

ZONING CHANGE REVIEW SHEETCASE: C14-2023-0112.SHDISTRICT: 1ADDRESS: 8601, 8609, 8613 FM 969ZONING FROM: DR and SF-3TO: MF-4SITE AREA: approximately 5.1949 acres (approximately 226,289 sq. ft.)PROPERTY OWNER: 3423 Investments LLC and MF Austin Ridge LLCAGENT: Monte F. James (James Monte)CASE MANAGER: Jonathan Tomko (512) 974-1057, jonathan.tomko@austintexas.govSTAFF RECOMMENDATION:**Staff recommends granting multifamily residence-moderate-high density (MF-4) zoning.**PLANNING COMMISSION or ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

December 5, 2023: Case is scheduled to be heard by the Zoning and Platting Commission

CITY COUNCIL ACTION: N/AORDINANCE NUMBER: N/AISSUES: N/ACASE MANAGER COMMENTS:

The property in question is currently vacant land with one approximately 1,400 square foot home built in 1940 near the southern end of the tract, furthest from FM 969. To the north is a Texaco gas station with a Sonic Drive-In and a 324-unit apartment complex called Spectra Parks with approximately 310,000 square feet of multifamily housing built in 2022. To the east is a mobile home park, built approximately 1983. To the south, are two office buildings, one of approximately 33,000 square feet built in 2008 and other approximately 9,000 square feet built in 2000. Paved area of approximately 70,000 square feet. To the west, are approximately five single family homes built in the 1940s and 1950s.

The staff recommends multifamily residence-moderate-high density (MF-4) zoning. The transportation infrastructure and proximity to Imagine Austin Centers and Corridors supports this more intense use. This is also consistent with the Rodeo Crossing rezoning case recently approved near the intersection of FM 969 and Decker Lane in 2019. See C14-2019-0038 in the *Area Case Histories* section.

The applicant has also indicated that they are applying for S.M.A.R.T. Housing Certification and providing 10% of the 250 proposed units at or below 70% of the median household income.

BASIS OF RECOMMENDATION:

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

An MF-4 district designation may be applied near supporting transportation and commercial facilities, in an area adjacent to the central business district or a major institutional or employment center, or in an area for which moderate to high density multifamily use is desired. This location is on FM 969 which is an Imagine Austin Corridor, and the site is proximate to three Imagine Austin Centers: Colony Park Station, Decker Center, and 969 & 130. These Imagine Austin Centers are envisioned in the adopted Imagine Austin Comprehensive Plan to contain businesses, major institutions, and a range of employment opportunities in the near future.

Zoning should allow for reasonable use of the property.

Currently the zoning of the subject tract is predominantly development reserve (DR) district zoning which does not allow for reasonable use of the property. DR is a temporary use and does not commit land to a particular use pattern or intensity. Today, with the substantial development in the area, there is not a reasonable reason not to commit this land to a particular use or intensity. A much smaller portion of the property is zoned family residence (SF-3) district zoning. This is a designation for moderate density single-family residential use and duplex use on a lot that is a minimum of 5,750 square feet that maintains single-family neighborhood characteristics. While there is some SF-3 zoning to the southwest and southeast it is not fronting FM 969 and at a major signalized intersection, such as the one at Decker Lane and FM 969.

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

FM 969 is a level 4 “Corridor Mobility” ASMP roadway with six travel lanes. Decker Lane is a level 3 “Corridor Mobility” ASMP roadway with four travel lanes. Aligned with this basis of recommendation, these are major arterial roadways where intensive multi-family zoning should be located.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	DR and SF-3	Vacant land with one approximately 1,400 square foot home built in 1940 near the southern end of the tract.
<i>North</i>	GR and GR-CO	A Texaco gas station with a Sonic Drive-In and a 324-unit apartment complex called Spectra Parks with approximately 310,000 square feet of multifamily housing built in 2022.
<i>South</i>	SF-3 and GO-CO	Two office buildings, one of approximately 33,000 square feet built in 2008 and other approximately 9,000 square feet built in 2000. Paved area of approximately 70,000 square feet.
<i>East</i>	MH	Mobile home park, built approximately 1983.

West	LR-CO and SF-3	Approximately five single family homes built in the 1940s and 1950s
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NEIGHBORHOOD PLANNING AREA: The site is not in a neighborhood planning area.

WATERSHED: Walnut Creek and Elm Creek Watersheds

SCHOOLS: Manor I.S.D.

