ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0050 – Southpark Meadows Plaza DISTRICT: 5

ZONING FROM: GR-CO

ZONING TO: GR-MU-CO

ADDRESS: 9505 Alice Mae Lane

TOTAL SITE AREA: 6.963 acres

PROPERTY OWNER: Southpark Meadows Plaza, LP (Mitchell Kalogridis) AGENT: Cunningham-Allen, Inc. (Richard G. Couch)

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

STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – mixed use – conditional overlay (GR-MU-CO) combining district zoning. The Conditional Overlay prohibits the following uses: drop-off recycling collection facility, pawn shop services and service station. For a summary of the basis of Staff's recommendation, see case manager comments on page 2.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION: May 4, 2021:

<u>CITY COUNCIL ACTION:</u> June 3, 2021:

ORDINANCE NUMBER:

ISSUES:

None at this time.

CASE MANAGER COMMENTS:

The subject rezoning area consists of three platted lots with access taken to West Slaughter Lane and Alice Mae Lane, a private roadway extending north-south and serving existing multifamily portions of the Southpark Meadows development. The property is undeveloped and zoned community commercial – conditional overlay (GR-CO) district since Council approved rezoning of the larger Southpark Meadows property which extends west to South 1st Street in mid-2006. The Conditional Overlay establishes development regulations for height, the street side yard, building coverage, impervious cover, and the maximum floor-to-area ratio, and establishes drop-off recycling collection facility, pawn shop services,

residential treatment, and service station as prohibited uses. *Please refer to Exhibits A (Zoning Map), A-1 (Aerial Exhibit) and B (2006 Zoning Ordinance).*

There are single family residences in the Park Ridge subdivision across Slaughter Lane to the north (I-RR; I-SF-4A), commercial and retail uses within the Southpark Meadows shopping center to the east and south (GR-CO), two apartment complexes to the southwest (GR-MU-CO), and an assisted living center directly west, and financial services and retail services fronting West Slaughter Lane (GR-CO). The Imagine Austin Growth Concept Map identifies West Slaughter Lane as an Activity Corridor which is a reflection of both the land uses along this roadway and the available transportation options.

The Applicant's rezoning request is to twofold: to add the – Mixed Use overlay and remove some components of the Conditional Overlay. Thus, the proposed rezoning is community commercial – mixed use – conditional overlay (GR-MU-CO) combining district so that the property may be developed with up to 130 apartment units.

The Applicant desires to remove the development standards portion of the Conditional Overlay, including height and story limitation, street yard setback, building coverage, impervious cover, and floor-to-area ratio which are based on the neighborhood commercial (LR) district. Residential treatment would also be removed as a prohibited use. As information, the Applicant would retain three of the four prohibited uses listed in the ordinance: drop-off recycling collection facility, pawn shop services and service station. *Please refer to the Applicant's correspondence attached at the back of the Staff packet.*

BASIS OF RECOMMENDATION:

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

The proposed community commercial (GR) 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 trafficways. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The Conditional Overlay (-CO) combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

The property has access to West Slaughter Lane, an arterial and Alice Mae Lane a private street which serves existing convalescent services, multifamily and commercial / retail uses.

2. Zoning changes should promote compatibility with adjacent and nearby uses.

Staff recommends the Applicant's request for GR-MU-CO zoning given its access to an arterial street and a collector street, and adjacency to commercial, multifamily residential and civic properties within the Southpark Meadows development. It represents infill development in an area that contains a mixture of residential, commercial, and civic uses.

