

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: University Hills/Windsor Park Combined (Windsor Park)

CASE#: NPA-2022-0023.03

DATE FILED: July 12, 2022 (In-cycle)

PROJECT NAME: Berkman Residential

PC DATE: January 10, 2023

ADDRESS/ES: 6305 Berkman Drive

DISTRICT AREA: 4

SITE AREA: 0.86 acres

OWNER/APPLICANT: Lewis Douglas D CCL Revocable Trust

AGENT: Thrower Design (Ron Thrower and Victoria Haase)

CASE MANAGER: Maureen Meredith **PHONE:** (512) 974-2695

STAFF EMAIL: Maureen.Meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Higher Density Single Family

To: Multifamily Residential

Base District Zoning Change

Related Zoning Case: C14-2022-0104

From: SF-6-NP

To: MF-5-NP

NEIGHBORHOOD PLAN ADOPTION DATE: August 9, 2007

CITY COUNCIL DATE: February 9, 2023

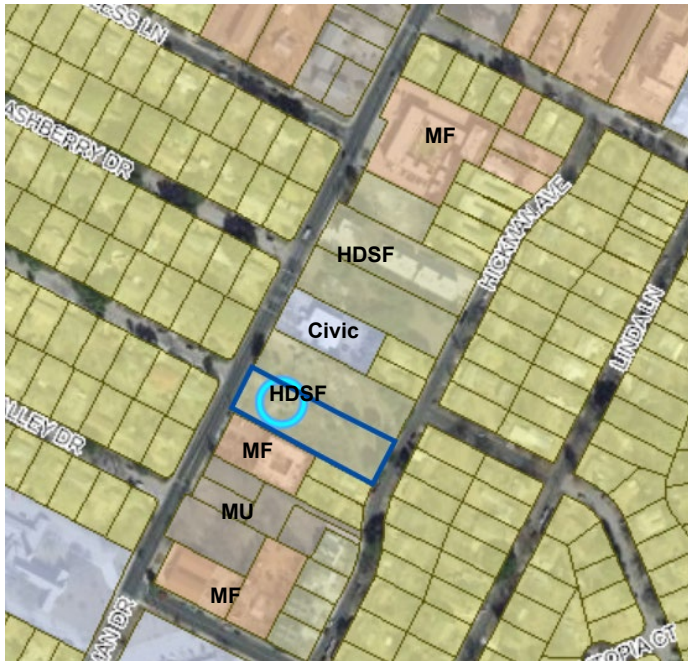
ACTION:

PLANNING COMMISSION RECOMMENDATION:

January 10, 2023 -

STAFF RECOMMENDATION: Recommended for the applicant's request for Multifamily Residential land use.

BASIS FOR STAFF'S RECOMMENDATION: Staff supports the applicant's request for Multifamily Residential because there is existing Multifamily Residential land use on the east side of Berkman Drive. The property land use and zoning change in provide additional residential units to the planning area and the city.



Below are sections from the neighborhood plan document that supports the applicant's request:

Land Use:

Objective: Berkman Drive parcels on the east side of the street between the Windsor Village Shopping Center and Hwy 290 should serve as a transition between adjacent commercial areas and Windsor Park's residential neighborhoods on either side of the street.

Recommendation:

- Rezone the single-family parcels on the east side of Berkman Drive, from Wheeler to Patton Lane, from single family to a higher-density single family zoning district that would allow townhome and condominium uses.

Housing:

- Encourage a diversity of housing options at various levels of affordability dispersed throughout the neighborhood

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Higher Density Single Family - Is housing, generally up to 15 units per acre, which includes townhouses and condominiums as well as traditional small-lot single family.

Purpose

1. Provide options for the development of higher-density, owner-occupied housing in urban areas; and
2. Encourage a mixture of moderate intensity residential on residential corridors.

Application

1. Appropriate to manage development on major corridors that are primarily residential in nature, and
2. Can be used to provide a buffer between high-density commercial and low-density residential areas.
3. Applied to existing or proposed mobile home parks.

PROPOSED LAND USE ON THE PROPERTY

Multifamily Residential - Higher-density housing with 3 or more units on one lot.

