Rd. | LI-CO-NP | C        | 10/2017    | N        |
| Lone Star Materials   | 1307 Smith Rd. | LI-CO-NP | B        | 2/2018     | N        |
|   |                |          |          |            |          |
|   |                |          |          |            |          |

**HMP Sites with Hazards of Concern**

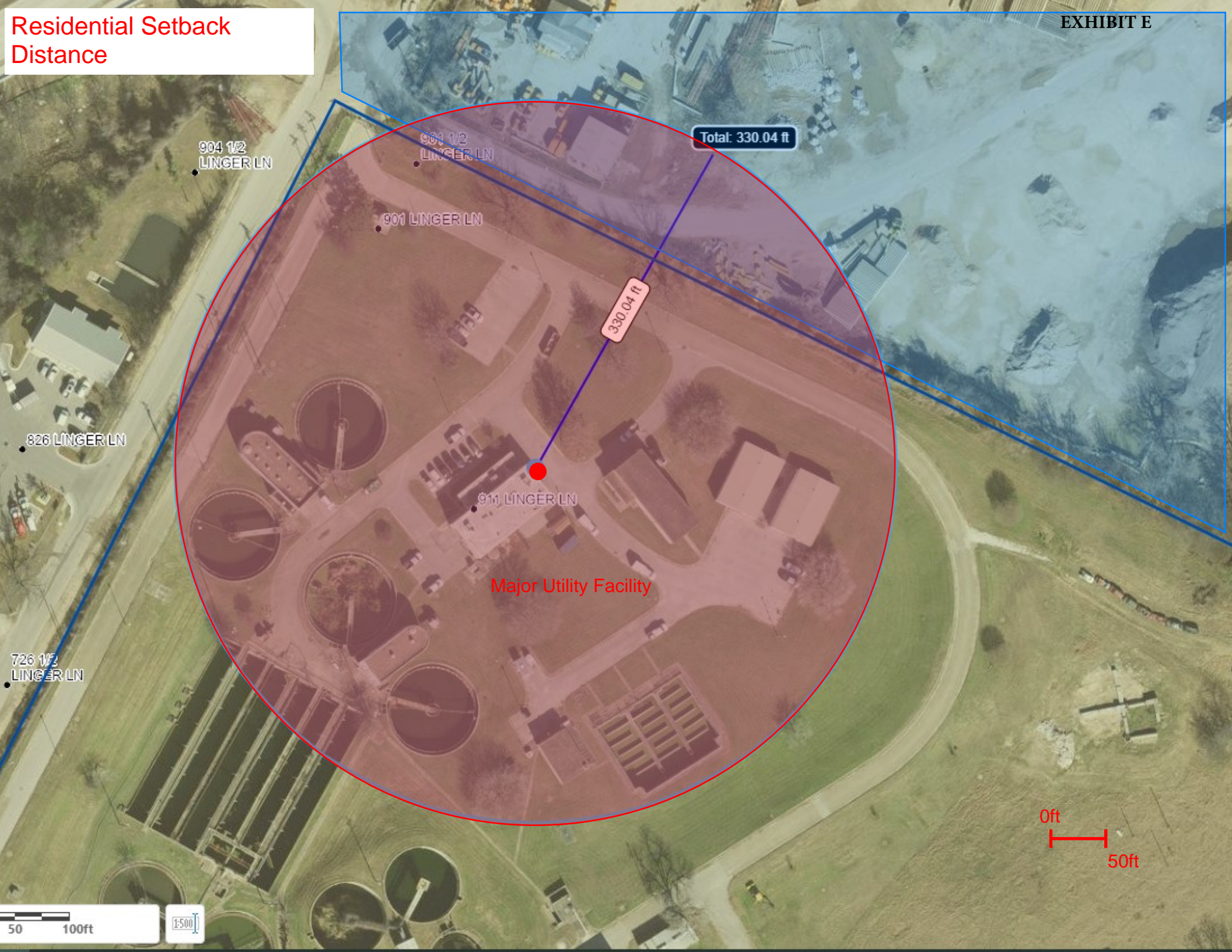
| Business  | Hazardous Material of Concern    | Approximate Distance to Property (feet) | AFD Required Distance (feet) | ERG Required Distance (feet) | Meeting Distance Requirement?     |
|---|----------------------------------|---|------------------------------|------------------------------|-----------------------------------|
| COA-AWU Govalle Occupational Development and Support Center | Oxygen -16,650 cu ft.            |   |                              | 330 ft.                      | N                                 |
|   | Acetylene -6,165 cu.ft.          |   |                              | 330 ft.                      | N                                 |
|   | Hydrogen Peroxide 50% - 5000 gal |   |                              | 150 ft.                      | Y<br>From actual storage location |

