

## ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0116 – 10304 Old San Antonio Road

DISTRICT: 5

ZONING FROM: I-RR

ZONING TO: MF-3

ADDRESS: 10304 Old San Antonio Road

TOTAL SITE AREA: 13.92 acres

PROPERTY OWNERS: Bernadette M. Rainosek, Frank A. Miller, Walter John Miller

AGENT: McLean & Howard, LLP (Jeffrey S. Howard)

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

STAFF RECOMMENDATION:

**The Staff recommendation is to grant multifamily residence – low density (MF-2) district zoning.** *For a summary of the basis of Staff's recommendation, see case manager comments.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

**November 17, 2020:**

CITY COUNCIL ACTION:

**December 10, 2020:**

ORDINANCE NUMBER:

ISSUES:

The Applicant is in agreement with the Staff recommendation.

CASE MANAGER COMMENTS:

The property is 13.92 acres and located on Old San Antonio Road, a two-lane roadway just west of IH-35 approximately one mile south of Slaughter Lane. For context, the Southpark Meadows development is further north (CS-CO). The property slopes gradually towards Slaughter Creek which generally follows the west property line, contains several groupings of trees and one single family residence. The property has been zoned interim – rural residence (I-RR) district since annexation into the City limits in 1997. ***Please refer to Exhibits A and A-1 – Zoning Map and Aerial Exhibit.***

The property is surrounded by an undeveloped tract and recently occupied Park and Recreation Department (PARD) offices to the north (GR-MU-CO; P; P-H); apartments and Akins High School football fields to the east (MF-2; MF-2-CO; I-RR); one single family

residence and the Akins High School campus to the south (I-RR); and Slaughter Creek and apartments to the west (GR-MU-CO; MF-2-CO).

The Applicant proposes to zone the property to the multi-family residence – medium density (MF-3) district so that it may be developed with approximately 197 apartment units.

**BASIS OF RECOMMENDATION:**

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

*Staff Recommendation:* The multi-family residence low density (MF-2) district is intended to accommodate multifamily use with a maximum density of 23 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near single family neighborhoods or in an area for which low density multifamily use is desired. The Applicant is in agreement to the Staff recommendation.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*
3. *Zoning should be consistent with approved and existing densities.*

Based on review of the zoning map and existing land uses, Staff believes the property is suitable for additional residential development and would be compatible with the apartments to the east and southeast. Under MF-2 zoning, the maximum height is 40 feet and the average density is 20 units per acre.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	I-RR	One single family residence
<i>North</i>	GR-MU-CO; P; P-H	Slaughter Creek (City-owned); PARD offices
<i>South</i>	I-RR	One single family residence; AISD high school
<i>East</i>	MF-2; MF-2-CO; I-RR	Apartments; AISD high school athletic fields
<i>West</i>	GR-MU-CO; MF-2-CO	Slaughter Creek (City-owned); Apartments

**NEIGHBORHOOD PLANNING AREA:** Not Applicable

**TIA:** Is not required  
at the time of zoning

**WATERSHED:** Slaughter Creek – Suburban

**CAPITOL VIEW CORRIDOR:** No

**SCENIC ROADWAY:** No

**SCHOOLS:**

Menchaca Elementary School

Paredes Middle School

Akins High School

**COMMUNITY REGISTRY LIST:**

627 – Onion Creek Homeowners Association

742 – Austin Independent School District      1228 – Sierra Club, Austin Regional Group  
 1307 – Oak at Twin Creeks Homeowners' Association      1363 – SEL Texas  
 1528 – Bike Austin      1530 – Friends of Austin Neighborhoods  
 1531 – South Austin Neighborhood Alliance  
 1616 – Neighborhood Empowerment Foundation      1774 – Austin Lost and Found Pets

