

ZONING CHANGE REVIEW SHEET

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CASE: C14-2015-0031.SH (Azul 620)

Z.A.P. DATE: April 21, 2015

ADDRESS: 11411 North FM 620 Road

DISTRICT AREA: 6

OWNER/APPLICANT: Judy and Fred Helms, Kathy and Donald Gross

AGENT: DMA Development Company, LLC (Janine Sisak)

ZONING FROM: DR

TO: MF-1

AREA: 9.392 acres

SUMMARY STAFF RECOMMENDATION:

The staff recommends MF-1, Multifamily Residence-Limited Density District, zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The property in question contains single-family residences and an undeveloped area that takes access North FM 620 Road. To the north there is a commercial retail center (Plaza Volente: HEB, Panda Express, Starbucks Coffee, Chase Bank, etc.). The tract of land to the south contains a Retail Supply/Construction Sales and Services use and an undeveloped area. To the east, there are single family residences off of Antler Lane (Oak Deer Park Subdivision). The properties to west, across FM 620, are developed with a Convenience Storage use (U-Haul) and an Outdoor Recreation use (Woodland Green's Golf Center). The applicants in this case are requesting to rezone the property to MF-1, Multifamily Residence-Limited Density District, zoning to construct approximately 120 multifamily residential units on the site. They have applied for Low Income Housing Tax Credits from the Texas Department of Housing and Community Affairs (Please see S.M.A.R.T. Housing Certification letter – Attachment A).

The staff supports the applicant's request for MF-1, Multifamily Residence-Limited Density District, zoning. The property meets the intent of the MF-1 zoning district designation as it provides a transition from the single family uses to the east to the commercial uses fronting FM 620 to the west. The property will take access to an arterial roadway, North FM 620 Road, and is located adjacent to commercial uses to the north and west. The proposed zoning will provide for a mixture of housing opportunities in this area of the City.

The applicant agrees with the staff's recommendation.

CM

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Single Family Residences, Undeveloped Area
<i>North</i>	GR-CO, CS, CS-1	Retail Center (Plaza Volente: HEB Plus, Austin Smile Center, Jersey Mike's Subs, Papa John's Pizza, Panda Express, Starbucks Coffee, Torchy's Tacos, Chase Bank, Palm Beach Tan, etc.)
<i>South</i>	County	Retail Supply Store/Construction Sales and Services, Undeveloped
<i>East</i>	DR	Single-Family Residences
<i>West</i>	County	Convenience Storage (U-Haul), Outdoor Recreation (Woodland Green's Golf Center)

AREA STUDY: N/A

TIA: Not Required

WATERSHED: Bull Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: Yes

HILL COUNTRY ROADWAY:

This site is part of a larger tract of land that is located within a designated Hill Country Roadway corridor (A hill country roadway corridor is the land within the City's zoning jurisdiction located 1,000 feet or less from each side of the right-of-way of RM 620, from SH 71 to Anderson Mill Road).

NEIGHBORHOOD ORGANIZATIONS:

- Austin Heritage Tree Foundation
- Bull Creek Foundation
- Leander ISD Population and Survey Analysts
- Long Canyon Homeowners Association
- Long Canyon Phase II & LLL Homeowners Association Inc.
- SELTEXAS
- Sierra Club, Austin Regional Group
- The Parke HOA
- The Real Estate Council of Austin, Inc.
- Volente Neighborhood Association

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2011-0120 (Shops at Volente, Ltd.: 11416 North FM 620 Road)	I-RR to Tract 1: GR, Tract 2: CS-1	11/15/11: Approved staff's recommendation of GR-CO zoning for Tract 1 and CS-1-CO zoning for Tract 2, with 2,000 vtpd limit (6-0, G. Bourgeois-absent); G. Rojas-1 st , P. Seeger-2 nd .	12/0811: Approved GR-CO zoning for Tract 1 and CS-1-CO zoning for Tract 2 on consent on all 3 readings (6-0, S. Cole-off dais); B. Spelman-1 st , L. Morrison-2 nd .