**Recommend to Allow Zoning Change?****Yes – see comment****No****Supporting Information for Zoning Decision**

AFD would recommend to Housing and Planning that they approve the zoning change with required setback of any buildings from the oxygen and acetylene storage.



Residential Setback  
Distance







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**MEMORANDUM**

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**Date:** October 10th, 2023  
**To:** Aditya Jatar, P.E., BOE Consulting Services  
**CC:** Nathan Aubert, P.E., Danielle Morin, Adrianna Morrow  
Transportation Public Works  
**Reference:** **Bolm Colorado** – C14-2023-0049 & C14-2023-0050  
Zoning Transportation Analysis (**ZTA**) Final Memo

---

The Austin Transportation & Public Works Department (TPW) has reviewed the “Bolm Colorado ZTA”, prepared by BOE Consulting Services, LLC for Kairoi Development, LLC. This memorandum includes both “Bolm East PDA” (C14-2023-0049) and “Bolm West PDA” (C14-2023-0050), referred to as the “East Site” and “West Site”, respectively. The proposed east site is comprised of General Office (1,833,910 SF), Strip Retail Plaza (20,566 SF), and High-Turnover (Sit-Down) Restaurant (49,029 SF). The proposed west site is comprised of Mid-Rise Multi-Family (2,219 dwelling units), Hotel and Civic Center (385 rooms), General Office (1,499,358 SF), Strip Retail Plaza (127,099 SF), High-Turnover (Sit-Down) Restaurant (134,754 SF), Arts Theatre (27,166 SF), and Music Venue (8,500 SF). The development is located (shown in Figure 1 below) at 827 Ed Bluestein Boulevard in Austin, Texas. The proposed development will be built in two phases and is anticipated to be completed in 2028. The project proposes access to the surrounding roadway network through five new driveways, one unrestricted driveway located on Levander Loop and four right-in-right-out (RIRO) driveways along Ed Bluestein Boulevard NB.



**Figure 1: Site Location**

**Adjacent Roadway Characteristics:**

The site proposes access to Levander Loop and Ed Bluestein Boulevard (also known as US 183) through five new driveways. The Austin Strategic Mobility Plan (ASMP) proposes two additional future roadways through the site: Linger Lane and Hester Road. The following section provides a brief description of Levander Loop, Ed Bluestein Boulevard, Linger Lane, and Hester Road.

**Levander Loop:** Levander Loop along the site frontage is currently a Level 4 road in the ASMP and coordination with TxDOT is required to determine future right-of-way (ROW) dedication per ASMP. It transitions from a two-lane two-way road into one northbound lane. The ASMP calls for an all ages and abilities paved trail bicycle facility in the vicinity of the site. Levander Loop has curb and gutter on both sides and a 10' shared-use path on the east side along the proposed site's frontage. The average daily traffic on Levander Loop was about 7,716 vehicles per day based on 24-hr counts collected along Levander Loop taken in 2023.

**Ed Bluestein Boulevard NB & Service Road:** The Ed Bluestein Blvd NB segment adjacent to the site is currently a Level 4 & 5 road in the ASMP and coordination with TxDOT is required to determine future ROW dedication per the ASMP. The ASMP calls for an all ages and abilities paved trail bicycle facility. There are currently three to four travel lanes with curb and gutter. It has an on-street bike lane on the shoulder without a buffer as well as a 10' shared-use path on the side with the proposed site.

