

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0048 – 7500 Burnet

DISTRICT: 7

ADDRESS: 7500 Burnet Road and 2412 Richcreek Road

ZONING FROM: CS

TO: ~~CS-MU-V~~

CS-MU-V-DB90, as amended

SITE AREA: 0.6248 acres (27,216 square feet)

PROPERTY OWNER: 7500 Burnet LP & Allandale Commons LLC, (Case Lowry)

AGENT: Alice Glasco Consulting, (Alice Glasco)

CASE MANAGER: Nancy Estrada, 512-974-7617, nancy.estrada@austintexas.gov

STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – mixed use – vertical mixed use building – conditional overlay – density bonus 90 (CS-MU-V-CO-DB90) combining district zoning. The conditional overlay will prohibit: Alternative Financial Services, Adult-Oriented Business, Bail Bond Services, Construction Sales & Services, Limited Warehouse and Distribution, Outdoor Entertainment, Outdoor Sports and Recreation, Theater, Pawn Shop Services, Service Station, and Vehicle Storage. For a summary of the basis of Staff's recommendation, see pages 3 - 5.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

August 20, 2024:

August 6, 2024: *APPROVED A POSTPONMENT REQUEST BY THE STAFF TO AUGUST 20, 2023*

[D. FOUTS; R. PUZYCKI – 2nd] (7-0) A. FLORES, L. STERN – ABSENT; TWO VACANCIES ON THE DIAS

December 19, 2023: *APPROVED CS-MU-V-CO DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT*

[B. GREENBURG; A. FLORES – 2nd] (8-0) S. BOONE, L. STERN – ABSENT; ONE VACANCY ON THE DIAS

November 21, 2023: *APPROVED A POSTPONMENT REQUEST BY THE APPLICANT TO DECEMBER 19, 2023*

[B. GREENBURG; L. STERN – 2nd] (9-0) S. BOONE – OFF THE DAIS

November 14, 2023: *POSTPONED BY THE ZONING AND PLATTING COMMISSION TO NOVEMBER 21, 2023*

[B. GREENBURG; A. FLORES – 2nd] (9-0) S. BOONE, C. THOMPSON – ABSENT

October 3, 2023: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO NOVEMBER 14, 2023*

[A. FLORES; D. FOUTS – 2nd] (10-0) C. ACOSTA – ABSENT

September 19, 2023: *APPROVED A POSTPONMENT REQUEST BY THE STAFF TO OCTOBER 3, 2023*

[B. GREENBURG; A. FLORES – 2nd] (7-0) S. BOONE, K. GARRETT, C. THOMPSON – ABSENT

CITY COUNCIL ACTION:

March 7, 2024: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY THE APPLICANT.*

VOTE: 9-0. Council Members A. Alter and R. Alter were off the dais.

February 29, 2024: *APPROVED A POSTPONEMENT REQUEST BY THE APPLICANT TO MARCH 7, 2024.*

VOTE: 11-0.

February 1, 2024: *FIRST READING APPROVED AS ZONING and PLATTING COMMISSION RECOMMENDED. Motion sheet read into the record to add Outdoor Entertainment, Outdoor Sports and Recreation, and Theater to the list of Prohibited Uses.*

VOTE: 11-0.

ORDINANCE NUMBER:

ISSUES:

UPDATE: On March 7, 2024, the applicant requested an Indefinite Postponement. Subsequently, the applicant has amended their rezoning application to request the new (DB90) combining district. A density bonus (DB) combining district authorizes a particular property to participate in a voluntary density bonus or incentive program that provides modifications to development regulations or other regulatory-related benefits in exchange for community benefits.

In addition, the rezoning area was amended to add a 0.27 acre adjacent lot to the west located at 2412 Richcreek Road. This lot is currently developed with 18 multifamily units.

