

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: East MLK Combined

CASE#: NPA-2023-0015.05.SH

DATE FILED: October 19, 2023

PROJECT NAME: 1702 Deloney Street

PC DATE: March 26, 2024

ADDRESS/ES: 1702 Deloney Street

DISTRICT AREA: 1

SITE AREA: 2.027 acres

OWNER/APPLICANT: 1702 Deloney LLC

AGENT: Drenner Group, PC (Leah Bojo)

CASE MANAGER: Tyler Tripp

PHONE: (512) 974-3362

STAFF EMAIL: Tyler.Tripp@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family

To: Multifamily Residential

Base District Zoning Change

Related Zoning Case: C14-2023-0141.SH

From: SF-3-NP

To: MF-2-NP

NEIGHBORHOOD PLAN ADOPTION DATE: November 2, 2002

CITY COUNCIL DATE: TBD

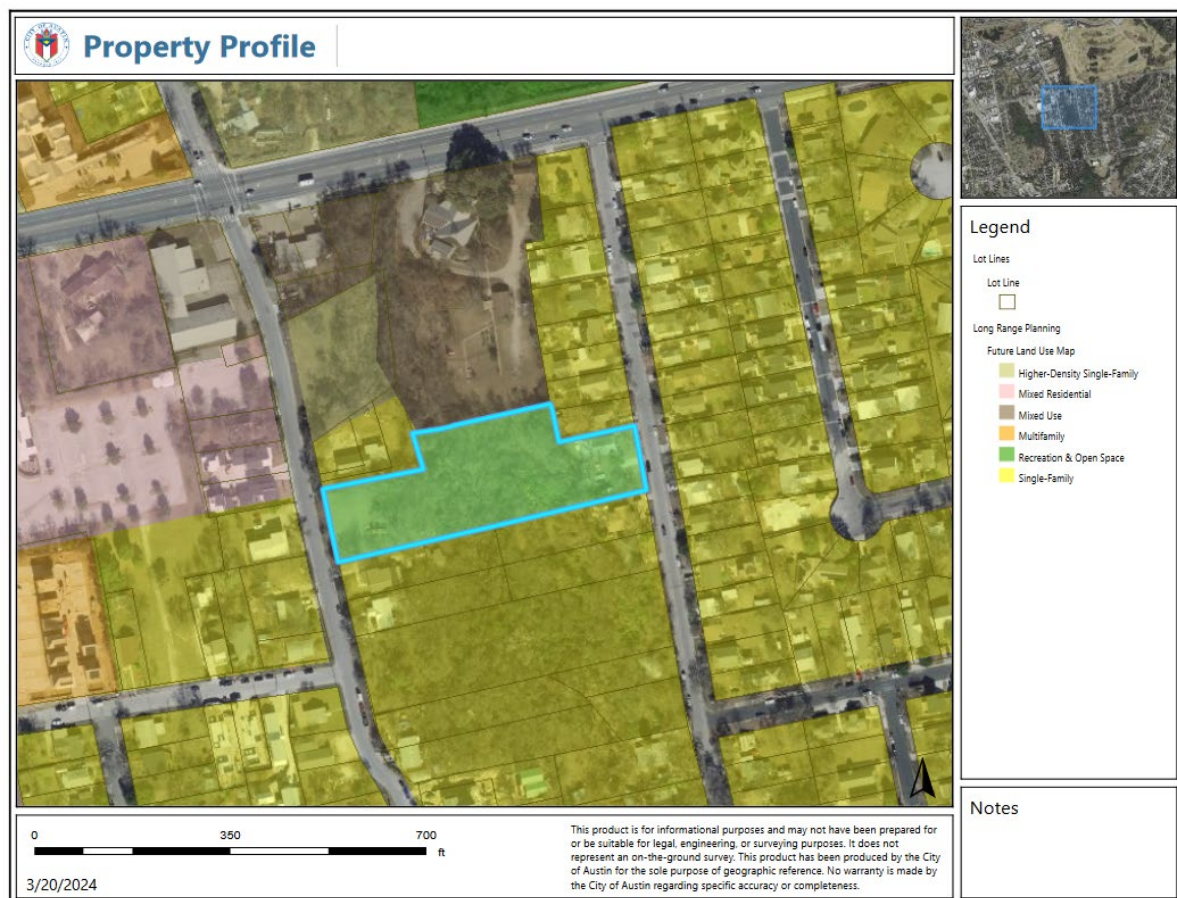
ACTION:

PLANNING COMMISSION RECOMMENDATION:

March 26, 2024 – (action pending)

STAFF RECOMMENDATION: To support the applicant's request for Multifamily Residential land use.

BASIS FOR STAFF'S RECOMMENDATION: Staff supports the applicant's request for Multifamily Residential land use because there is Mixed Use land use directly to the north. Multifamily residential land use will serve as a buffer between the mixed-use land use to the north and the single family land use to the south. The property is also located less than 600 feet south of East MLK Junior Blvd, which is an activity corridor as identified on the imagined Austin Comprehensive Plan where additional density can be accommodated. The property owner is proposing approximately 45 mixed residential dwelling units, which will provide additional housing choices for the city and the planning area.



Below are sections of the East MLK Combined Neighborhood Plan that supports the applicant's request:

Goal 1- Preserve established residential areas and improve opportunities for home ownership by promoting the rehabilitation of existing housing and new, infill housing compatible with the existing style of this neighborhood.

Objective 1.2: Promote new infill housing in appropriate locations.

Goal 2 - Promote a mix of land uses that respect and enhance the existing neighborhood and address compatibility between residential, commercial, and industrial uses.

Goal 4 - Promote the development and enhancement of the neighborhood's major corridors.

Goal 5 - Provide housing that helps to maintain the social and economic diversity of residents.

Objective 5.1: Allow a mix of residential types on larger tracts having access to major roadways.

Objective 5.2: Maintain existing multi-family housing.

LAND USE DESCRIPTIONS:

EXISTING LAND USE:

Single family - Single family detached or up to three residential uses at typical urban and/or suburban densities.

Purpose

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

Application

1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and
2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development.

PROPOSED LAND USE:

Multifamily Residential - Higher-density housing with 3 or more units on one lot.