**Linger Lane:** The Linger Lane segment is currently a private drive located primarily within the site boundaries that the developer plans to use to connect the proposed West Site and East Site. The ASMP lists this as a future level 1 road with 58' or 64' of Right-of-Way (ROW) required. Specifics of the ROW dedication for Linger Lane will be determined at the time of site plan. Linger Lane currently has two travel lanes but is missing curb and gutter and has no sidewalks on either side of the road. Some portions of Linger Lane remain unpaved. There are no existing or planned bicycle facilities along Linger Lane per the ASMP.

**Hester Road:** Hester Road is identified as a new roadway in the ASMP that runs through the East Site and continues north. The ASMP lists this as a future level 2 road with 84' of ROW required. ROW dedication for Hester Road will be determined at the time of site plan. Future plans identified in the ASMP include 2 travel lanes, with all ages and abilities bicycle facilities and sidewalks.

### **Trip Generation and Traffic Analysis:**

Based on the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition), the East site development will generate approximately 21,072 daily, unadjusted trips, 2,580 AM peak hour trips and 2,448 PM peak hour trips. The West site development will generate approximately 49,435 daily, unadjusted trips, 4,363 AM peak hour trips and 4,780 PM peak hour trips. Details are shown in Table 1 and Table 2 below:

**Table 1: East Site Trip Generation**

| ITE<br>Code          | Land Use                            | Size      |    | 24-Hour<br>Two-Way<br>Volume | AM Peak<br>Hour |      |       | PM Peak<br>Hour |       |       |
|----------------------|-------------------------------------|-----------|----|------------------------------|-----------------|------|-------|-----------------|-------|-------|
|                      |                                     |           |    |                              | Enter           | Exit | Total | Enter           | Exit  | Total |
| Existing Development |                                     |           |    |                              |                 |      |       |                 |       |       |
| 110                  | General Light Industrial            | 700       | sf | 53                           | 4               | 0    | 4     | 0               | 1     | 1     |
| 710                  | General Office                      | 9,723     | sf | 153                          | 20              | 3    | 23    | 4               | 20    | 24    |
| Existing Development |                                     |           |    | 206                          | 24              | 3    | 27    | 4               | 21    | 25    |
| Proposed Development |                                     |           |    |                              |                 |      |       |                 |       |       |
| 710                  | General Office                      | 1,883,910 | sf | 14,925                       | 1,840           | 251  | 2,091 | 323             | 1,576 | 1,899 |
| 822                  | Strip Retail Plaza                  | 20,566    | sf | 1,098                        | 28              | 18   | 46    | 65              | 65    | 130   |
| 932                  | High-Turnover (Sit-Down) Restaurant | 49,029    | sf | 5,256                        | 258             | 211  | 469   | 271             | 173   | 444   |
| Proposed Development |                                     |           |    | 21,278                       | 2,126           | 480  | 2,606 | 658             | 1,814 | 2,473 |
| Net Change in Trips  |                                     |           |    | 21,072                       | 2,102           | 477  | 2,580 | 654             | 1,793 | 2,448 |

