

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0170 (Dessau Ridge Development)

DISTRICT: 7

ADDRESS: 1509 Dessau Ridge Lane

ZONING FROM: LO-CO

TO: MF-3

SITE AREA: 2.15 acres

PROPERTY OWNER: Delta LTE LLC

AGENT: ZIF Capital LLC (Zain Fidai)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMEDATION:

Staff recommends MF-3, Multifamily Residence-Medium Density, district zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

February 7, 2023: Approved staff's recommendation of MF-3 zoning, with the addition of a conditional overlay to limit the site to a maximum of 58 residential units (8-0, C. Thompson-abstain, S. Boone-absent); A. Denkler-1st, D. King-2nd.

CITY COUNCIL ACTION:

March 9, 2023

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is currently undeveloped and moderately vegetated. It is located on a residential collector street adjacent to three primary educational facilities. The lots to the north, across Dessau Ridge Lane, are also zoned LO-CO and developed with an office complex (Dessau Ridge Office Condominiums). The tracts of land to the south and west are zoned DR and are developed with two elementary schools (Dessau Elementary and Delco Elementary School) and a middle school (Dessau Middle School) respectively. There is a religious assembly use (Deliverance Temple Worship Center) to the east fronting Dessau Road. In this case, the applicant is seeking MF-3 zoning to develop a 46-unit multifamily use.

The staff is recommending Multifamily Residence-Medium Density District zoning because this tract of land meets the intent of the MF-3 district. The site under consideration is located on a residential collector street directly adjacent to existing educational facilities. There are support services in this area as the lots to the north are developed with office uses and to the east is developed with a civic use. This property is one block from Dessau Road, major arterial roadway and activity corridor, where there are numerous commercial uses/services. It is located within Dessau/Parmer Neighborhood Center as designated by the Imagine Austin Comprehensive Plan.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

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

Multifamily Residence (Medium Density) district is intended to accommodate multifamily use with a maximum density of up to 36 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas, and in other selected areas where medium density multiple use is desirable.

2. *The proposed zoning should promote consistency and orderly planning.*

The proposed MF-3 district would be consistent with surrounding land use patterns as there is LO-CO zoning to the north of this site, across Dessau Ridge Lane. MF-3 zoning will provide a transition from the GR-CO zoning fronting Dessau Road to the east to the DR zoning located at the terminus of Dessau Ridge Lane to the west.

3. *Zoning should allow for reasonable use of the property.*

MF-3 zoning will permit the applicant to develop additional residential uses in this area within a designated neighborhood center (Dessau/Parmer Neighborhood Center) a block from a major arterial roadway and activity corridor, Dessau Road.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR	Undeveloped Tract
<i>North</i>	LO-CO, LR-CO	Office (Dessau Ridge Office Condominiums)
<i>South</i>	DR	Schools (Delco Elementary School and Dessau Middle School)
<i>East</i>	GR-CO	Religious Assembly (Deliverance Temple Worship Center)
<i>West</i>	DR	School (Dessau Elementary School)

NEIGHBORHOOD PLANNING AREA: N/A

TIA: Not Required

WATERSHED: Harris Branch

SCHOOLS: Pflugerville I.S.D.
Dessau Ridge Elementary
Delco Elementary School
Dessau Middle School

NEIGHBORHOOD ORGANIZATIONS:

Austin Lost and Found Pets
Friends of Austin Neighborhoods
Harris Branch Master Association, Inc.
Harris Ridge Owners Association
Harris Ridge Phase IV
Homeless Neighborhood Association
North Gate Neighborhood Association
Neighborhood Empowerment Foundation
North Growth Corridor Alliance
Pflugerville Independent School District
SELTEXAS
Sierra Club, Austin Regional Group
TechRidge Neighbors
Yager Community

