

ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0092 (13505 Burnet Road Rezoning) DISTRICT: 7

ZONING FROM: IP

TO: MF-4

ADDRESS: 13505 Burnet Road

SITE AREA: 16.41 acres (714,819 sq. ft.)

PROPERTY OWNER: Grand HP, Ltd., a Texas Limited Partnership (Richard Hill)

AGENT: Smith Robertson LLP (David Hartman)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends MF-3, Multifamily Residence-Medium Density District, zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

October 6, 2020

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is currently developed with an office and a communication service facility (Grande Communications). The applicant is requesting a rezoning of this 16+ acre site because they propose to redevelop the property with a multifamily use/a 350 unit apartment complex.

The staff recommends MF-3 zoning because the property meets the intent of the purpose statement for the base district designation. The proposed zoning will promote consistency and orderly planning as the site under consideration is adjacent to existing multifamily (MF-3-CO) zoning to the north and south. The lots directly to the north and south of this tract are developed with apartment complexes (Madison at Wells Branch Apartments, Scofield Luxury Apartments, Terraces at Scofield Ridge Apartments). The staff's recommendation for MF-3 zoning is based on the site's access to Elm Ridge Lane, a Level 1 street (comparable to a local street) and a 60' wide driveway easement. The MF-3 district is compatible with the adjacent single-family residences to the northeast and east because it allows for a maximum of 40 feet in height, instead of 60 feet in height, as permitted in the requested MF-4 district. In addition, this recommendation is consistent with the surrounding zoning patterns to the north and south of this site.

BASIS OF RECOMMENDATION:

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

Multifamily Residence (Medium Density) district is intended to accommodate multifamily use with a maximum density of up to 36 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas, and in other selected areas where medium density multiple use is desirable.

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

While the site under consideration is 1,500 linear feet from the Howard Station Neighborhood Center, it has limited access to Elm Ridge Lane, a Level 1/ local street and to a 60' wide driveway easement referred to as Grand Boulevard. The staff's recommendation of MF-3 zoning is consistent with the surrounding MF-3-CO zoning patterns to the north and south of this site. In addition, the proposed MF-3 zoning will provide for a transition in the intensity of uses from the single-family residential neighborhood to the east to the commercial zoning to the west that fronts Burnet Road/FM 1325/North Mopac Expressway NB Service Road.

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

The MF-3 zoning district would allow for a fair and reasonable use of the site because it will permit the applicant to down zone this site to be redeveloped with multifamily residential uses adjacent to single family residential and other medium density multifamily residential uses.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	IP	Office/Warehouse, Communications Service Facility (Grande Communications)
<i>North</i>	MF-3-CO, SF-2-CO	Multifamily (Madison at Wells Branch Apartments)
<i>South</i>	GR, MF-3-CO	Multifamily (Scofield Luxury Apartments, Terraces at Scofield Ridge Apartments)
<i>East</i>	SF-6-CO	Single-Family Residences
<i>West</i>	GR-CO, GO, GR	Detention Pond, Hotel (Texas Bungalows Hotel Suites)

PLANNING AREA: North Lamar Area Study

TIA: Deferred to the time of Site Plan

WATERSHED: Walnut Creek

SCHOOLS: Austin I.S.D.
Summit Elementary School
Murchison Middle School
Anderson High School

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
Austin Lost and Found Pets
Bike Austin
Friends of Austin Neighborhoods
Homeless Neighborhood Association
McNeil/Ashton Woods Neighborhood Association
Neighborhood Empowerment Foundation
North Growth Corridor Alliance
Northwood Neighborhood Association
Red Line Parkway Initiative
SELTEXAS
Sierra Club, Austin Regional Group
The Ridge at Scofield Homeowners Association
Wells Branch Neighborhood Association

