

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0121 – Dawson Rezoning

DISTRICT: 5

ZONING FROM: DR

TO: GO-MU

ADDRESS: 7731 Manchaca Road

SITE AREA: 10.70 acres

PROPERTY OWNER: Mary M. Stinson

AGENT: Armbrust & Brown, PLLC
(Richard T. Suttle, Jr.)

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant general office – mixed use (GO-MU) combining district zoning. *For a summary of the basis of Staff's recommendation, see page 2.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**October 15, 2019: APPROVED GO-MU DISTRICT ZONING AS STAFF
RECOMMENDED, BY CONSENT**

***[H. SMITH; A. TATKOW – 2ND] (9-0) N. BARRERA-RAMIREZ – ABSENT;
1 VACANCY ON THE COMMISSION***

CITY COUNCIL ACTION:

November 14, 2019:

ORDINANCE NUMBER:

ISSUES:

None at this time.

CASE MANAGER COMMENTS:

The subject tract with moderate to heavy tree coverage is located on Manchaca Road, south of Matthews Lane, contains one single family residence and is zoned development reserve (DR) district. There is a detached condominium community to the north (MF-2-CO), an operational UPRR right-of-way and undeveloped land approved for attached and detached condominiums to the east (SF-6-CO), one single family residence and a music rehearsal studio to the south (GO-CO), and duplexes and single family residences across Manchaca Road to the west (LO; SF-2; SF-3). ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).***

The Applicant proposes to rezone the property to the general office – mixed use (GO-MU) district as the first step in building up to 325 multifamily residential units.

BASIS OF RECOMMENDATION:

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

The general office (GO) district is intended for offices and selected commercial uses predominantly serving community or City-wide needs, such as medical or professional offices. A building in a GO district may contain more than one use. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Staff recommends GO-MU zoning given its access to an arterial roadway, noting that the area already provides for a variety of housing types and residential zoning districts, and office zoning and uses.

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|-----------------------------------|--|
| <i>Site</i> | DR | One single family residence |
| <i>North</i> | MF-2-CO; SF-6; SF-3; DR; LO-CO | 32 unit detached condominiums on 7.4 acres (named Stinson Oaks); Single family residences; Manufactured homes; Apartment; Offices; Religious assembly / Private primary educational facility |
| <i>South</i> | DR; GO-CO | One single family residence; Music rehearsal studio |
| <i>East</i> | SF-6-CO | Undeveloped (approved site plan for mix of stand-alone and detached condominium units) |
| <i>West</i> | LO; SF-2; SF-3 | Duplexes; Single family residences |

NEIGHBORHOOD PLANNING AREA: Not Applicable

TIA: Is not required

WATERSHED: South Boggy Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Cunningham Elementary School Covington Middle School Crockett High School

NEIGHBORHOOD ORGANIZATIONS:

39 – Matthews Lane Neighborhood Association 511 – Austin Neighborhoods Council
 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District 1228 – Sierra Group, Austin Regional Group
 1343 – Oak Hills Trails Association 1363 – SEL Texas
 1424 – Preservation Austin 1429 – Go!Austin/Vamos!Austin (GAVA) – 78745
 1443 – Shiloh Oaks Neighborhood Association
 1528 – Bike Austin 1530 – Friends of Austin Neighborhoods

1531 – South Austin Neighborhood Alliance 1550 – Homeless Neighborhood Association
 1559 – Palomino Park HOA 1596 – TNR BCP - Travis County Natural Resources
 1616 – Neighborhood Empowerment Foundation

