

## **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 March 21, 2023

March 21, 2023: Acosta, Flores Staff Rec. V: 7-2. Kiolbassa, Greenberg nay.

### CITY COUNCIL ACTION:

April 20, 2023: Set a public hearing to consider an ordinance of full-purpose annexation

May 18, 2023: Postponed to June 1, 2023

June 1, 2023:

### 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.

### 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 change the district designation from GR-MU/SF-	N/A	N/A

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

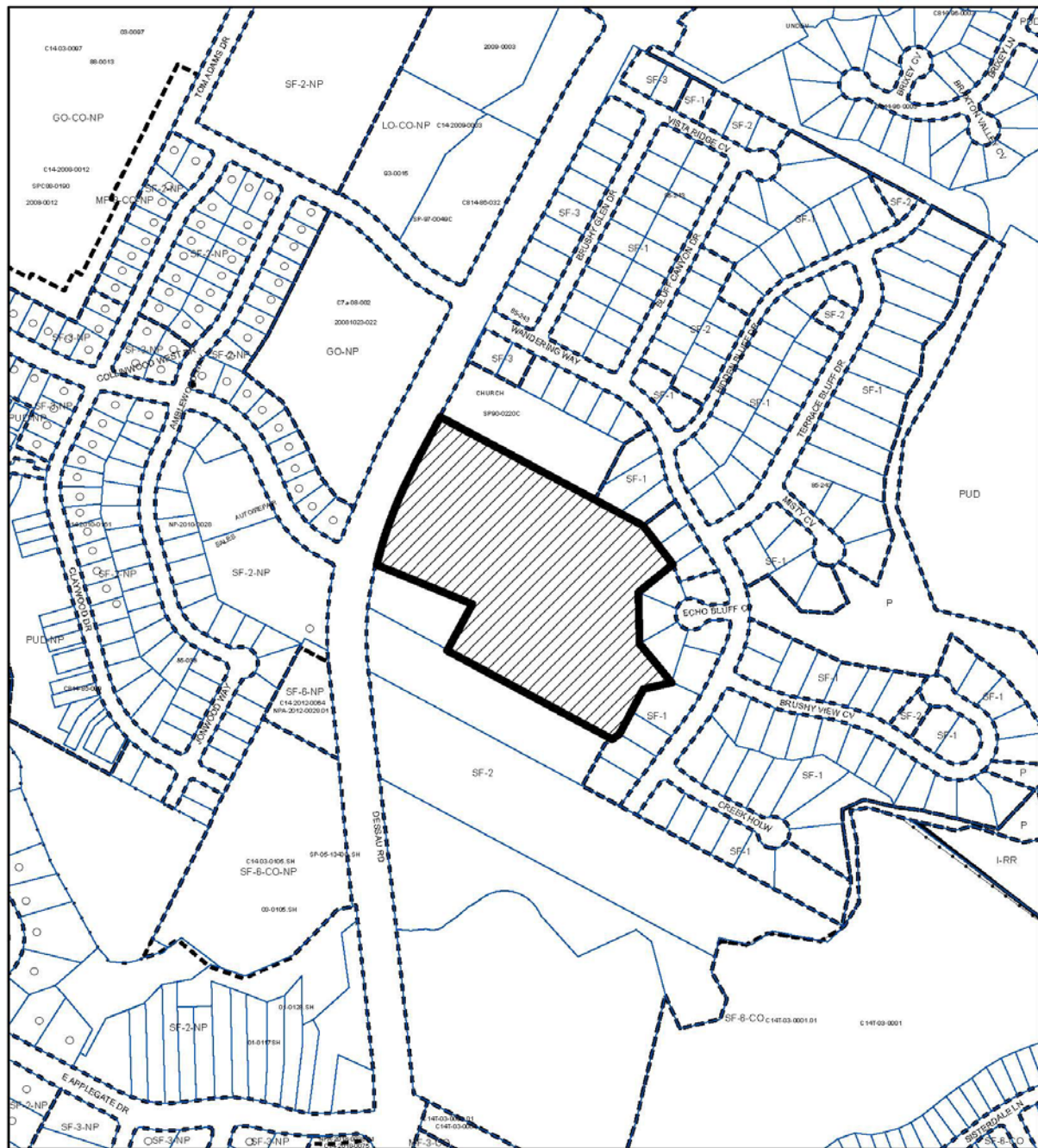
**Project Name and Proposed Use:** 10701 DESSAU RD. C14-2022-0133. 11.909 acres from SF-2 to MF-4. Demolish one house and construct 330 Multifamily Units.

