

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2022-0133 – 10701 Dessau Road.

DISTRICT: 1

ZONING FROM: SF-2

TO: MF-4

ADDRESS: 10701 Dessau Road

SITE AREA: 11.909 acres

PROPERTY OWNER: Kimberly M. Henze, Trustee of the Golden Ember Trust dated July 5, 2012

AGENT: David Hartman, Smith Robertson, LLP

CASE MANAGER: Jonathan Tomko (512) 974-1057; [jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends MF-4, Multifamily Residence – Moderate High-Density district zoning. *Please see the basis of recommendation section below.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

March 7, 2023 Postponed to 03/21/2023

To be reviewed by ZAP on 03/21/2023

CITY COUNCIL ACTION:

TBD

ORDINANCE NUMBERS:

N/A

ISSUES:

Signatures of adjacent property owners have been submitted in response to the above referenced rezoning case. The petition includes 22.56% of eligible signatures and meets the 20% threshold for a valid petition. Petition materials and comment response forms are located at the end of the Staff report.

The applicant, on behalf of the property owner, has requested annexation of the subject 11.9 acre tract. The tract has been in Austin's limited purpose jurisdiction since 1984 and is currently served by Travis County Emergency Services District 4. If the annexation is approved, the area would become part of Austin's full purpose jurisdiction.

CASE MANAGER COMMENTS:

The subject tract currently has a vacant single-family structure on 11.909 acres. The home is approximately 2,700 sqft and was built in the early 1970s. To the north is Woodcliff Baptist Church and several single-family homes built along Wandering Way in the late 1970s. To the south are

two additional single-family homes one built in the late 1970s and another in the 1990s. To the east are several single-family homes along Wandering Way built in the late 1970s. To the west is the Collinwood Neighborhood, predominantly single-family homes, and Legend Oaks Healthcare and Rehabilitation – North Austin.

There is no future land use map, or regulating plan. While there is no neighborhood plan for this parcel, the Heritage Hills/Windsor Hills Combined Neighborhood Plan Area is across Dessau Road to the west. That neighborhood plan was adopted in 2011. Dessau Road functions as a six-lane arterial roadway (level 4 ASMP) and has many more intensive uses along that part of the roadway. There is a Capital Metro bus stop within ½ mile of the site and the site is on an Imagine Austin Corridor.

The Applicant has requested the (MF-4) Multifamily Residence – Moderate High-Density district zoning in order to provide 330 proposed multifamily residential units.

There is a petition on this case, see exhibits D and E for more information.

#### **BASIS FOR RECOMMENDATION**

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

This section of Dessau Road services less intensive uses which are not suitable for parallel running I-35 to the west. Between East Rundberg Lane and East Braker Lane there are several examples of LI, CS, MF, GO and LO zoning. The adopted Heritage Hills/Windsor Hills Combined Neighborhood Plan Area immediately to the west of Dessau Road identifies parcels along Dessau for higher density single family and multifamily.

The parcel lies on an Imagine Austin Corridor between two Imagine Austin Job Centers, the BFI Center and Cameron/183 and one Imagine Austin Neighborhood Center at Lamar & Rundberg.

##### **2. The proposed zoning should be consistent with the goals and objectives of the City Council.**

Recently this corridor was identified as a medium compatibility corridor by Ordinance No. 20221201-056, which modifies compatibility and parking standards for certain corridors to increase housing capacity and support transit investments. The ordinance reduces the distance at which compatibility standards apply, and allows greater height, and thus, more housing along the corridors in exchange for affordable housing and reduces minimum parking requirements for residential or mixed use projects on listed corridors.

These corridors were specifically designated with the goal of helping generate more housing and supporting transit.

##### **3. Intensive multi-family zoning should be located on major arterials and highways.**

MF-4 Multifamily Residence – Moderate High Density is the designation for multifamily and group residential use with a maximum density of 36 to 54 units per acre, depending on unit size. An MF-4 district designation may be applied to high density housing in a centrally located area near supporting transportation and commercial facilities, a major institutional or employment center, or in an area for which moderate to high density multifamily use is desired.