Purpose

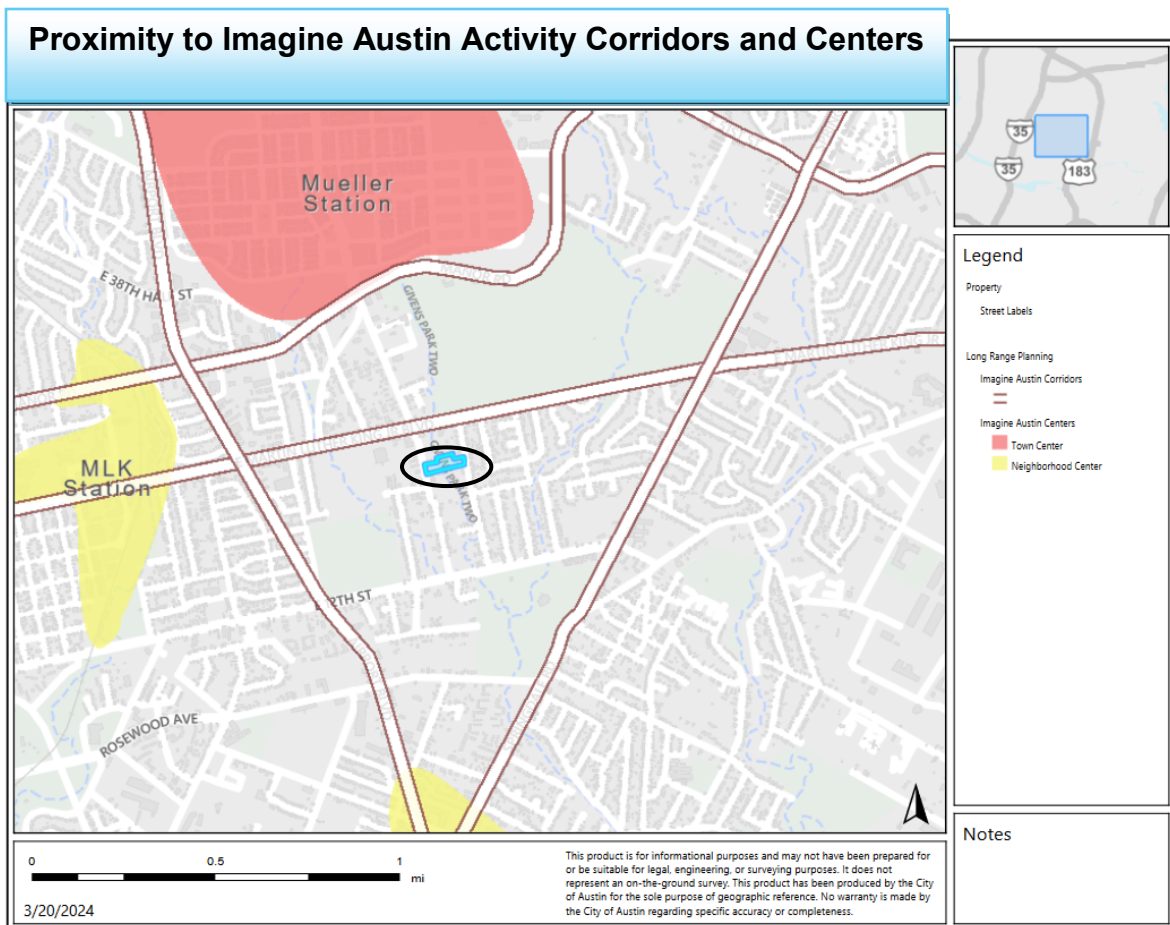
1. Preserve existing multifamily and affordable housing;
2. Maintain and create affordable, safe, and well-managed rental housing; and
3. Make it possible for existing residents, both homeowners and renters, to continue to live in their neighborhoods.
4. Applied to existing or proposed mobile home parks.

