

ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0138 – TCR McKinney Falls DISTRICT: Contiguous to District 2

ZONING FROM: Unzoned

ZONING TO: SF-6

ADDRESS: 8201 Thaxton Road

TOTAL SITE AREA: 24.268 acres

PROPERTY OWNER: Philip Boghosian, as Trustee of the Philip Boghosian Living Trust

AGENT: Husch Blackwell LLP (Micah King)

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

STAFF RECOMMENDATION:

The Staff recommendation is to grant townhouse and condominium residence (SF-6) district zoning. The basis of Staff's recommendation is provided on page 2.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:
January 5, 2021:

CITY COUNCIL ACTION:
To be scheduled

ORDINANCE NUMBER:

ISSUES:

The Applicant is in agreement with the Staff recommendation.

CASE MANAGER COMMENTS:

The subject property to be zoned is currently in unincorporated Travis County and proposed for annexation into the City's full purpose jurisdiction. Other than a water tank and related outbuilding that is operated by the Creedmoor-Maha Water Supply Company, the property is used for agricultural purposes. It contains moderate vegetation cover and a segment of Marble Creek along the west side. To the north is undeveloped land (County, MF-2; GR-MU-CO), to the east is undeveloped land (SF-4A-CO) and a recently annexed portion of Easton Park (also known as Pilot Knob PUD), to the south are a few single family residences on large tracts (County), and to the west across Alum Rock Drive are single family residential subdivisions on standard size lots. ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).***

The Applicant proposes to zone the property to the townhouse and condominium residence (SF-6) district as the first step in constructing up to 105 single family residences on a single site. Access to McKinney Falls Parkway and Thaxton Road is proposed.

BASIS OF RECOMMENDATION:

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

The townhouse and condominium residence (SF-6) district is intended as an area for moderate density single family, duplex, two-family, townhouse and condominium use.

- 2. Zoning changes should promote an orderly and compatible relationship among land uses.*
3. Zoning should be consistent with approved and existing residential densities.

SF-6 zoning is a reasonable option for multiple-acre parcels to be developed in a lower density residential area. SF-6 zoning also allows for the ability to introduce a different type of housing to the area, yet the proposed project will consist of and have a single family appearance, and be compatible with the existing single family residences in the vicinity. Furthermore, the SF-6 zoning district also allows for clustering of units given moderate tree coverage on the property and the Marble Creek floodplain which covers the western portion of the property.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	Unzoned	Agricultural; Water tank for a water supply company and related outbuilding
<i>North</i>	County; MF-2; GR-MU-CO	Undeveloped
<i>South</i>	County	Scattered single family residences on large tracts
<i>East</i>	PUD	Undeveloped portions of Easton Park
<i>West</i>	I-RR; SF-2; SF-3	Single family residences in the Bend at Nuckols Crossing and Springfield subdivisions

NEIGHBORHOOD PLANNING AREA: Not Applicable

TIA: Deferred to the site plan application when land uses and intensities will be finalized

WATERSHED: Marble Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

The subject property is within the Del Valle Independent School District.

COMMUNITY REGISTRY LIST:

511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District 774 – Del Valle Independent School District
 1228 – Sierra Club, Austin Regional Group 1258 – Del Valle Community Coalition
 1363 – SEL Texas 1408 – Go Austin Vamos Austin 78744
 1528 – Bike Austin 1530 – Friends of Austin Neighborhoods
 1550 – Homeless Neighborhood Association
 1616 – Neighborhood Empowerment Foundation
 1745 – Easton Park Master Community 1774 – Austin Lost and Found Pets

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2020-0001 – 6917 Colton Bluff Springs Road	RR; SF-4A, SF- 4A-CO and LR- MU to MF-3 for Tract 1; GR-MU for Tract 2	To Grant MF-2 for Tract 1 and GR-MU for Tract 2 w/r-o-w dedication for McKinney Falls Pkwy	Apvd MF-2 for Tract 1 and GR-MU-CO w/CO for max 40' height and limit commercial building structures within 300' of property for Tract 2, w/Street Deed for McKinney Falls Pkwy (4-9-2020).
C814-2012-0152.02 – Pilot Knob PUD – 2 nd Amendment – Addresses on Colton-Bluff Springs Rd, Hillock Terrace, Thaxton Rd and Sassman Rd	Unzoned to PUD	To Grant an amendment to the PUD, to add approximately 165 acres and 800 dwelling units to the Mixed Residential area and 40 acres to the Open Space area for a revised total of 2,382.88 acres	Apvd as Commission recommended (1-31-2019).