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2020-0050 (3100 Scofield Ridge Parkway)	LR to GR-MU	6/16/20: Approved the staff's recommendation of GR-MU zoning by consent (10-0, A. Denkler-absent); H. Smith-1 st , D. King-2 nd .	8/27/20: Approved GR-MU zoning by consent on all 3 readings (11-0); D. Garza-1 st , L. Pool-2 nd .
C14-2019-0058 (Scofield Apartments: 3001 Scofield Ridge Parkway)	GR-MU-CO to GR-MU* *The applicant is requesting a rezoning to remove the conditional overlay (CO) placed on the Property through Ordinance No. 20161110-031 to allow access to the Property from Burnet Road.	6/04/19: Approved staff's recommendation of GR-MU zoning by consent (8-0, A. Tatkow-late, N. Barrera-Ramirez-absent); A. Denkler-1 st , A. Aguirre-2 nd .	6/20/19: Approved GR-MU zoning by consent on all 3 readings (11-0); L. Pool-1 st , N. Harper-Madison-2 nd .
C14-2016-0037 (Scofield Apartments: 3001 Scofield Ridge Parkway)	GR to GR-MU	10/04/16: Approved staff's recommendation of GR-MU-CO zoning on consent (10-0, A. Denkler-absent); G. Rojas-1 st , S. Lavani-2 nd .	10/13/16: Approved GR-MU-CO zoning, with conditions, on consent (9-0, P. Renteria and E. Troxclair-absent); D. Zimmerman-1 st , S. Gallo-2 nd . 11/10/16: Approved GR-MU-CO zoning, with conditions, on consent on 2 nd /3 rd readings (11-0); D. Zimmerman-1 st , O. Houston-2 nd .
C14-2016-0035 (Scofield Farms: 3100 Scofield Ridge Parkway)	LR to CS-CO	7/25/16: Case withdrawn by the applicant.	N/A
C14-2015-0079 (The Bungalows: 13311 Burnet Road)	GO to GR	7/21/15: Approved staff's recommendation of GR-CO zoning, with a CO to limit the development intensity for the site to less than 2,000 vehicle trips per day, by consent (11-0); L. Brinsmade-1 st , B. Evans-2 nd .	8/13/15: Approved GR-CO zoning on consent on all 3 readings (11-0); L. Pool-1 st , D. Zimmerman-2 nd .

C14-03-0188 (Cedar Elm-BWL: 13201-13205 Burnet Road)	GO to GR	4/3/04: Approved staff's recommendation of GR zoning, by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd .	3/04/04: Granted GR zoning (6-0, McCracken-absent); all 3 readings
C14-00-2179 (Century Park: Century Park Boulevard)	IP to SF-2, SF-3, MF-1	10/17/00: Approved staff rec. of SF-2 (TR1), SF-3 (TR 2), and MF-1 (TR3) by consent (8-0)	11/30/00: Approved SF-2-CO (TR1), SF-3-CO (TR2); MF-1-CO (TR3) w/condition of 2,000 vehicle trip per day limit (7-0); all 3 readings
C14-00-2112 (Century Park Apartments: 2700-2800 Century Park Boulevard)	IP to MF-3	9/19/00: Approved staff alternate rec. of MF-3-CO by consent (9-0); conditions as follows: 1) 2,000 vehicle trip per day limit 2) Maximum of 23 residential units per acre 3) A residential structure or portion of a residential structure may not be constructed within 100 ft of the north property line between Ida Ridge and Orchid Lane	10/26/00: Approved MF-3-CO (7-0); 1 st reading 12/7/00: Approved MF-3-CO (7-0); 2 nd /3 rd readings
C14-95-0051 (Rainsoft: 13000 Ida Ridge)	GO to CS-CO	5/23/95: Approved staff alternate rec. of CS-CO w/conditions (7-0)	6/22/95: Approved CS-CO w/conditions (5-0); all 3 readings
C14-94-0056 (Scofield Farms: Scofield Lane)	LO, LR to MF-3	9/27/94: Approved MF-2-CO (TR1), MF-3-CO (TR2) w/ conditions (9-0)	11/3/94: Approved MF-2-CO (TR1), MF-3-CO (TR2) w/conditions (5-0); all 3 readings
C14-92-0109 (Century Park Subdivision Block C: 3201 Century Park)	IP to MF-3	11/24/92: Approved MF-3	12/3/92: Approved MF-3-CO; with following conditions: 1) Limit of 23 units per acre for multifamily development 2) Parkland dedication shall apply at site plan approval (6-0-1, RR-abstain); 1 st reading 4/7/94: Approved MF-3-CO (5-0-1, RR-abstain); 2 nd reading 4/21/94: Approved MF-3-CO (5-0-1, RR-abstain); 3 rd reading
C14-92-0108 (Century Park Subdivision Block B: 2701 Century Park)	IP to MF-3	11/24/92: Approved MF-3	12/3/92: Approved MF-3-CO; with following conditions: 1) Limit of 23 units per acre for multifamily development 2) Parkland dedication shall apply at site plan approval (6-0-1, RR-abstain); 1 st reading

			4/7/94: Approved MF-3-CO (5-0-1, RR-abstain); 2 nd reading 4/21/94: Approved MF-3-CO (5-0-1, RR-abstain); 3 rd reading
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RELATED CASES:

SP-94-0184C (Site Plan)
C14-85-149 (North Lamar Area Study Zonings)

EXISTING STREET CHARACTERISTICS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
FM 1325	Varies	Varies	Major Arterial	N/A

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning case is located on the south side of Grand Boulevard, on a 16.41 acres parcel that contains facilities for Grande Communications, an internet and cable service provider. This property not located within the boundaries of a planning area with an adopted neighborhood plan but is 1,500 linear feet from the **Howard Station Neighborhood Center**. Surrounding land uses includes a large multifamily apartment complex and beyond that some commercial uses to the north; to the south is vacant land and three multifamily apartment complexes; to the east is a single family subdivision and to the west is a hotel and the Mopac Expressway. The proposed use is 350 unit multifamily apartment complex.