Dessau Road is a major arterial, designated as a Level 4 under the ASMP and the corridor has supporting transportation and commercial facilities. There are major employment centers to the north, Tech Ridge/Samsung, to the west, Domain/North Burnet and south, Cameron Industrial, Walnut Creek and Tuscany Business Parks.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	An approximately 2,700sqft single family dwelling (circa 1970) on 11.909 acres
<i>North</i>	SF-1, SF-2 and SF-3	Woodcliff Baptist Church; Single Family Homes along Wandering Way built in the late 1970s
<i>South</i>	SF-2	Single family home built in late 1990s and 1970s
<i>East</i>	SF-1 and SF-2	Single Family Homes along Wandering Way built in the late 1970s
<i>West</i>	SF-2-NP and GO-NP	Collinwood Neighborhood and Legend Oaks Healthcare and Rehabilitation - North Austin

NEIGHBORHOOD PLAN AREA: Not in a Neighborhood Plan Area

TIA: A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-11

WATERSHED: Walnut Creek

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Manor ISD

Elementary: Pioneer Crossing ES

Middle: Decker MS

High: Manor HS

COMMUNITY REGISTRY LIST:

742 - Austin Independent School District

1774 - Austin Lost and Found Pets

511 - Austin Neighborhood Council

1530 - Friends of Austin Neighborhoods

1333 - Harris Branch Master Association, Inc.  
 1550 - Homeless Neighborhood Association  
 114 - North Growth Corridor Alliance  
 1228 - Sierra Club Austin Regional Group  
 1154 - TechRidge Neighbors

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2011-0049	The applicant is proposing to rezone property from TND to MF-1, SF-6, MF-3, GR & LI	Apvd 07/19/2011 MF-1-CO, SF-6-CO, MF-3-CO, GR-CO and LI-CO district zoning with the altered conditions of:- 150' buffer (Item #4);- Adding back Special Historic use on Tracts 1-5; by Commissioner Gregory Bourgeois' motion, Commissioner Betty Baker seconded the motion on a vote of 4-2; Commissioners Gabriel Rojas and Sandra Baldrige voted against the motion (nay), Commissioner Patricia Seeger was absent.	Apvd ord # 20111215-075 (3rd rdg) for (MF-1-CO) for Tract 1, (SF-6-CO) for Tract 2, (MF-3-CO) for Tract 3, (GR-CO) for Tract 4 and (LI-CO) for Tracts 5A and 5B with conditions on CM Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote
C14-2022-0040	The Applicant is proposing to rezone approximately 3.488 acres from MF-3-CO to CS.	Recommended GR-MU-CO	TBD
C814-96-003.19	The Applicant is proposing an administrative PUD amendment to the Pioneer Crossing PUD to modify the acreage for Parcel E15 to add former ROW area and to	N/A	N/A

	change the district designation from GR-MU/SF-		
NPA2022-0028.01	The Applicant is proposing to amend an approved neighborhood plan from Commercial to Mixed Use land use.	TBD	TBD
NPA-2022-0028.02	The Applicant is proposing to amend previously approved Neighborhood Plan.	TBD	TBD

**RELATED CASES:**

None

**EXISTING STREET CHARACTERISTICS:**

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Dessau Rd	Corridor Mobility - Level 4	154'	121'	88'	Existing 5 feet sidewalks	Buffered bike lane	No

**ADDITIONAL STAFF COMMENTS:****Site Plan Review****General**

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 25-2-563.

FYI: Because this site is located in the limited purpose jurisdiction of the City of Austin, a site

plan may also be required through Travis County.