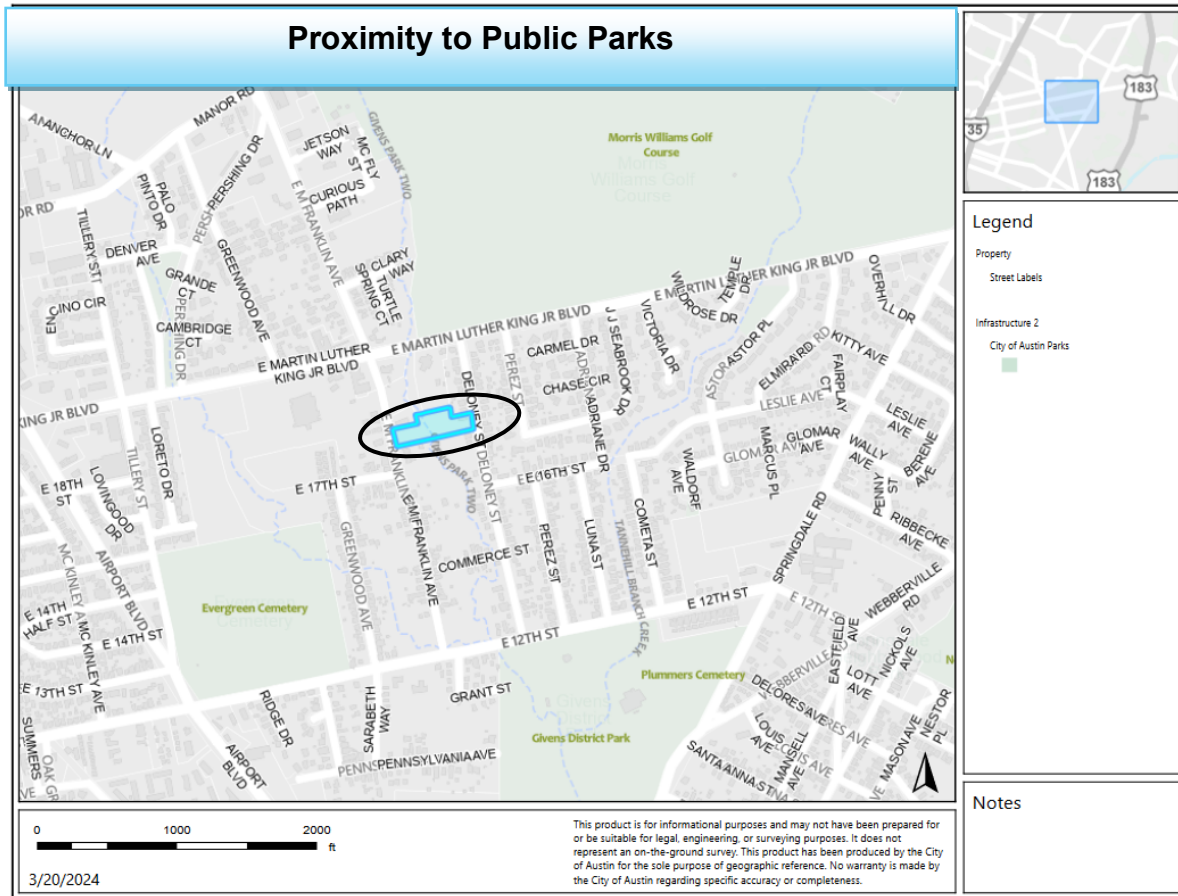
Application

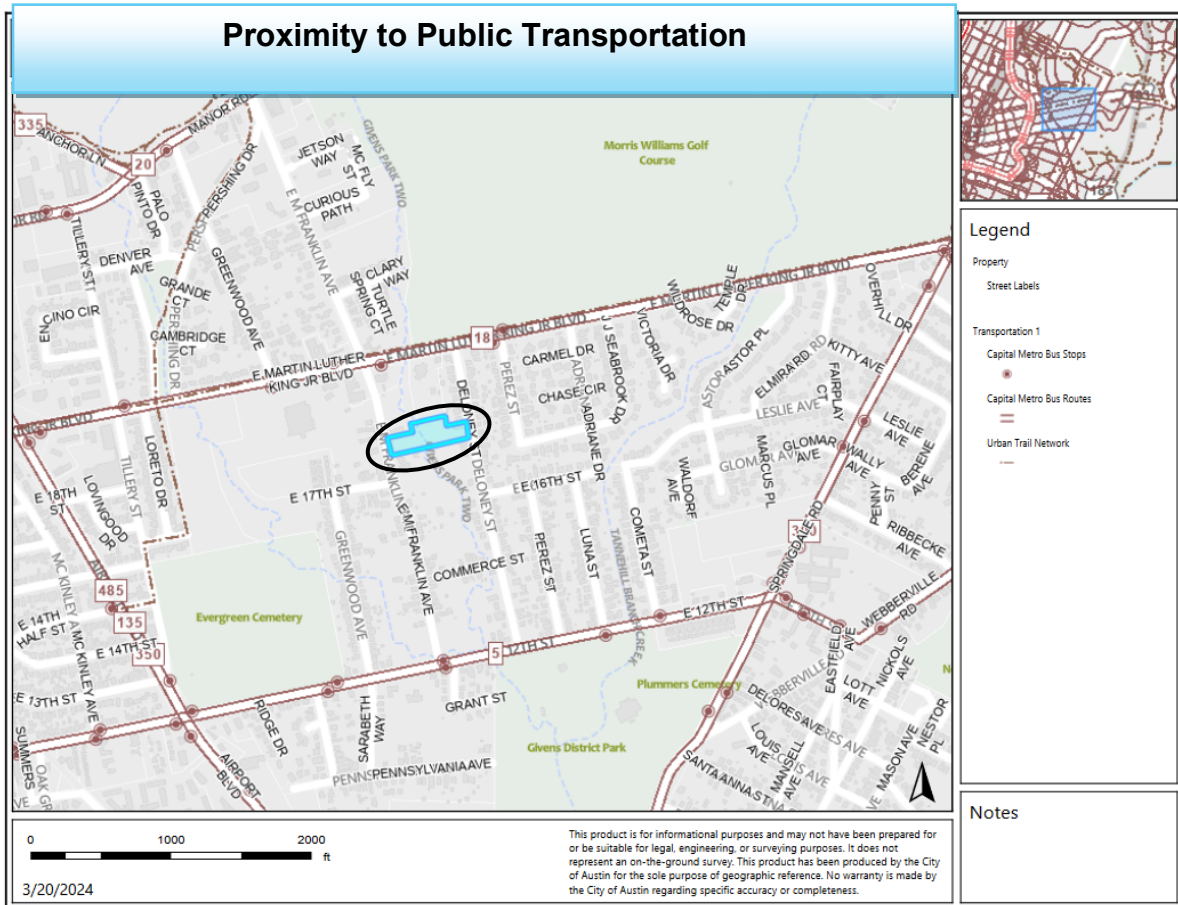
1. Existing apartments should be designated as multifamily unless designated as mixed use;
2. Existing multifamily-zoned land should not be recommended for a less intense land use category, unless based on sound planning principles; and
3. Changing other land uses to multifamily should be encouraged on a case-by-case basis.

Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
Yes	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: <ul style="list-style-type: none"> • Approx. 0.10 miles south of E. MLK Jr. Blvd, an activity corridor
Yes	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
No	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Yes	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center. <ul style="list-style-type: none"> • There are limited commercial uses along E. MLK Jr. Blvd.
No	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
No	Connectivity and Education: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> • Approx. 1.7 miles from Norman-Sims Elementary School • Approx.. 1.9 miles from East Austin College Prep
Yes	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> • 0.5 miles from Givens District Park
Yes	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.) <ul style="list-style-type: none"> • 0.6 miles from Austin Medical Clinic
Yes	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing. <ul style="list-style-type: none"> •
Yes	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
No	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
NO	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally

	significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
No	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
No	Industrial Land: Preserves or enhances industrial land.
	Number of "Yes's"
Imagine Austin Priority Program PUD Specific Bonus Features	
n/a	Public Space Features and Public Art: Incorporates public space features and/or public art into project (Ex: plazas, streetscapes, gardens, and other people-friendly spaces where different ages can socially interact).
n/a	Integrates and/or Expands Green Infrastructure: Preserves or expands Austin's green infrastructure (ex: parkland, community gardens, green streets, creeks, stormwater features that mimic natural hydrology) into the urban environment and transportation network.
n/a	Protects the Environment: Reduces greenhouse gas emissions, water, energy usage, and/or increases waste diversion.
n/a	Protects Environmentally Sensitive Lands: Protects Austin's natural resources and environmental systems by limiting land use and transportation development over or near environmentally sensitive areas, preserves open space, and protects natural resources more than ordinance requirements.
n/a	Water/Wastewater Infrastructure: Sustainably manages Austin's water resources and stream corridors through on-site use of storm water, effective landscaping, flood mitigation, and other low-impact development techniques more than ordinance requirements.
PUD Development is not proposed	Total Number of "Yes's"







IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

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

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

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

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

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

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment

opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The plan amendment application was filed on October 19, 2023.

The applicant proposes to change the future land use map from Single Family to Multifamily Residential land use.

The applicant proposes to change the zoning from SF-3-NP (Family Residence district – Neighborhood Plan) to MF-2-NP (Multifamily Residential Low Density district – Neighborhood Plan) for a S.M.A.R.T. Housing Certified mixed residential development. The applicant proposes 45 residential units with 10% (5 units) at or below 80% MFI, with an affordability period of one year.

S.M.A.R.T. Housing – Ownership - 1702 Deloney St., Austin, Texas 78721	
Total units: 45 units	
<u>Minimum Required:</u> 10% (5 units) at or below 80% MFI - Requirements for 25% fee waiver	<u>Proposed unit mix:</u> 10% (5 units) at or below 80% MFI
Affordability Period (S.M.A.R.T. units): 1 Year	
Fee waiver level: 25%	
AWU Capital Recovery Fees: 5/45 units eligible	

PUBLIC MEETINGS: The ordinance-required community meeting was virtually held on August 17, 2023. The recorded meeting can be found here: <https://publicinput.com/q6665>. Approximately 226 community meeting notices were mailed to people who have utility accounts or own property within 500 feet of the property, in addition to neighborhood and environmental groups who requested notification for the area in the Community Registry. Two city staff members attended, Tyler Tripp and Mark Walters from the Planning Department, in addition to Leah Bojo and Drew Rafaelle from Drenner Group, PC, the applicant's agents. Three people from the neighborhood attended.

Here are highlights of Leah Bojo's presentation:

- The property is 2.027 acres in size and is mostly undeveloped, but there is one house on the property.

- The property has access on both Deloney Street and EM Franklin, but there is a creek that runs in the middle. It will be development as one project, but will have development on the frontage of EM Franklin and Delone.
- It has great public transportation and is near proposed urban trails.
- The existing zoning is SF-3-NP and the proposed zoning is MF-2-NP.
- The owner proposes a mixed residential development (townhomes, single family detached apartments) for rent.
- The project is S.M.A.R.T. Housing certified which will provide 10% at 80% MFI for five units for an affordability period of one year.

Q: I live on EM Franklin Street, these streets are loaded with traffic and we have almost no sidewalks as it is. Will there be a traffic study?

