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**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2014-0195 (Audubon Square)

**Z.A.P. DATE:** January 20, 2015

**ADDRESS:** 12425 Mellow Meadow Drive

**OWNER/APPLICANT:** Investors Capital Group, LLC (Michael Christian/ Lindsay Gilmore)

**ZONING FROM:** I-RR

**TO:** MF-3

**AREA:** 6.35 acres

**SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant MF-3, Multifamily Residence-Medium Density District, zoning.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

**DEPARTMENT COMMENTS:**

The property in question is currently developed with a multifamily residential use (Audubon Square Apartments). The applicant is requesting to zone the site to bring the multifamily use into conformance with the City of Austin Land Development Code regulations.

The staff recommends Multifamily Residence-Medium Density zoning for this tract of land because the property meets the intent of MF-3 district as the property is located in an area near supporting transportation and commercial facilities and for which medium density multifamily use is desired. The proposed zoning and existing use are compatible with surrounding uses as there is a multifamily use to the south (Westwood Apartments), an office use to the east, a school to the west (Westwood High School) and a commercial use to the north (Fire Athlete Boot Camp).

The applicant agrees with the staff recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Multifamily (Audubon Square Apartments)
<i>North</i>	GR-CO	Personal Improvement Services (Fire Athlete Boot Camp), Undeveloped
<i>South</i>	I-RR, GO	Multifamily (Westwood Apartments), Office (Anderson Mill Professional Building)
<i>East</i>	I-RR	Undeveloped Tract, Office (Lake Creek Office Park)
<i>West</i>	I-RR	School (Westwood High School)

**AREA STUDY:** N/A

**TIA:** Not Required

**WATERSHED:** Lake Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Anderson Mill Neighborhood Association  
Austin Heritage Tree Foundation  
Bike Austin  
Long Canyon Homeowners Association  
SELTEXAS  
Sierra Club, Austin Regional Group  
The Real Estate Council of Austin, Inc.

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**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0061 (Lake Creek Rezoning: 10313 Lake Creek Parkway)	I-RR to GR	6/03/14: Approved staff's recommendation of GR-CO zoning, with conditions: 1) limit the development intensity for the entire site to less than 2,000 vehicle trips per day and 2) NTA Memorandum shall be included in a public restrictive covenant, on consent (7-0); P. Seeger-1 <sup>st</sup> , C. Banks-2 <sup>nd</sup> .	6/26/14: Approved GR-CO zoning, with conditions, on consent on all 3 readings (6-0, M. Martinez-off the dais); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .
C14-2014-0048 (Hymeadow: 12416 Hymeadow Drive)	I-RR to GO	5/20/14: Approved staff's recommendation of GO zoning by consent (6-0, R. McDaniel-absent); P. Seeger-1 <sup>st</sup> , S. Compton-2 <sup>nd</sup> .	6/12/14: Approved GO zoning on consent on all 3 readings (7-0); B. Spelman-1 <sup>st</sup> , L. Leffingwell-2 <sup>nd</sup> .
C14-04-0042 (13802 Research Boulevard)	I- RR, LR to GR	4/6/04: Approved staff's recommendation of GR-CO, with a 2,000 vehicle trip per day limit, by consent (7-0, K. Jackson-absent); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	4/15/04: Granted GR zoning (7-0); all 3 readings
C14-01-0112 (Anderson Mill Market Shopping Center: 13776 U.S. Highway 183 North)	I-RR to GR (TR1), CS-1 (TR2)	9/11/01: Approved staff's rec. for GR (Tract 1), CS-1-CO (Tract 2), district zoning, adding a conditional overlay to prohibit Adult Oriented uses, on consent. (7-0, J. Martinez- left early, D. Castaneda-absent); J. Mather-1 <sup>st</sup> , K. Jackson-2 <sup>nd</sup> .	10/11/01: Approved GR for Tract 1 and CS-1-CO for Tract 2 with conditions (7-0); all 3 readings
C14-00-2184	DR to GR	Approved GR (5-2-1; JM/ RC-Nay, BB-abstain)	Approved GR (7-0; all 3 readings)
C14-99-2112	I-RR to GR	Approved GR (7-1; RC-Nay)	Approved GR-CO (6-0; all 3 readings)
C14-97-0026	LR to GR	Approved GR (7-0-1)	Approved GR (5-0-1, RR- abstain; all 3 readings)

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**RELATED CASES:** There are no pending related cases.