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 Standards**

The site is subject to compatibility standards due to the adjacent SF-2 and SF-1 zoning districts surrounding the site. The following standards apply:

- No structure may be built within 25 feet of the property line of adjacent compatibility triggering property.
- No parking or driveways are allowed within 25 feet of the property line of adjacent compatibility-triggering property.
- No structure in excess of two stories and 30 feet in height may be constructed within 50 feet of the property line of the compatibility-triggering property.
- No structure in excess of three stories and 40 feet in height may be constructed within 100 feet of the property line of the compatibility-triggering property.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, the height is limited to 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, the height is limited to 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-1 or SF-2 property.
- Additional design regulations will be enforced at the time a site plan is submitted.

### **Demolition**

In the event that demolition of existing buildings is proposed, the applicant is responsible for requesting demolition permits at the appropriate stage of the development process. The City Historic Preservation Office will review all proposed building demolitions. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

### **Environmental Review**

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

2. 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%

3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.
7. 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.

#### Parks and Recreation

Parkland dedication will be required for the new applicable uses proposed by this development, multifamily with MF-4 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](mailto: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.

#### Austin Water Utility Review

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](mailto: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.

#### Austin Transportation 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. The traffic impact analysis for this site is not required, the traffic generated by the proposal does not exceed the thresholds established in the City of Austin Land Development Code. [LDC 25-6-113].

The Austin Strategic Mobility Plan (ASMP) calls for 154 feet of right-of-way for DESSAU RD. It is recommended that 77 feet of right-of-way from the existing centerline should be dedicated for DESSAU RD according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

#### Comprehensive Planning Review

**Project Name and Proposed Use:** 10701 DESSAU RD. C14-2022-0133. 11.909 acres from SF-2 to MF-4. Demolish one house and construct 330 Multifamily Units.

Yes	Imagine Austin Decision Guidelines
	<b>Complete Community Measures</b>
Y	<b>Imagine Austin Growth Concept Map:</b> 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. <b>Name(s) of Activity Center/Activity Corridor/Job Center:</b> <b>Along Dessau Road Activity Corridor</b>
	<b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station.
Y	<b>Mobility and Bike/Ped Access:</b> Adjoins a public sidewalk, shared path, and/or bike lane.
	<b>Connectivity, Good and Services, Employment:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.
	<b>Connectivity and Food Access:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.
	<b>Connectivity and Education:</b> Located within 0.50 miles from a public school or university.
	<b>Connectivity and Healthy Living:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail.
Y	<b>Connectivity and Health:</b> 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.)
	<b>Housing Affordability:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Y	<b>Housing Choice:</b> 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.
	<b>Mixed use:</b> Provides a mix of residential and non-industrial uses.
	<b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
	<b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	<b>Workforce Development, the Economy and Education:</b> 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.
	<b>Industrial Land:</b> Preserves or enhances industrial land.
4	<b>Total Number of "Yes's"</b>

