

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0101 – 406 and 428 E. Alpine Road Rezoning DISTRICT: 3

ZONING FROM: GO-CO-NP

ZONING TO: GO-MU-CO-NP

ADDRESS: 406 and 428 East Alpine Road

SITE AREA: 1.982 acres

PROPERTY OWNER: Austin Memorial Home of Austin, Texas (Donald P. Dorsey)

AGENT: DuBois, Bryant & Campbell, L.L.P. (David Hartman)

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

STAFF RECOMMENDATION:

The Staff recommendation is to grant general office – mixed use – conditional overlay – neighborhood plan (GO-MU-CO-NP) combining district zoning. The Conditional Overlay is for a 50-foot wide vegetative buffer beginning at the centerline of Blunn Creek.

PLANNING COMMISSION ACTION / RECOMMENDATION:
November 8, 2022:

CITY COUNCIL ACTION:
December 1, 2022:

ORDINANCE NUMBER:

ISSUES:

The Greater South River City Combined Neighborhood Plan Contact Team has requested postponement to December 13, 2022 and the Applicant does not object.

The Applicant has met with the South River City Citizens Neighborhood Association and the Greater South River City Citizens Combined Neighborhood Plan Contact Team. Correspondence from representatives of South River City Citizens, Inc. and Blunn Creek Partnership is attached at the back of this report.

CASE MANAGER COMMENTS:

The subject rezoning area consists of a platted lot on East Alpine Road that contains a vacant VFW post as well as undeveloped, unplatted acreage to the east. Although right-of-way has been dedicated, East Alpine Road is unpaved east of the existing VFW post. The easternmost portion of the property contains a documented creek buffer of Blunn Creek. The property was zoned general office – conditional overlay – neighborhood plan (GO-CO-NP) district through the Greater South River City Citizens Neighborhood Plan rezonings

approved by Council in September 2005. The -CO, conditional overlay is for a 50-foot wide vegetative buffer beginning at the centerline of Blunn Creek (C14-05-0138, Tract 121).

There are apartments (a large complex on Willow Springs Road and four-plexes on Willow Run Drive) to the north (MF-2-NP), a detention pond to the east (P-NP), a detention pond and an AISD warehouse to the south (P-NP), and a warehouse for a parts, distribution and supply company to the west at the intersection of East Alpine and Willow Springs. ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).***

The Applicant has filed a request to rezone the property to the general office – mixed use – conditional overlay – neighborhood plan (GO-MU-CO-NP) district in order to build up to 40 townhouse units or up to 90 multifamily residential units. ***Please refer to Applicant's correspondence and proposed development standards.***

BASIS OF RECOMMENDATION:

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

The general office (GO) district is intended for offices and selected commercial uses predominantly serving community or City-wide needs, such as medical or professional offices. A building in a GO district may contain more than one use. 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 neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

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

The requested GO-MU-CO-NP zoning would allow for a range of residential, office and civic uses to be conducted on-site by right. Staff recommends approval of the Applicant's request because the location is appropriate for a mixed-use designation given its proximity to major arterials, existing residential uses and St. Edwards University. Public transit options including a Metro Rapid bus stop are available within 1,500 linear feet (approximately one-third of a mile) to the west along South Congress Avenue and a Project Connect metro rail station is in the planning stages. To that end, a new project funded by the 2018 Mobility Bond and TxDOT's Highway Safety Improvement Program consisting of a traffic signal, bike and pedestrian safety improvements, and additional signage at the East Alpine / South Congress intersection is slated to get underway in November 2022. Given the existing development pattern, the proposal would be compatible with the land uses in the vicinity.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO-CO-NP	Club / lodge; Undeveloped
<i>North</i>	MF-2-NP	Apartments (Woodwillow Townhomes and four-plexes on Willow Run Drive)
<i>South</i>	P-NP	AISD warehouse; Water quality pond
<i>East</i>	P-NP	Detention pond
<i>West</i>	LI-CO-NP	Warehouse for a parts, supply and distribution company

NEIGHBORHOOD PLANNING AREA: Greater South River City Combined (St. Edward's)

TIA: Is not required

WATERSHED: Blunn Creek – Urban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Galindo Elementary School

Lively Middle School

Travis High School

COMMUNITY REGISTRY LIST:

74 – South River City Citizens Assn.

