

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2013-0043 (Fort Dessau-SF-6)

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 13826 Dessau Road from Neighborhood Commercial (LR) district zoning to Townhouse & Condominium Residence District (SF-6) district zoning.

The ordinance reflects the conditions imposed by the City Council on 1st reading.

PROPERTY OWNER: John C. & Dana Fish

AGENT: Land Strategies, Inc. (Paul W. Linehan)

DEPARTMENT COMMENTS:

The property in question is an undeveloped tract of land that fronts onto Dessau Road. The property was annexed by the City of Austin on December 31, 2003 through annexation case: C7A-03-013. The applicant requested permanent zoning on original 145-acre Fish Tract site located at the northwest intersection of Dessau Road and E. Howard Lane for commercial and residential uses in 2004 (previous zoning case: C14-04-0056).

The staff recommends the applicant's request to down zone a portion of the original tract to the SF-6 district because the proposed zoning will permit the applicant to combine this property with the existing SF-6 zoned area to the south and west to develop residential uses. The proposed zoning is compatible with the existing single-family residential uses to the north and the manufactured housing park to the east (across Dessau Road), which are both located in the county. The Townhouse & Condominium district will give the applicant with the ability to provide additional housing opportunities in an area of the city with numerous employment facilities, such as Dell Computers and Samsung.

The applicant agrees with the City Council's recommendation at 1st reading.

DATE OF FIRST READING/VOTE: September 26, 2013/Approved SF-6 zoning on first reading on consent (7-0);
B. Spelman-1st, S. Cole-2nd.

CITY COUNCIL DATE: October 17, 2013

CITY COUNCIL ACTION:

ASSIGNED STAFF: Sherri Sirwaitis

PHONE: 974-3057
sherri.sirwaitis@ austintexas.gov

ZONING CHANGE REVIEW SHEET

CASE: C14-2013-0043 (Fort Dessau-SF-6)

Z.A.P. DATE: May 21, 2013

ADDRESS: 13826 Dessau Road

OWNER/APPLICANT: John C. & Dana Fish

AGENT: Land Strategies, Inc.
(Paul W. Linehan)

ZONING FROM: LR

TO: SF-6

AREA: 3.683 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant SF-6, Townhouse & Condominium Residence District, zoning.

ZONING AND PLATTING COMMISSION:

5/21/13: Approved the staff's recommendation of SF-6 district zoning on consent (5-0, C. Banks and J. Meeker-absent); P. Seeger-1st, S. Compton-2nd.

DEPARTMENT COMMENTS:

The property in question is an undeveloped tract of land that fronts onto Dessau Road. The property was annexed by the City of Austin on December 31, 2003 through annexation case: C7A-03-013. The applicant requested permanent zoning on original 145-acre Fish Tract site located at the northwest intersection of Dessau Road and E. Howard Lane for commercial and residential uses in 2004 (previous zoning case: C14-04-0056).

The staff recommends the applicant's request to down zone a portion of the original tract to the SF-6 district because the proposed zoning will permit the applicant to combine this property with the existing SF-6 zoned area to the south and west to develop residential uses. The proposed zoning is compatible with the existing single-family residential uses to the north and the manufactured housing park to the east (across Dessau Road), which are both located in the county. The Townhouse & Condominium district will give the applicant with the ability to provide additional housing opportunities in an area of the city with numerous employment facilities, such as Dell Computers and Samsung.

The applicant agrees with staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LR	Undeveloped
<i>North</i>	County	Single-family Residences
<i>South</i>	SF-6, MF-3,LR-MU	Undeveloped
<i>East</i>	County	Manufactured Homes
<i>West</i>	SF-6	Undeveloped

AREA STUDY: N/A

TIA: Waived

WATERSHED: Harris Branch

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Monorail Project
Beyond2ndNature
Bike Austin
Homeless Neighborhood Association
North Growth Corridor Alliance
Pflugerville Independent School District
SELTEXAS
Sierra Club, Austin Regional Group
The Real Estate Council of Austin

SCHOOLS:

Copperfield Elementary School
Pflugerville Middle School
Dobie Middle School
Lanier High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2007-0103 (Del Cerro: 13700 Dessau Road)	GR-MU, GR, SF-2-CO to MF-3	8/21/07: Approved staff's recommendation of MF-3 zoning by consent (7-0, K. Jackson-absent); J. Martinez-1 st , J. Gohil-2 nd .	9/27/07: Approved MF-3 zoning by consent (5-0); all 3 readings
C14-06-0098 (Harris Ridge: 13809 Harris Ridge Boulevard)	LI-CO to Tract 1: SF- 6 and Tract 2: LI	11/21/06: Approved staff's recommendation of SF-6-CO zoning for Tract 1, with following conditions: 1) Changed setback requirement to a 45-foot building setback from the southern property line along proposed Tract 2; 2) Added requirement for an 8-foot masonry fence along the southern property line along proposed Tract 2; 3) Included a 25-foot vegetative buffer along the western property line bordering single family development in the County; 4) Approved staff's recommendation for LI zoning for Tract 2, adding a conditional overlay for the following: Establish	12/07/06: Approved SF-6-CO zoning for Tract 1 and LI-CO zoning for Tract 2 (7-0); 1 st reading 6/29/07: Approved SF-6-CO zoning for Tract 1 and LI-CO zoning for Tract 2, with conditions (7-0); 2nd/3rd readings

		a 78-foot building setback from the northern property line along proposed Tract 1; 5) Include the TIA recommendations for Tracts 1 and 2 as provided in Attachment D in a public restrictive covenant. Vote: (9-0); K. Jackson-1 st , B. Baker-2 nd .	
C14-04-0139 (Howard Lane Industrial Park: 1100 East Howard Lane)	I-RR to LI	11/2/04: Approved staff's recommendation of LI-CO zoning with added condition of no Adult Oriented Businesses, by consent (9-0)	12/02/04: Approved LI-CO, with a CO for 2,000 vtpd limit and prohibiting Adult Oriented Businesses, (7-0); all 3 readings
C14-04-0127 (Wright Subdivision Dessau Road Zoning Change: 1624 East Howard Lane)	GR-CO to GR	10/19/04: Approved staff's recommendation of GR-CO zoning, with CO to prohibit Adult Oriented Businesses and a public RC encompassing the TIA recommendations, by consent (9-0)	11/18/04: Granted GR-CO (7-0); all 3 readings
C14-04-0056 (Fish Tract: 13600-14224 Dessau Road)	I-RR to SF-2, SF-6, MF-3 and CS	11/02/04: Approved staff's recommendation of : Tract 1, Block A: GR-MU Tract 2, Block A: GR Tract 3, Block A: GR Tract 4, Block A: GR Tract 5, Block A: GR Tract 6, Block A: SF-2-CO (The conditional overlay includes a 100-foot vegetative buffer with a sound barrier fence along the western boundary of this tract to create a physical separation from the commercial/mixed use development proposed on Tract 1, Block A.) Tract 7, Block A: LR-MU Tract 8, Block A: MF-3 Tract 9, Block A: SF-6 Tract 10, Block A: LR Tract 1, Block B: GR-MU Tract 2, Block B: GR-MU In addition, require a public restrictive covenant to encompass the Transportation Impact Analysis Recommendations, by consent (9-0)	12/16/04: Granted SF-2-CO, SF-6, MF-3, LR-MU, GR and GR-MU on all 3 readings (7-0)
C14-00-2101 (Harris Ridge Rezoning: Harris Glenn Drive At Howard Lane)	DR to CS	8/1/00: Approved staff rec. w/ condition of no Adult Oriented Businesses (8-0)	9/28/00: Approved GR-CO w/ conditions on TR 1 & 2 (7-0); all 3 readings

RELATED CASES: C14-2013-0041, C14-2013-0042 (Current adjacent rezoning cases)
C14-04-0056 (Previous zoning case)
C7A-03-013 (Annexation case)

ABUTTING STREETS:

NAME	ROW	PAVMENT	CLASSIFICATION	DAILY TRAFFIC
Howard Lane	Varies	Varies	Major Arterial	N/A
Harrisglenn Boulevard	Varies	Varies	Collector	N/A
Dessau Road	120'	2@30'	Major Arterial	N/A

CITY COUNCIL DATE: June 6, 2013

ACTION: Postponed to September 26, 2013 at the applicant's request (7-0); B. Spelman-1st, S. Cole-2nd.

September 26, 2013

ACTION: Approved SF-6 zoning on 1st reading on consent (7-0); B. Spelman-1st, S. Cole-2nd.

