

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: University Hills/Windsor Park Combined

CASE#: NPA-2023-0023.02

DATE FILED: July 31, 2023

PROJECT NAME: Berkman Mixed Use

PC DATE: December 12, 2023

ADDRESS/ES: 6405 Berkman Drive

DISTRICT AREA: 4

SITE AREA: 0.8650

OWNER/APPLICANT: 6405 Berkman TX LLC

AGENT: Thrower Design, LLC (Victoria Haase and Ron Thrower)

CASE MANAGER: Maureen Meredith **PHONE:** (512) 974-2695

STAFF EMAIL: Maureen.Meredith@austintexas.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Higher Density Single Family

To: Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2023-0107

From: SF-6-NP

To: GR-MU-NP

NEIGHBORHOOD PLAN ADOPTION DATE: August 9, 2007

CITY COUNCIL DATE: January 18, 2024

ACTION:

PLANNING COMMISSION RECOMMENDATION:

December 12, 2023 – After discussion, approved the applicant’s request for Mixed Use land use. [J. P. Connolly – 1st; G. Anderson -2nd] Vote: 7-3-1 [A. Haynes, A. Phillips and J. Mushtaler voted nay. G. Cox abstained. N. Barrera-Ramirez and P. Howard absent].

STAFF RECOMMENDATION: Staff recommend Neighborhood Mixed Use land use, instead of the applicant’s request for Mixed Use.

BASIS FOR STAFF’S RECOMMENDATION: Staff recommends a lower-intensity land use of Neighborhood Mixed Use to be consistent with the zoning staff’s recommendation of LR-MU-NP zoning. Neighborhood Mixed Use is a more appropriate land use for this location. NMU is appropriate for areas such as minor arterials and collectors, small parcels along major arterials that abut single-family residential development. Berkman Drive between Patton Lane and Wheless Lane is predominantly Higher Density Single Family and Multifamily Residential on the future land use map. The Mixed Use land use to the south at 6205 and 6207 Berkman Drive was not supported by staff in a plan amendment case from 2018, but was approved by City Council. The Mixed Use land use at 6203 Berkman Drive was on the future land use map when the plan was approved in 2007.



LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Higher Density Single Family - Is housing, generally up to 15 units per acre, which includes townhouses and condominiums as well as traditional small-lot single family.

Purpose

1. Provide options for the development of higher-density, owner-occupied housing in urban areas; and
2. Encourage a mixture of moderate intensity residential on residential corridors.

Application

1. Appropriate to manage development on major corridors that are primarily residential in nature, and
2. Can be used to provide a buffer between high-density commercial and low-density residential areas.
3. Applied to existing or proposed mobile home parks.

PROPOSED LAND USE ON THE PROPERTY

Mixed Use - An area that is appropriate for a mix of residential and non-residential uses.

Purpose

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;

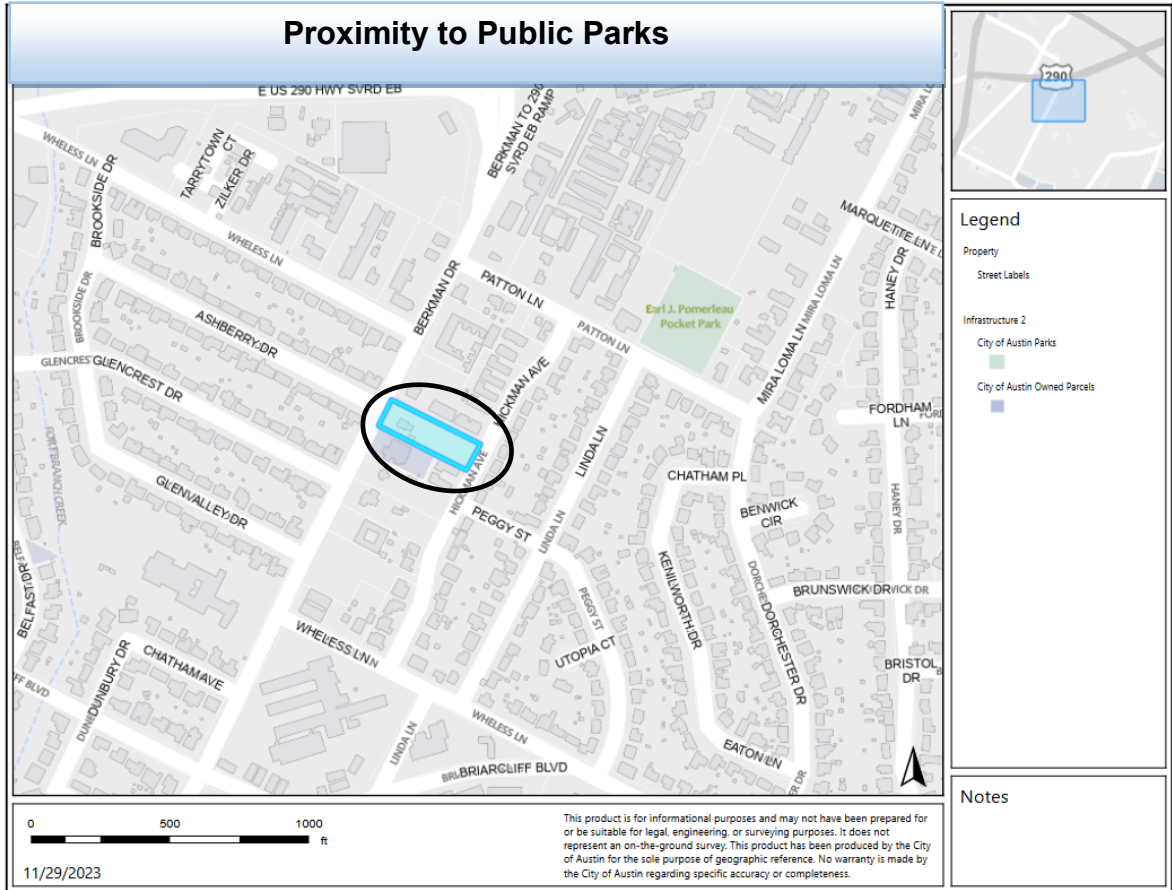
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

