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## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2011-0167 (8100 Burnet)

**Z.A.P. DATE:** February 7, 2012

**ADDRESS:** 8100 Burnet Road

**OWNER/APPLICANT:** Alliance Realty Partners, LLC (Brian Austin)

**AGENT:** Bury & Partners, Inc. (Melissa Neslund)

**ZONING FROM:** CS

**TO:** MF-6

**AREA:** 4.014 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is for MF-6-CO, Multi-family Residence-Highest Density-Conditional Overlay Combining District, zoning. The conditional overlay will limit the height on the property to 60 feet and restrict the site to a maximum of 300 residential units.

### **ZONING & PLATTING COMMISSION RECOMMENDATION:**

### **DEPARTMENT COMMENTS:**

The property in question is currently developed with a commercial shopping center with a vacant Chuck E' Cheese restaurant and a Ross Dress for Less retail store. The applicant is requesting MF-6 zoning at this location because they would like to redevelop the site with approximately 275-300 multifamily units. They are offering a conditional overlay to limit the height on the property to 60 feet (current height allowed under the existing CS district zoning) and to limit the number of units to 300.

The staff recommends MF-6-CO district zoning at this location because the property meets the intent of the Multi-family Residence-Highest Density district designation. MF-6 zoning is consistent with the adjacent uses as there is a residential condominium development to the north (Ashdale Gardens Condos) and an apartment complex across Ashdale Drive to the west. The property is surrounded commercial zoning, with CS district zoning to the north, east and west and GR-NP district zoning, located across Burnet Road, to the south. This applicant's request is a down zoning of the property to a less intensive zoning district. The proposed MF-6 zoning will permit the applicant to redevelop this site with a multifamily uses that will provide for a mixture of housing opportunities in this area of the city.

The applicant agrees with the staff's recommendation.

### **EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS	Retail Center: Vacant Restaurant (Chuck E' Cheese) and Commercial Services (Ross Dress for Less)
<i>North</i>	CS	Multifamily (Ashdale Gardens Condos)
<i>South</i>	CS, GR-NP	Retail Sales (Aquatek Tropical Fish), Restaurant (Bill Miller's Bar-B-Que), Personal Services (Darque Tan)
<i>East</i>	CS	Automotive Sales (Infiniti)

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West	CS	Restaurant (McDonald's), Retail Sales (Pittsburg Paints), Vacant Structure (was Cornerstone Counseling), and Multifamily (Apartments)
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**AREA STUDY:** N/A

**TIA:** Not Required

**WATERSHED:** Shoal Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
 Austin Independent School District  
 Austin Neighborhoods Council  
 Austin Monorail Project  
 Crestview/Wooten Combined Neighborhood Plan-COA Liaison  
 Greater Northcross Area  
 Homebuilders Association of Greater Austin  
 Homeless Neighborhood Association  
 League of Bicycling Voters  
 North Austin Neighborhood Alliance  
 North Shoal Creek Neighborhood Association  
 North Shoal Creek Neighborhood Plan- COA Liaison  
 Responsible Growth for Northcross  
 SELTEXAS  
 Sierra Club, Austin Regional Group  
 Super Duper Neighborhood Objectors and Appealers Organization  
 The Real Estate Council of Austin, Inc.  
 Wooten Neighborhood Plan Contact Team

**SCHOOLS:**

Pillow Elementary School  
 Burnet Middle School  
 Anderson High School

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0032 (North Shoal Creek Planning Area Vertical Mixed Use)	Add V (Vertical Mixed Use Building Combining District) to Certain Tracts	5/13/08: Approved neighborhood's rec. to implement V regulations on selected tracts (9-0)	7/10/08: Approved V (7-0); 1 <sup>st</sup> reading  8/28/08: Approved V by Ordinance No. 20080828-104 (7-0); 2 <sup>nd</sup> / 3 <sup>rd</sup> readings
C14-02-0086 (Tara's Beauty)	SF-3 to GR-MU	7/23/02: Approved staff rec. of GR-MU by consent (7-0)	8/08/02: Approved GR-MU (6-0); 1 <sup>st</sup> reading

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Salon: 2204 W. Anderson Lane)			8/22/02: Approved GR-MU (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
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**RELATED CASES:** N/A

**ABUTTING STREETS:**

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Ashdale Drive	60	40	Collector	No	No	No
Burnet Road	130	MAD 4	Arterial	Yes	Yes	No

