

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0001 3707 Goodwin

DISTRICT: 3

ZONING FROM: CS-MU-NP

TO: CS-MU-V-NP

ADDRESS: 3707 Goodwin Avenue

SITE AREA: 3.121 acres

PROPERTY OWNER:

KAG Leasing Inc.

AGENT:

Smith Robertson LLP
(David Hartman)

CASE MANAGER: Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)

STAFF RECOMMENDATION:

Staff supports the Applicant's request for rezoning to CS-MU-V-NP.

For a summary of the basis of staff's recommendation, see case manager comments on page 2.

PLANNING COMMISSION ACTION / RECOMMENDATION:

March 23, 2021:

CITY COUNCIL ACTION:

To be determined.

ORDINANCE NUMBER:

ISSUES

The applicant is proposing to rezone a property from GR-MU-NP to GR-MU-V-NP to develop a mixed use development that is anticipated to include 400 apartment units. If developed under the requested Vertical Mixed Use Building (V- or VMU) standards, the project will be required to provide 10% of units at 80% MFI. The site is not located on a future or existing Core Transit Corridor.

The property is located in the vicinity of the former East Austin Tank Farm but was never a part of the tank farm. Environmental remediation has not been required for this site to move forward with residential land uses.

CASE MANAGER COMMENTS:

The subject property is a 3.121 acre triangular shaped tract bounded by Airport Boulevard on the west, Goodwin Avenue to the north, and Springdale Road to the east. The property is located within an Imagine Austin Neighborhood Center and along two Imagine Austin Activity Corridors. The property is near the proposed Green Line, and Capital Metro bus service is available adjacent to the site. The property is currently zoned GR-MU-NP and is developed with limited warehousing and distribution. Immediately south of the property is an automotive repair service that is also zoned CS-MU-NP. Across Airport Boulevard to the west are a mix of land uses, including automotive repair and automotive sales that are zoned CS-CO-NP. Also in this area is property that was recently rezoned to CS-MU-V-CO-NP through zoning case C14-2020-0083, also known as 1135 Gunter Street. The Gunter Street property is currently vacant. Further west is a residential neighborhood zoned SF-3-NP. Across Goodwin Avenue to the north is a mixed use development that was rezoned through zoning case C14-2019-0041 to add the V- designation. The property, 3706 Goodwin Avenue, was developed utilizing the V-designation and includes affordable rental units. Also to the north are properties zoned CS-MU-NP; one is undeveloped and one is developed with multifamily. Further north is a residential area zoned SF-3-NP. Across Springdale Road to the east is Springdale General, a CS-CO-NP zoned property with a range of office and commercial uses. Also across Springdale is the property currently under review as the Springdale Green PUD, a proposed office development. ***Please see Exhibits A and B-Zoning Map and Aerial Exhibit.***

Staff has received Correspondence in support of the rezoning request. ***Please see Exhibit C-Correspondence.***

Staff supports the applicant's request of CS-MU-V-NP. Although the property is not located on a future or existing Core Transit Corridor, it is proximate to multiple properties that have been granted VMU zoning in the past 3 years. This reflects the policies of Commission and Council that encourage the addition of affordable housing options throughout the City. The site is well-served by bus transit and is near the proposed Green Line.

BASIS FOR RECOMMENDATION

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

2. *Granting of the request should result in an equal treatment of similarly situated properties.*
3. *The proposed zoning should be consistent with the goals and objectives of the City Council.*
4. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

The Vertical Mixed Use Building tool is designed to encourage the development of mixed use projects that include affordable housing units by relaxing some site design standards—parking, setbacks, FAR. This designation has been approved in recent years for other properties in the area, making the proposed rezoning consistent with similarly situated properties. The addition of affordable rental units on this site would be consistent with the goals of the City Council as outlined in the Strategic Housing Blueprint and other Council-approved actions.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	CS-MU-NP	Limited warehousing and distribution
North	CS-MU-V-NP, CS-MU-NP, SF-3-NP	Mixed use/Multifamily, Undeveloped, Multifamily, Single family residential
West/Southwest	CS-MU-NP, CS-CO-NP, CS-MU-V-NP, SF-3-NP	Automotive repair, Automotive sales, Vacant, Single family residential
East/Southeast	CS-CO-NP, GR-MU-CO-NP, RR-NP, SF-3-NP	Mixed office/commercial/light industrial (Springdale Commons); Vacant (Springdale PUD- under review), Single family residential

NEIGHBORHOOD PLANNING AREA: East MLK Combined (MLK-183)

TIA: Deferred to time of site plan.