498 – South Central Coalition

511 – Austin Neighborhoods Council

742 – Austin Independent School District

1185 – Greater South River City Combined Neighborhood Plan Contact Team

1228 – Sierra Club, Austin Regional Group

1360 – South River City Citizens Planning and Zoning Committee

1363 – SEL Texas

1424 – Preservation Austin

1530 – Friends of Austin Neighborhoods

1550 – Homeless Neighborhood Association

1558 – South Austin Commercial Alliance

1616 – Neighborhood Empowerment Foundation

1774 – Austin Lost and Found Pets

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0169 – Warehouse Row Water Quality Pond #2 – 3700 and 3708 Warehouse Row	LI-CO-NP to P-NP	To Grant	Apvd (11-20-2008).
C14-2007-0224 – Greater South River City Vertical Mixed Use Building Rezoning – Lady Bird Lake (north), IH 35 (east), Ben	Apply -V to 26 tracts on 142.22 acres	To Grant with conditions	Apvd (12-13-2007 and 1-10-2008).

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
White Blvd (south) and S Congress Ave (west)			

RELATED CASES:

The subject property is located within the boundaries of the Greater South River City Combined (St. Edward's) Neighborhood Planning Area (C14-05-0138 – Ordinance No. 20050929-Z002). There is a corresponding neighborhood plan amendment case to change the land use designation on the Future Land Use Map (FLUM) from Office land use to Mixed Use land use on the property (NPA-2022-0022.01).

The VFW lodge is located on Lot 1, VFW Post 856, a plat recorded in December 1991 (C8-91-0084.0A.) The remainder of the property is unplatted. There are no related site plan cases in process.

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Existing Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
East Alpine Road	83'	84'	21'	Level 2 (Residential Collector)	No	Not Applicable	No

ADDITIONAL STAFF COMMENTS:

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.

Impervious Cover

The maximum impervious cover allowed by the *GO* base zoning district would be 80%, which is based on the more restrictive zoning regulations.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Blunn 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.

Zoning district impervious cover limits apply in the Urban Watershed classification.

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.

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.

PARD – Planning & Design Review

Parkland dedication will be required for the new applicable use proposed by this development, 40 residential townhomes, 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).

At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed. Please request an early determination through the online request portal available at austintexas.com/PEDrequest or contact this reviewer at paul.books@austintexas.gov.

Site Plan and Compatibility Standards

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

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

Compatibility Standards

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. Compatibility compliance will be required due to the proximity of the SF-3-NP district to the north.

- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, height limitation is 60 feet.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.

Additional design regulations from LDC 25-2-1067 include the following:

- Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent property:
 - (1) in an urban family residence (SF-5) or more restrictive district
 - (2) on which a use permitted in an SF-5 or more restrictive zoning district is located
- The noise level of mechanical equipment may not exceed 70 decibels at the property line.
- A permanently placed refuse receptacle, including a dumpster, may not be located 20 feet or less from property:
 - (1) in an SF-5 or more restrictive zoning district; or
 - (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.

The Applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Austin Transportation Department – Engineering Review

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.

Based on current public infrastructure configurations, it appears that 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 the Austin Water SER team at ser@austintexas.gov.