CASE MANAGER COMMENTS:

The subject rezoning area is currently 0.62 acres located at the intersection of Burnet Road and Richcreek Road. It consists of both lots located at 7500 Burnet Road and 2412 Richcreek Road. To the north are auto services (CS); directly to the west are single family residences (SF-2); Burnet Road is immediately to the east; and across Burnet Road are more commercial services (CS-V-CO-NP). Commercial uses, including automotive repair services and consumer repair services, are located to the south. (CS; CS-1). *Please refer to Exhibits A (Zoning Map) and A-1 (Aerial-View)*

The applicant has amended their request to general commercial services – mixed use – vertical mixed use building – density bonus 90 (CS-MU-V-DB90) combining district zoning and is proposing to develop 85 multifamily units and 2,000 square feet of retail. Access is being proposed from Burnet Road.

The vertical mixed use building designation and the density bonus 90 combining district allow for residential and commercial development. A development utilizing either the (-V) or (DB90) combining district zoning must include an affordability component for residential use in order to obtain incentives.

The provision of additional housing options is a priority of the City of Austin. A diverse range of commercial and multifamily residential uses currently exist along the Burnet Road Activity Corridor. The property is also supported by four Capital Metro bus stops within a quarter mile, including one MetroRapid route.

Staff is recommending (CS-MU-V-CO-DB90) combining district zoning due to the property having access and frontage on Burnet Road, a major arterial roadway. The proposed Conditional Overlay would consist of the prohibited uses listed above. The Applicant is in agreement with the proposed Conditional Overlay that has been incorporated in the Staff recommendation.

BASIS OF RECOMMENDATION:

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

The proposed general commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The Vertical Mixed Use Building (V) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed use building. The Conditional Overlay (CO) combining district may be applied in combination with any base district. The district is intended to provide flexible and

adaptable use or site development regulations by requiring standards tailored to individual properties. The Density Bonus 90 (DB90) combining district, in exchange for providing affordable housing units and in combination with commercial base zoning districts, allows a mixture of office, retail, commercial, and residential uses with modifications of compatibility standards and site development regulations including increased building height.

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

Staff is recommending (CS-MU-V-CO-DB90) zoning for the subject property based on the following considerations: 1) its location on Burnet Road, a major arterial, which is a part of the ASMP Transit Priority Network, 2) it is consistent with existing adjacent (CS) commercial zoning to the north, south and east, 3) and this site is located within 0.25 miles of four public transit bus stops, including a Metro Rapid Bus Route.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS	Surface parking; Previous Auto Sales
<i>North</i>	CS	Auto Services
<i>South</i>	CS; CS-1; SF-2	Auto Services; Commercial Services; Single family residences
<i>East</i>	CS-V-CO-NP; CS-CO-NP	Commercial Services
<i>West</i>	SF-2	Single family residences

NEIGHBORHOOD PLANNING AREA: N/A

WATERSHED: Shoal Creek - Urban

SCHOOLS: Austin Independent School District

Gullett Elementary School Lamar Middle School McCallum High School

COMMUNITY REGISTRY LIST:

- | | |
|--|------------------------------------|
| Allandale Neighborhood Association | Austin Lost and Found Pets |
| Austin Neighborhoods Council | Friends of Austin Neighborhoods |
| Austin Independent School District | Lower District 7 Green |
| Homeless Neighborhood Association | Shoal Creek Conservancy |
| North Austin Neighborhood Alliance | SELTexas |
| Neighborhood Empowerment Foundation | NW Austin Neighbors |
| Sierra Club, Austin Regional Group | Crestview Neighborhood Association |
| Crestview Neighborhood Plan Contact Team | |

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2024-0076 – 7320 Burnet Road	CS-MU-V-CO to CS-MU-V-CO-DB90	To Grant CS-MU-V-CO-DB90 & maintain CO of prohibited uses (6/18/2024)	Pending
C14-2023-0077 – 7320 Burnet Road	CS to CS-MU-V	To Grant CS-MU-V-CO w/ CO of prohibited uses (10/17/2023)	Apvd CS-MU-V-CO as Commission recommended (11/30/2023)

RELATED CASES:

There are not any related cases.