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  
 Correspondence





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



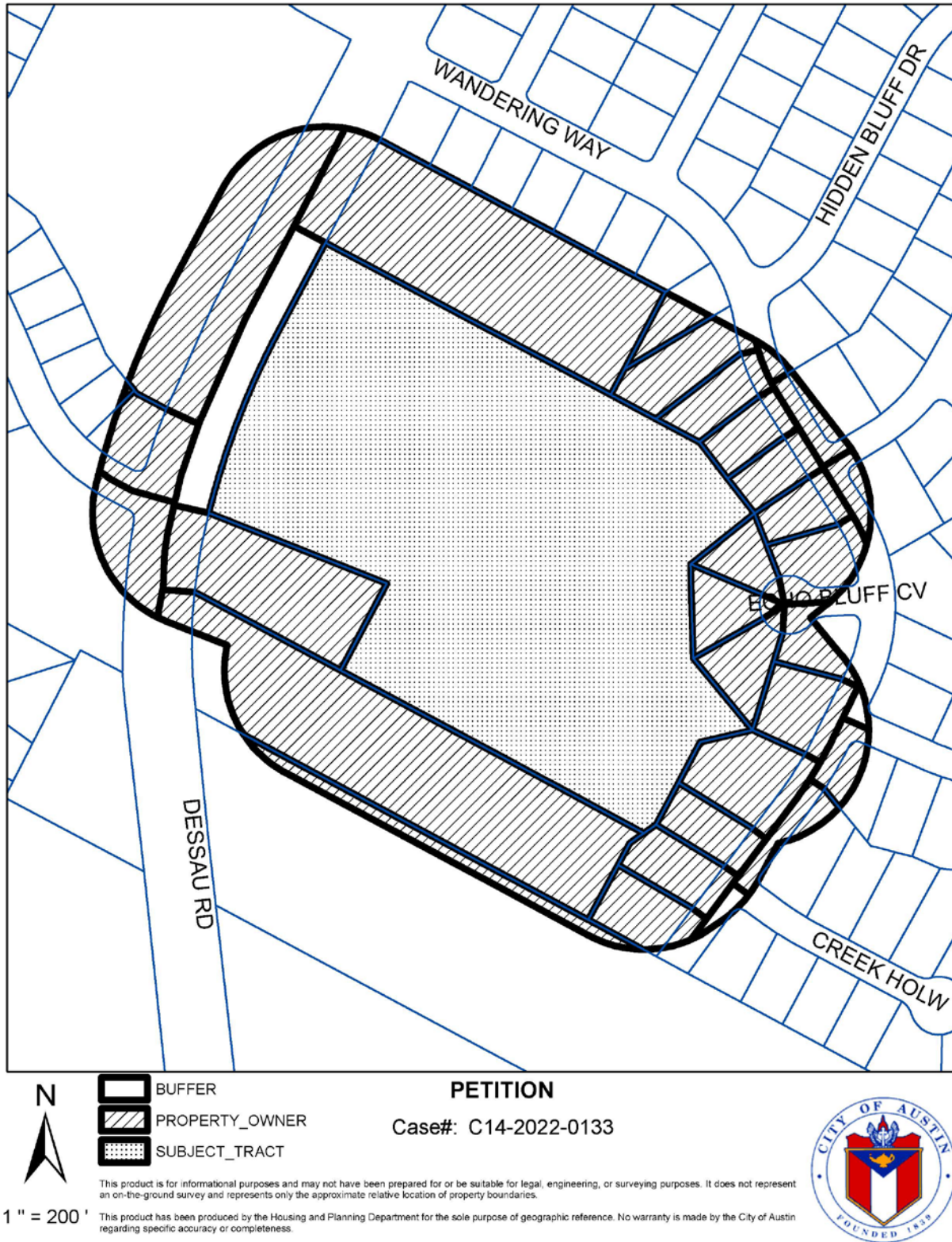


Exhibit D: Petition Map

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

C14-2022-0133 – case postponed to 3/21 ZAP agenda

Hello, My name is Mary Jane Blommel, 11105 Terrace Bluff, within the Woodcliff neighborhood. I am writing to object to Case Number: C14-2022-0133:Proposed Zone change from SF-2 to MF-4.

I object because:

1. There is already a tremendous buildup of traffic on Dessau because Austin has been growing at an exponential rate. Several 'High Crash Area' traffic signs have been placed along Dessau so adding more traffic to the road is detrimental. Signs on the road (1.7 miles away) proclaim it as a 'HIGH CRASH' road.
2. We are also in a sensitive greenbelt area, and adding more traffic and parking spaces are very detrimental to greenbelt areas.
3. The proposed site is at the top of a hill. It is going to be difficult for people entering and exiting the apartments to see traffic coming. This will contribute to automobile crashes and human injuries.

Thank you,

Mary Jane Blommel

[mjblommel@gmail.com](mailto:mjblommel@gmail.com)

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Attached please find our comments related to Case # C14-2022-0133 for property located at 10701 Dessau Rd. Your consideration of our concerns related to this development would be appreciated.

My wife and I live at the property directly south at 10601 Dessau Rd and this proposed zoning and construction project would have a profound impact on our property, our lives and our privacy.

I am 78 years-old, a veteran and I am handicapped. I will not be able to attend the meeting on March 7. We attempted to call your office to find out how to attend the meeting online, but there was no answer and the recording did not allow us to leave a message. Please provide a link for us to join the meeting from our home.

You may call us at 512-568-6645 if you have any questions.

Thank you

R. Michael McCauley

[mccauleyemails@gmail.com](mailto:mccauleyemails@gmail.com)

[Attachment]