AREA CASE HISTORIES:

| NUMBER | REQUEST | COMMISSION | CITY COUNCIL |
|--|----------------------------|---|--|
| C14-2018-0139 – 1903 Keilbar Ln | DR to SF-6 | To Grant | Apvd (11-1-2018). |
| C14-2018-0089 – 1905 Keilbar Ln | DR to SF-6 | To Grant | Apvd (2-7-2019). |
| C14-2013-0037 – 7509 Manchaca Office Park – 7509 Manchaca Rd | W/LO-CO to LO | To Grant LO-CO w/CO for 2,000 trips/day | Apvd LO-CO as Commission recommended (6-6-2013). |
| C14-2012-0066 – Stinson & Ramsey – 7709 and 7731 Manchaca Rd | DR to MF-2 | To Grant MF-2-CO w/CO limited to 17 u.p.a. | Apvd as Commission recommended (9-27-2012). |
| C14-2010-0165 – Milestone Manchaca – 7337 Manchaca Rd | DR to MF-2 | To Grant MF-2-CO with CO limiting density to MF-1 | Apvd MF-2-CO as Commission recommended (12-9-2010). |
| C14-06-0096 – Legacy Oaks Christian School – 7915 Manchaca Rd | DR; SF-2; SF-3 to GO-CO | To Grant GO-CO with CO limiting building height to 45’; prohibiting club or lodge; family home; group homes (all types); medical offices (all sizes); off-site accessory parking; residential treatment; restaurant (limited); and urban farm; prohibits access to Baxter Springs Rd.; and 4) 2,000 vehicle trips/day limit. | Apvd GO-CO as Commission recommended (7-27-2006). |
| C14-98-0025 – Manchaca Road Zoning – 7509 Manchaca Rd | DR; SF-3 to LO; W/LO | To Grant LO-CO for Tracts 1 & 2; W/LO for Tract 3, with CO limiting vehicle trips to 2,000, and signage limited to an informational sign | Apvd as Commission recommended (6-25-1998). |

| | | | |
|--|--|---|--|
| | | located on a berm not to exceed a height of 10' | |
|--|--|---|--|

RELATED CASES:

The property was annexed into the City limits in November 1984 (C7a-83-017 A, Ord. 841115-L).

EXISTING STREET CHARACTERISTICS:

| Name | ROW | Pavement | Classification | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|---------------|----------|----------|------------------------------|-----------|---------------|-------------------------------|
| Manchaca Road | 124 feet | 93 feet | TXDOT – ASMP Level 3 (MAD 6) | Yes | Yes | Yes |

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for Manchaca Road.

FYI – Manchaca Road (FM 2304) is owned and operated by Texas Department of Transportation.

OTHER STAFF COMMENTS:

Comprehensive Planning

This rezoning case is located on a property that is approximately 10.7 acres in size, which is situated on the east side of Manchaca Road. The heavily wooded property has one single family house on it and is not located within the boundaries of an area with a small area plan. Surrounding uses: detached condominium community to the north; a single family house on a large tract to the south; a railroad track to the east; and a single family subdivision to the west. The proposed use is a 325 unit mid-rise multifamily apartment complex.

Connectivity

There are public sidewalks are located on both sides of this section of Manchaca Road. A Cap Metro transit stop is located approximately 450 feet from the subject property on Manchaca Road. The mobility options in the area are average.