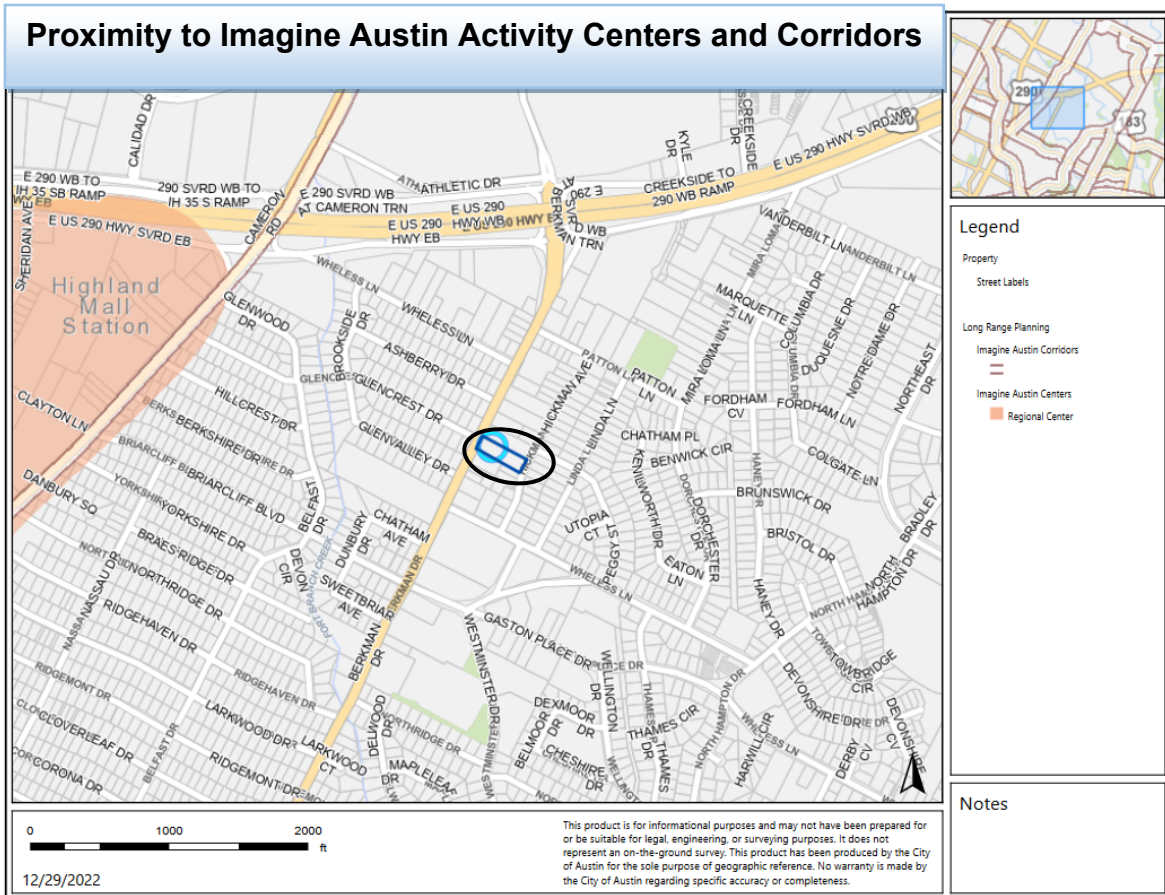
Purpose

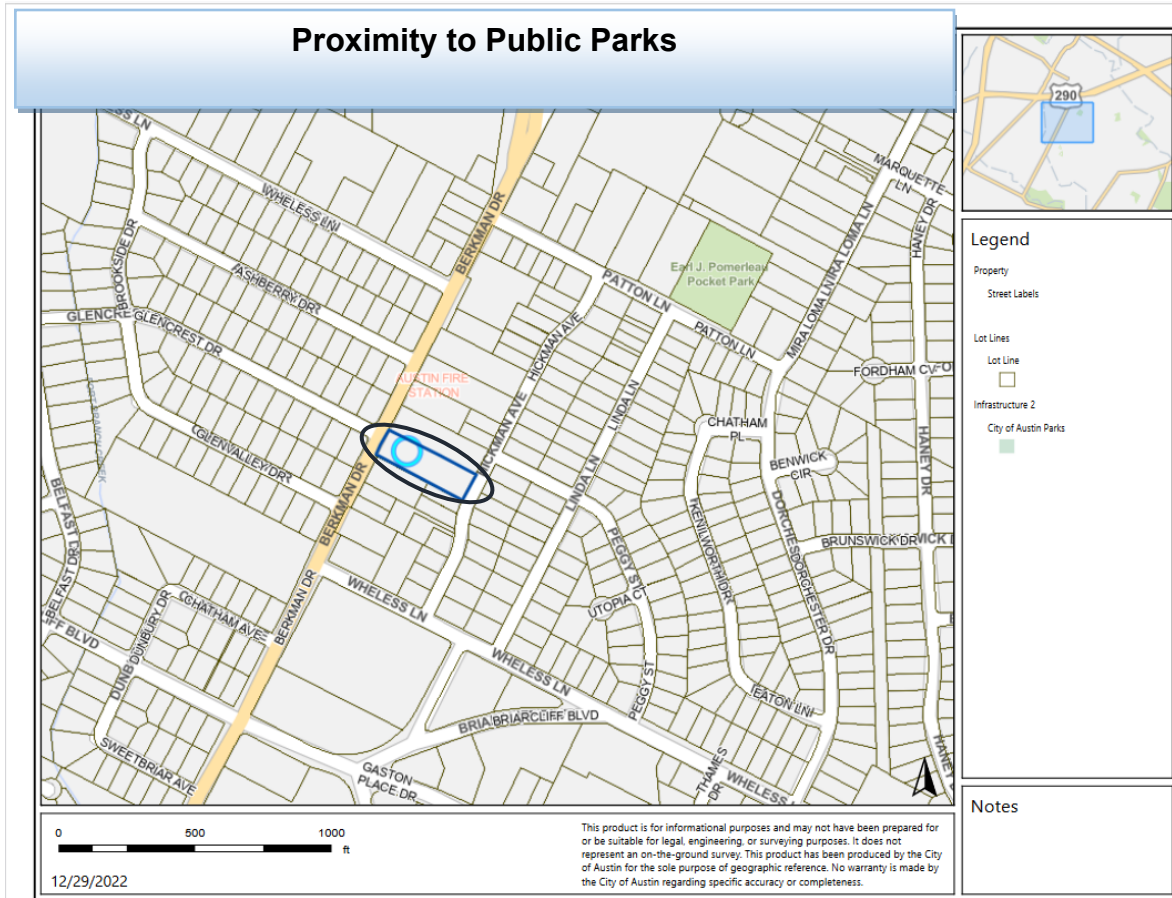
1. Preserve existing multifamily and affordable housing;
2. Maintain and create affordable, safe, and well-managed rental housing; and
3. Make it possible for existing residents, both homeowners and renters, to continue to live in their neighborhoods.
4. Applied to existing or proposed mobile home parks.