INDEX OF EXHIBITS AND CORRESPONDENCE TO FOLLOW



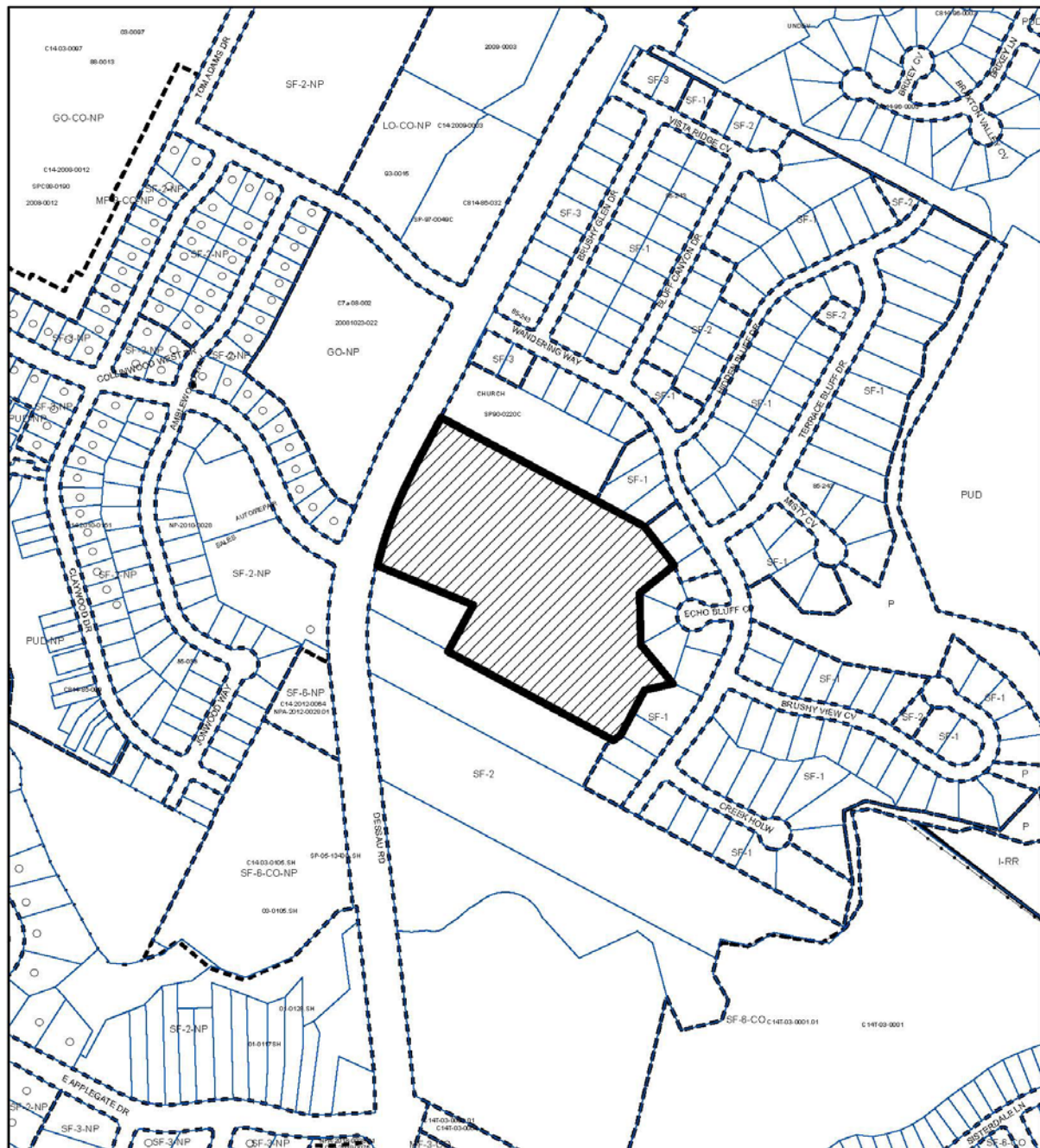
Exhibit A: Zoning Map

Exhibit B: Aerial Map




Exhibit C: Recorded Plat

Exhibit D: Petition Map

Exhibit E: Petition Spreadsheet



1" = 400'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

### ZONING

ZONING CASE#: C14-2022-0133

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: 9/22/2022

Exhibit A: Zoning Map





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

### 10701 Dessau Road

ZONING CASE#: C14-2022-0133  
 LOCATION: 10701 Dessau Road  
 SUBJECT AREA: 11.909 Acres  
 GRID: M30, M31, N30, N31  
 MANAGER: Sophia Benner



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 completeness.