A: We are not required to do a traffic study, but there will be Neighborhood Traffic Study that will be submitted to the City's Transportation Department. We will be required to do sidewalks on our portion of the property. There will be for one parking space per residential unit.

Q: Is there a minimum acreage required for this change?

A: The proposed zoning of MF-2 has a minimum lot size of 8,00 sq. ft and this lot is 2.027 acres.

Q: Can the property not be developed in the current zoning?

A: It can be developed as single-family homes under the SF-3-NP zoning, and potentially up to three units on each lot if they meet the development regulations, but they could not develop as multifamily.

Q: Why should the neighborhood support this?

A: This is a great location for more residential homes, not just for one house. Austin is in a housing crunch and the diversity of types of residential units will help meet Austin's housing needs. The property is also near public transportation.

Q: What development will happen along the creek?

A: We will not be able to build in the flood plain.

Q: Will this development help the CapMetro route #18 run more frequently?

A: From what I understand, when ridership increases on a bus route, CapMetro could decide to increase the frequency of the route.

S.M.A.R.T. Housing Certification Letter



City of Austin

P.O. Box 1088, Austin, TX 78767
www.austintexas.gov/department/housing-and-planning

Housing Department S.M.A.R.T. Housing Program

11/09/2023

S.M.A.R.T. Housing Certification
 1702 Deloney, LLC
 1702 Deloney Street (ID 933-6035)

TO WHOM IT MAY CONCERN:

Owner 1702 Deloney, LLC., (development contact Leah Bojo, lbojo@drennergroupp.com, (512) 807-2918 is planning to develop 1702 Deloney St, a 45-unit All full purpose development at 1702 Deloney St., Austin, Texas 78721.

S.M.A.R.T. Housing – Ownership - 1702 Deloney St., Austin, Texas 78721	
Total units: 45 units	
<u>Minimum Required:</u> 10% (5 units) at or below 80% MFI - Requirements for 25% fee waiver	<u>Proposed unit mix:</u> 10% (5 units) at or below 80% MFI
Affordability Period (S.M.A.R.T. units): 1 Year	
Fee waiver level: 25%	
AWU Capital Recovery Fees: 5/45 units eligible	

Note: This certification letter only reflects the minimum requirements for the relevant program (S.M.A.R.T. Housing). Should the owner choose to participate in other affordability programs, the development may be subject to additional affordability restrictions and/or a longer affordability period.

Because the applicant has proposed a unit mix that meets the minimum program thresholds, the development will be eligible for a waiver of fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance except for Austin Water Utility Capital Recovery Fees (see below). The fee waiver level is listed above. The project will be subject to its minimum affordability period after issuance of a certificate of occupancy, unless funding requirements are longer.

Based on the requirements under the Texas Local Government Code, Chapter 395.16(g) and 42 U.S.C. Section 12745 (A)(1) as it relates to how housing qualifies as affordable housing, only a certain number of units may be eligible to receive Austin Water Utility Capital Recovery Fee (CRF) waivers. The table above lists the number of units which are eligible to receive CRF fee waivers.

The Housing Department certifies the proposed project meets the S.M.A.R.T. Housing standards at the pre-submittal stage. The expected fee waivers may include the following fees:

AWU Capital Recovery
Fees
Building Permit

Concrete Permit
Electrical Permit
Mechanical Permit

Plumbing Permit

Site Plan Review
Construction Inspection
Demolition Permit Fee

Subdivision Plan Review
Parkland Dedication Fee
(by separate ordinance)
Regular Zoning Fee

Zoning Verification
Land Status Determination
Building Plan Review

Prior to issuance of building permits and starting construction, the developer must:

- ♦ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Contact Austin Energy Green Building: 512-482-5300 or greenbuilding@austinenergy.com).
- ♦ Submit plans demonstrating compliance with the required accessibility or visitability standards.

Before a Certificate of Occupancy will be granted, the development must:

- ♦ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ♦ Pass a final inspection to certify that the required accessibility or visitability standards have been met.
- ♦ An administrative hold will be placed on the building permit, until the following items have been completed: 1) the number of affordable units have been finalized and evidenced through a sealed letter from project architect and/or engineer, 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the certificate of occupancy has been issued or repay the City of Austin, in full, the fees waived for this S.M.A.R.T. Housing certification.

Please contact me by phone 512.978.1594 or by email at deadra.johnson@austintexas.gov if you need additional information.

Sincerely,

DeAdra Johnson

DeAdra Johnson, Project Coordinator
Housing Department

Cc: Kristin Martinez, AE

Jonathan Orenstein, AWU

Mashell Smith, ORS

Applicant Summary Letter from Application

n: March 26, 2024

**DRENNER
GROUP**

October 18, 2023

Ms. Lauren Middleton-Pratt
Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Re: 1702 Deloney Street – Zoning and Neighborhood Plan Amendment applications for the 2.027-acre property located at 1702 Deloney Street, in Austin, Travis County, Texas (the “Property”)

Dear Ms. Middleton-Pratt:

As representatives of the owner of the Property, we respectfully submit the enclosed zoning and Neighborhood Plan Amendment (NPA) applications for 1702 Deloney Street. The project is within the Full Purpose Jurisdiction of the City of Austin and consists of 2.027 acres of land, located on the west side of Deloney Street, south of MLK Jr. Boulevard, with Deloney Street adjacent to the east property line and EM Franklin Avenue adjacent to the west property line.


The Property is currently zoned SF-3-NP (Family Residence – Neighborhood Plan). The requested zoning is from SF-3-NP to MF-2-NP (Multifamily Residence Low Density – Neighborhood Plan). The purpose of this rezoning request is to allow for the development of for-rent, neighborhood scale residential uses. The vision of this project is to provide more diverse housing in the immediate area while maintaining low density, consistent with the surrounding zoning and uses.

The Property is located in the East MLK Combined Neighborhood Planning Area and has a Future Land Use Map (FLUM) designation of single-family. A Neighborhood Plan Amendment (NPA) application is being submitted in conjunction with this rezoning request to amend the FLUM from Single Family to Multifamily.

A Traffic Impact Analysis (TIA) is not required per the attached TIA Determination worksheet, executed by Adrianna Morrow, dated September 26, 2023.

Please let me know if you or your team members would like additional information or have any questions. Thank you for your time and we look forward to working with you as we move through this process.