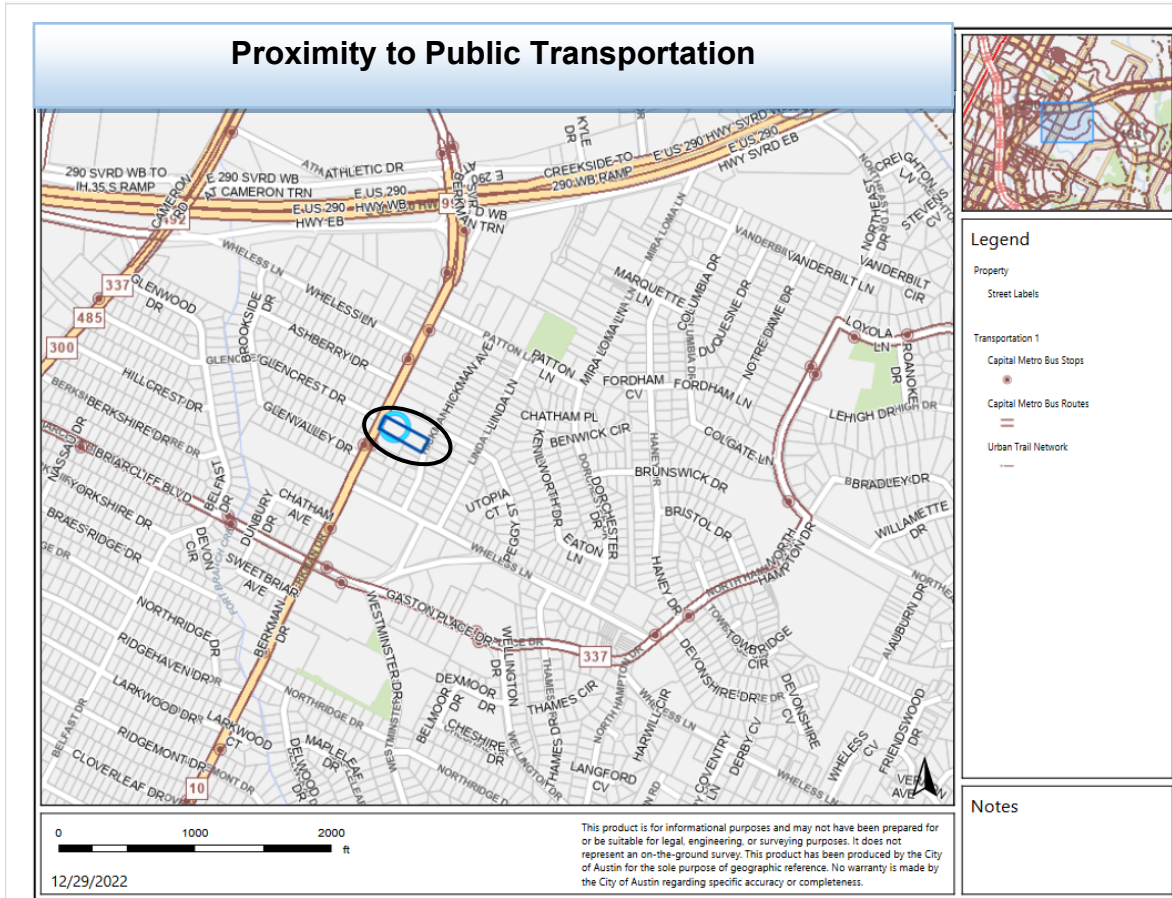
Application

1. Existing apartments should be designated as multifamily unless designated as mixed use;
2. Existing multifamily-zoned land should not be recommended for a less intense land use category, unless based on sound planning principles; and
3. Changing other land uses to multifamily should be encouraged on a case-by-case basis.

Yes	Imagine Austin Decision Guidelines
Complete Community Measures	
	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: <ul style="list-style-type: none"> Property is ~0.5 miles east of Cameron Road, an activity corridor, and Highland Mall Station, an activity Center.
Yes	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
Yes	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Yes	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
Yes	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
Yes	Connectivity and Education: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> Harris Elementary School 0.4 miles Blanton Elementary School 0.9 miles
Yes	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> Earl J. Pomerleau Park is ~0.32 miles from the property
	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.) <ul style="list-style-type: none"> 1.5 miles north of Austin Emergency Center at Mueller
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Yes	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint. <ul style="list-style-type: none"> Proposed are approx. 34 units or less multifamily units
	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
7	Number of "Yes's"
Imagine Austin Priority Program PUD Specific Bonus Features	
	Public Space Features and Public Art: Incorporates public space features and/or public art into project (Ex: plazas, streetscapes, gardens, and other people-friendly spaces where different ages can socially interact).
	Integrates and/or Expands Green Infrastructure: Preserves or expands Austin's green infrastructure (ex: parkland, community gardens, green streets, creeks, stormwater features that mimic natural hydrology) into the urban environment and transportation network.
	Protects the Environment: Reduces greenhouse gas emissions, water, energy usage, and/or increases waste diversion.
	Protects Environmentally Sensitive Lands: Protects Austin's natural resources and environmental systems by limiting land use and transportation development over or near environmentally sensitive areas, preserves open space, and protects natural resources more than ordinance requirements.
	Water/Wastewater Infrastructure: Sustainably manages Austin's water resources and stream corridors through on-site use of storm water, effective landscaping, flood mitigation, and other low-impact development techniques more than ordinance requirements.
	Total Number of "Yes's"







IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will 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. These centers will also be important hubs in the transit system.

Regional Centers - Regional centers are the most urban places in the region. These centers are and will become the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Housing in regional centers will mostly consist of low to high-rise apartments, mixed use buildings, row houses, and townhouses. However, other housing types, such as single-family units, may be included depending on the location and character of the center. The densities, buildings heights, and overall character of a center will depend on its location.

Activity Centers for Redevelopment in Sensitive Environmental Areas - Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context.

Job Centers - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment

opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The application was filed on July 12, 2022, which is in-cycle for neighborhood planning areas located on the east side of I.H.-35.

The applicant proposes to change the future land use map (FLUM) from Higher Density Single Family to Multifamily Residential land use.

The applicant proposes to change the zoning on the property from SF-6-NP (Townhouse and Condominium Residence district – Neighborhood Plan) to MF-5-NP (Multifamily Residence High Density district – Neighborhood Plan) for multifamily development. For more information on the zoning request, see case report C14-2022-0104.

PUBLIC MEETINGS: The ordinance-required community meeting was virtually held on September 12, 2022. The recorded meeting can be found at <https://www.speakupaustin.org/npa>. Approximately 439 community meeting notices were mailed to people who rent or own property within 500 feet of the subject tract, in addition to neighborhood and environmental groups who requested notification for the area. Two city staff members attended the meeting Kathleen Fox and Maureen Meredith from the Housing and Planning Department. Victoria Haase and Ron Thrower from Thrower Design attended, in addition to nineteen people from the neighborhood.

Maureen Meredith gave a brief summary of the case via a power point presentation and explained why a Neighborhood Plan Amendment was required. The request was a Future Land Use Map amendment from High Density Single Family to Multifamily, and a zoning application from SF-6-NP to MF-5-NP (C14-2022-0104.)

Victoria Haase, an agent, discussed how SF-6 allows up to 12.5 units per acre while MF-5, would allow up to 40 units per acre and a 60 ft. tall multifamily building on the site. However, the number of units actually built on the site would probably be less due to compatibility standards, internal circulation, water detention, and tree protection requirements. She explained several times that the number of units built would be around 34 or less. The family had lived on the site for 70 years and there was no conceptual plan for the site. Only the Austin Transportation Department (APD) could determine if a traffic study and road improvements would be required along Berkman Drive, and how street impact fees could be used to improve Berkman Drive if the city made this determination.

The majority of audience members had questions and comments about the already heavy flow of traffic along Berkman Drive, including: how Berkman Road had only one lane going both ways and could not be widened to accommodate more traffic and density; how the City of Austin needed to do a traffic study to see if Berkman Drive could accommodate more traffic and density; that MF-5 zoning was too intense and dense along Berkman Drive and inappropriate for this site; how it was difficult to get in and out of properties along Berkman Road; how pedestrians cannot walk across Berkman Drive because of the heavy flow of traffic; the need for more traffic signals and pedestrian crossings along Berkman Drive; and that they did not want a midrise but were supportive of MF-3 zoning and below, and missing middle housing.