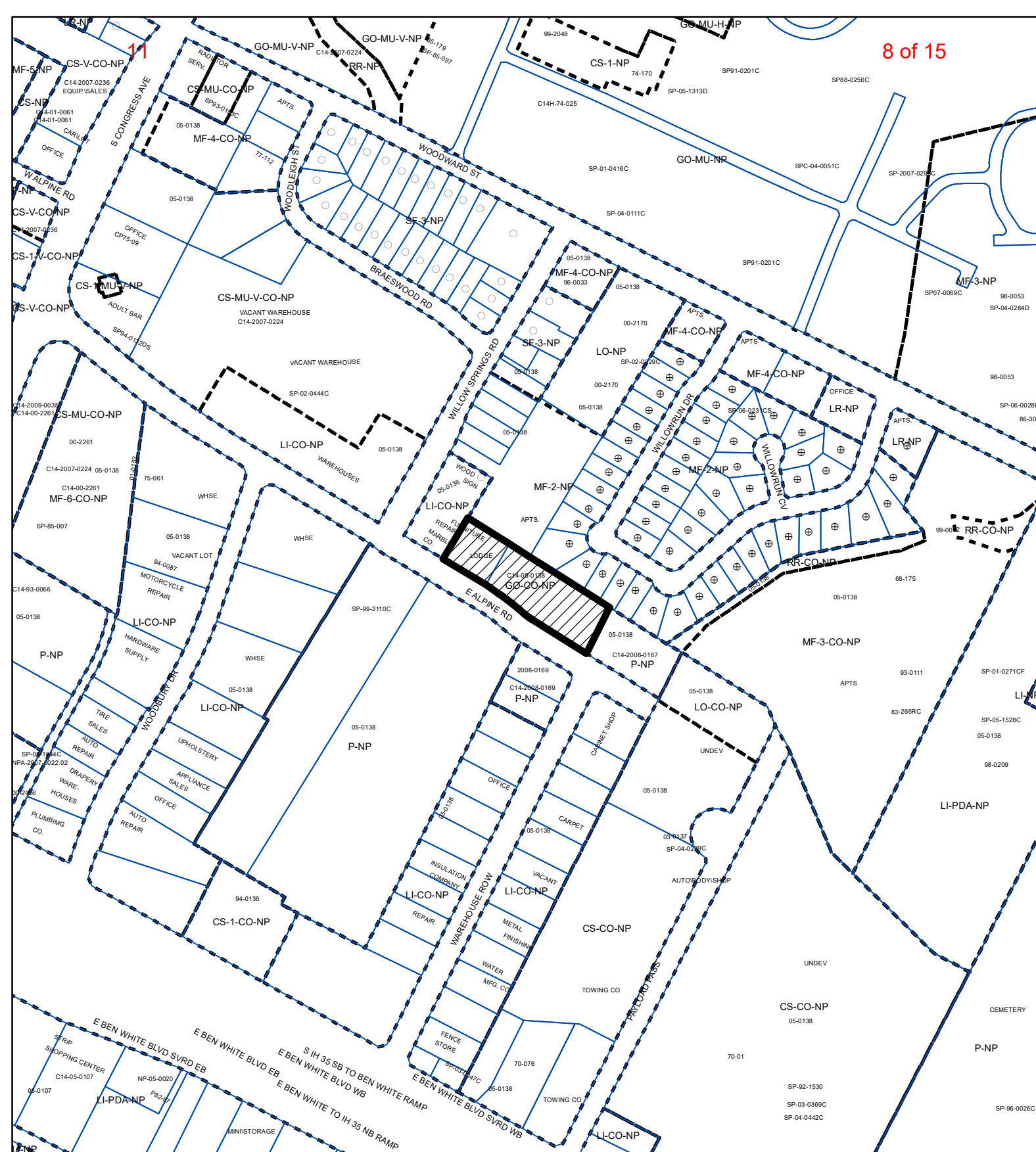
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

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

Applicant's correspondence

Correspondence received



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

ZONING

Exhibit A

ZONING CASE#: C14-2022-0101

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: 7/26/2022



406 and 428 E. Alpine Road Rezoning

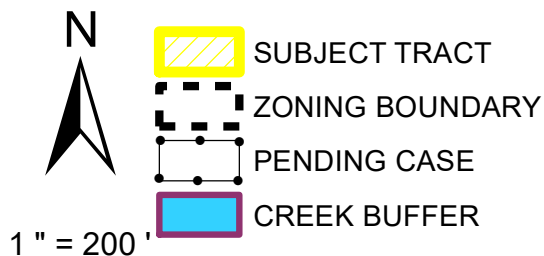
Exhibit A - 1

ZONING CASE#: C14-2022-0101
 LOCATION: 406 and 428 East Alpine Road
 SUBJECT AREA: 1.982 Acres
 GRID: H18
 MANAGER: Wendy Rhoades



