

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2024.0118.SH (8301 Riverstone)

DISTRICT: 1

ADDRESS: 8301 Riverstone Drive

ZONING FROM: MF-2

TO: SF-3

SITE AREA: approximately 0.31 acres (approximately 13,417 square feet)

PROPERTY OWNER: 8301 Riverstone LP

AGENT: Austin Revitalization Authority (Bryan Kight)

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

STAFF RECOMMEDATION:

**Staff recommends granting family residence (SF-3) district zoning.** *For a summary of the basis of Staff's recommendation, please see the basis of recommendation section below.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

December 17, 2024: Applicant postponement request to January 21, 2025 approved on the consent agenda on Commissioner Flores' motion and Commissioner De Portu's second, on an 11-0 vote.

January 21, 2025: Zoning and Platting Commission is scheduled to hear the case.

CITY COUNCIL ACTION:

TBD

ORDINANCE NUMBER:

N/A

ISSUES:

The subject tract is within a designated Hazardous Pipeline Overlay. There are other structures within this overlay. The applicant has been in discussions with AFD and the AFD reviewer to ensure any proposed development in compliance with applicable codes and regulations.

CASE MANAGER COMMENTS:

The property in question is currently undeveloped land. The property is located approximately 150 feet north of Loyola Lane and approximately 850 feet west of Decker Lane in the Colony Meadows Subdivision. To the north are two single family homes constructed in approximately 2002. To the east is a residential duplex home constructed in approximately 2002. To the south is undeveloped land, which was rezoned in 2003. To the west is one single family home constructed in approximately 2002.

The subject tract is approximately 400 feet east of the Colony Park Imagine Austin Activity Center and approximately 150 feet north of the Loyola Lane Imagine Austin Activity Corridor.

BASIS OF RECOMMENDATION:

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

The applicant's request allows for reasonable use of the property. The development intensity is appropriate given the location, the surrounding land uses and proposed public investment within the

immediate vicinity. The subject tract is approximately ¼ mile from the Colony Park Sustainable Community Initiative. Riverstone Drive is an ASMP level 1 roadway within a neighborhood. It is proximate to multiple access points to Loyola Lane, Decker Lane and Colony Loop Drive. The site is within walking distance to the new Metro Rapid Route 837 which provides direct, frequent, limited stop service to Mueller, the University of Texas, and Downtown Austin.

**Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.**

The proposed zoning provides an opportunity for a lot that has been undeveloped for a long time to be developed in a way that would increase the City of Austin’s supply of affordable housing near new public transportation assets, and the Colony Park Sustainable Community Initiative.

Staff have also heard from neighbors in the vicinity who desire additional employment opportunities and businesses. This feedback was provided through multiple community engagement opportunities that have taken place with Colony Park Sustainable Community Planning Initiative, which is proximate to this site. Granting this rezoning request would also support that initiative by providing more residences to support that new community, new businesses, and job centers in the area.

**Granting of the request should result in an equal treatment of similarly situated properties.**

There are numerous other single-family homes and duplexes located reasonably within and around the noted Hazardous Pipeline Overlay. Many of these have existed for decades. Denying this request would not result in an equal treatment of similarly situated properties.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	MF-2	Undeveloped land
<i>North</i>	MF-2	Two single family homes constructed in approximately 2002
<i>South</i>	GR-CO	Undeveloped land, this land was rezoned in 2003, see <i>area case histories</i> section below
<i>East</i>	MF-2	Residential duplex constructed in approximately 2002
<i>West</i>	MF-2	One single family home constructed in approximately 2002

NEIGHBORHOOD PLANNING AREA: N/A

WATERSHED: Elm Creek Watershed

SCHOOLS: A.I.S.D.