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0143 – Matthew Brown Homestead – 10140 Old San Antonio Rd	GR-MU-H-CO; GR-CO to P-H; P	To Grant	Apvd (1-23-2020).
C14-2015-0064 – Martin T. Moser Subdivision Rezoning – 10307 Old San Antonio Rd	SF-2 to MF-2	To Grant	Apvd (08-13-2015).
C14-2010-0111 – 10301 Old San Antonio Road Rezone	MF-2-CO to MF-2-CO, to remove the -CO that prohibits access to Old San Antonio Rd	To Grant MF-2-CO w/CO limiting the number of driveways to Old San Antonio Rd to one; public RC to require the Owner to build access through the loop road that adjoins the property along the SE property line to the IH 35 Service Rd prior to a issuance of a Certificate of Occupancy and to restrict construction traffic to the loop road.	Apvd MF-2-CO w/RC for access issues, as Commission recommended (8-18-2011).
C14-04-0160 – Harrell Tract #5 – 10184-10224 S IH- 35 Service Rd SB; 10101-10139 Old San Antonio Rd	I-RR to CS-MU- CO	To Grant CS-MU-CO w/CO prohibiting certain uses and limiting development to 2,000 daily trips	Apvd CS-MU-CO as Commission recommended (12-2-2004).
C14-04-0126 – Harrell Tract #4 – 10100-10182 S IH-	I-RR to CS-CO	To Grant CS-CO w/ CO for list of prohibited uses, RC for	Apvd CS-CO as Commission recommended

35 Service Rd SB; 10100-10128 Old San Antonio Rd		the TIA and establish that the minimum size for a stand-alone restaurant is 300 sf	(12-2-2004).
C14-04-0125 – Harrell Tract #3 – 10000-10450 S First St	I-RR to MF-2- CO	To Grant MF-2-CO w/CO for 17 u.p.a. and a RC for the TIA	Apvd MF-2-CO w/RC as recommended by ZAP (12-2-2004).
C14-04-0124 – Harrell Tract #1 – 10116 S IH 35 Service Rd SB and 9800-10000 S 1 <sup>st</sup> St	I-RR to GR-MU- CO for Tract 1A and CS-CO for Tract 1B	To Grant GR-MU-CO for Tract 1A and CS- CO for Tract 1B w/ CO for list of prohibited uses with RC for the TIA and establish that the minimum size for a stand-alone restaurant is 300 sf	Apvd GR-MU-CO for Tract 1A and CS-CO for Tract 1B w/RC for the TIA and establish that the minimum size for a stand-alone restaurant is 300 sf as recommended by ZAP (12-2-2004).
C14-02-0052 – Wedding Facility, Catering and Restaurant – 10300 Old San Antonio Rd	I-RR to GR-MU- CO	To Grant GR-MU-CO w/CO limiting development of the property to bed and breakfast residential, indoor and outdoor entertainment and restaurants, 200 trips per day, height of 35 feet and 50% building coverage. RC specifying types of events and reservation of r-o-w on Old San Antonio Road	Apvd GR-MU-CO w/RC as Commission recommended (8-22-2002).
C14-00-2031 – Stablewood Apartments – Old San Antonio Rd	I-RR to MF-2	To Grant MF-2-CO w/CO prohibiting access to Old San Antonio Rd, 15' wide vegetative buffer adjoining SF-2 property, and 2,000 trips per day	Apvd MF-2-CO as PC recommended (8-17-2000).

#### RELATED CASES:

The subject property was annexed into the City limits on December 31, 1997 (C7A-97-013).

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Old San Antonio Road	52 feet	20 feet	Level 2 (Collector)	None	Shared Lane	None

OTHER STAFF COMMENTS:Comprehensive Planning

This zoning case is located on a 13.92 acre parcel that contains a single family house and is situated on the west side of Old San Antonio Road. The property is in an area without an adopted small area plan but is located approximately 1,200 feet south of the **Southpark Meadows Town Center** and 440 feet east of the **South 1<sup>st</sup> Street Activity Corridor**. Surrounding land uses include the Slaughter Creek at Twin Oaks Greenbelt, an apartment complex and the Southpark Meadows Shopping Center to the north; to the south is a house and Akins High School and its sports fields; to the east are two apartment complexes and undeveloped land; and to the west is the Slaughter Creek at Twin Oaks Greenbelt. The proposed use is a 197 unit multifamily apartment complex.

