

**ZONING CHANGE REVIEW SHEET****CASE:** C14-2019-0073.SH - Lakeline II**DISTRICT:** 6**ZONING FROM:** CS-MU-CO**TO:** CS-MU-CO

The applicant is requesting to rezone the property to remove the condition in Part 2. B. of Ordinance No. 20110623-112 that requires development of the property to comply with Warehouse Limited Office (W/LO) district site development standards. The other conditions of the ordinance will remain.

**ADDRESS:** 13653 Rutledge Spur**SITE AREA:** 6.44 acres**PROPERTY OWNER:** FC Austin Six Housing Corporation (Walter Moreau)**AGENT:** Civiltude, LLC (Eyad Kasemi)**CASE MANAGER:** Sherri Sirwaitis (512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov))**STAFF RECOMMENDATION:**

The staff's recommendation is to grant the applicant's request for CS-MU-CO, General Commercial Services-Mixed Use-Conditional Overlay District, zoning.

The conditional overlay will make the following uses conditional on the property:

Business or Trade School  
Equipment Repair Services  
College and University Facilities

Convenience Storage  
Exterminating Services  
Community Recreation (Public & Private)  
Public Secondary Educational Facilities

Private Secondary Educational Facilities  
Telecommunication Towers

In addition, the following uses will be prohibited on the property:

Agricultural Sales and Services  
Automotive Repair Services  
Automotive Sales  
Campground  
Commercial Off-Street Parking  
Consumer Repair Services  
Equipment Sales  
Food Sales

Automotive Rentals  
Automotive Washing (of any type)  
Bail Bond Services  
Commercial Blood Plasma Center  
Consumer Convenience Services  
Drop-Off Recycling Collection Facility  
Financial Services  
Funeral Services

General Retail Sales (Convenience & General)	Hotel-Motel
Indoor Entertainment	Indoor Sports and Recreation
Kennels	Laundry Service
Medical Office-exceeding 5,000 sq. ft. of gross floor area	
Medical Office – not exceeding 5,000 sq. ft. of gross floor area	
Monument Retail Sales	Off-Site Accessory Parking
Outdoor Entertainment	Outdoor Sports and Recreation
Pawn Shop Services	Personal Improvement Services
Personal Services	Pet Services
Plant Nursery	Professional Office
Research Services	Restaurant (General & Limited)
Service Station	Software Development
Theater	Vehicle Storage
Veterinary Services	Congregate Living
Guidance Services	Hospital Services (General & Limited)
Residential Treatment	Transitional Housing
Transportation Terminal	

**PLANNING COMMISSION ACTION / RECOMMENDATION:**

**July 25, 2019**

**CITY COUNCIL ACTION:**

**August 8, 2019**

**ORDINANCE NUMBER:**

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is currently developed with a former single-family residence that is being used as an office for a construction sales and services use/contractor business (Austin Filter Systems Inc.) and outdoor storage. The applicant is requesting CS-MU, General Commercial Services-Mixed Use, district zoning because they would like to redevelop the property with a multifamily residential use. To the north of this site there is a Southern Pacific Railroad line, a City of Austin electric substation, and a limited warehouse and distribution business. There is an undeveloped lot, a lot with a single-family residence and an apartment complex to the south. To the east, the tract of land is undeveloped. The property to the west, across Rutledge Spur is currently being developed with a townhouse residential use (Presidio Station).

The site under consideration is located within the Northwest Park and Ride Town Center Transit Oriented Development (TOD) District. A small portion of this tract of land is in the midway zone. However, the majority of the property is in the transition zone, which is the area at the periphery of the TOD district. Development intensity is compatible with the existing or anticipated future development adjacent to the TOD district. A transition zone has the lowest density and building height in a TOD district. In a TOD district, the following uses are prohibited: automotive sales; automotive washing; basic industry; convenience storage; equipment repair services; equipment sales; recycling center; scrap and salvage services; vehicle storage and a use with a drive-in service is prohibited. In addition, an automotive repair services use, automotive rentals use, or commercial off-street parking use that would otherwise be a permitted use is a conditional use. Finally, a residential use is permitted above the first floor of a commercial building.

In addition, the property is located within the Lakeline Station Regional Center, as identified on the Growth Concept Map in the Image Austin Comprehensive Plan. A Regional Center is the most urban of the three activity centers outlined in the growth concept map. These centers are the places where the greatest density of people and jobs and the tallest buildings in the region will be located.

The land to the west of the site, across Rutledge Spur, is currently zoned for a Planned Unit Development (Hog Farm/Leander Rehabilitation Center PUD). This portion of the PUD is designated for CRE uses which allow for a variety of residential, civic, and commercial uses (Attachment B). The Leander Rehabilitation Center PUD has compatibility standards on the land use plan to maintain a reduction in height to a maximum of 40-feet to protect the existing single-family residences along the eastern side of Rutledge Spur Drive.

The staff is recommending CS-MU-CO zoning, with limited CS district permitted uses, because the property fronts onto a local roadway that is currently 18-feet wide and dead ends into the Southern Pacific Railroad line. Within the past few years, Lakeline Mall Drive has been constructed to connect to Rutledge Spur to provide additional connectivity in this area. The proposed zoning will create compatible re-development opportunities in for these lots

because the CS-MU-CO zoning will permit a mixture of residential, office and commercial uses. The properties to the east are zoned for commercial mixed use development that will take access from FM 620. The tract of land to the west is part of the Leander Rehabilitation PUD and is designated for CRE uses which allow for a variety of residential, civic, and commercial uses. The proposed rezoning is consistent with surrounding approved land use patterns as the staff recommended the same CS-MU-CO zoning for the lots to the south of this site along Rutledge Spur Drive.

The applicant agrees with the staff's recommendation.

**BASIS OF RECOMMENDATION:**

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

General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

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

The CS-MU-CO zoning district would be consistent with the surrounding uses because the staff's recommendation for a conditional overlay will limit more intensive CS district uses on these tracts of land as they do not front onto an arterial roadway. The property in question is located on a local street that dead ends into a Southern Pacific railroad line. Since the previous zoning case on this site in 2014, Lakeline Mall Drive has been constructed to connect to Rutledge Spur to provide additional connectivity in this area. The staff recommended the same CS-MU-CO zoning for the lots to the south of this site along Rutledge Spur Drive. The properties to the east are zoned for commercial mixed use (GR-MU-CO) development that will take access from FM 620. The tract of land to the west is part of the Leander Rehabilitation PUD and is designated for CRE uses which allow for a variety of residential, civic, and commercial uses.

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

CS-MU-CO zoning would allow for a fair and reasonable use of this property because the site is adequate in size to be redeveloped to allow for a mixture of commercial, office and residential uses.

The property is in question is located within the Northwest Park and Ride Town Center Transit Oriented Development (TOD) District. This tract of land is in the transition zone, which is the area at the periphery of the TOD district.

In addition, these lots are within the Lakeline Station Regional Center, as identified on the Growth Concept Map in the Image Austin Comprehensive Plan. A Regional Center is the most urban of the three activity centers outlined in the growth concept map. These centers are the places where the greatest density of people and jobs and the tallest buildings in the region will be located.