Overton Elementary School

Dobie Middle School

LBJ High School

COMMUNITY REGISTRY LIST:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Colony Park Neighborhood Assn., Inc, Colony Park/Lakeside Community Development Corp, Del Valle Community Coalition, Friends of Austin Neighborhoods, Friends of Northeast Austin, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, Neighbors United for Progress, Overton Family Committee, SELTexas, Save Our Springs Alliance, Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C814-2024-0110.02.SH (Colony Park Sustainable Community Initiative PUD)	The Applicant is proposing to a PUD amendment on 208 acres of land to update the Land Use Plan, permitted uses, maximum densities and site development regulations. Related item: Council Resolution # 20230608-054	10.24.2023: Planning Commission approved staff Recommendation on Consent Agenda, Motion by Commissioner Anderson, Seconded by Commissioner Maxwell, (13-0).	11.30.2023: Granted PUD and a change to a condition of zoning, with several staff amendments on Council Member Harper-Madison's motion, Mayor Pro Tem Ellis' second on a 10-0 vote. Council Member Ryan Alter was absent.
C14-2022-0079 (Expo Center Park and Ride)	The Applicant is proposing to rezone approximately 8.01 acres from SF-3 to P, Public.	08.16.2022: To grant P zoning, on consent. (7-0) [Smith- 1st, Kiolbassa- 2nd; Barrera-Ramirez-recused, Acosta-abstained, Stern and Booth- absent.]	09.01.2022: Motion to grant public (P) district zoning was approved on Mayor Pro Tem Alter's motion, Council Member Tovo's second on an 11-0 vote.
C14-03-0071 (Zoning Lot 22 B Colony Meadows)	Applicant sought to rezone approximately 1.84 acres from MF-3 to GR.	05.13.2003: Recommended GR-CO with the additional condition of prohibiting automotive rental, automotive repair, automotive sales, and automotive washing (of any type) vote (9-0).	June 12, 2003: Ordinance No. 030612-Z-3 was approved.

RELATED CASES:

N/A

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning:

8301 RIVERSTONE DRIVE. C14-2024-0118.SH. Project: 8301 Riverstone. 0.31 acres from MF-2 to SF-3. Existing: undeveloped. Proposed: 3 single family units. Note that this is a SMART Housing Project, and the attached SMART housing letter describes a minimum requirement of 40% (2 units) at or below 80% MFI, and a proposed unit mix of 100% (03 units) at or below 80% MFI.

Yes	Imagine Austin Decision Guidelines
<b>Complete Community Measures *</b>	
Y	<b>Imagine Austin Growth Concept Map:</b> 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. <b>Names of Activity Centers/Activity Corridors/Job Centers *:</b> <b>Adjacent to Loyola Lane Activity Corridor; 0.07 miles to Colony Park Neighborhood Center</b>

Y	<b>Mobility and Public Transit</b> *: Located within 0.25 miles of public transit stop and/or light rail station. <b>0.10 miles to bus stop along Wentworth Drive</b>
Y	<b>Mobility and Bike/Ped Access</b> *: Adjoins a public sidewalk, shared path, and/or bike lane. <b>Sidewalk present along Riverstone Drive</b>
	<b>Connectivity, Good and Services, Employment</b> *: Provides or is located within 0.50 miles to goods and services, and/or employment center.
Y	<b>Connectivity and Food Access</b> *: Provides or is located within 0.50 miles of a grocery store/farmers market. <b>0.4 miles to JD's Super Market</b>
	<b>Connectivity and Education</b> *: Located within 0.50 miles from a public school or university.
	<b>Connectivity and Healthy Living</b> *: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	<b>Connectivity and Health</b> *: 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	<b>Housing Choice</b> *: 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	<b>Housing Affordability</b> *: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	<b>Mixed use</b> *: Provides a mix of residential and non-industrial uses.
	<b>Culture and Creative Economy</b> *: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	<b>Culture and Historic Preservation</b> : Preserves or enhances a historically and/or culturally significant site.
	<b>Creative Economy</b> : Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	<b>Workforce Development, the Economy and Education</b> : 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.
	<b>Industrial Land</b> : Preserves or enhances industrial land.
Y	<b>Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone</b>
7	<b>Number of "Yes's"</b>

Environmental:

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Elm 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:

Based on the provided correspondence from the applicant they will comply with the pipeline ordinance with a performance-based design utilizing a fire barrier wall.

The wall is NOT a blast wall with requirements of impact or seismic loading. The wall is intended to block the heat and radiant energy of an ignited pipeline fuel spill.

The wall shall be of non-combustible construction and shield the habitable structure to the roof line with wall having fire resistive fascia. The incident command may require residents/tenants to shelter in place.

DSD shall confirm the wall footing is compatible within the easement restrictions and/or require an encroachment agreement from the utility operator/owner. Natural gas easements are typically more restrictive than liquid petroleum pipeline easements.

If the wall design is determined not to be feasible then the residential structure shall utilize fire rated construction with fire resistive fascia in accordance with Fire Criteria.

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, single family with SF-3 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](mailto:thomas.rowlinson@austintexas.gov). At the applicant's request, PARD can provide an early determination of parkland dedication requirements.

Site Plan:

- SP 1. Site plans will be required for any new development other than single-family or duplex residential.
- SP 2. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- SP 3. FYI This site is in the North Loop Neighborhood Plan
- SP 4. 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:

No comments on rezoning.

**EXISTING STREET CHARACTERISTICS:**

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Riverstone DR.	Level 1	58'	65'	43'	No	No	Yes

TIA:

A 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.