Other audience members comments and questions: Noted the lack of commercial uses not located within 0.50 miles of the site, the lack of nearby public transit, and how the neighborhood needed more commercial uses rather than residential uses the area. Someone encouraged the developer review the possibility of buying the property to the north to expand the site to have a better layout. Someone voiced their concern about the project having driveway entrances onto both Hickman and Berkman Drive. Another supported the project having 3-bedroom units to support families, instead of units only for singles, couples and students. A man discussed how they moved from California because the lack of unaffordable housing and that if Austin did not allow more dense housing to be built, Austin would price itself out like California. An audience member wanted to know about the Imagine Austin requirements and Maureen Meredith went over the Imagine Austin guideline checklist. She also referred audience members contact Heather Chaffin to discuss traffic study and traffic improvements.

January 10, 2023

Applicant Summary Letter from Application



July 5, 2022

Ms. Rosie Trulove
Housing & Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

Re: Rezoning of 6305 Berkman Drive, Austin, 78723, Berkman Residential

Dear Ms. Trulove:

On behalf of the Owner(s) of the property referenced above, we respectfully submit the enclosed package including Neighborhood Plan Amendment and Rezoning applications. The property is an un-platted lot within Council District 4, represented by "Chito" Vela and is also located within the Windsor Park Neighborhood Planning Area.

The property is designated as *Higher Density Single Family* on the Future Land Use Map (FLUM) and is zoned *SF-6-NP* (Highest Density Single Family – Neighborhood Plan). The request is to amend the FLUM to *Multifamily* and to rezone the property to *MF-5-NP* (Multi-Family Residence-High Density – Neighborhood Plan). MF-5 zoning district regulations will allow a multifamily-style development of approximately 34, 1–2-bedroom units. The site will be subject to compatibility regulations, resulting in buildings limited to 3 stories/40 feet.

The property is in an ideal location to accommodate increased residential density since Berkman Drive has existing bus service and is of the Austin Strategic Mobility Plan Transit Priority Network that anticipates improvements for multi-modal transit. Further, the requests are consistent and compatible with adjacent or near-by properties have commercial or multifamily zoning and is supported by many Imagine Austin Planning Principles.

1. Creating complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offering a variety of transportation options, and having easy access to daily needs such as schools, retail, employment, community services, and parks and recreations options.

P.O. BOX 41957, AUSTIN, TEXAS 78704

2. Supporting the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
3. Protecting neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers, corridors, redevelopment, and infill site.
4. Expanding the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.
5. Ensuring harmonious transitions between adjacent land uses and development intensities.
6. Protecting Austin's natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserving open space and protecting the function of the resource.
7. Encouraging active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.

While it is understood that the requested changes do not align with the Windsor Park Neighborhood Plan, Austin has gone through significant change and growth since the plan was adopted in 2007 to suggest that the requests are appropriate and urgently needed to bring more homes to the City and to do so without creating further sprawl in our rural lands.

Please contact our office or me directly should you have need for additional information. Thank you for your time and attention to this application.

Kind regards,



Victoria Haase

cc: Heather Chaffin, Housing & Planning Department (*via electronic delivery*)

**Letter of Recommendation from the Neighborhood
Plan Contact Team (NPCT)**

(No letter as of January 3, 2023 – see email below)

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From: Rodney Ahart <>
Sent: Tuesday, January 3, 2023 4:38 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: [sspeir@\[REDACTED\].m](mailto:sspeir@[REDACTED].m); [jaimex.querra@\[REDACTED\].m](mailto:jaimex.querra@[REDACTED].m); [atturner18@\[REDACTED\].m](mailto:atturner18@[REDACTED].m); [m.bienemann@\[REDACTED\].u](mailto:m.bienemann@[REDACTED].u); [info@\[REDACTED\].g](mailto:info@[REDACTED].g); [kennydiamond63@\[REDACTED\].m](mailto:kennydiamond63@[REDACTED].m); [nkhan08@\[REDACTED\].m](mailto:nkhan08@[REDACTED].m); [chair@\[REDACTED\].g](mailto:chair@[REDACTED].g); [lanieb23@\[REDACTED\].m](mailto:lanieb23@[REDACTED].m); [goldenwaytermite@\[REDACTED\].m](mailto:goldenwaytermite@[REDACTED].m); [zachary.zehr@\[REDACTED\].m](mailto:zachary.zehr@[REDACTED].m); [jackielivelli@\[REDACTED\].m](mailto:jackielivelli@[REDACTED].m); [brenstar76@\[REDACTED\].m](mailto:brenstar76@[REDACTED].m); [lanesmithhicks@\[REDACTED\].m](mailto:lanesmithhicks@[REDACTED].m); [amidavisatx@\[REDACTED\].m](mailto:amidavisatx@[REDACTED].m); Chaffin, Heather <Heather.Chaffin@austintexas.gov>; Victoria <Victoria@throwerdesign.com>; Ron Thrower <rnt@throwerdesign.com>
Subject: Re: Windsor Park NPCT Rec?: NPA-2022-0023.03_6305 Berkman Dr

*** External Email - Exercise Caution ***

Hi Maureen,

Hope you had a nice and relaxing holiday.

The Windsor Park Neighborhood Plan Contact Team is scheduled to meet on January 9. The 6305 Berkman Drive case will be posted for discussion and potential action.

