

## SECOND AND THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2022-0049 – 500 VFW Road

DISTRICT: 1

REQUEST: C14-2022-0049 – 500 VFW Road - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 500 VFW Road (Walnut Creek Watershed). Applicant Request: To rezone from general office-conditional overlay (GO-CO) combining district zoning to general office-mixed use (GO-MU) combining district zoning. First Reading approved general office-mixed use (GO-MU) combining district zoning on October 27, 2022. Vote: 11-0. Owner/Applicant: Capital City VFW Post #8787, VFW Post #8787. Agent: Drenner Group PC (Amanda Swor) City Staff: Heather Chaffin, 512-974-2122.

DEPARTMENT COMMENTS: No comments at this time.

OWNER/APPLICANT: Capital City VFW Post #8787, VFW Post #8787

AGENT: Drenner Group PC (Amanda Swor)

DATE OF FIRST READING: First reading approved on October 27, 2022.

CITY COUNCIL HEARING DATES/ACTION:

January 26, 2023:

December 1, 2022: To grant postponement to January 26, 2023 as requested by Applicant, on consent.

October 27, 2022: To grant GO-MU zoning on first reading only, on consent.

ORDINANCE NUMBER:

ASSIGNED STAFF: Heather Chaffin

e-mail: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

## ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0049  
500 VFW Road

DISTRICT: 1

ZONING FROM: GO-CO

TO: GO-MU

ADDRESS: 500 VFW Road

SITE AREA: 9.547 acres

PROPERTY OWNER:  
Capital City VFW Post #8787, VFW Post #8787

AGENT: Drenner  
Group PC  
(Amanda Swor)

CASE MANAGER: Heather Chaffin (512-974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov))

STAFF RECOMMENDATION:

**Staff supports the Applicant's request for rezoning to GO-MU.**

*For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION: October 18, 2022: To grant GO-MU zoning, on consent.

CITY COUNCIL ACTION:

November 15, 2022

October 27, 2022: To grant GO-MU zoning on first reading only, on consent.

ORDINANCE NUMBER:

ISSUES:

No issues at this time.

CASE MANAGER COMMENTS:

The subject property is located east of IH 35 on the north side of VFW Drive. The GO-CO property is currently developed with club or lodge and outdoor recreation land uses. The existing conditional overlay limits the site to 2,000 vehicular trips per day (vpd). North of the subject property are two multifamily developments that are zoned MF-3-CO. East of the property is land zoned SF-6-CO, LO and MF-3 that include single family residential, religious assembly and undeveloped uses. Across VFW Road to the south is an undeveloped tract that is currently under review to be rezoned from GR-CO to MF-4. Across IH 35 to the west are commercial properties zoned LI, including headquarter offices of the Texas Council on Environmental Quality (TCEQ). *Please see Exhibits A and B- Zoning Map and Aerial Exhibit.*

Staff supports the requested GO-MU rezoning. The property has access to IH 35 via VFW Road and is in an area that includes multifamily, single family and undeveloped properties. The addition of multifamily units at this location will increase housing opportunities and be consistent with nearby residential properties.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the goals and objectives of the City Council.*
2. *Zoning should be consistent with approved and existing residential densities.*
3. *Granting of the request should result in an equal treatment of similarly situated properties.*

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	GO-CO	Club/lodge, Outdoor recreation
North	MF-3-CO	Multifamily residential
South	GR-CO	Undeveloped
East	SF-6-CO, LO, MF-3	Single family residential, Religious assembly, Undeveloped
West	LI	Administrative/business office

TIA: Deferred to time of site plan, if triggered.

WATERSHED: Walnut Creek (suburban)

NEIGHBORHOOD ORGANIZATIONS:

Friends of Copperfield Nature Trails  
Yager Community  
Homeless Neighborhood Association  
North Growth Corridor Alliance  
Friends of Austin Neighborhoods  
Neighborhood Empowerment Foundation

TechRidge Neighbors  
Sierra Club  
Pflugerville ISD  
Bike Austin  
Austin Neighborhoods Council  
Austin Lost and Found Pets

SELTexas

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2020-0143 12121 N. IH 35	GR-CO to MF-4	To grant MF-4 as recommended	11/15/2022:

EXISTING STREET CHARACTERISTICS:ADDITIONAL STAFF COMMENTS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
VFW Road	Level 1	50'	60'	16'	None	None	No

Comprehensive Planning

Yes	Imagine Austin Decision Guidelines
	<b>Compact and Connected Measures</b>
	<b>Imagine Austin Growth Concept Map:</b> Located close to, within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified on the Growth Concept Map. <b>Name(s) of Activity Center/Activity Corridor/Job Center:</b>
	<b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station.
	<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> Is 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 recreational area, park and/or walking trail.
	<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, 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 house.
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 mixed use development (minimum 10% residential and 10% non-residential floor area).
	<b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
1	<b>Total Number of "Yes's"</b>

Environmental

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.
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 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.
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.

#### Parkland

PR1: Parkland dedication will be required for the new applicable uses proposed by this development, multifamily with GO-MU 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. Currently, the site is park deficient, and lacks sufficient access to nearby parkland, namely Northern Walnut Creek Greenbelt. PARD would consider improved connectivity solutions for park access toward the satisfaction of the parkland dedication requirement. Should any 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.

