

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2015-0051  
(Techridge Phase IV and Phase V)

**Z.A.P. DATE:** June 2, 2015

**ADDRESS:** 14209 ½ North Interstate Highway-35 Service Road North Bound

**DISTRICT AREA:** 7

**OWNER/APPLICANT:** Tech Ridge Spectrum B.C., L.P.

**AGENT:** Smith, Robertson, Elliott, Glen, Klein & Douglas, L.L.P. (Mary Stratmann)

**ZONING FROM:** CS-MU-CO    **TO:** MF-4                      **AREA:** 27.66 acres

**SUMMARY STAFF RECOMMENDATION:**

The staff recommends MF-4, Multifamily Residence-Moderate-High Density District, zoning.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:**

6/02/15: Approved MF-4 zoning on consent (6-0); G. Rojas-1<sup>st</sup>, S. Compton-2<sup>nd</sup>.

**DEPARTMENT COMMENTS:**

The applicant is requesting MF-4, Multifamily Residence-Moderate-High Density District, zoning for the property in question because they would like to have the ability to develop the site with an apartment complex. The southeast corner of this site overlaps an active Site Plan Case for a multifamily development (SP-2015-0076). The property will fronts onto Interstate Highway-35 and will take access to the IH-35 North Bound service road.

The staff is recommending MF-4 zoning for the site because the property meets the intent of the district. The property in question is surrounded by CS-MU-CO zoning to the south and east. There is existing multifamily zoning (MF-2) further to the east adjacent to the Northtown MUD. There is CS-CO zoning, SF-2 zoning, and RR zoning to the north. The proposed MF-4 zoning will permit the applicant to develop 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-MU-CO	Undeveloped
<i>North</i>	CS-CO, SF-2, RR	Undeveloped, Cemetery (Cook-Walden/Capital Parks Memorial Hill Cemetery)
<i>South</i>	CS-CO, CS-MU	Undeveloped Tract, General Sales-General (Texas Leather Furniture)
<i>East</i>	CS-MU-CO, MF-2	Undeveloped
<i>West</i>	GR, GO	Interstate Highway-35

**AREA STUDY:** N/A

**TIA:** Waived

**WATERSHED:** Walnut Creek, Harris Branch

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation  
Austin Northwest Association  
North Growth Corridor Alliance  
Pflugerville Independent School District  
SELTEXAS  
Sierra Club, Austin Regional Group  
The Real Estate Council of Austin, Inc.  
Wells Branch Neighborhood Association

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2014-0152 (The Oaks at Techridge, Lot 1B: 14401 The Lakes Boulevard)	CS-CO to CS-MU-CO* *The applicant has stated that they only want to add MU (Mixed Use Combining) District zoning designation to the property and they propose to leave the existing Conditional Overlays from Ordinance No. 20050324-051 in the previous zoning case C14- 03-0125 (Wagner Tract).	10/07/14: Approved staff's recommendation of CS-MU- CO zoning, with a CO to 1) prohibit Art Workshop, Building Maintenance Services, Campground, Commercial Blood Plasma Center, Drop-off Recycling Collection Facility, Equipment Repair Services, Equipment Sales, Kennels, Laundry Service, Pawn Shop Services, Vehicle Storage, Veterinary Services, Maintenance and Service Facilities and Adult Oriented Businesses, 2) make conditional uses: Automotive Repair Services, Convenience Storage, Limited Warehousing and Distribution and 3) For an Automotive Repair use, a 400-foot wide building setback shall be established along the north and south property lines. on consent (7-0); P. Seeger-1 <sup>st</sup> , G. Rojas-2 <sup>nd</sup> .	11/06/14: Approved CS-MU-CO zoning on consent on all 3 readings (6-0, B. Spelman- absent); L. Morrison-1 <sup>st</sup> , M. Martinez-2 <sup>nd</sup> .
C14-2013-0124 (Oaks at Techridge, Lot 4B: 14400 The	MF-3to CS-MU	11/05/13: Approved staff's recommendation of CS-MU zoning by consent (7-0); C. Banks-1 <sup>st</sup> , P. Seeger-2 <sup>nd</sup> .	12/12/13: Approved CS-MU zoning on consent on all 3 readings (7-0); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .

Lakes Boulevard)			
C14-2012-0119 (The Oaks Phase III: 14233 The Lakes Boulevard)	CS-MU-CO to MF-2	11/06/12: Approved MF-2 zoning on consent (6-0, G. Rojas-absent); P. Seeger-1 <sup>st</sup> , C. Banks-2 <sup>nd</sup> .	12/06/12: Approved MF-2 zoning on consent on all 3 readings (7-0); M. Martinez-1 <sup>st</sup> , B. Spelman-2 <sup>nd</sup> .
C14-2012-0061 (The Oaks at Techridge Phase 2b: 14400 The Lakes Boulevard)	CS-CO to MF-3	8/07/12: Approved MF-3 zoning on consent (5-0, S. Baldrige and J. Meeker- absent); P. Seeger-1 <sup>st</sup> , G. Rojas-2 <sup>nd</sup> .	9/27/12: Approved MF-3 zoning on consent on all 3 readings (7-0); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .
C14-05-0148 (SCI Tract: North IH-35 and West Howard Ln.)	I-RR to CS-MU	10/18/05: Approved staff's recommendation for CS-MU- CO zoning, with 2,000 vehicle trip limit, by consent (9-0); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	11/17/05: Approved ZAP Recommendation of CS-MU-CO zoning by consent (7-0); all 3 readings
C14-04-0212 (Dessau Park: 1000 West Howard Lane)	I-RR to MF-2, LI	3/29/05: Approved staff's recommendation for MF-2-CO zoning for Tract 1 and LI-CO zoning for Tract 2, w/ 2,000 vtpd limit, by consent (9-0)	4/28/05: Granted MF-2-CO for Tract 1 and LI-CO for Tract 2 (5-0-McCracken/Wynn-off the dais); all 3 readings
C14-03-0125 (Wagner Tract: 13801-14409 North IH-35 Service Road North Bound)	SF-2 to CS	6/1/04: Approved GR-CO zoning with the following prohibited uses: Automotive Repair Services; Drop-Off Recycling Collection Facility; Pawn Shop Services (8-0, Pinnelli-absent	6/17/04: Granted CS-CO as recommended by staff, with additional conditions agreed to between the applicant and the neighborhood association (7-0); 1 <sup>st</sup> reading  3/24/05: Approved CS-CO zoning, with a conditional overlay to 1) prohibit Art Workshop, Building Maintenance Services, Campground, Commercial Blood Plasma Center, Drop-off Recycling Collection Facility, Equipment Repair Services, Equipment Sales, Kennels, Laundry Service, Pawn Shop Services, Vehicle Storage, Veterinary Services, Maintenance and Service Facilities and Adult Oriented Businesses, 2) make conditional uses: Automotive Repair Services, Convenience Storage, Limited Warehousing and Distribution and

			3) Require a 400-foot wide building setback shall be established along the north and south property lines for an Automotive Repair use, with TIA conditions in a public restrictive covenant; on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0)
C14-02-0111 (The Shops on Howard Lane: 1200 Block of West Howard Lane)	TR1: GR-CO to GR  TR2: CS-CO to CS	10/15/02: Approved staff's rec. of GR-CO; CS-CO zoning with added condition to prohibit Automotive Sales; by consent (7-0, D. Castaneda-absent	12/5/02: Granted GR-CO for Tract 1 and CS-CO for Tract 2 on all 3 readings (7-0)

**RELATED CASES:** C14-2014-0152, C14-03-0125 (Previous Zoning Cases)

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Daily Traffic City of Austin traffic counts:
IH-35	300'	FWY-6	Freeway	158,000