**CITY COUNCIL DATE:**

**ACTION:** March 8, 2012

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

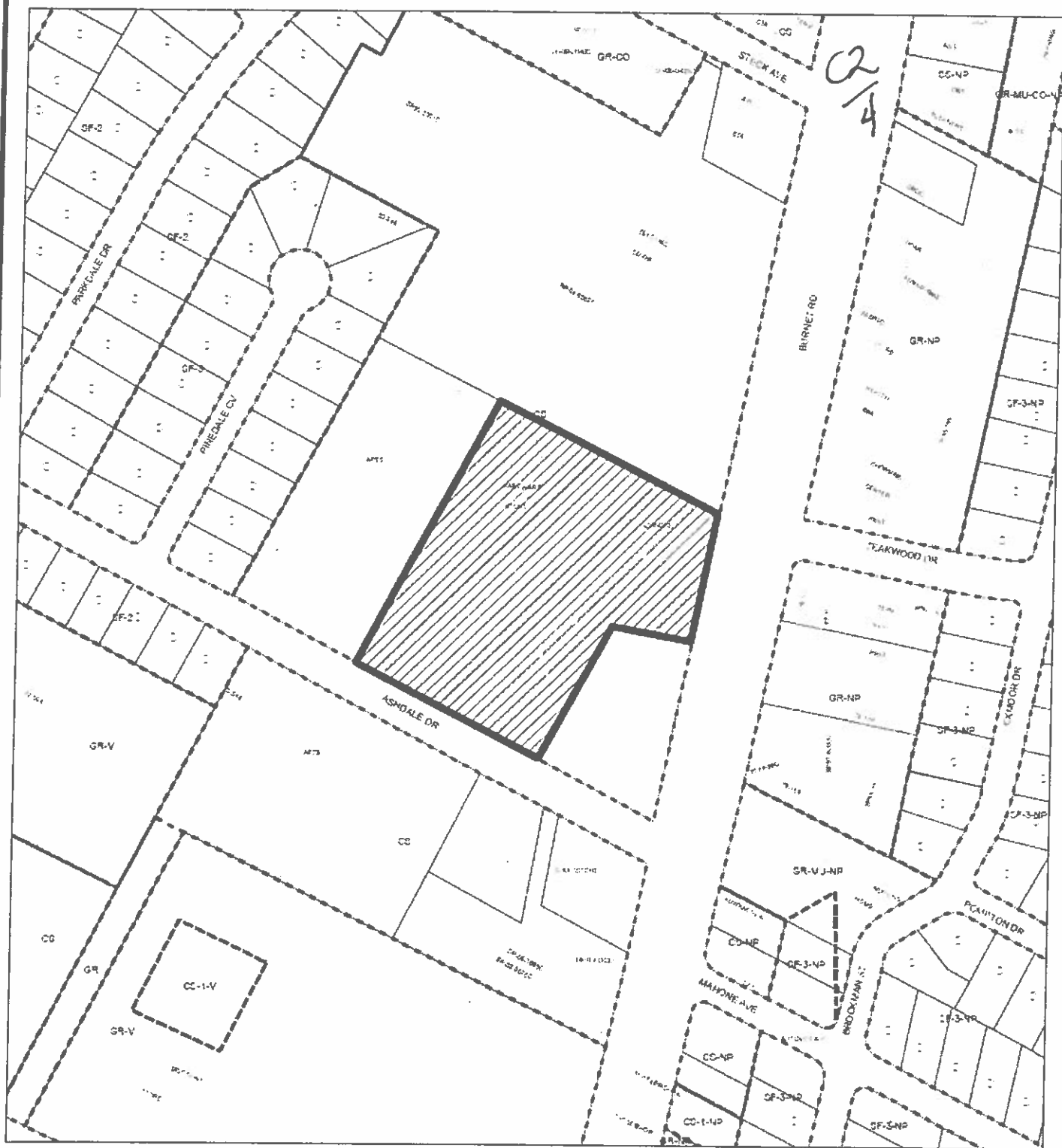
3<sup>rd</sup>

**ORDINANCE NUMBER:**




**ZONING CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057