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Lake Creek Parkway	90'	55'	Collector	Yes	No	Yes

**CITY COUNCIL DATE:** February 26, 2015

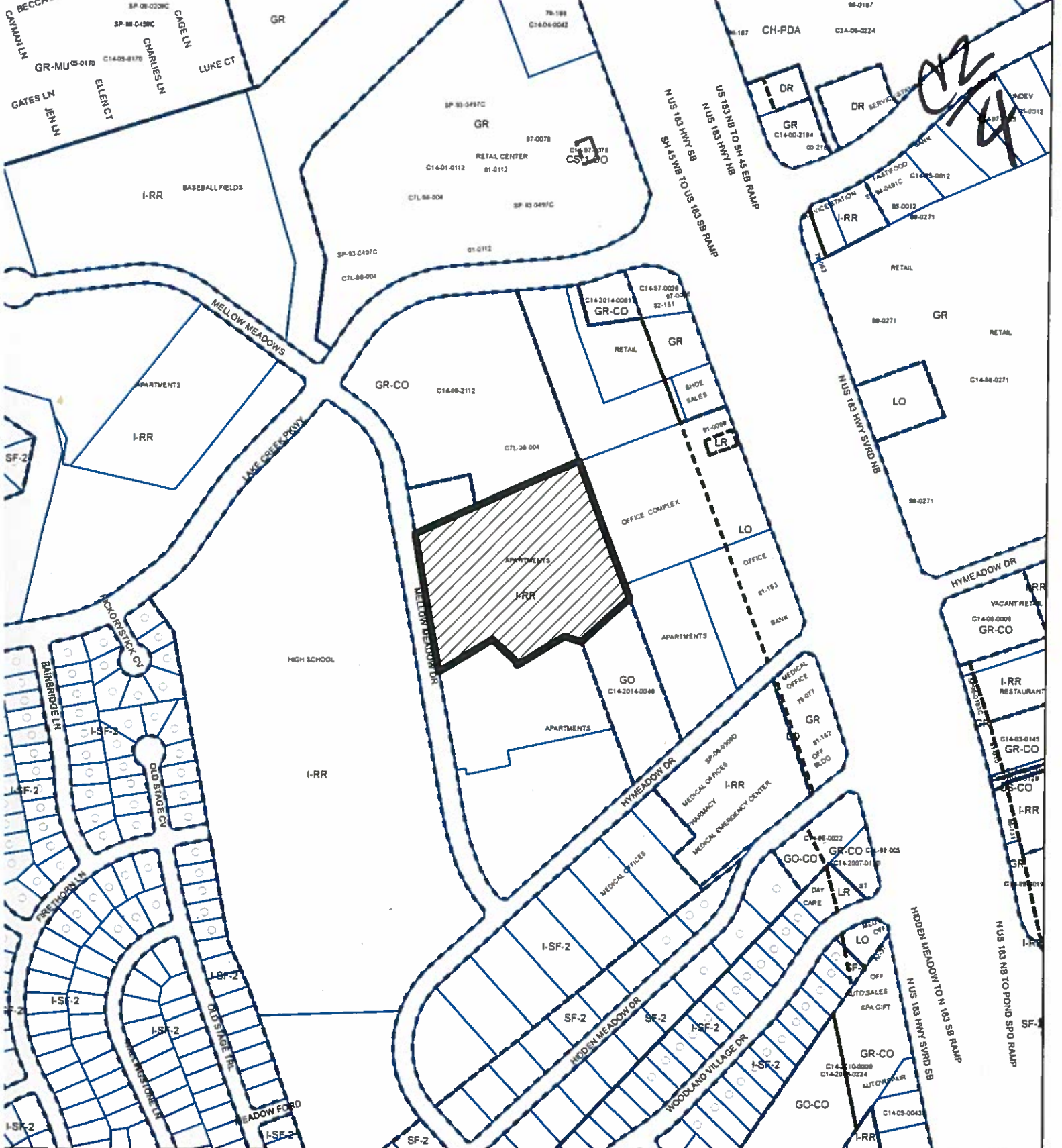
**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>                      2<sup>nd</sup>                      3<sup>rd</sup>