The applicant is proposing to redevelop this property with an affordable housing multifamily use/apartment complex with 140 units, with 100 percent of the units available for households at 60 percent or below the Medium Family Income (MFI).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO	Office/Construction Sales and Services, Outdoor Storage (Austin Filter Systems Inc.)
<i>North</i>	PUD, P, IP-CO	Railroad Line, Austin Energy Electric Substation
<i>South</i>	CS-MU-CO, MF-4-CO	Undeveloped Lot, Single-Family Residence, Multifamily (Lakeline Station Apartments)
<i>East</i>	GR-MU-CO	Undeveloped
<i>West</i>	PUD	Townhouses (Presidio Station)

NEIGHBORHOOD PLANNING AREA: N/A

TIA: Waived

WATERSHED: Lake Creek Watershed

NEIGHBORHOOD ORGANIZATIONS:

Bike Austin  
 Davis Spring HOA  
 Friends of Austin Neighborhoods  
 Neighborhood Empowerment Foundation  
 Northwest Austin Coalition  
 SELTEXAS  
 Sierra Club, Austin Regional Group

SCHOOLS: Round Rock I.S.D.

Forest North Elementary School  
 Grisham Middle School  
 Mc Neil High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0030.SH (Rutledge Spur Apartments: 13635 Rutledge Spur)	I-RR, CS-MU-CO to MF-4	4/08/14: Approved staff's recommendation for MF-4-CO zoning, with a CO to limit development on the site to less than 2,000 vehicle trips per day, by consent (9-0); R. Hatfield-1 <sup>st</sup> , A. Hernandez-2 <sup>nd</sup> .	5/15/14: Approved 1 <sup>st</sup> reading for MF-4-CO zoning on consent (7-0); B. Spelman-1 <sup>st</sup> , M. Martinez-2 <sup>nd</sup> .  8/07/14: Approved MF-4-CO zoning on consent on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0); B. Spelman-1 <sup>st</sup> , M. Martinez-2 <sup>nd</sup> .
C14-2013-0036 (Paloma Ridge: 13620-13700 North RM 620 Road)	MF-3, GO-MU-CO to GR-MU-CO* *The applicant proposed a CO to prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing, Consumer Convenience Services, Outdoor Sports and Recreation, Pawn Shop Services, Community Recreation (Public & Private), Congregate Living, Cultural Services, Off-site Accessory Parking, Residential Treatment, Bail Bonds, Commercial Off-Street Parking, Consumer Repair Services	4/16/13: Approved staff's recommendation of GR-MU-CO zoning on consent (7-0); P. Seeger-1 <sup>st</sup> , S. Compton-2 <sup>nd</sup> .	5/09/13: Approved GR-MU-CO zoning on 1 <sup>st</sup> reading on consent (7-0); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .  5/23/13: Approved GR-MU-CO zoning on 2 <sup>nd</sup> /3 <sup>rd</sup> readings on consent (7-0); B. Spelman-1 <sup>st</sup> , L. Morrison-2 <sup>nd</sup> .
C14-2011-0022 (Toungate 6: 13653 Rutledge Spur)	I-RR to CS-MU	5/24/11: Approved the staff's recommendation of CS-MU-CO zoning, with a CO to	6/09/11: Approved CS-MU-CO zoning by consent on 1 <sup>st</sup> reading (7-0); S. Cole-1 <sup>st</sup> , M. Martinez-2 <sup>nd</sup> .

		allow Construction Sales and Services as the only permitted 'CS' district use and allow for all other 'W/LO' district permitted uses and W/LO district site development standards, to limit development intensity for the site to less than 2,000 vehicle trips per day, and a requirement to dedicate 35-feet of right-of-way from the existing centerline of Rutledge Spur through a street deed, by consent (6-0, D. Anderson and D. Chimenti-absent); M. Dealey-1 <sup>st</sup> , S. Kirk-2 <sup>nd</sup> .	6/23/11: Approved CS-MU-CO zoning on consent on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0); B. Spelman-1 <sup>st</sup> , L. Morrison-2 <sup>nd</sup> .
C14-2010-0200 (Lankford/Schirp ik-5: 13635 and 13641 Rutledge Spur)	I-RR to CS-MU-CO	5/24/11: 5/24/11: Approved the staff's recommendation of CS-MU-CO zoning, with the following conditions: to allow Construction Sales and Services as the only permitted 'CS' district use and allow for all other 'W/LO' district permitted uses and W/LO district site development standards, to limit development intensity for the site to less than 2,000 vehicle trips per day, by consent (6-0, D. Anderson and D. Chimenti-absent); M. Dealey-1 <sup>st</sup> , S. Kirk-2 <sup>nd</sup> .	6/09/11: Approved CS-MU-CO zoning by consent on 1 <sup>st</sup> reading (7-0); S. Cole-1 <sup>st</sup> , M. Martinez-2 <sup>nd</sup> .  6/23/11: Approved CS-MU-CO zoning on consent on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0); B. Spelman-1 <sup>st</sup> , L. Morrison-2 <sup>nd</sup> .
C14-2009-0110 (American Adventure: 13505 North R.M. 620 Road)	GR-CO to GR	12/15/09: Approved GR-CO zoning (Vote: 7-0, D. Tiemann-1 <sup>st</sup> , P. Seeger-2 <sup>nd</sup> ), with following conditions: 1) No 24-hour uses; 2) Prohibit the following uses – Automotive Rentals, Automotive Repair Services, Automotive Sales, Bail Bond Services,	2/25/10: Approved GR-CO zoning on consent (7-0); B. Spelman-1 <sup>st</sup> , C. Riley-2 <sup>nd</sup> .  11/18/10: Approved GR-CO zoning with conditions on 2 <sup>nd</sup> /3 <sup>rd</sup> readings on consent (7-0); Cole-1 <sup>st</sup> , Spelman-2 <sup>nd</sup> .



		<p>Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Off-Site Accessory Parking, Pawn Shop Services, Personal Improvement Services, Congregate Living, Group Home, Class I (General), Group Home, Class I (Limited), Group Home (Class II), Guidance Services, Residential Treatment.</p> <p>01/19/10: Approved GR-CO zoning, with following conditions: 1) No 24-hour uses; 2) Prohibit the following uses – Automotive Sales, Bail Bond Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Off-Site Accessory Parking, Pawn Shop Services, Personal Improvement Services, Congregate Living, Group Home, Class I (General), Group Home, Class I (Limited), Group Home (Class II), Residential Treatment and encourage the neighborhood and the applicant to enter into a private restrictive covenant before 3<sup>rd</sup> reading of the case at City Council that will limit the type of Automotive Rental and Automotive Repair uses allowed on the site (Vote: 5-2, D. Tiemann. T.</p>	
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		Rabago-No; S. Baldrige-1 <sup>st</sup> , P. Seeger-2 <sup>nd</sup> ).	
C14-02-0160 (Barbara Raney Piece: 13544 North R.M. 620)	I-RR, SF-2 to GR	11/12/02: Approved staff's recommendation of GR-CO zoning with additional conditions (as agreed to by the Neighborhood and the Applicant) prohibiting the following uses: Automotive Rentals, Automotive Repair Services, Automotive Washing (of any type), Consumer Convenience Services, Drop-Off Recycling Collection Facility, Off-Site Accessory Parking, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shops, Custom Manufacturing, Urban Farm, Club or Lodge, Community Recreation (Private), Community Recreation (Public), Congregate Living, Cultural Services, Guidance Services, Residential Treatment, Telecommunication Towers; by consent (6-0, A. Adams, J. Gohil-absent); J.Martinez-1 <sup>st</sup> , D. Castaneda-2 <sup>nd</sup> .	12/12/02: Granted GR-CO – Subject to dedication of 75 feet of ROW and resolution of the 200 feet of ROW reservation from the future center line of FM-620 (7-0); 1 <sup>st</sup> reading.  12/12/03: Administrative- Case expired per Section 25-2-249(B), no 3 <sup>rd</sup> reading occurred.
C14-01-0161 (13505 N. RM 620)	I-SF-2 to GR	12/11/01: Approved NO-CO w/ conditions (8-0)	2/7/02: Approved GR-CO w/ conditions agreed to between Neighborhood & Applicant (5-0); 1 <sup>st</sup> reading  4/25/02: Approved ZAP rec. of NO-CO w/ changes in conditions (7-0); 2 <sup>nd</sup> reading only  5/23/02: Approved NO-CO (7-0); 3 <sup>rd</sup> reading