Connectivity: There are no bike lanes located along Grand Boulevard until it interconnects with the Mopac Expressway service road (Burnet Road). There are no nearby public transit stops. The mobility and connectivity options in the area are below average and the heavy and fast moving traffic along the Mopac service road makes accessing goods and services located north along the Mopac frontage road problematic.

Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being located approximately 1,500 linear feet away from the boundaries of the **Howard Station Neighborhood Center**, which is located to the northwest. Like many Imagine Austin Centers, this center is represented by a circle that reflects the general location where the center should be located in the future. The center's actual boundaries would need to be clarified through a small area planning process. The IACP defines Neighborhood Centers as *“the smallest and least intense of the three types of activity centers outlined in the Growth Concept Map. Of the three,*

these will have a more local focus. Businesses and services—doctors and dentists, shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.”

The following Imagine Austin Policies are applicable to this case:

- **LUT P3.** Promote development in compact centers, communities, or **along corridors** that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **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 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: There are multiple large multifamily apartment complexes interspersed with large single family subdivisions in this portion of Austin. While this project will add more residential housing, based upon *the lack of mobility and connectivity options* in this area, such as goods and services, parks, recreational areas, and public schools and public sidewalks and public transit stops, this project only partially supports Imagine Austin Comprehensive Plan policies.

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It 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 Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

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.

Fire

Approved. No comments.

Site Plan

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

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

- a. No structure may be built within 25 feet of the property line.
- b. No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- c. No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- d. No parking or driveways are allowed within 25 feet of the property line.
- e. 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.

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

Transportation

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]

The site will be required to provide mitigation for traffic impacts at the time of site plan application. Additional right-of-way maybe required at the time of subdivision and/or site plan.

The adjacent street characteristics table is provided below:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Elm Ridge Lane	90'	62' with median	Level 1	No	No	No

Water Utility

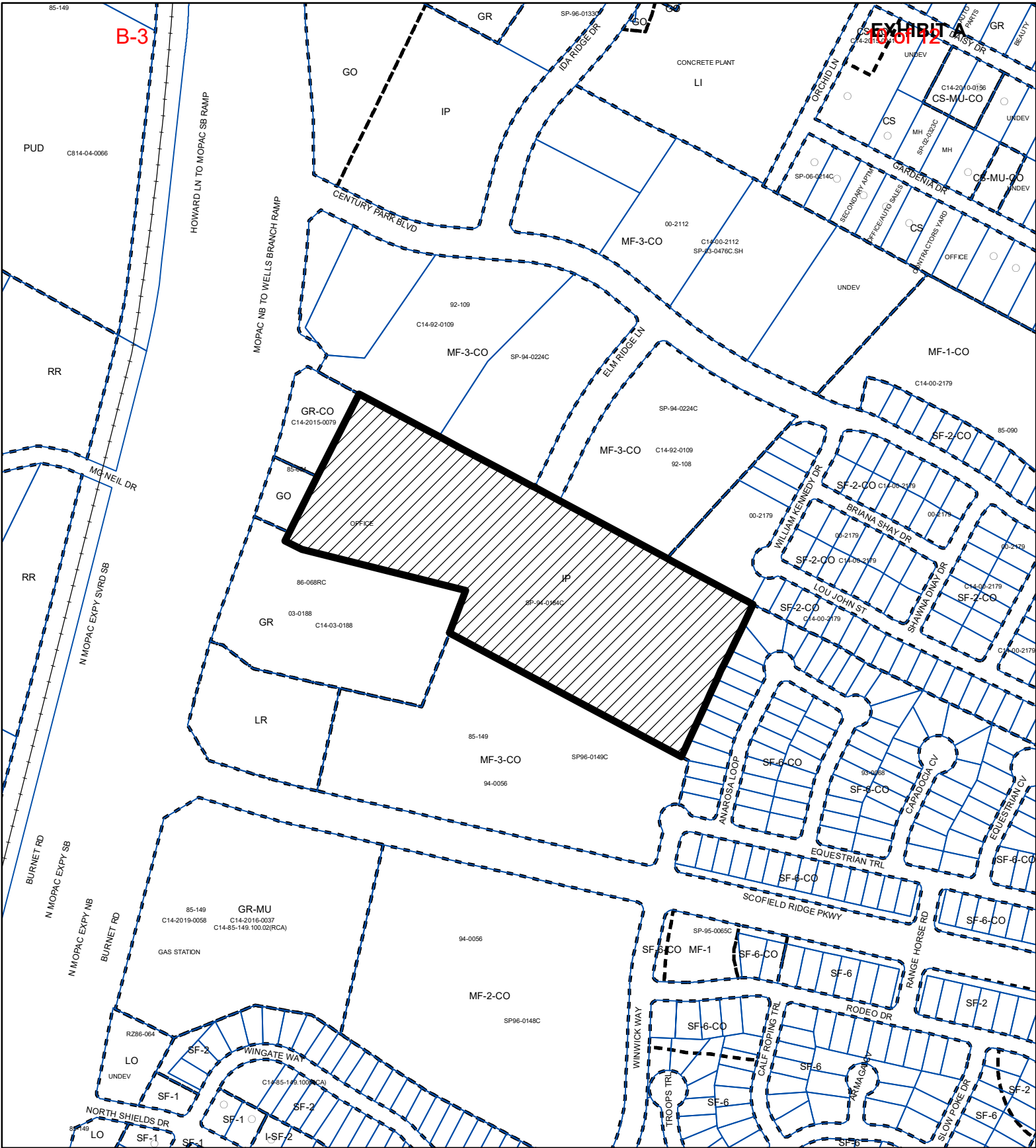
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water 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, 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 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. Applicant's request letter
- D. Educational Impact Statement