Imagine Austin

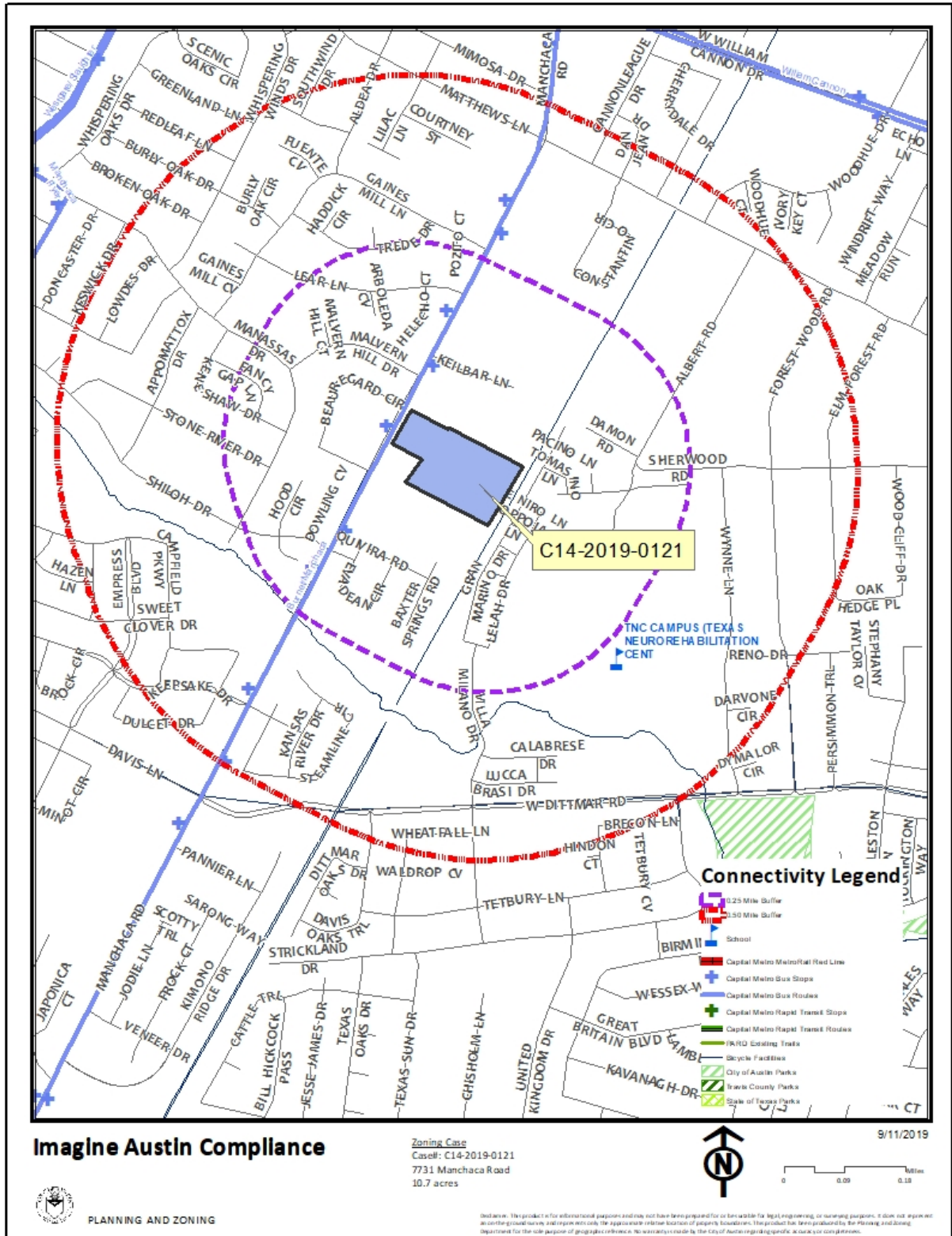
The property is located by the **Slaughter Lane Station Neighborhood Center** to the south (just over a mile away) and the **William Cannon Drive Activity Corridor** to the north. Like many Imagine Austin Centers, this center is represented by a circle that reflects the general location where a 'center' should be located in the future. The center's actual boundaries would need to be clarified through a small area planning process. Similarly, Activity Corridors are intended to allow people to reside, work, shop, access services, people watch,

recreate, and hang out without traveling far distances. They are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.

The following Imagine Austin policies are applicable to this case:

- **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

Based upon: (1) Manchaca Road being a major arterial corridor that includes a mix of land uses; (2) existing residential land uses in the area; and (3) the Imagine Austin housing policies above that supports a mix of housing types and choice; this project appears to partially support the Imagine Austin Comprehensive Plan.



Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the South Boggy Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

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% |

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.

At this time, site specific information is unavailable regarding 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 GO zoning district would be 80% which is a consistent figure between the watershed and zoning regulations.

Site Plan and Compatibility Standards

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.