**E-mail:** [sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)



1" = 200'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## ZONING

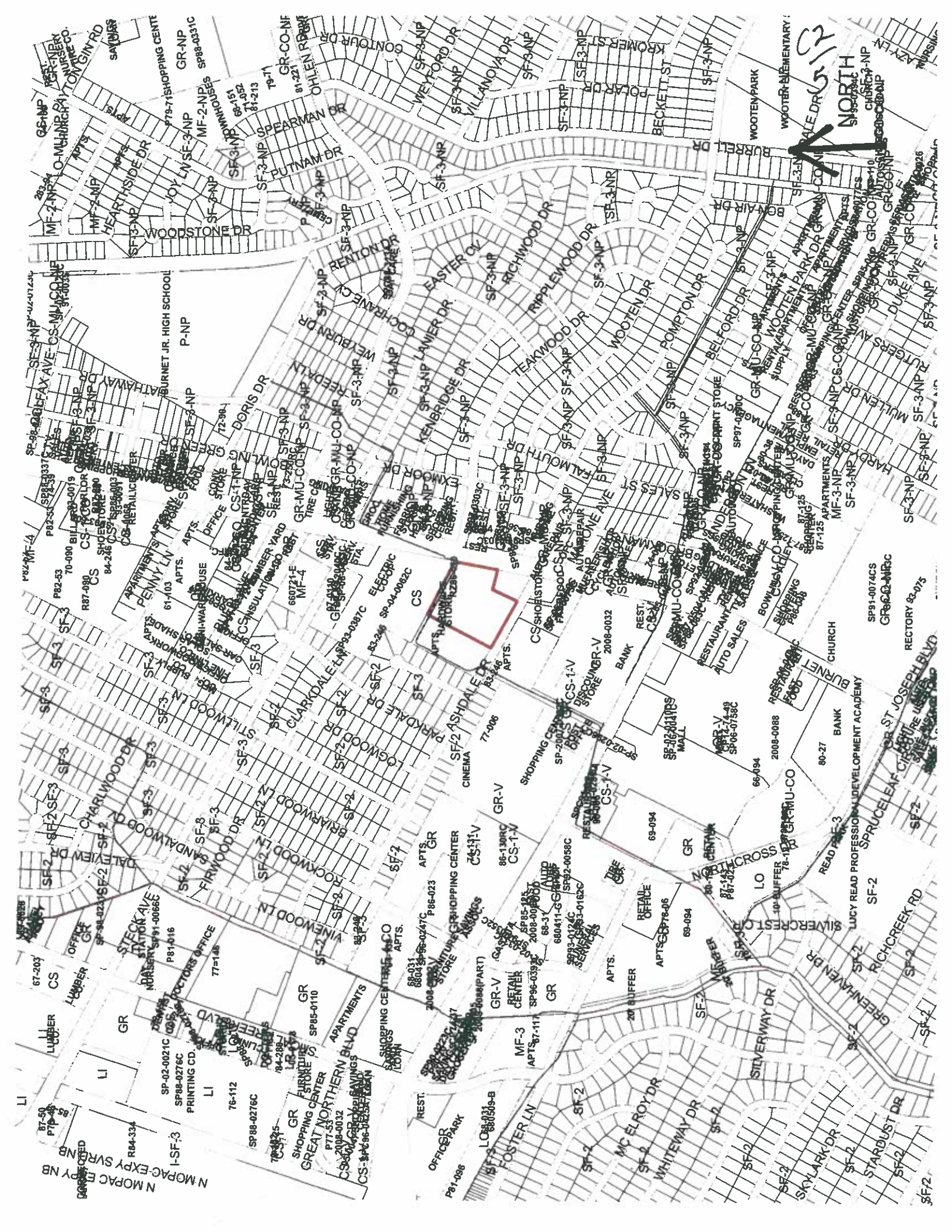
ZONING CASE#: C14-2011-0167

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.

