

ZONING CHANGE REVIEW SHEET

CASE: C14-2023-0084

DISTRICT: 1

ADDRESS: 4116 1/2 Ed Bluestein Boulevard Southbound

ZONING FROM: CS-NP

TO: CS-MU-NP

SITE AREA: 9.09 acres (395,960 sq. ft.)

PROPERTY OWNER: Robert Tiemann, Trustee of the Robert Miller Tiemann Trust

AGENT: Jackson Walker LLP (Henry Gilmore)

CASE MANAGER: Jonathan Tomko (512) 974-1057, jonathan.tomko@austintexas.gov

STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Please see the basis of recommendation section below.

PLANNING COMMISSION or ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

October 24, 2023: Planning Commission approved staff recommendation on consent agenda

CITY COUNCIL ACTION:

November 30, 2023: Case is scheduled to be heard by City Council

ORDINANCE NUMBER: N/A

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is currently undeveloped land just west of Ed Bluestein Blvd. It is just north of older light industrial and to the south of land utilized for multifamily apartments.

This case seeks to develop mixed-use on the property in the future. This is consistent with the East MLK Combined Neighborhood Plan's Future Land Use Map (FLUM), which identifies the parcel as mixed-use.

This parcel's location is adjacent to the freeway and light industrial, both to the south and to the east (across Ed Bluestein Blvd.) make this location appropriate for mixed-use combining district zoning.

BASIS OF RECOMMENDATION:

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

The mixed-use combining district zoning is consistent with the East MLK Combined Neighborhood Plan. This rezoning will offer this undeveloped parcel a chance to develop with

greater flexibility in the future by allowing the mix of any combination of office, commercial and residential uses within a single development.

Zoning should allow for reasonable use of the property.

Without the mixed-use combining district zoning this parcel is somewhat restricted to only general commercial services. This is unreasonable given that there are mixes of uses on other similarly freeway adjacent parcels along Ed Bluestein Blvd. to the north and south.

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

The Austin City Council has articulated a need for more housing to meet the City's adopted goals within the Austin Strategic Housing Blueprint. By allowing mixed-use combining district zoning on CS zoned parcels, where reasonable, development of these parcels may result in more housing to help increasing housing supply.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-NP	Undeveloped land
<i>North</i>	MF-2-CO-NP	Fort Branch at Truman's Landing Apartments, approximately 250 multifamily apartment units, approximately 250,000 sqft total built in 2001
<i>South</i>	LI-NP	Four class C industrial buildings approximately 25,000 sq ft each built in the 1980s. Tenants include but not limited to Acadian Ambulance Services, Techni Center Beer Store, Southern Heights Brewing Co., Corr Tech Pipe Supplier, and Fun N Sun Pools of Austin
<i>East</i>	LI-NP	Austin-Travis County EMS Employee Development and Wellness Division, Austin Fire Department
<i>West</i>	CS-NP and MF-2-CO-NP	Approximately 2.76 acres of undeveloped land (CS-NP) and Fort Branch at Truman's Landing Apartments, approximately 250 multifamily units built in 2001, approximately 250,000 sqft total (MF-2-CO-NP)

NEIGHBORHOOD PLANNING AREA: East MLK Combined Neighborhood Planning Area (MLK-183)

WATERSHED: Walnut Creek Watershed

SCHOOLS: A.I.S.D.

Norman-Sims Elementary School

Martin Middle School

LBJ High School

COMMUNITY REGISTRY LIST:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Del Valle Community Coalition, East Austin Conservancy, East MLK Combined Neighborhood Plan Contact Team, Friends of Austin Neighborhoods, Hog Pen, NA, Homeless