C814-97-0001.07 (Leander Rehabilitation PUD Amendment #8)	<p>PUD to PUD: The applicant is requesting to amend the Leander Rehabilitation Planned Unit Development (PUD) to revise the Land Use Plan (Exhibit A) and the Development Standards Table (Exhibit E) in the State of Texas Special Board Orders to include additional notes to clarify conditions to permit the following:</p> <p>1) Modification of the Development Standards Table (shown in this proposed amendment as Exhibit E.3) to allow for an increase in impervious cover of up to 85% for parcels CRE-6, CRE-7, CRE-14 (except for the portion of CRE-14 located at the southeastern corner of Lago Drive and Arbor Way) and CRE-15.</p> <p>2) Modification of the Development Standards Table (shown in this proposed amendment as Exhibit E.3) to allow for an increase in impervious cover of up to 75% for parcels ECO-3, CRE-</p>	2/10/09: Approved staff's recommendation for PUD zoning on the consent (9-0); J. Reddy-1st, M. Dealey-2 <sup>nd</sup> .	<p>2/12/09: Approved PUD district zoning to change a condition of zoning was approved on consent on 1<sup>st</sup> reading (7-0); Martinez-1<sup>st</sup>, Wynn-2<sup>nd</sup></p> <p>4/02/09: Approved PUD zoning with the following amendment on consent on Mayor Pro Tem McCracken's motion, Council Member Cole's second on a 7-0 vote. The amendment was as follows: Part 4 A 2) should read: "to allow impervious cover to be increased to (i) 85% for Parcels CRE-6, CRE-7, CRE-14 (save and except the area located at southeastern corner of Lago Drive and Arbor Way), and CRE-15; and (ii) 75% for Parcels ECO-3, CRE-8, CRE-9, CO-1, COR, COR-4, and the portion of CRE-14 located at the southeastern corner of Lago Drive and Arbor Way, if the mitigation standards are met as set forth in Exhibit E-3A."</p>
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	<p>8, CRE-9, COR-1, COR-2 and COR-4.</p> <p>3) Modification of Section 14(A) of the Order and of the Land Use Plan (Exhibit A) to eliminate the 35-foot OSE (Open Space Easement) area along portions of Lyndhurst Drive, Lakeline Mall Boulevard, and Lago Drive to allow buildings to be located closer to those streets.</p> <p>4) Modification of the Land Use Plan set forth on Exhibit A in the Order to eliminate the "Compatibility Height and Setbacks" along Rutledge Spur, if and only if the property adjacent to parcels CRE-8 and CRE-9 along Rutledge Spur should ever be used for any use other than single-family residential use.</p>		
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RELATED CASES: C14-2010-0200, C14-2008-0192 (Previous Zoning Cases)

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
Rutledge Spur	55	18	Local	No	No	No

OTHER STAFF COMMENTS:Comprehensive Planning

This rezoning case is located on the east side of Rutledge Spur, on a parcel that is approximately 6.44 acres, which contains a small one store commercial building. The property intersects with Lakeline Mall Drive and is not located within a neighborhood planning area. Surrounding land uses include a railroad track, vacant land, a utility substation and a corporate office park to the north; to the south is a single-family house, a hotel, and an apartment complex; to the east is vacant land and a corporate office park; and to the west is a single family subdivision, an apartment complex, and the Lakeline Station Metro Train Station. The proposed use is to construct an affordable housing apartment complex with 140 units, with 100 percent of the units available for households at 60 percent or below the Medium Family Income (MFI). See statement below from NHCD:

Neighborhood Housing and Community Development (NHCD) certifies the proposed project meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since 100% of the units will serve households at or below 60% MFI, the development will be eligible for 100% waiver of fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance. The unit mix is as follows: 10% of the units (14 units) will serve households at or below 30% Median Family Income (MFI); 30% of the units (42 units) will serve households at or below 50% Median Family Income (MFI); and 60% of the units (84 units) will serve households at or below 60% Median Family Income (MFI). The expected fee waivers

**Connectivity**

The Walkscore for this area is 10/100, **Car Dependent**. The low Walkscore for this property does not appear to acknowledge the existing public sidewalks and a bikelanes, which are located along Lakeline Mall Drive. There are also public sidewalks available further south of this property along Rutledge Spur. The Lakeline Train Station is also located 1,700 ft. away from the subject property, and connections to the Cap Metro bus routes are available. There is also a Greyhound Bus Stop located at the Lakeline Train Station. A large shopping center is located three-quarters of a mile away and includes a grocery store, a discount department store, and a variety of other retail uses. In conclusion, despite the low Walkscore, the mobility options in the area are above average.

**Imagine Austin and Conclusions**

The property is located within the 'Lakeline Station Regional Center', as identified on the Imagine Austin's Growth Concept Map, found in the Image Austin Comprehensive Plan. A Regional Center is the most urban of the three activity centers outlined in the growth concept map. These centers are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. The densities, buildings heights, and overall character of a center will vary depending on location.

The following Imagine Austin policies are applicable to this case:

- **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 P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **HN P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.
- **HN P10.** Create **complete neighborhoods** across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

### **Analysis and Conclusions**

Analyzing this specific site, there seems to be an abundance of mobility options in the area (bike lanes, public sidewalks and public transit – both bus and train) but not much in terms of recreational, educational or goods or services for the residents within a quarter of a mile of the subject property unless they use a car or access Cap Metro. However, the Austin Strategic Housing Blueprint, which is an amendment to Imagine Austin, includes goals for affordable housing in every City Council district. Some of these goals include: (1) preventing households from being priced out of the Austin; (2) providing an affordable housing choice; and (3) protecting diverse communities. This proposed affordable housing apartment project will be located in an area within a mile to jobs, a variety of commercial uses, and mobility options. This project also meets one of eight Imagine Austin's priority programs (p. 186), namely '*Develop and Maintain Household Affordability Throughout Austin.*'

Based upon the project: (1) being located within a Regional Center, which supports multifamily housing; (2) existing mobility options available in the area (public sidewalks, bike lanes, and transit stops and a commuter rail) and local goods and services within a mile of the site; and (3) the providing much needed subsidized affordable housing in the area to meet the goals of Austin's Strategic Housing Blueprint, this development supports the policies of the Imagine Austin Comprehensive Plan.

### **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.

According to flood plain maps, there is no floodplain within or adjacent to the project boundary.

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 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 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.

#### Site Plan

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

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

In an MU combining district that is combined with a general office (GO), community commercial (GR), general commercial services (CS), or commercial services - liquor sales (CS-1) base district, the minimum site area for each dwelling unit is:

- 800 square feet, for an efficiency dwelling unit;
- 1,000 square feet, for a one bedroom dwelling unit; and
- 1,200 square feet, for a dwelling unit with two or more bedrooms.

