

Zilker Neighborhood Association

2009 Arpdale ♦ Austin, TX 78704 ♦ 512-447-7681

May 14, 2021

Re: Rezoning of 2700 South Lamar, Case C14-2020-0144

To: Planning Commission
c/o Kate Clark, Case Manager
City of Austin Zoning Department
Via Email: Kate.Clark@austintexas.gov

Dear Commissioners,

The Zoning Committee of the Zilker Neighborhood Association, based on our detailed understanding of redevelopment issues on the western side of South Lamar, opposes the rezoning application at 2700 S. Lamar (C14-2020-0144), and any other upzoning request at this location. The requested rezoning to the most intense multifamily district, MF-6, is not appropriate here because:

- the property is in an environmentally sensitive area,
- the current zoning entitlements already exceed the site's capacity for redevelopment,
- the current zoning entitlements exceed the capacity of the area's infrastructure in the foreseeable future,
- the MF-6 request conflicts with the stated purposes of Austin's residential and commercial zoning districts, and
- the MF-6 request conflicts with the Imagine Austin Comprehensive Plan.

The following pages elaborate on our five general concerns. We hope that you will consider these fundamental goals of zoning and planning and join us in requesting that these environmentally sensitive properties be held to higher standards. Please recommend that the City Council deny the request for MF-6 rezoning.

Thank you for considering our comments, and thank you for your service to Austin.

Sincerely,
Lorraine Atherton,
on behalf of the ZNA Zoning Committee

Basis for ZNA opposition to MF-6 rezoning of 2700 S. Lamar (C14-2020-0144)

I. The current VMU overlay is the best option for these parcels

In 2006, ZNA carefully considered and approved a Vertical Mixed Use overlay for South Lamar from Town Lake to Barton Skyway. The criteria we used and how they were applied to every parcel on South Lamar can be seen on the ZNA web site at [VMU map \(2006-10\).pdf \(zilkerneighborhood.org\)](#). VMU was attractive to ZNA because it could concentrate multifamily density on large underused commercial sites, consolidating paving and parking structures without destroying existing residential areas. North of Oltorf, larger properties of several acres were deemed suitable for the most intense VMU development. For small properties south of Oltorf, including the 2700 block, our intent was to provide flexibility for redevelopment of those commercial properties that could support modest and affordable multifamily and live-work housing types without impairing the use of existing housing and local businesses. ZNA's entire VMU proposal was unanimously approved by the Planning Commission and the City Council in 2008. Since then, thousands of multifamily units (averaging more than 80 units per acre) have been added to the South Lamar Corridor in VMU projects that meet the subchapter E requirements.

The VMU exercise highlighted an obstacle for all redevelopment on South Lamar--the corridor's lack of a street grid with major intersections. Between Barton Springs Road and Ben White, there are no direct east-west connections to other major corridors. Therefore, there are no good locations for intense commercial uses or for the highest-density residential zoning districts. Higher density multifamily zoning districts (especially MF-6) should have access to a complete street grid, as in the Central Business District (§ 25-2-67). The existing residential area affected by this rezoning request, however, has no frontage on South Lamar and no public through streets, and its development is constrained by its location in the Barton Springs Zone. The area from La Casa to Barton Skyway includes more than 300 moderately priced multifamily housing units in a wide variety of building types:

- 64 units in Akoya condos, converted from a derelict apartment building on Dickson,
- 16 units in Sasona co-op, off the end of Paramount,
- 134 units in Barton's Mill apartments, small apartment buildings clustered among the trees in rough terrain,
- 88 units in Barton Village, four-plexes clustered among the trees in rough terrain on Skyway Circle and Westhill,
- 14 units in duplexes facing Barton Skyway.

Across the street from the subject properties, at South Lamar and Menchaca, is a large, dense VMU project with 357 housing units. A crucial goal of the VMU ordinance and the Comprehensive Plan is to preserve and promote a mix of housing types and levels of affordability, such as already exists in this area. The VMU overlay supports that goal. The proposed MF-6 rezoning would impair the existing desirable uses and overwhelm South Lamar.

The existing zoning entitlements include a maximum of more than 101,000 square feet of building coverage, with an FAR allowing 161,491 sf. If the redevelopment utilized VMU, the FAR limits would be removed, allowing more than 380,000 sf. That is far more than the street and drainage infrastructure can support, even without the additional environmental constraints. Therefore, increased zoning entitlements on the subject properties would serve no useful purpose.

II. MF-6 does not support the Imagine Austin Comprehensive Plan

The requested rezoning to MF-6 exceeds the density but does not support the purposes identified for the South Lamar activity corridor on the Imagine Austin Growth Concept map (Figure 4.5 and pages 103-106, Imagine Austin Comprehensive Plan).