## 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](http://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: C14-2022-0133

Contact: Heather Chaffin, 512-974-2122

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

Robert Michael McCauley  
Your Name (please print)

☐ I am in favor  
☒ I object

10601 Dessau Rd, Austin, TX 78754  
Your address(es) affected by this application (optional)

R. Michael McCauley 3/6/23  
Signature Date

Daytime Telephone (Optional): 512-568-6645

Comments: I strongly object to the rezoning of this property. Among other reasons, the intersection at Dessau, Braker already exceeds the traffic flow it can reasonably handle. Dessau is a high crash roadway and already has many accidents north of south of this location. It is also on the edge of a major watershed and definitely requires an EPA study. Our property is lower than this property, runoff would be a serious issue. Also congestion noise pollution existing housing in the area around the property. Single family residential. If you use this form to comment, it may be returned to: Family Residential, City of Austin, Housing & Planning Department. Additionally, another home planned near Braker, Dessau. If the objective is to degrade N. Huston, this project will do it.

Heather Chaffin

P. O. Box 1088, Austin, TX 78767

Or email to:

Heather.chaffin@austintexas.gov

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Hi, I **object** to rezoning that allows apartments to be built next to my woodcliff neighborhood.

Case # : C14-2022-0133

Hearing : 3/7/2023

Thanks

Salvador Rodriguez

11002 Wandering Way, Austin, TX 78754

5126536833

[salvadorrod13@gmail.com](mailto:salvadorrod13@gmail.com)

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Ms. Chaffin,

I live in Woodcliff (1504 Misty Cove, 78754), and am sending this email to formally state that we object to rezoning that allows apartments to be built next to our neighborhood.

C#: C14-2022-0133

Take care,

(Homeowners) Danielle Zigon & Carter Linville

[daniellezigon@gmail.com](mailto:daniellezigon@gmail.com)

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I object to rezoning that allows apartments to be built next to Woodcliff Neighborhood.

