

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0073 (Dessau Gardens)

DISTRICT: 7

ADDRESS: 13208 & 13300 1/2 Dessau Road

ZONING FROM: Tract 1: SF-6-CO
Tract 2: LO-CO

TO: MF-4

SITE AREA: Tract 1: 8.67 acres
Tract 2: 5.95 acres
14.61 acres

PROPERTY OWNER: Estate of Glenn Schmidt (Patricia Dryden, Executor),
Cornerstone Baptist Church (Michael Rhodes)

AGENT: Alice Glasco Consulting (Alice Glasco)

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

STAFF RECOMMENDATION:

Staff recommends MF-4, Multifamily Residence-Moderate-High Density, district zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

August 1, 2023: Approved staff's recommendation of MF-4 zoning by consent (7-0, C. Thompson, R. Johnson and K. Garrett-absent); A. Flores-1st, B. Greenberg-2nd.

CITY COUNCIL ACTION:

September 14, 2023

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is 14+ acres of land fronting Dessau Road that consists of an undeveloped tract that is zoned LO-CO and a lot with a telecommunication tower and a vacant single-family residence that is zoned SF-6-CO. To the north and west there is an undeveloped area and a multifamily use (The Bridge at Harris Ridge Apartments) zoned MF-2-CO and a religious assembly use (Cornerstone Baptist Church, Dessau Lutheran Cemetery) that is zoned DR-H and DR. the lots to the south are zoned DR, LO-CO and LR-CO respectively and are developed with a primary school (Delco Elementary School) and an office use (Dessau Ridge Office Condominiums). Across Dessau Road to the east, there is another apartment complex (Bridge at Davenport Place Apartments) zoned MF-4 and automotive uses (Certified Auto Body, Garcia's Tire Shop) that are located in the county.

The staff is recommending the applicant's request for Multifamily Residence-Moderate-High Density district zoning because the site under consideration meets the intent of the MF-4 district. The property is located on a Level 4/major arterial roadway directly adjacent to existing multifamily uses/zoning to the north and east. There are support services in this area as the lots to the south are developed with office uses and educational facilities. This property fronts onto an activity corridor, where there are numerous commercial uses. It is located within Dessau/Parmer Neighborhood Center as designated by the Imagine Austin Comprehensive Plan. There is an Urban Trail Network to the north along Howard Lane (I-35 to Dessau Trail) and to the east across Dessau Road (Walnut Creek Greenbelt).

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 (Moderate-High Density) district is intended to accommodate multifamily and group residential use with a maximum density of 36 to 54 units per acre, depending on unit size. This district is appropriate for moderate-high density housing in centrally located areas near supporting transportation and commercial facilities, in areas adjoining downtown Austin and major institutional or employment centers, and in other selected areas where moderate-high density multifamily use is desirable.

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

The proposed MF-4 district would be consistent with surrounding land use patterns as there is MF-2-CO zoning to the north of this site and MF-4 zoning to the east, across Dessau Road. There are support services in this area as the lots to the south are developed with office uses (Dessau Ridge Office Condominiums) and educational facilities (two elementary schools: Dessau Elementary and Delco Elementary School and

a middle school: Dessau Middle School). The GR-CO zoned properties to the north, at the intersection of Dessau Road and Howard Lane, are developed with commercial retail uses.

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

MF-4 zoning will permit the applicant to develop additional residential uses in this area within a designated neighborhood center (Dessau/Parmer Neighborhood Center) fronting a major arterial roadway and activity corridor, Dessau Road.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-6-CO, LO-CO	Undeveloped Tract, Cell Tower, Vacant Single-Family Residence
<i>North</i>	MF-2-CO	Multifamily (The Bridge at Harris Ridge Apartments)
<i>South</i>	DR, LO-CO, LR-CO	Primary School (Delco Elementary School), Office (Dessau Ridge Office Condominiums)
<i>East</i>	MF-4	Multifamily (Bridge at Davenport Place Apartments), Billboard, Automotive Repair (Certified Auto Body, Garcia's Tire Shop)
<i>West</i>	MF-2-CO, DR-H, DR	Multifamily (The Bridge at Harris Ridge Apartments), Religious Assembly (Cornerstone Baptist Church, Dessau Lutheran Cemetery)