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 7500 BURNET RD. C14-2023-0048. 0.35 acres from CS to CS-MU-V-DB90. Parking lot to 50 Multifamily Apts. and 2,000 sq. ft. of Retail. Note that this is an amendment to a previous application, which is now seeking Density Bonus 90, and while the original zoning application indicates no units as affordable, attainment of DB90 will meet Housing Affordability measure standards. Proposal seeks Density Bonus 90 Combining District (Ordinance No. 20240229-073), which sets affordability minimums on ownership and rental units, and further allows for an increase of up to 30 ft in height above the base zone allowance, with a maximum limit of 90 feet in total height. DB90 additionally releases the site from some base zoning district development standards, including maximum floor area ratio.

Yes	Imagine Austin Decision Guidelines
Complete Community Measures *	
Y	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. Names of Activity Centers/Activity Corridors/Job Centers *:
Y	Mobility and Public Transit *: Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> • Burnet Rd is a Metro Rapid Bus Route; adjacent to bus stop at intersection of Richcreek Rd and Burnet Rd
Y	Mobility and Bike/Ped Access *: Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> • Sidewalk present along Burnet Rd
Y	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"> • 0.50 miles to Northcross Center Shopping Mall; various goods and services along Burnet Rd and W Anderson Ln.
Y	Connectivity and Food Access *: Provides or is located within 0.50 miles of a grocery store/farmers market. <ul style="list-style-type: none"> • 0.50 miles to Walmart Supercenter
Y	Connectivity and Education *: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> • 0.40 miles to Rosedale Special Education School

Y	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"> • 0.50 miles to Beverly S. Sheffield Northwest District Park
Y	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.)
Y	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.
Y	Housing Affordability *: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Y	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).
	Culture and Historic Preservation : Preserves or enhances a historically and/or culturally significant site.
	Creative Economy : Expands Austin’s creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education : Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land : Preserves or enhances industrial land.
	Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone
11	Number of “Yes’s”

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

PARD – Planning & Design Review

Parkland dedication will be required for the new applicable uses proposed by this development, multifamily and retail with CS-MU-V-DB90 zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-609.

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

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 used or zoned as 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 West property line. On and after July 15th, 2024, this site will need to comply with compatibility requirements based on ordinance # 20240516-004.

This tract is already developed, and the proposed zoning change is a footprint within the existing development.

DB90 Rezoning

This site must meet affordability minimums to be eligible for DB90. A signed approval letter from the Housing Department will be required with site plan submittal.

Burnet Road is the Principal Street for this site. Any buildings fronting this street will be required to have 75% of the ground floor as commercial uses.

This site is adjacent to a site that contains one to three dwelling units and is zoned SF-5 or more restrictive. A compatibility buffer 25' in width, designed to 25-8-700 and 25-2-652(G) will be required.

Austin Transportation Department – Engineering Review

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

The Austin Strategic Mobility Plan (ASMP) calls for 120 feet of right-of-way for Burnet Rd. It is recommended that 60 feet of right-of-way from the existing centerline should be dedicated with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

A traffic impact analysis is not required.

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Richcreek Road	Level 1 – Residential Collector	58	61	39	No	No	Yes
Burnet Road	Level 3 – Major Arterial	120	115	60	Yes	No	Yes

Austin Water Utility

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.

Based on current public infrastructure configurations, it appears that 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.

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.