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<p>C14-2009-0097 (11505 Anderson Mill Road Rezone)</p>	<p>DR to LR</p>	<p>02/02/10: Approved LR-CO zoning by consent (7-0); D. Tiemann-1st, S. Baldrige-2nd, with the following conditions from the applicant's agreement with the neighborhood: 1) Limit the site the 1,333 vehicle trips per day; 2) Prohibit the following uses on the site: Consumer Convenience Services, Restaurant (Limited), Service Station; College and University Facility Facilities, Day Care Services (Commercial), Day Care Services (General), Day Care Services (Limited), Private Primary Educational Facilities, Private Secondary Educational Facilities, Public Primary Educational Facilities, Public Secondary Educational Facilities, Safety Services, Group Home, Class I (General), Group Home, Class II, Drive-In Services; 3) Prohibit buildings greater than 1-story to be located within 75 feet of the eastern property line; 4) Restrict the Food Sales, General Retail Sales (Convenience) and General Retail Sales (General) uses to hours of operation from 7:00 a.m. to 8:00 p.m. and limit these uses to ground/1st floor occupancy within a structure on the site.</p>	<p>2/11/10: Approved LR-CO zoning on consent (6-0, Cole-off dais); Spelman-1st, Morrison-2nd. 7/06/10: Approved LR-CO zoning by consent (7-0); 2nd/3rd readings</p>
<p>C14-2009-0038</p>	<p>DR to LR (On May 8, 2009, the agent for this case sent the staff an e-mail amending the requested zoning from GR to LR)</p>	<p>5/19/09: Approved staff's recommendation of LR-CO zoning with conditions by consent (7-0); K. Jackson-1st, T. Rabago-2nd.</p>	<p>6/11/08: Approved LR-CO with conditions on all3 readings (6-0, Cole-absent); B. McCracken-1st, L. Morrison-2nd.</p>
<p>C14-04-0028 (Jack Brown Cleaners: 11521 RM 620 Road North)</p>	<p>GR-CO to CS</p>	<p>3/16/04: Approved staff's recommendation of CS zoning by consent (8-0, K. Jackson-absent); J. Martinez-1st, J. Gohil-2nd.</p>	<p>4/15/04: Approved ZAP recommendation of CS zoning (7-0); 1st reading</p>

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			4/22/04: Approved CS zoning (6-0, McCracken-off dais); 2 nd /3 rd readings
C14-04-0027 (Twin Liquors: 11521 RM 620 Road North)	GR-CO to CS-1	3/16/04: Approved staff's recommendation of CS-1 zoning by consent (8-0, K. Jackson-absent); J. Martinez-1 st , J. Gohil-2 nd . 5/4/04: Approved staff's recommendation of CS-1 zoning by consent (5-0, J. Martinez, J. Pinnelli, C. Hammond-absent); J. Gohil-1 st , J. Donisi-2 nd .	4/15/04: Pulled off agenda. Case re-noticed and sent back to ZAP Commission. 6/10/04: Granted CS-1 (7-0); all 3 readings
C14-03-0146 (Plaza Volente: 11521 R.R. 620 North)	GR-CO to GR-CO	10/28/03: Approved the staff's recommendation for GR-CO zoning with conditions: 1) Limit the site development to conditions of TIA, 2) the area 300' (depth) x 400' parallel to R.R. 620 (Tract 2) will have 'LR' uses only, 3) prohibit the Pawn Shop Services, Adult Oriented uses and Automotive uses on the entire site, by consent (8-0, J. Martinez-absent); J. Gohil-1 st , J. Donisi-2 nd .	11/06/03: Granted ZAP Commission recommendation of GR-CO zoning, by consent (7-0); 1 st reading 11/20/03: Approved GR-CO (6-0, Goodman-off dais); 2 nd /3 rd readings
C14-03-0111	DR to GR-CO	8/26/03: Approved staff's recommendation of GR-CO zoning by consent (8-0, K. Jackson-absent)	9/25/03: Approved GR-CO & RC-for TIA recommendations (7-0); all 3 readings
C14-02-0041	SF-2, DR to GR	11/19/02: Approved staff's recommendation of GR-CO zoning with conditions of: <ul style="list-style-type: none"> • 300' (depth) x 400' parallel to FM 620, will have 'LR' uses only (Tract 2); • conditions set out by staff in the T.I.A.; • No Pawn Shop Services; • No Adult Oriented Businesses; • No Automotive Uses (Vote: 7-0, A. Adams-absent) 	1/30/03: Granted GR-CO on 1 st reading (7-0) 3/6/03: Approved (7-0); 2 nd /3 rd readings
C14-95-0167	SF-2 to MF-2	Approved GR-CO, LO-CO, and LR-CO w/ conditions (8-0)	Approved GR-CO, LO-CO, & LR-CO subject to conditions (5-0); 1 st reading