**ORDINANCE NUMBER:**




**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 512-974-3057,  
[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)



**ZONING**

ZONING CASE#: C14-2014-0195

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

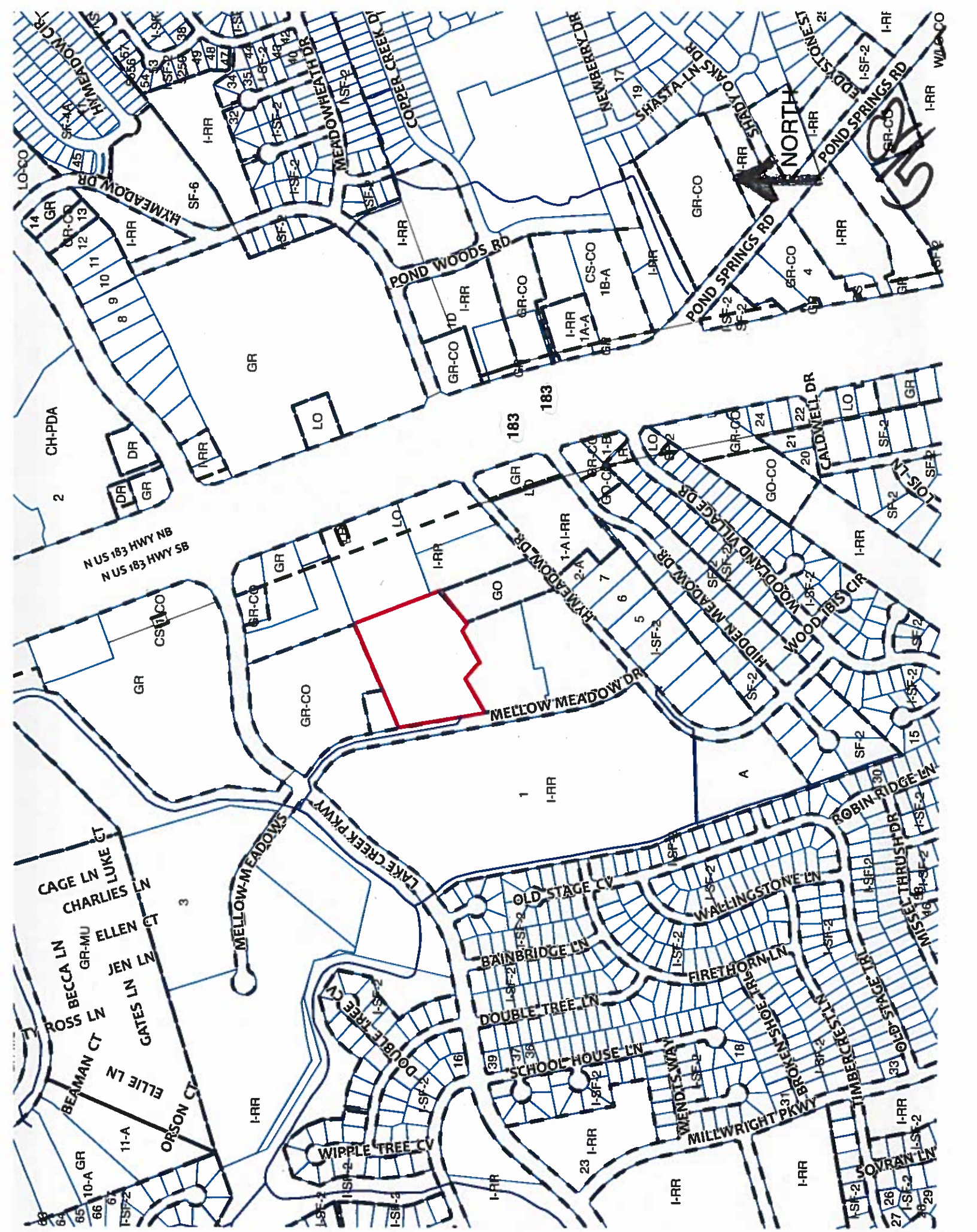
1" = 400'

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.