RELATED CASES:

The subject property is in the process of being annexed into the City limits.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
McKinney Falls Parkway	116 feet	60 feet	Level 3	Yes	Bike Lane	Yes
Thaxton Road	72 feet	25 feet	Level 2	No	Wide Curb	Yes

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning case is located on the northwest corner of Thaxton Road and McKinney Falls Parkway. The parcel is 24.268 acres in size, is not located within the boundaries of a neighborhood planning area and is located **2,300 linear feet north of the Slaughter Lane Activity Corridor**. Surrounding land uses include undeveloped land, a large single-family subdivision and a park to the north; to the south are two homesteads and undeveloped land; to the east is undeveloped land and to the west is another park and a large single family subdivision. The proposed use is 105 residential units (1,190 to 1,330 square foot, three and four-bedroom single family units.)

Connectivity

There are public sidewalks located along both sides of McKinney Falls Parkway but there are no public sidewalks along Thaxton Road. One side of McKinney Falls Parkway has an unprotected bike lane. There is a public transit stop located approximately 400 feet away but there is no public sidewalk located along Thaxton Road to reach it. (Thaxton Road has metal fencing along it and does not have a berm for a pedestrian to walk alongside this road to the public transit stop). The Grand Meadow Neighborhood Park is 2,000 linear feet from the subject property and the Marble Creek Neighborhood Park is 1,200 linear feet away.