**Connectivity:**

Old San Antonio Road is a narrow rural road with no nearby public transit stops. The only public sidewalks are located across the street, in front of an apartment complex. The subject tract does not have pedestrian and bicycle connectivity to Southpark Meadows Shopping Center. Akins High School is located less than 600 feet south of the subject property, while Southpark Meadows Shopping Center, which has over 100 retail shops and two grocery stores, is located 1,200 feet north. This property is not located near a public transit stop. Mobility options are poor while connectivity options are good, if someone owns a car.

**Imagine Austin**

The property is located near an Activity Corridor and a Town Center. Imagine Austin Centers are represented by a circle or globular shape 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. Regional, town, and neighborhood centers are supposed to be walkable, bikeable, and supported by transit.

The following Imagine Austin policies are applicable to this project:

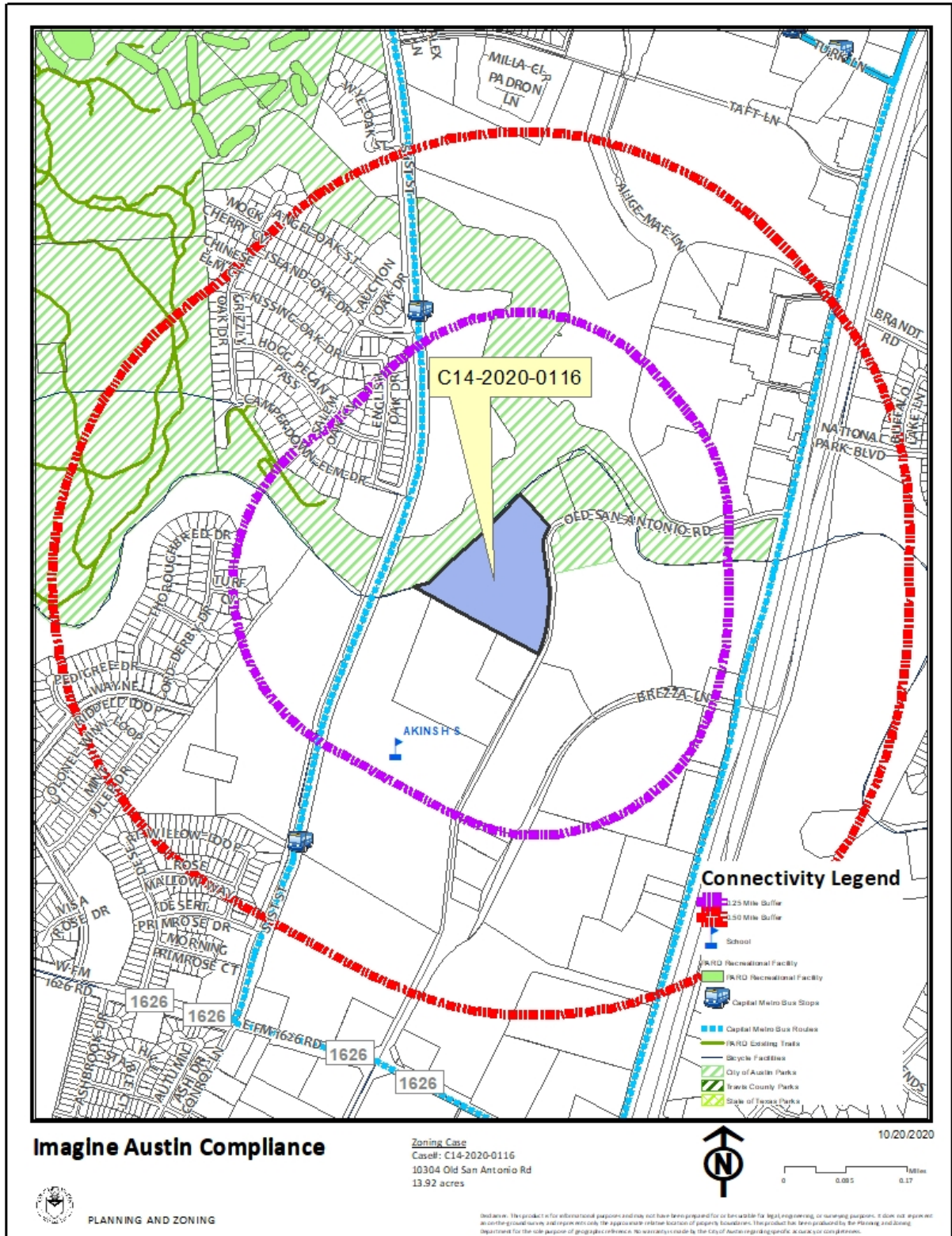
- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses **and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.**

- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other **to maximize walking, bicycling, and transit opportunities.**
- **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 healthy food, schools, retail, employment, community services, and parks and recreation options.**

**Conclusions:**

In the last several years, Old San Antonio Road has seen the development of several large residential projects, which has provided a variety of housing types including apartment complexes, senior living and a single family subdivision, but provides few mobility options, including public sidewalks, bike lanes, or public transit stops to access nearby goods and services located at Southpark Meadows. Based on the rezoning area's location near a Town Center and Activity Corridor, nearby civic and commercial uses, but poor mobility options in the area, this project only partially supports the Imagine Austin Comprehensive Plan.





### Drainage

Western portions of the property are located within the City's the fully developed 25-year floodplain and the fully developed 100-year floodplain of Slaughter Creek.

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 Slaughter 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, the 100-year and 25-year floodplains occur within the project boundaries. Additionally, a Critical Water Quality Zone, as established in LDC 25-8-92(B), exists within the project boundaries and consumes nearly 50% of the Gross Site Area. The applicant is forewarned the development restrictions listed in LDC 25-8-261 may limit or severely restrict the amount of available buildable area within the project boundaries.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

A rimrock CEF and its associated buffer, as defined in LDC 25-8-281(C), exists along the entire northwestern boundary of the site. Development within a CEF buffer is restricted. An Environmental Resource Inventory must be submitted at the time of an application for development permit.

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

Within the Slaughter Creek watershed, the maximum impervious cover allowed by the MF-2 zoning district would be 60%, which is based on the more restrictive watershed regulations.

#### Site Plan and Compatibility Standards

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

Open space for multifamily uses will be required under Section 2.7 of Subchapter E and 25-2-780.

#### PARD – Planning & Design Review

Parkland dedication will be required at the time of subdivision or site plan application for the proposed residential units, MF-2 zoning, per City Code § 25-1-601, as amended. The proposed development meets the criteria for land dedication in City Code Title 25, Article 14. As such, a partial land dedication will be required, as well as any remaining fees in-lieu.

The Parks and Recreation Department (PARD) would consider this section of Slaughter Creek toward satisfying the requirement at time of permitting (whether subdivision or site plan). An expansion of the Greenbelt would improve its connectivity and trail use, as well as satisfy an acquisition need for Slaughter Creek, a recommendation identified in the Parks and Recreation Department's Long Range Plan.

Should there be any remaining fees in-lieu, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

Should the Applicant wish to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: [thomas.rowlinson@austintexas.gov](mailto:thomas.rowlinson@austintexas.gov). At the Applicant's request, PARD can provide an early determination letter of the requirements mentioned in this review.

#### Transportation

*ASMP Assessment* – The Austin Strategic Mobility Plan (ASMP) adopted April 11, 2019, calls for 60 feet of right-of-way for Old San Antonio Road. It is recommended that 30 feet of right-of-way from the existing centerline should be dedicated for Old San Antonio Road according to the Transportation with the first subdivision or site plan application [LDC 25-6-51 and 25-6-55].

There is a proposed Tier II Urban Trail adjacent to the western boundary of this site along Slaughter Creek.

*Transportation Assessment* – Assessment of required transportation mitigation, including the potential dedication of right-of-way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A Traffic Impact Analysis shall be required at the time of site plan if triggered per 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.