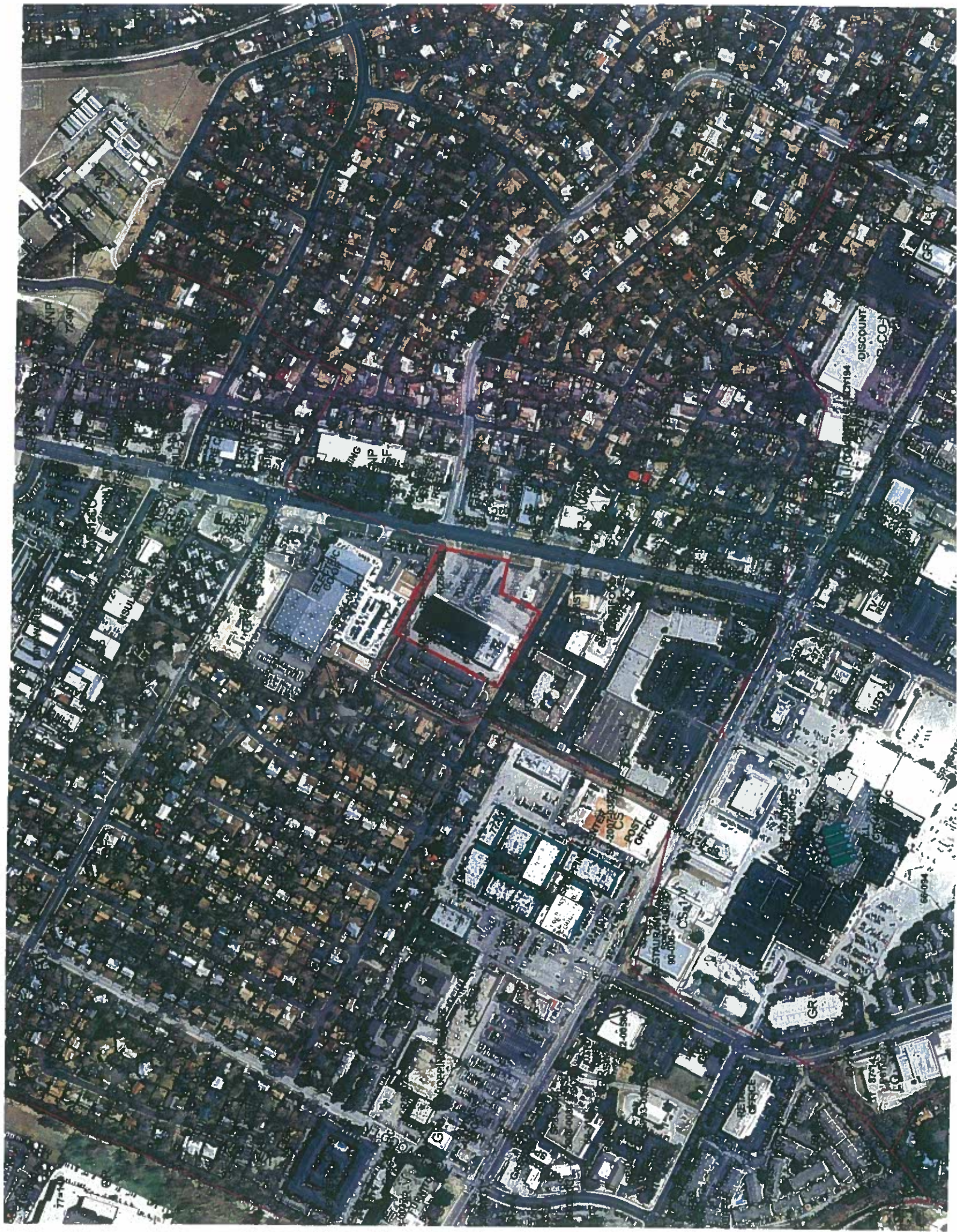
This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.













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## **STAFF RECOMMENDATION**

The staff's recommendation is for MF-6-CO, Multi-family Residence-Highest Density-Conditional Overlay Combining District, zoning. The conditional overlay will limit the height on the property to 60 feet and restrict the site to a maximum of 300 residential units.

## **BASIS FOR RECOMMENDATION (ZONING PRINCIPLES):**

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

Multifamily residence highest density (MF-6) district is the designation for multifamily and group residential use. 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, or an area for which the high density multifamily use is desired.

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

The proposed zoning is consistent with the adjacent uses as there is a residential condominium development to the north (Ashdale Gardens Condos) and an apartment complex across Ashdale Drive to the west. The property is surrounded commercial zoning, with CS district zoning to the north, east and west and GR-NP district zoning, located across Burnet Road, to the south.

3. *Zoning should allow for reasonable use of the property.*

MF-6-CO zoning will permit the applicant to redevelop this site with a multifamily uses that will provide for a mixture of housing opportunities in this area of the city.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration currently contains a commercial shopping center with a vacant Chuck E' Cheese restaurant and a Ross Dress for Less retail store.