CS

			Approved GR-CO (SW area), LO-CO (NE 300'); LR-CO (NW 300') (7-0); 2 nd /3 rd readings
C14-94-0124	DR to SF-2	Approved SF-2-CO w/ conditions (9-0)	Approved SF-2-CO w/ conditions (5-0); 1 st reading Approved SF-2-CO (5-0); 2 nd /3 rd readings
C14-93-0032	SF-2, DR to GR	Approved GR-CO as recommended	Approved GR-CO w/ conditions (5-0), 1 st reading Approved GR-CO (7-0); 2 nd /3 rd readings

RELATED CASES: There are no pending related cases.

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
RM 620	150'	MAD 4	Arterial	No	No	No

CITY COUNCIL DATE: May 14, 2015

ACTION:

ORDINANCE READINGS: 1st

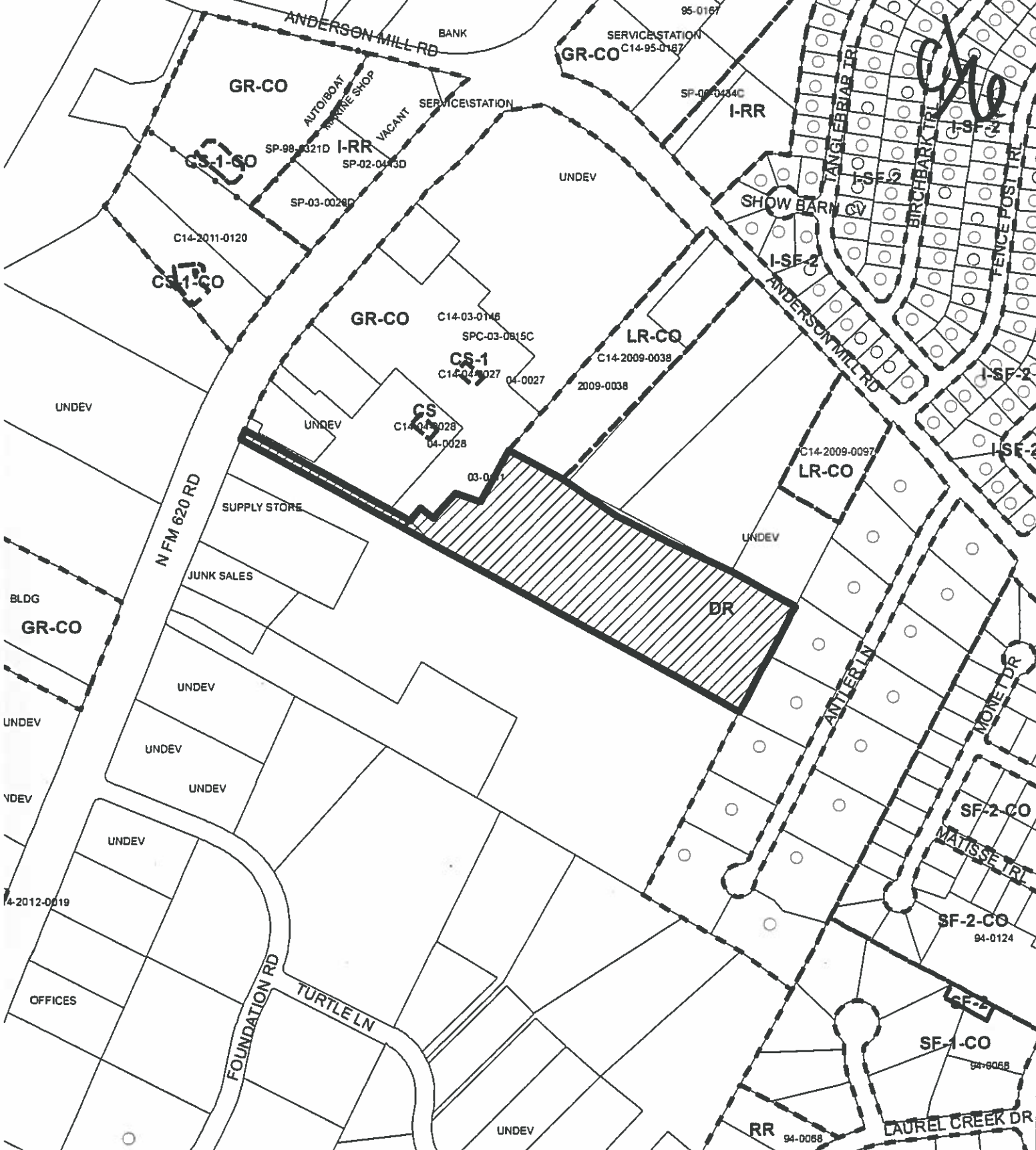
2nd




3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057,
sherri.sirwaitis@austintexas.gov