Created: 8/3/2022
 by: MeekSS

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July 18, 2022

Rosie Truelove
Director, Housing and Planning Department
City of Austin
1000 E. 11th Street, Suite 200
Austin, Texas 78702

Re: 406 and 428 E. Alpine Road - Rezoning and Neighborhood Plan Amendment Applications for
1.982 acres located at 406 and 428 E. Alpine Rd., Austin, Texas ("Property")

Dear Ms. Truelove:

We respectfully submit the enclosed Zoning and Neighborhood Plan Amendment applications for 406 and 428 E. Alpine Road as representatives of the owners of the above stated Property.

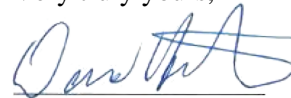
The Property consists of two lots totaling 1.982 acres, of which 1.440 acres is currently undeveloped. The current zoning of the Property is GO-CO-NP, and we are requesting GO-CO-MU-NP zoning for the entire Property. Our zoning application seeks to continue the existing Conditional Overlay providing for a 50-foot wide vegetative buffer beginning at the centerline of Blunn Creek along the eastern Property line. Surrounding zoning includes LI-CO-NP, MF-2-NP, and P-NP. The purpose of the rezoning is to authorize townhome uses on the Property. This rezoning request is consistent with surrounding land uses including townhome and/or multifamily residential to the northwest, north, and northeast.

The Property is located within Greater South River City Combined Neighborhood Plan. The Future Land Use Map shows the Property as Office, therefore the Neighborhood Plan Amendment application is also requested to change the FLUM designation to "Mixed Use." We met with the Greater South River City Combined Neighborhood Plan Contact Team on July 7, 2022, and they voted to consent to file this application out-of-cycle.

A Traffic Impact Analysis has been waived per the TIA Determination Worksheet dated 6-30-2022 from Justin Good, P.E., stating that a TIA is not required because the traffic generated by the proposed development does not exceed the thresholds established in the City of Austin Land Development Code.

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: Maureen Meredith, Housing and Planning Department (via electronic delivery)
Wendy Rhoades, Housing and Planning Department (via electronic delivery)
Sam Fenwick (via electronic delivery)

Applicant's Proposed Development Standards – 406 & 428 E. Alpine Street

1. Project: Approximately 40 townhome units, or 90 multifamily units.
2. Creek Buffer: 50' wide vegetative buffer from the centerline of Blunn Creek, included in application as set forth in the Greater South River City Neighborhood Plan (St. Edwards Plan Area) Ordinance.
3. Over-detain: Construct a detention system onsite that is oversized to capture on-site flows and reduce current off-site peak flow rates for the drainage area(s) that drain to Blunn Creek by at least 10% compared to the existing conditions with existing impervious cover.
4. Rainwater Harvesting: Provide onsite rainwater harvesting devices such as cisterns to capture an additional 5% of the water quality volume required by code for beneficial use such as irrigation of landscape areas.
5. Enhanced Landscaping Along Blunn Creek: To the extent allowed by code, plant appropriate native plant and/or tree species above city's permanent revegetation requirements for an area that is at least 5% of the total creek buffer area (on site) along Blunn Creek to enhance eco diversity.
6. Local Plant Material: Seventy-five percent of the total plant material used, exclusive of turf, shall be native to Central Texas or on the Grow Green Native and Adapted Landscape Plants list.
7. Enhanced Green Building Ratings: Commit to Austin Energy Green Building 1-star rating.