**CITY COUNCIL DATE:** August 13, 2015

**ACTION:**

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

2<sup>nd</sup>

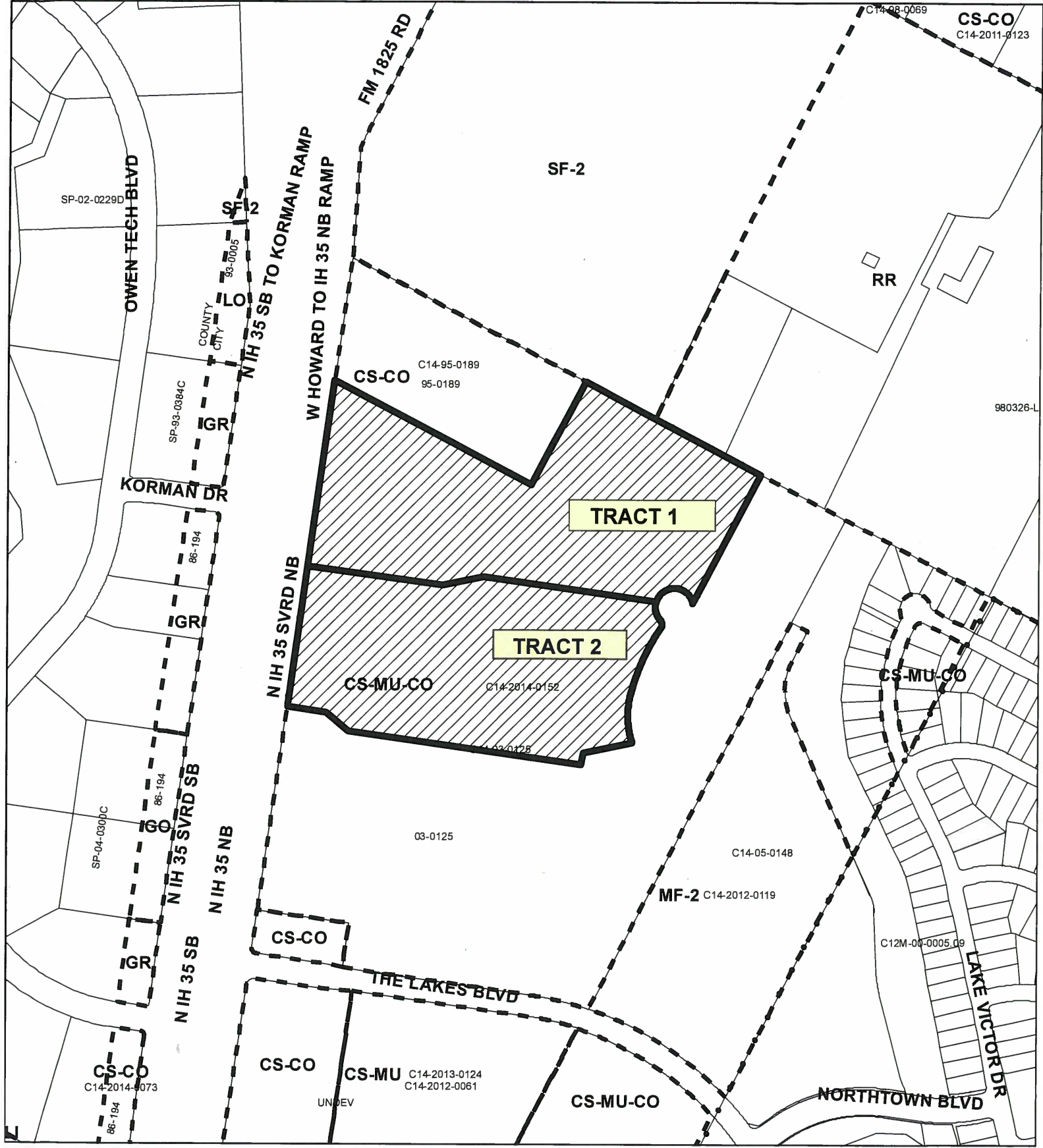
3<sup>rd</sup>




**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 512-974-3057

[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**ZONING**  
**CASE#: C14-2015-0051**