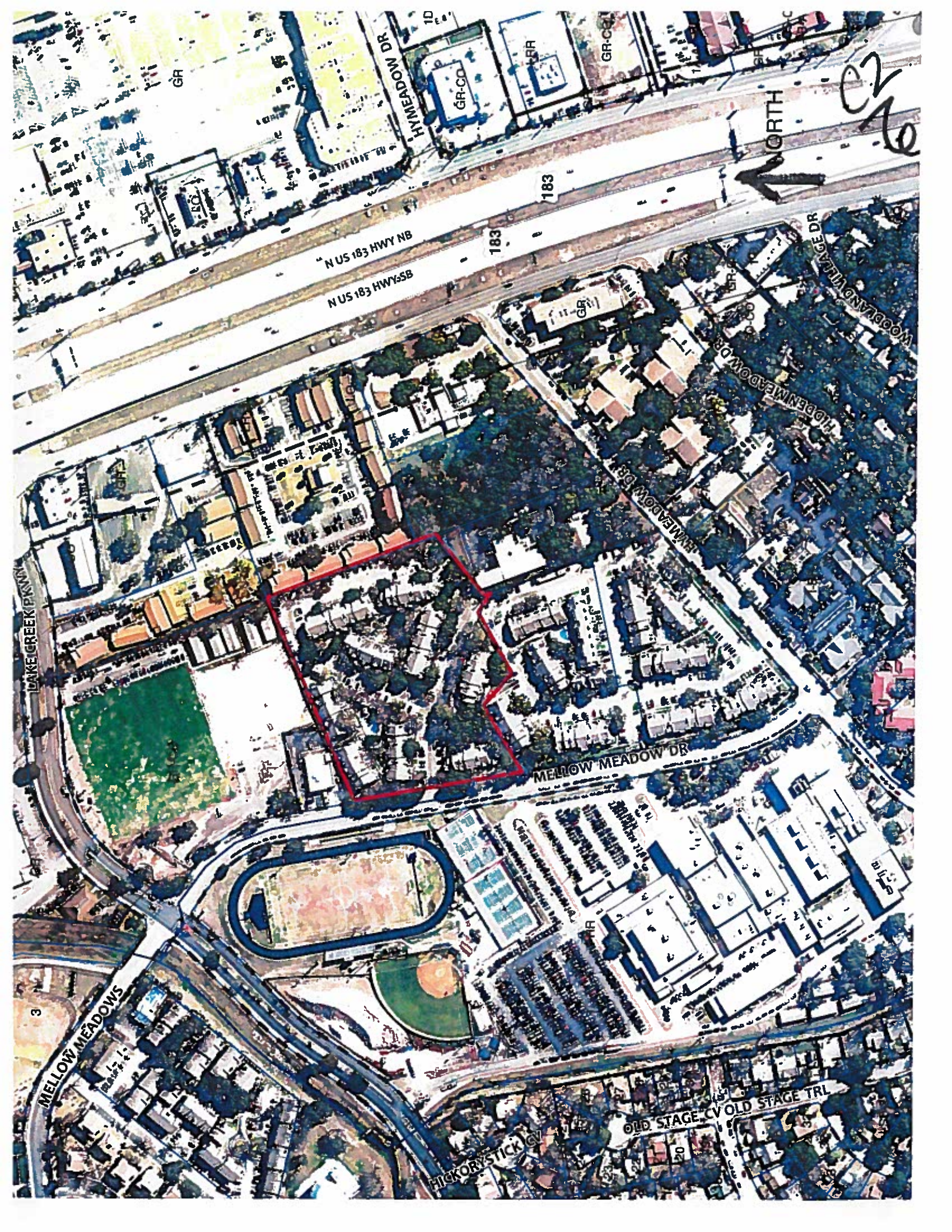
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N US 183 HWY NB  
N US 183 HWY SB