WATERSHED: Boggy Creek

NEIGHBORHOOD ORGANIZATIONS:

- | | |
|---|-------------------------------|
| Homeless Neighborhood Association | AISD |
| Capital Metro Transportation Authority | SELTexas |
| Preservation Austin | Neighbors United for Progress |
| Del Valle Community Coalition | Sierra Club |
| Claim Your Destiny Foundation | Bike Austin |
| Friends of Austin Neighborhoods | Austin Neighborhoods Council |
| Guadalupe Neighborhood Development Corporation | East Austin Conservancy |
| El Concilio Mexican American Neighborhood | Austin Lost and Found Pets |
| Govalle Neighborhood Association | |
| Springdale-Airport Neighborhood Association | |
| East MLK Combined Neighborhood Plan Contact Team | |
| Govalle/Johnston Terrace Neighborhood Plan Contact Team | |

AREA CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C814-2020-0104 Springdale Green PUD	CS-CO-NP and RR-NP to PUD-NP	March 23, 2021:	TBD
C14-2020-0083 1135 Gunter St.	CS-CO-NP and SF-3-NP to CS-MU-V-CO-NP	November 10, 2020: Approved, adding Adult oriented business as prohibited use. (11-0). Anderson-1st, Llanes-Pulido- 2nd; Seeger-Absent.	January 27, 2021: Approved Ord. No. 20210127-070 for CS-MU-V-CO-NP. (10-0) Kitchen- 1 st , Ellis- 2 nd , Casar- Off the dais.
C14-2019-0041 3706 Goodwin	CS-MU-NP to CS-MU-V-NP	July 23, 2019: Approved CS-MU-V-NP. Anderson, Kenny 2nd. Vote: 9-0. Llanes-Pulido abstained. Shaw, Thompson and Schneider absent.	August 8, 2020: Approved Ord. No. 20190808-123 for CS-MU-V-NP. (8-1) Harper-Madison- 1 st , Pool- 2 nd . Casar- Nay; Garza, Alter-Off the dais
C14-2015-0121 1023 Springdale Road	CS-CO-NP to CS-CO-NP, to increase to 600 vpd	11/10/2015: to grant as rec. (11-0)	12/10/2015: to grant as rec. Ord. 20151210-066
C14-2014-0088 1023 Springdale	RR-CO-NP, GR-MU-CO-NP to CS-CO-NP Prohibit many land uses; 2,000 vpd	09/09/2014: To grant as rec. (6-0)	11/06/2014: 1st reading appvd with reduction to 400 vpd and 25' vegetative buffer to north; 2/3 appvd 11/20/2014, Ord . 20141120-138

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Goodwin Avenue	52'	36'	Level 2	North Side	N/A	Yes
Springdale Avenue	75'	42'	Level 2	Yes	Bike Lane	Yes
Airport Boulevard	120' – 125'	60'	Level 3	Yes	Shoulder	Yes

ADDITIONAL STAFF COMMENTS:Comprehensive Planning

Connectivity- A Cap Metro public transit stop is located directly in front of the property on Airport Boulevard and Springdale Road. Bike lanes are located only along Springdale Road.

Public sidewalks are located partially along this portion of Goodwin Avenue and Airport Boulevard and on both sides of Springdale Road. Mobility options are average while connectivity options are fair.