Created: 2/21/2023

Exhibit B: Aerial Map



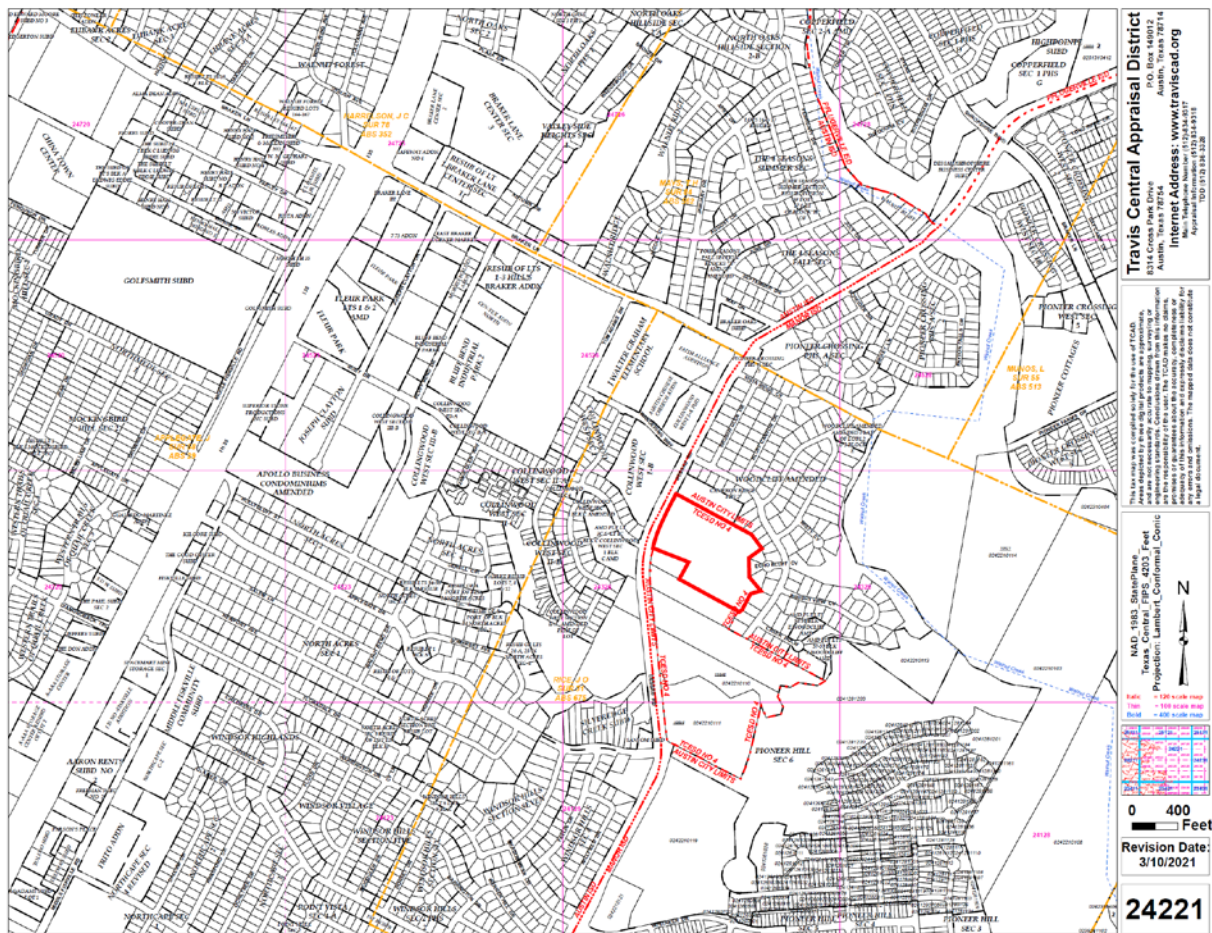


Exhibit C: Recorded Plat

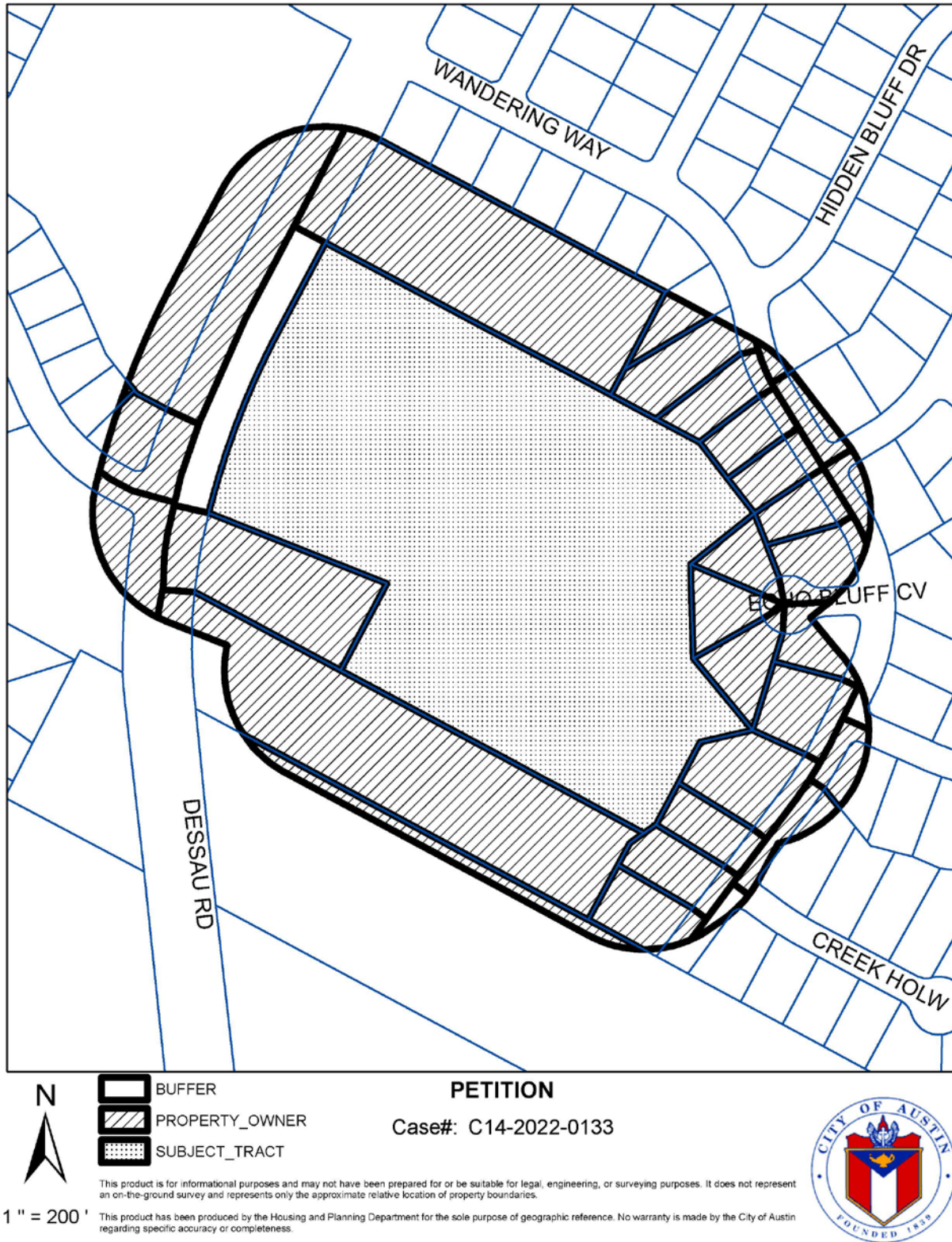


Exhibit D: Petition Map



Case Number: **C14-2022-0133** **PETITION** Date: 3/15/2023  
 Total Square Footage of Buffer: 755892.8462  
 Percentage of Square Footage Owned by Petitioners Within Buffer: 22.56%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0243260537	11004 WANDERING WAY AUSTIN	ANTLE ROY DOYLE & BILLY E POWELL	yes	11903.55	1.57%
0243260541	1501 ECHO BLUFF CV 78754	BRANDENBERGER TAMARA A & LINDA WEBB	no	15198.64	0.00%
0243260523	10800 WANDERING WAY AUSTIN 78754	CORRY MARK & VIDETTE	no	16660.20	0.00%
0243260539	1502 ECHO BLUFF CV 78754	CROTEAU LAURA J LIVING TRUST	no	11325.91	0.00%
0243260547	10802 WANDERING WAY AUSTIN 78754	DRENGENBERG LEE R	yes	16578.05	2.19%
0243260546	10804 WANDERING WAY AUSTIN	GRABNER MATTHEW	no	16348.67	0.00%
0243260533	11102 WANDERING WAY AUSTIN	HOLT SAM JR	yes	20069.10	2.66%