(Case # C14-2022-0133)

thanks,

David Meyers

[meyers3d@gmail.com](mailto:meyers3d@gmail.com)

[Attachment]

## PUBLIC HEARING INFORMATION

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**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](http://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: C14-2022-0133**  
**Contact: Heather Chaffin, 512-974-2122**  
**Public Hearing: March 7, 2023, Zoning and Platting Commission**

*David Meyers*

Your Name (please print)

1500 Creek Hollow, Austin TX, 78754

☐ I am in favor  
☒ I object

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

3-6-23

Signature

Date

Daytime Telephone (Optional):

Comments:

If you use this form to comment, it may be returned to:  
**Heather Chaffin**  
 City of Austin, Housing & Planning Department  
 P. O. Box 1088, Austin, TX 78767  
 Or email to:  
**Heather.chaffin@austintexas.gov**

C14-2022-0133

Public Hearing : March 7 , 2023

Zoning an Platting Commission

Heather Chaffin

I object to the change in zoning because of the traffic , and concern of how the residents will be able to access the property. I have seen to many near misses for accidents up and down Dessau Rd. from Runberg to Parmer. They do not put in enough left turn lanes or stop lights to allow for safe and easy exit and entrance to these properties. There is also an excessive amount of speeding on this road and plenty of blind spots. The City also does a very poor job of maintaining the sidewalks and overgrown brush along this road which makes it very dangerous for people who walk.

Thank You

Michael Strano

1503 Creek Hollow

Austin Texas 78754

[mstrano@sbcglobal.net](mailto:mstrano@sbcglobal.net)

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Hello Heather,

I have sign this once before, but am unclear if it was ever received. So I signed another to email you directly.

# **PUBLIC HEARING INFORMATION**

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Case Number: C14-2022-0133  
 Contact: Heather Chaffin, 512-974-2122  
 Public Hearing: March 7, 2023, Zoning and Planning Commission

Aaron Dahl  
 Your Name (please print)

☐ I am in favor  
☒ I object

1505 Greets Hollow Austin  
 Your address(es) affected by this application (optional)

*[Signature]*  
 Signature Date 6 Mar '23

Daytime Telephone (Optional): 512 934 2186

Comments:

If you use this form to comment, it may be returned to:

Heather Chaffin  
 City of Austin, Housing & Planning Department  
 P. O. Box 1088, Austin, TX 78767  
 Or email to: [Heather.chaffin@austintexas.gov](mailto:Heather.chaffin@austintexas.gov)

Thank you  
 Aaron Dahl

[aaronsdahl@gmail.com](mailto:aaronsdahl@gmail.com)

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Hello Heather Chaffin,

I am writing you in response to rezoning case # C14-2022-0133. I live in the neighborhood just north of this site off of Wondering Way. I drive Dessau rd daily. The proposed rezoning lot is in a particularly bad spot on Dessau rd. Traveling northbound on Dessau rd, traffic flows at a very high rate of speed as speed limit is 50 but many drivers go over that. The lot sits at the top of a hill over a creek crossing at this stretch of Dessau. This forms a natural blind spot for drivers going northbound as they go up the hill & around a curve in the road.

With drivers going at high rates of speed, going uphill & around a blind spot curve there will be traffic accidents at this site. Very bad traffic accidents if this lot is rezoned for multi-dwellings. Drivers pulling out of that lot will not be able to see all northbound traffic and may only have dozens of meters of visibility to Dessau rd instead of the hundreds of meters of visibility needed for safe travel.

Please DO NOT rezone this lot. If you do and there is a fatal accident, that death will be on the rezoning commission hands. And that death could be my own as like I said I travel that stretch of Dessau daily and it is dangerous enough as is. This is not a suitable site for such a development and will cause more harm than good.

There are plenty of other locations that have better visibility and are better suited for mutli-dwelling buildings here in Austin. This particular lot is among the worst spots on Dessau rd. and should NOT be rezoned. I do insist that you take these comments into consideration when making your decision as the lives you save may very well be my own.