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183

HAYMEADOW DR

GR-CC

GR-CC

GR-CC

HIDDEN MEADOW DR

MELLOW MEADOW DR

MELLOW MEADOW DR

LAKE CREEK PKWY

MELLOW MEADOWS

OLD STAGE CV  
OLD STAGE TRL

HICKORYS TCK



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## STAFF RECOMMENDATION

The staff's recommendation is to grant MF-3, Multifamily Residence-Medium Density District, zoning.

## BASIS FOR RECOMMENDATION

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

Multifamily residence medium density (MF-3) district is the designation for multifamily use with a maximum density of up to 36 units per acre, depending on unit size. An MF-3 district designation may be applied to a use in a multifamily residential area located near supporting transportation and commercial facilities in a centrally located area or in an area for which medium density multifamily use is desired.

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

The proposed zoning and existing use are compatible with surrounding uses as there is a multifamily use to the south (Westwood Apartments), an office use to the east, a school to the west (Westwood High School) and a commercial use to the north (Fire Athlete Boot Camp).

3. *The proposed zoning should allow for a reasonable use of the property.*

The proposed zoning will permit the applicant to bring the existing multifamily use on the property into conformance with the City of Austin Land Development Code land use regulations.

## EXISTING CONDITIONS

### Site Characteristics

The property in question is currently developed with a 164 unit multifamily residential use (Audubon Square Apartments).

### Comprehensive Planning

#### IRR to MF-3

This zoning case is located on the east side of Mellow Meadow Drive, on a 29.5 acres property that contains a large multifamily apartment complex. The property is also not located with the boundaries of a neighborhood planning area. Surrounding land uses includes a small gym and tennis courts to the north, another apartment complex to the south, Westwood High School to the west, and a large office complex to the east, which fronts on Research Boulevard. The proposal is to rezone the property to reflect the existing use on the property, which is a multi-family apartment complex.

#### **Imagine Austin**

The site is located over the Edwards Aquifer Recharge Zone, as identified on the Imagine Austin's Environmental Resources Map, found in the Image Austin Comprehensive Plan (IACP). An aquifer contributing zone is an area where runoff from precipitation flows to the recharge zone of an aquifer. Streams in the contributing zone flow downstream into the recharge zone and "contribute" water to the aquifer.

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The property is also located just outside the boundaries of a 'Regional Center' (located to the north) as identified on the Imagine Austin's Growth Concept Map. A Regional Center is the most urban of the three activity centers outlined in the growth concept map and are for retail, cultural, recreational, and entertainment. These are also the places where the greatest density of people and jobs and the tallest buildings in the region will be located.

### **Conclusion**

The comparatively scale of the site relative to the other multifamily complexes and other intense retail, institutional and commercial uses in the area, as well as the site not being along an Activity Corridor or within an Activity Center, falls below the scope of Imagine Austin; consequently, the plan is neutral on the proposed rezoning. However, due to the site's location in an environmentally sensitive area, there will be at the site planning stage if this property is ever redeveloped, an environmental review to determine if any critical environmental features are located on the site.

### **Environmental**

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

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.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. 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 requires water quality control with increased capture volume and control of the 2 year storm on site.

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.

### **Impervious Cover**

The maximum impervious cover allowed by the MF-3 zoning district would be 65%. 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.



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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 Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

Note: The most restrictive impervious cover limit applies.

**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**

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

**Transportation**

Additional right-of-way will be required at the time of subdivision and/or site plan.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Mellow Meadow Drive.

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:

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bike Route</b>	<b>Capital Metro (within 1/4 mile)</b>
Mellow Meadow Drive	66'	44'	Neighborhood Collector	Yes	No	Yes

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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 and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. 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.