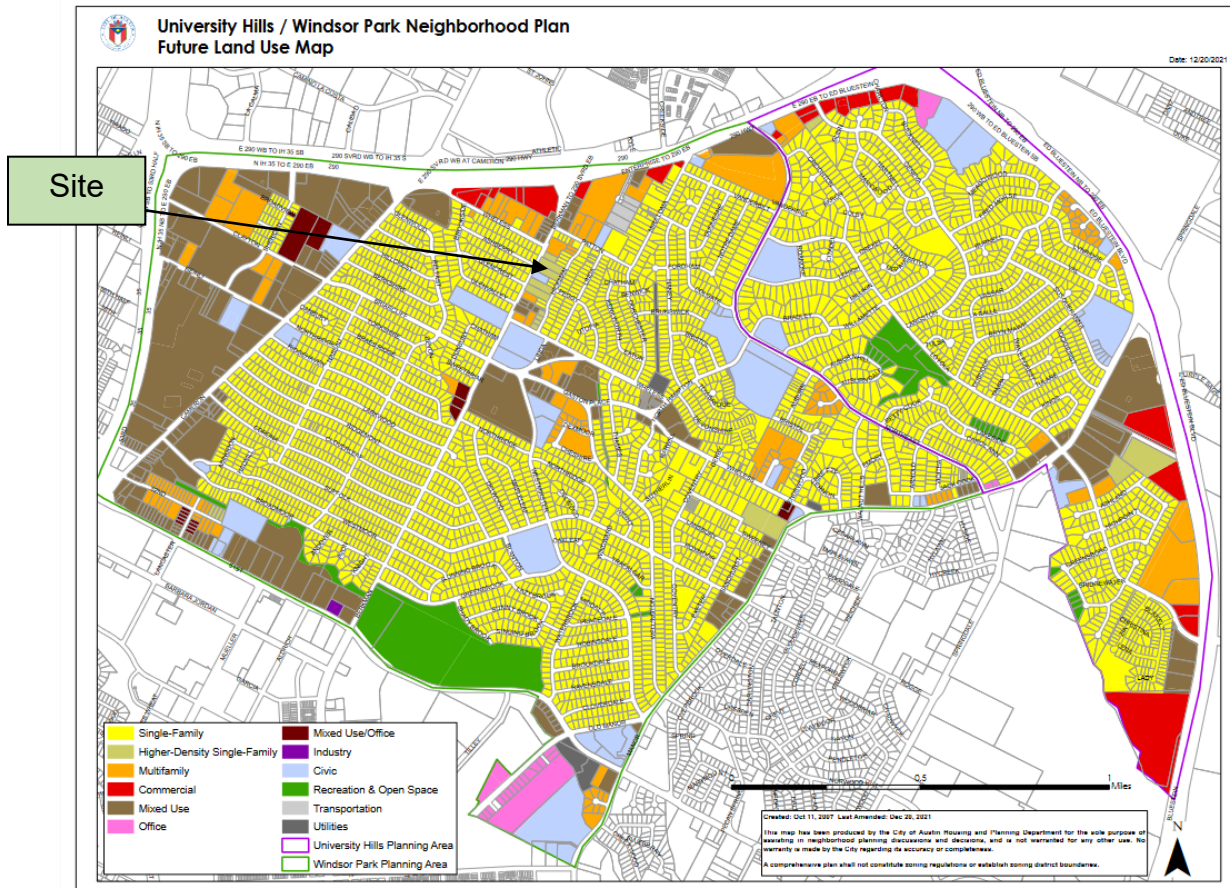
My hope is to have a recommendation letter for you prior to the Planning Commission meeting scheduled for January 10. I understand that receipt of that letter may be too late to be included in the official Planning Commission back up but should be received in time for you to read it into the official record.

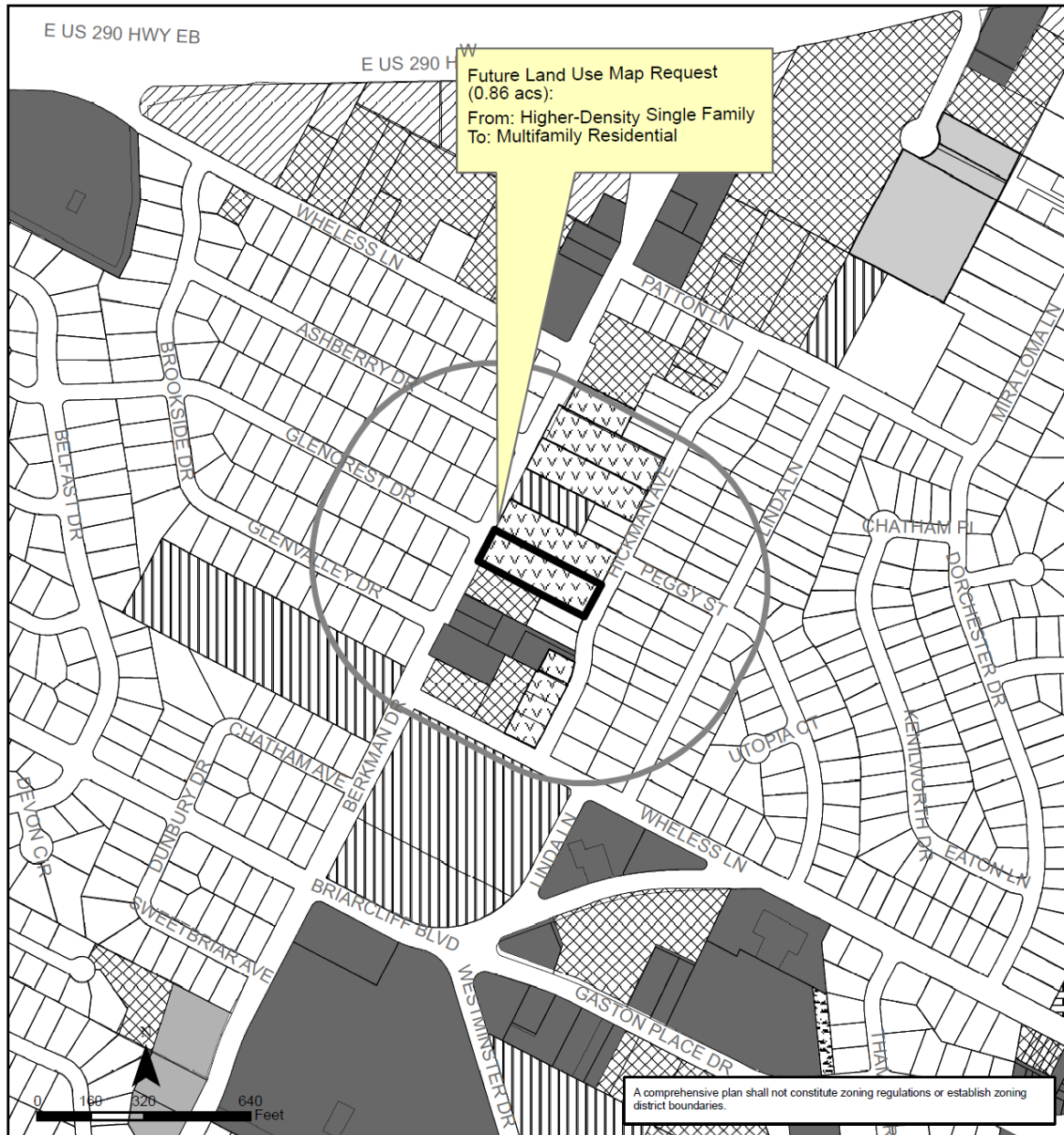
Please contact me if you have any questions.

Thanks again for all of your help.

My best,

Rodney





University Hills/Windsor Park Combined (Windsor Park)
Neighborhood Planning Area
NPA-2022-0023.03

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.

