

ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0119
(The Oaks Phase III)

Z.A.P. DATE: November 6, 2012

ADDRESS: 14233 The Lakes Boulevard

OWNER/APPLICANT: Tech Ridge Spectrum B.C., L.P.

AGENT: Smith, Robertson, Elliott, Glen, Klein & Douglas (David Hartman)

ZONING FROM: CS-MU-CO **TO:** MF-2 **AREA:** 12.3312 acres

SUMMARY STAFF RECOMMENDATION:

The staff recommends MF-2, Multifamily Residence-Low Density District, zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

11/06/12: Approved MF-2 zoning on consent (6-0, G. Rojas-absent); P. Seeger-1st, C. Banks-2nd.

DEPARTMENT COMMENTS:

The applicants are requesting to downzone the property to the MF-2, Multifamily Residence-Low Density District, zoning for because they would like develop the site with an apartment complex.

The staff is recommending MF-2 zoning for the site because this tract of land meets the intent of the Multifamily Residence-Low Density District as the property fronts onto a commercial collector roadway near a developing single-family neighborhood. The MF-2 zoning district would be compatible and consistent with the surrounding uses because there is CS-MU-CO zoning to the north, south and east of this site and adopted multifamily uses in the Northtown MUD to the southeast. The MF-2 zoning district would allow for a fair and reasonable use of the site as the proposed zoning will permit the applicant to develop the site with low density multifamily residential uses in an area where a variety of housing options are desirable.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO	Undeveloped
<i>North</i>	CS-MU-CO	Undeveloped, Drainage Culvert, Single-Family Residences
<i>South</i>	CS-MU-CO	Undeveloped
<i>East</i>	County	Undeveloped, Drainage Culvert, Single-Family Residences
<i>West</i>	CS-CO	Undeveloped

AREA STUDY: N/A

TIA: Waived

WATERSHED: Harris Branch

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A**HILL COUNTRY ROADWAY: N/A****NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation
Austin Monorail Project
Home Builders Association of Greater Austin
Homeless Neighborhood Association
League of Bicycling Voters
North Growth Corridor Alliance
Pflugerville Independent School District
SELTEXAS
Sierra Club, Austin Regional Group
The Real Estate Council of Austin, Inc.

SCHOOLS: Pflugerville I.S.D.

Northwest Elementary
Parmer Lane Elementary
Westview Middle School
Connally High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-05-0148 (SCI Tract: North IH-35 and West Howard Ln.)	I-RR to CS-MU	10/18/05: Approved staff's recommendation for CS-MU-CO zoning, with 2,000 vehicle trip limit, by consent (9-0); J. Martinez-1 st , J. Gohil-2 nd .	11/17/05: Approved ZAP Recommendation of CS-MU-CO zoning by consent (7-0); all 3 readings
C14-04-0212 (Dessau Park: 1000 West Howard Lane)	I-RR to MF-2, LI	3/29/05: Approved staff's recommendation for MF-2-CO zoning for Tract 1 and LI-CO zoning for Tract 2, w/ 2,000 vtpd limit, by consent (9-0)	4/28/05: Granted MF-2-CO for Tract 1 and LI-CO for Tract 2 (5-0-McCracken/Wynn-off the dais); all 3 readings
C14-03-0125 (Wagner Tract: 13801- 14409 North IH-35 Service Road North Bound)	SF-2 to CS	6/1/04: Approved GR-CO zoning with the following prohibited uses: Automotive Repair Services; Drop-Off Recycling Collection Facility; Pawn Shop Services (8-0, Pinnelli-absent	6/17/04: Granted CS-CO as recommended by staff, with additional conditions agreed to between the applicant and the neighborhood association the applicant and the neighborhood association (7-0); 1 st reading 3/24/05: Approved CS-CO with TIA conditions (public restrictive covenant) on 2 nd /3 rd readings (7-0)
C14-02-0111 (The Shops on Howard Lane: 1200 Block of	TR1: GR-CO to GR TR2: CS-CO to CS	10/15/02: Approved staff's rec. of GR-CO; CS-CO zoning with added condition to prohibit Automotive Sales; by consent (7-0, D. Castaneda-	12/5/02: Granted GR-CO for Tract 1 and CS-CO for Tract 2 on all 3 readings (7-0)

West Howard Lane)		absent	
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RELATED CASES: C14-05-0148 (previous zoning case for this site)