Sincerely,

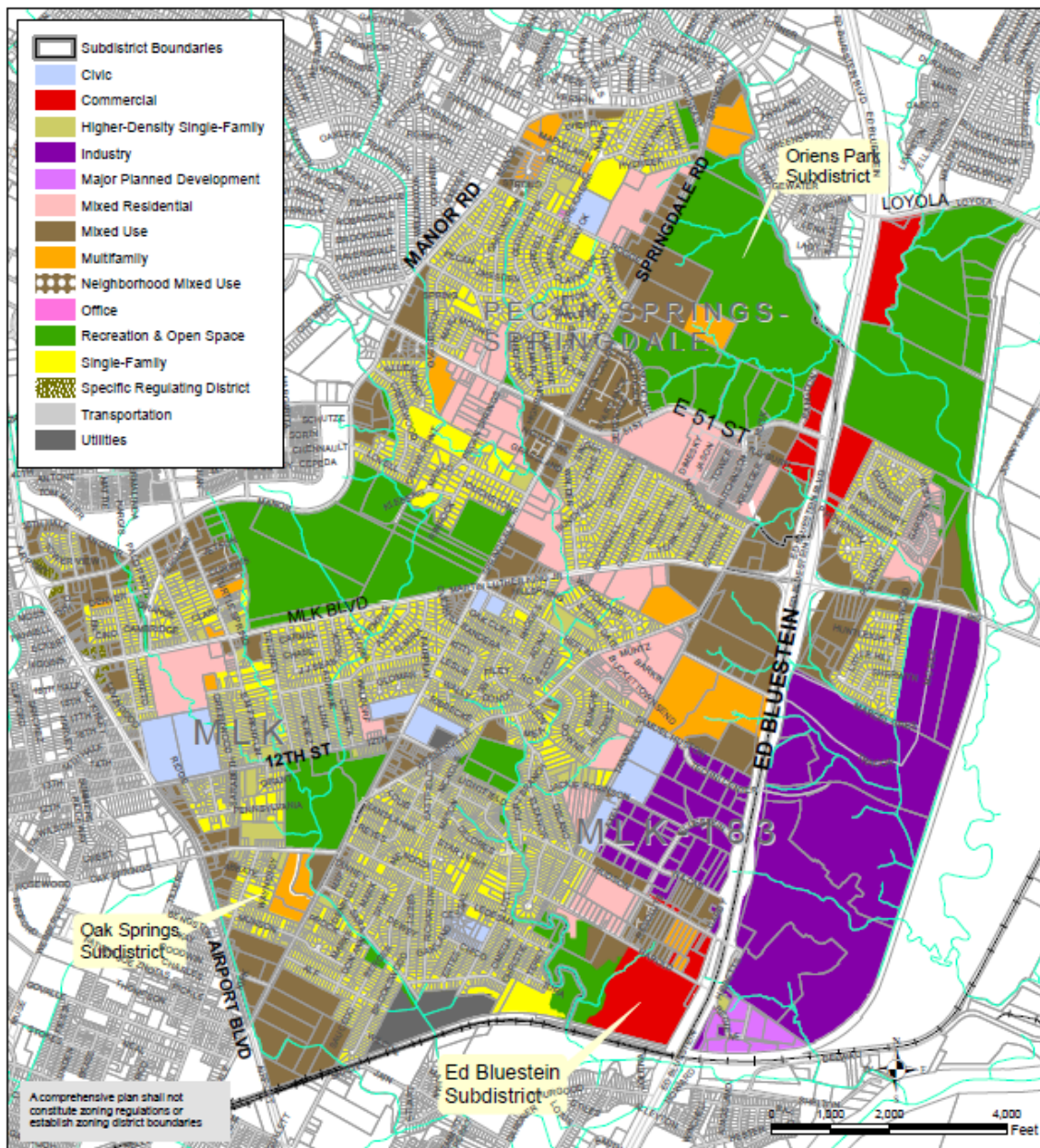

Leah M. Bojo

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

2705 Bee Caves Road Suite 100 | Austin, Texas 78746 | 512-807-2900 | www.drennergroupp.com

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

(No letter as of March 20, 2024)



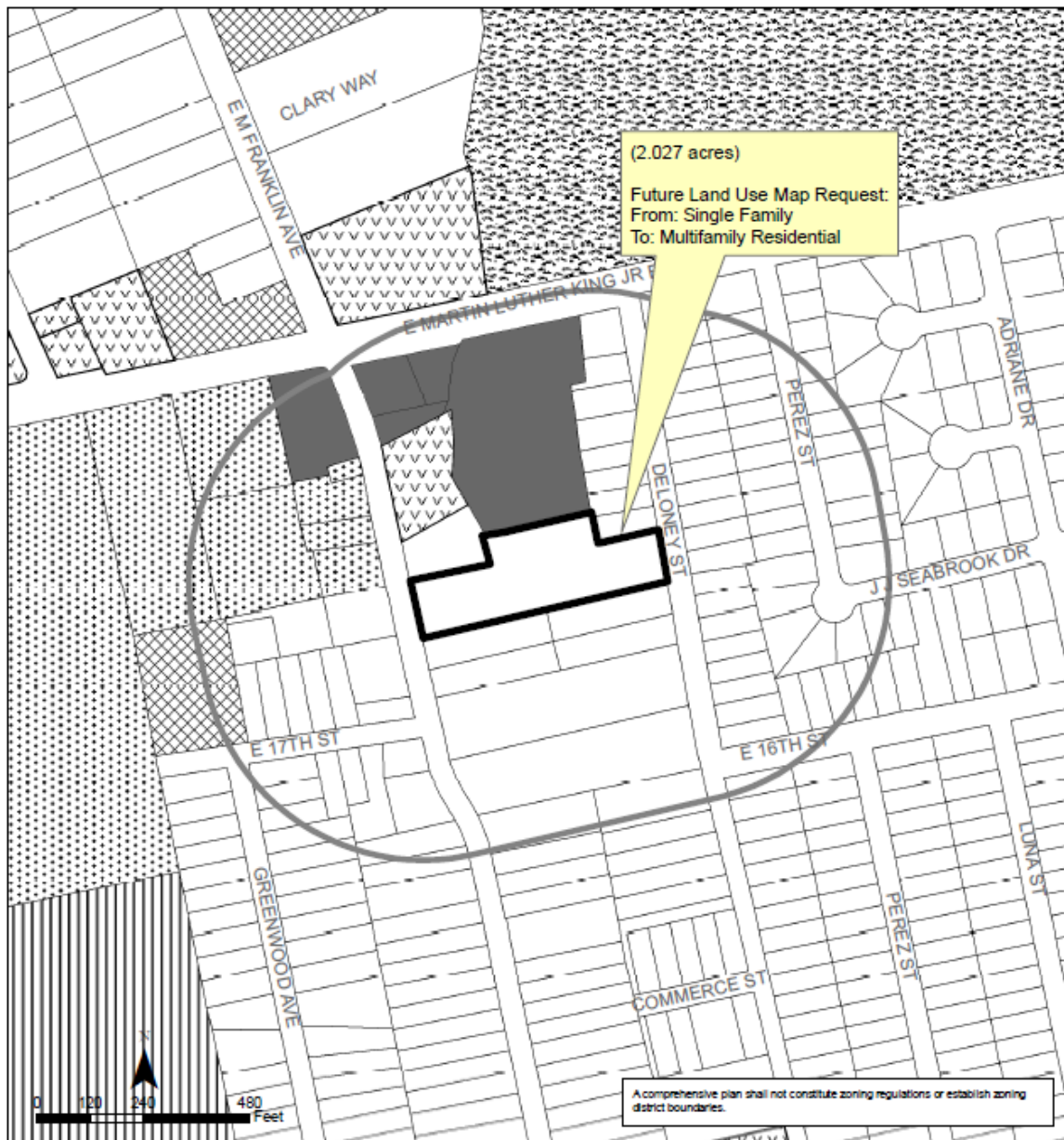
East MLK Combined Neighborhood Planning Area Future Land Use Map