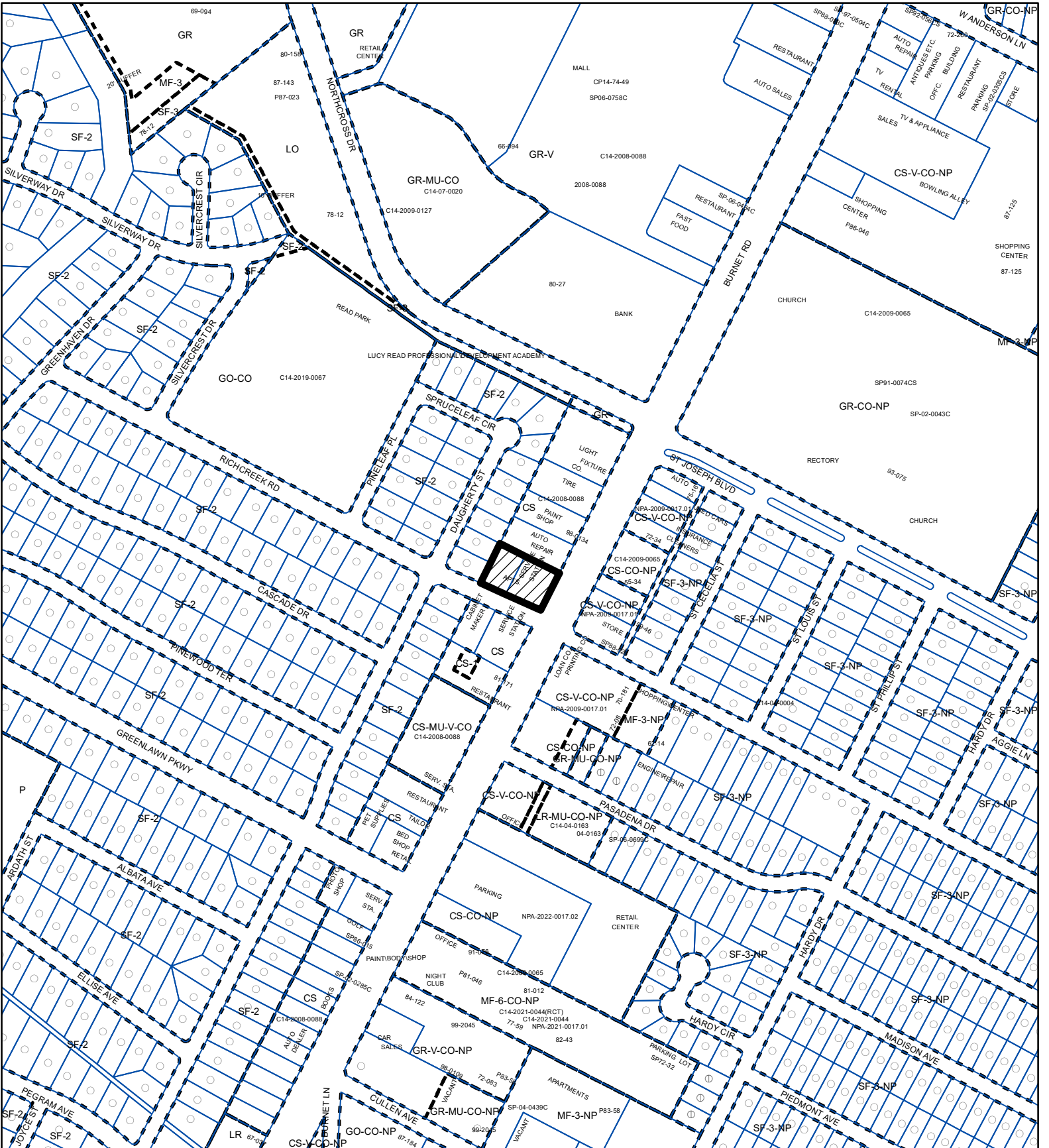
INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibit A: Zoning Map
Exhibit A-1: Aerial Map

Exhibit B: Email from Applicant
Exhibit B-1: Travis Central Appraisal District Letter
Exhibit B-2: Termination of Private Restrictive Covenant

UPDATED - Clarification memo for Zoning & Platting Commission
Clarification memo for Zoning & Platting Commission