The East MLK Neighborhood Plan (EMNP)- The EMNP Future Land Use Map (FLUM) designates this portion of the planning area as 'Mixed Use.' Zone CS-MU-V is permitted under the Mixed Use FLUM category. The following EMNP policies are applicable to this request:

East MLK Design Guidelines- Ensure compatibility and encourage adjacent land uses to complement each other. The Guidelines may indicate a neighborhood's preference for increasing or decreasing the occurrence of certain types of land uses. Examples of this are as "encouraging more owner-occupied residential units" or "encouraging more nearby small-scale retail or grocery stores." Creating easily accessible areas of mixed-use and neighborhood-oriented services can also minimize the need for residents to travel by car to get goods and services needed on a day-to-day basis. (p 19)

OBJECTIVE 2: Design multi-family residential projects to be compatible with adjacent single-family areas. (p 24)

Guideline 2.1: Multi-family buildings less than 100 feet in width on any street-facing side are more in keeping with the scale of the neighborhood. Building facades that express the interior organization of suites or structural bays relate better to the scale of single-family houses.

Guideline 2.2: Multi-family buildings should have the same relationship to the street as single family houses. Landscaped front yards with porches or balconies and a walkway connecting the building to the street sidewalk are neighborhood characteristics. Front doors and windows facing the street encourage neighborliness and enhance security by putting "eyes on the street". Ground floor suites should have exterior doors facing the street.

Guideline 2.3: Parking lots along the street detract from the pedestrian- oriented character of the neighborhood. Locating parking lots to the side or behind the building or buffering the lot from street view by a fence or hedge, low enough to screen the cars but allows visibility for security, helps to preserve the quality of the streetscape.

Goal Two - Promote a mix of land uses that respect and enhance the existing neighborhood and address compatibility between residential, commercial, and industrial uses. (p 44)

Goal Four - Promote the development and enhancement of the neighborhood's major corridors. (p 45)

Objective 4.1: Allow mixed use development along major corridors and intersections.

Goal Five - Provide housing that helps maintain the social and economic diversity of residents. (p 45)

Objective 5.1: Allow a mix of residential types on larger tracts having access to major roadways.

Oak Springs neighborhood- The Oak Springs neighborhood includes two small residential areas, but the bulk of the land is devoted to Givens Park and developed commercial areas fronting Airport Boulevard.

Recommendations: Preserving Givens Park and the historic Plummer Cemetery near the intersection of 12th and Springdale are two of the neighborhood's top priorities. The neighborhood could also benefit from some new single-family development in the area, and the small-lot infill options can help facilitate that. Additionally, the land at the intersection of

Airport and Springdale is currently underused, and its location is a prime spot for redevelopment as a neighborhood urban center use.

Action 15- Allow mixed use/commercial along Airport.

Action 16- Allow the “Neighborhood Urban Center” at the intersection of Airport and Springdale.

The policies and text taken from the East MLK NP and the East MLK NP FLUM supports a mixed use project in this portion of the planning area, especially if the developer includes neighborhood serving uses and enhances the planning area by utilizing the voluntary East MLK Design Guidelines for mixed use and multifamily projects.

Imagine Austin- This property is located along two Activity Corridors (Airport Boulevard and Springdale Road) and within the Springdale Station Neighborhood Center as identified by the Imagine Austin Growth Concept Map. Activity Corridors are characterized by a variety of activities and types of buildings located along the roadway, and are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. A Neighborhood Center is the least intense Activity Center and is intended to have a more local, community 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. Like many Imagine Austin Centers, this center is 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, bikable, and supported by transit.

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 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 P11. Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

Based on this property’s location along two Activity Corridors and within a Neighborhood Center, the variety of mobility and connectivity options in the area, and the Plan supporting affordable, multifamily housing and mixed use development, the project supports the policies of the Imagine Austin Plan.

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within the project location.

4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

Site Plan

SP1. Site plans will be required for any new development other than single-family or duplex residential.

SP2. 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. There is SF zoning districts within 540 feet, no adjacent properties.

SP3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. Goodwin Ave, Airport Blvd, and Springdale Road are all Urban Roadways.