Austin Water Utility:

AW1. No comments on zoning change.

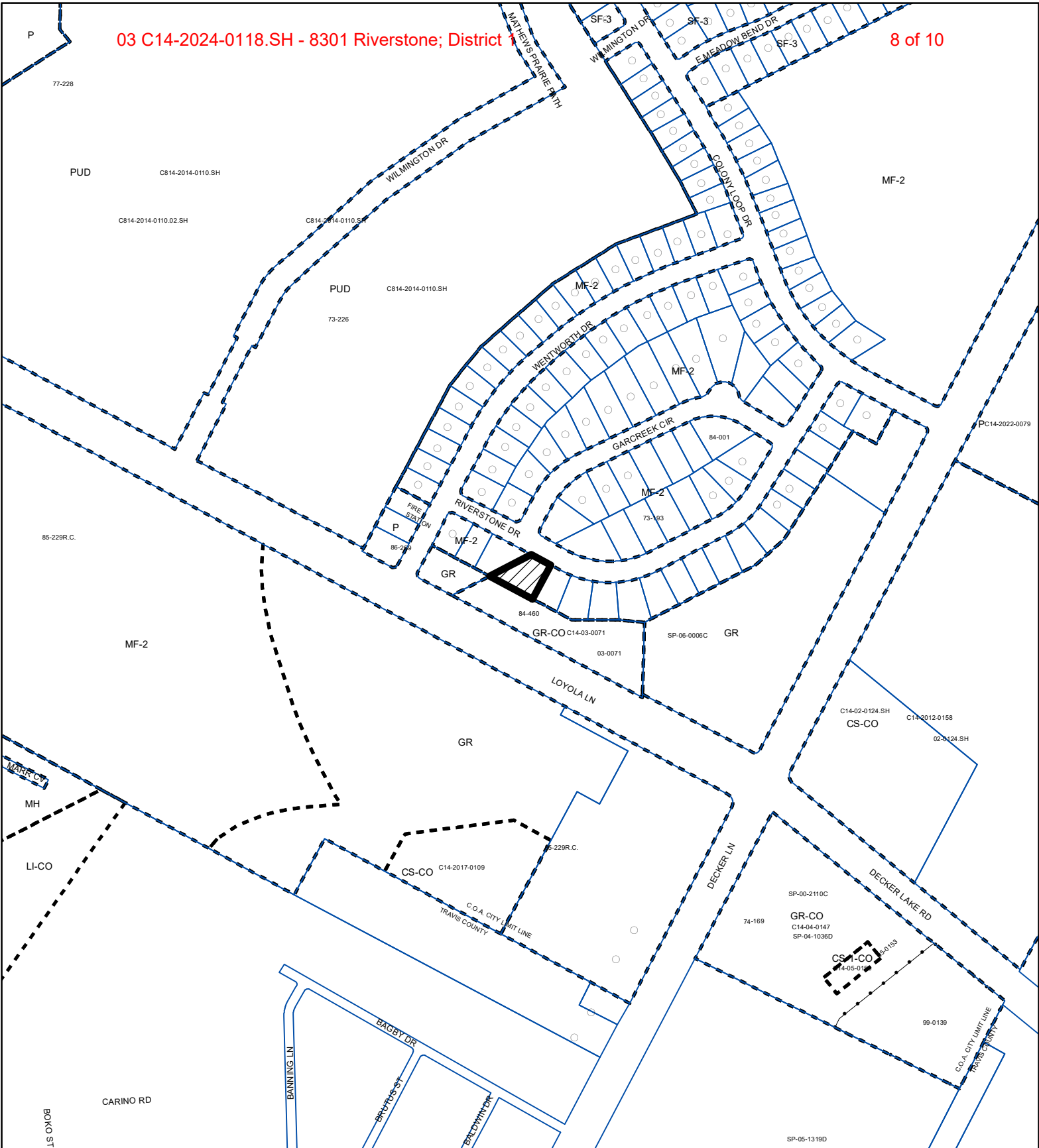
FYI: The landowner intends to serve the site with existing City of Austin water utilities.

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](mailto:ser@austintexas.gov).