Oak Meadows Elementary School

Decker Middle School

Manor High School

COMMUNITY REGISTRY LIST:

Austin Lost and Found Pets, Austin Neighborhood Council, Del Valle Community Coalition Non-Profit, Dog's Head Neighborhood Association, E.A.C.H. (East Austin Community Hills), Friends of Austin Neighborhoods, Friends of Northeast Austin, Homeless Neighborhood Association, Imperial Neighborhood Association, Neighborhood Empowerment Foundation, SELTexas

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2019-0038 (Rodeo Crossing)	The Applicant is proposing to rezone approximately 16.172 acres from IP-CO and GR-CO to MF-4 and GR-MU.	05.07.2019 (ZAP): Recommended with conditions	05.23.2019: Granted multifamily residence-moderate high density (MF-4) district zoning on Tract 1 and community commercial- mixed use (GR-MU) combining district zoning on Tract 2 was approved on Council Member Flannigan's motion, Council Member Casar's second on an 11-0 vote.
C14-2013-0030 (Roddick Tennis & Learning Center)	The applicant is requesting to rezone property from SF-3 & GO-CO to GR-CO	04.16.2013 (ZAP): The motion to approve staff's recommendation for GR-CO district zoning, was approved on the consent agenda by	05.09.2013: Granted community commercial-conditional overlay (GR-CO) combining district zoning was approved on consent on Council Member

		Commissioner Patricia Seeger's motion, Commissioner Sean Compton seconded the motion on a vote of 7-0.	Spelman's motion, Mayor Pro Tem Cole's second on a 7-0 vote.
C14-2013-0039 (Allen Development)	The applicant is proposing to rezone property from SF-2 & MH to CS.	06.18.2013 (ZAP): The motion to approve staff's recommendation for GR-CO district zoning, was approved on the consent agenda by Commissioner Patricia Seeger's motion, Commissioner Rahm McDaniel seconded the motion on a vote of 6-0; Commissioner Cynthia Banks was absent.	08.09.2013: Granted community commercial-conditional overlay (GR-CO) combining district zoning was approved on consent on Council Member Martinez' motion, Council Member Spelman's second on a 7-0 vote.
C14-2011-0092 (Hoffman – Paul's Triangle)	The applicant is requesting to rezone properties from DR to GR.	N/A	11.03.2011: Granted community commercial-conditional overlay (GR-CO) combining district zoning with additional conditions was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.
C14-05-0020 (Austin Ridge Phase 1)	The applicant is requesting to rezone properties from SF-3 to LR.	N/A	05.12.2005: Granted neighborhood commercial-conditional overlay (LR-CO) combining district zoning for Tract One and

			general office-conditional overlay (GO-CO) combining district zoning for Tract Two.
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RELATED CASES:

None

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 8515 FM 969 RD. C14-2023-0112.SH. Project: The Ridge Apartments. 5.1949 acres from DR to MF-4. 250 Multifamily Units (25 affordable units). Four stories tall.

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: Along FM 969 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.
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.
Y	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.
7	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 and Elm Creek Watershed of the Colorado River Basin, which are classified as Suburban Watersheds 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:

Development Classification	% of Gross Site Area	% of Gross Site Area with Transfers
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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 rezoning

PARD – Planning & Design Review

PR1: Residential units that are certified affordable under the SMART Housing Policy are exempt from the parkland dedication requirements per City Code § 25-1-601(C)(3). Parkland dedication will be required for any new market-rate residential units that may be proposed by this development, multifamily with MF-4 zoning, at the time of subdivision or site plan, per City Code § 25-1-601.

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 parkland dedication requirements.

Site Plan

FYI:

- 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 (suburban) and Compatibility Standards.
- There are no previous approved site plans on the property.
- The property will need to be platted or obtain land status.
- Expect ROW dedication and TxDOT driveway review.

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. FYI: The Austin Strategic Mobility Plan (ASMP) calls for 120 feet of right-of-way for FM 969 RD. Coordinate with TxDOT if additional right-of-way is required. [LDC 25-6-51 and 25-6-55].

ATD 3. There is a proposed Urban Trail (John Trevino Jr Park To Decker Ln) adjacent to this site, along the northern property boundary. The easement required is a minimum of 20 ft as this allows for a 12 ft trail (minimum trail width per the urban trails plan) and room for maintenance activity. This is the same for Tier I and Tier II trails.