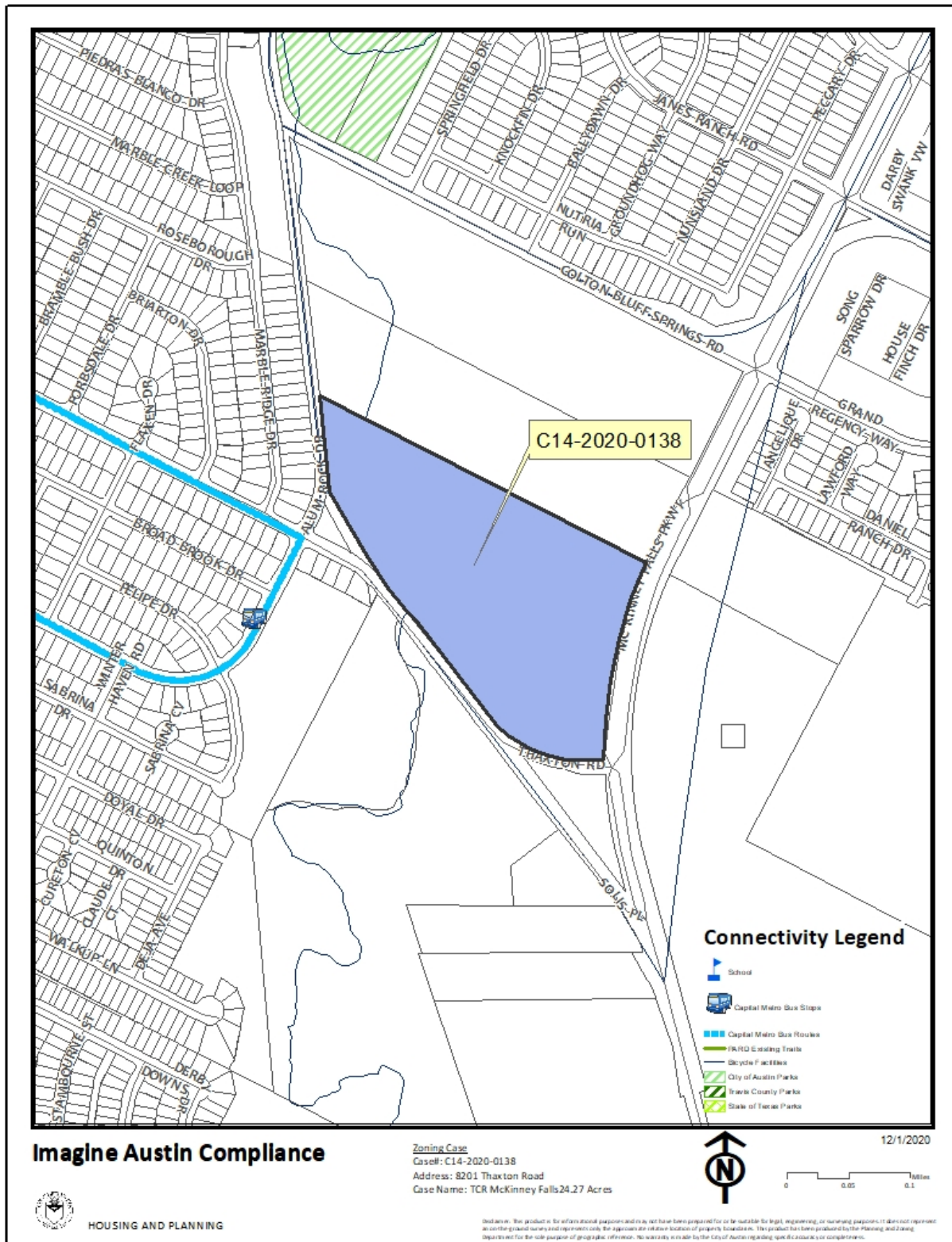
Imagine Austin

The property is not located along an Activity Center or Corridor. The following Imagine Austin policies are applicable to this case:

- **LUT P4.** Protect neighborhood character by directing growth to areas of change that include designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **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.

Based on this project providing much needed missing middle housing, nearby mobility options (public sidewalks, bike lanes and a public transit stop) and the above referenced policies, this project appears to support the policies of 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 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. 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 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.

Impervious Cover

The maximum impervious cover allowed by SF-6 zoning district is 55%, a consistent figure between the *zoning and watershed* regulations.

PARD – Planning & Design Review

Should the proposed development be annexed into the full purpose jurisdiction, parkland dedication will be required at the time of subdivision or site plan application for new residential units, 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 property and some of the surrounding neighborhood areas are currently park deficient, defined as being outside walking distance to existing parks. The development as proposed will require parkland dedication for the new residential units that will serve this neighborhood through the additional park investment. The Parks and Recreation Department (PARD) would consider a connection along Marble Creek toward satisfying the requirement at time of permitting (whether subdivision or site plan). Such a connection would improve neighborhood connectivity, and satisfy trail needs for Marble 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. At the applicant's request, PARD can provide an early determination letter of the requirements as stated in this review.

Site Plan and Compatibility Standards

Compatibility may be triggered by adjacent land uses and zoning districts, which would impact setbacks and allowable heights.

Additional comments will be made at site plan submittal.

Transportation

ASMP Assessment

The Austin Strategic Mobility Plan (ASMP) adopted April 11, 2019, calls for 120 feet of right-of-way for McKinney Falls Parkway and 78 feet of right-of-way for Thaxton Road. It is recommended that 60 feet of right-of-way from the existing centerline McKinney Falls and 39 feet of right-of-way from the existing centerline Thaxton Road be dedicated 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 through the western side of this site along Marble 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.

Service Extension Requests (SER) 4929 (Water) and 4930 (Wastewater) have been submitted to provide service to this tract. For SER status, contact Brett Ueno at 512-972-0187.

