

ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0001 – Colton Bluff Springs Road DISTRICT: 2

ZONING FROM: RR, SF-4A, SF-4A-CO and LR-MU TO: MF-3 (Tract 1), GR-MU (Tract 2)

ADDRESS: 6917 Colton Bluff Springs Road

SITE AREA: 23.235 acres

PROPERTY OWNER:
BMR Land LLC (William P. Mclean)

AGENT:
McClean & Howard LLP (Jeffery S. Howard)

CASE MANAGER: Kate Clark (512-974-1237, kate.clark@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends multifamily residence – medium density (MF-3) district zoning for Tract 1, and community commercial – mixed use (GR-MU) combining district zoning for Tract 2.
For a summary of the basis of staff's recommendation, see page 2 and 3.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

February 18, 2020 Scheduled for Zoning and Platting Commission

CITY COUNCIL ACTION:

March 12, 2020 Scheduled for City Council

ORDINANCE NUMBER:

ISSUES

The western portion of this property that is covered by floodplain is currently zoned rural residential (RR) district. Staff received an email from a neighbor expressing concern about rezoning the RR area to another base zoning district. It was part of the City's past zoning practice to zone floodplain areas as RR to reduce development in those areas. In the early 2000's Council directed staff to stop this practice and let the environmental regulations of the City's code dictate what could and could not be built within the floodplain and other environmentally sensitive areas. If the applicant is granted their rezoning request, they would be subject to all current code regulations and restrictions to development in these areas.

All communications received on this rezoning case can be found in *Exhibit C: Correspondence Received*.

CASE MANAGER COMMENTS:

This property is undeveloped and approximately 23.24 acres in size. It is bound by three roads: Alum Rock Drive, Colton Bluff Springs Road and McKinney Falls Parkway. It is currently zoned RR, single family residence – small lot (SF-4A) district zoning, single family residence – small lot – conditional overlay (SF-4A-CO) and neighborhood commercial – mixed use (LR-MU) combined district zoning. Across Colton Bluff Springs Road to the north are single family residential homes zoned SF-4A and open space (floodplain areas) zoned single family residence – standard lot (SF-2). Across McKinney Falls Parkway to the east are properties zoned LR, community commercial (GR), SF-4A, and townhouse and condominium residence (SF-6) district zoning. All of these properties are undeveloped. Adjacent to the south are properties within the City's extraterritorial jurisdiction (ETJ) and are not zoned. Across Alum Rock Drive to the west are single family residential homes and open space (floodplain areas) zoned SF-2. As mentioned in the Issues section of this case report, the western portion of this property is covered by floodplain areas, see *Exhibit A: Zoning Map* and *Exhibit B: Aerial Map*.

BASIS OF RECOMMENDATION:

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

The GR base zoning district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways. The portion of the property the applicant is requesting a base zoning of GR (Tract 2) is at the intersection of McKinney Falls Parkway and Colton Bluff Springs Road. Per the adopted Austin Strategic Mobility Plan (ASMP) McKinney Falls Parkway is classified as a Level 3 (a minor arterial) road and Colton Bluff Springs Road is classified a Level 2 (a collector) road. The shape of this tract would allow for potential access to both of these streets.

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

The applicant is requesting multifamily – medium density (MF-3) district zoning to construct a multifamily project. This property is situated near existing SF-4A district zoning. Across McKinney Falls Parkway to the east, a similar tract approximately 11.3 acres in size was rezoned in 2003 from I-RR to MF-3-CO. That tract is adjacent to SF-4A and SF-6 district zoning. Rezoning this property to MF-3 would not be introducing a zoning district inconsistent with the existing zoning pattern.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	RR, SF-4A, SF-4A-CO and LR-MU	Undeveloped
North	SF-4A, SF-2	Single family residential, undeveloped (floodplain)
South	City of Austin ETJ (unzoned)	Undeveloped
East	LR, GR, SF-4A and SF-4A-CO	Undeveloped
West	SF-2	Single family residential, undeveloped (floodplain)

NEIGHBORHOOD PLANNING AREA: N/A

TIA: not required at this time, deferred until site plan submittal.