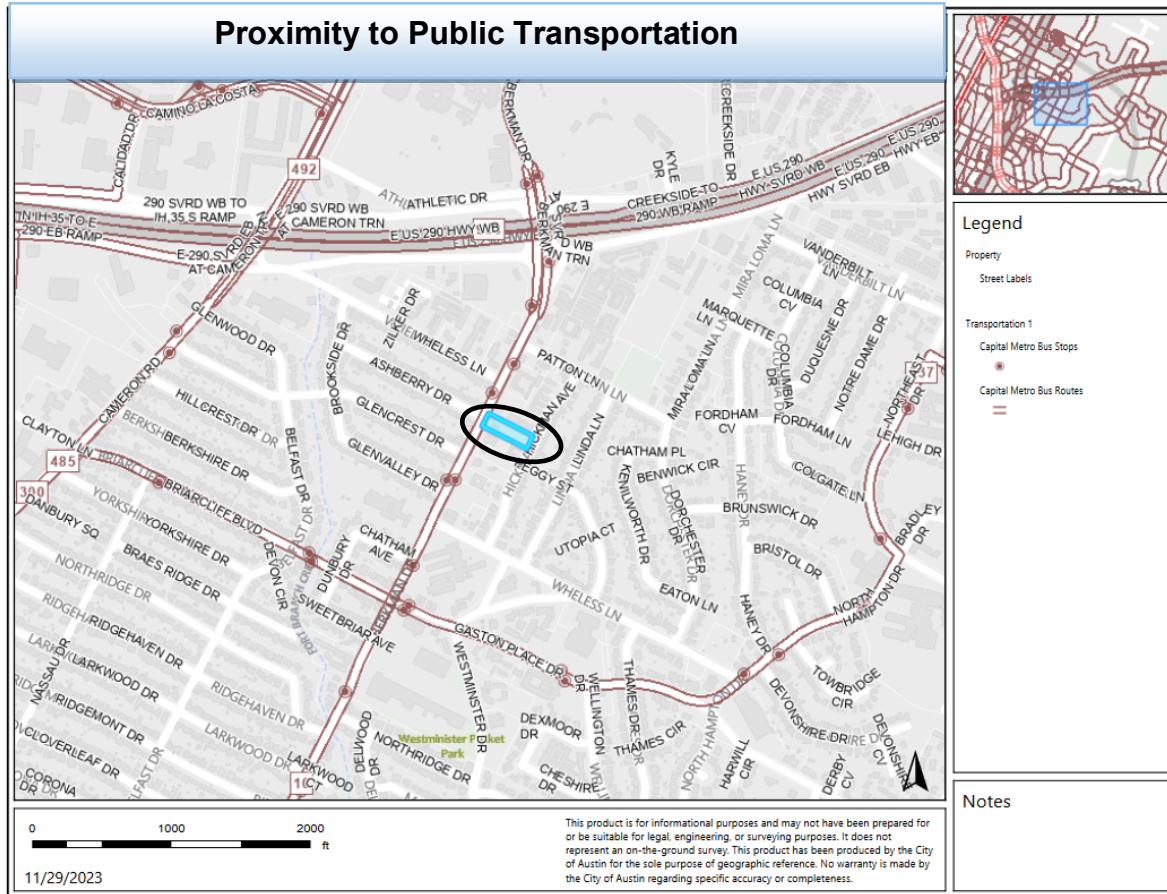
Application

1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

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. Name(s) of Activity Center/Activity Corridor/Job Center: <ul style="list-style-type: none"> Property is not on an activity corridor or within or near an activity center.
Yes	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> Bus routes along Berkman Drive (see map below)
Yes	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
Yes	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
Yes	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market. <ul style="list-style-type: none"> 0.6 miles from Los Vaqueros Supermercado
Yes	Connectivity and Education: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> 0.2 miles from Harris Elementary School
Yes	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> 0.3 miles from Earl J Palmerleau Pocket Park
Yes	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.)\ <ul style="list-style-type: none"> 0.4 miles from Clinica Hispana Rubymed
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less)

	and/or fee in lieu for affordable housing.
Yes	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. <ul style="list-style-type: none"> • The proposed zoning of GR-MU-NP would allow for residential uses
Yes	Mixed use: Provides a mix of residential and non-industrial uses. <ul style="list-style-type: none"> • The proposed zoning of GR-MU-NP would allow for a mixed use development.
	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 particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
9	Number of "Yes's"
Imagine Austin Priority Program PUD Specific Bonus Features	
n/a	Public Space Features and Public Art: Incorporates public space features and/or public art into project (Ex: plazas, streetscapes, gardens, and other people-friendly spaces where different ages can socially interact).
n/a	Integrates and/or Expands Green Infrastructure: Preserves or expands Austin's green infrastructure (ex: parkland, community gardens, green streets, creeks, stormwater features that mimic natural hydrology) into the urban environment and transportation network.
n/a	Protects the Environment: Reduces greenhouse gas emissions, water, energy usage, and/or increases waste diversion.
n/a	Protects Environmentally Sensitive Lands: Protects Austin's natural resources and environmental systems by limiting land use and transportation development over or near environmentally sensitive areas, preserves open space, and protects natural resources more than ordinance requirements.
n/a	Water/Wastewater Infrastructure: Sustainably manages Austin's water resources and stream corridors through on-site use of storm water, effective landscaping, flood mitigation, and other low-impact development techniques more than ordinance requirements.
PUD zoning is not proposed	Total Number of "Yes's"





IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

Regional Centers - Regional centers are the most urban places in the region. These centers are and will become the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Housing in regional centers will mostly consist of low to high-rise apartments, mixed use buildings, row houses, and townhouses. However, other housing types, such as single-family units, may be included depending on the location and character of the center. The densities, buildings heights, and overall character of a center will depend on its location.

Activity Centers for Redevelopment in Sensitive Environmental Areas - Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context.

Job Centers - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment

opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The plan amendment application was filed on July 31, 2023.

The applicant proposes to change the future land use map from Higher Density Single Family to Mixed Use land use for a residential and commercial development.