Staff believes the Applicant's proposal to remove the development standards is appropriate given its interior location within the overall Southpark Meadows development and the significant changes in the surrounding built environment that have occurred since Council approved GR-CO zoning in 2006. Removing residential treatment as a prohibited use is consistent with recent guidance from the Law Department to avoid excluding persons experiencing a medical condition.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	GR-CO	Undeveloped
North	I-RR; I-SF-4A; GR-CO	Pond; Single family residences in the Park Ridge subdivision; Undeveloped (approved site plan for 1- story, 8,156 sf of retail)
South	GR-MU-CO; GR-CO	Multifamily residences; Southpark Meadows shopping center
East	GR-CO	Southpark Meadows shopping center
West	GR-CO; GR-MU-CO; SF-4A	Financial services; Restaurants (limited); Convalescent services; Multifamily residences; Single family residences

NEIGHBORHOOD PLANNING AREA: Not Applicable

TRAFFIC IMPACT ANALYSIS: Is not required

WATERSHEDS: Onion / Slaughter Creeks – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Williams Elementary School

Paredes Middle School

Akins High School

COMMUNITY REGISTRY LIST:

- 242 Slaughter Lane Neighborhood Association
- 511 Austin Neighborhoods Council
- 742 Austin Independent School District
- 1363 SEL Texas
- 1496 Park Ridge Owners Association
- 1530 Friends of Austin Neighborhoods
- 1531 South Austin Neighborhood Alliance (SANA)
- 1616 Neighborhood Empowerment Foundation 1774 Austin Lost and Found Pets
- Onion Creek Homeowners Associat
- 627 Onion Creek Homeowners Association 1228 – Sierra Club, Austin Regional Group
 - 1424 Preservation Austin
 - 1528 Bike Austin

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0162 -	GR-CO to GR-	To Grant	Apvd as ZAP
Slaughter and	CO, to change a		recommended
Cullen – 166 West	condition of		(9-3-2020).
Slaughter Ln and	zoning and		
9012 Cullen Ln	remove		
	restaurant		
	(general) and		
	restaurant		
	(limited) from		
	the prohibited		
	use list		
C14-06-0161 -	GR-CO to CS-1	To Grant CS-1-CO for	Apvd CS-1-CO as
Southpark		a 15,534 sf area and	Commission
Meadows Building		prohibiting adult-	recommended (11-2-
19 - 9200-9250		oriented businesses	2006).
Cullen Ln			

RELATED CASES:

The rezoning area is portion of a 2005 rezoning case that encompassed 143 acres (C14-05-0171 – The Grove at Southpark Meadows. On May 18, 2006, Council approved GR-CO zoning for Tract Five (39.023 acres) and the Conditional Overlay establishes development regulations for height, the street side yard, building coverage, impervious cover, and the maximum floor-to-area ratio, and establishes drop-off recycling collection facility, pawn shop services, residential treatment and service station as prohibited uses. *Please refer to Exhibit B.*

The rezoning area is platted in a flag lot configuration as the Resubdivision of Lot 2, Block A, of the Resubdivision of Lot 29, Block A, SouthPark Meadows Subdivision recorded in March 2018 (C8-2017-10081.0A). *Please refer to Exhibit C*.

An administrative site plan for three office buildings was approved and released on June 23, 2017 (SP-2016-0077C – Southpark Meadows Plaza).

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¹ / ₄ mile)
Alice Mae Lane (Private)	N/A	40 feet	Level 2	No	N/A	No

EXISTING STREET CHARACTERISTICS:

OTHER STAFF COMMENTS:

Comprehensive Planning

This rezoning case is located on the northeast corner of Alice Mae Lane and Taft Lane on an undeveloped piece of land that is 6.963 acres in size and is a flag lot stretching from Slaughter Lane to Taft Lane. This property has frontage along the both Alice Mae Lane and **Slaughter Lane, which is an Activity Corridor**. The site is also located **within the Southpark Meadows Town Center** but is not located within the boundaries of a small area plan. Surrounding land uses includes retail, a day care center and fast food restaurants to the north; to the south is an apartment complex and the Southpark Meadows Shopping Center; to the east is the main core of the Southpark Meadows Shopping Center, where the subject property abuts the rear of the Target store; and to the west is an apartment complex and a single family subdivision. The proposed use is a 130-unit multifamily apartment complex and mixed use zoning.