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

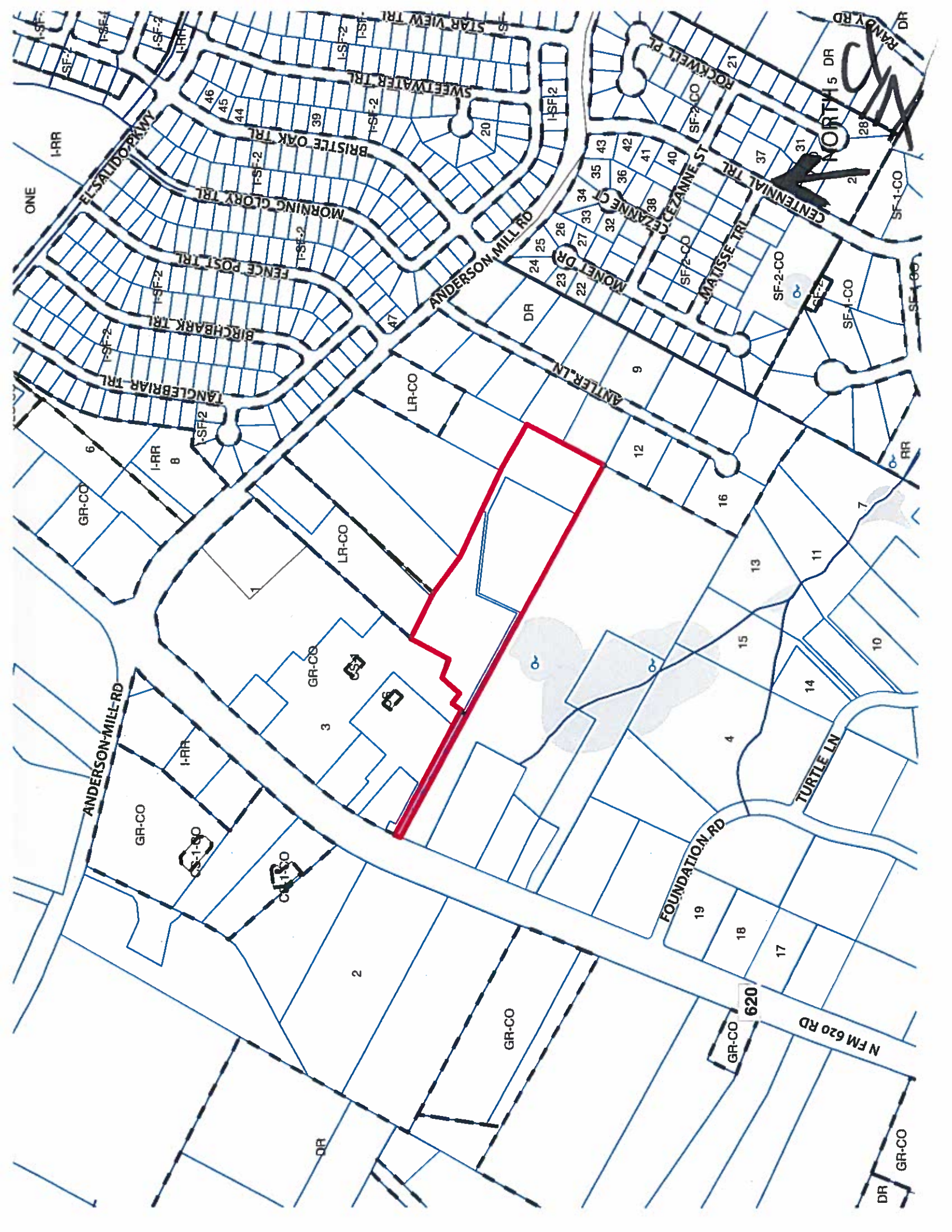
ZONING
CASE#: C14-2015-0031.SH