The applicant proposes to change the zoning from SF-6-NP (Townhouse and Condominium Residence District – Neighborhood Plan) to GR-MU-NP (Community Commercial district – Mixed Use combining district – Neighborhood Plan). For information on the proposed zoning, please see case report C14-2023-0107.

PUBLIC MEETINGS: The ordinance-required community meeting was held on October 2, 2023. The recorded virtual community meeting can be found here:

<https://publicinput.com/neighborhoodplanamendmentcases>. Approximately 317 meeting notices were mailed to people who have utility accounts or own property within 500 feet of the subject tract, in addition to neighborhood and environmental groups who requested notification for the area. Two city staff members attended from the Planning Department, Maureen Meredith and Mark Walters. Victoria Haase attended from Thrower Design, LLC, the applicant's agent. Six members from the community also attended the meeting.

Below are highlights from Victoria Haase's presentation:

- The current zoning is SF-6-NP.
- The proposed zoning is GR-MU-NP, which triggers a plan amendment to Mixed Use.
- We heard from a previous case that we had on Berkman Drive that the neighborhood wants commercial opportunities.
- The owner approached us and wanted to have residential units and a commercial component for the property. We are here tonight to get ideas.
- We are not at the site plan stage, so we don't have specifics.
- At 0.8 acres, the maximum number of residential units we could get would be 47 efficiency units or 36 one-bedroom units and 32 two-bedroom units. These are maximum numbers, but it could be less with the inclusion of commercial spaces, setbacks, internal driveways, and parking spaces.

Q: Can you give us the reason for the request for GR zoning?

A: One big reason for GR zoning is because it would allow for a more residential units and the site development standards GR are better for the efficient use of the land. It also provides flexibility for the use of the land.

Q: Has the developer been involved in other mixed use communities?

A: I'm not sure if the developer has done mixed use projects, I will get back to you.

Q: What will the maximum building height be?

A: I have not looked at what the compatibility analysis would be, I suspect it will not be able to get to 60 feet because of the single family near it.

Q: Any funds for parkland dedication generated from this project?

A: At the site plan stage, ATD will review once the density is determined. Also there will be a street impact fee and ROW dedication. With regards to parks, parkland dedication or fees will also be looked at during the site plan stage.

Q: What I've heard night is vague and GR zoning could have unpleasant application in this area and we talked about the impact on Berkman Drive already.

A: To do a site plan at this stage is a lot of resources and it's risky to do this before the zoning is approved, but I can work with the property owner to get more information, if I can.

Q: Are the trees going to stay?

A: There are a lot of trees on the property. We have not done a tree survey yet. Any trees removed will be mitigated through the site plan process. Heritage Trees will remain.

Q: Is SF-6 development off the table, it sounds like the owner has experience with residential development?

A: I know the owner wants some commercial uses on the property. I can take this desire back to the landowner.

Comments:

- Berkman Drive is overburdened with development, which also includes the traffic that comes with a church and a school. We want to see more overall traffic studies done before we can support more development on Berkman Drive.
- The commercial portion of the development would be facing Berkman Drive, but because there is not a real definition of commercial, we would like to see a true commercial spaces, not just someone's living room.
- I've lived on Corona Street for 50 years and have seen a lot of development on Berkman Drive. You are destroying our neighborhood and people are moving out of the neighborhood. We don't need more grocery stores, we have two more coming in already, Sprouts and Whole Foods. We are losing our quality of life.
- On Berkman Drive we have the Higher Density Single Family Residential, we want a good mix of housing types, the SF-6-NP provides more housing for families, and we are losing the middle density opportunity here.

Applicant Summary Letter from Application



July 25, 2023

Ms. Lauren Middleton-Pratt
Director, Planning Department
City of Austin
1000 E 11th Street
Austin, TX 78702

Via Electronic Delivery

Re: Neighborhood Plan (FLUM) Amendment – 6405 Berkman Drive; Berkman Mixed Use

Dear Ms. Middleton-Pratt:

On behalf of the Owner(s) of the property referenced above, we respectfully submit the enclosed package including a Neighborhood Plan Amendment application. The subject land is an un-platted lot of approximately 0.849 acres. The lands are located within Council District 4, represented by "Chito" Vela and are in the Windsor Park Neighborhood Planning Area.

The lots have *Higher-Density Single-Family* future land use designations and are zoned "SF-6-NP". The request is to amend the FLUM to *Mixed Use* FLUM designation and to rezone from SF-6-NP to GR-MU-NP to allow for infill mixed use development consisting of residential and commercial, retail or office uses.

Allowing this site to develop under the provisions of GR-MU is an opportunity for development that helps to achieve the City's sustainability goals by giving opportunities for complete communities with residential units in proximity to commercial uses that can serve residents by foot, bike, or bus rather than personal automobile. The property has frontage on Berkman Drive, with existing Capitol Metro bus service. Infill development at this location will take pressure off sprawling development and will contribute improvements and upgrades to non-existent or aging infrastructure.

We respectfully request support for the requests made. Please contact our office should you have need for additional information. Thank you for your time and attention to this application.

Kind regards,

P.O. BOX 41957, AUSTIN, TEXAS 78704

A handwritten signature in black ink, appearing to read 'Victoria Haase', with a stylized, cursive script.

Victoria Haase

cc: Joi Harden, Housing & Planning Department (via *electronic delivery*)

**Letter of Recommendation from the Neighborhood
Plan Contact Team (NPCT)**

From: Rodney Ahart

Sent: Wednesday, December 6, 2023 9:33 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Victoria <>; Ron Thrower <>; Tomko, Jonathan <Jonathan.Tomko@austintexas.gov>

Cc: Lane Hicks <>; Scooter Cheatham <Arthur Turner <>; Nadia Khan <>; Steele Meisinger <>; David and Cinderella Golden <>; Margaret A Bienemann <m >; Brenda Lopez <>; Zachary Zehr <>; Hector Martell <>; Jaime X. Guerra <>; Sheryl Cheatham <>; Will Heathcott <>; Steve Speir <>; Jamie Nielson <>; Jackie Brooks <>; Jane Ann Parker <>; Ami Davis <>; Elaine Bohls-Graham <>; Kenny Gaston-Kilgore <>

Subject: NPA-2023-0023.02 and Rezoning C14-2023-0107 (6405 Berkman Drive)

External Email - Exercise Caution

To: Maureen Meredith

Re: NPA-2023-0023.02 and Rezoning C14-2023-0107 (6405 Berkman Drive)

Date: December 6, 2023

Dear Ms. Meredith,

I hope this letter finds you well. I am writing on behalf of the Windsor Park Neighborhood Plan Contact Team regarding the proposed development project at 6405 Berkman Drive, as part of NPA-2023-0023.02 and Rezoning C14-2023-0107.