0243260306	11100 TERRACE BLUFF DR AUSTIN 78754	KLOTZ HARVEY G & JANET L	yes	8343.24	1.10%
0243260307	11101 HIDDEN BLUFF DR AUSTIN 78754	KOZLOWSKI KAREN & FELIPE M PARAGES	yes	1862.11	0.25%
0243260536	11006 WANDERING WAY AUSTIN 78754	KUPLICKI MICHAEL & BARBARA	yes	11511.77	1.52%
0243260544	10808 WANDERING WAY AUSTIN 78754	MANNO PHILIP	no	26169.49	0.00%
0243260524	10601 DESSAU RD AUSTIN 78754	MCCAULEY ROBERT MICHAEL	no	140088.49	0.00%
0243260525	DESSAU RD 78754	MERTZ NANCY	no	55003.09	0.00%
0243260514	1500 CREEK HOLW 78754	MEYERS DAVID & LUCIE	yes	9112.66	1.21%
0243260542	11000 WANDERING WAY	RAMIREZ MARY A	no	10310.47	0.00%
0243260545	10806 WANDERING WAY 78754	RESTREPO JONATHAN JAY & ERIN WHITNEY MCCABE	yes	13969.56	1.85%
0243260701	1306 COLLINWOOD WEST DR AUSTIN 78753	REYES-GOMEZ BLANCA E	no	20552.92	0.00%
0243260534	11100 WANDERING WAY AUSTIN 78754	RUSSELL THOMAS A	yes	14303.78	1.89%