FYI: This site is within the Northwest Park & Ride Town Center TOD district.

FYI: Additional design regulations will be enforced at the time a site plan is submitted.

#### Transportation

Rutledge Spur requires 50 feet of right-of-way in accordance with the TCM. 25 feet of right-of-way should be dedicated from the centerline of Rutledge Spur prior to 3<sup>rd</sup> reading of City Council in accordance with the TCM. LDC 25-6-55; TCM, Tables 1-7, 1-12.

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

The traffic impact analysis for this site was waived because this site is within the area covered by State legislation (S.B. 1396), which went into effect September 1, 1995. Under this legislation, the City may not "deny, limit, delay, or condition the use of development of land...because of traffic or traffic operations that would result from the proposed use or development of the land." A traffic impact analysis is not required for any development within this area, and traffic issues may not be considered in the approval of the application. Right-of-way dedication, however, may still be required.

**Existing Street Characteristics:**

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Rutledge Spur	50'	~11'	local	no	no	no

**Austin Water Utility**

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 Austin Water for compliance with City criteria and suitability for operation and maintenance.

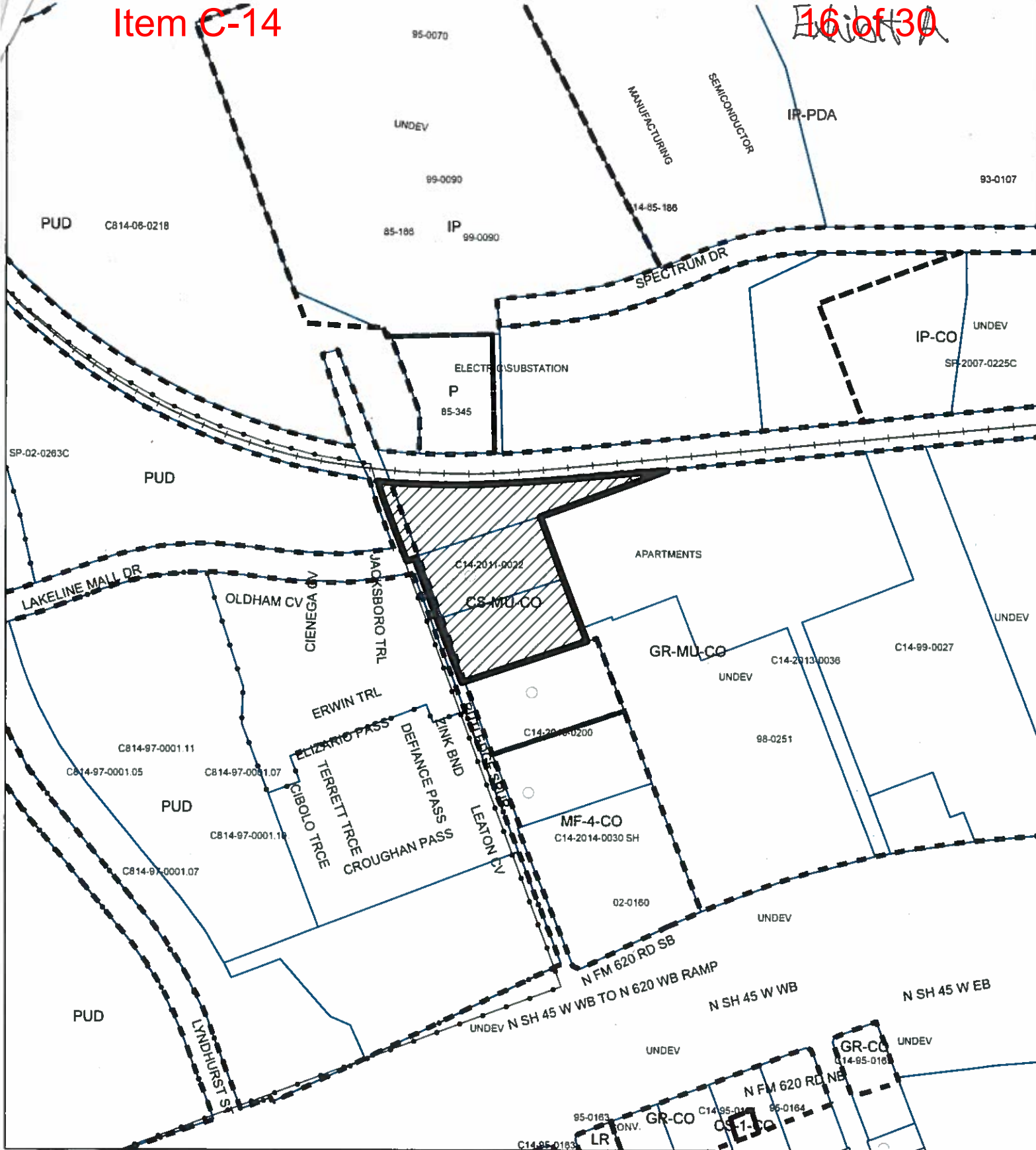
Based on current public infrastructure configurations, it appears that a Service Extension Request (SER) will be required to provide wastewater service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7th floor. Ph: 512-972-0211.




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.

**INDEX OF EXHIBITS TO FOLLOW**

- A: Zoning Map
- B. Aerial Map
- C. Ordinance No. 20110623-112
- D. S.M.A.R.T. Housing Certification Letter from NHCD
- E. Northwest Park & Ride Town Center TOD District Map
- F. Imagine Austin Growth Concept Map





-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

## ZONING

ZONING CASE#: C14-2019-0073.SH

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.



Created: 4/25/2019







**ORDINANCE NO. 20110623-112**

**AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 13653 RUTLEDGE SPUR AND CHANGING THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-CO) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from interim-rural residence (I-RR) district to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district on the property described in Zoning Case No. C14-2011-0022, on file at the Planning and Development Review Department, as follows:

A 6.44 acre tract of land, more or less, out of the Rachel Saul Survey, Abstract No. 551, in Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 13653 Rutledge Spur, in the City of Austin, Williamson County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
- B. Development of the Property shall comply with warehouse limited office (W/LO) site development standards.
- C. The following uses are conditional uses of the Property:

Business or trade school	Convenience storage
Equipment repair services	Exterminating services
College & university facilities	Community recreation (private)
Community recreation (public)	Private secondary educational facilities
Public secondary educational facilities	Telecommunication tower

D. The following uses are prohibited uses of the Property:

Agricultural sales & services	Automotive rentals
Automotive repair services	Automotive washing (of any type)
Automotive sales	Bail bond services
Campground	Commercial blood plasma center
Commercial off-street parking	Consumer convenience services
Consumer repair services	Drop-off recycling collection facility
Equipment sales	Financial services
Food sales	Funeral services
General retail sales (convenience)	General retail sales (general)
Hotel-motel	Indoor entertainment
Indoor sports & recreation	Kennels
Laundry service	Medical office-exceeding 5000 sq. ft.
Medical office-not exceeding 5000 sq. ft. gross floor area	gross floor area
Off-site accessory parking	Monument retail sales
Outdoor sports & recreation	Outdoor entertainment
Personal improvement services	Pawn shop services
Pet service	Personal services
Professional office	Plant nursery
Restaurant (general)	Research services
Service station	Restaurant (limited)
Theater	Software development
Veterinary services	Vehicle storage
Guidance services	Congregate living
Hospital services (limited)	Hospital service (general)
Residential treatment	Maintenance & service facilities
Transportation terminal	Transitional housing

Except as otherwise specifically restricted under this ordinance, the Property may be developed used in accordance with the regulations established for the general commercial services (CS) base district, the mixed use combining district, and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on July 4, 2011.

