

ZONING CHANGE REVIEW SHEET

CASE: C814-06-0175.05 – East Avenue PUD,
Parcel A 2nd Amendment

DISTRICT: 9

ZONING FROM / TO: PUD-NP, an amendment to allow an increase to the maximum allowed height of Parcel A from 120 to 160 feet.

ADDRESSES: 3500, 3500 ½, 3502, 3506, 3700 North Interstate Highway 35 Service Road Southbound, 1012, 1012 ½, 1018, and 1018 ½ Concordia Avenue.

SITE AREA: 1.13 acres

PROPERTY OWNER: 1010 Concordia LP, A Texas Limited Partnership (Taylor Wilson)

AGENT: Drenner Group, PC (Leah Bojo), 512-807-2900

CASE MANAGER: Dana Moses, 512-974-8008, dana.moses@austintexas.gov

STAFF RECOMMENDATION:

The Staff recommendation is to grant a fifth amendment to planned unit development – neighborhood plan (PUD-NP) combining district zoning to increase the maximum allowable height of Parcel A from 120 to 160 feet, as shown in Attachment B, the proposed revised ordinance.

PLANNING COMMISSION ACTION:

September 26, 2023: ***APPROVED THE FIFTH AMENDMENT TO PUD-NP DISTRICT ZONING AS STAFF RECOMMENDED AS AMENDED TO INCLUDE COMMISSIONER HAYNES STIPULATIONS PER EXHIBIT B, BY CONSENT [A. AZHAR; F. MAXWELL – 2ND] (10-0) VC HEMPEL, P. HOWARD, J. MUSHTALER - ABSENT***

CITY COUNCIL ACTION:

November 9, 2023:

ORDINANCE NUMBER:

ISSUES:

There are not any issues at this time.

EXHIBITS AND ATTACHMENTS TO THE STAFF REPORT:

Exhibit A: Zoning Map

Exhibit A-1: Aerial Map

Attachment A: Applicant's Revised Summary Letter

Attachment B: Proposed Revisions to 2022 East Ave PUD (Ordinance No. 20221027-049)

CASE MANAGER COMMENTS:

The site of East Avenue PUD, Parcel A, is located west of North Interstate Highway 35 Southbound and has frontage on South I-35 Service Road, encompassing 22 acres. The subject site is 1.13 acres. There are multifamily units and single-family homes to the west. There are commercial uses, including a recording studio and restaurant, located to the east across North IH-35. To the north are multifamily units, a commercial business, and a restaurant. Directly south, on the south side of Concordia Avenue and west of South I-35 service road, is a three- and four-story multifamily building. ***Please refer to Exhibits A Zoning Map and A-1 Aerial Map.***

PUD Amendment Request:

The Applicant's letter states:

The purpose of this PUD amendment is to increase the maximum allowable height of Parcel A from 120 feet to 160 feet. The additional height will allow the project to maintain the density that was previously approved. Additionally, the East Avenue PUD in its entirety continues to be limited to 85% impervious cover and a 2.8:1 FAR, all of which will remain unchanged.

Parcel A maintains the requirement of 85% impervious cover and a 2:8:1 Floor Area Ratio. The applicant is requesting a PUD amendment to this parcel.

BASIS OF STAFF RECOMMENDATION:

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Per the Land Development Code, PUD district zoning was established to implement goals of preserving the natural environment, encouraging high quality, sustainable development, and innovative design, and ensuring adequate public facilities and services. The City Council intends PUD district zoning to produce development that achieves these goals to a greater degree than and thus is superior to development which could occur under conventional zoning and subdivision regulations. The PUD provides a canvas for the design of a large-scale project, with the end goal to allow flexibility, and also inform and communicate the possibilities for development.

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

The proposed PUD amendment will allow for multifamily development and additional height along North Interstate Highway-35 Service Road Southbound. The provision of additional housing options is a priority of the City of Austin. The property has a frontage on North IH-35 service road southbound to access a multifamily development. A diverse range of intensive uses, including several multifamily residential complexes, currently exists along North IH-35 Service Road and the North IH-35 corridor.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	PUD-NP	5-story mixed use development w/ multi-family & retail
<i>North</i>	CS-MU-NP	Multifamily residences; Commercial business; Restaurant
<i>South</i>	PUD-NP	Multifamily residences
<i>East</i>	Not Applicable	Southbound IH 35 service road
<i>West</i>	SF-3-CO-NP; CS-MU-NP	Apartments (2 and 3 story buildings); Single family residences; Two family residences

NEIGHBORHOOD PLANNING AREA: Central Austin Combined (Hancock)

WATERSHED: Boggy Creek – Urban

TIA: Deferred to Site Plan

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Lee Elementary School Kealing Middle School McCallum High School

COMMUNITY REGISTRY LIST:

Hancock Neighborhood Association
 North Austin Neighborhood Alliance
 Austin Lost and Found Pets
 Austin Independent School District
 Sierra Group, Austin Regional Group
 Friends of Austin Neighborhoods
 Central Austin Community Development
 Neighborhood Empowerment Foundation
 Upper Boggy Creek Neighborhood Planning Team

Cherrywood Neighborhood Association
 Austin Neighborhoods Council
 CANPAC
 SEL Texas
 Del Valle Community Coalition
 Homeless Neighborhood Association
 Neighbors United For Progress
 Preservation Austin

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-06-0175 – 3400 North IH 35 Service Road Southbound	LO-MU-NP, GO-NP, CS- MU-NP to PUD-NP	To Grant PUD-NP	Apvd PUD-NP as PC recommended (3-26-2007).
C814-06-0175.01 – 3400 North IH 35 Service Road Southbound	PUD-NP to PUD-NP	Withdrawn	
C814-06-0175.03 – 1012, 1012 1/2, 1016, 1018, 1018 1/2 Concordia Ave; 3500, 3500 1/2, 3502, 3506, 3508 1/2 North IH 35 Service Road Southbound	PUD-NP to PUD-NP	To Grant PUD-NP as staff recommended to increase maximum height	Apvd PUD-NP as PC recommended (10-27-2022).
C814-06-0175.04	PUD-NP to PUD-NP	To Grant the fourth amendment to PUD-NP district zoning.	Apvd PUD-NP as PC recommended (08-21- 2023).

RELATED CASES:

The subject property is located within the boundaries of the Central Austin Combined (Hancock) Neighborhood Planning Area (NP-04-0021).

PUD Zoning cases

Council approved the East Avenue PUD which includes approximately 22 acres of land on March 26, 2007 (Ordinance No. 20070326-002). The subject request is the fifth amendment, titled East Avenue PUD Amendment, Parcel A comprised of 1.13 acres. Parcel A is also known as Lot 11 Block B East Avenue Subdivision recorded as Document No. 200800152 in the Travis County Plat Records.

There were four previous applications to amend the East Avenue PUD:

- 1) Amendment #1 C814-06-0175.01 – Application withdrawn.
- 2) Amendment #2 C814-06-0175.02 – Administratively approved amendment dated February 27, 2009, to modify setback along the north property line. The amendment modified the cross section of Concordia Avenue and Concordia Avenue private drive extension. The amendment also relocated alleyways on Parcels B1 and B3. The staff report said that (unspecified) architectural features were added on the eastern side of East Avenue Development adjacent to IH-35 access road.

- 3) Amendment #3 C814-06-0175.03 – Administratively approved amendment dated October 27, 2022, to increase the maximum allowable height of Parcel A from 65 feet to 120 feet.
- 4) Amendment #4 C814-06-0175.04 – Administratively approved amendment dated August 21, 2023, to add administrative and business office uses to the pedestrian-oriented uses list for Parcel H.

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 3500, 3500 ½, 3502, 3506 and 3700 North IH-35 SVRD SB and 1012, 1012 ½, 1018 and 1018 ½ Concordia Avenue. C814-06- 0175.05 Amendment #2. Central Austin Combined NP. Amend the maximum height to allow for Parcel A, an increase to the maximum height from 120 feet to 160 feet. The PUD encompasses 22 acres of land; the Property encompasses 1.13 acres. April 18, 2023.

<u>Y</u>	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center: Located within the Downtown Regional Center
<u>Y</u>	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
<u>Y</u>	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
<u>Y</u>	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.
<u>Y</u>	Connectivity and Education: Located within 0.50 miles from a public school or university.
<u>Y</u>	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
<u>Y</u>	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)

<u>Y</u>	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.
8	Total Number of “Yes’s”

Drainage

It is understood that no modifications to the previously approved PUD application, as related to drainage/detention requirements, is proposed with this application.

Site Plan

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

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. Along the West and East property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 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.
- 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-3 property.
- Additional design regulations will be enforced at the time a site plan is submitted. SP4. A formal update is required.

Impervious Cover

The maximum impervious cover that may be developed overall on the East Avenue PUD is 85%. Individual lots may exceed 85% impervious cover.

Austin Transportation Department – Engineering Review

No comments or objection in regard to the requested allowable height increase.

The site is subject to the approved TIA with zoning case # C814-06-0175. A TIA compliance memo indicating how many trips have been used, how many trips are left, documentation of all fiscal receipts and mitigations, etc., will be required with any subsequent site plan application. The TIA may need to be revised upon further review.

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)
Concordia Avenue	Level 1 Local Collector	58'	60'	25'	Yes	No	No
IH-35	Level 4 Major Arterial	Defer to TxDOT	200'	173'	Yes	Yes (future protected bike lane)	No

PARD- Planning & Design Review:

Comments addressed with previous amendment. Future development resulting from rezoning must comply with Title 25 parkland dedication requirements, as amended.