Since our contact team does not convene in December due to the holiday season, we regretfully cannot provide an official recommendation at this time. Despite this timing challenge, I wanted to submit a letter on behalf of the contact team to express our deep interest in this case.

I recently had a constructive conversation with the developer's agent, who is aware of our December meeting hiatus. We both share a commitment to fostering meaningful discussions between the developer and the contact team before the city council considers the development project in the new year.

I would like to bring attention to specific areas of interest that our contact team considers critical:

1. **Affordability:** Given the recent significant rise in housing costs within Windsor Park, we strongly advocate that a percentage of the residential units within this development be designated as affordable. We are pleased to learn

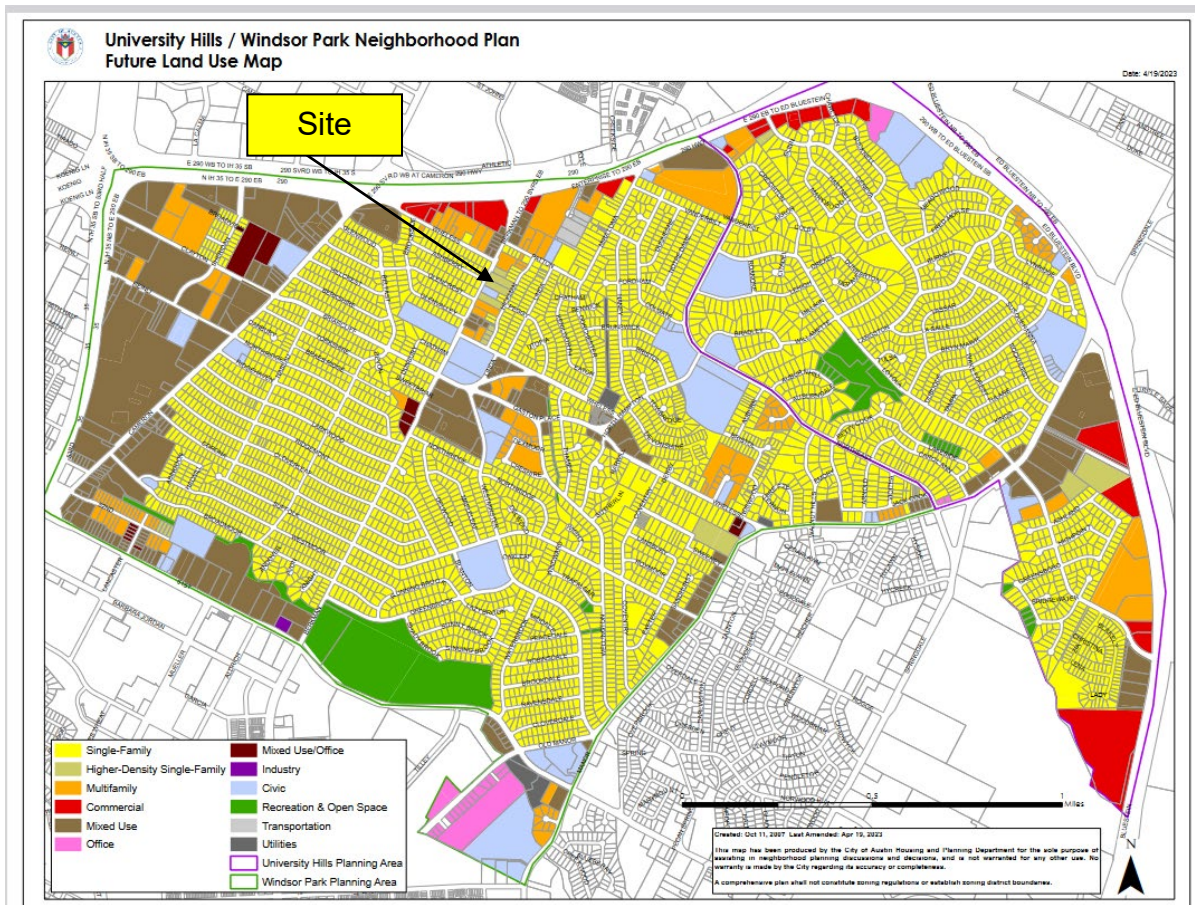
from the developer's agent that her client is exploring ways to enhance affordability.