WATERSHED: Marble Creek (suburban)

OVERLAYS: none.

SCHOOLS: Del Valle ISD (Hillcrest Elementary, Ojeda Middle and Del Valle High Schools).

NEIGHBORHOOD ORGANIZATIONS

Austin Independent School District
 Austin Neighborhoods Council
 Bike Austin
 Del Valle Community Coalition
 Del Valle Independent School District
 Dove Springs Proud
 Friends of Austin Neighborhoods

Go Austin! Vamos Austin! 78744
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 Onion Creek Homeowners Assoc.
 SELTexas
 Sierra Club, Austin Regional Group
 Springfield Austin HOA

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2014-0144 Loma Verde Residential 7231 Colton Bluff Springs Roads	GR to SF-6 (Tract 1) and LR to SF-4A (Tract 2)	To grant SF-6 and SF-4A as staff rec.	Approved SF-6 and SF-4A as Commission recommended.
C14-2013-0086 RKS Springfield Zoning 6605 E William Cannon Drive	SF-2, MF-2, MF-3, SF-4A, LR, GR-MU-CO to SF-4A (Tract 1) and GR-MU-CO (Tract 2 and Tract 3)	To grant SF-4A for Tract 1, GR-MU-CO for Tract 2 w/CO prohibiting auto repair & washing, drop-off recycling collection, and exterminating services, and LR-MU-CO w/CO prohibiting service station for Tract 3, w/ conds. of the TIA, as staff rec.	Approved SF-4A for Tract 1, GR-MU-CO for Tract 2 and LR-MU-CO for Tract 3 w/RC for the TIA

RELATED CASES:

C14-2014-0147 (Loma Verde Residential): applicant requested to rezone 1.77 acres from rural residential (RR) to single family – small lot (SF-4A). Case was recommended by Zoning and Platting Commission and approved by City Council.

C14-2014-0146 (Loma Verde Residential): applicant requested to downzone from LR to SF-4A to construct residential units. Staff did not recommend the downzoning due to the need for commercial services in this area. The Zoning and Platting Commission recommended LR-MU to Council which they voted to approve.

C14-02-0063.SH: this is a previous zoning case granting the rezoning from I-RR to SF-4A-CO.

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Colton Bluff Springs Rd	80'	25'	L2	No	Shared Lane	Yes
McKinney Falls Pkwy	115'	60'-70'	L3	Yes	Bike Lane	Yes
Alum Rock Dr	56'	25'	L2	No	Wide Curb	Yes

OTHER STAFF COMMENTS:Comprehensive Planning

Please note: In August 2014, this same property was rezoned and a compliance report submitted for a request from Zone LR to SF-4A.

This property is located on the south side of Colton Bluff Springs Road and is bracketed by McKinney Falls Parkways to the east and Alum Rock Road to the west. The closest Activity Corridor (William Cannon Drive) is located approximately a half of a mile north. The property is approximately 23.24 acres in size and is not located within a neighborhood with an adopted neighborhood plan. Surrounding land uses include a single family subdivision to the north; vacant land to the south and east; and a single family subdivision to the west. The proposed use is a 144 unit multi-family apartment complex.

Connectivity

There are public sidewalks and bike lanes located along McKinney Falls Parkway, but no public sidewalks or bike lanes are located along Colton Bluff Springs Road or Alum Rock Drive. A CapMetro transit stop is located approximately 1,500 linear feet from the property. A public park is located approximately 2,000 linear feet from the property, and an elementary school is located approximately three-quarters of a mile to the north. Commercial uses within walking distance to this property are sparse. The mobility and connectivity options in this area are fair.

Imagine Austin

The property is located a half of a mile from the East William Cannon Drive Activity Corridor to the north. 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 this property being situated along a major arterial road (McKinney Falls Parkway); close to an Activity Corridor, which supports residential uses; and the Imagine Austin policies referenced above that supports residential uses but a lack of mobility and connectivity options in the area, this proposal partially supports the Imagine Austin Comprehensive Plan.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Marble 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. 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 a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within 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.