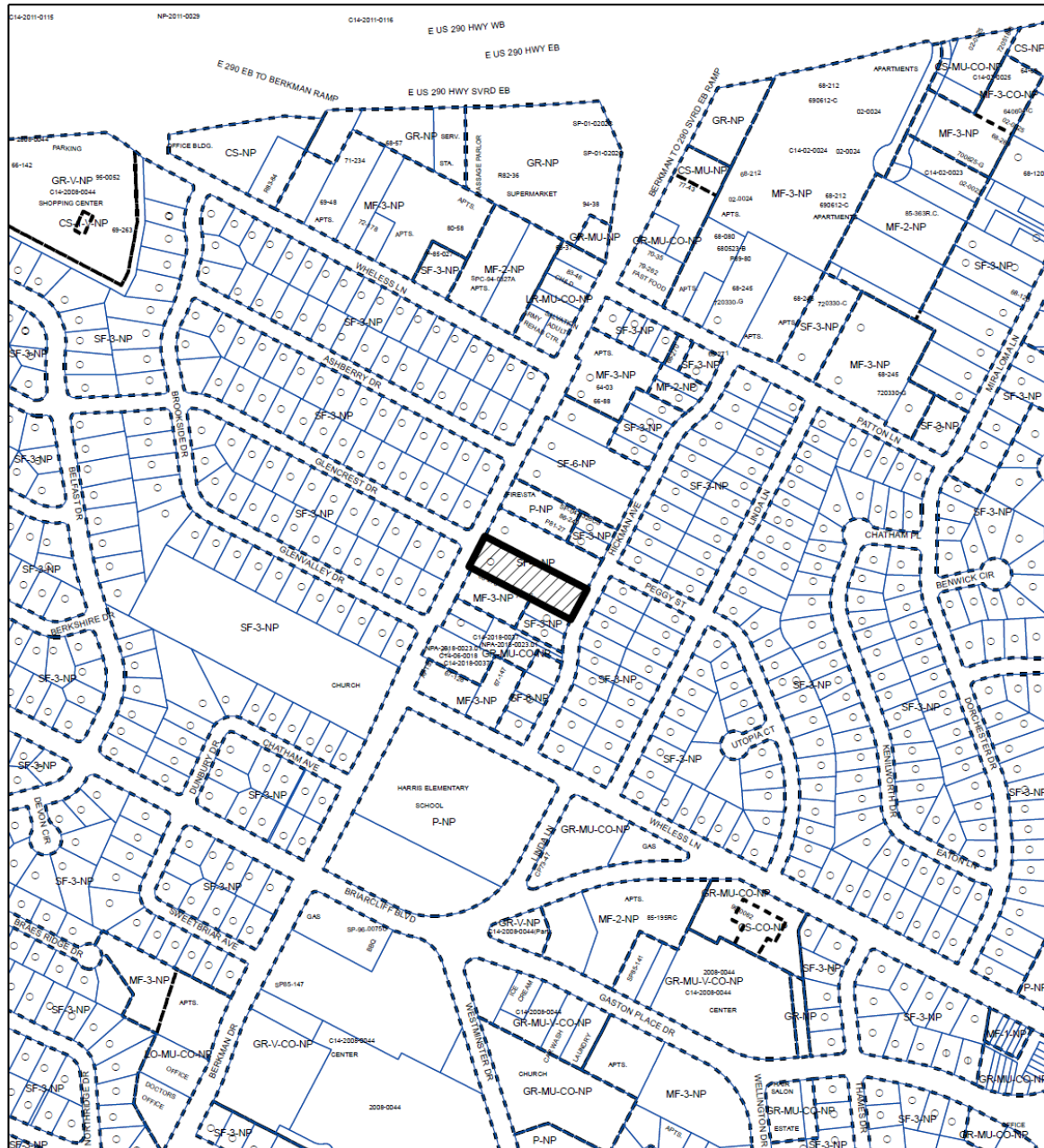
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City of Austin
Housing and Planning Department
Created on 8/23/2022, by: MeeksS

Future Land Use

	Subject Tract		Mixed Use/Office
	500 ft. notif. boundary		Multi-Family
	Civic		Recreation & Open Space
	Commercial		Single-Family
	Higher-Density Single-Family		Transportation
	Mixed Use		Utilities



1" = 400'

- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

ZONING

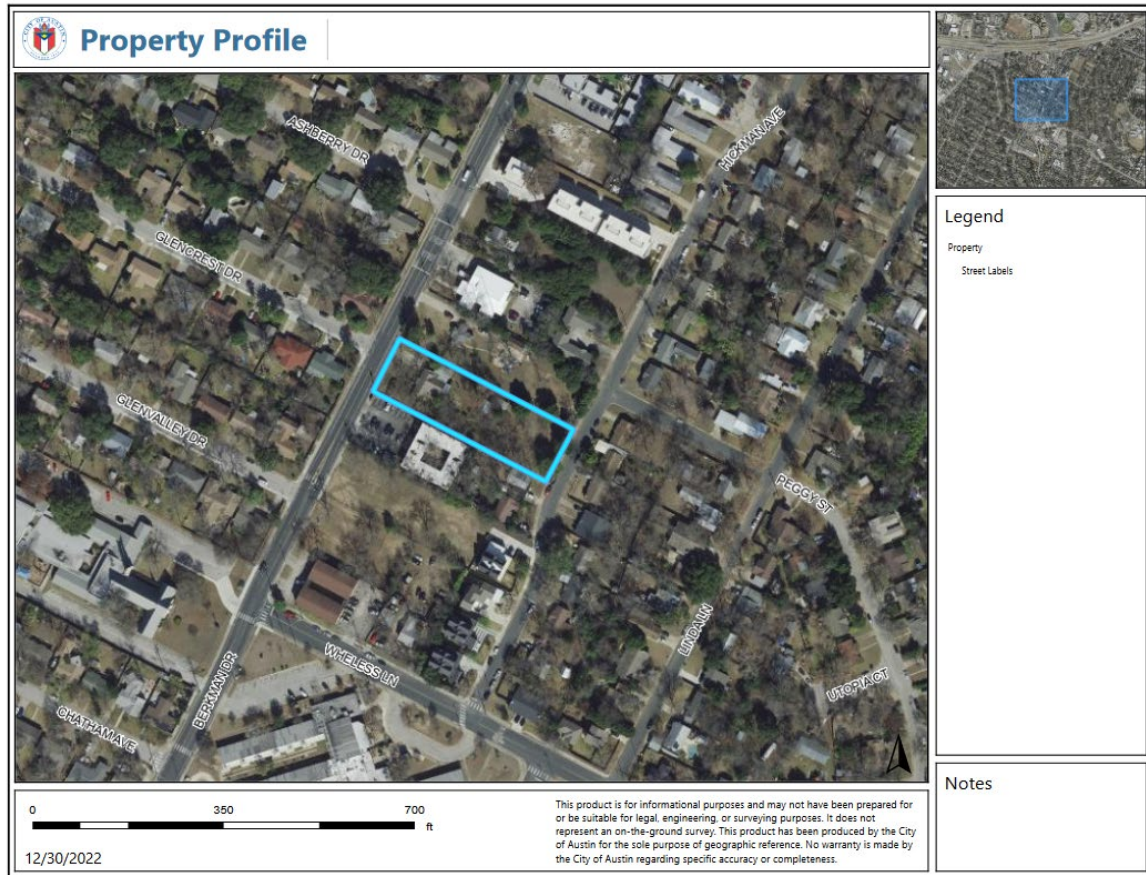
ZONING CASE#: C14-2022-0104

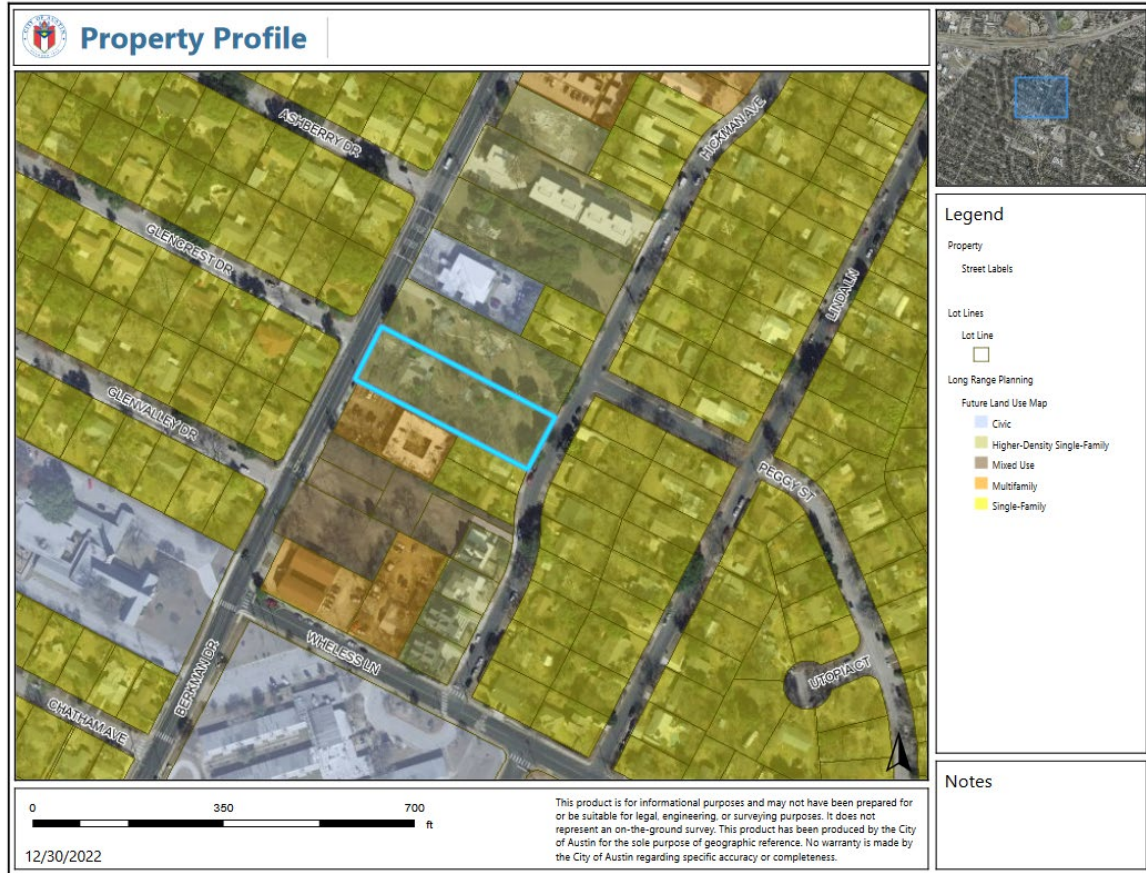
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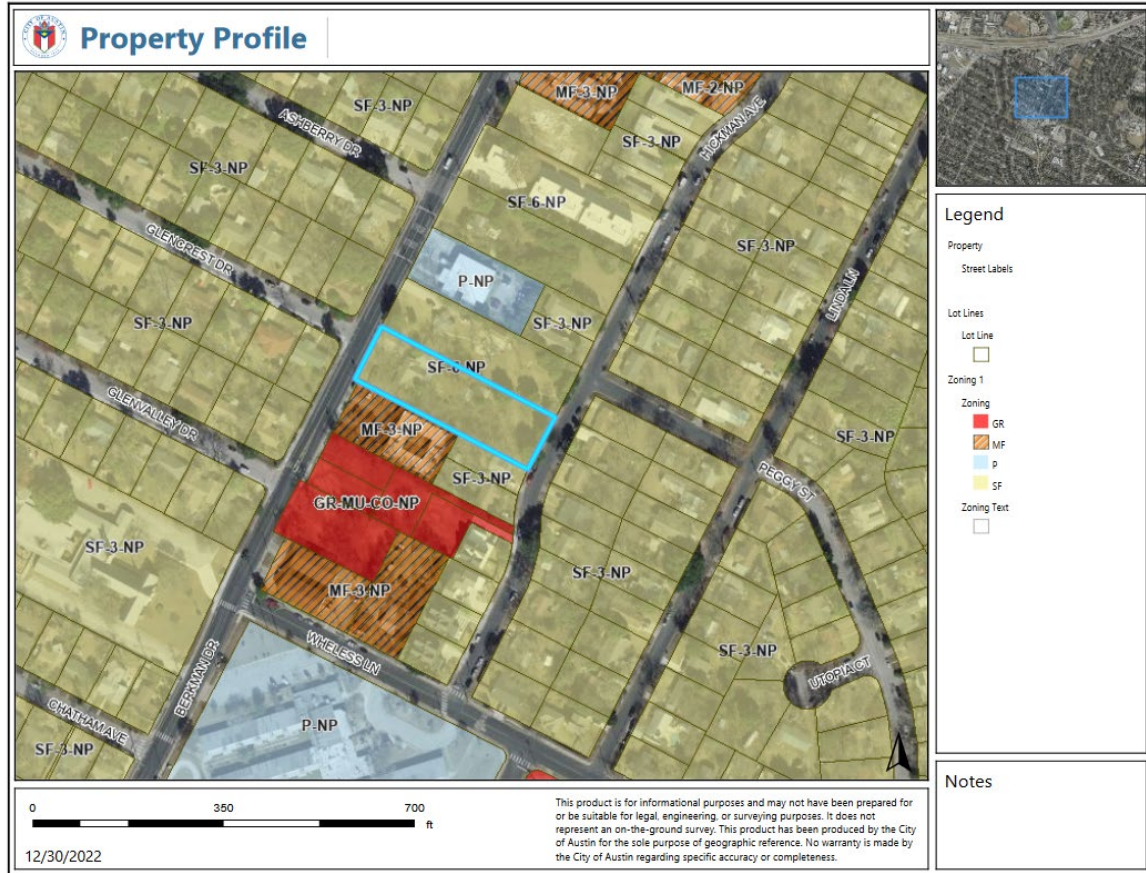
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Created: 7/27/2022