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

City of Austin
Housing and Planning Department

Last Updated: 8/30/2023



East MLK Combined Neighborhood Planning Area NPA-2023-0015.05.SH

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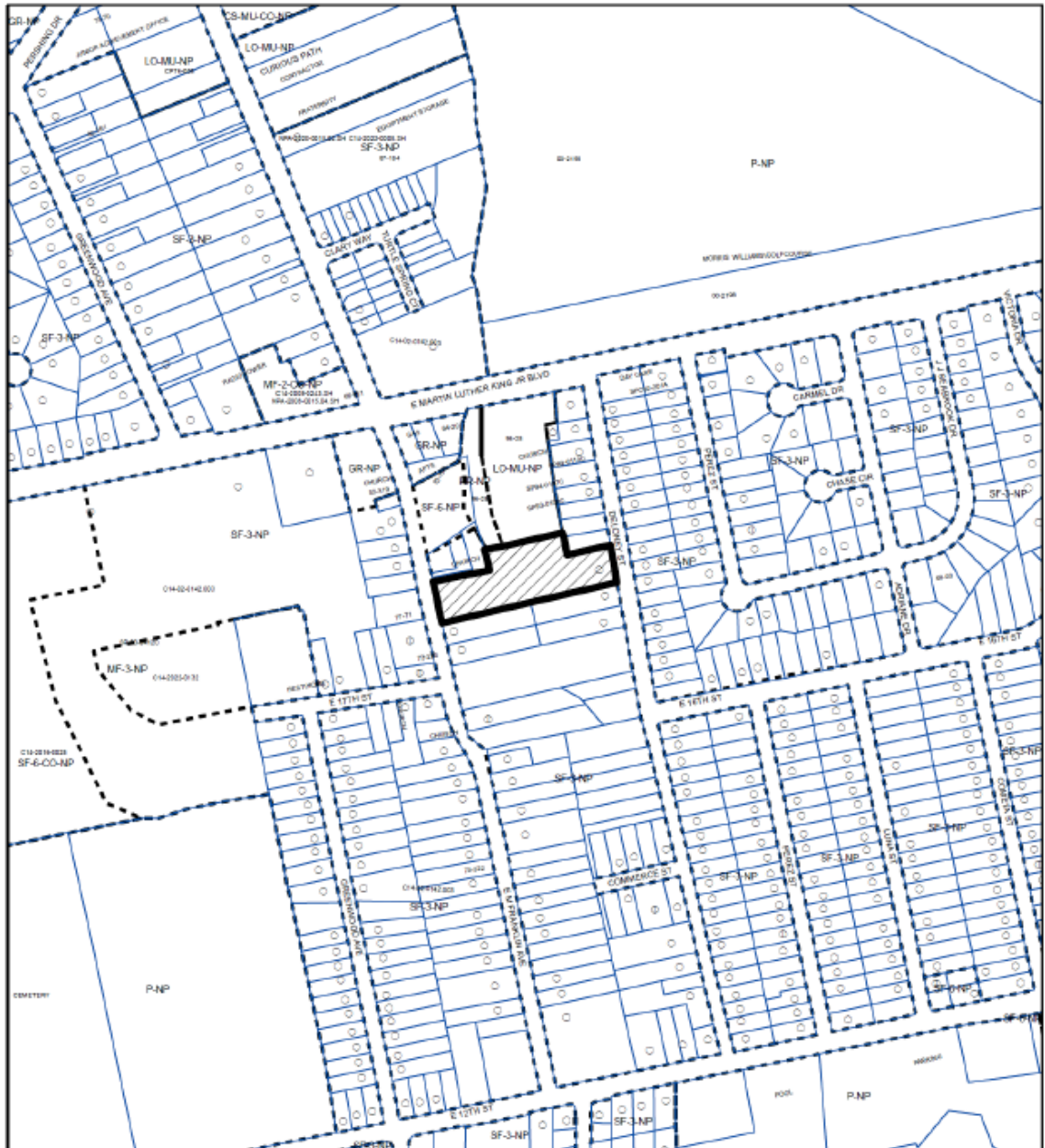
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City of Austin
Planning Department
Created on 12/5/2023, by: meekss

Future Land Use

	Subject Tract		Mixed Use
	500 ft. notif. boundary		Multi-Family
	Civic		Recreation & Open Space
	Higher-Density Single-Family		Single-Family
	Mixed Residential		



- ZONING**
- ZONING CASE#: C14-2023-0141.SH**
- SUBJECT TRACT
 - PENDING CASE
 - ZONING BOUNDARY

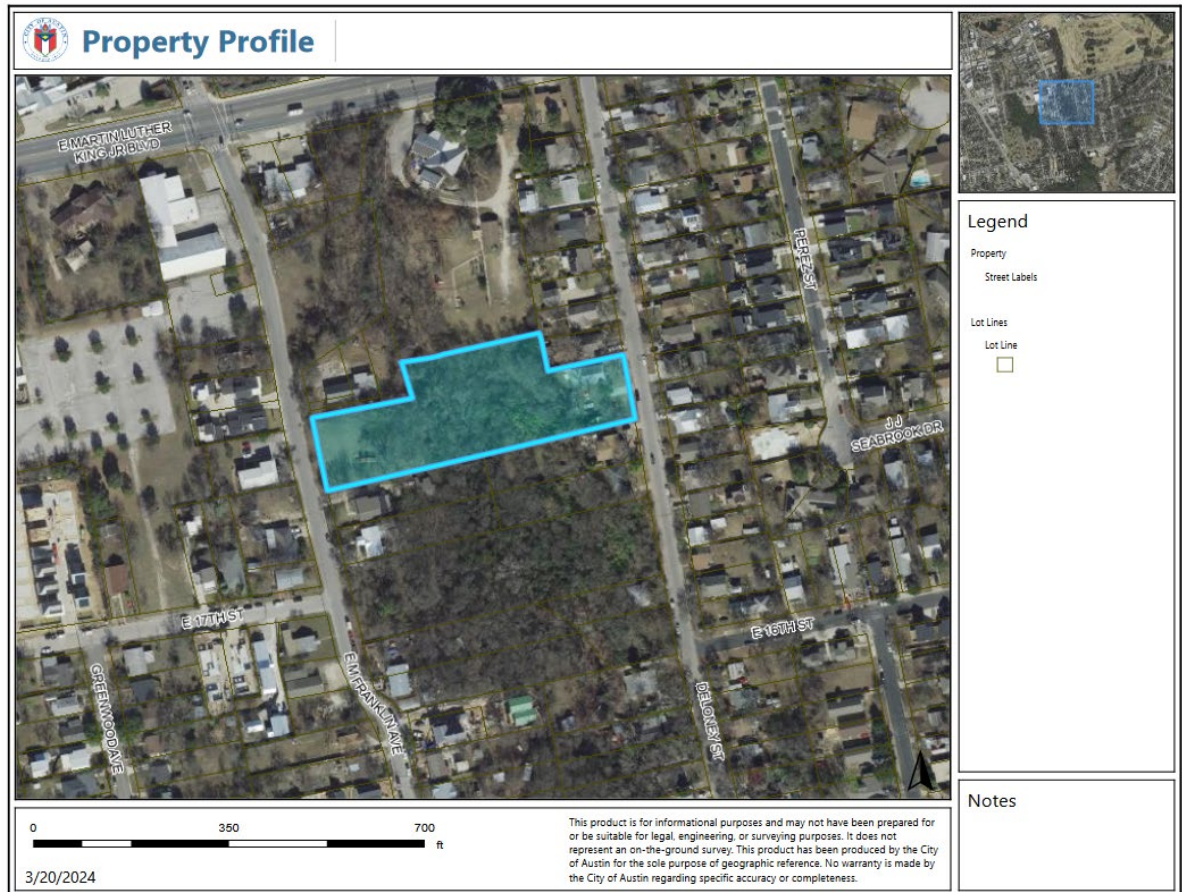
1" = 400'