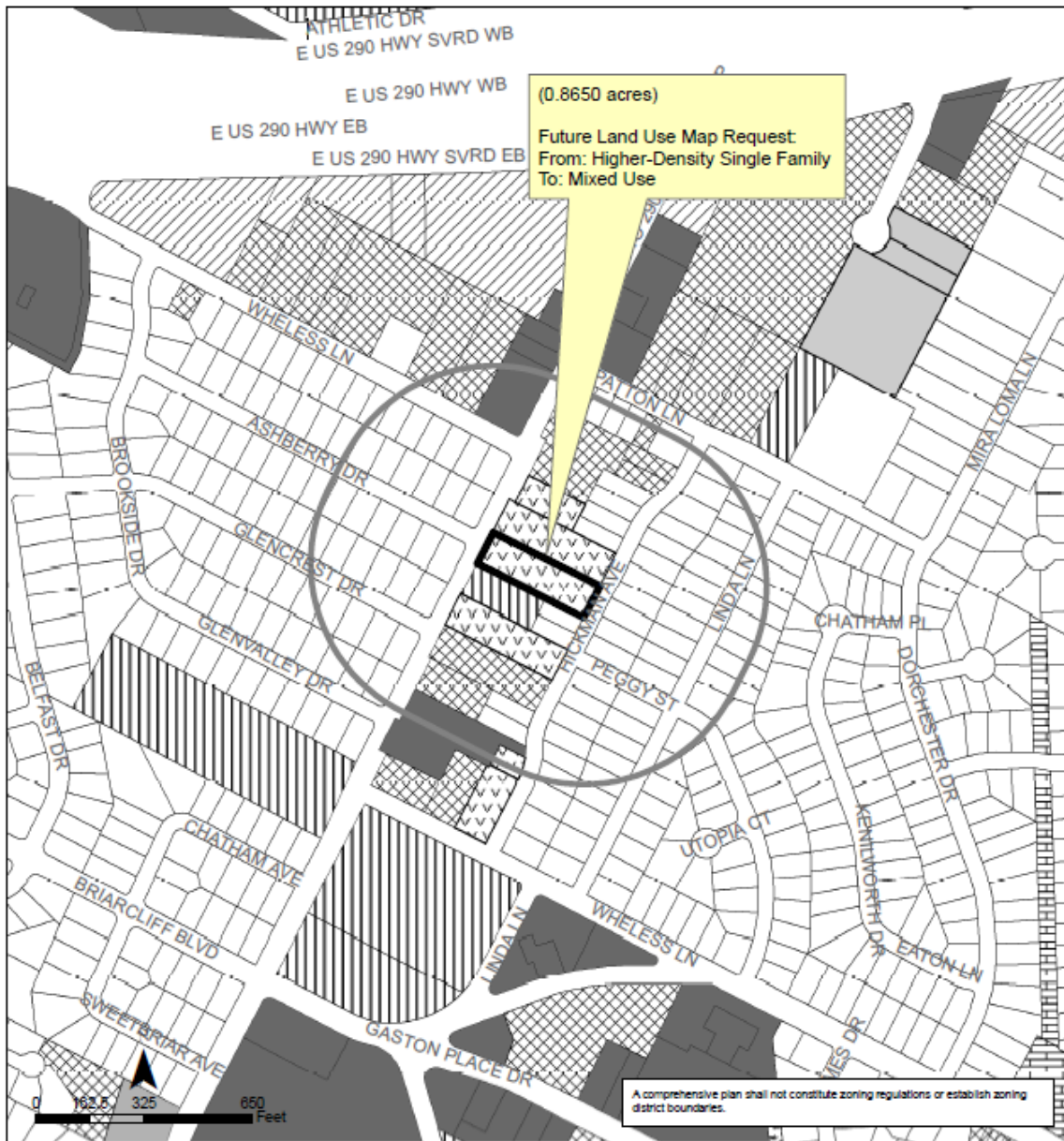
2. **Commercial Space:** Drawing from our past experiences and recognizing the limitations encountered with Live/Work designations in previous projects, we strongly advocate for a shift toward traditional commercial space. We propose that this space not only meets the necessary commercial zoning requirements but is also strategically positioned on the ground floor of the proposed building, facing Berkman Drive. This approach ensures a more effective integration of commercial elements into the neighborhood, contributing to a vibrant streetscape and fostering a dynamic, pedestrian-friendly environment.
3. **Traffic Capacity along Berkman Drive:** Collaborating with the City of Austin Transportation and Public Works Department to address mobility issues along Berkman Drive is a key priority for our neighborhood. We seek to garner the developer's support in these efforts, as improved infrastructure will not only enhance safety and accommodate increased density but also contribute to an enhanced overall experience for residents and customers accessing the project.

Thank you for considering our input on this substantial and promising development project in Windsor Park. If you require any additional information, please contact me.

Sincerely,

Rodney E. Ahart, Chair
Windsor Park Neighborhood Plan Contact Team





University Hills/Windsor Park Combined Neighborhood Planning Area NPA-2023-0023.02

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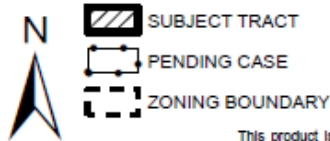
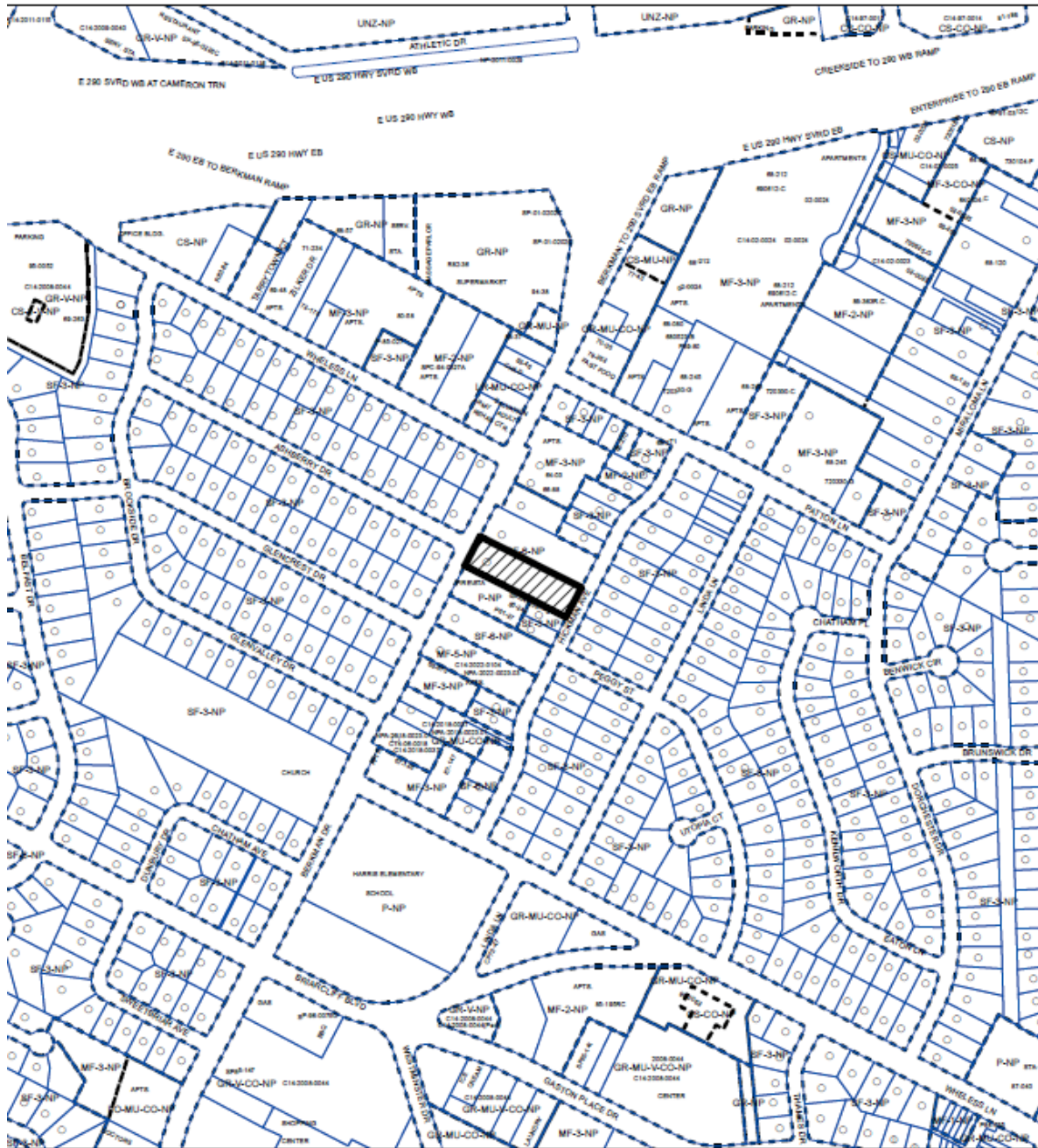
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City of Austin
Housing and Planning Department
Created on 8/9/2023, by: meekss