**Table 2: West Site Trip Generation**

| ITE Code             | Land Use                            | Size      |       | 24-Hour Two-Way Volume | AM Peak Hour |       |       | PM Peak Hour |       |       |
|----------------------|-------------------------------------|-----------|-------|------------------------|--------------|-------|-------|--------------|-------|-------|
|                      |                                     |           |       |                        | Enter        | Exit  | Total | Enter        | Exit  | Total |
| Existing Development |                                     |           |       |                        |              |       |       |              |       |       |
| 110                  | General Light Industrial            | 4,340     | sf    | 67                     | 6            | 1     | 7     | 1            | 3     | 4     |
| 710                  | General Office                      | 2,655     | sf    | 49                     | 6            | 1     | 7     | 1            | 7     | 8     |
| Existing Development |                                     |           |       | 116                    | 12           | 2     | 14    | 2            | 10    | 12    |
| Proposed Development |                                     |           |       |                        |              |       |       |              |       |       |
| 221                  | Multifamily Housing (Mid Rise)      | 2,219     | du    | 10,538                 | 222          | 743   | 965   | 528          | 338   | 866   |
| 310                  | Hotel                               | 385       | rooms | 3,750                  | 104          | 81    | 185   | 131          | 126   | 257   |
| 710                  | General Office                      | 1,499,358 | sf    | 12,236                 | 1,512        | 206   | 1,718 | 267          | 1,304 | 1,571 |
| 821                  | Shopping Plaza (40k - 150k)         | 127,099   | sf    | 8,582                  | 136          | 84    | 220   | 323          | 337   | 660   |
| 932                  | High-Turnover (Sit-Down) Restaurant | 134,754   | sf    | 14,445                 | 709          | 580   | 1,290 | 744          | 475   | 1,219 |
| 445                  | Arts Theater                        | 27,166    | sf    | 2,121                  | -            | -     | -     | 158          | 10    | 168   |
| 445                  | Music Venue                         | 8,500     | sf    | 664                    | -            | -     | -     | 49           | 3     | 52    |
| -                    | *Civic Center                       | 37,390    | sf    | -                      | -            | -     | -     | -            | -     | -     |
| Proposed Development |                                     |           |       | 49,551                 | 2,683        | 1,694 | 4,377 | 2,200        | 2,593 | 4,793 |
| Net Change in Trips  |                                     |           |       | 49,435                 | 2,671        | 1,693 | 4,363 | 2,198        | 2,583 | 4,780 |

<sup>1</sup>This table was populated utilizing the criteria set by the ITE Trip Generation Handbook defining when a rate is to be utilized versus an equation

\*Civic Center is ancillary to Hotel, therefore does not generate trips on its own.

Average Daily Traffic (ADT) was estimated for the 2023 existing conditions based on the traffic count data collected along Levander Loop, west and east of the US 183 overpass. The growth factor of 2% per year from 2023-2028 was assumed to estimate the projected ADT volumes for 2028 forecasted conditions. Table 3 shows both the existing traffic volumes as well as projected volumes on the road segments in the vicinity of the site.

**Table 3 Projected Volume Analysis**

| Road Segment                                 | ASMP Class | Existing Cross Section | 2023 ADT | 2028 ADT | 2028 ADT Site | 2028 ADT (Site + Forecasted) |
|--|------------|------------------------|----------|----------|---------------|------------------------------|
| Levander Loop: Cesar Chavez to Site Frontage | Level 4    | 1-2 Lanes, undivided   | 7,716    | 8,519    | 15,490        | 24,009                       |

Projected volume analysis showed that unadjusted site traffic plus forecasted volume at the anticipated build out year will exceed the typical ADT range recommended for urban roadways with 2 or 3 lanes in the City of Austin Street Design Guide Multimodal Design Table which recommends 5,000 to 20,000 ADT. Moreover, several Transportation Demand Management (TDM) measures, per the Transportation Criteria Manual (TCM) were also proposed to achieve a minimum of 15% trip reduction. These TDM measures will also minimize the impact on the transportation network and will help to address the added vehicular impact on the surrounding network. ASMP ROW assessment for abutting road segments, turn lane analysis for all driveways, and sight distance analysis for the proposed new driveways were also conducted.

### **Recommendations/Conclusions:**

As a condition for approval for the above referenced zoning review case, the applicant shall adhere to the following recommendations:

- This site is required to achieve a minimum of 15% trip reduction utilizing various TDM measures per the TCM. This site proposes the following TDM measure categories to achieve the TDM-related trip reductions, details will be determined at site plan stage. The applicant has the flexibility to substitute and/or add other relevant TDM measures as per the TCM at the time of the site plan as long as an overall trip reduction of 15% is achieved.
- Internal Capture
- Transit Proximity
- Reduced Parking Supply
- Unbundled Parking
- Visitor Parking Pricing
- Designated Mobility Coordinator
- Transportation Management Association Membership
- Marketing and Information
- Telecommuting Work Option
- Delivery Support Amenities
- The proposed development is subject to the City of Austin Street Impact Fee (Ordinance # 20201220-061 & 20201210-062). Street Impact Fee (SIF) calculation shall be performed at the time of the Site Plan submission and will be collected at the time of building permit. No offsets to the proposed development's SIF will be issued until the completion of identified construction items unless those items are included in the proposed Site Plan application.
- ASMP ROW needs have been assessed and this site might require ROW dedications to meet the ASMP requirements, including potential new rights of way for Linger Lane and/or Hester Road. This will be confirmed at the Site Plan stage.
- This site shall be utilizing five new driveways for general traffic circulation; one is located along Levander Loop and the other four are located along Ed Bluestein Boulevard. All five driveways will require right turn lanes. Approval of this ZTA does not grant nor guarantee approval of proposed driveway locations. Driveways will be further reviewed during site plan review by the appropriate City of Austin and TxDOT departments.
- The ITE Trip Generation Manual does not have land use categories for the proposed Music Venue and Arts Center land uses, so Movie Theater (445) was used in this ZTA report to calculate trip generation. At the Site Plan stage, TPW staff will work with the applicant to ensure the best approach is taken to estimate the trip generation for the proposed Music Venue and Arts Center land uses.
- This ZTA does not relieve a development of the need to conduct a Transportation Assessment (TA) or Full Transportation Impact Analysis (TIA) requirement at the time of site plan.

Please contact me at (512) 974-7136 if you have questions or require additional information.

Sincerely,



Nathan Aubert, P.E.

Transportation & Public Works Department

**From:** [Julia Maffei](#)  
**To:** [Sirwaitis, Sherri](#)  
**Cc:** [Hank.Smith@austintexas.gov](mailto:Hank.Smith@austintexas.gov); [Rivera, Andrew](#)  
**Subject:** Re: PP Request for Cases C14-2023-0050 (Bolm West PDA) and C14-2023-0049 - (Bolm East PDA) on the November 14th ZAP Commission Meeting  
**Date:** Friday, November 3, 2023 2:06:59 PM

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External Email - Exercise Caution

Thank you, Ms. Sirwaitis,  
We would like to push the date to Dec 19 to give the stakeholders time to come to consensus.  
Julia

On Fri, Nov 3, 2023 at 7:55 AM Sirwaitis, Sherri <[Sherri.Sirwaitis@austintexas.gov](mailto:Sherri.Sirwaitis@austintexas.gov)> wrote:

Hi Ms. Maffei,

Please let us know what date you are requesting a postponement to for these cases. What length of postponement are you requesting (i.e. – a week, a few weeks, a month)? The next available Zoning and Platting Commission meeting dates are November 21, 2023, December 5, 2023 and December 19, 2023.

The Zoning and Platting Commission will need to consider a postponement request for a specific date for the record.

Thank you,

***Sherri Sirwaitis***

*City of Austin*

*Planning Department*

*[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)*

*512-974-3057(office)*

Please note: E-mail correspondence to and from the City of Austin is subject to required disclosure under the Texas Public Information Act.

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**From:** Julia Maffei <[j](#)>

**Sent:** Thursday, November 2, 2023 10:07 PM

**To:** Sirwaitis, Sherri <[Sherri.Sirwaitis@austintexas.gov](mailto:Sherri.Sirwaitis@austintexas.gov)>; [Hank.Smith@austintexas.gov](mailto:Hank.Smith@austintexas.gov)

**Subject:**

External Email - Exercise Caution

Dear Ms. Sirwaitis,

As president of the South East Colorado Neighborhood Association, I request a postponement of Items C14-2023-0050 (Bolm West PDA) and C14-2023-0049 - (Bolm East PDA); District 3. The development will be directly across the river from our neighborhood. We met with the developers, the Colorado River Conservancy and Poder this evening for a second time. We are still in discussion with the developers as we do not agree with their proposal as it stands. We need more time to come to an agreement.