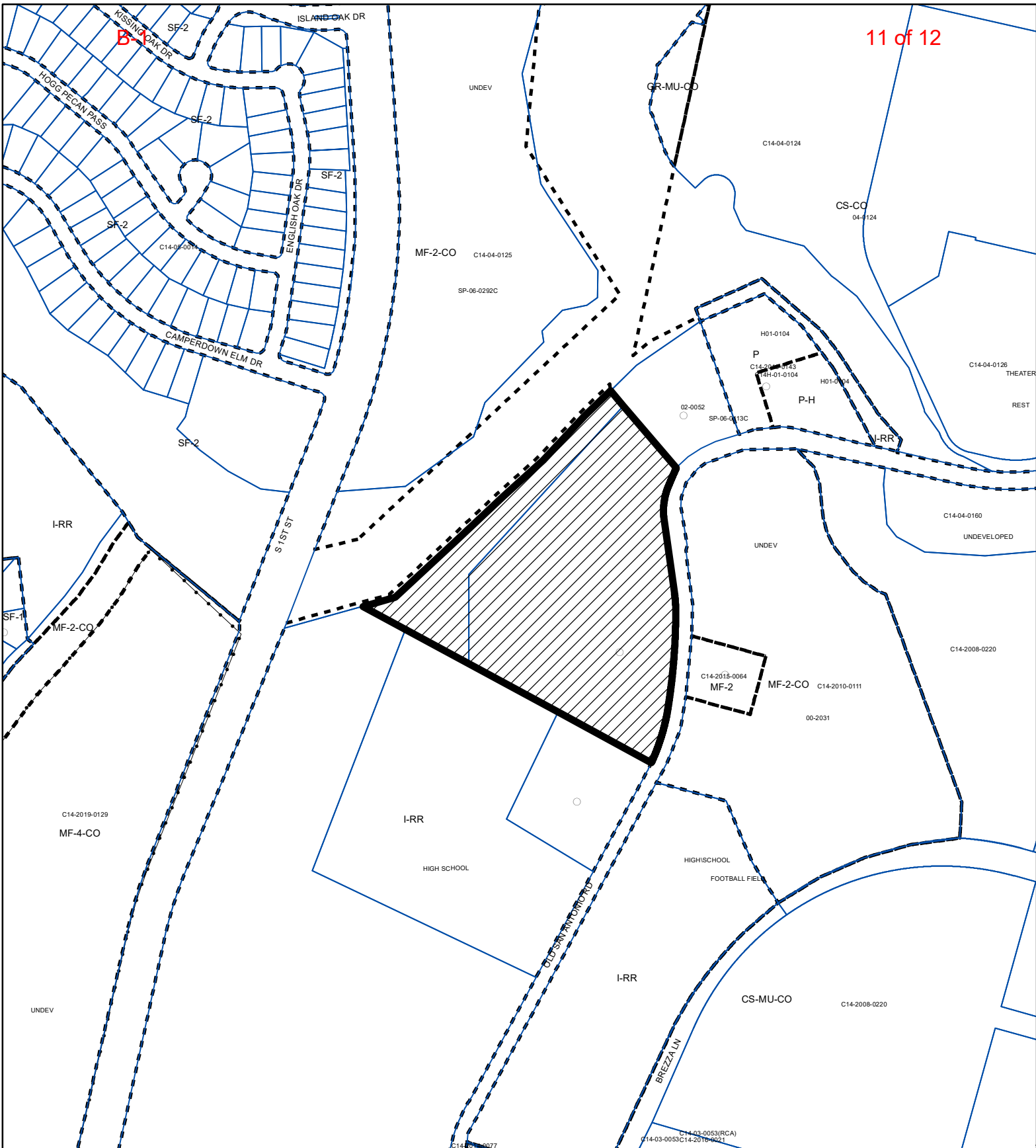
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.