### **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.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 sq. ft. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

No trees are located on this property. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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

### **Hill Country Roadway**

The site is not within a Hill Country Roadway Corridor.

### **Impervious Cover**

The maximum impervious cover allowed by the MF-6 zoning district would be 80%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

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.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

Note: The most restrictive impervious cover limit applies.

### **Site Plan**

Any new development is subject to Subchapter E. Design Standards and Mixed Use.

Additional comments will be made when the site plan is submitted.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

### **Transportation**

No additional right-of-way is needed at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Ashdale Drive	60	40	Collector	No	No	No
Burnet Road	130	MAD 4	Arterial	Yes	Yes	No



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**Water and Wastewater**

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 the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. 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.

December 16, 2011

Mr. Greg Guernsey  
Director  
City of Austin Planning and Development Review  
505 Barton Springs, 5<sup>th</sup> Floor  
Austin, Texas 78704

Re: 8100 Burnet Road  
+/- 4.01 acres  
Request for Zoning from General Commercial Services (CS) to  
Multi-family Residence Highest Density (MF-6)

Dear Mr. Guernsey:

As representatives of the current property owner and potential developer, we respectfully submit the enclosed zoning application packet. The subject property is within the City of Austin's full purpose limits and is zoned CS. We propose to rezone the property to MF-6 to accommodate a multi-family project with approximately 300 units. The site is currently developed with a Ross Dress for Less Department Store. The intended redevelopment plans for the property include an approximate five (5)-story, wrap, multi-family development with an internal parking garage.

We propose to impose a conditional overlay on the property limiting the height to 60 feet which is consistent with the existing allowable height under CS zoning. We also propose to limit the density on this tract to no more than 300 units.

Given the site's location along a major arterial and core transit corridor (Burnet Road), we believe that MF-6 zoning district with the proposed density of approximately 75 units per acre (300 units/4.01 acres) is an appropriate request.

Adjacent zoning is as follows: CS to the north; CS to the south across Ashdale Road; CS to the west; and Community Commercial - Neighborhood Plan (GR-NP) to the east across Burnet Road. Adjacent land uses consist of Austin Infiniti to the north; Austin Alignment and Brakes and multi-family to the south across Ashdale Road; multi-family to the west and commercial uses across Burnet Road.

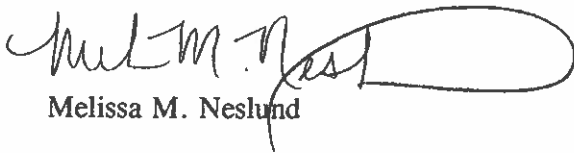
BURY+PARTNERS, INC.  
221 West Sixth Street, Suite 600  
Austin, Texas 78701

TEL (512) 328-0011  
FAX (512) 328-0325

Given the adjacent land uses and zoning designations, the site's location along a major arterial and the proposed development plans for the property, we believe this zoning district and proposed land use is a reasonable and appropriate request. Additionally, we are proposing to limit height to 60' and limit the site to a maximum density of 300 units.

Please do not hesitate to contact me with questions, and I look forward to working with you on this rezoning. Thank you in advance for your time and attention to this project.

Sincerely,



Melissa M. Neslund

Enclosures

cc: Mr. Brandon Easterling, *Alliance Residential*



**Sirwaitis, Sherri**

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**From:** [REDACTED]  
**Sent:** Tuesday, January 31, 2012 4:46 PM  
**To:** Sirwaitis, Sherri  
**Cc:** [REDACTED]  
**Subject:** Postponing Hearing for Case # C14-2011-0167, 8100 Burnet Rd.

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Sherri,

With the proposed developer (Brandon Easterling, Managing Director, Alliance Residential) agreement, I am respectfully requesting a postponement of the public hearing regarding requested rezoning from CS to MF-6 of 8100 Burnet Road, case # C14-2011-0167.

Mr. Easterling has suggested a 2 week postponement timeframe.

Will you please let us know if this is agreeable to the Zoning and Platting Commission?

Best regards,  
Kevin

Kevin Wier  
(512) 731-8832

[REDACTED]  
Development Committee Chairperson  
North Shoal Creek Neighborhood Association