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
FM 969 (TxDOT)	Regional Mobility – Level 4	120 feet	102 feet	64 feet	Incomplete 4 feet sidewalks	Shared lane (on-street)	No

TIA: Deferred to the time of Site Plan

Austin Water Utility

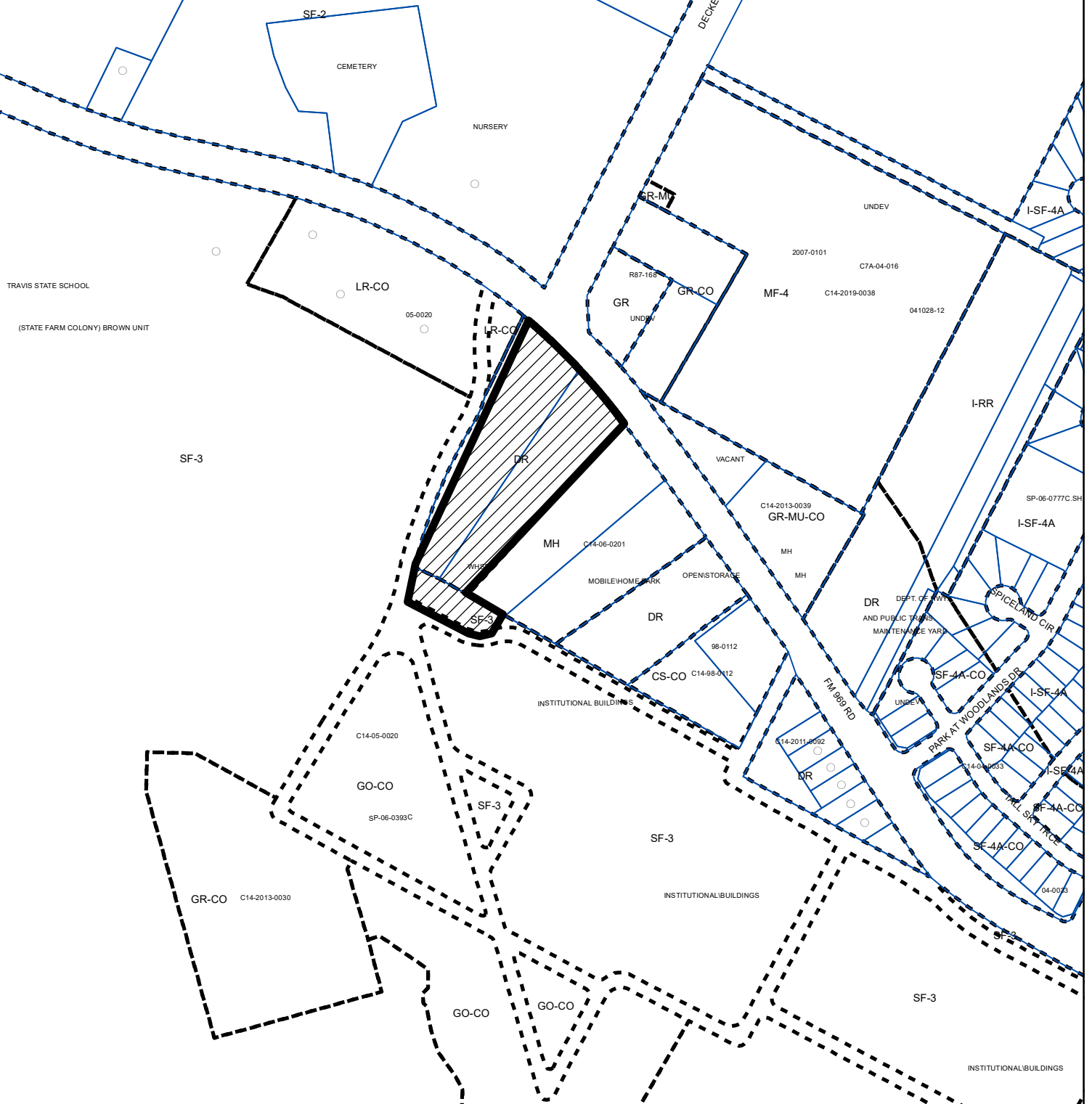
AW1. No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

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.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map

**ZONING**

ZONING CASE#: C14-2023-0112.SH



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 400'

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The Ridge Apartments

ZONING CASE#: C14-2023-0112.SH

LOCATION: 8601, 8609, 8613 FM 969 Rd

SUBJECT AREA: 5.1949 Acres

GRID: P23

MANAGER: Jonathan Tomko



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER



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