Correspondence






ZONING

ZONING CASE#: C14-2023-0048

EXHIBIT A



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

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

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



Created: 6/14/2024

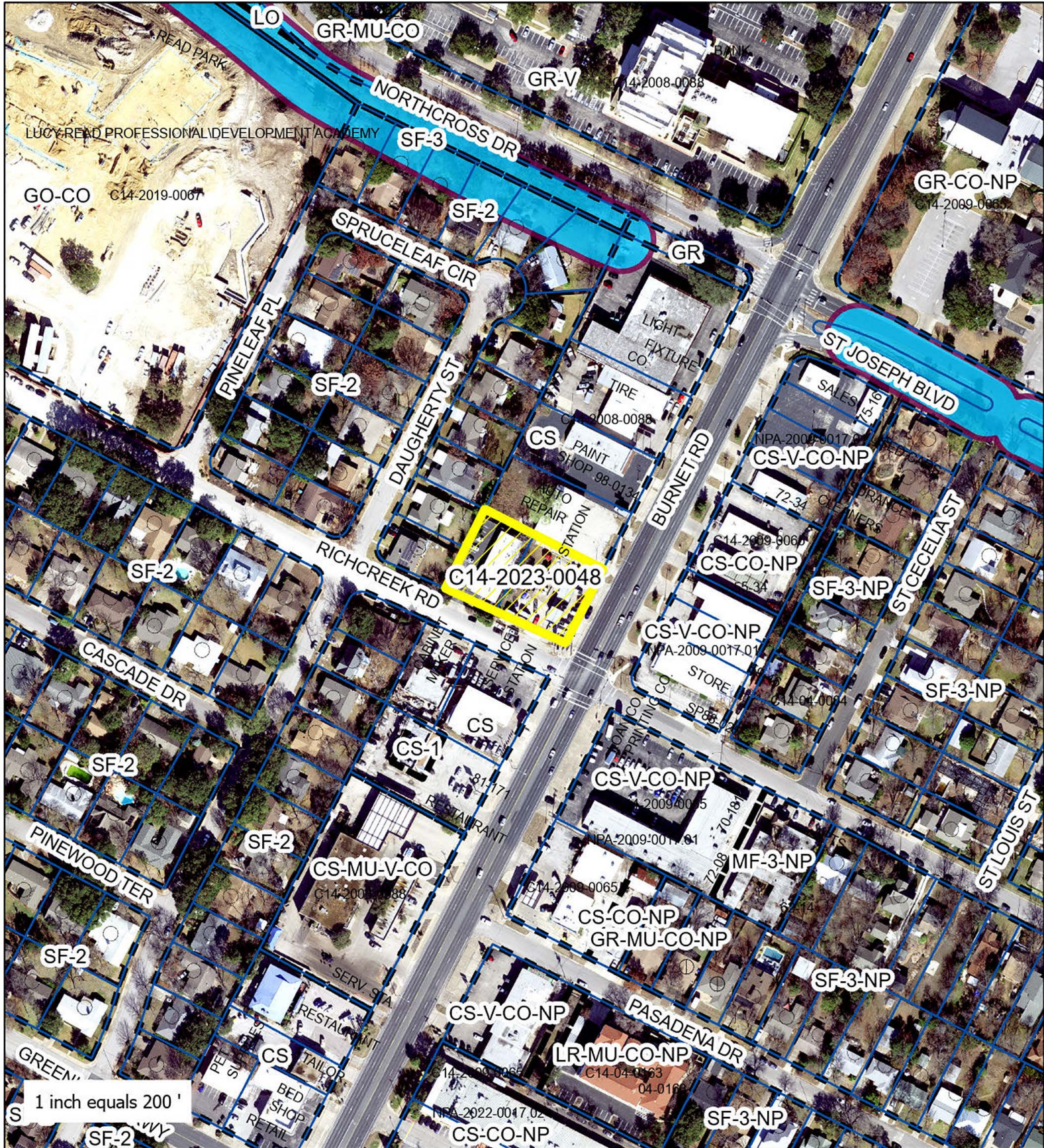






EXHIBIT A-1

7500 Burnet Road & 2412 Richcreek Road



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

ZONING CASE#: C14-2023-0048
 LOCATION: 7500 Burnet Road
 2412 Richcreek Road
 SUBJECT AREA: 0.624 Acres
 MANAGER: Nancy Estrada



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.