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 Ridge Owners Association

Harris Ridge Phase IV

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

North Gate Neighborhood Association

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
C14-2022-0170 (Dessau Ridge Development: 1509 Dessau Ridge Lane)	LO-CO to MF-3	2/07/23: 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-absent, S. Boone-absent); A. Denkler-1st, D. King-2nd.	3/09/23: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230309-040 for MF-3-CO combining district zoning was approved without objection. Council Members Fuentes and Harper-Madison were off the dais.
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, C. Banks-absent); P. Seeger-1 st , R. McDaniel-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 .
C14-2009-0125 (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-1 st , D. Tiemann-2 nd .	12/17/09: Approved LO-CO zoning on consent on all 3 readings (7-0); Spelman-1 st , Cole-2 nd .
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-1st, J. Pinnelli-2nd.	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:	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	11/18/04: Granted GR-CO (7-0); all 3 readings

1624 East Howard Lane)		encompass the TIA recommendations.	
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 (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

RELATED CASES:

C14-06-0011, C14-03-0001 - Previous Rezoning Cases

EXISTING STREET CHARACTERISTICS:

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Dessau Rd	Level 4	154'	117'	27' (South Lane)	Yes	No	No

OTHER STAFF COMMENTS:Comprehensive Planning

Project Name and Proposed Use: 13300-1/2 DESSAU RD. C14-2023-0073. Project: Dessau Gardens. 14.614 acres from SF-6-CO, LO-CO to MF-4. Undeveloped to 400-unit Multifamily Development

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. Names of Activity Centers/Activity Corridors/Job Centers: within the Dessau/Parmer Neighborhood Center, next to the Dessau Road Activity Corridor, and 350 ft. from the East Howard Lane 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.
	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.)
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.
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	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 a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
5	Total Number of "Yes's"

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Harris Branch 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 at the time of subdivision or site plan application for new residential units proposed by this rezoning, multifamily with MF-4, per City Code § 25-1-601, as amended. The intensity of the proposed development creates a need for over six acre of additional parkland, per requirements described in § 25-1-602; when over six acres, parkland must be dedicated – see § 25-1-605 (A)(2)(a). As such, land dedication shall be required, unless the land available for dedication does not comply with the standards for dedication. Any remaining fees in-lieu after dedication shall also be required.

If the land available for dedication complies with the parks standards, the Parks and Recreation Department (PARD) would consider a pocket park toward satisfying the requirement at time of permitting (whether subdivision or site plan). The surrounding neighborhood areas are currently park deficient, defined as being outside walking distance to existing parks. The dedication would satisfy the need for additional parks in park deficient areas of Northeast Austin, a specific recommendation in the Parks and Recreation Department's Long Range Plan.

Should there be any remaining fees in-lieu, 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. At the applicant's request, PARD can provide an early determination letter of the requirements.

Site Plan

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

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

Compatibility Standards

The site is subject to compatibility standards due to the SF-2 lots it abuts on the north, south, and west property lines.

Wildland Urban Interface

This site is located within 150 feet of a wildland area, in the Wildland Urban Interface (WUI). Please see this website for more information about construction in the WUI: <http://www.austintexas.gov/departments/wildland-urban-interface-code>

Transportation

The Austin Strategic Mobility Plan (ASMP) calls for 154 feet of right-of-way for Dessau Rd. Dedicate 77 feet of right-of-way from the existing centerline with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

Water Utility

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, Service Extension Requests (SER) will be required to provide water and wastewater service to these tracts. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

All new development within the proposed project will be subject to City Code Chapter 25-9 and any future amendments relating to reclaimed water connections, water benchmarking, and mandatory onsite water reuse.

All water and wastewater construction must be inspected by the City of Austin. 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.