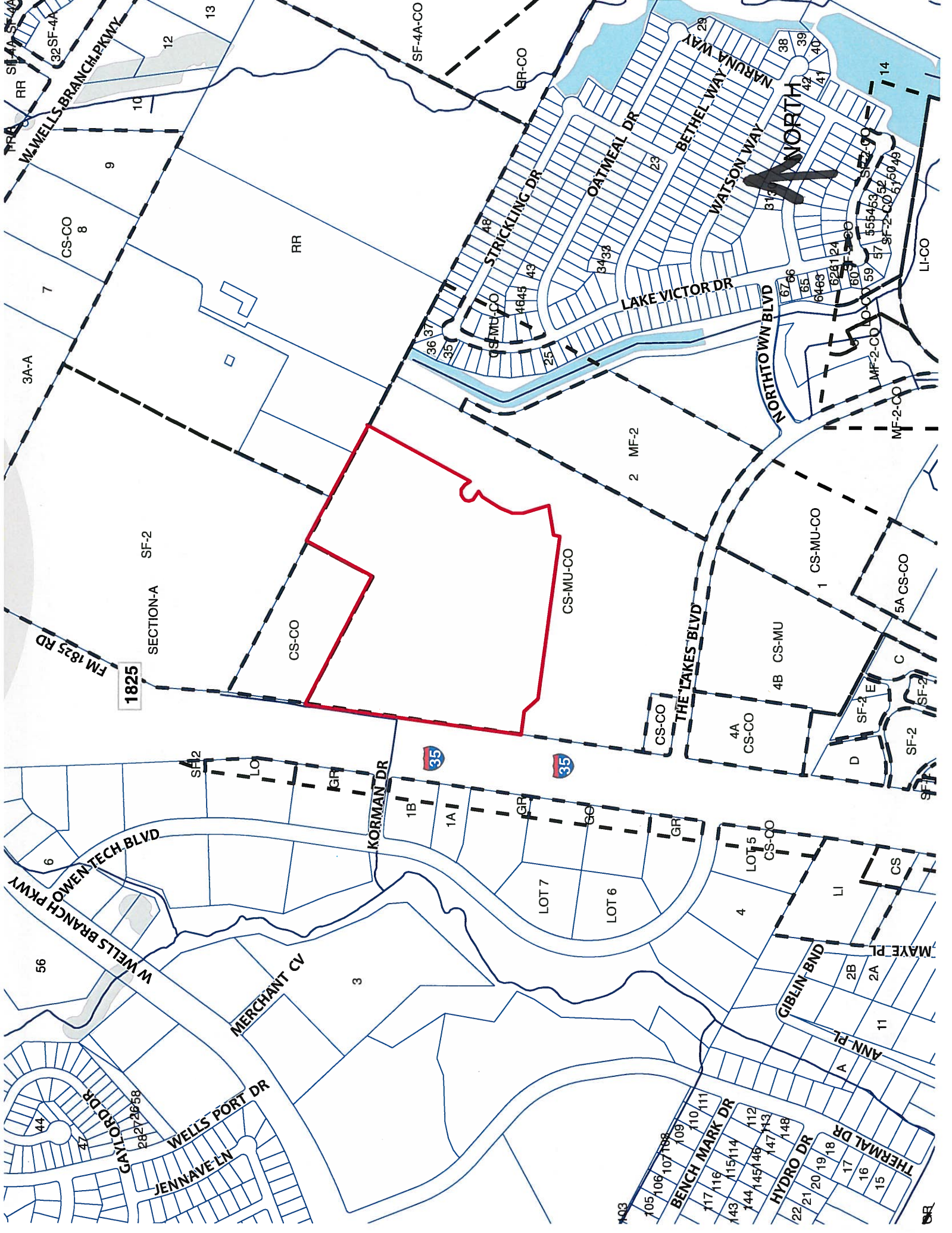
1" = 400'

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.

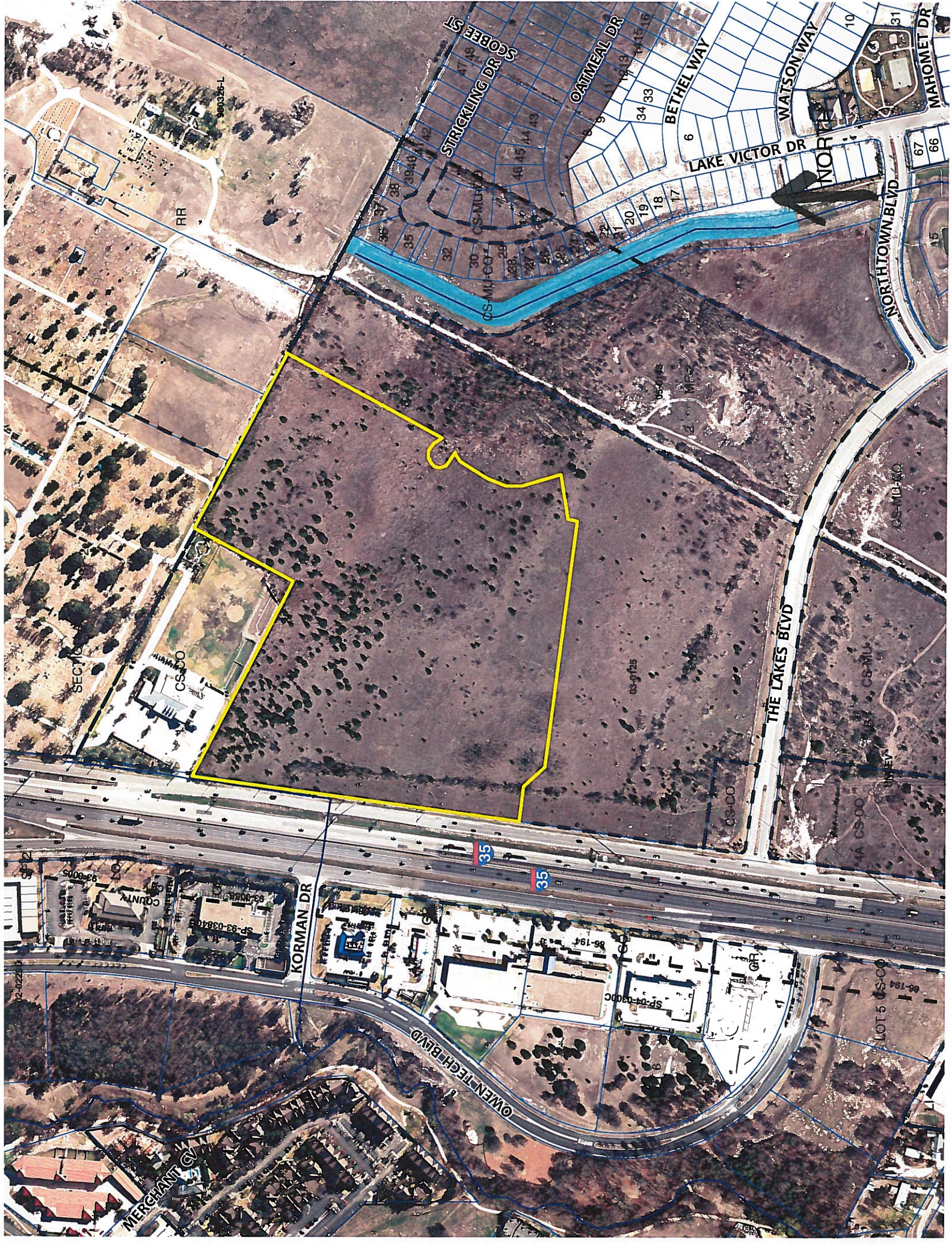
This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.