**PASSED AND APPROVED**

\_\_\_\_\_, June 23, 2011      §  
   §  
   §  
   Lee Leffingwell  
   Lee Leffingwell  
   Mayor

APPROVED: Karen M. Kennard      ATTEST: Shirley A. Gentry  
   Karen M. Kennard      Shirley A. Gentry  
   City Attorney      City Clerk



*Land Surveyors, Inc.*

8333 Cross Park Drive

Austin, Texas 78754

Office: 512.374.9722

Fax: 512.873-9743

*EXHIBIT A-*  
METES AND BOUNDS DESCRIPTION

BEING 6.44 ACRES OF LAND OUT OF THE RACHEL SAUL SURVEY, ABSTRACT NUMBER 551 IN WILLIAMSON COUNTY, TEXAS AND BEING COMPRISED OF THREE TRACTS: A 1.995 ACRE TRACT OF LAND CONVEYED TO MARK A. AND TERESA K. TOUNGATE, TRUSTEES OF THE MARK A. AND TERESA K. TOUNGATE LIVING TRUST BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2011004038 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; A 1.9980 ACRE TRACT OF LAND CONVEYED TO MARK A. AND TERESA K. TOUNGATE, TRUSTEES OF THE MARK A. AND TERESA K. TOUNGATE LIVING TRUST BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2008073893 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AND A 2.448 ACRE TRACT OF LAND CONVEYED TO MARK A. AND TERESA K. TOUNGATE, TRUSTEES OF THE MARK A. AND TERESA K. TOUNGATE LIVING TRUST BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2008073894 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found for the southwest corner of said 1.995 acre tract, the northwest corner of a 2.51 acre tract of land conveyed to Franklin and Gloria Schirpik by instrument of record in Volume 638, Page 345 of the Deed Records of Williamson County, Texas and being in the east right-of-way line of County Road Number 183 (Rutledge Spur) as occupied;

THENCE North 18°43'59" West (record: North 18°51'30" West), along the west line of the 1.995 acre tract and said east right-of-way line of County Road Number 183 a distance of 208.74 feet (record: 208.94 feet) to a 1/2" rebar found for the northwest corner of the 1.995 acre tract, being the southwest corner of said 1.9980 acre tract, from which an iron pipe found for the northwest corner of the 1.995 acre tract and the southeast corner of the 1.9980 acre tract and being in the west line of an 18.66 acre tract of land conveyed to Koontz/McCombs I, Ltd. By instrument of record in Document Number 2006007775 of the Official Public Records of Williamson County, Texas and known therein as "Tract 3" bears North 73°59'28" East a distance of 417.04 feet (record: North 74°00'00" East a distance of 417.25 feet);

THENCE North 17°57'07" West (record: North 18°00'00" West), continuing along the east right-of-way line of County Road Number 183, as occupied and the west line of the 1.9980 acre tract a distance of 209.15 feet (record: 208.80 feet) to a 1/2" rebar found with plastic cap, which reads "BASELINE, INC." for the northwest corner of the 1.9980 acre tract and being in the south line of said 2.448 acre tract; from which a 1/2" rebar found for the northeast corner of the 1.9980 acre tract, a northwest corner of said 18.66 acre tract and being in the south line of the 2.448 acre tract bears North 74°06'16" East a distance of 417.27 feet (record: North 71°33'49" East a distance of 417.27 feet);

THENCE South 74°06'16" West along the south line of the 2.448 acre tract a distance of 27.10 feet (record: 27.10 feet) to a calculated point in the west right-of-way line of County Road Number 183, as occupied, from which a 1/2" rebar found bears North 30°51'39" West a distance of 1.64 feet;

THENCE along the west line of the 2.448 acre tract and the west right-of way line of County Road Number 183, as occupied the following two (2) courses:

1. North  $18^{\circ}11'31''$  West a distance of 204.68 feet (record: North  $20^{\circ}46'42''$  West a distance of 204.68 feet) to an iron pipe found;
2. North  $14^{\circ}55'47''$  West a distance of 62.05 feet (record: North  $17^{\circ}30'58''$  West a distance of 62.06 feet) to an iron pipe found for the northwest corner of the 2.448 acre tract and being in the curving south line of a 100-foot wide railroad right-of-way conveyed to Capital Metropolitan Transportation Authority by instrument of record in Volume 13187, Page 3118 of the Real Property Records of Travis County, Texas

THENCE along the north line of the 2.448 acre tract and the south line of said 100-foot wide railroad right-of-way the following four (4) courses:

1. along a non-tangential curve to the left, having a radius of 1987.89 feet (record: 1987.89 feet), a length of 54.09 feet (record: 54.09 feet), a delta angle of  $01^{\circ}33'32''$  (record:  $01^{\circ}33'32''$ ) and a chord, which bears South  $82^{\circ}00'15''$  East a distance of 54.09 feet (record: South  $84^{\circ}30'47''$  East a distance of 54.09 feet) to a 1/2" rebar found for a point of compound curvature;
2. along a compound curve to the left, having a radius of 2772.56 feet (record: 2772.56 feet), a length of 318.19 feet (record: 318.19 feet), a delta angle of  $06^{\circ}34'32''$  (record:  $06^{\circ}34'32''$ ) and a chord, which bears South  $87^{\circ}06'15''$  East a distance of 318.02 feet (record: South  $89^{\circ}36'47''$  East a distance of 318.02 feet) to a 1/2" rebar found with plastic cap, which reads "BASELINE, INC." for a point of compound curvature;
3. along a compound curve to the left, having a radius of 6457.70 feet (record: 6457.70 feet), a length of 280.70 feet (record: 280.50 feet), a delta angle of  $02^{\circ}29'26''$  (record:  $02^{\circ}29'19''$ ) and a chord, which bears North  $88^{\circ}25'23''$  East a distance of 280.68 feet (record: North  $85^{\circ}54'43''$  East a distance of 280.47 feet) to a 1/2" rebar found for a point of tangency;
4. North  $87^{\circ}15'56''$  East a distance of 260.02 feet (record: North  $84^{\circ}40'03''$  East a distance of 260.54 feet) to a 1/2" rebar found for the east corner of the 2.448 acre tract and being an angle point in the north line of the 18.66 acre tract;

THENCE along the south line of the 2.448 acre tract and the north line of the 18.66 acre tract the following two (2) courses:

1. South  $71^{\circ}04'37''$  West a distance of 113.31 feet (record: South  $68^{\circ}34'10''$  West a distance of 113.36 feet) to a 60d nail found;
2. South  $72^{\circ}42'11''$  West a distance of 311.10 feet (record: South  $70^{\circ}10'44''$  West a distance of 311.08 feet) to a 1/2" rebar found for the herein previously referenced northeast corner of the 1.9980 acre tract, being the northwest corner of the 18.66 acre tract and being an angle point in the south line of the 2.448 acre tract;



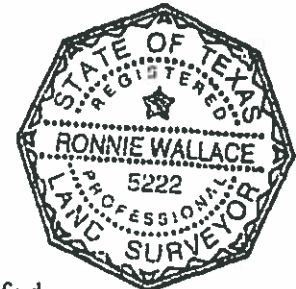
THENCE South 17°53'49" East (record: South 18°00'00" East), along the east line of the 1.9980 acre tract and the west line of the 18.66 acre tract a distance of 208.32 feet (record: 208.80 feet) to an iron pipe found for the herein previously referenced southeast corner of the 1.9980 acre tract, being the northeast corner of the 1.995 acre tract and being an angle point in the west line of the 18.66 acre tract;