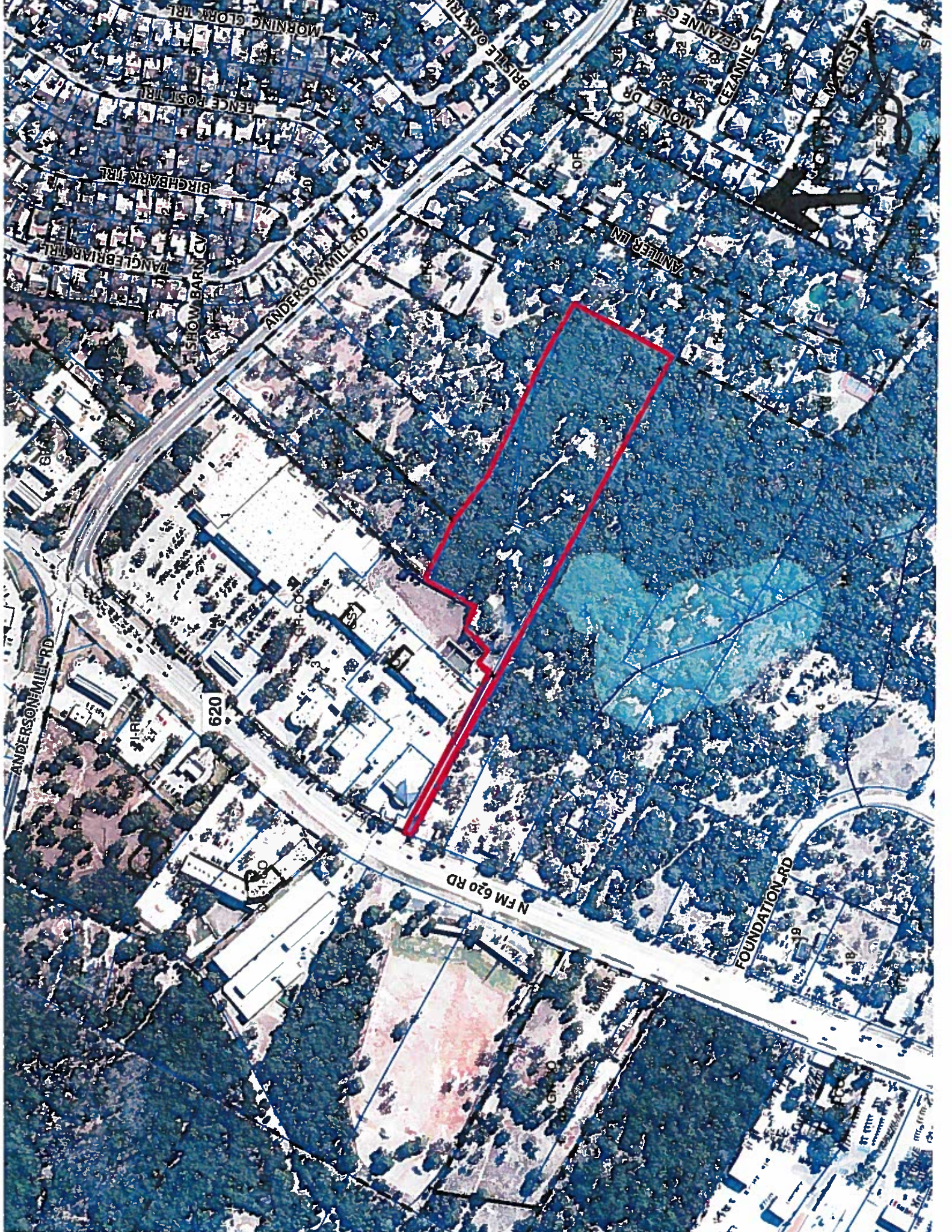


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This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 400'