## **STAFF RECOMMENDATION**

The staff recommends MF-4, Multifamily Residence-Moderate-High Density District, zoning.

## **BASIS FOR RECOMMENDATION**

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

Multifamily residence moderate - high density (MF-4) district is the designation for multifamily and group residential use with a maximum density of 36 to 54 units per acre, depending on unit size. An MF-4 district designation may be applied to high density housing in a centrally located area near supporting transportation and commercial facilities, in an area adjacent to the central business district or a major institutional or employment center, or in an area for which moderate to high density multifamily use is desired.

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

The MF-4 zoning district would be compatible and consistent with the surrounding uses because the property in question is surrounded by CS-MU-CO zoning to the south and east. There is existing multifamily zoning (MF-2) further to the east adjacent to the Northtown MUD.

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

The proposed MF-4 zoning district would allow for a fair and reasonable use of the site. The site fronts onto Interstate Highway-35 and is part of an active Site Plan Case for a multifamily development (SP-2015-0076). The proposed MF-4 zoning will permit the applicant to develop 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 property in question is a large undeveloped tract of land that front onto the IH-35 North Bound Service Road. The site is relatively flat and sparsely vegetated. There is a cemetery use (Cook-Walden Memorial Hill Cemetery) to the north, undeveloped land and a general retail sales-general uses (Texas Leather Furniture) to the south, Interstate Highway-35 Northbound to the west and undeveloped land to the east.

### **Comprehensive Planning**

No comments received.

### **Environmental**

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

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 512-974-1876. 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-4 zoning district would be 70%. 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.

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 (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Note: The most restrictive impervious cover limit applies.

### **Site Plan**

The southeast corner of this site overlaps an active Site Plan Case for a multifamily development (SP-2015-0076). The area of overlap is approximately 6,700 square feet.

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**

There are Single Family homes approximately 475 feet from the eastern property line. The following compatibility standards apply along the east property line:

- 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.
- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- 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.

### **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 IH 35. TxDOT may request the reservation of additional right-of-way in accordance with the Transportation Plan when the site is developed [LDC, Sec. 25-6-51 and 25-6-55].

A traffic impact analysis (TIA) was waived for this case because a TIA was previously conducted with zoning case C14-03-0125 and the proposed Multi-family development is estimated to significantly decrease the daily vehicle-trips previously allowed. If the requested zoning is granted, development should be limited through a conditional overlay to not exceed the vehicle trips per day previously allowed with case C14-03-0125. [LDC, 25-6-117]. Note: A TIA Addendum may be required during the site plan application.

IH-35 NB Frontage Road is classified in the Bicycle Plan as Bike Route No. 421.

Capital Metro bus service (Route No. 1082 NB) is available along IH-35.