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

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

COMPATIBILITY STANDARDS

The site is subject to compatibility standards due to proximity of SF-2 zoning to the west, SF-3 zoning to the north, and SF-2 zoning to the south. The following standards apply:

- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 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.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 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 property in an SF-5 or more restrictive zoning district.

DEMOLITION AND HISTORIC RESOURCES

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Transportation

Sufficient right-of-way on Manchaca Road is available for the Austin Strategic Mobility Plan (ASMP). The ASMP calls for 120' feet of right-of-way for Manchaca Road. The traffic impact analysis is deferred until site plan submittal.

Austin Water Utility

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 Austin Water 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 fees once the landowner makes an application for Austin Water utility tap permits.

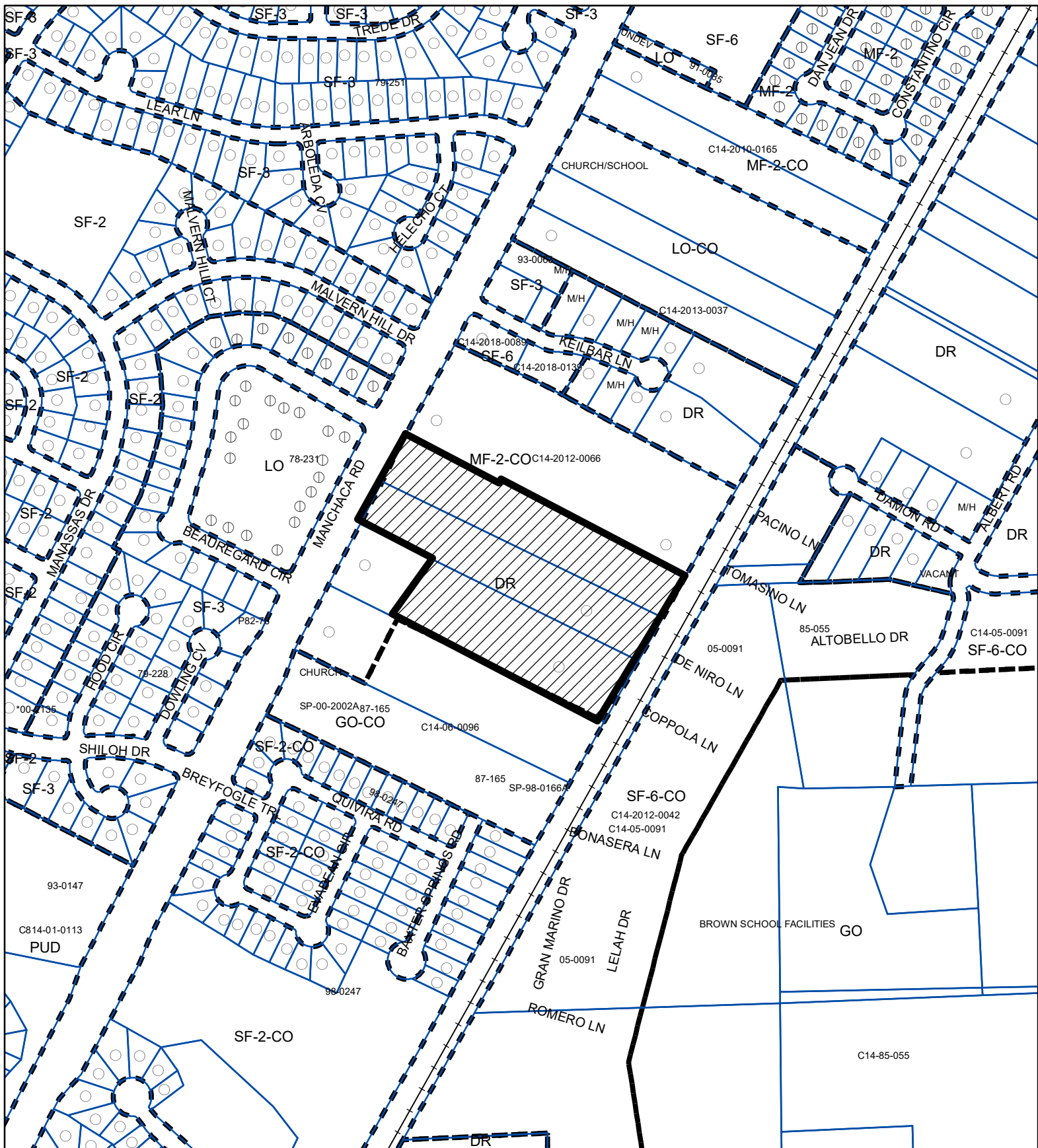
INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map