South River City Citizens Inc.
P O Box 4063
Austin TX 78704
www.srccatx.org

Wendy Price Todd, President
Noah Balch, Vice President
Ken Burnett, Co-Vice President
Will Andrews, Treasurer
Dan Fredine, Secretary
Mary Friedman, Membership

November 1, 2022

Re: 406-428 East Alpine
Case Numbers NPA-2022-0022.01 and C14-2022-0101

Dear Ms. Fox and Ms. Rhoades,

South River City Citizens (SRCC) Neighborhood Association is writing to express concerns about the referenced case prior to a vote at the next SRCC General Membership meeting on Tuesday, November 15, 2022. The two outstanding matters for this site at the headwaters of Blunn Creek, northwest of the intersection of IH-35 and SH-71, immediately downstream of two City of Austin water quality controls and upstream of St. Edward's, Sherwood Oaks, Travis Heights, and Fairview Park are:

1. Determination of whether changes to Future Land Use Map and Zoning would be necessary following results of recommendation from Planning Commission (November 8, 2022) and action from City Council (December 1, 2022) for Resolution 20211209-56 (allowing residential in commercial properties).
2. Modifications to the Conditional Overlay to significantly increase the 50' buffer from the centerline of Blunn Creek in order to accommodate green stormwater management. Specifically, SRCC is asking for rain gardens no deeper than 12" that would capture a minimum of the first 0.5" of rainfall as well as using rainwater harvesting to capture 20% of additional rainfall to be drawn down over 5 days. The applicant has not agreed to these requested climate resilience modifications for this site along the floodplain of Blunn Creek once considered for recreational use.

Thank you for your consideration,

Wendy Price Todd

From:
To: [Fox, Kathleen](#); [Rhoades, Wendy](#)
Cc: [Rivera, Andrew](#); [Champlin, Kaela](#);
Subject: 406 and 428 East Alpine
Date: Tuesday, November 1, 2022 3:02:29 PM

*** External Email - Exercise Caution ***

Dear Ms. Fox and Ms Rhoades,

I write on behalf of a non-profit group, the Blunn Creek Partnership (<https://blunncreekpartnership.org/>), an organization founded over 15 years ago to protect and restore the Blunn Creek watershed.

I've become aware of two pending cases, NPA-2022-0022.01 and C14-2022-0101, regarding development of a site at 406 and 428 East Alpine, abutting Blunn Creek and located in the headwaters of the Creek.

I wanted to make it clear to you, and as a filing to include in the record of these cases, that we are very concerned about development's impact there on downstream water quality and flood risk, and hope that you will do all possible to mitigate any effects.

Over the years, we and other friends and neighbors have invested a good deal of time working and meeting with representatives from Parks and Recreation, Watershed Protection, the Austin Parks Foundation, the Austin Parks Board, the Children in Nature Collaborative of Austin, Families in Nature, Austin ISD (which owns the adjacent property), and others to protect Blunn Creek, using detention basins, restrictive covenants, buffer zones and easements.

We want to assure you that we view 406/428 East Alpine as a very important tract of land, deserving the utmost thought and caution in how it is developed.

Thank you very much for your consideration of our views, and for your work on these cases.

David

.....

David Todd
1304 Mariposa Drive, #211
Austin, Texas 78704-4404
512-416-0400

From:
To: [Fox, Kathleen](#)
Cc: [Rhoades, Wendy](#); [Meredith, Maureen](#)
Subject: C14-2022-0101-406 and 428 E. Alpine Road and NPA-2022-0022.01
Date: Wednesday, November 2, 2022 6:51:33 PM

*** External Email - Exercise Caution ***

Kathleen,

The Greater South River City Combined NPCT would like to request a postponement to Dec 13th for the E. Alpine case.

Thank you,

Acting Chair, GSRCC NPCT
Kim Lanzillotii

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Meredith, Maureen

To: Kim Lanzillotti; Fox, Kathleen
Cc: Rhoades, Wendy
Subject: RE: C14-2022-0101-406 and 428 E. Alpine Road and NPA-2022-0022.01

From: Kim Lanzillotti
Sent: Wednesday, November 2, 2022 6:51 PM
To: Fox, Kathleen <Kathleen.Fox@austintexas.gov>
Cc: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: C14-2022-0101-406 and 428 E. Alpine Road and NPA-2022-0022.01

*** External Email - Exercise Caution ***

Kathleen,

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Thank you,

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Kim Lanzillotti

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