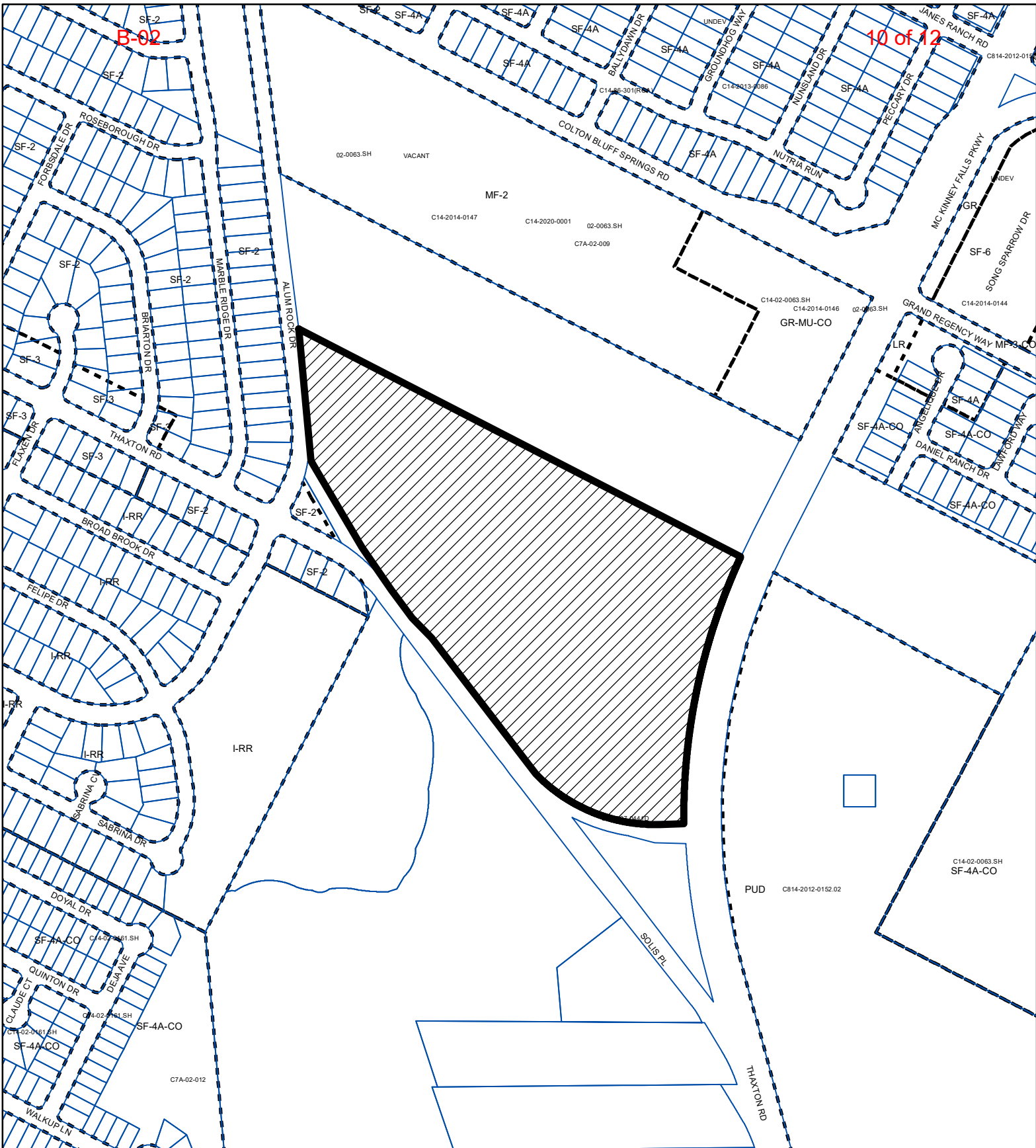
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map