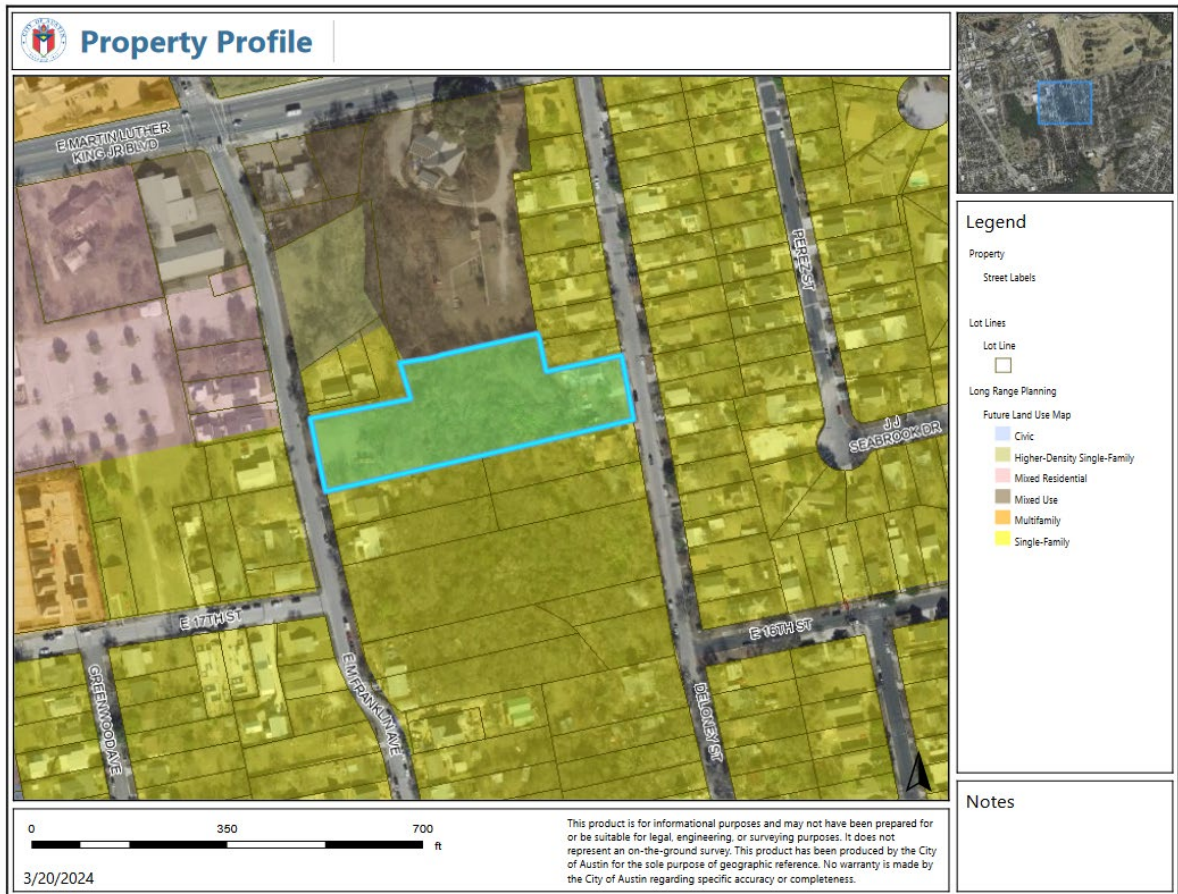
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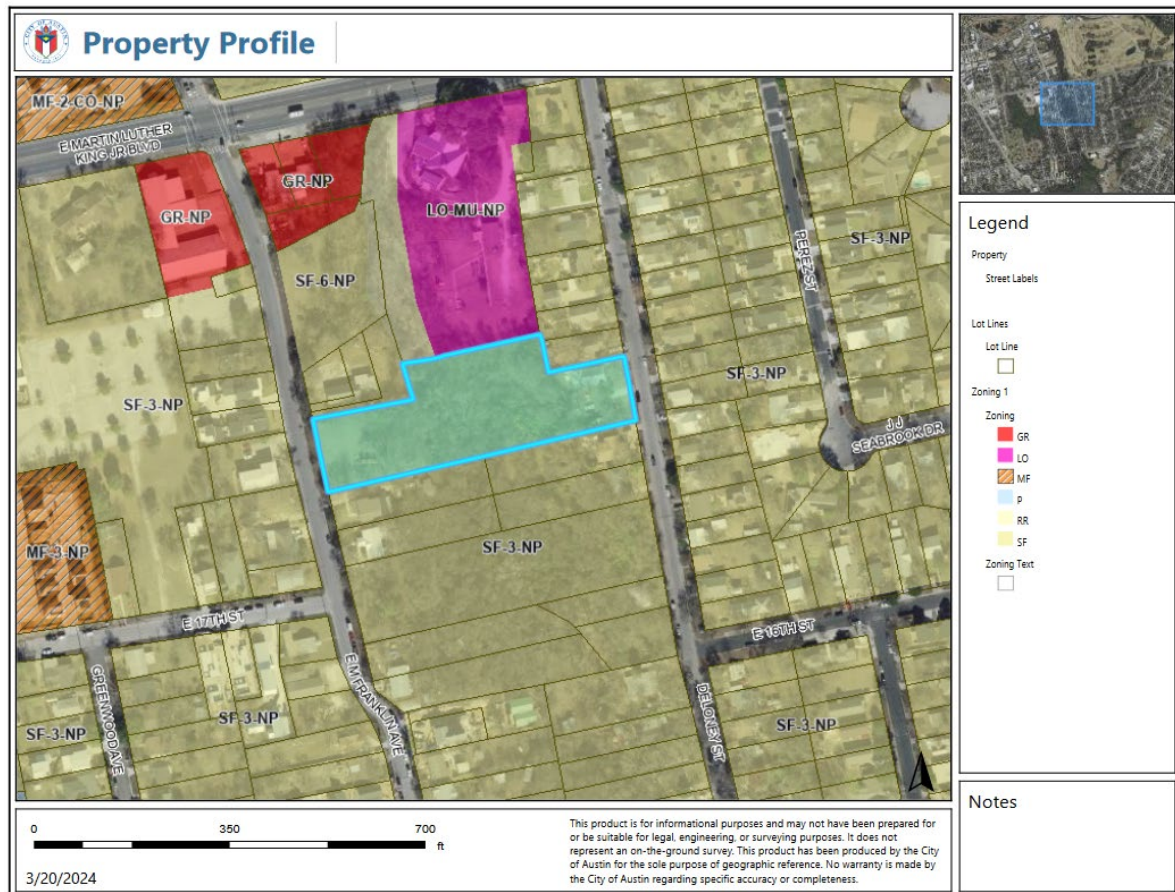
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Created: 11/15/2023