THENCE South 18°02'56" East (record: South 18°06'00" East), along the east line of the 1.995 acre tract and the west line of the 18.66 acre tract a distance of 209.54 feet (record: 209.71 feet) to a 1/2" rebar found for the southeast corner of the 1.995 acre tract, being in the north line of said 2.51 acre tract;

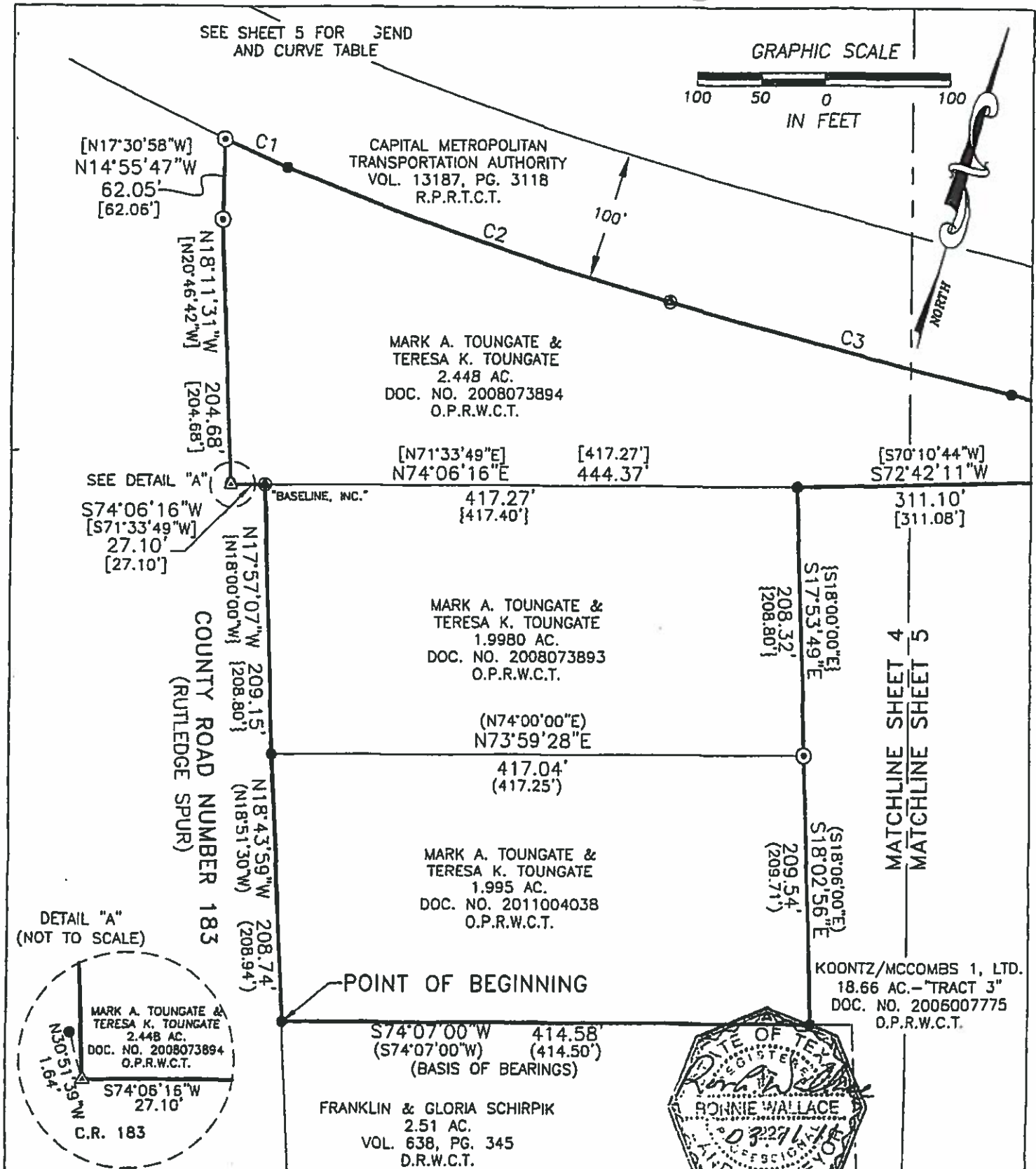
THENC South 74°07'00" West (record: South 74°07'00" West-Basis of Bearings), along the south line of the 1.995 acre tract and the north line of the 2.51 acre tract a distance of 414.58 feet (record: 414.50 feet) to the POINT OF BEGINNING.

This parcel contains 6.44 acres of land, more or less, out of the Rachel Saul Survey, Abstract Number 551, in Williamson County, Texas. Bearing Basis: the south line of the 1.995 acre tract conveyed to Mark A. and Teresa K. Toungate, trustees of the Mark A. and Teresa K. Toungate living trust by instrument of record in Document Number 2011004038 of the Official Public Records of Williamson County, Texas being South 74°07'00" West, as cited therein.

Ronnie Wallace 11 March 2011  
Ronnie Wallace Date  
Registered Professional Land Surveyor  
State of Texas No. 5222



File: S:\Projects\Rutledge Spur\Docs\Field Notes\Rutledge Spur Zoning M&B\_fn.doc  
Drawing: S:\Projects\Rutledge Spur\Dwg\Zoning M&B.dwg



SKETCH TO ACCOMPANY DESCRIPTION  
OF 6.44 ACRES OF LAND IN THE RACHEL SAUL SURVEY, ABSTRACT NUMBER 551 IN  
WILLIAMSON COUNTY, TEXAS; BEING COMPRISED OF THREE TRACTS: A 1.995 ACRE  
TRACT OF LAND CONVEYED TO MARK A. AND TERESA K. TOUNGATE, TRUSTEES OF  
THE MARK A. AND TERESA K. TOUNGATE LIVING TRUST BY INSTRUMENT OF  
RECORD IN DOCUMENT NUMBER 2011004038 OF THE OFFICIAL PUBLIC RECORDS OF  
WILLIAMSON COUNTY, TEXAS; A 1.9980 ACRE TRACT OF LAND CONVEYED TO MARK  
A. AND TERESA K. TOUNGATE, TRUSTEES OF THE MARK A. AND TERESA K.  
TOUNGATE LIVING TRUST BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER  
2008073893 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS  
AND A 2.448 ACRE TRACT OF LAND CONVEYED TO MARK A. AND TERESA K.  
TOUNGATE, TRUSTEES OF THE MARK A. AND TERESA K. TOUNGATE LIVING TRUST  
BY INSTRUMENT OF RECORD IN DOCUMENT NUMBER 2008073894 OF THE OFFICIAL  
PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS

# BASELINE LAND SURVEYORS, INC.

PROFESSIONAL LAND SURVEYING SERVICES

8333 CROSS PARK DRIVE

AUSTIN, TEXAS 78754

OFFICE: 512.374.9722 FAX: 512.873.9743

ron-baseline@austin.tx.com

File: Projects\Rutledge Spur\Draw\Zoning M&B.dwg

Job No.