A-1: Aerial Map

Correspondence Received






B-02

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ZONING

Exhibit A

ZONING CASE#: C14-2020-0138

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



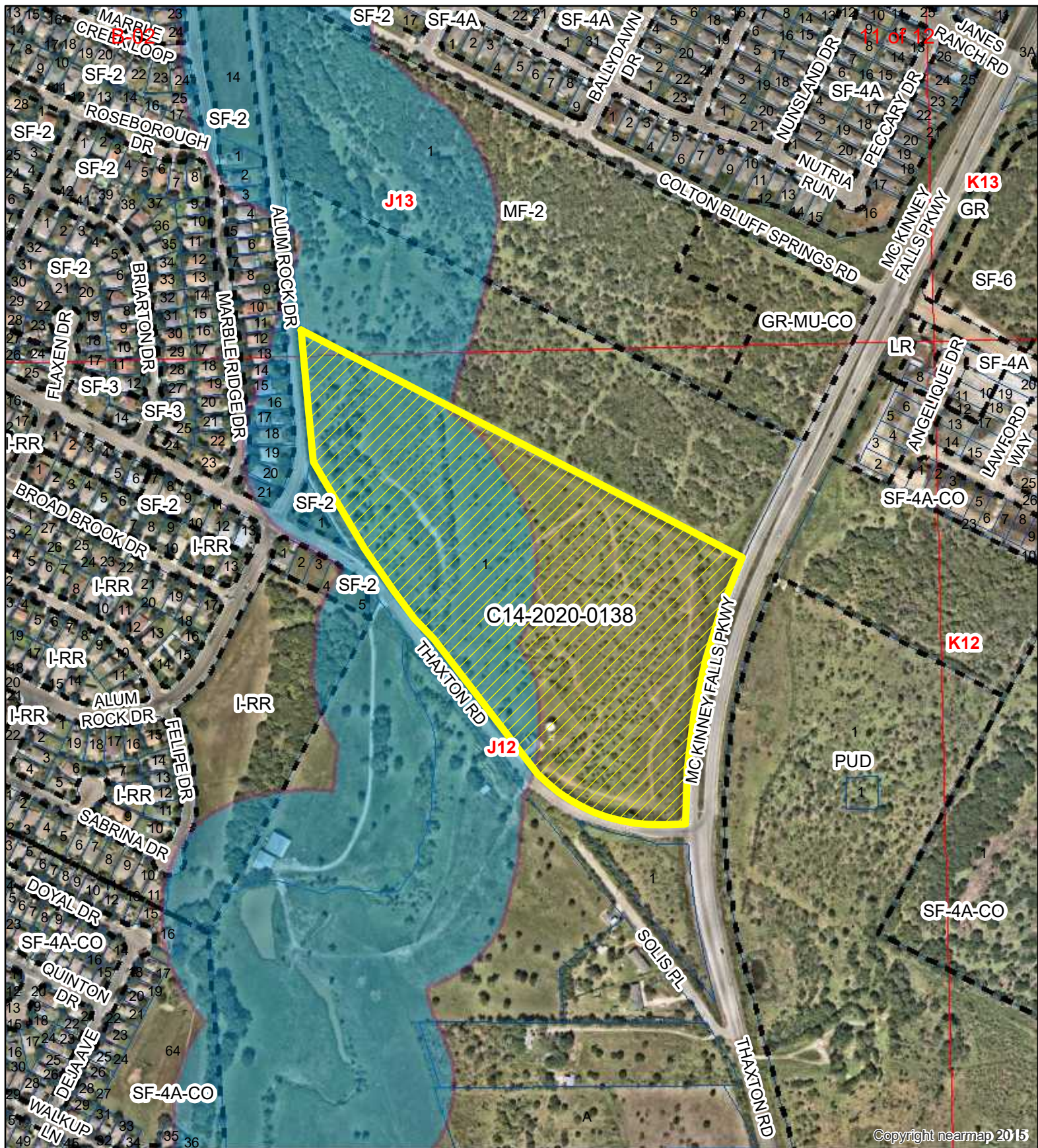
1" = 400'

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.

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Created: 11/30/2020



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TCR McKinney Falls

Exhibit A - 1

ZONING CASE#: C14-2020-0138
 LOCATION: NW of the intersection of Thaxton Rd and McKinney Falls Pkwy
 SUBJECT AREA: 24.268 Total Acres
 GRID: J12
 MANAGER: Wendy Rhoades



1" = 400'

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

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.

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 participate in a public hearing, you are not required to participate. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for information on how to participate in the public hearings online. 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 ^{12 of 12} (or the contact person listed on the notice) before the 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: C14-2020-0138

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: January 5, 2021, Zoning and Platting Commission

Monte Warden

Your Name (please print)

78747

☐ I am in favor
☒ I object

8007 MARBLE Ridge Austin

Your address(es) affected by this application

Monte Warden

Signature

12/18/20

Date

Daytime Telephone: *512-282-1441*

Comments: *I STRONGLY OBJECT TO THIS ZONING CHANGE! THE AMOUNT OF RUNOFF & POLLUTION IN THE CREEK WOULD BE CATASTROPHIC. THE ENVIRONMENTAL IMPACT TO THE CREEK AND THE LAND AROUND IT WOULD BE DEVASTATING - NO TO MENTION DANGEROUS CONSIDERING HOW OFTEN THE CREEK FLOODS. I HAVE LIVED HERE 24 YEARS AND THE FLOODS ARE DANGEROUS*

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

City of Austin, Planning and Zoning Department

Wendy Rhoades

P. O. Box 1088, Austin, TX 78767

Or email to:

wendy.rhoades@austintexas.gov