Future Land Use

	Subject Tract		Mixed Use/Office
	500 ft. notif. boundary		Multi-Family
	Civic		Recreation & Open Space
	Commercial		Single-Family
	Higher-Density Single-Family		Transportation
	Mixed Use		Utilities



1" = 400'

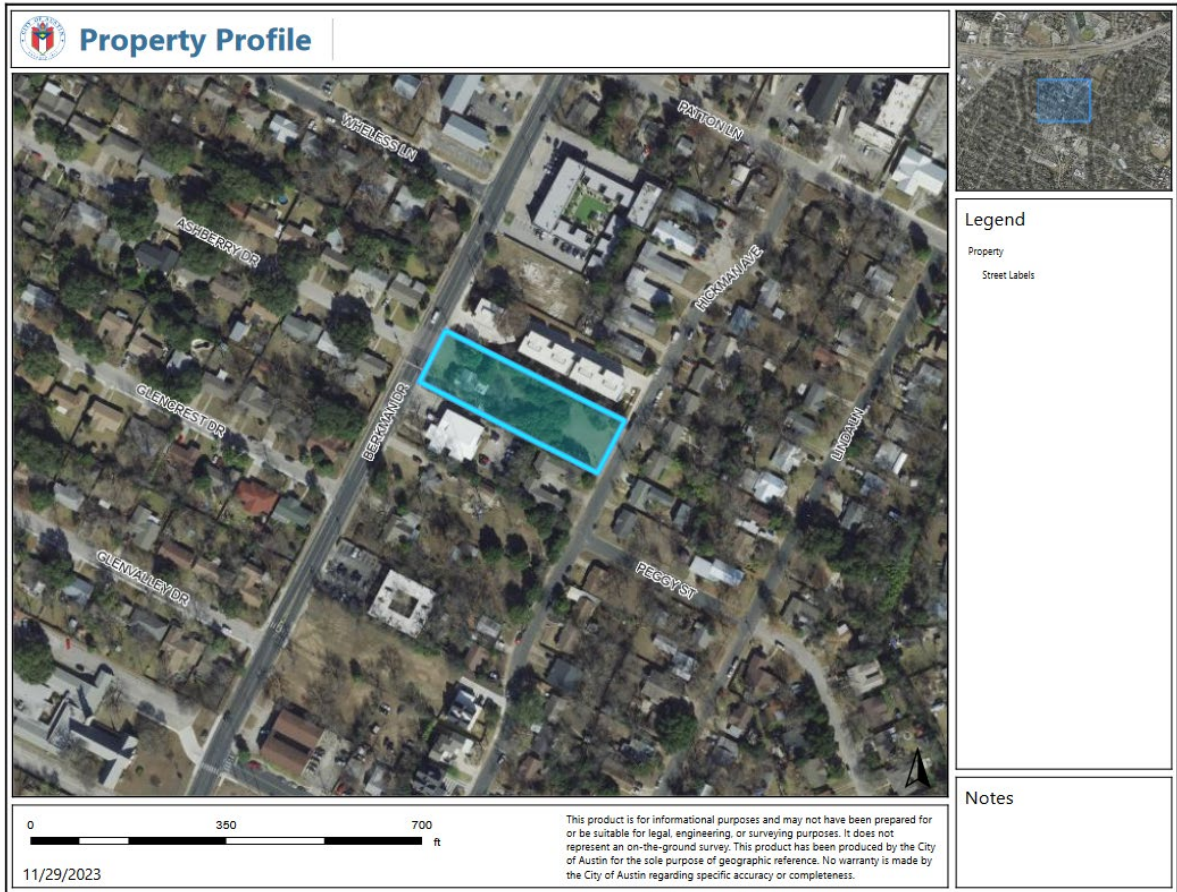