SP4. The site is located within Austin-Bergstrom Overlay CCLUA. No use will be allow that create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. Airport Hazard Zoning Committee review may be required prior to Planning Commission Hearing. Also at time of site plan the Airport Planner will need to provide an approval letter.

Parks & Recreation

PR1: Parkland dedication will be required for the new residential units proposed by this development, multifamily with CS-MU-V-NP zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, 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). If the applicant wishes 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 of whether fees in-lieu of land will be allowed.

Transportation

ASMP Assessment- The Austin Strategic Mobility Plan (ASMP) adopted 04/11/2019, calls for 70 feet of right-of-way for Goodwin Avenue. It is recommended that 35 feet of right-of-

way from the existing centerline should be dedicated for Goodwin Avenue according to the Transportation with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55]. 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.

The adjacent street characteristics table is provided below:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Goodwin Avenue	52'	36'	Level 2	North Side	N/A	Yes
Springdale Avenue	75'	42'	Level 2	Yes	Bike Lane	Yes
Airport Boulevard	120' – 125'	60'	Level 3	Yes	Shoulder	Yes

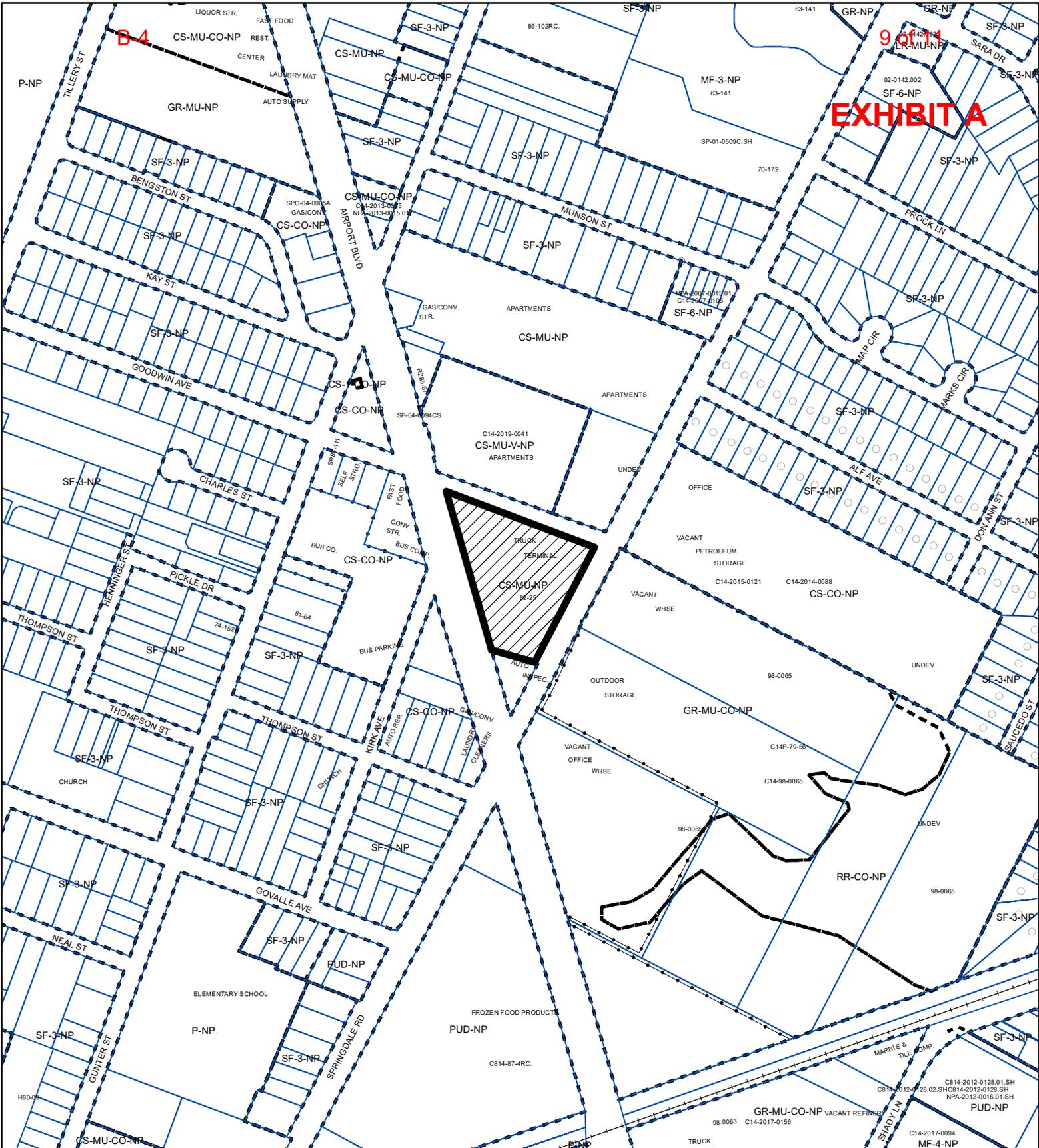
Water Utility

AW1. 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 this site is in an area with capacity concerns, and it appears that service extension requests (SER) will be required to provide service to this lot.

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 Exhibit
- C. Correspondence



9 of 11
EXHIBIT A

ZONING

ZONING CASE#: C14-2021-0001

- N**
- 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 the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or



Created: 1/8/2021



3707 Goodwin Avenue



- C14-2021-0001
- Creek Buffers
- ZONING BOUNDARY

ZONING CASE#: C14-2021-0001
 LOCATION: 3700 Goodwin Avenue
 SUBJECT AREA: 3.12 Acres
 GRID: L22
 MANAGER: Heather Chaffin



1" = 200'

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.

**EXHIBIT C**

March 10, 2021

Dear Mayor, Mayor Pro Tem, and Council Members:

The Springdale-Airport Neighborhood Association (SANA) supports the request for rezoning from CS-MU-NP to CS-MU-V-NP zoning (to add Vertical Mixed Use (VMU)) for the property at 3707 Goodwin Avenue, located at the intersection of Airport Boulevard & Springdale Road.