#### Site Plan

SP 1. Site plans will be required for any new development other than single-family, two-family or duplex residential.

SP 2. 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. The site is subject to compatibility standards due to the adjacent SF-2 district to the west.

SP 3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP 4. This tract is already developed and the proposed zoning change is a footprint within the existing development. 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.

#### Transportation

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.

#### Water Utility

AW1. 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 adequate service to this site. 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.

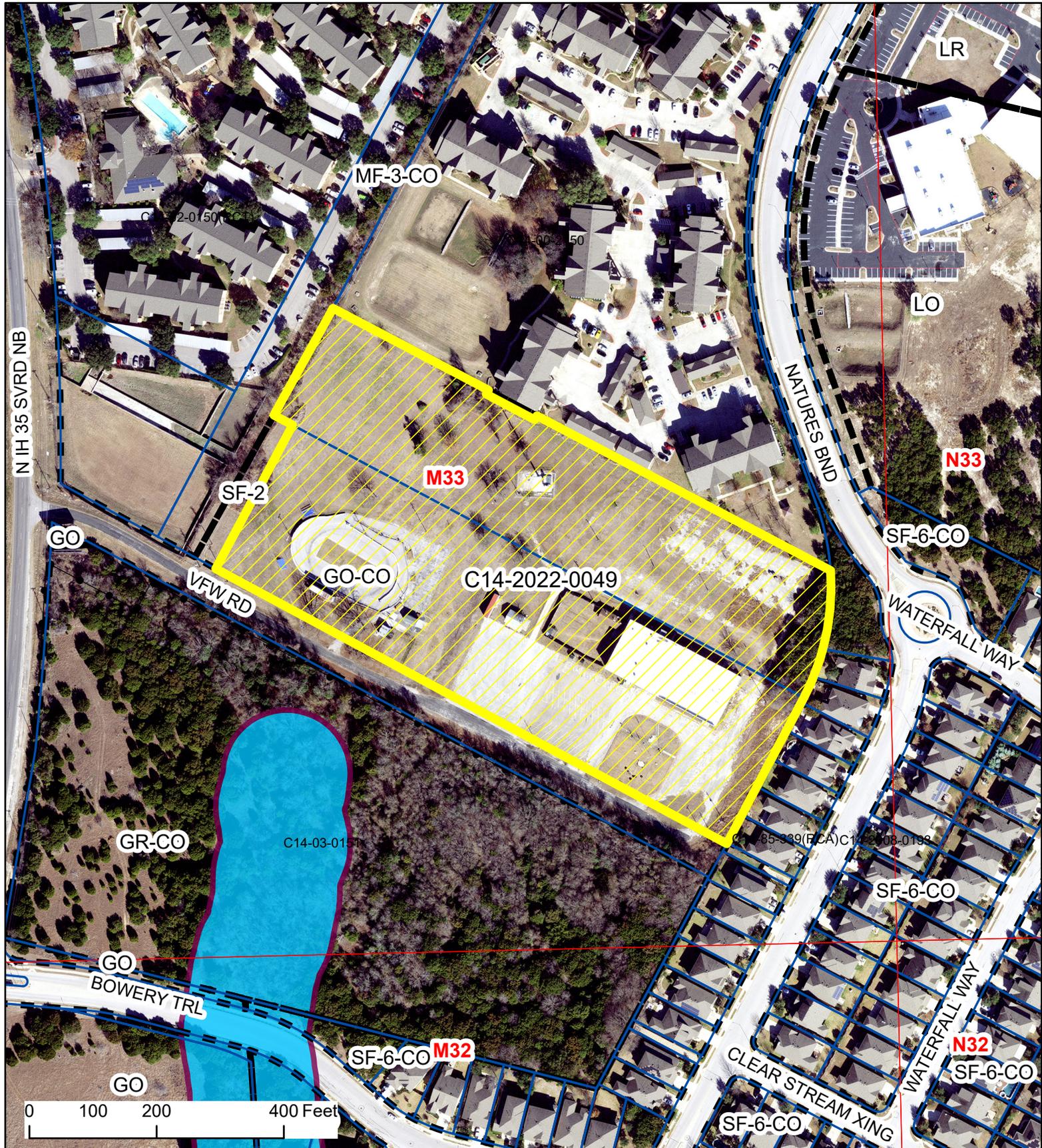
AW2. 30 TAC §285, §15-5, §15-9: City records indicate the site is served by an On-Site Sewage Facility (OSSF). The owner must connect the site to city wastewater service through the cutover process. For more information pertaining to the wastewater cutover process, contact the AW OSSF team at [OSSF@austintexas.gov](mailto:OSSF@austintexas.gov) or call (512)-972-0050. The cutover process may also initiate a required review by the Industrial Waste Division depending on building usage.

#### EXHIBITS:

A – Zoning Map

B – Aerial Map





**500 VFW Road**



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

ZONING CASE#: C14-2022-0049  
 LOCATION: 500 VFW Road  
 SUBJECT AREA: 9.55 Acres  
 GRID: M33  
 MANAGER: Heather Chaffin



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**Created: 10/5/2022**