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0099 (Dessau Business Park Zonings)	I-RR, I-SF-2 to Tract 1A: MF-4 Tract 1B: GR-MU Tract 2: GR-MU Tract 3: P Tract 4: CS-CO Tract 5: RR Tract 6: LI Tract 7: CS-CO	9/17/13: Approved staff's recommendation to postpone Tract 1 to October 1, 2013 and to approve GR-MU zoning for Tract 2, P zoning for Tract 3, CS-CO zoning for Tract 4, RR zoning for Tract 5, LI zoning for Tract 6 and CS-CO zoning for Tract 7, with a conditional overlay to prohibit the following uses: Campground, Commercial Blood Plasma Center, and Vehicle Storage, on consent (6-0. J. Meeker-absent); P. Seeger-1 st , G. Rojas-2 nd . 10/01/13: Approved staff's recommendation of MF-4 zoning for Tract 1A and GR-MU zoning for Tract 1B on consent (7-0); P. Seeger-1 st , S. Compton-2 nd .	10/17/13: Approved MF-4 zoning for Tract 1A, GR-MU zoning for Tract 1B, GR-MU zoning for Tract 2, P zoning for Tract 3, CS-CO zoning for Tracts 4 and 7, RR zoning for Tract 5, and LI zoning for Tract 6 on consent on all 3 readings (6-0, M. Martinez-off dais); B. Spelman-1 st , S. Cole-2 nd .
C14-2012-0157 (Dessau Partners: 13422 Dessau Road)	I-RR, I-SF-2 to CS-1	2/05/13: Approved staff's recommendation of CS-1-CO zoning for Tract 1 and GR-CO zoning for Tract 2, with additional condition to prohibit Adult Oriented Businesses (4-1, C. Banks-No, P. Seeger and S. Compton-absent); G. Rojas-1 st , R. McDaniel-2 nd .	2/28/13: Approved CS-1-CO zoning for Tract 1 and GR-CO zoning for Tract 2, with conditions on consent on all 3 readings (7-0); B. Spelman-1 st , S. Cole-2 nd .
C14-2013-0043 (Fort Dessau-SF-6: 13826 Dessau Road)	LR to SF-6	5/21/13: Approved the staff's recommendation of SF-6 district zoning on consent (5-0, C. Banks and J. Meeker-absent); P. Seeger-1 st , S. Compton-2 nd .	6/06/13: Postponed to September 26, 2013 at the applicant's request (7-0); B. Spelman-1 st , S. Cole-2 nd .
C14-2013-0042 (Fort Dessau-P: 13826 Dessau Road)	SF-2-CO to P	5/21/13: Approved the staff's recommendation of P district zoning on consent (5-0, C. Banks and J. Meeker-absent); P. Seeger-1 st , S. Compton-2 nd .	6/06/13: Postponed to September 26, 2013 at the applicant's request (7-0); B. Spelman-1 st , S. Cole-2 nd .
C14-2013-0041 (Fort Dessau-GR: 1602 Fish Lane)	SF-2-CO to MF-3	6/18/13: Approved staff's recommendation of MF-3 zoning by consent (6-0,	6/06/13: Postponed to September 26, 2013 at the applicant's request (7-0); B. Spelman-1 st , S. Cole-2 nd .

		C. Banks-absent); P. Seeger-1 st , R. McDaniel-2 nd .	
C14-2009-0125 (First Brazilian Baptist Church in Austin: 1509 Dessau Ridge Lane)	DR to LR	12/01/09: Approved staff's recommendation of LO-CO zoning, with a CO to limit the site to uses that generate no more than 2,000 vehicle trips per day, on consent (7-0); T. Rabago-1st, D. Tiemann-2nd.	12/17/09: Approved LO-CO zoning on consent on all 3 readings (7-0); Spelman-1st, Cole-2nd.
C14-06-0011 (T-Mobile Wireless Facility: 13208 Dessau Rd)	DR to SF-6-CO* * The applicant has proposed a conditional overlay to limit development on the site to SF-1, Single-Family Residence-Large Lot District, density regulations and to limit development on the site to less than 2,000 vehicle trips per day.	3/07/06: Approved staff's recommendation of SF-6-CO zoning by consent (9-0); J. Martinez-1 st , J. Pinnelli-2 nd .	4/06/06: Approved SF-6-CO district zoning by consent (7-0); all 3 readings
C14-04-0127 (Wright Subdivision Dessau Road Zoning Change: 1624 East Howard Lane)	GR-CO to GR	10/19/04: Approved staff's recommendation of GR-CO zoning by consent (9-0), with CO to prohibit Adult Oriented Business uses and a public restrictive covenant to encompass the TIA recommendations.	11/18/04: Granted GR-CO (7-0); all 3 readings
C14-04-0056 (Fish Tract: 13600-14224 Dessau Road)	I-RR to CS, MF-3, SF-6, SF-2	11/02/04: Approved staff's recommendation of SF-2-CO, SF-6, MF-3, LR, LR-MU, GR, GR-MU zoning by consent (9-0)	12/16/04: Granted SF-2-CO, SF-6, MF-3, LR-MU, GR and GR-MU on all 3 readings (7-0)
C14-03-0001 (Cornerstone Baptist Church: 13300 Dessau Rd)	DR to LO	1/28/03: Approved staff's recommendation of LO-CO zoning, w/2,000 trip limit (8-0, J. Donisi-absent)	2/27/03: Granted LO-CO on all 3 (6-0, Goodman-out of room)
C14-00-2101 (Harris Ridge Rezoning: Harris Ridge Drive at Howard Lane)	DR to CS	8/1/00: Approved staff rec. w/ condition of no Adult Oriented Businesses (8-0)	9/28/00: Approved GR-CO w/ conditions on TR 1 & 2 (7-0); all 3 readings