MORNING GLOM TRL

FENCE POST TRL

BIRCHBARK TRL

TANGLEBRIAR TRL

FISHOW BARN CT

61

62

63

64

65

66

67

68

69

70

71

72

ANDERSON MILL RD

ANDERSON MILL RD

BRISLE OAK TRL

ANDERS LN

CEZANNE ST

MONET DR

WINDY ST

WINDY ST

N FM 620 RD

FOUNDATION RD

620

620

620

620

620

620

CJ/CA

STAFF RECOMMENDATION

The staff recommends MF-1, Multifamily Residence-Limited Density District, zoning.

BASIS FOR RECOMMENDATION

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

Multifamily residence limited density (MF-1) district is the designation for a multifamily use with a maximum density of up to 17 units per acre, depending on unit size. An MF-1 district designation may be applied to a use in a residential neighborhood that contains a mixture of single family and multifamily uses or in an area for which limited density multifamily use is desired. An MF-1 district may be used as a transition between a single family and higher intensity uses.

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

The proposed MF-1 zoning will provide a transition from the single family uses to the east to the commercial uses fronting FM 620 to the west. The proposed zoning will provide for a mixture of housing opportunities in this area of the City.

3. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*

The property in question is located near the southwest intersection of two arterial roadways, North FM 620 Road and Anderson Mill Road. This tract of land will take access to FM 620 Road and it is located adjacent to commercial uses to the north and west.

EXISTING CONDITIONS

Site Characteristics

The site under consideration is contains single-family residential structures and an undeveloped area that takes access to North FM 620 Road.

Comprehensive Planning

DR to MF-1

This zoning case is located on the east side of FM 620, on an internal vacant lot that is approximately 9.4 acres in size and not located within the boundaries of a neighborhood planning area. Surrounding land uses includes vacant property and single family housing to the north, vacant land to the south, single family housing to the east, and retail uses to the west, along FM 620. The proposed use is a 120 unit multi-family apartment complex.

Imagine Austin and Conclusions

The site is located over the Edwards Aquifer Recharge Zone. 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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Additionally, page 107 of IACP specifically addresses new development that occurs outside of Growth Concept Centers and Corridors, including this language: “The type of infill housing will vary ... and include single-family houses, duplexes, secondary apartments, townhouses, row houses, and smaller-scaled apartments. **New commercial, office, larger apartments ... may also be located in areas outside of centers and corridors.**”

Analyzing the comparative scale of the site relative to other nearby commercial and residential uses, the project area is not located along an existing Activity Corridor or within an Activity Center as identified on the Imagine Austin Growth Concept Map, and therefore this case falls below the scope of Imagine Austin, which is broad in scope, and 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 an environmental review to determine if any critical environmental features are located on the site. If any are located, mitigation and setbacks necessitated by the land development code will be required.

The developer of this multifamily project is also strongly encouraged to make this project a ‘complete community’ by including the following amenities or features to the residential project: (1) adding street trees to provide shade and beauty; (2) varying the density and height of the project that abuts the single family neighborhood to the east so the massing of this project does not overwhelm the neighborhood; and (3) adding a sidewalk so residents can readily access the retail uses located along FM 620 without needing to use an automobile.

Environmental

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, which is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City’s Land Development Code. It is in the Drinking Water Protection 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-1 zoning district would be 45%. However, because the Watershed impervious cover is more restrictive than the zoning district’s allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

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Under the 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>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Development within a Water Quality Transition Zone is limited to 18%.

Note: The most restrictive impervious cover limit applies.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Compatibility Standards

The site is subject to compatibility standards. Along the east property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- Additional design regulations will be enforced at the time a site plan is submitted.