Site Plan

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

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

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

Compatibility Standards

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

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- 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.
- A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

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

Transportation

The Austin Strategic Mobility Plan (ASMP) adopted 04/11/2019, calls for 120' feet of right-of-way for McKinney Falls Pkwy and 64 feet of right of way for Alum Rock Dr. It is recommended that 60' of right-of-way from the existing centerline of McKinney Falls and 32' of right of way from the existing centerline of Alum Rock Dr should be dedicated according to the Transportation Plan prior to 3rd reading of City Council. [LDC 25-6-51 and 25-6-55].

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC 25-6-113]

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 service extension requests (SER) will be required to provide 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 East 10th Street, 7th Floor; Phone: 512-972-0211.

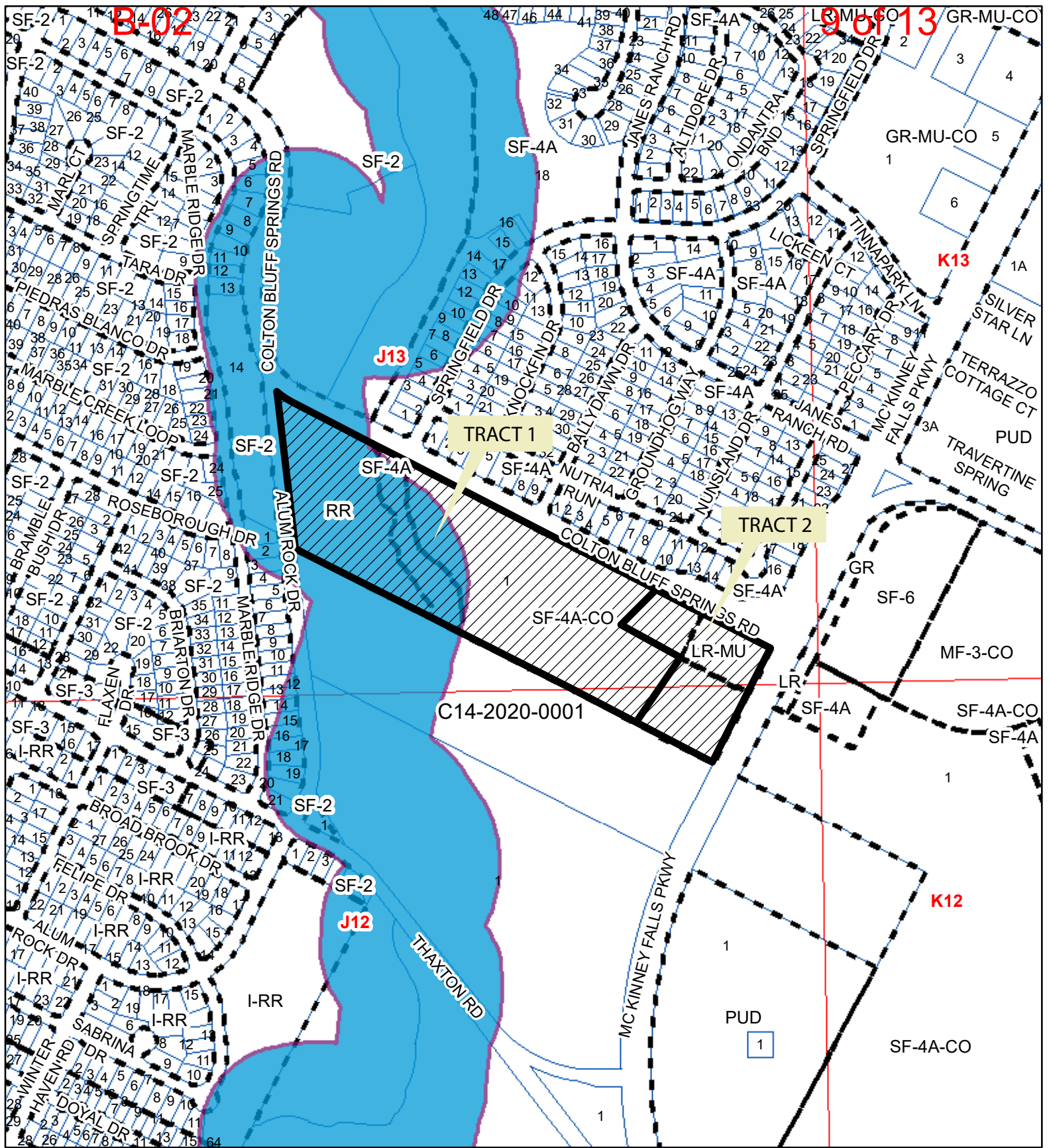
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