A-1: Aerial Map

Questions and Answers

Correspondence Received






ZONING

Exhibit A

ZONING CASE#: C14-2019-0121



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

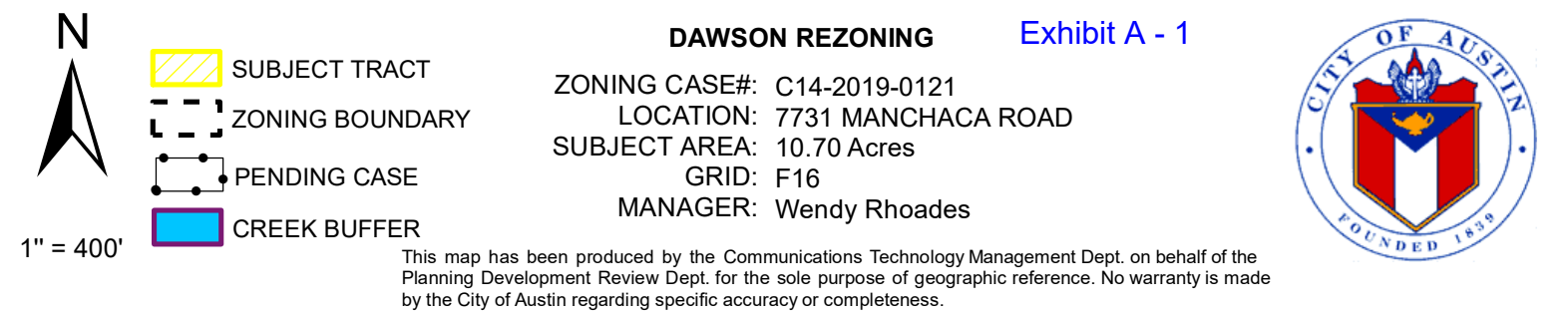
1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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: 9/9/2019



ZAP October 15, 2019 Q & A Report

- 1. Rezoning:** **C14-2019-0121 - Dawson Rezoning; District 5**
Location: 7731 Manchaca Road, South Boggy Creek Watershed
Owner/Applicant: Mary M. Stinson
Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)
Request: DR to GO-MU
Staff Rec.: **Recommended**
Staff: Wendy Rhoades, 512-974-7719
Planning and Zoning Department

Question: King

1. Is this house currently occupied? If so, have the occupants been notified about this case and the potential demolition of the house?
2. Will the house be reviewed for historic preservation?
3. Will any seniors, children, low-income people, or people of color be displaced as a result of this development?
4. Does the property include any heritage trees?
5. Does the adjacent railroad track service any hazardous cargo?
6. Are any hazardous pipelines located within 500 yards of the property boundaries?
7. How many of the proposed 325 multifamily units will be income-restricted and contain three or more bedrooms for low-income families with children?

Answer: Staff / Applicant

- 1) Yes, the Owner / Applicant currently occupies the residence on the Property and has received notification of the rezoning case.
- 2) Yes, this will occur during the site plan review.
- 3) The Owner desires to sell the property.
- 4) Yes.
- 5) The railroad right-of-way is operated by Union Pacific and it is unknown whether the trains carry hazardous cargo.
- 6) No.
- 7) None.

Question: Denkler

What is the density of the proposed apartments comparable to? ie MF -3...