1702 Deloney Street

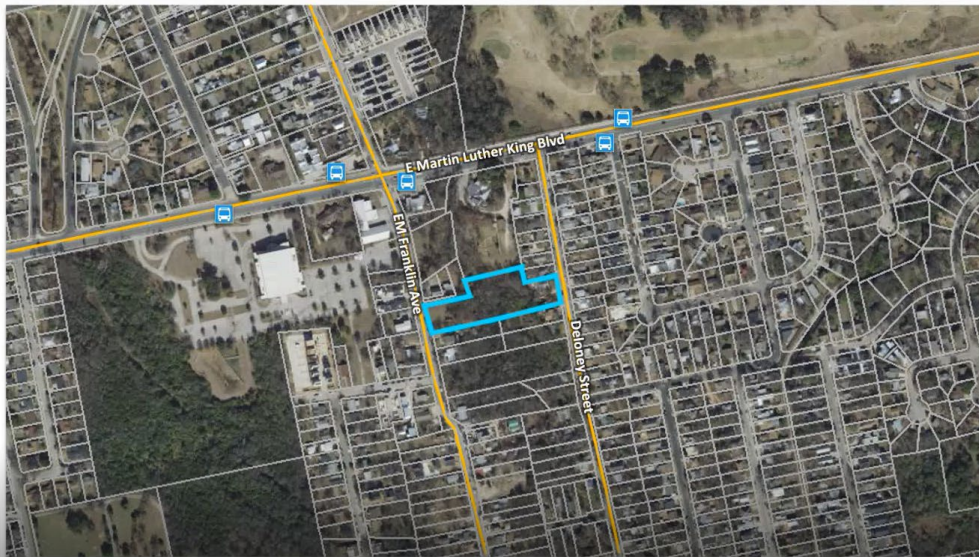
MLK NPA Meeting

NPA-2023-0015.05.SH & C14-2023-0141.SH

January 29, 2024

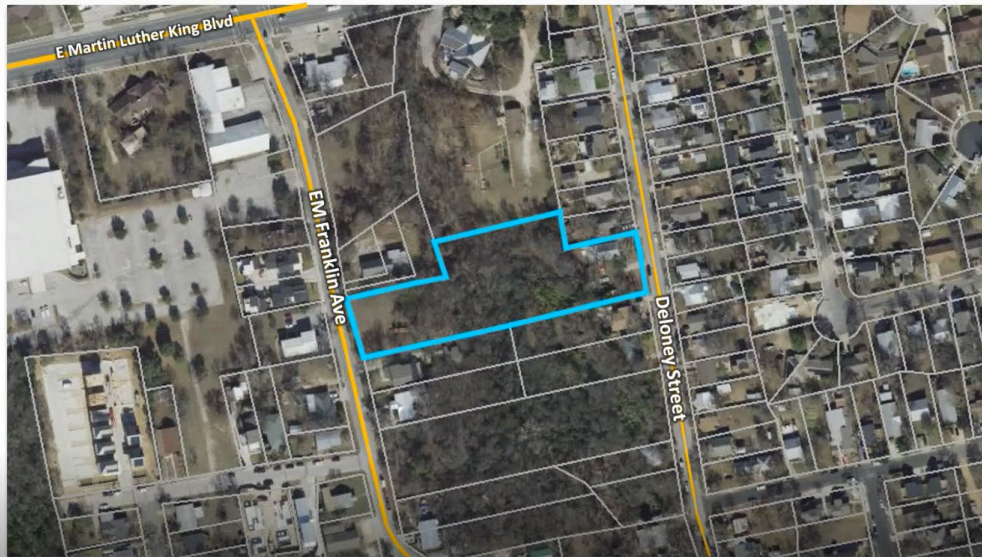
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Site Aerial



2

Site Aerial



3

Property Details

Size:

- 2.027 acres

Current Use:

- One single family structure

Transit/Access:

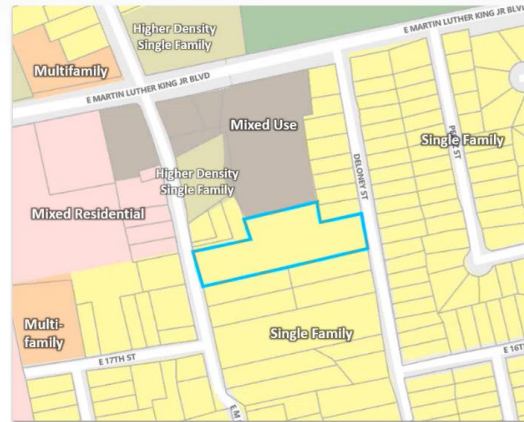
- Located between EM Franklin Ave. and Deloney St. just south of E MLK Jr. Blvd.
- Nearby Bike Infrastructure:
 - E MLK Blvd: Existing designated bike lane – *Protected bike lane planned*
 - EM Franklin Ave: *Proposed designated bike lane*
 - E 12th St: Existing designated bike lane – *Protected bike lane proposed*
- Nearby CapMetro Bus Stops:
 - Route 18 (EB and WB stops – Local route – 7 days/week)
 - Route 5 (EB and WB stops – Local route – 7 days/week)
- Nearby Urban Trails:
 - E MLK Jr. Trail – *Proposed*
 - Pershing Trail – *Completed and extension planned*
 - Givens District Park Trail – *Proposed*

4

Zoning and FLUM Map



SF-3-NP
(Family Residence – Neighborhood Plan)
to
MF-2-NP
(Multifamily Residence Low Density – Neighborhood Plan)



Single Family
to
Multifamily

5

Project Details

Proposed Use:

- Mixed residential uses
- Up to 55 mixed residential units
- S.M.A.R.T. Housing certified
 - 10% of units reserved for 80% MFI or below
 - 10% of units comply with ADA requirements
 - Min. 1-star Austin Energy Green Building rating

MF-2 Development Standards:

- Max. Height: 40' or 3 stories
- Max. Impervious Cover: 60%
- Max. Building Coverage: 50%

Vehicle Access:

- Driveway access on each street

6

Survey



Imagine Austin Goals

LUT P6. Ensure that neighborhoods of modest means have a mix of local-serving retail, employment opportunities, and residential uses.

HN P1. Distribute a variety of housing types throughout the City to expand the choices available to meet the financial and lifestyle needs of Austin's diverse population.

Agent Information

Leah M. Bojo

Email: lbojo@drennergroupp.com

Phone: 512-807-2918

Correspondence Received

No correspondence received.