Neighborhood Association, Lincoln Garden Association, Neighborhood Empowerment Foundation, Neighbors United for Progress, Preservation Austin, Reissig Group, SELTexas, Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-99-0047 (Fort Branch Landing Apartments)	The Applicant is proposing to rezone 21.84 acres from IP to MF-2-CO.	05.11.1999 ZAP: Approved Staff Recommendation (7-0-1, BH-Abstain)	06.03.1999: Approved PC Recommendation of MF-2-CO w/Conditions on all 3 readings
C14-02-0006.SH (Campbell-Hogue Apartments)	The Applicant is proposing to rezone 19.227 acres from MF-2-CO to MF-2-CO to change a condition of zoning.	03.12.2002 ZAP: Approved Staff Recommendation of MF-2-CO by consent (8-0)	04.04.2022: Approved MF-2-CO w/Conditions on all 3 readings
C14-2020-0062 (1907 Webberville Rd)	The Applicant is proposing to rezone approximately 11.643 acres from SF-3-NP to SF-6-NP.	08.25.2020 PC: Approved Staff Recommendation of SF-6-NP	09.17.2020: Approved SF-6-NP as PC recommended on all 3 readings
NPA-2022-0015.01 (Tracor Lane NPA)	The applicant is proposing to amend FLUM from Industry to Mixed - Use.	Case was indefinitely postponed at the 01.10.2023 PC hearing date will be renotified for the 06.13.2023 PC date to keep the case from expiring	N/A
C14-2023-0022 (Tannehill Residences)	The Applicant is proposing to rezone approximately 6.069 acres from SF-3-NP to SF-6-NP.	07.11.2023 PC: Approved SF-6-NP, as Staff recommended	09.14.2023: Approved SF-6-NP on all 3 readings

RELATED CASES:

None

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 4116-1/2 ED BLUESTEIN BLVD SB. C14-2023-0084. Project: Ed Bluestein Multifamily. 9.09 acres from CS-NP to CS-MU-NP. Vacant to 285-unit apartment complex. Within East MLK Combined Planning Area. FLUM: Mixed Use. July 14, 2023

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures
	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:
	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
	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.
Y	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.
4	Total Number of "Yes's"

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. 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.

Fire

No comments on zoning change

PARD – Planning & Design Review

PR1: Parkland dedication will be required for the new applicable uses proposed by this development, multifamily CS-MU-NP 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. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Site Plan

SP1. A site plan will be required for any new development other than single-family, two-family or duplex residential.

SP2. Any multifamily residential development in a commercial zone must comply with all of the LDC Subchapter E requirements for commercial development. Additional comments will be made when the site plan is submitted.

SP3. The site is located within Austin-Bergstrom Airport Overlay {CCLUA, or AO-1,2,3}. No use will be allowed that creates electrical interference with navigational signals or radio communications between airport and aircraft, makes it difficult for pilots to distinguish between the airport lights and others, results in glare in the eyes of pilots using the airport, impairs visibility in the vicinity of the airport, creates bird strike hazards or otherwise in any way endangers or interferes with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each

Airport Overlay zone are established in the Airport Overlay Ordinance. Airport Hazard Zoning Committee review may be required prior to Planning Commission Hearing.

SP4. Due to its presence within the Hazardous Pipelines overlay, this site is subject to the Hazardous Pipeline Ordinance. Development in a restricted pipeline area is regulated by Sec. 25-2-516. Review by the Fire Department will be required for any proposed development. Before a person may place a road, surface parking lot, or utility line in a restricted pipeline area, the person must deliver to the Director a certification by a registered engineer stating that the proposed construction activity and structure are designed to prevent disturbing the pipeline or impeding its operation.

Transportation and Public Works Department – Engineering Review

ATD 1. 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].

ATD 2. Coordination with TxDOT is required regarding the potential right-of-way dedication for ED BLUESTEIN BLVD SB.

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
ED BLUESTEIN BLVD SB (TxDOT)	Regional Mobility - Level 5	N/A (TxDOT)	N/A (TxDOT)	308 feet	Existing 6 feet sidewalks	Shoulder (on-street)	No

TIA: Deferred to the time of Site Plan

Austin Water Utility

AW1. No comments on zoning change.

FYI: 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.