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

#### INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map

A-1: Aerial Map



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

## ZONING

### ZONING CASE#: C14-2020-0116

Exhibit A

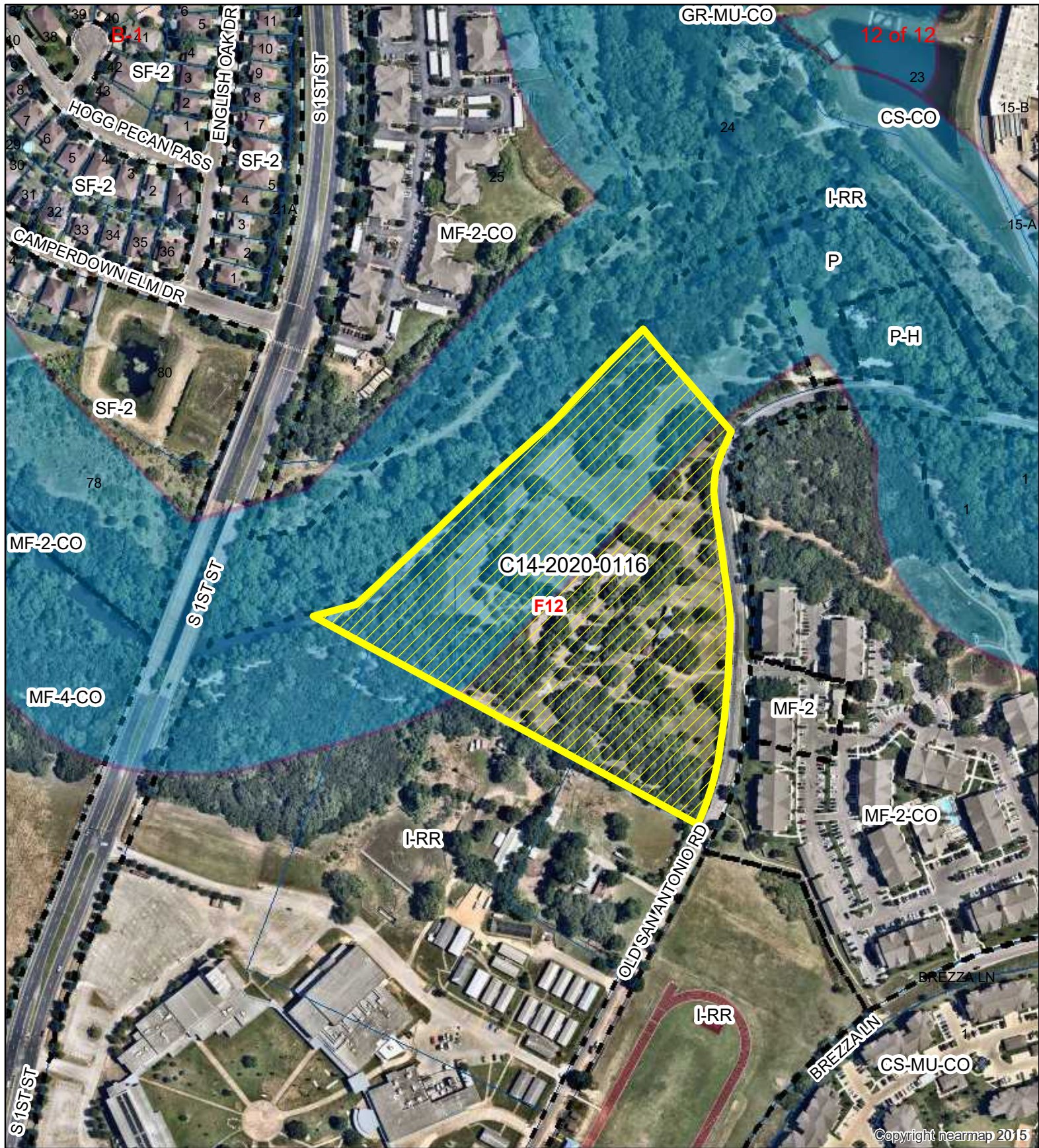
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Created: 10/19/2020





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1" = 300'

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

**10304 Old San Antonio Rd**      **Exhibit A - 1**

ZONING CASE#: C14-2020-0116  
 LOCATION: 10304 Old San Antonio Rd  
 SUBJECT AREA: 13.92 Acres  
 GRID: F12  
 MANAGER: Wendy Rhoades



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