Snapshot: SY-ZONING MB

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Scale (Vert.):

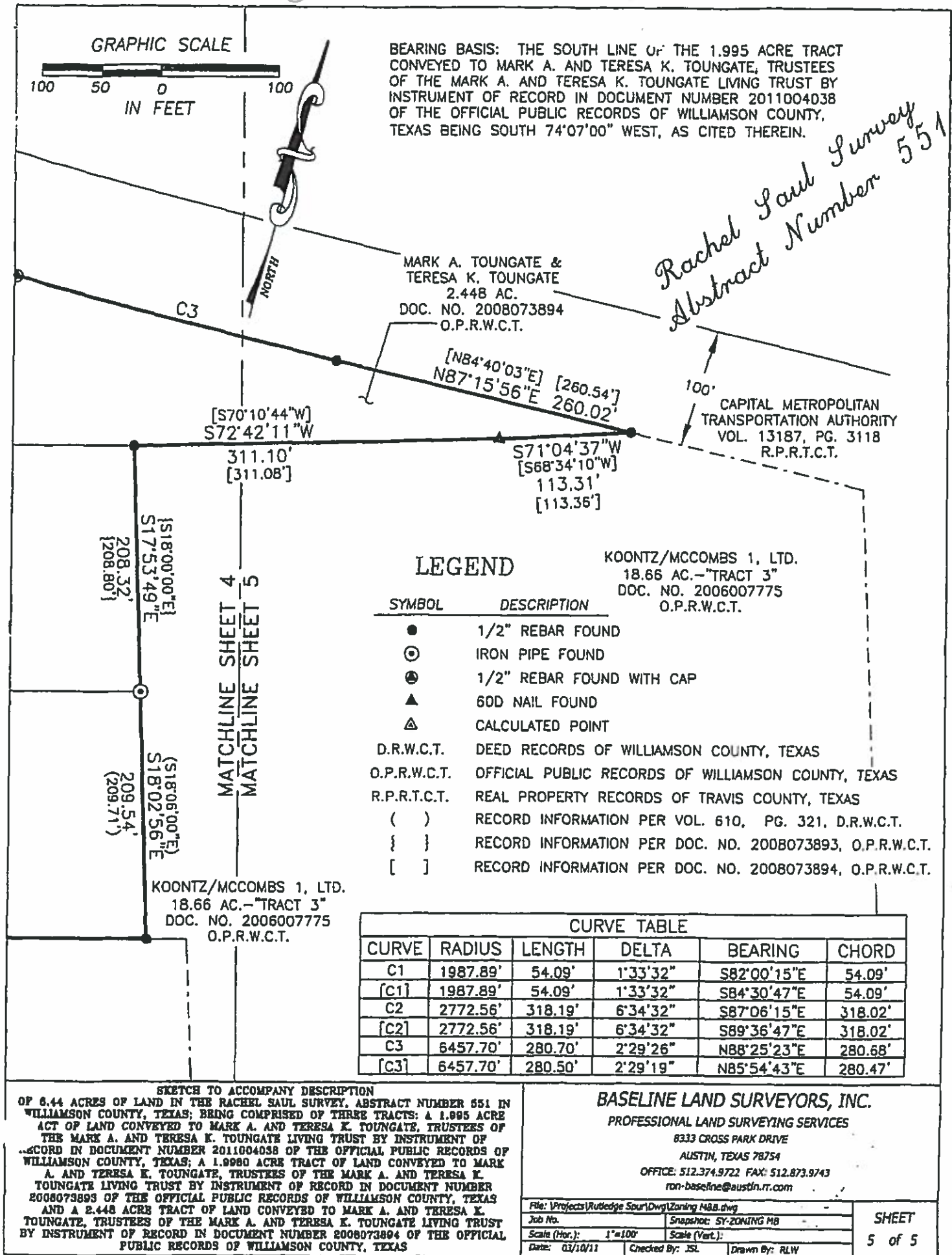
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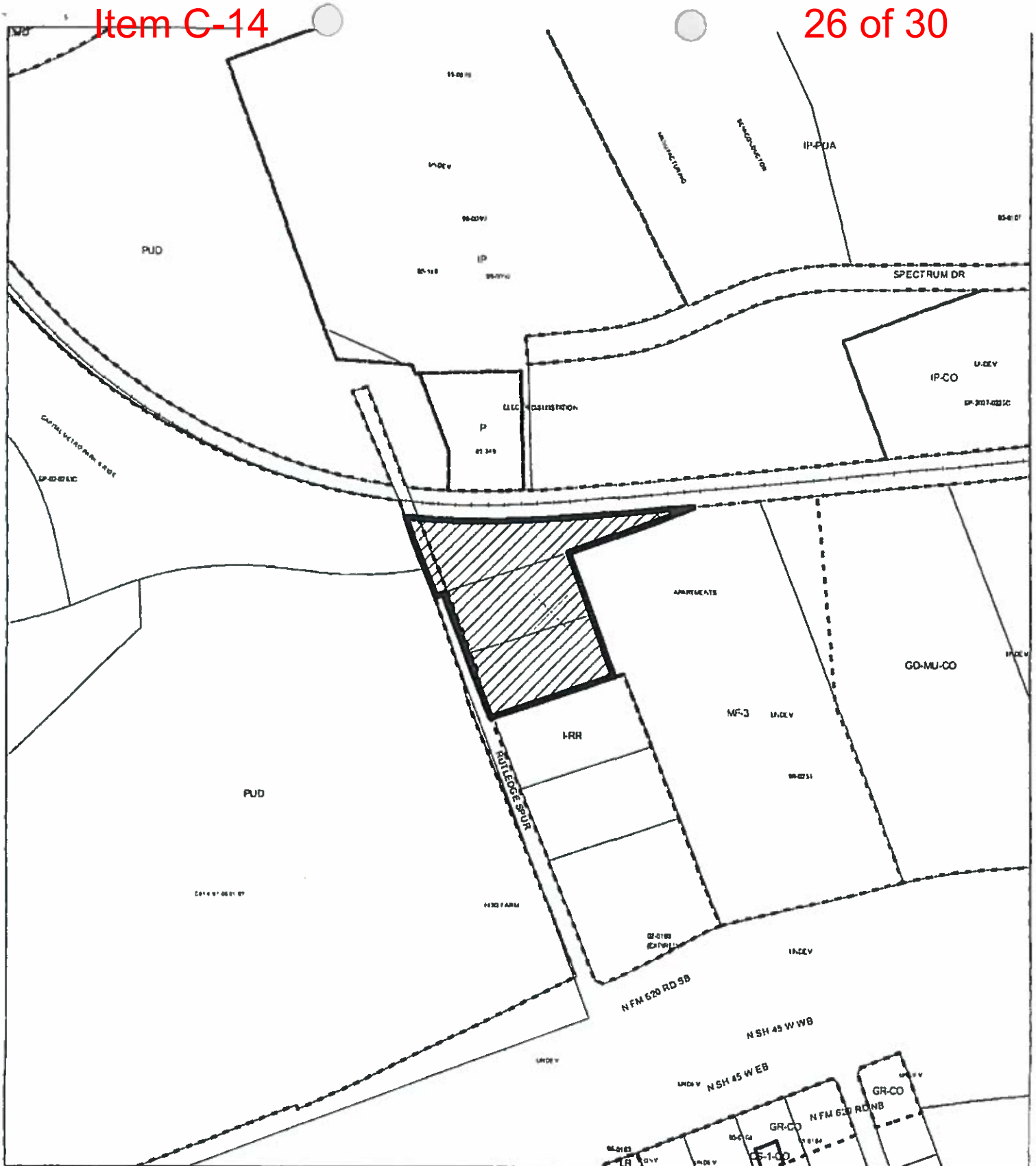
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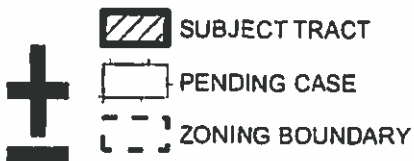
SHEET