Connectivity

The closest transit stop is 0.30 miles from the subject property on Slaughter Lane. A public sidewalk is located on the opposite side of Alice Mae Lane and only partially along Taft Lane. A public sidewalk is located against the Target side of Taft Lane. There are no bike lanes in this area. Connectivity options are average (the area lacks civic uses such as a park and school) while mobility options are only fair because of the lack of a complete sidewalk system (especially within the shopping center), bike lanes and distant public transit stops.

Imagine Austin

The property is located within the boundaries the boundaries of the **Southpark Meadows Town Center and along the Slaughter Lane Activity Corridor**, as identified on the Imagine Austin's Growth Concept Map. 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. Both Activity Centers and Corridors support multi-family and mixed use projects. Employers within Town Centers have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. Regional, town, and neighborhood centers are supposed to be walkable, bikable, and supported by transit.

The following Imagine Austin policies are applicable to this project:

• 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.

C14-2021-0050

B2

- 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.

Analysis

In the last decade, the area surrounding the Southpark Meadows Shopping Center has rapidly expanded to include variety of residential uses (single family houses, senior living and assisted living facilities and apartment complexes), which are located mostly west of the shopping center. Unfortunately, most of the growth both within and around this shopping center is not pedestrian friendly or connected. While the Imagine Austin Plan supports mixed use and apartments being located within a Town Center, it also promotes connectivity and mobility so people can get around within their surrounding community without the use of a car. Based on the project providing housing but only fair mobility options in the area and this project not being a true mixed-use project under the Mixed Use zoning district, this proposal only partially supports the policies of the Imagine Austin Comprehensive Plan.

<u>Drainage</u>

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. There is a regional water quality / detention facility that will serve this site, therefore onsite drainage facilities will not be provided.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter Creek and Onion Creek Watersheds 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:

Development Classification	% of Gross Site Area	% of Gross Site Area with Transfers
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 no floodplain within or adjacent to 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.

Impervious Cover

Within the Slaughter and Onion Creek watersheds, the maximum impervious cover allowed by the *GR-MU zoning district is 80% (90% with transfers)*, which is based on the more restrictive *watershed* regulations.

PARD – Planning & Design Review

Parkland dedication will be required for the new residential units proposed by this development, multifamily with GR-MU-CO 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.

Site Plan and Compatibility Standards

Any new development is subject to Subchapter E. Design Standards and Mixed Use, including Public and Private open space as required for multifamily/condo developments. Additional comments will be made when the site plan is submitted. <u>Transportation</u>

ASMP Assessment

No right of way is required for Alice Mae Lane at this time.

Transportation Assessment

This site will need to demonstrate compliance with the master TIA approved with zoning case C14-05-0171 at the time of site plan application.

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.