0243260538	11002 WANDERING WAY 78754	RUVALCABA SALVADOR RODRIGUEZ	yes	16800.67	2.22%
0243260532	11104 WANDERING WAY AUSTIN 78754	SILVA KATHLEEN	no	6796.19	0.00%
0243260515	1501 BRUSHY VIEW CV AUSTIN 78754	SILVERMAN MICHAEL RAYMOND	yes	8419.81	1.11%
0243260842	1311 COLLINWOOD WEST DR 78753	SRI SRI RADHA DAMODAR TEMPLE INC	no	22090.00	0.00%
0243260408	11005 WANDERING WAY AUSTIN	TANG HOANG MINH	yes	6078.29	0.80%
0243260540	1500 ECHO BLUFF CV AUSTIN 78754	TAYLOR JIMMIE L & BARBARA E	no	13111.20	0.00%
0243260712	11020 DESSAU RD 78753	TEXAS NHI INVESTORS LLC	no	72566.46	0.00%
0243260702	1304 COLLINWOOD WEST DR AUSTIN 78753	UGOALA JACQUELYN ANN	no	326.17	0.00%
0243260535	11008 WANDERING WAY AUSTIN 78754	VENHAUS DUSTIN GERALD	yes	12490.54	1.65%
0243260543	10902 WANDERING WAY AUSTIN 78754	WESTVELD KURT P & SUSAN E	yes	19084.61	2.52%
0243260527	11015 DESSAU RD AUSTIN 78754	WOODCLIFF BAPTIST CHURCH	no	123389.64	0.00%
<b>Total</b>				<b>720465.27</b>	<b>22.56%</b>

## Exhibit E: Petition Spreadsheet