Thank you,

Julia Maffei

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Julia Maffei

Austin Community College ESOL adjunct professor / Learning Lab Tutor  
MA Foreign Language Education UT Austin 2005 / BFA UT Austin 1988

[Green Team](#)

[Celebration of Great Teaching 2023](#)

[ACC Conflict Transformation Academy 2020-2021](#)

[Service Learning Academy 2021](#)

[ACC Teaching and Learning Academy 2019-2020](#)

[Project ACC Faculty Fellow 2016-2017](#)

**From:** [Garrett Tung](#)  
**To:** [Sirwaitis, Sherri](#); [Hank.Smith@austintexas.gov](mailto:Hank.Smith@austintexas.gov)  
**Subject:** Bolm East and West PDA Postponment  
**Date:** Sunday, November 5, 2023 11:58:05 AM

---

External Email - Exercise Caution

Hello, my name is Garrett Tung and I live at 6606 Hergotz Lane in Austin, within a few hundred feet of the proposed development on the aforementioned tracts of land. I'm writing to request a postponement of Items C14-2023-0050 (Bolm West PDA) and C14-2023-0049 - (Bolm East PDA); District 3.

My neighbors and I have had a chance to meet with the developers and are wanting to postpone this hearing so that we can continue working with the developers to align some of the goals that we, as a neighborhood, and they as developers share. Unfortunately, all this was brought to my and my neighbors' attention just a few short weeks ago, so I respectfully ask for a postponement of the two items up for discussion on 11/14/23 to a later hearing ( 12/19/2023).

Please reach out with questions or concerns, thank you for your time and consideration!

**Garrett Tung**  
**Boingosaurus Music LLC**

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**From:** [Dan Loe](#)  
**To:** [Sirwaitis, Sherri](#)  
**Cc:** [Smith, Hank - BC](#)  
**Subject:** Postponement Request C14-2023-0050  
**Date:** Monday, November 6, 2023 1:43:41 PM

---

External Email - Exercise Caution

Hello Ms. Sirwaitis,

Thank you for your ongoing assistance in this zoning case. I'd like to request a postponement of Items C14-2023-0050 (Bolm West PDA) and C14-2023-0049 - (Bolm East PDA); District 3. We've had discussions with the developer and continue to negotiate aspects of the proposed plan. My neighbors and I will be directly impacted, as the development will be directly across the river from our neighborhood. We need more time to come to an agreement.

Thank you,

Daniel Loe

**Forsite Studio**  
1205 E. Cesar Chavez  
Austin TX 78702  
512.434.9046

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**From:** [Lee Edwards](#)  
**To:** [Sirwaitis, Sherri](#); [Smith, Hank - BC](#)  
**Subject:** Request to defer Bolm West & Bolm East items" ZAP hearings  
**Date:** Monday, November 6, 2023 2:44:04 PM

---

External Email - Exercise Caution

Items C14-2023-0050 (Bolm West PDA) and C14-2023-0049 - (Bolm East PDA); District 3

Regarding the above items, I am requesting a postponement from the 11/14/23 meeting of the Zoning and Platting Commission to the 12/19/23 meeting.

I live immediately across the Colorado River from the proposed development, and I'm a member of the South East Colorado River Neighborhood Association.

I'm concerned that the current version of the developer's plans will cause excessive environmental damage as well as excessive light and noise pollution.

They developers have, however, shown willingness to rework their initial plans, considered by ZAP on 10/16, to lessen the negative impacts on the river, riverbank, and our neighborhoods. We've agreed with them that we'll need at least a month to try to agree on specifics, thus the 12/19 date.

We're coordinating with PODER and the Colorado River Conservancy as well.

We do support PARD's proposal that PARD manage 6 acres of the riverfront property in the proposed Bolm West area.

Thank you!

Lee Edwards  
6614 Hergotz Ln, Austin TX, 78742

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**From:** [Ketchup Cat](#)  
**To:** [Sirwaitis, Sherri](#)  
**Cc:** [Katy Brown](#)  
**Subject:** Postpone  
**Date:** Wednesday, November 8, 2023 3:06:37 PM

---

External Email - Exercise Caution

Dear Ms. Sirwaitis,

My grandfather's house is on the Colorado River in the Hergotz neighborhood. My mom and I love the house and the Colorado where we swim and enjoy seeing all the wildlife. We would like a postponement of C14-2023-0050 and C14-2023-0049 to at least December 19th. We are hoping that the property developers can work with our neighborhood association and other groups to preserve the river and our neighborhood.