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2020-0092

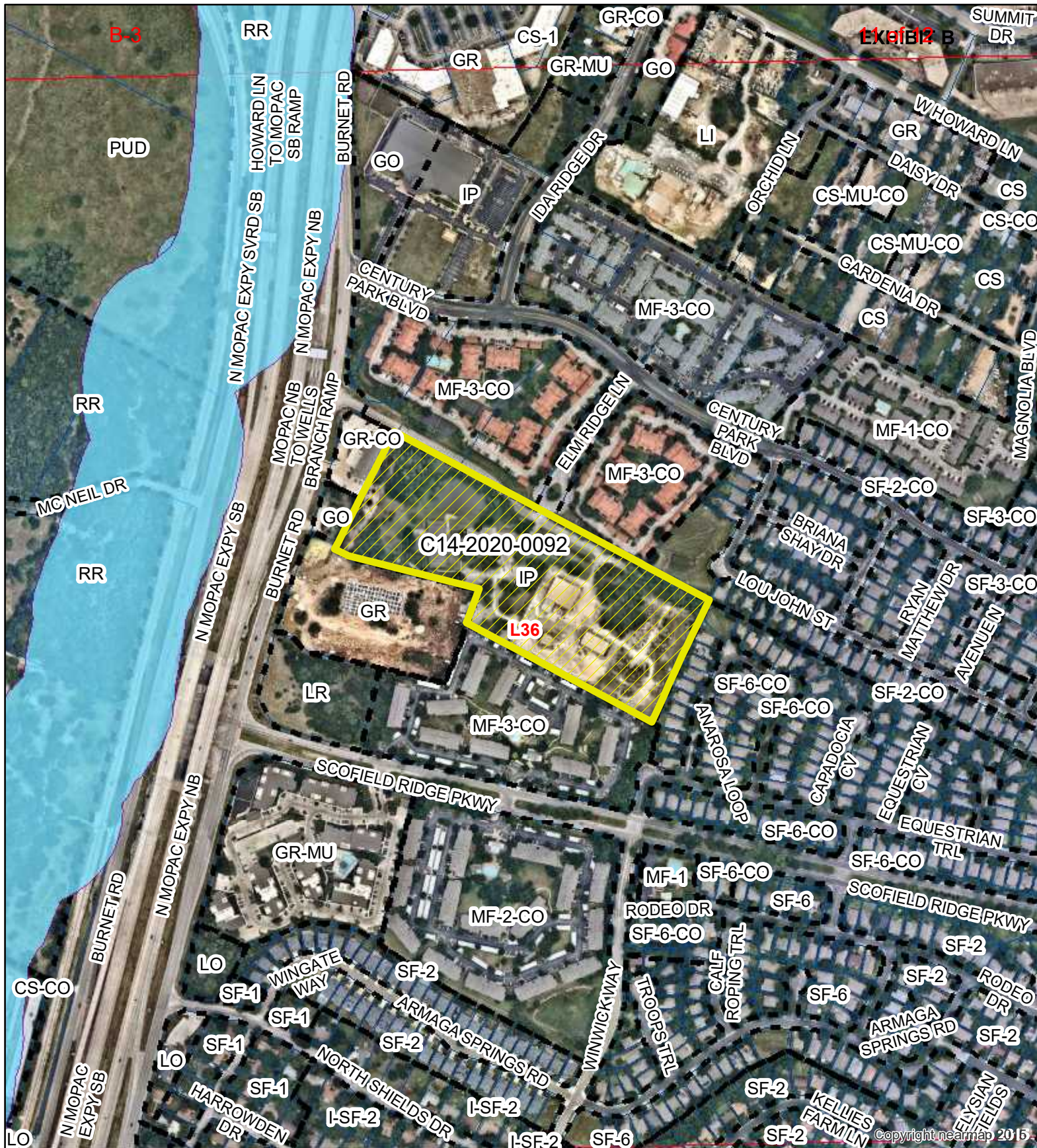


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Created: 8/11/2020

1" = 400'



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SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

13505 Burnet Rd.

ZONING CASE#: C14-2020-0092
 LOCATION: 13505 Burnet Road
 SUBJECT AREA: 16.413 ACRES
 GRID: L36
 MANAGER: Sherri Sirwaitis



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.



August 6, 2020

Mr. Jerry Rusthoven, Assistant Director
Planning and Zoning Department
City of Austin
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Via electronic submittal

Re: Multifamily Rezoning Application for 16.41 acres located at 13505 Burnet Road, Austin, Texas
("Property")

Dear Mr. Rusthoven:

We respectfully submit the enclosed rezoning application for 13505 Burnet Road multifamily development as representatives of the owners of the above stated Property.

The current zoning of the Property is IP, and we are requesting MF-4 zoning for the entire Property. The Property is not located within a Neighborhood Plan. The Property is bounded by residential zoning on three sides (MF-3-CO, SF-2-CO, and SF-6-CO), with commercial zoning (GO, GR, and GR-CO) adjacent to the subject tract and Mopac. The purpose of the rezoning is to authorize multifamily use on the Property. This rezoning request is consistent with surrounding land uses including multifamily, condominium, residential, and hotels. Development of the Property involves considerable site constraints, including property setbacks. Therefore, the application proposes to rezone the Property to MF-4 zoning designation primarily to provide for flexibility of height of buildings as authorized pursuant to MF-4 zoning.

A Traffic Impact Analysis ("TIA") has been waived via a TIA waiver from Amber Mitchell dated June 30, 2020, noting that a TIA determination is deferred to the site development permit review process when the final land use mix and intensities will be finalized.

If you have any questions about the rezoning application or need additional information, please do not hesitate to contact me at your convenience. Thank you for your time and attention to this project.

