

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0030.SH (Rutledge Spur Apartments) **P.C. DATE:** April 8, 2014

ADDRESS: 13635 Rutledge Spur

OWNER/APPLICANT: Chris Collins

AGENT: Civiltude (Fayez Kazi)

ZONING FROM: I-RR, CS-MU-CO **TO:** MF-4 **AREA:** 7.082 acres (308,491.92 sq. ft.)

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant MF-4-CO, Multi-Family Residence-Moderate-High Density-Conditional Overlay Combining District, zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day.

In addition, 35 feet of right-of-way should be dedicated from the centerline of Rutledge Spur (CR 183) through a street deed to the City of Austin in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site.*

*After the Zoning and Platting Commission meeting, the applicant sent an e-mail to the staff on April 10, 2014 requesting to defer the ROW requirement for this case to the site plan stage of development. Joe Almazan, the Transportation reviewer for this case, stated that he had no objection to deferring the requirement for dedication of additional right-of-way to the site plan application process.

PLANNING COMMISSION RECOMMENDATION:

4/08/14: Approved staff's recommendation for MF-4-CO zoning, with conditions, by consent (9-0);
R. Hatfield- 1st, A. Hernandez-2nd.

DEPARTMENT COMMENTS:

The property in question consists of a tract of land that fronts North F. M. 620 and contains a barn structure and a lot that accesses onto Rutledge Spur that is developed with a single-family residence with outlying structures. The applicant is requesting MF-4, Multifamily Residence-Moderate-High Density District, zoning because they would like to develop apartments on the site. To the north of this site there is a single family residence and was zoned CS-MU-CO in 2011. The lots to the east contain an undeveloped area and a multifamily residential use (The Remington Apartments). The tracts of land to the west are part of the Leander Rehabilitation PUD and remain undeveloped. The previous owner of the southern (I-RR) portion of this site requested GR, Community Commercial zoning, in 2002 through zoning case C14-02-0160. However, the zoning was never finalized as the case expired before 2nd/3rd readings at City Council (please see Case Histories below).

The staff is recommending MF-4 zoning for this site because the property meets the intent of the MF-4 district as it is in an area near supporting transportation facilities. A portion of the property fronts onto FM 620 Road/State Highway 45 and is located within a transit oriented development district (Northwest Park & Ride Town Center TOD) which is developing to the west. The property in question is situated between GR-MU-CO zoning to the west and the Leander Rehabilitation PUD to

the east, which permits CRE (GR-MU) uses. Multifamily Residential is a permitted use on the properties to the north, east and west of this site.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR, CS-MU-CO	Barn, Undeveloped Area, Single-Family Residence and Granny Flat
<i>North</i>	CS-MU-CO	Single-Family Residence
<i>South</i>	GR-CO, County	North F.M. 620 Service Road/ North State Highway 45 Westbound, Office (State Farm Insurance), Automotive Repair (Dent Star), Automotive Rentals (American Adventure RV Rentals), Food Sales/General Retail Sales-Convenience (EZ In & EZ Out Grocery), Office (Amber Oaks Corporate Center)
<i>East</i>	GR-MU-CO	Undeveloped Tract, Multifamily (The Remington Apartments)
<i>West</i>	PUD	Undeveloped

AREA STUDY: Northwest Park and Ride Town Center TOD **TIA:** Waived

(The site under consideration is located within the Northwest Park and Ride Town Center Transit Oriented Development (TOD) District. These tracts of land/lots are in the transition zone, which is the area at the periphery of the TOD district. Development intensity is compatible with the existing or anticipated future development adjacent to the TOD district. A transition zone has the lowest density and building height in a TOD district. In a TOD district, the following uses are prohibited: automotive sales; automotive washing; basic industry; convenience storage; equipment repair services; equipment sales; recycling center; scrap and salvage services; vehicle storage and a use with a drive-in service is prohibited. In addition, an automotive repair services use, automotive rentals use, or commercial off-street parking use that would otherwise be a permitted use is a conditional use. Finally, a residential use is permitted above the first floor of a commercial building.)

WATERSHED: Lake Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
 Austin Monorail Project
 Austin Northwest Association
 Bike Austin
 Davis Spring HOA
 Davis Springs President
 Homeless Neighborhood Association
 Neighborhood Association of Southwest Williamson County
 SELTEXAS
 Sierra Club, Austin Regional Group
 The Real Estate Council of Austin, Inc.