This site is within the Scenic Roadway Sign District . All signs must comply with Scenic Roadway Sign District regulations. Contact Viktor Auzenne at 512-974-2941 for more information.

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A portion of the site is located within 1,000 feet of RM 620 and within a Hill Country Roadway Corridor. The site is located within the moderate intensity zone of RM 620. The site may be developed with the following maximum floor-to-area ratio (FAR):

<u>Slope</u>	<u>Maximum FAR</u>
0-15%	0.25
15-25%	0.10
25-35%	0.05

- Except for clearing necessary to provide utilities or site access, a 100 foot vegetative buffer will be required along RM 620. At least 40% of the site (excluding dedicated right-of-way) must be left in a natural state. The allowable height is as follows: Within 200 feet of RM 620 the maximum height is 28 feet, and beyond 200 feet the maximum height is 40 feet.
- Prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Planning Commission.

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 storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Transportation

The Austin Metropolitan Area Transportation Plan calls for a total of 400 feet of right-of-way for RM 620. TxDOT may request the reservation of additional right-of-way in accordance with the Transportation Plan when the site is redeveloped [LDC, Sec. 25-6-51 and 25-6-55].

Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on RM 620 Rd.

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]

At the time of site plan or subdivision, the project must comply with the Complete Street Principles. Complete street recommendations:

- Extend stub-outs to neighboring properties for connections to future developments (#2).
- Encourage walkability to neighboring commercial and residential developments by prohibiting gates (#2).

U/B

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
FM 620 Rd	153'	62'	Arterial	No	Yes, # 401	No

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.



City of Austin

P.O. Box 1088, Austin, TX 78767
www.cityofaustin.org/housing

Neighborhood Housing and Community Development Department

January 29, 2015

S.M.A.R.T. Housing Certification-
Austin DMA Housing II, LLC- Azul 620- 11411 North Ranch Road 620 - (id #65831)

TO WHOM IT MAY CONCERN:

Austin DMA Housing II, LLC (development contact: Janine Sisack (512-328-3232 ext 4505; janines@dmacompanies.com) is planning to develop a 120 unit multi-family development at 11411 North Ranch Road 620. The project is not located in a neighborhood planning area.

Since 2% of the units (11 units) will serve households at or below 30% Median Family Income (MFI); 37% of the units (44 units) will serve households at or below 50% Median Family Income (MFI); 46% of the units (55 units) will serve households at or below 60% Median Family Income (MFI); the development will be eligible for 100% waiver of the fees listed in the S.M.A.R.T. Housing Ordinance adopted by the City Council. The expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees	Site Plan Review	Land Status Determination
Building Permit	Misc. Site Plan Fee	Building Plan Review
Concrete Permit	Construction Inspection	Parkland Dedication (by
Electrical Permit	Subdivision Plan Review	separate ordinance)
Mechanical Permit	Misc. Subdivision Fee	
Plumbing Permit	Zoning Verification	

Prior to filing of building permit applications and starting construction, the developer must:

- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Austin Energy: Kathleen Murray 482-5351 or Heidi Kasper 482-5407).
- ◆ The site plan and building plans are required to meet the accessibility per the S.M.A.R.T. Housing program.

Before a Certificate of Occupancy will be granted, the development must:

- ◆ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).

The applicant must demonstrate compliance with the reasonably-priced standard after the completion of the units, or repay the City of Austin in full the fees waived for this S.M.A.R.T. Housing certification.

Sirwaitis, Sherri

From: Janine Sisak <~~janine@dmaacompanies.com~~>
Sent: Thursday, April 09, 2015 9:36 AM
To: Sirwaitis, Sherri
Cc: Valentin DeLeon
Subject: C14-2015-0031.SH

CL/15

Sherri:

This email requests a postponement of the P&Z hearing for this case. We met with the neighbors this past Monday and are working through some concerns they have about the development. We will need about 60 days to work through the issues, so my sense is that a P&Z hearing in June or July would work with our new timeline.

Please confirm receipt of this email.

Thanks,
Janine

Janine Sisak
DMA Development Company, LLC
4101 Parkstone Heights Drive, Suite 310
Austin, Texas 78746
Phone: 512-328-3232 ext. 4505
Fax: 512-328-4584