October 17, 2013

ACTION:

ORDINANCE READINGS: 1st 9/26/13

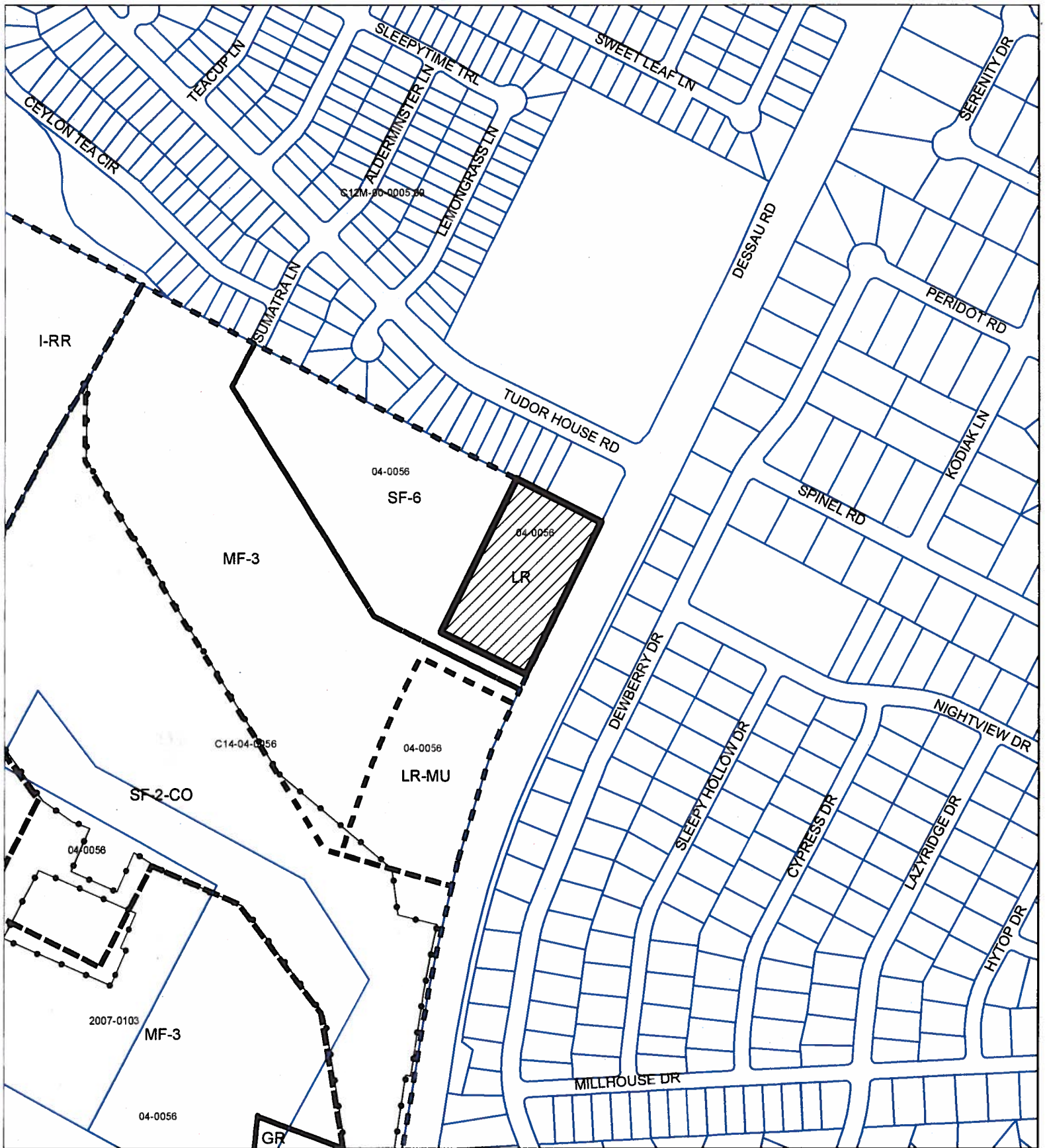
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis




PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us



ZONING

ZONING CASE#: C14-2013-0043



-  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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





STAFF RECOMMENDATION

The staff's recommendation is to grant SF-6, Townhouse & Condominium Residence District, zoning.

