

**APPEAL
PLANNING COMMISSION SITE PLAN
CONDITIONAL USE PERMIT REVIEW SHEET**

CASE NUMBER: SPC-2014-0086C.SH **CITY COUNCIL DATE:** January 29, 2015
PC DATE: October 28, 2014

PROJECT NAME: Springdale Multifamily

DISTRICT #1: Council Member Ora Houston

ADDRESS OF APPLICATION: 5605 Springdale Road

APPEALANT: DeWayne Lofton

APPLICANT: Ryan Companies US Inc. (Ryan Ritchie)

AGENT: Big Red Dog (Thomas Lombardi)

**NEIGHBORHOOD
PLAN:** Pecan Springs/Springdale

CASE MANAGER: Nikki Hoelter Phone: 974-2863
Nikki.hoelter@austintexas.gov

PLANNING COMMISSION ACTION: October 28, 2014, Approved conditional use permit 8-0

PROPOSED DEVELOPMENT:

The applicant is requesting a conditional use permit for a 4 building, 290 unit multifamily project, with surface parking, water quality and detention pond, sidewalk improvements, private common open space and utilities on 21.12 acres.

The site plan requires a conditional use permit for a multifamily use because the zoning ordinance 20070621-122, specified multifamily as a conditional use requiring Planning Commission approval.

EXISTING ZONING: GR-MU-CO-NP and MF-3-CO-NP

CITY COUNCIL ACTION: City Council has two options, to either deny or uphold the appeal. If the appeal is denied, the site plan approval will be approved as motioned by the Planning Commission. The developer will be able to proceed with development of the plan as shown.

If the Council decides to uphold the appeal, the site plan will be denied, and any future development of the site will be required to proceed through the site plan review process again. New fees, case number, review cycle, review and approval by staff would all be required before a permit is obtained for the same proposed development.

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the conditional use permit. The land use would otherwise be an administrative approval within the GR-MU and MF-3 zoning district. All improvements and buildings will be constructed on the GR portion of the site, which is 11.95 acres and a small portion of the MF-3 portion. The MF-3 portion of the project site will remain undeveloped and the majority of this tract will

be dedicated as a drainage easement. The entire limits of construction will be within the GR zoned portion of the property.

The site plan will comply with all requirements of the Land Development Code prior to its release.

PROJECT INFORMATION

TOTAL SITE AREA	923,907 square feet	21.21 acres	
EXISTING ZONING	GR-MU-CO-NP and MF-3-CO-NP		
WATERSHED	Fort Branch and Little Walnut Creek (Urban)		
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance		
TRAFFIC IMPACT ANALYSIS	Not required		
CAPITOL VIEW CORRIDOR	None		
PROPOSED ACCESS	Springdale Road		
	Allowed	Existing	Proposed
FLOOR-AREA RATIO	1:1	0	.36.:1// 339,820 sf
BUILDING COVERAGE	75%	0	16.6%//86171sf
IMPERVIOUS COVERAGE	90%*	0	53.5%//278,490 sf
PARKING	Required – 109	0	Provided – 440
NUMBER OF UNITS		0	290

SUMMARY COMMENTS ON SITE PLAN:

Land Use: The applicant is requesting a conditional use permit for a multifamily project. Two buildings plan to be 3 stories, and the other 2 buildings will be 4 and 5 stories. A total of 290 units are proposed. Parking will be provided onsite with surface parking, private common space by way of an interior courtyard, and pool area, and undisturbed areas.

A traffic impact analysis was not required because the vehicle trips did not generate over 2,000 vehicle trips per day, as specified in the Land Development Code, Section 25-6-113.

A water quality and detention pond will be constructed on site, and dedication of a drainage easement will be executed prior to site plan release.

Subchapter E, commercial design guidelines will be applied to the site, with the principal roadway being an internal circulation route.

Compatibility standards are triggered to the west of the site across Springdale Road. However the site plan complies with all setback, height, and screening requirements.

This project is an affordable housing project and has received the Smart Housing Certification from Neighborhood Housing and Community Development.

EXISTING ZONING AND LAND USES

	ZONING	LAND USES
Site	GR-MU-CO-NP/ MF-3-CO-NP	Undeveloped
North	GR-CO-NP/P-NP	Office and park/greenbelt/undeveloped
South	GR-NP/ SF-6-NP	Vacant and park/greenbelt/undeveloped
East	P-NP	Parkland
West	SF-2-NP/GO-CO-NP	Single family residence and office/vacant

NEIGHBORHOOD ORGNIZATIONS:

511—Austin Neighborhoods Council
623—City of Austin Downtown Commission
742—Austin Independent School District
786—Home Builders Association of Greater Austin
1037—Homeless Neighborhood Assn.
1075—League of Bicycling Voters
1113—Austin Parks Foundation
1200—Super Duper Neighborhood Objectors and Appealers Organization
1224—Austin Monorail Project
1409 – Beyond 2nd Nature
1197 – East MLK Combined Neighborhood Contact Team
1447 – Friends of Emma Barrientos
1312 – Reissig Group
1213 – East MLK Combined Neighborhood Association
1444 – East Austin Conservancy
1258 – Del Valle Community Coalition

CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA

- A.** The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: “The Planning Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section. A conditional use site plan must:
- B.**
- 1. Comply with the requirements of this title;**
Staff Response: This site plan complies with all regulations and requirements of the Land Development Code.
 - 2. Comply with the objectives and purposes of the zoning district;**
Staff Response: The proposed development and land use would be a permitted use within the GR-MU zoning district and the site plan could be approved administratively.
 - 3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;**
Staff Response: The site plan will comply with all these elements of the code. The applicant is seeking no relief through waivers or variances. In addition, the site plan complies with setback, height, and compatibility requirements.

4. Provide adequate and convenient off-street parking and loading facilities; and

Staff Response: The site plan complies with off-street parking and loading facility requirements.

5. Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.

Staff Response: The site plan will comply with all requirements of the Land Development Code including Compatibility Standards, and reasonably protects the health, safety, and welfare of persons and property.

6. For conditional use located within the East Austin Overlay district, comply with the goals and objectives of a neighborhood plan adopted by the City Council for the area in which the use is proposed. Staff response: Not applicable**C. In addition, a conditional use site plan may not:****7. More adversely affect an adjoining site than would a permitted use;**

The multifamily use would be a permitted use with the mixed use component of the zoning, however the neighborhood zoning ordinance for this tract required a conditional use for multifamily land uses.

8. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; or

Staff Response: The site plan does not adversely affect the safety and convenience of vehicular and pedestrian circulation. All parking and circulation for vehicles will be onsite.

9. Adversely affect an adjacent property or traffic control through the location, lighting, or type of a sign. Staff Response: All signs and lighting will comply with the Land Development Code.

D. 25-5-145. A site plan may not adversely affect the public health, safety, or welfare, or materially injure property. If the Land Use Commission determines that a site plan has an adverse effect or causes a material injury under this subsection, the Land Use Commission shall identify the adverse effect or material injury.

§ 25-5-146 CONDITIONS OF APPROVAL.

(A) To make a determination required for approval under Section 25-5-145 (Evaluation Of Conditional Use Site Plan), the Land Use Commission may require that a conditional use site plan comply with a condition of approval that includes a requirement for:

- (1) a special yard, open space, buffer, fence, wall, or screen;
- (2) landscaping or erosion;
- (3) a street improvement or dedication, vehicular ingress & egress, or traffic circulation;
- (4) signs;
- (5) characteristics of operation, including hours;
- (6) a development schedule; or
- (7) other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.