A. South Lamar is an activity corridor leading to one of the "activity centers for redevelopment in sensitive environmental areas." The subject site is on the west side of the corridor, within the Barton

Springs Zone and Barton Creek watershed, and its redevelopment should be subject to standards for sensitive environmental areas.

B. The Comprehensive Plan favors a mix of uses along corridors such as South Lamar. The requested rezoning would eliminate an opportunity for very desirable VMU residential and local business projects.

C. No part of South Lamar has been designated a regional center, a town center, or even a neighborhood center, although since the VMU overlay was applied to the corridor, its population and built environment meet the Comprehensive Plan's definition of a town center. That definition does not include high-rise highest-density apartment buildings. According to Chapter 4 of Imagine Austin: "The buildings found in a town center will range in size from one- to three-story houses, duplexes, townhouses, and row houses, to low- to midrise apartments, mixed use buildings, and office buildings." Zoning this site for downtown high rises would impair the environmental, transportation, affordable housing preservation, walkability, and complete-community goals of Imagine Austin.

III. MF-6 does not support the purposes of residential zoning

Rezoning this transitional area of mixed duplex and affordable multifamily housing for the highest density multifamily use would be inconsistent with the purposes of the residential zoning districts, even if the site were not in an environmentally sensitive location. The purposes are listed in **§ 25-2-51**:

- (1) reserve areas for residential occupancy and provide for a broad range of residential densities and variety of housing types consistent with the Comprehensive Plan and standards of public health, safety, and welfare;
- (2) ensure adequate light, air, privacy, and open space for each dwelling;
- (3) encourage compatibility between residential uses and other land uses;
- (4) facilitate the planning for and provision of infrastructure improvements to serve anticipated population, dwelling unit density, traffic generation, and public service requirements; and
- (5) promote energy conservation.

Other multifamily zoning districts, up to MF-3, might be appropriate for this part of the corridor, but parcels south of Oltorf are stretching the definition of "centrally located" that should apply to higher density zoning, and multifamily zoning does not support the local commercial uses allowed by VMU. The Code describes multifamily zoning above 36 units per acre as "high density" that is suitable for the central business district. MF-6, with no limit on units per acre, is described in **§ 25-2-67**: "An MF-6 district designation may be applied to a use in a centrally located area near supporting transportation and commercial facilities, an area adjacent to the central business district or a major institutional or employment center." In the context of Austin's Comprehensive Plan, MF-6 zoning should be confined to regional centers. The subject properties are not within a regional center.

IV. MF-6 does not support the purposes of commercial and mixed-use zoning

The site's current zoning (GR and CS) is at the upper limit of what is appropriate for local commercial uses adjacent to a mix of single-family and moderate density multifamily housing. The overwhelming problem with this collection of small parcels is that none of them has adequate access to South Lamar or off-street parking and loading, as recommended in **§ 25-2-91 (3)**. The most that can be built here is a small VMU project that meets GR site development standards, with the least intensive retail uses, to minimize traffic and parking burdens. Any upzoning is bound to conflict with transportation planning and to have adverse effects on nearby land uses. Thus, any upzoning would be inconsistent with the Comprehensive Plan and the purposes of the commercial zoning districts, even if the site were not in an environmentally sensitive location.

In our VMU analysis, a major concern was to support the purposes of commercial districts listed in § 25-2-91, especially number 3, regarding traffic and other adverse effects on nearby uses:

- (1) reserve areas for offices, retail stores, and service establishments that provide a broad range of goods and services to residents of Austin and the surrounding area;
- (2) promote the grouping of office and commercial uses that are convenient for the public and that benefit the uses in a district;
- (3) ensure adequate access and off-street parking and loading for office and commercial uses and minimize traffic congestion and other adverse effects on nearby land uses;
- (4) encourage high standards of site planning, architecture, and landscape design for office and commercial development in the City;
- (5) facilitate the planning for and provision of infrastructure improvements to meet traffic, commercial, and public service needs generated by the residents of Austin; and
- (6) promote energy conservation.

Although most of South Lamar has entirely too much commercial zoning, the ZNA VMU plan was careful to value the smaller parcels that provide important neighborhood services and jobs. Upzoning these small properties for expensive residential space and eliminating their opportunities for local businesses would undermine all of those purposes and the neighborhood's planning goals.

V. Environmental hindsight supports the existing zoning

When ZNA approved the South Lamar VMU overlay 15 years ago, we did not realize that the Barton Springs Zone extended to South Lamar at this point. Now that we are all in the midst of an environmental and climate crisis, we ask that you join us in requesting that these environmentally sensitive properties be held to higher standards for redevelopment and recommend that the City Council deny the request for MF-6 rezoning.