C14H-00-0005 (Evangelical Lutheran Church: 13300 Dessau Road)	DR to DR-H	9/12/00: Approved staff rec. by consent (6-0)	10/5/00: approved DR-H (5-0); all 3 readings
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RELATED CASES:

C14-2009-0125 - Previous Rezoning Case
SP-2019-0106C – Site Plan Case

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalk	Bicycle Route	Cap Metro (within ¼ mile)
Dessau Ridge Lane	Level 1	58 feet	70 feet	42 feet	Existing on opposite side of street from project site.	None present	No

OTHER STAFF COMMENTS:Comprehensive Planning

Project Name and Proposed Use: 1509 DESSAU RIDGE LN. C14-2022-0170. Project: Delta LTE LLC. 2.15 acres from LO-CO to MF-3. Vacant lot to 46 Unit Multifamily Apartments

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures
Y	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: Within Dessau/Parmer Neighborhood Center and just off Dessau Road Activity Corridor
	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
Y	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Y	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
Y	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
Y	Connectivity and Education: Located within 0.50 miles from a public school or university.
	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	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.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Y	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.
	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.
6	Total Number of "Yes's"

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Harris Branch Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is 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.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire

No comments.

Parks and Recreation

Parkland dedication will be required for the new applicable uses proposed by this development, multifamily with MF-3 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.

Site Plan

A site plan will be required for any new development other than single-family, two-family or duplex residential.

Any new development is subject to the design standards in Subchapter E of the Land Development Code. Additional comments will be made when the site plan is submitted.

This site will be subject to the multifamily density provisions in 25-2-562.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 ft. or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Transportation

The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Dessau Ridge Lane. It is recommended that 29 feet of right-of-way from the centerline should be dedicated according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

Water Utility

No comments on zoning change.

FYI: 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.