Attachments: [Release of Regulatory Agreement - Allandale \(recorded\).pdf](#)
[TCAD No 2023 Tax Exemption.pdf](#)

From: Alice Glasco
Sent: Wednesday, November 29, 2023 10:17 AM
To: Garrett, Kendra - BC <BC-Kendra.Garrett@austintexas.gov>
Cc: Smith, Hank - BC <bc-Hank.Smith@austintexas.gov>; Estrada, Nancy <Nancy.Estrada@austintexas.gov>; Connolly, Joao - BC <BC-Joao.Connolly@austintexas.gov>; anthony; Griff Whalen
Subject: FW: 7500 Burnet Rezoning Case - Private RC Termination

External Email - Exercise Caution

Dear Commissioner Garrett,
Related to the 7500 Burnet zoning case (which is on the 12/19/23 Zoning & Platting Commission agenda), my client has terminated the private restrictive covenant that you inquired about via our case manager, Nancy Estrada (see attachment 1). Also attached is proof of no tax exemption for 2023. I hope these two documents help address any confusion. Since we have support from the Allandale Neighborhood Association, we hope that this case can get acted upon by the commission on 12/19.

=====
Alice Glasco, President
Alice Glasco Consulting
512-231-8110 W
512-626-4461 C

CAUTION: This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook or forward to cybersecurity@austintexas.gov.

TRAVIS CENTRAL APPRAISAL DISTRICT

BOARD OFFICERS
 JAMES VALADEZ
 CHAIRPERSON
 THERESA BASTIAN
 VICE CHAIRPERSON
 NICOLE CONLEY
 SECRETARY/TREASURER



MARYA CRIGLER
 CHIEF APPRAISER

BOARD MEMBERS
 TOM BUCKLE
 DEBORAH CARTWRIGHT
 OSEZUA EHIYAMEN
 BRUCE ELFANT
 VIVEK KULKARNI
 ELIZABETH MONTOYA
 BLANCA ZAMORA-GARCIA

7500 BURNET LP
 2003 S LAMAR BLVD STE 1
 AUSTIN, TX 78704-3373

11/20/2023

Property ID:	239127
Tax Year	2023
Location:	7500 BURNET RD, TX 78757
Parcel:	02360509200000

Dear owner:

Your organization is currently receiving tax exempt status as a Low-Income Housing organization as defined by Sec 11.1825 of the Texas Property Tax Code. The exemption claimed in the previous year must be applied for annually, per Sec 11.43(d) of the Texas Property Tax Code. You must file a completed application form before May 1. Pursuant to Section 11.43(e), of the Texas Property Tax Code, "...if a person required to apply for an exemption in a given year fails to file timely a complete application form, the person may not receive the exemption for that year." **We did not receive an application for the tax year 2023, so therefore the exemption has been removed.**

If you choose to challenge this determination, you have 30 days from the receipt of this notice to submit a written protest to the Appraisal Review Board. Upon a timely filed protest, a hearing will be scheduled before the Appraisal Review Board and you will be notified of the date and time of that hearing.

If you have any questions regarding this matter, please call at 512-834-9138.

Sincerely,

Exemptions
 Travis Central Appraisal District

P.O. BOX 149012

850 E ANDERSON LANE

AUSTIN, TEXAS 78714-9012

(512) 834 9317

WWW.TRAVISCAD.ORG



Dyana Limon-Mercado

Dyana Limon-Mercado, County Clerk
Travis County, Texas

Nov 27, 2023 04:05 PM Fee: \$42.00

2023132673

Electronically Recorded

After recording return to:
Locke Lord LLP
300 Colorado Street, Suite 2100
Austin, Texas 78701
Attn: Samuel Hagerty