Yours sincerely,

Lark Thompson and Katherine Brown

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**From:** [Julia Maffei](#)  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** Request for Postponement of agenda items C14-2023-0050 (Bolm West PDA) and C14-2023-0049 - (Bolm East PDA).  
**Date:** Monday, November 20, 2023 10:25:28 AM

---

External Email - Exercise Caution

Hello Ms. Sirwaitis,

Our neighborhood association, the South East Colorado River Neighborhood Association, is requesting a postponement of agenda items C14-2023-0050 (Bolm West PDA) and C14-2023-0049 - (Bolm East PDA) from Nov. 21 until Dec 19.

As you recall, our neighborhood is directly across the river from the proposed new development.

We discovered after our neighborhood association met with Kairoi and their attorneys that they do not seem to be acting in good faith and that they probably agreed to meet with us to simply be able to say that they have met with the neighbors and taken our concerns into account, which they did not do.

To begin, our concerns about the unprecedented height (75'-180') and high occupancy of their development were summarily dismissed as non-negotiable. (No home in our neighborhood is higher than two stories.) More concerning still is their stated intent to allow open access to the Colorado river along a fragile, erosion prone bank, all the while promising a protected riparian buffer, which is clearly illustrated in their design booklet. Clearly, these assertions are totally at odds with each other. Which ones are we to believe? Furthermore, we are still waiting for promised documents from Kairoi, such as the Environmental Resource Inventory and specific landscape designs that impact the waterfront.

We are not against development. However, the effects of careless and thoughtless development will be with us forever.

Thank you for your time,  
Julia Maffei  
president South Colorado River Neighborhood Association

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**From:** [Lee Edwards](#)  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** Request for postponement  
**Date:** Monday, November 20, 2023 10:20:54 AM

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External Email - Exercise Caution

Ms. Sirwaitis,

I am writing to request postponement of these 2 highly related ZAP cases:

C14-2023-0050 (Bolm West PDA) and C14-2023-0049 - (Bolm East PDA)

Our South East Colorado River Neighborhood Association requested an earlier postponement as well. In the meantime, the applicant has made a show of engaging in negotiation while actually engaging in almost no substantive negotiation or consideration of approaches that would meet the developers' needs while also respecting this area of the Colorado River and the 3 neighborhoods that surround the proposed development. We are also registered to speak for the postponement in person tomorrow night, but wanted to write so that the letter/s will be on file.

We request postponement until 12/19/23, which would give the developers and their fixers (Ambrust & Brown) adequate time to switch from pretending to engage to actually engaging and for the parties to work through some very detailed specifics about protecting the river and neighborhoods in ways that let the developers develop.

Thanks very much!

Lee Edwards  
6614 Hergotz Ln  
South East Colorado River Neighborhood Association

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**From:** [kim.vasquez](#)  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** Postponement Request: ZAP (11/21/23) C14-2023-0050 Bolm West PDA and C14-2023-0049 Bolm East PDA  
**Date:** Monday, November 20, 2023 9:58:41 AM

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External Email - Exercise Caution

Good morning, Ms. Sirwaitis.

I would like to request a postponement for this Tuesday's (11/21/23) rezoning applications for items C14-2023-0050 Bolm West PDA and C14-2023-0049 Bolm East PDA (District 3).

My neighborhood, the South East Colorado River Neighborhood Association, have submitted our proposal to the developer, Kairoi, and their representative, Armbrust and Brown. They met with us to have a conversation about our items but they have not provided their responses to them. Furthermore, we've also requested documents in an effort for us to better understand and to make informed decisions on their development plans. As of this morning, we have not received any of these requested documents.

We are the landowners along this part of the Colorado River corridor. My neighbors and I will be directly impacted, as the development will be directly across the river from our neighborhood.