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic City of Austin traffic counts:
The Lakes BLVD	72'	47'	Commercial Collector	Not Available

CITY COUNCIL DATE: December 6, 2012

ACTION:

ORDINANCE READINGS: 1st

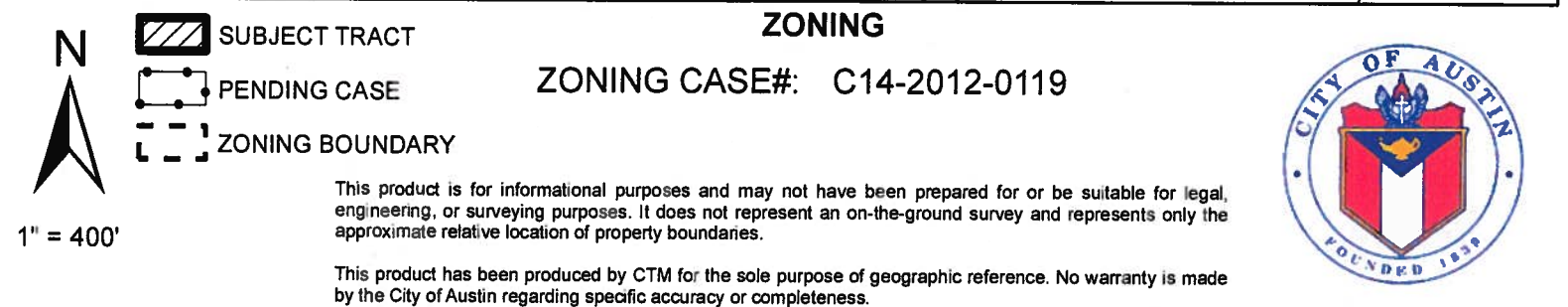
2nd

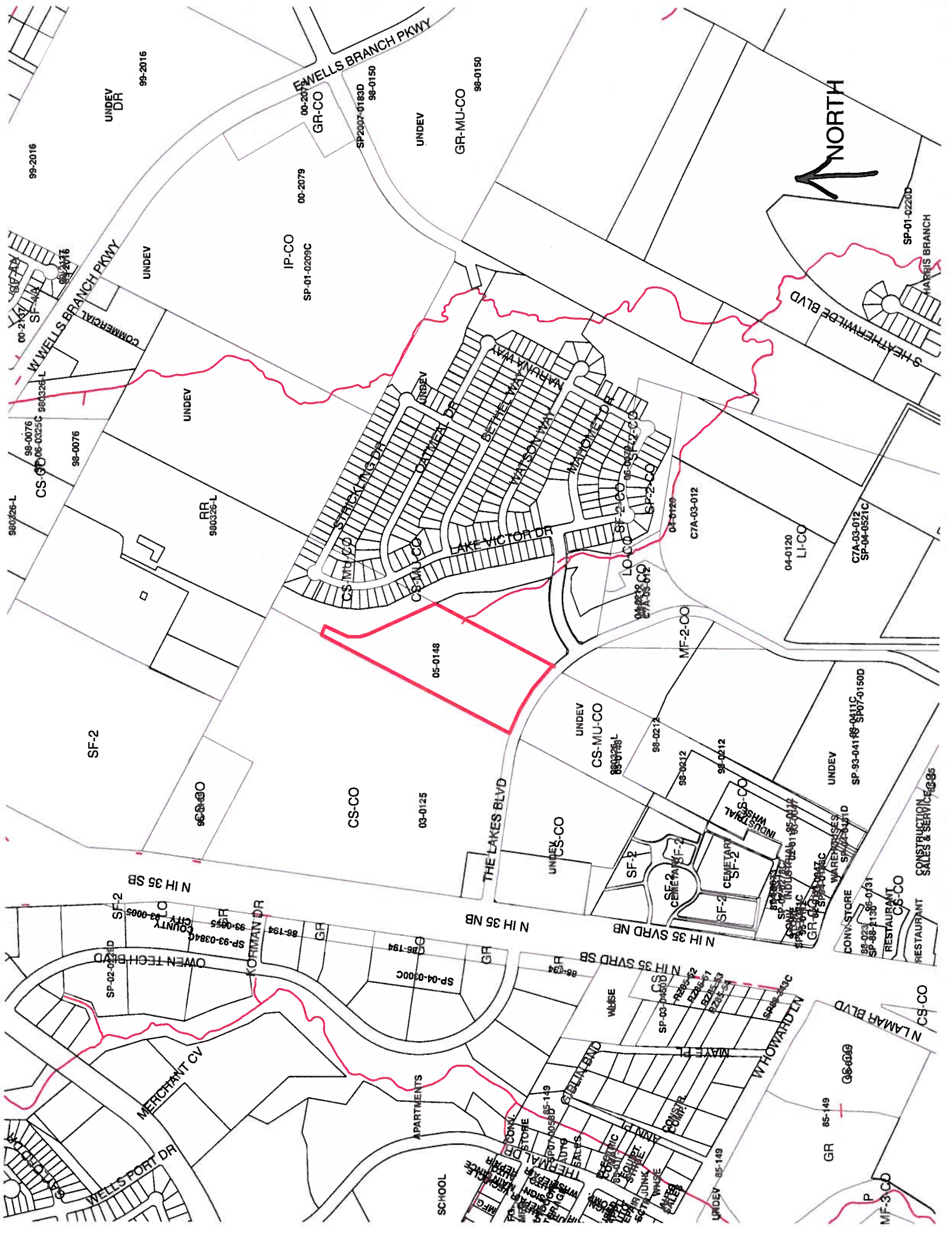
3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,
sherri.sirwaitis@ci.austin.tx.us