**RELEASE OF REGULATORY AGREEMENT
AND DECLARATION OF RESTRICTIVE COVENANTS**

Dated as of November 27,2023

STATE OF TEXAS §

COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

REFERENCE is hereby made to the following Regulatory Agreement and Declaration of Restrictive Covenants dated as of January 26, 2022, executed by and among Lone Star Housing and Community Development Corporation, a Texas non-profit corporation, as beneficiary (the “**Beneficiary**”), and 7500 Burnet LP, a Texas limited partnership, as grantor (the “**Owner**”), and recorded under Document No. 2022034695 in the Official Public Records of Travis County, Texas (this “**Agreement**” or the “**Regulatory Agreement**”).

WHEREAS, Beneficiary and Owner agreed to provide affordable housing to low income people through the acquisition, development, ownership, and operation of a rental complex in Austin, Travis County, Texas, commonly known as “7500 Burnet” (the “**Project**”) on the land described in Exhibit A (the “**Land**”);

WHEREAS, Beneficiary and Owner entered into this Agreement to ensure that certain units in the Project are held for an affordable housing use which allowed the Owner to receive an exemption from ad valorem taxation;

WHEREAS, Section 4 of the Regulatory Agreement provides this Agreement shall remain in full force and effect for so long as the Owner of the property is obtaining an exemption from ad valorem taxation;

WHEREAS, Section 5 of the Regulatory Agreement provides that upon the termination of this Agreement said covenants, reservations and restrictions on the Land shall expire;

WHEREAS, the Owner has represented and warranted to the Beneficiary that all applicable terms of the Regulatory Agreement have been complied with and the exemption from ad valorem taxation is no longer needed;

WHEREAS, based on the representations and warranties of the Owner, and in accordance with Section 5 of the Regulatory Agreement, the Beneficiary and the Owner desire to enter into this Release in order to evidence the termination and release of the Regulatory Agreement;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and agreed, the Beneficiary and the Owner hereby terminate the Regulatory Agreement and RELEASE and DISCHARGE the Land from all restrictions, conditions, and requirements evidenced by the Regulatory Agreement.

[Signature Page(s) Follow]

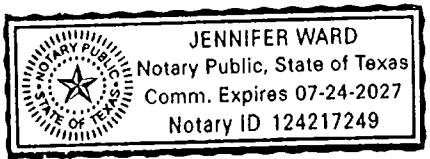
BENEFICIARY:

**LONE STAR HOUSING AND COMMUNITY
DEVELOPMENT CORPORATION,**
a Texas non-profit corporation

By: Michelle Grandt
Michelle Grandt
Executive Director

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 27th day of November, 2023, by Michelle Grandt, Executive Director of Lone Star Housing and Development Corporation, a Texas non-profit corporation, on behalf of said corporation.



Jennifer Ward
Notary Public in and for the State of Texas

EXECUTED to be effective as of the date set forth above.

OWNER: **7500 BURNET LP,**
a Texas limited partnership

By: 7500 Burnet GP LLC,
a Texas limited liability company,
its general partner

By: Lone Star Housing and Community
Development Corporation,
a Texas non-profit corporation,
its sole member

By: Michelle Grandt
Michelle Grandt
Executive Director

STATE OF TEXAS

§
§
§

COUNTY OF TRAVIS

This instrument was acknowledged before me on this the 27th day of November, 2023, by Michelle Grandt, Executive Director of Lone Star Housing and Community Development Corporation, a Texas non-profit corporation, the sole member of 7500 Burnet GP LLC, a Texas limited liability company, the general partner of 7500 Burnet LP, a Texas limited partnership, on behalf of said limited partnership.

Jennifer Ward
Notary Public in and for the State of Texas

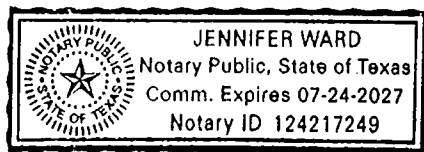


EXHIBIT A

LAND

Lot 2, Block R, ALLANDALE PARK SEC. 5, according to the map or plat thereof recorded in Volume 15, Page 41, Plat Records, Travis County, Texas, SAVE AND EXCEPT the Westerly 85 feet thereof recorded in Volume 3145, Page 1653, Deed Records, Travis County, Texas.