Exhibit A: Zoning Map

Exhibit B: Aerial Map

Exhibit C: Correspondence Received







B-02

9 of 13

Colton Bluff Springs Rd

Exhibit A

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C14-2020-0001
 LOCATION: 6917 Colton Bluff Springs Rd
 SUBJECT AREA: 23.235 ACRES
 GRID: J13
 MANAGER: KATE CLARK



1" = 500'

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.

Clark, Kate

From: logan [REDACTED]
Sent: Wednesday, February 5, 2020 11:09 PM
To: Clark, Kate
Subject: Re: 6917 Colton Bluff

I could speak to them if they want.

They won't like what I have to say though because as a developer with no attachment to this neighborhood they have one goal. That goal is a quick profit, no matter the cost to others.

I knew about this zoning case before it was published publicly and I will continue to be a step ahead of them. If they wish to develop this property they should really think about the already existing infrastructure problems in my neighborhood before they are forced to walk away from this project, delay it or spend a lot more on current codes.....not those from the 80's because this is not a original "Springfield" project.

Unless they fund closing off the entrances to Vista Point from Colton Bluff, restore the Marble Creek parkland and add proper flood control plans then I will make sure this stays RR and that no projects will be built on this already designated environmentally sensitive land.

I am sure neither you or the applicant have bothered visiting the site or my neighborhood but I suggest you do. Sit at the bottom of Springfield dr @ Colton Bluff and see how many times you see a car barrel down the road at 60 mph almost wrecking into you. See how many cars drag race Colton Bluff. Come during a rain and see the road flooding, or when it rains in Dripping Springs (that's when we flood the worst, doesn't even have to rain here) See how after a week we have to clean Colton Bluff up again from dumping, see how the City doesn't mow 10 ft tall weeds even when we can't see to drive out, see how this applicant doesn't maintain the property, see how City of Austin and Travis County argue over who's side of road is whos to maintain. See the turkeys, deer, coyotes...oh and the salamander in the creek that the City won't recognize. See the crappy apartments the City passed on Willam Cannon at the mouth of Springfield that are polluting the creek, the ones that any commercial property on Colton Bluff will use Springfield as a race track...right past our HOA playground and all front facing homes. The TIA already has Springfield dr way over City code for allowed traffic flow on a residential street with front facing homes!

The City needs to think about the wellbeing of ALL Austin residents. It's disgusting how little SE matters to y'all, in the last two years living here I have seen a area with the most potential for new and proper development turn into an embarrassment.

Let them know, fund closing those entrances, flood management and creek/parkland restoration and protection or it will be a serious and very public fight.

Sent from my iPhone

> On Jan 28, 2020, at 10:49 AM, Clark, Kate <Kate.Clark@austintexas.gov> wrote:

>

> Logan,

>

> I will put a note in my case file to let you know if the dates of the public hearings change from what I previously told you. Would you be willing to speak with the applicant's agent about this rezoning case? If so, what information may I provide to them?