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letter








### ZONING

ZONING CASE#: C14-2024-0118.SH



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

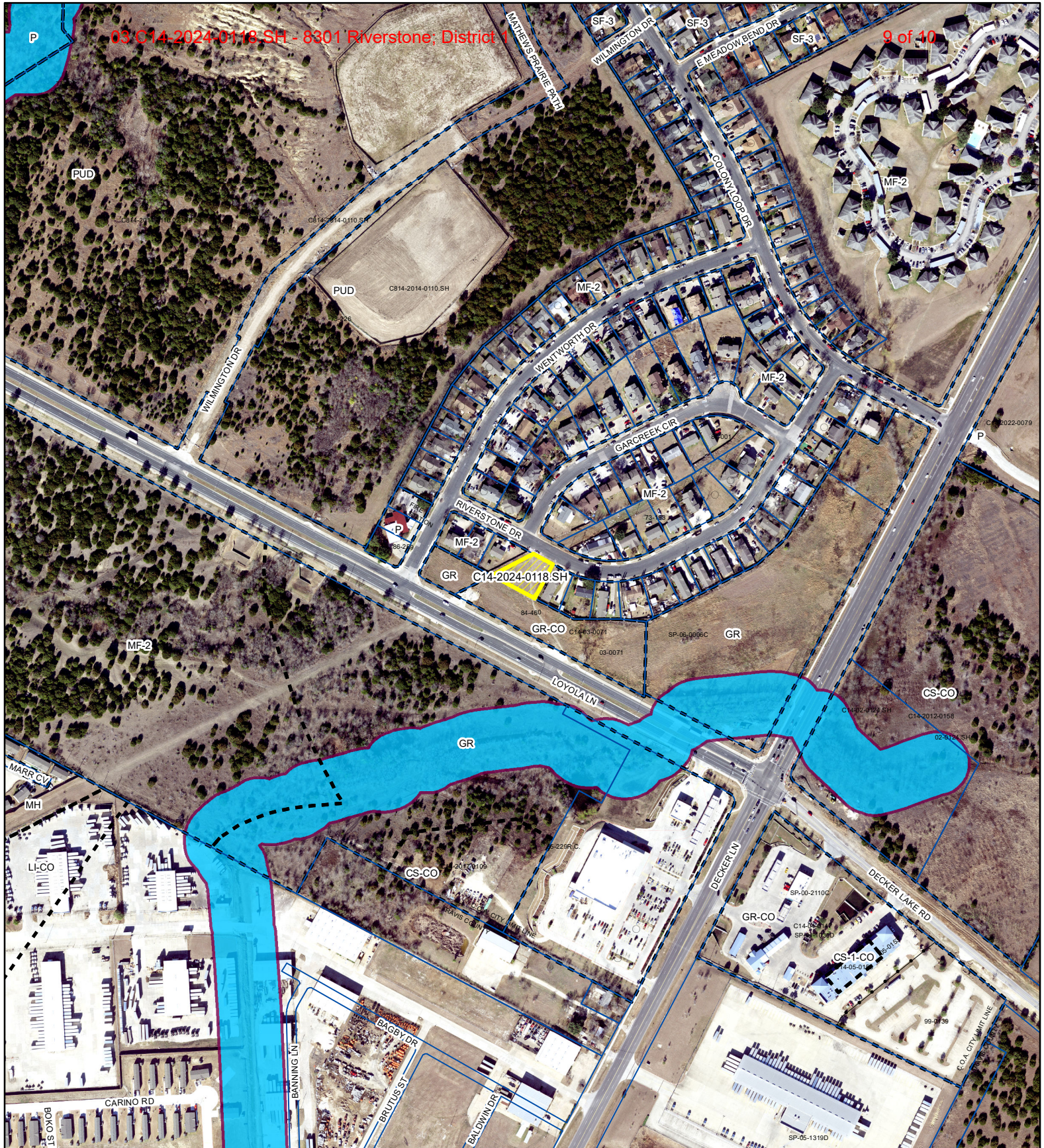
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This product has been produced by the Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.







Created: 7/31/2024





### 8301 Riverstone

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

ZONING CASE#: C14-2024-0118.SH  
 LOCATION: 8301 Riverstone  
 SUBJECT AREA: 0.31 acres  
 MANAGER: Jonathan Tomko



N  
  
 1" = 400'

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Dear Zoning & Platting Commission as well as City of Austin Staff,

It is the intention of the owners, Riverstone LP and the architect, Trinity White Architecture, to adhere completely to the Austin Fire Code. In particular, to the incorporation of Table 104.9 in LDC Section 25-2-516 and International Fire Code (LDC Chapter 25-12, Article 7), Reference Section 104.9. Which outlines the Minimum Construction Requirements within 200 feet of a Hazardous Pipeline. The preference is to construct an easement barrier, however if that proves to be infeasible then the project will be one hour rated construction as defined per the code.

As there are many existing and proposed homes along this length of pipeline, we are confident that we will be able to meet the requirements as laid out by code.

Respectfully,

Trinity E. White, A.I.A

Gregory L. Smith, Riverstone LP