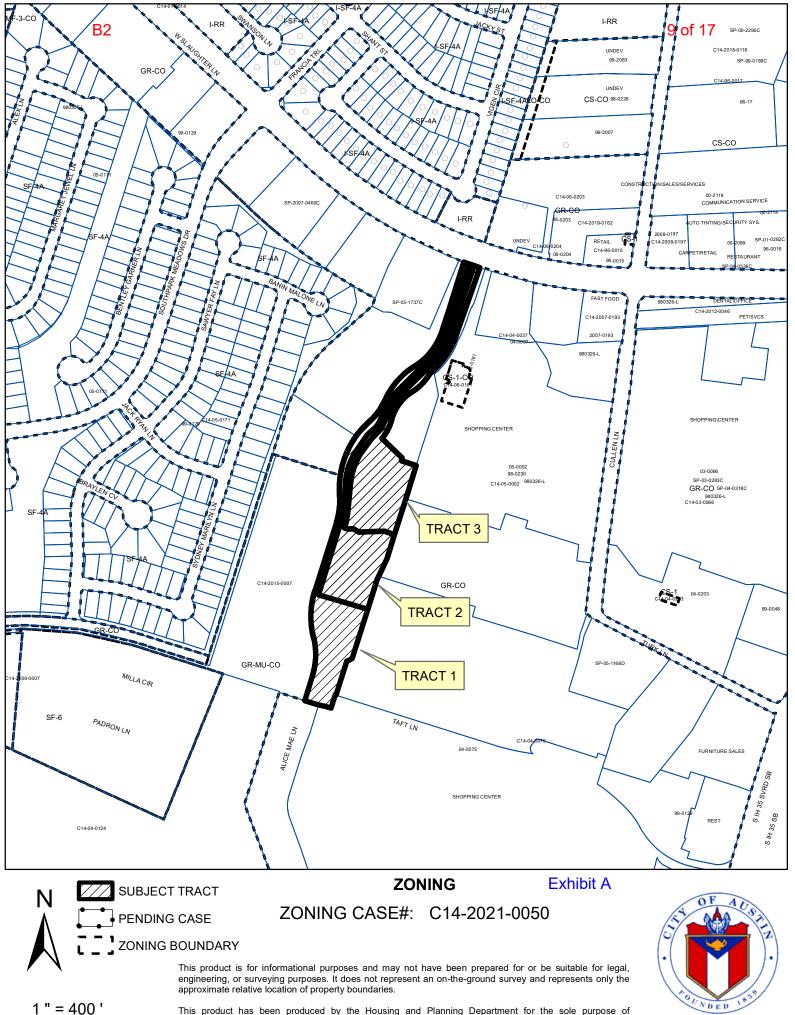
INDEX OF EXHIBITS, ATTACHMENTS AND CORRESPONDENCE TO FOLLOW

Exhibit A: Zoning Map Exhibit A-1: Aerial Map

Exhibit B: 2006 Rezoning Ordinance

Exhibit C: Recorded Plat

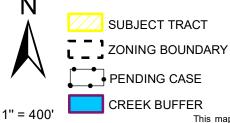
Applicant's Correspondence



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Created: 3/26/2021





Southpark Meadows Plaza

ZONING CASE#: C14-2021-0050

GRID: F13

SUBJECT AREA: 6.963 Acres

Exhibit A - 1

OF ACOF

MANAGER: Wendy Rhoades 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.

LOCATION: 9505 Alice Mae Lane

ORDINANCE NO. <u>20060518-046</u>

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE **PROPERTY LOCATED AT 301 WEST SLAUGHTER LANE AND 9501 SOUTH** FIRST STREET AND CHANGING THE ZONING MAP FROM INTERIM RURAL **RESIDENCE (I-RR) DISTRICT, LIMITED OFFICE-CONDITIONAL OVERLAY** (LO-CO) COMBINING DISTRICT, AND GENERAL COMMERCIAL SERVICES-**CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT TO COMMUNITY USE-CONDITIONAL** COMMERCIAL-MIXED **OVERLAY** (GR-MU-CO) COMBINING DISTRICT FOR TRACTS ONE AND TWO, TOWNHOUSE AND **CONDOMINIUM RESIDENCE (SF-6) DISTRICT FOR TRACT THREE, SINGLE** FAMILY RESIDENCE SMALL LOT (SF-4A) DISTRICT FOR TRACT FOUR AND COMMUNITY **COMMERIAL-CONDITIONAL OVERLAY** (GR-CO)**COMBINING DISTRICT FOR TRACT FIVE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base districts on the property described in Zoning Case No. C14-05-0171, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: From general commercial services-conditional overlay (CS-CO) combining district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district.

A 5.867 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: From interim rural residence (I-RR) district and limited officeconditional overlay (LO-CO) combining district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district.

A 4.616 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

EXHIBIT B

Page 1 of 3

Tract Three: From interim rural residence (I-RR) district and limited officeconditional overlay (LO-CO) combining district to townhouse and condominium residence (SF-6) district.

A 14.017 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and,

Tract Four: From interim rural residence (I-RR) district and limited officeconditional overlay (LO-CO) combining district to single family residence small lot (SF-4A) district.

A 79.684 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Five: From interim rural residence (I-RR) district and limited officeconditional overlay (LO-CO) combining district to community commercialconditional overlay (GR-CO) combining district.