>

>

>

> Kate Clark, AICP, LEED AP

> Senior Planner

> City of Austin | Planning and Zoning Department Mailing Address:

> P.O.Box 1088, Austin, Texas 78767 Physical Address: 505 Barton Springs

> Rd, 5th floor, Austin, Texas 78704

> Tel: 512-974-1237

> Email: kate.clark@austintexas.gov

>

> -----Original Message-----

> From: logan [REDACTED]

> Sent: Tuesday, January 28, 2020 10:46 AM

> To: Clark, Kate <Kate.Clark@austintexas.gov>

> Subject: Re: 6917 Colton Bluff

>

> Thank you. I will make sure my neighbors are aware.

>

> Unfortunately these dates change often and developers don't really want residents to know about them and almost a full time job just keeping up with it. As I am sure you know SE Austin isn't high on anyone's priority list to protect against projects that cause environmental or residential concerns as they do areas like West Austin. Many of my neighbors are completely unaware of these things until after they happen because the awareness and education on the matters aren't there. Even if so the time commitment it takes to research and keep track of these updates, meetings, and such aren't possible for many. This has allowed continuous wrong doings and shotty projects allowed to pass at our expense. There is no reason projects and zoning should be denied repeatedly just to pop up again under a new name yet still requesting the grandfathered HB exceptions from the 80's.

>

> How about close Colton Bluff for the safety reasons that residents bring up over and over again, that tiny stretch is the only part even open now. Let Marble creek flow properly by removing that portion of road, no more drag racing, no more dumping. The portion of Marble creek on this property is protected, the rest should be as well from this wastewater line and that beautiful creek can be fully restored so residents have an area to visit. If this creek was in West Austin it would be treated like a City treasure. It's got beautiful rock facings, wildlife (including the Barton Springs salamander) it's a contributor to the State Park and even Barton Springs though the City won't acknowledge that.

>

> We have been cleaning up trash by the truck load from the Colton Bluff property while the City and owners did nothing. We have worked on cleaning the creek and have adopted it. If the owners don't want to keep it RR then they need to sell it because Council shouldn't change its mind after residents did show up last time and it was denied because it factors that have not changed and never will.

>

> Sent from my iPhone

>

>> On Jan 28, 2020, at 9:23 AM, Clark, Kate <Kate.Clark@austintexas.gov> wrote:

>>

>> Good Morning Logan,

>>

>> I will include your email as opposition to the rezoning in my staff backup. Currently we have scheduled the public hearings for the Zoning and Platting Commission for February 18th, and City Council for March 12th. Staff has not yet mailed the notices for these meetings but depending on where you live you should receive one in the mail. If you have any questions, please let me know.

>>

>> Thanks!

>>

>> Kate Clark, AICP, LEED AP

>> Senior Planner
>> City of Austin | Planning and Zoning Department Mailing Address:
>> P.O.Box 1088, Austin, Texas 78767 Physical Address: 505 Barton
>> Springs Rd, 5th floor, Austin, Texas 78704
>> Tel: 512-974-1237
>> Email: kate.clark@austintexas.gov

>>

>> -----Original Message-----

>> From: logan [REDACTED]
>> Sent: Tuesday, January 28, 2020 9:08 AM
>> To: Clark, Kate <Kate.Clark@austintexas.gov>
>> Subject: 6917 Colton Bluff

>>

>> *** External Email - Exercise Caution ***

>>

>> Good morning. I'm reaching out because of the 6917 Colton Bluff zoning.

>>

>> This has been denied this zoning many times, I'm not sure why residents are put back in this situation.

>>

>> That land is not compatible with more than RR. The environmental factors like flooding further limit that and put residents at risk. Including my home at the corner of Colton Bluff Springs and Springfield dr.

>>

>> The roads are way above what's allowed for a residential neighborhood as far as traffic volume and they are all cars cutting through without reason. Adding any sort of business here would have cars speeding at all times on my road and directly passed our HOA maintained play ground. If this owner wants any shot at the neighborhood not protesting this then MAJOR flood control methods need to be put in place to protect our homes. They need to fund the closing of the entrances to Springfield dr and Ballydawn dr from Colton Bluff Springs rd.

>>

>> Sent from my iPhone

>> 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.

>