MEMORANDUM

TO: Hank Smith, Chair
Zoning and Platting Commission Members

FROM: Nancy Estrada
Planning Department

DATE: December 14, 2023

RE: **UPDATED – C14-2023-0048 – 7500 Burnet Road Rezoning**

The following provides additional information for the above referenced rezoning case. The applicant has requested (CS-MU-V) combining district zoning for the development of 50 multifamily units and 2,000 square feet of retail. The intent of the vertical mixed use building (-V) combining district zoning would be to provide a development with affordable housing per the City of Austin requirements.

The Staff recommendation is to grant general commercial services – mixed use – vertical mixed use building – conditional overlay (CS-MU-V-CO) combining district zoning.



MEMORANDUM

TO: Hank Smith, Chair
Zoning and Platting Commission Members

FROM: Nancy Estrada
Planning Department

DATE: November 14, 2023

RE: **C14-2023-0048 – 7500 Burnet Road Rezoning**

The following provides additional information for the above referenced rezoning case. The applicant has requested (CS-MU-V) combining district zoning for the development of 50 multifamily units and 2,000 square feet of retail. The intent of the vertical mixed use building (-V) combining district zoning would be to provide a development with affordability levels as required by Ordinance No. 20220609-080. A development with rental units would require an affordability level of 10% of units at 60% MFI for at least 40 years.

The Staff recommendation is to grant general commercial services – mixed use – vertical mixed use building – conditional overlay (CS-MU-V-CO) combining district zoning.

From: [joer_tex](#)

Sent: Tuesday, August 6, 2024 1:13 PM

To: Estrada, Nancy <Nancy.Estrada@austintexas.gov>

Subject: Neighborhood Opposing C14-2023-0048

Nancy, the neighbors are opposing the inclusion of the apartments at 2412 Richcreek in the rezoning footprint. Those apartments are a classic "Missing Middle. It has 18 apartments affordable to single school teachers, and elderly living on fixed income. Several residents have been there for 30 years. Some are disabled - one has recently had a stroke, but still living "on his own" with watch from his neighbor friends. And, they are neighbors, part of the Daugherty and Richcreek social community.

The new Application only proposes 8 affordable units, demolishing 18 to get that benefit for the developer.

Please consider the status of the apartments when listing, or not, 'support' for the application.

The apartments are in the oldest image that Google Earth has of the location, in 1993. Here's today.

For any additional questions or concerns, contact CSIRT at "cybersecurity@austintexas.gov".

For the ANA Zoning Committee

Joseph Reynolds
2611 West 49th St
Austin, Texas 78731



From: [Amber Scott](#)
To: [Moses, Dana](#)
Subject: CASE # C14-2023-0048
Date: Friday, September 15, 2023 6:01:41 PM

External Email - Exercise Caution

Hello,

Zoning is created for a reason and changing the zoning affects nearby home values negatively, endangers residents walking in the streets, and should not be allowed. Why is this case being considered in the Allandale neighborhood? What is the point of zoning plans if they can just be changed by a simple application of a company looking to make money off that change? The Allandale neighborhood does not support this zone change and would be negatively affected.

There is no room for any parking near this location, the nearby streets are already full each day with employees and customers of the surrounding commercial businesses and the school 100 ft away. Having a building with that many units vertically will negatively affect the Allandale neighborhood and cause over congestion and extreme parking issues and unsafe street conditions surrounding the school on Richcreek Rd. Children and homeowners frequent these streets and sidewalks and can not have an excess of 50+ additional cars pulling in and out and endangering their path to education. There will also be privacy concerns for such a tall building near a community that has height restrictions.

Thank you,
Amber Scott
Neighbor of proposed plot

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