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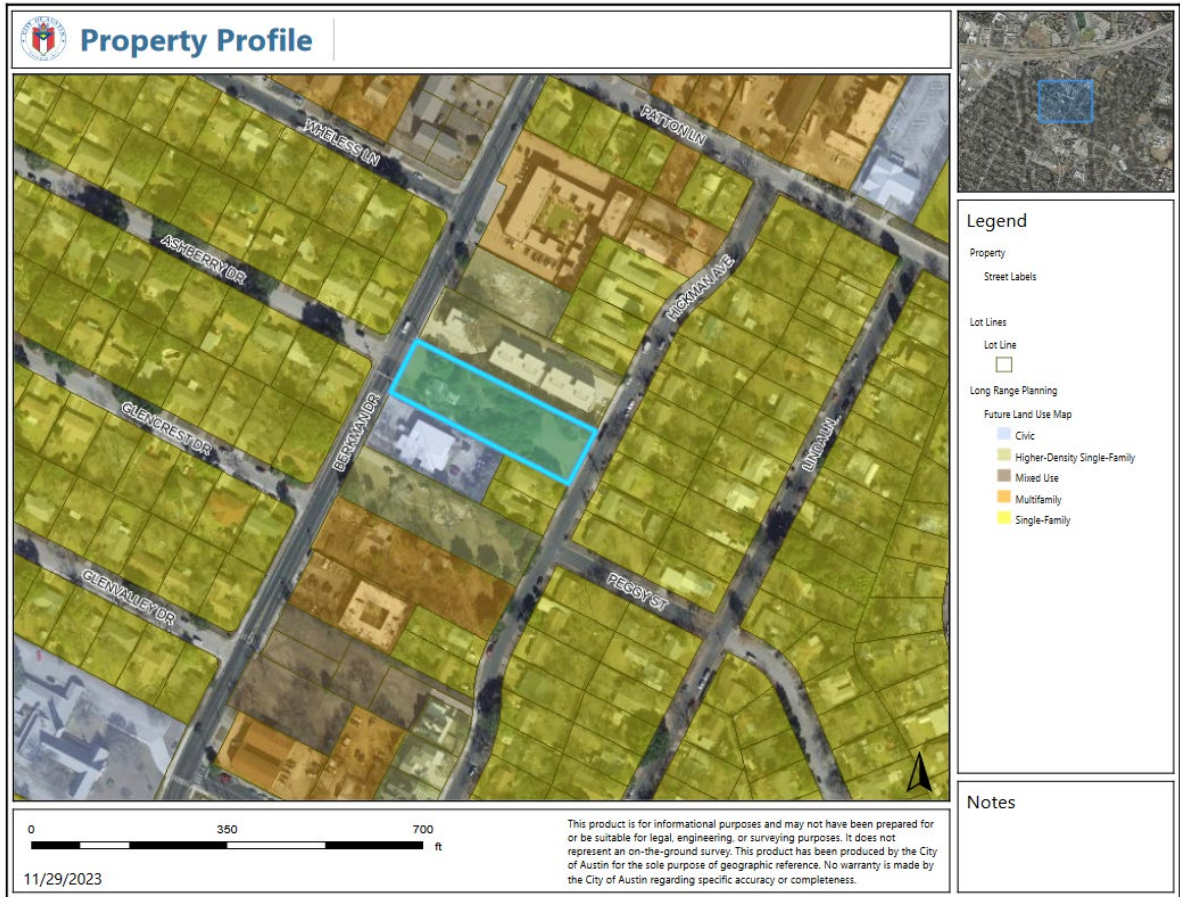
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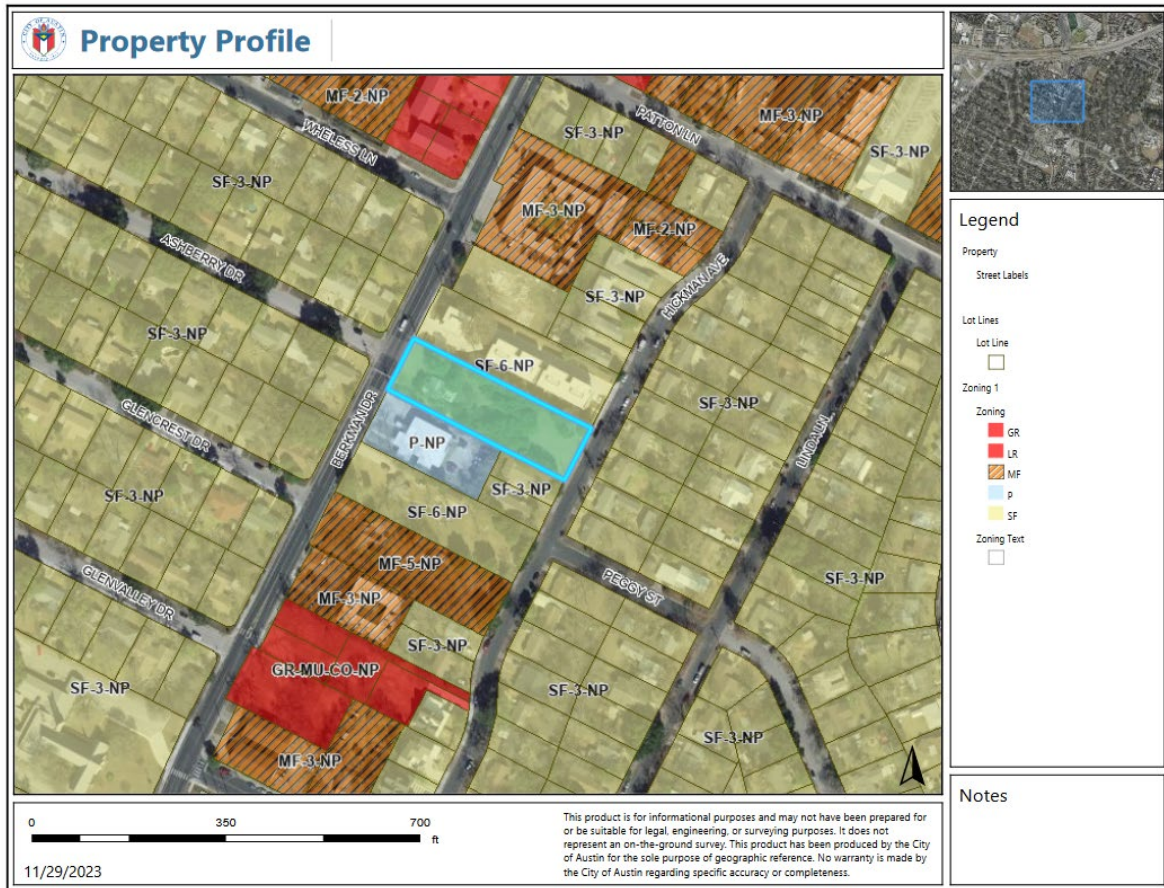
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Created: 9/19/2023