STAFF RECOMMENDATION

The staff recommends MF-2, Multifamily Residence-Low Density District, zoning.

BASIS FOR RECOMMENDATION

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

Multifamily residence low density (MF-2) district is the designation for a multifamily use with a maximum density of up to 23 units per acre, depending on unit size. An MF-2 district designation may be applied to a use in a multifamily residential area located near single family neighborhoods or in an area for which low density multifamily use is desired.

2. *The proposed zoning should promote consistency and orderly planning.*

The MF-2 zoning district would be compatible and consistent with the surrounding uses because there is CS-MU-CO zoning to the north, south and east of this site and adopted multifamily uses in the Northtown MUD to the southeast. The applicant is proposing to downzone this site to permit low density multifamily uses on a commercial collector roadway near a developing single-family neighborhood.

3. *The proposed zoning should allow for a reasonable use of the property.*

The MF-2 zoning district would allow for a fair and reasonable use of the site. The proposed zoning will permit the applicant to develop the site with low density multifamily residential uses in an area where a variety of housing options are desirable.

EXISTING CONDITIONS

Site Characteristics

The property in question is a large undeveloped tract of land that relatively flat and sparsely vegetated. The properties to the north, south and west are also undeveloped parcels. To the east, there is a drainage culvert and a single-family residential neighborhood that is currently under development by KB Homes.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Harris Branch Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

According to flood plain maps there is no flood plain within or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable

regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

At this time, no information has been provided as to whether this property has any pre-existing approvals that preempt current water quality or Code requirements.

Impervious Cover

The maximum impervious cover allowed by the MF-2 zoning district would be 60%. However, because the Watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover on this site would be limited by the watershed ordinance.

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 Net Site Area</i>	<i>% 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%

Note: The most restrictive impervious cover limit applies.

Site Plan

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted. The zoning request is for MF-2, however the development will be required to comply with portions of Subchapter E. This site is over 5 acres, therefore the principal roadway would be an Internal Circulation Route.

The development would be required to comply with common open space requirements in LDC Section 25-2-780.

Parkland fees will be required to be paid at the time of site plan review. The fee is \$650 per unit.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in storm water runoff will be mitigated through on-site storm water detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

Transportation

Following existing streets are abutting this parcel:

Name	ROW	Pavement	Classification	Daily Traffic City of Austin traffic counts:
The Lakes BLVD	72'	47'	Commercial Collector	Not Available

No additional ROW is required at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

There are existing sidewalks along both sides of The Lakes Boulevard.

Following table shows 2009 Bicycle Plan recommendations for the boundary street for this parcel:

Street Name	Existing Bicycle Facility	Recommended Bicycle Facility
The Lakes BLVD	None	None

Following Capital Metro bus service routes are available within ½ mile of this parcel:

243 – Wells Branch
1M – North Lamar VIA Metric
135 – Dell Limited
935 – Tech Ridge Express
101 – N Lamar/S Congress
1L – N Lamar

Water and Wastewater

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 proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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.