Very truly yours,

David Hartman

cc: Sherri Sirwaitis, Planning and Zoning Department, via electronic mail
Ben Browder, Oden Hughes, via electronic email

From: Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>
Sent: Wednesday, September 30, 2020 2:16 PM
To: Rivera, Andrew <Andrew.Rivera@austintexas.gov>
Cc: David Hartman
Subject: FW: Request for postponement for case number C14-2020-0092

Hi Andrew,

The neighborhood is requesting a postponement of case C14-2020-0092 (135050 Burnet Road Rezoning) this Tuesday night to the November 17, 2020 ZAP Commission meeting. Please see below.

Thank you,

Sherri Sirwaitis

City of Austin

Planning & Zoning Department

sherri.sirwaitis@austintexas.gov

512-974-3057(office)

From: Andre Bododea <>
Sent: Wednesday, September 30, 2020 1:50 PM
To: Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>
Subject: Request for postponement for case number C14-2020-0092

*** External Email - Exercise Caution ***

Dear Ms. Sirwaitis,

Thank you for the information you provided regarding case number C14-2020-0092.

Given the information you provided in your previous email, I wanted to write to you in order to respectfully request a postponement for the public hearing of this case at the Zoning and Platting Commission currently scheduled on October 6th 2020 to be postponed to the Zoning and Platting Commission's November 17th 2020 meeting. The reason for this is in order to give us neighboring residents enough time to contact any other residents in our neighborhood who want to be involved in the process, dialogue with the developer in order to understand the ramifications of the proposed re-zoning, allow the developer time to present preliminary plans and various details related to the re-zoning, and have the time to be able to adequately discuss our thoughts and concerns directly with the developer and his legal counsel before the hearing.

Please let me know if you have any questions or need any clarification regarding this request. I very much appreciate your time and consideration in this matter.

Thank you,

Andre Bododea