Thank you for your time,

Paul Clontz

Concerned Homeowner

[pclontz@yahoo.com](mailto:pclontz@yahoo.com)

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I OBJECT

Case #: C14-2022-0133

Contact: Heather Chaffin, 512-974-2122

Public Hearing: March 7, 202

Roxanne Davis

1507 Misty Cove

Austin, TX 78754

I OBJECT to REZONING that allows apartments to be built next to Woodcliff neighborhood.

[roxannemdavis@aol.com](mailto:roxannemdavis@aol.com)

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Case Number: C14-2022-0133

Contact: Heather Chaffin, 512-974-2122

Public Hearing: March 7, 2023

I object to the zoning change for the very large apartment complex that is being proposed in our quiet single family home neighborhood.

Keri Knobloch

1505 Misty Cove

Austin, TX 78754

Thank you

[kerimonster@gmail.com](mailto:kerimonster@gmail.com)

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Case Number: C14-2022-0133

Contact: Heather Chaffin, 512-974-2122

Public Hearing: March 7, 2023

I object to the zoning change for the very large apartment complex that is being proposed in our quiet single family home neighborhood.

Bobby Franzetti

1505 Misty Cove

[wirebobby@gmail.com](mailto:wirebobby@gmail.com)

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## Tomko, Jonathan

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**From:** Kate Horton <bellhousegarden@gmail.com>  
**Sent:** Wednesday, March 15, 2023 10:08 AM  
**To:** Tomko, Jonathan  
**Subject:** Re: Opposition to Rezoning 10701 Dessau + Follow Up Questions

\*\*\* External Email - Exercise Caution \*\*\*

Thank you so much for following up (and so quickly too!)

Would gladly check out the staff report whenever you can share. We're wrapping up written response for Tuesday and will also send along. If you have time, can make time this week or Monday to chat.

Thanks, Kate Horton  
210-355-7981

Sent from my iPhone

On Mar 15, 2023, at 9:29 AM, Tomko, Jonathan <Jonathan.Tomko@austintexas.gov> wrote:

Sorry Kate some new information. Since they are going for MF-4 the limit is 60' so to rephrase:

An SF-3 zoned house would trigger compatibility and from there compatibility would start at 25' from the SF-3 property line and increase up 1 foot of height for every 10 feet of setback, allowing 60' in height at a distance of 300', unless they provide affordable housing then it can be 60' of height at a distance of 150' from the triggering property.

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**From:** Tomko, Jonathan <Jonathan.Tomko@austintexas.gov>  
**Sent:** Wednesday, March 15, 2023 9:12 AM  
**To:** Kate Horton <bellhousegarden@gmail.com>  
**Subject:** Re: Opposition to Rezoning 10701 Dessau + Follow Up Questions

Kate,

Thank you for your patience and putting this in an email. That's very helpful.

I found what you were looking for!

An SF-3 zoned house would trigger compatibility and from there compatibility would start at 25' from the SF-3 property line and increase up 1 foot of height for every 10 feet of setback, allowing 65' in height at a distance of 300', unless they provide affordable housing then it can be 65' of height at a distance of 150' from the triggering property.

I do see that there is valid petition on this case and should be wrapping up the staff report by the end of the day today. If you would like to review it, I am happy to send it to you before I submit it.

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**From:** Kate Horton <bellhousegarden@gmail.com>  
**Sent:** Tuesday, March 14, 2023 2:39 PM  
**To:** Tomko, Jonathan <Jonathan.Tomko@austintexas.gov>  
**Subject:** Opposition to Rezoning 10701 Dessau + Follow Up Questions

[You don't often get email from bellhousegarden@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

\*\*\* External Email - Exercise Caution \*\*\*

Jonathan — thanks for taking my call today. With the upcoming hearing on Tuesday, I wanted to confirm some details about the rezoning request.

With the request to rezone from SF-2 to MF-4, how tall can the apartments be? What is the setback required since their are single family homes on both sides of the property?

Also, would love to chat with you about the neighborhood's concerns and make sure that you have the petition that the neighbors submitted in December. You can always reach me at 210-355-7981.

Thanks, Kate Horton  
210-355-7981

Sent from my iPhone

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