A 39.023 acre tract of land, more or less, out of the S.F. Slaughter League Survey No. 1, Abstract No. 20, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 301 West Slaughter Lane and 9501 South First Street, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The following uses are prohibited uses on Tract One and Tract Two:

Automotive sales Drop-off recycling collection facility Pawn shop services Bail bond services Exterminating services Residential treatment

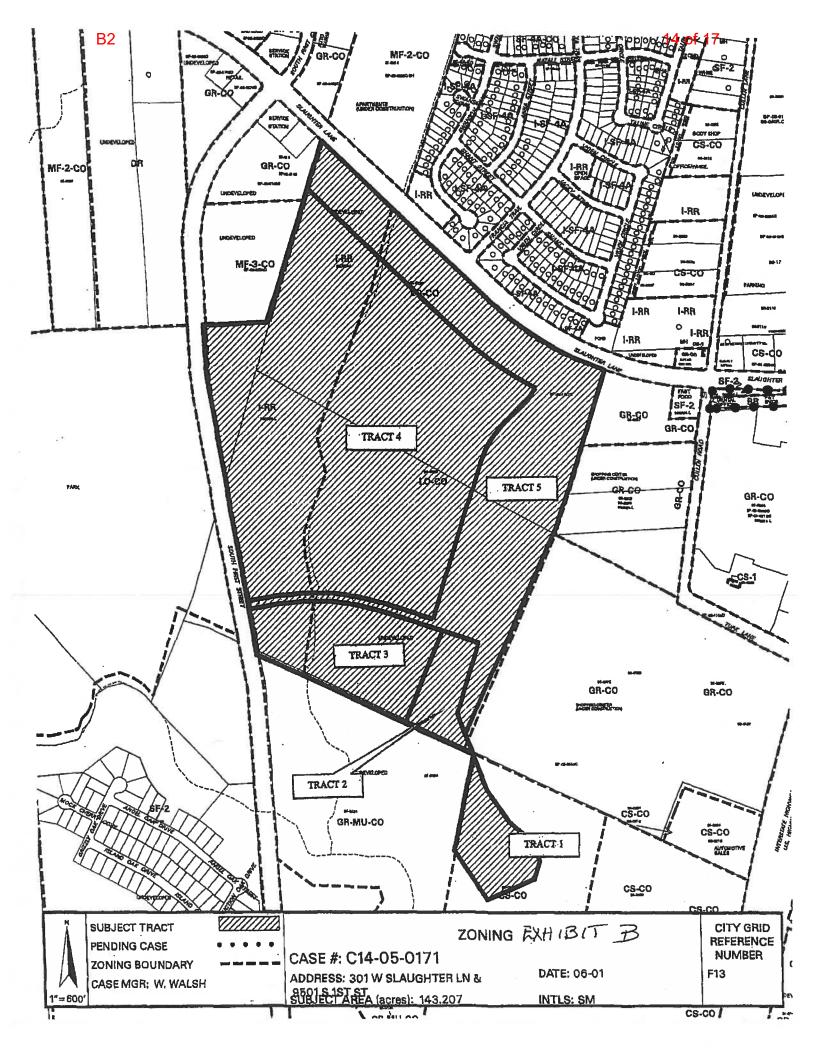
- 2. The following applies to Tract Five.
 - a) For a lot with frontage on Slaughter Lane, the following development regulations apply:
 - 1. the maximum height is 40 feet from ground level;
 - 2. the maximum height is three stories;
 - 3. the minimum street side yard is 15 feet;
 - 4. the maximum building coverage is 50 percent;
 - 5. the maximum impervious cover is 80 percent; and
 - 6. the maximum floor-to- area ratio (FAR) is 0.5 to 1.0.
 - b) The following uses are prohibited uses:

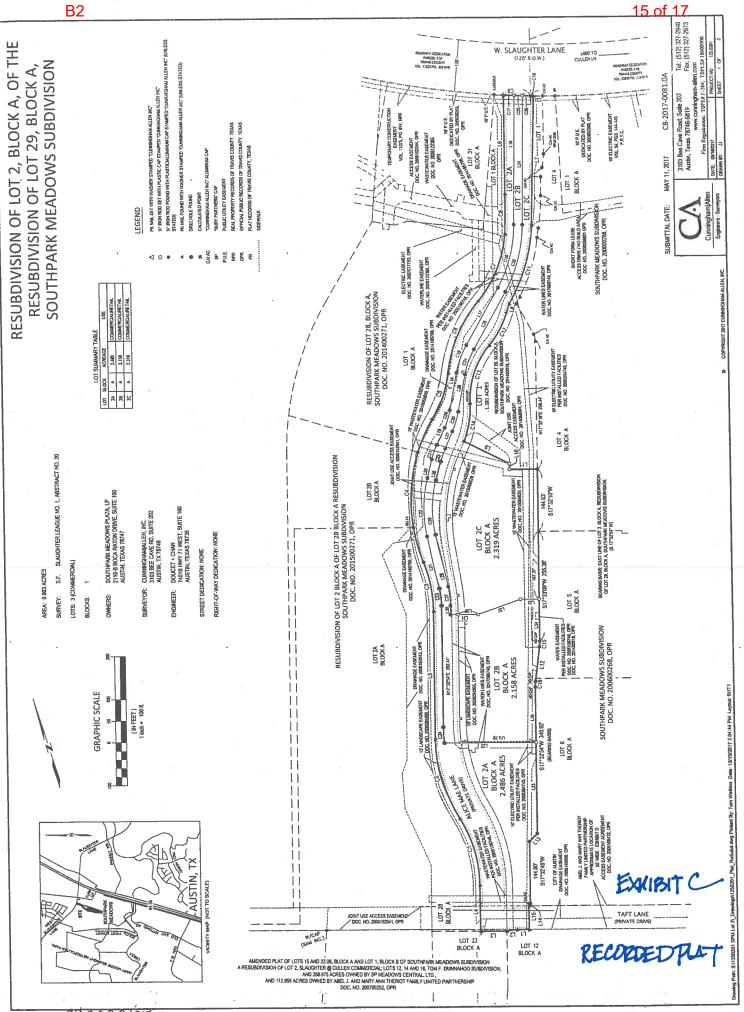
Drop-off recycling collection facility Residential treatment Pawn shop services Service station

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on May 29, 2006.

PASSED AND APPROVED	
<u>May 18</u> , 2006	s Win Wy
	Will Wynn Mayor
APPROVED: David Allan Smith City Attorney	ATTEST: <u>Aurilie (Lentre</u> Shirley A. Gentry City Clerk
Page 3	3 of 3







April 27, 2021

City of Austin Zoning and Platting Commission 505 Barton Springs Drive, 4th Floor Austin, Texas 78767

RE: Zoning Request Soutpark Meadows Plaza-C14-2021-0050 CAI No. 6260204

To Whom It May Concern:

In conjunction with our rezoning request, we are also requesting changes to the Conditional Overlay restrictions included in Ordinance No. 20060518-046, which are applicable to this property.

The property is located at 9505 Alice Mae Lane, Austin, Travis County, Texas. It is described as a Resubdivision of Lot 2, Block A, a Resubdivision of Lot 29, Block A Southpark Meadows Subdivision.

Specifically, we request the following changes to the Ordinance:

PART 2

Subparagraph 2, (a). Remove items 1 through 6.

- 1. The maximum height is 40 feet from ground level;
- 2. The maximum height is three stories;
- 3. The minimum street side yard is 15 feet;
- 4. The maximum building coverage is 50 percent;
- 5. The maximum impervious cover is 80 percent; and
- 6. The maximum floor-to-area ration (FAR) is 0.5 to 1.0

Subparagraph 2, (b). The listed prohibited uses are to remain.

Drop-off recycling collection facility Service station Pawn shop services

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If you have any questions regarding this project, or should you require additional information to assist you in your review, please feel free to contact me at 512-327-2946.

Sincerely,

CUNNINGHAM-ALLEN, INC.

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Richard G. Couch, P.E. Associate

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