Victoria Haase's Presentation at the October 2, 2023
Virtual Community Meeting

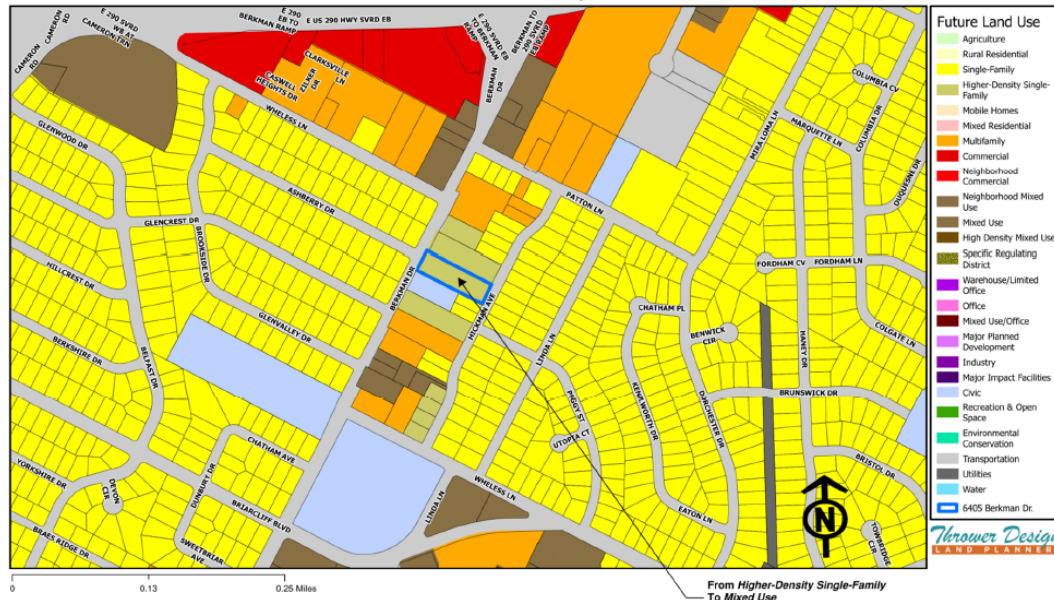


Berkman Mixed Use – NPA-2023-0023.02 – 6405 Berkman Drive
Neighborhood Plan Amendment Meeting – October 2, 2023



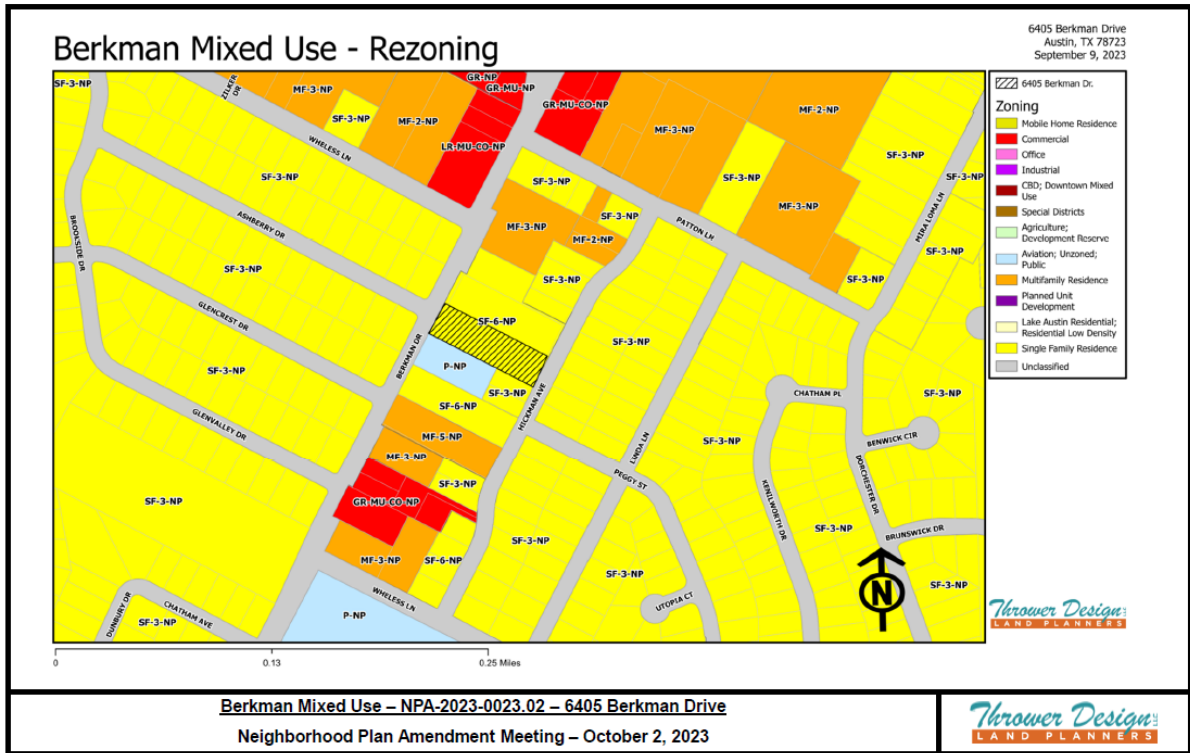
Berkman Mixed Use - FLUM Amendment/NPA

6405 Berkman Drive
Austin, TX 78723
July 25, 2023



Berkman Mixed Use – NPA-2023-0023.02 – 6405 Berkman Drive
Neighborhood Plan Amendment Meeting – October 2, 2023





Correspondence Received

-----Original Message-----

From: Mele Juillerat

Sent: Tuesday, August 15, 2023 4:03 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Subject: Case NPA-2023-0023.2

Hi Maureen.

Mele Juillerat and John Daughtride of 1607 Ashberry Drive.

We oppose 6405 Berkman being changed from high density single family to MU.

Thank you

Mele Juillerat

512-423-2328