Answer: Staff

GO-MU is equivalent to MF-3 / MF-4 density.

Rhoades, Wendy

From: Rhoades, Wendy
Sent: Tuesday, October 15, 2019 10:32 AM
To: Eugene Sutton
Cc: Tiemann, Donna; Patty Davis; Renee Sutton; Pat Beal; Zach Yanez; Margaret Wells; Susana; Noah Terrazas; Mike Miller; District 5
Subject: RE: Zoning 7731 Manchaca Road C14-2019-0121

Mr. Sutton,

The Applicant has proposed GO-MU zoning as the first step in the development of an apartment project, up to 325 units. The -MU overlay is requested in order to allow for residential uses. Please note that the -MU definition by Code is fairly general, and with the exception of a limited restaurant (which requires site plan approval by the Commission), other retail and commercial uses are not allowed in the GO zoning district.

Sincerely,
Wendy Rhoades

From: Eugene Sutton [mailto:████████████████████@████████████████████]
Sent: Tuesday, October 15, 2019 5:08 AM
To: Tiemann, Donna <Donna.Tiemann@austintexas.gov>; Patty Davis <████████████████████@gmail.com>; Renee Sutton <████████████████████@sbcglobal.net>; Pat Beal <████████████████████@████████████████████>; Zach Yanez <████████████████████@gmail.com>; Margaret Wells <████████████████████@████████████████████>; Susana <████████████████████@████████████████████>; Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Noah Terrazas <████████████████████@cityofaustin.gov>; Mike Miller <████████████████████@charlottesville.gov>; District 5 <District5@austintexas.gov>
Subject: Zoning 7731 Manchaca Road C14-2019-0121

*** External Email - Exercise Caution ***

Folks,

Proposed zoning change to property appears to be very generalized and not in keeping with development and existing zoning. Proposed zoning GO-MU indicates that "any combination of office, retail, commercial, and residential uses within a single development" is requested. Mid City Development has plans for SF 6 along the railroad tracks and abutts this area. Residents of Damon are within the 500 foot range. Residential areas exist to the North and South on Manchaca Road.

More specific zoning is requested.

Thanks

Eugene Sutton
1505 Damon
President
Matthew's Lane Neighborhood Association

CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to CSIRT@austintexas.gov.

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.

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: C14-2019-0121

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: October 15, 2019, Zoning and Platting Commission;
November 14, 2019, City Council**

Jason Kovarik

Your Name (please print)

7709 Manchaca Rd #32

Your address(es) affected by this application

[Signature]

Signature

☐ I am in favor
☒ I object

10/16/2019
Date

Daytime Telephone: 512-294-5884

Comments: Placing a mixed use monstrosity
next to a small condo community ~~with~~ on
an already congested street will only make
traffic worse. Currently the traffic from Manchaca
& William Cannon Intersection Backs up to our
community (Shiner Oaks EVERY MORNING from
7:15 AM to 9 AM) adding 400+ cars to
this commute will make it a nightmare!
I can hardly exit my community in the
morning the way it is. Has there even been a

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

done to see what the impact
would be to Manchaca?
Please, single family homes are
great but 400+ apartments

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.

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: C14-2019-0121

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: October 15, 2019, Zoning and Platting Commission;
November 14, 2019, City Council**

Andrea Koverik

Your Name (please print)

7709 Manchaca Rd Unit 32

Your address(es) affected by this application

Andrea Koverik

Signature

☐ I am in favor
☒ I object

10/16/19
Date

Daytime Telephone: 512-538-3830

Comments: I don't see how moving from a single family home community to a mixed use &/or apartment community that involves multiple floor levels would be at all beneficial to this area of South Austin. Do you not consider the financial investment we've made into our homes when re-zoning from single family to mix-use? This is a big mistake for those of us that have invested in this neighborhood as a single family home community

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

and is a big disappointment that you would even consider this! Please don't wreck out neighborhood or our financial investment!