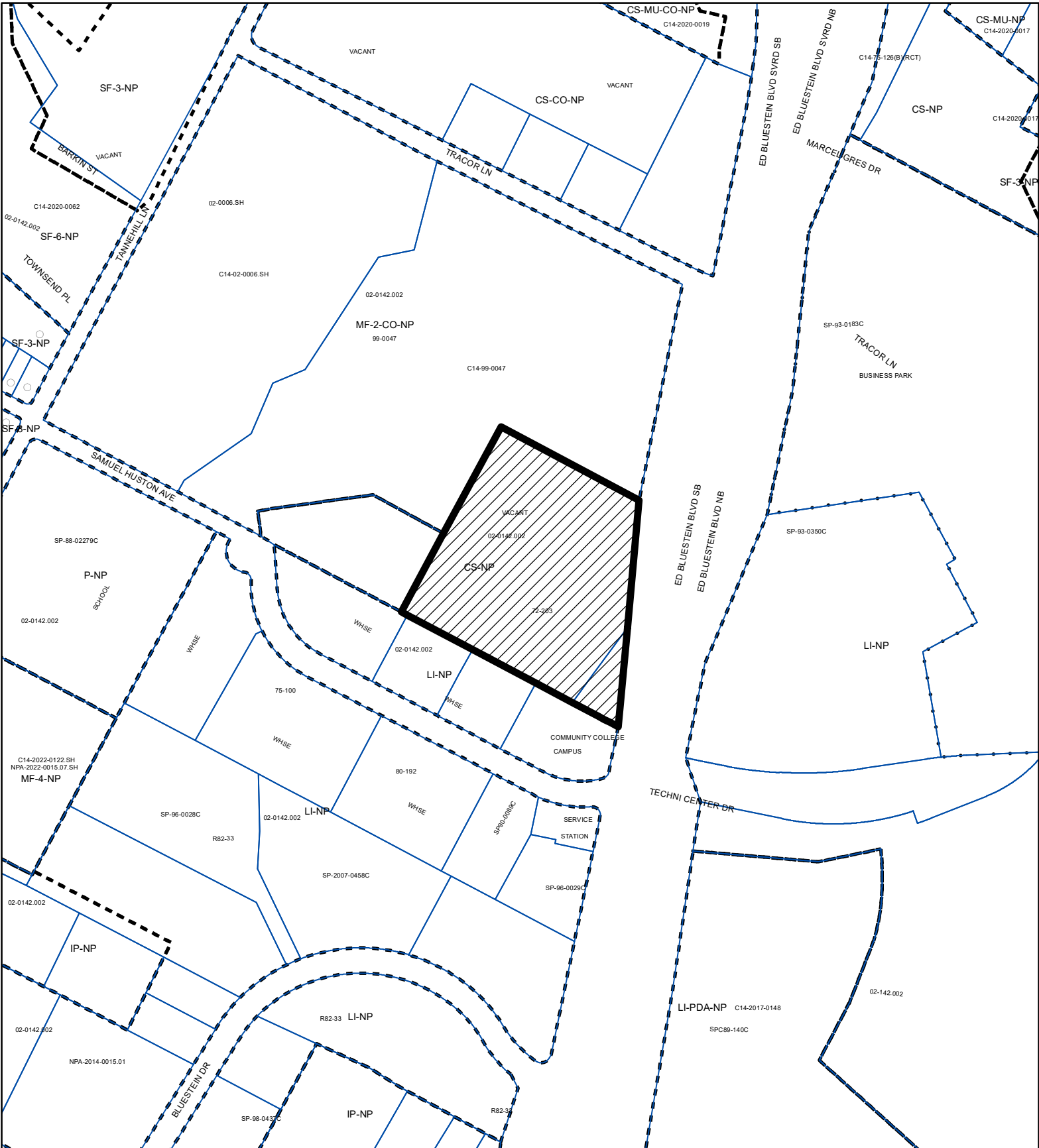
Depending on the development plans submitted, water and or wastewater service extension requests may be required.