BASIS FOR RECOMMENDATION

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

Townhouse and condominium residence (SF-6) district is the designation for a moderate density single family, duplex, two-family, townhouse, and condominium use that is not subject to the spacing and location requirements for townhouse and condominium use in an SF-5 district. An SF-6 district designation may be applied to a use in an area with large lots that have access to streets other than minor residential streets. An SF-6 district may be used as a transition between a single family and multifamily residential use.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The proposed SF-6 zoning is consistent with the existing SF-6 zoned areas to the south west. The down zoning of the site to a residential district is compatible with the existing single-family residential neighborhood to the north and the manufactured housing development to the east, in the County.

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

The proposed SF-6 zoning will permit a townhouse and condominium residential development on a portion of the original 145-acre Fish Tract near the intersection two major arterial roadways, Howard Lane and Dessau Road, in northeast Austin. The proposed SF-6 district will give the applicant with the ability to provide additional housing opportunities in an area of the city with numerous employment facilities, such as Dell Computers and Samsung.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently an undeveloped tract of land that was previously part of a single-family homestead/ranch area.

Comprehensive Planning

The zoning case is located on the west side of Dessau Road (a four-lane divided arterial roadway) and includes 3.6 acres. The proposed use is a townhouse development. The proposed rezoning is not located within the boundaries of a neighborhood planning area. To the north of the subject tract is a single-family subdivision. To the east, across Dessau Road, is an older manufactured housing community. To the south and west is vacant land. The subject tract is within the Harris Branch Creek Watershed, but not within the 100-year flood plain.

The Imagine *Austin Comprehensive Plan's* Growth Concept Map (GCM) identifies Activity Corridors and a number of different types of Activity Centers (Regional, Town, and Neighborhood)

as a strategy for accommodating Austin's expected future growth. The subject tract is located to approximately 1/3 of mile north of a neighborhood center identified on the GCM. Like many of the centers identified on that map, this one is simply illustrated as a circle centered at a major intersection (Dessau Road and Parmer Lane.) The broad designation using a circle was intended to indicate the general location of a future center with the more firm boundaries to be established through a small area planning process. Were this to occur for this Neighborhood Center in the future, the subject tract could be included within its boundaries. Although this segment of Dessau Road is not identified as an Activity Corridor, a future small area plan could identify it as such, linking it to the Wells Branch Parkway Activity Corridor to the north. The proposed townhouse use is in accordance with the types of uses desired for either a Neighborhood Center or Activity Corridor as well for a four-lane divided arterial roadway.

The overall goal of the IACP is to achieve "*complete communities*" across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk, bicycle ride, and even a short car trip of one another. The area this segment of Dessau Road is largely developing as a residential area with very few local-serving businesses within a convenient walking or bicycle trip or a short car trip. There is a commercial development due north of the site that has a car wash, convenience store with gas pumps, small restaurant, and washateria. The next nearest retail use is a Walgreen's pharmacy located approximately .9 miles away at the intersection of Dessau Road and Wells Branch Parkway. Although *Imagine Austin* is largely supportive of the proposed rezoning (*see related policies below supporting the rezoning*), the change from commercial to residential zoning reduces the amount of land in the area that could provide opportunities for local-serving serving business and consequently reducing the "completeness" of the area. This may change over time as nearby commercial land is developed and if the Neighborhood Center at the intersection of Dessau Road and Parmer Lane were to develop the lack of local-serving could be addressed. However, if the current development trends for the area continue local residents will be required to travel by car to access most basic daily needs. Changing the rezoning request to allow for mixed use could allow for the residential element and provide the opportunity for local-serving businesses to locate there in the future.

Imagine Austin is largely supportive of the rezoning request to develop townhouses which is demonstrated in the following plan policies:

- **LUT P1.** Align land use and transportation planning and decision making to achieve a compact and connected city in line with the Growth Concept Map.
- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.

- **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.
- **HN P5.** Promote a diversity of land use throughout Austin to promote a variety of housing types including rental and homeownership opportunities for singles, families with and without children, seniors, persons with disabilities, and multi-generational families.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Harris Branch Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to floodplain maps there is a floodplain adjacent to the project boundary. Based upon the close proximity of floodplain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

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

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.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

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

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

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.

Site Plan

This site is not within the Subchapter F Residential Design Standards overlay.

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

Transportation

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

The traffic impact analysis for this site was waived because a TIA was prepared for the zoning case C14-04-0056. An addendum may be required at time of site plan.

Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Dessau	140	MAD 4	Arterial	No	No	Yes

Water and Wastewater

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 proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans 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.