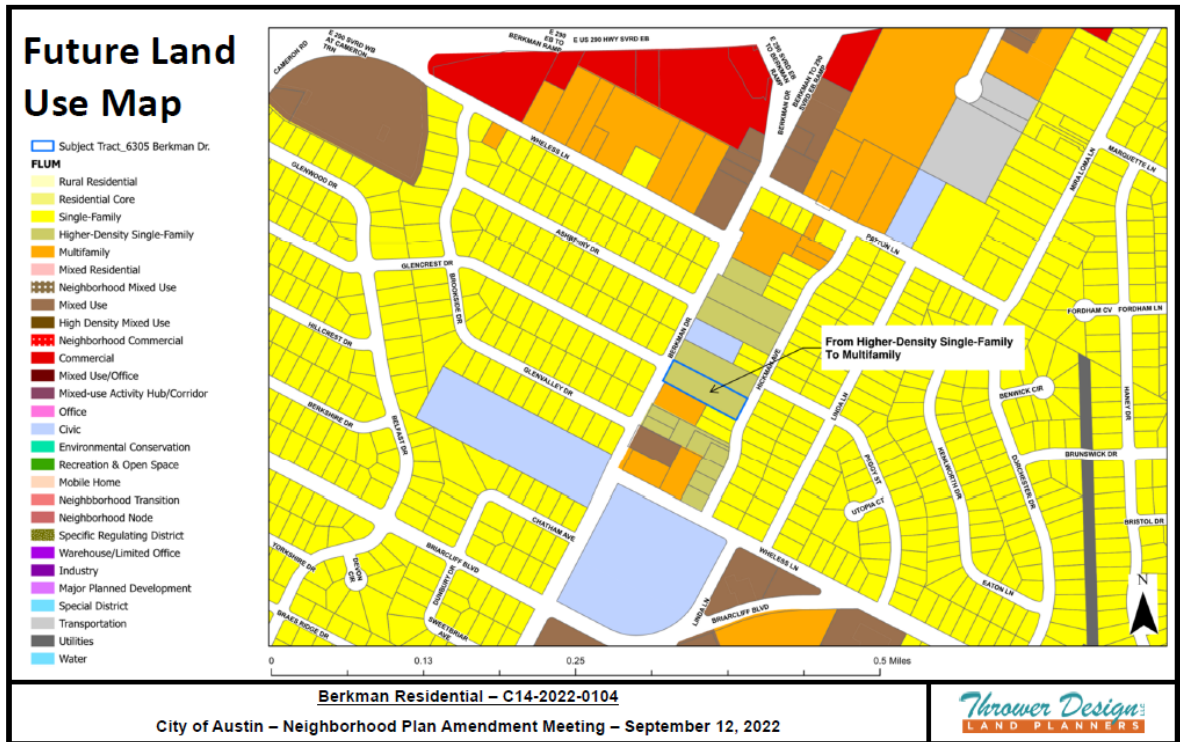
Agent's Presentation at the Sept. 12, 2022 Community Meeting



Berkman Residential – C14-2022-0104

City of Austin – Neighborhood Plan Amendment Meeting – September 12, 2022

Throover Design
LAND PLANNERS





Site Development Standards - Residential Districts

	SF-6	MF-1	MF-2	MF-3	MF-4	MF-5	MF-6	MH
Min. Lot Size (sf)	5,750	8,000	8,000	8,000	8,000	8,000	8,000	—
Min. Lot Width:	50	50	50	50	50	50	50	—
Max. DU's/Lot	—	*	*	*	*	*	—	—
Max. Height:	35	40	40 or 3 flrs	40	60	60	90	—
Min. Setbacks:								
Front:	25	25	25	25	15	15	15	—
Street Side:	15	15	15	15	15	15	15	—
Interior Side:	5	5	5	5	5	5	5	—
Rear:	10	10	10	10	10	10	10	—
Max. Bldg Cover:	40%	45%	50%	55%	60%	60%	70%	—
Max. Imp. Cover:	55%	55%	60%	65%	70%	70%	80%	—
Max. F.A.R.	N/A	N/A	—	0.75:1	0.75:1	1:1	—	—

Berkman Residential – C14-2022-0104

City of Austin – Neighborhood Plan Amendment Meeting – September 12, 2022



Maximum Dwelling Units/Acre

	Eff.	1BR	2+BR	Avg. (1+2BR)
SF-6	12.5	12.5	12.5	12.5
MF-1	17.4	14.5	12.5	13.5
MF-2	27.2	21.8	18.2	20
MF-3	36.3	29	24.2	26.6
MF-4	54.5	43.6	36.3	40
MF-5	54.5	43.6	36.3	40
MF-6				

Matters that impact the # of units:

- Compatibility
- Internal circulation (drives)
- Detention & water quality infrastructure
- Protected trees

Berkman Residential – C14-2022-0104

City of Austin – Neighborhood Plan Amendment Meeting – September 12, 2022



Correspondence Received

From: Mele Juillerat <

Sent: Wednesday, September 14, 2022 9:28 AM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Subject: Fwd: 6305 Berkman

*** External Email - Exercise Caution ***

6305 Berkman cut down trees prior to them getting a survey so that they would avoid having to deal with the city for tree permit and removal. I've sent this to Caitlin Campbell and will send to Keith as well so that the arborists are fully aware of what the developer did prior to submitting plans to the city.

It's been listed three times over the course of 2 years for sale. When the home owner could not get the \$1.3 million dollar asking price for the home they cut down the trees and went a different route.....



Begin forwarded message:

From: John Daughtridge <
Date: September 14, 2022 at 9:21:16 AM CDT
To: Mele Juillerat < >
Subject: 6305 Berkman

April - 2015



Today:



From: Mele Juillerat <
Sent: Wednesday, September 14, 2022 9:28 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: One more of tree picture for 6305 Berkman

*** External Email - Exercise Caution ***

CAUTION: This email was received at the City of Austin, from an EXTERNAL

source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@austintexas.gov.