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.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2023-0084

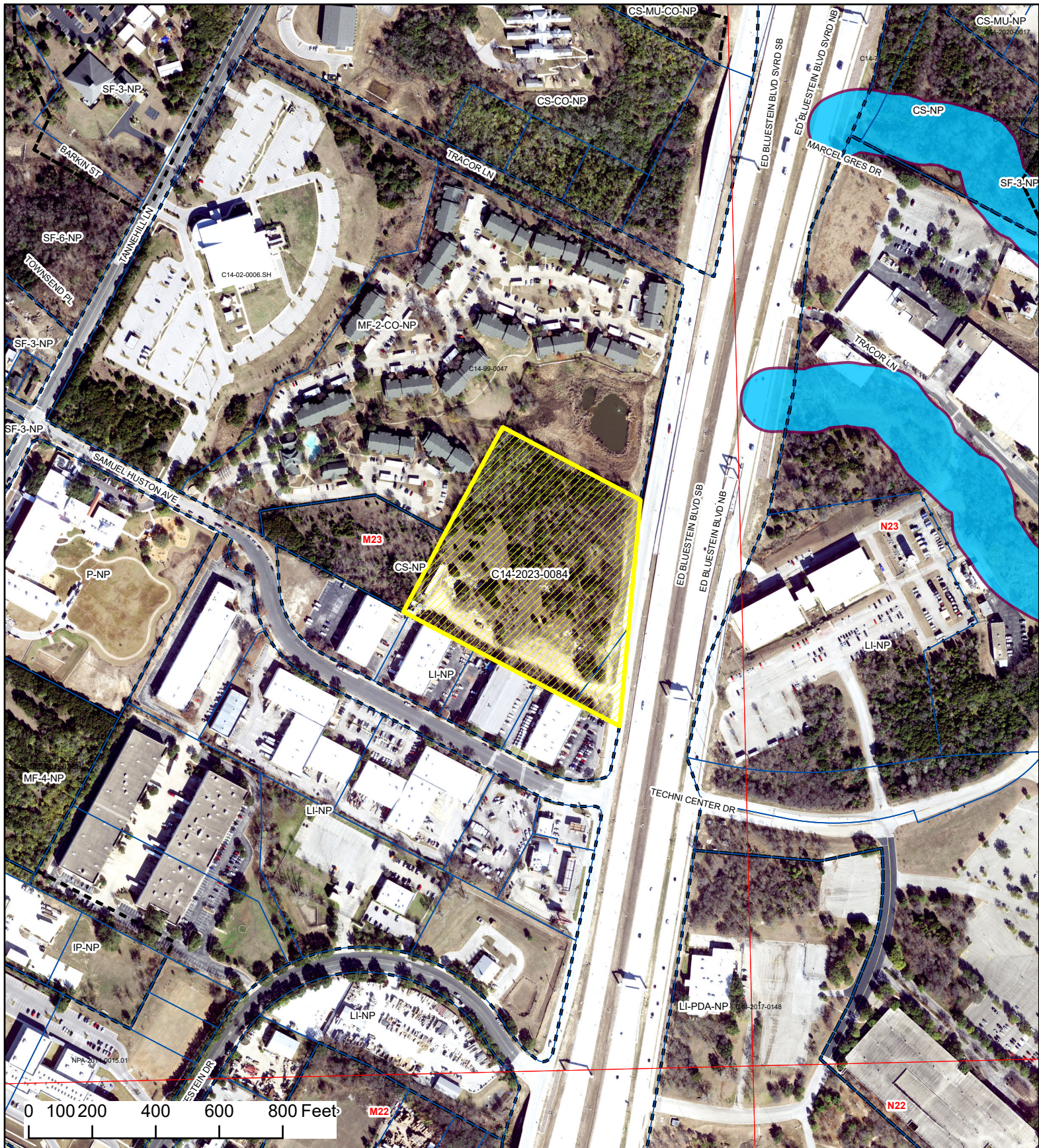
1" = 400'

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

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Ed Bluestein Multifamily

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

ZONING CASE#: C14-2023-0084
 LOCATION: 4000-4200 Block of Ed Bluestein Blvd SB
 SUBJECT AREA: 9.09 Acres
 GRID: M23
 MANAGER: Jonathan Tomko



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