There are no existing sidewalks along IH-35.

The Public Works Dept. may provide additional comments regarding mobility enhancement and bicycle/pedestrian facilities.

Existing Street Characteristics:

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>ADT</b>
IH-35	300'	FWY-6	Freeway	158,000

### **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, water or wastewater easements, 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 and suitability for operation and maintenance. 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.

May 19, 2015

Ms. Sherri Sirwaitis  
City of Austin  
Neighborhood Planning & Zoning Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78704

RE: Rezoning of approximately 27.66 acres, Techridge Phase IV and Phase V, 14209 ½ North IH-35 SVRD NB, to "Multifamily Residence Moderate – High Density" (MF-4) zoning; Rezoning Case No. C14-2015-0051

Dear Sherri:

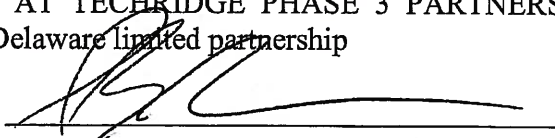
I am writing to express the strong support of Oaks at Techridge Phase 3 Partners LP, a Delaware limited partnership, for rezoning the property at 14209 ½ North IH-35 SVRD NB (the "Property") to "Multifamily Residence Moderate – High Density" (MF-4) as requested by the landowner.

The undersigned owns an approximately 12.33 acre tract located at 14233 The Lakes Boulevard, which is the tract immediately adjacent and to the east of the Property, and we are proposing a multifamily use on the land we own. We believe the proposed development of the Property provides a reasonable and fair project intensity that offers an appropriate, compatible land use transition from our multifamily project and adjacent land uses. In addition, construction of another quality multifamily development would provide a much more desirable neighbor than the current situation that involves many of the negative consequences inherent in being located adjacent to the existing vacant land.

As one of the impacted adjacent landowners, we offer our strong support of the landowner's rezoning request. Please contact me with any questions you might have.

Sincerely,

OAKS AT TECHRIDGE PHASE 3 PARTNERS  
LP, a Delaware limited partnership

By: 

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Patrick B. Patterson**  
**Senior Vice President**



May 19, 2015

Ms. Sherri Sirwaitis  
City of Austin  
Neighborhood Planning & Zoning Department  
505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78704

RE: Rezoning of approximately 27.66 acres, Techridge Phase IV and Phase V, 14209 ½ North IH-35 SVRD NB, to "Multifamily Residence Moderate – High Density" (MF-4) zoning; Rezoning Case No. C14-2015-0051

Dear Sherri:

I am writing to express the strong support of Techridge Office Phase 1 Partners LP, a Delaware limited partnership, for rezoning the property at 14209 ½ North IH-35 SVRD NB (the "Property") to "Multifamily Residence Moderate – High Density" (MF-4) as requested by the landowner.

We own an approximately 10.95 acre tract located at 14400 The Lakes Boulevard, which is south of and across the street from the Property, and we are proposing an office use on the land we own. We believe the proposed development of the Property provides a reasonable and fair project intensity that offers an appropriate, compatible land use transition from our office project and adjacent land uses. In addition, construction of a quality multifamily development would provide a much more desirable neighbor than the current situation that involves many of the negative consequences inherent in being located adjacent to the existing vacant land.

As one of the impacted adjacent landowners, we offer our strong support of the landowner's rezoning request. Please contact me with any questions you might have.

Sincerely,

TECHRIDGE OFFICE PHASE 1 PARTNERS LP,  
a Delaware limited partnership

By: Techridge Office Phase 1 Developments  
Inc., a Delaware corporation

By: 

Name: IAN ASSELTINE

Title: DIRECTOR

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:  
[www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2015-0051

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Jun 2, 2015, Zoning and Platting Commission

Aug 13, 2015, City Council

Terry Radenbaugh  
 Your Name (please print)

14704 Lake Vista Dr 78660

Your address(es) affected by this application

☐ I am in favor  
☒ I object

5-27-15

Signature

Date

Daytime Telephone: 503-532-9909

Comments: The zoned area is already a traffic issue on the service road, putting a high density complex there will increase the accidents without major changes to the road. The off ramp is less than a quarter mile from the proposed changes with no lights or traffic control and not enough lanes. The area also is a flood area from the last storm.

If you use this form to comment, it may be returned to:

City of Austin  
 Planning & Zoning Department  
 Sherri Sirwaitis  
 P. O. Box 1088  
 Austin, TX 78767-8810

Item C2