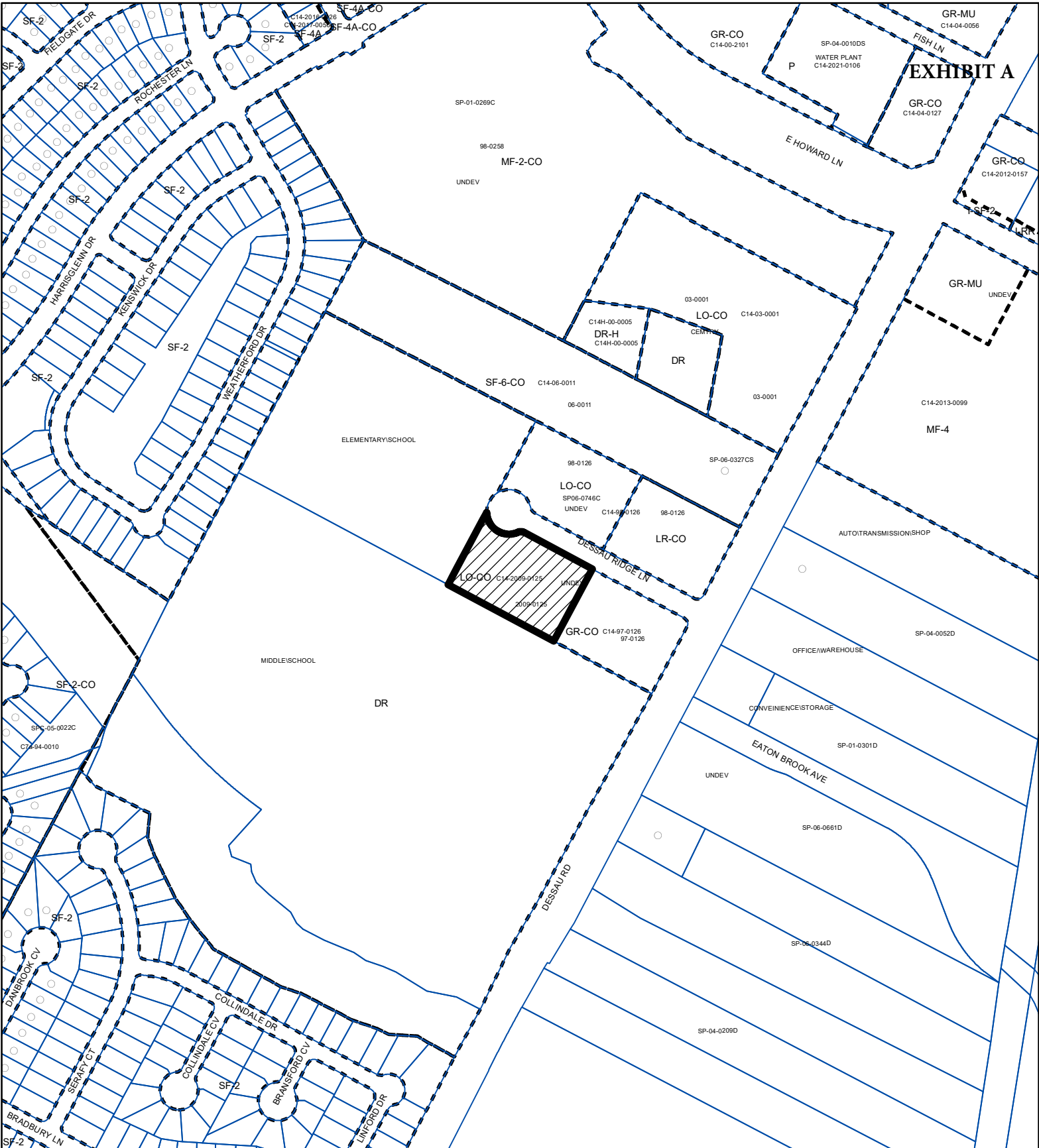
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. **Or**

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 Map
- C. Comments Received




EXHIBIT A



ZONING

ZONING CASE#: C14-2022-0170



-  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: 12/7/2022



Dessau Ridge Development



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

ZONING CASE#: C14-2022-0170
 LOCATION: 1509 Dessau Ridge Lane
 SUBJECT AREA: 2.15 Acres
 GRID: P33
 MANAGER: Sherri Sirwaitis



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Created: 12/13/2022

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code:
<https://bit.ly/ATXZoningComment>.



During its public hearing, the board or commission may postpone or continue an application's hearing to a later date or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2022-0170

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: February 7, 2023, Zoning and Platting Commission

Sidney Williams

Your Name (please print)

☐ I am in favor
☒ I object

1505 Dessau Ridge Ln #503 Austin, TX 78753

Your address(es) affected by this application (optional)

MS

1/31/23

Signature

Date

Daytime Telephone (Optional): (512) 597-7367

Comments: The proposed change in zoning does not benefit this community. The Developers are not seeking to further community values w/ quality sustainable housing but only maximizing profits by creating as many units as possible in the limited space. The developer intends to expand the number of family units w/o respect to the resources ie publicly, community services, or preservation of the rich history associated with this area.

If you use this form to comment, it may be returned to:
 City of Austin, Housing & Planning Department

Sherri Sirwaitis

P. O. Box 1088, Austin, TX 78767

Or email to:

sherri.sirwaitis@austintexas.gov