4 of 5





## ZONING EXHIBIT B



1' = 400'

ZONING CASE#: C14-2011-0022  
 LOCATION: 13653 RUTLEDGE SPUR  
 SUBJECT AREA: 6.44 ACRES  
 GRID: G40  
 MANAGER: SHERRI SIRWAITIS



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



## City of Austin

P.O. Box 1088, Austin, TX 78767  
[www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

### Neighborhood Housing and Community Development Department

April 22, 2019

**S.M.A.R.T. Housing Certification-**  
**Foundation Communities, Inc. –Lakeline Station Phase II – Project ID 648**

#### TO WHOM IT MAY CONCERN:

Foundation Communities, Inc. (development contact: Walter Moreau: 512-610-4016; [walter.moreau@foundcom.org](mailto:walter.moreau@foundcom.org)) is planning to develop Lakeline Station Phase II, a 140 unit multi-family development at 13653 Rutledge Spur, Austin TX 78717. The project is subject to a 5 year affordability period after issuance of certificate of occupancy, unless project funding requirements are longer.

The applicant has submitted evidence that they have reached out to Davis Spring Homeowner's Association President but have yet to receive a response back. Foundation Communities is committed to working with the neighborhood and will address any concerns that may come up.

Neighborhood Housing and Community Development (NHCD) certifies the proposed project meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since 100% of the units will serve households at or below 60% MFI, the development will be eligible for 100% waiver of fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance. The unit mix is as follows: 10% of the units (14 units) will serve households at or below 30% Median Family Income (MFI); 30% of the units (42 units) will serve households at or below 50% Median Family Income (MFI); and 60% of the units (84 units) will serve households at or below 60% Median Family Income (MFI). The expected fee waivers include, but are not limited to, the following fees:

AWU Capital Recovery  
 Fees  
 Building Permit  
 Concrete Permit  
 Electrical Permit  
 Mechanical Permit

Plumbing Permit  
 Site Plan Review  
 Misc. Site Plan Fee  
 Construction Inspection  
 Subdivision Plan Review  
 Misc. Subdivision Fee

Zoning Verification  
 Land Status Determination  
 Building Plan Review  
 Parkland Dedication (*by separate ordinance*)

**Prior to issuance of building permits 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. (Contact Austin Energy Green Building: 512-482-5300 or [greenbuilding@austinenrgy.com](mailto:greenbuilding@austinenrgy.com)).
- Submit plans demonstrating compliance with the required accessibility or visitability standards.

**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).
- Pass a final inspection to certify that the required accessibility or visitability standards have been met.
- An administrative hold will be placed on the building permit, until the following items have been completed: 1) the number of affordable units have been finalized and evidenced through a sealed letter from project architect and/or engineer, 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the after the certificate of occupancy has been issued or repay the City of Austin, in full, the fees waived for this S.M.A.R.T. Housing certification.

Please contact me by phone 512.974.3128 or by email at [Sandra.harkins@austintexas.gov](mailto:Sandra.harkins@austintexas.gov) if you need additional information.

Sincerely,



Sandra Harkins, Project Coordinator

Neighborhood Housing and Community Development

Cc: Rosa Gonzales, AE  
Mashell Smith, ORS

Ellis Morgan, NHCD

Jonathan Orenstein, AWU



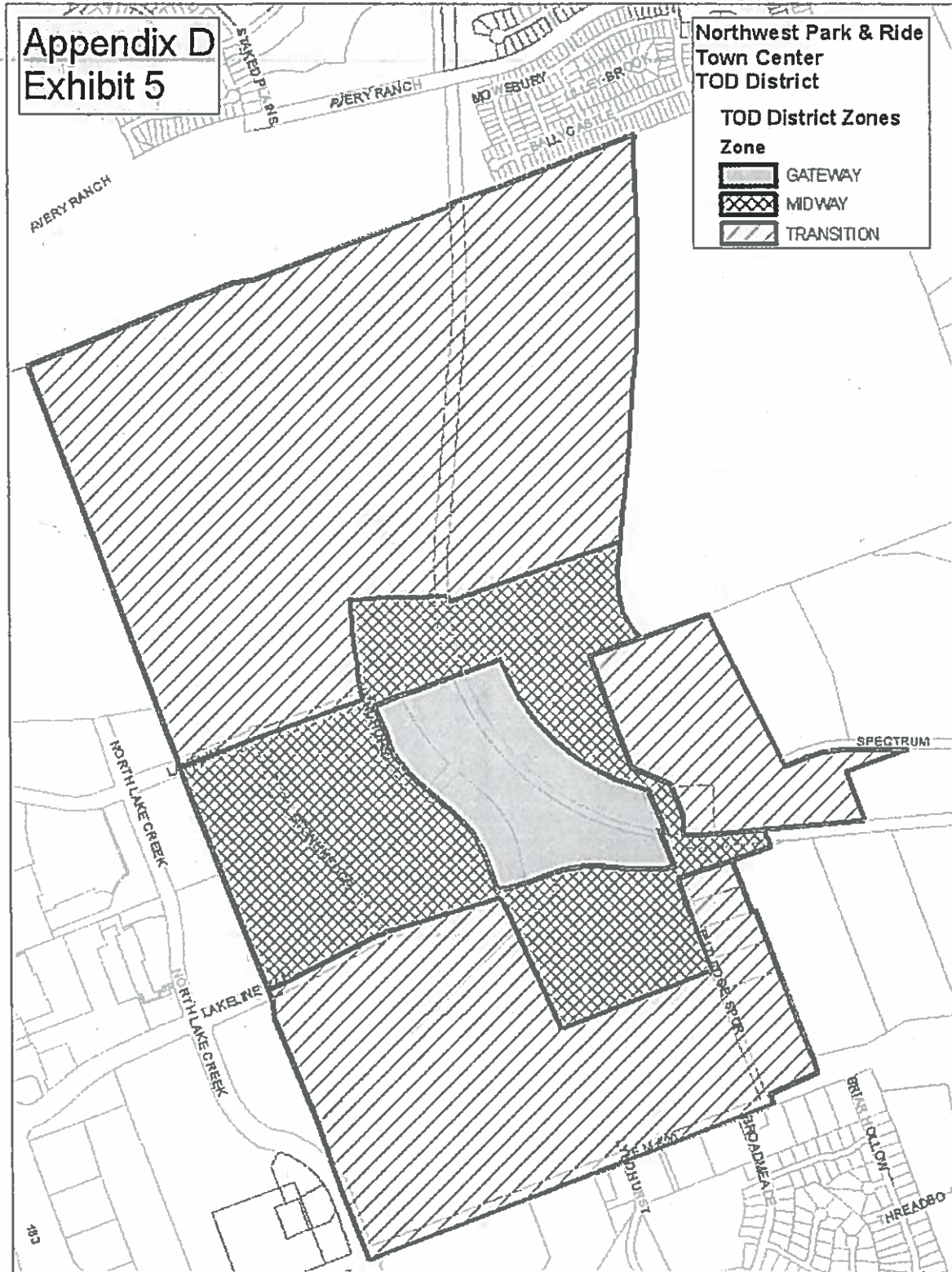




Figure 4.5 Growth Concept Map