3707 Goodwin is comprised of a trucking terminal that has been in place for decades. As such, the trucking terminal contains no water quality controls and the detention pond does not comply with current City code. Although a multifamily/mixed use project could be developed under the existing zoning, no affordable multifamily units would be required or provided under existing zoning.

The CS-MU-V-NP zoning that the applicant is seeking will result in more housing stock for the proposed multifamily/mixed use development than can be delivered under current zoning, and also requires 10% of affordable multifamily units (of total project) while maintaining the same maximum height. The proposed development also includes significant environmental benefits, by adding water quality controls per current regulations where none currently exist, providing detention that complies with current code, and generating significant parkland fees. SANA appreciates the following commitments by the applicant for the proposed development:

- 1) Provide long term affordable housing of 10% of total multifamily units at 80% median family income in accordance with City Code VMU requirements.
- 2) Support earmarking parkland dedication fees required by the City of Austin parkland ordinance for the proposed development towards improving the adjacent Govalle Neighborhood Park.
- 3) Donate \$10,000 to the Austin Parks Foundation, earmarked for the Govalle Neighborhood Park.
- 4) Limit height to maximum 60' (sixty feet) as provided under City Code VMU, and no greater than 5 stories of units.

The East MLK Combined Neighborhood Plan identifies that the intersection of Airport Boulevard & Springdale Road is underused, and envisions a "mixed-use, pedestrian and transit oriented development" at this location. We believe the requested rezoning and the proposed development – converting a trucking terminal to multifamily units including long term affordable multifamily units -- fulfills the SANA neighborhood's vision for this tract far better than what could be developed under the existing zoning. We strongly support the proposed rezoning for CS-MU-V-NP and future development of 3707 Goodwin Avenue to provide much needed apartments to meet the City's growing demand for housing.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Pete R. Rivera".

Pete Rivera, President