Thank you,  
Kim Vasquez

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**From:** [kim.vasquez](#)  
**To:** [Rivera, Andrew](#); [Sirwaitis, Sherri](#)  
**Subject:** Re: Postponement Request: ZAP (11/21/23) C14-2023-0050 Bolm West PDA and C14-2023-0049 Bolm East PDA  
**Date:** Monday, November 20, 2023 11:33:58 AM

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External Email - Exercise Caution

I just realized I left off to postpone these items to go before the December 19, 2023 ZAP commission meeting date.

Thank you,  
Kim Vasquez

On Nov 20, 2023, at 10:52 AM, kim vasquez <> wrote:

Good morning, Andrew.

I wanted to also inform you that I am requesting for the postponement of these two items at tomorrow's ZAP hearing. Please see my email to Ms. Sirwaitis this morning.

Thank you,  
Kim Vasquez

Begin forwarded message:

**From:** kim vasquez <>  
**Date:** November 20, 2023 at 9:58:35 AM CST  
**To:** [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)  
**Subject:** Postponement Request: ZAP (11/21/23) C14-2023-0050  
Bolm West PDA and C14-2023-0049 Bolm East PDA

Good morning, Ms. Sirwaitis.

I would like to request a postponement for this Tuesday's (11/21/23) rezoning applications for items C14-2023-0050 Bolm West PDA and C14-2023-0049 Bolm East PDA (District 3).

My neighborhood, the South East Colorado River

Neighborhood Association, have submitted our proposal to the developer, Kairoi, and their representative, Armbrust and Brown. They met with us to have a conversation about our items but they have not provided their responses to them. Furthermore, we've also requested documents in an effort for us to better understand and to make informed decisions on their development plans. As of this morning, we have not received any of these requested documents.

We are the landowners along this part of the Colorado River corridor. My neighbors and I will be directly impacted, as the development will be directly across the river from our neighborhood.

Thank you,  
Kim Vasquez

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**From:** [Claudia Voyles](#)  
**To:** [Sirwaitis, Sherri](#)  
**Cc:** [Rivera, Andrew](#)  
**Subject:** postponement request: C14-2023-0050 (Bolm West PDA) and C14-2023-0049 - (Bolm East PDA).  
**Date:** Monday, November 20, 2023 8:29:31 PM

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External Email - Exercise Caution

Dear Ms Sirwaitis and Mr Rivera,

I am respectfully asking that these cases regarding Bolm West and Bolm East developments be postponed until the December 19th Zoning and Platting Commission meeting: C14-2023-0050 (Bolm West PDA) and C14-2023-0049 - (Bolm East PDA).

I regret having to write this email. I understand that there are contractual reasons that Kai Roi did not want to delay and wanted to have this on tomorrow night's agenda, and we hastened to try to meet that timeline. However, we have not received the responses to our requests and suggestions that were promised and are not supportive of the proposal going through as is without further discussion and negotiation.

We were told that our requests were "reasonable." We were also told that they could not commit to the changes we requested until they had met with a landscape architect (for limited direct river access routes) and until they could come back with a counter proposal solution for disputed issues such as the setback. We are awaiting responses and promised documents. It would appear that they are not yet ready so we ask that in keeping with the importance of the this project to the health and safety of the people, wildlife and plant life, any vote be postponed.

Best, Claudia Voyles (6614 Hergotz Lane)

Claudia Voyles, LAc,

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**From:** [Katherine Brown](#)  
**To:** [Sirwaitis, Sherri](#)  
**Cc:** [Rivera, Andrew](#)  
**Subject:** Request to postpone  
**Date:** Monday, November 20, 2023 8:41:46 PM

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External Email - Exercise Caution

Dear Ms. Sirwaitis,

I am writing again for a request to postpone items C14-2023-0050 and C14-2023-0049 to at least December 19th.

The reasons are as follows:

1. After meetings with the developers, they have yet to respond to requests made by our neighborhood association, although they indicated that they would do so.
2. Further assessments are needed to ensure a high quality of life for all residents in this area (current and future) that impact on public health and climate resilience that align with goals by the City of Austin Office of Sustainability.
3. As a result consensus has not yet been achieved.

Yours sincerely,  
Dr. Katherine Brown

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