FYI:

30 TAC §285, §15-5, §15-9:

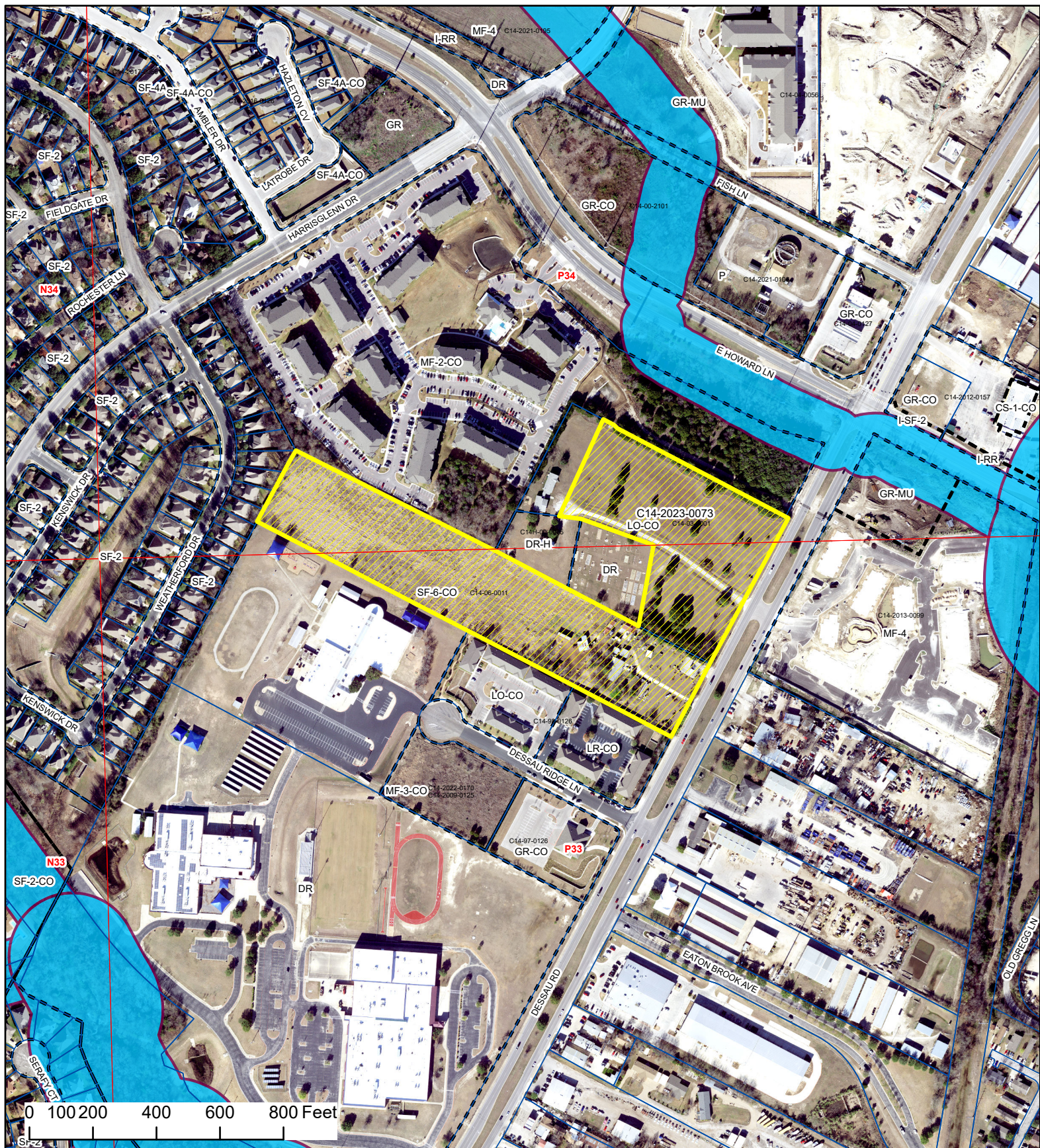
City records indicate the site is served by an On-Site Sewage Facility (OSSF). The owner must connect the site to city wastewater service through the cutover process. For more information pertaining to the wastewater cutover process, contact the AW OSSF team at OSSF@austintexas.gov or call (512)972-0050.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

INDEX OF EXHIBITS TO FOLLOW





- A: Zoning Map
- B. Aerial Map



Created: 6/7/2023



Dessau Gardens

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

ZONING CASE#: C14-2023-0073
 LOCATION: 13208, 13300 1/2 Dessau Rd
 SUBJECT AREA: 14.614 Acres
 GRID: P33; P34
 MANAGER: Sherri Sirwaitis



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