SCHOOLS: Round Rock I.S.D.

Forest North Elementary School
Grisham Middle School
Mc Neil High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2013-0036 (Paloma Ridge: 13620-13700 North RM 620 Road)	MF-3, GO-MU-CO to GR-MU-CO* *The applicant proposed a CO to prohibit the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing, Consumer Convenience Services, Outdoor Sports and Recreation, Pawn Shop Services, Community Recreation (Public & Private), Congregate Living, Cultural Services, Off-site Accessory Parking, Residential Treatment, Bail Bonds, Commercial Off- Street Parking, Consumer Repair Services	4/16/13: Approved staff's recommendation of GR-MU- CO zoning on consent (7-0); P. Seeger-1 st , S. Compton-2 nd .	5/09/13: Approved GR-MU-CO zoning on 1 st reading on consent (7-0); B. Spelman-1 st , S. Cole-2 nd . 5/23/13: Approved GR-MU-CO zoning on 2 nd /3 rd readings on consent (7-0); B. Spelman-1 st , L. Morrison-2 nd .
C14-2011-0022 (Toungate 6: 13653 Rutledge Spur)	I-RR to CS-MU	5/24/11: Approved the staff's recommendation of CS-MU- CO zoning, with a CO to allow Construction Sales and Services as the only permitted 'CS' district use and allow for all other 'W/LO' district permitted uses and W/LO district site development standards, to limit development intensity for the site to less than 2,000 vehicle	6/09/11: Approved CS-MU-CO zoning by consent on 1 st reading (7-0); S. Cole-1 st , M. Martinez- 2 nd . 6/23/11: Approved CS-MU-CO zoning on consent on 2 nd /3 rd readings (7-0); B. Spelman-1 st , L. Morrison-2 nd .

		trips per day, and a requirement to dedicate 35-foot of right-of-way from the existing centerline of Rutledge Spur through a street deed, by consent (6-0, D. Anderson and D. Chimenti-absent); M. Dealey-1 st , S. Kirk-2 nd .	
C14-2010-0200 (Lankford/Schirpik -5: 13635 and 13641 Rutledge Spur)	I-RR to CS-MU-CO	5/24/11: 5/24/11: Approved the staff's recommendation of CS-MU-CO zoning, with the following conditions: to allow Construction Sales and Services as the only permitted 'CS' district use and allow for all other 'W/LO' district permitted uses and W/LO district site development standards, to limit development intensity for the site to less than 2,000 vehicle trips per day, by consent (6-0, D. Anderson and D. Chimenti-absent); M. Dealey-1 st , S. Kirk-2 nd .	6/09/11: Approved CS-MU-CO zoning by consent on 1 st reading (7-0); S. Cole-1 st , M. Martinez-2 nd . 6/23/11: Approved CS-MU-CO zoning on consent on 2 nd /3 rd readings (7-0); B. Spelman-1 st , L. Morrison-2 nd .
C14-2009-0110 (American Adventure: 13505 North R.M. 620 Road)	GR-CO to GR	12/15/09: Approved GR-CO zoning (Vote: 7-0, D. Tiemann-1 st , P. Seeger-2 nd), with following conditions: 1) No 24-hour uses; 2) Prohibit the following uses – Automotive Rentals, Automotive Repair Services, Automotive Sales, Bail Bond Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Off-Site Accessory Parking, Pawn Shop Services, Personal Improvement Services, Congregate Living, Group Home, Class I (General), Group Home, Class I (Limited), Group Home (Class II), Guidance Services, Residential Treatment. 01/19/10: Approved GR-CO zoning, with following conditions: 1) No 24-hour	2/25/10: Approved GR-CO zoning on consent (7-0); B. Spelman-1 st , C. Riley-2 nd . 11/18/10: Approved GR-CO zoning with conditions on 2 nd /3 rd readings on consent (7-0); Cole-1 st , Spelman-2 nd .

		uses; 2) Prohibit the following uses – Automotive Sales, Bail Bond Services, Commercial Off-Street Parking, Drop-Off Recycling Collection Facility, Exterminating Services, Off-Site Accessory Parking, Pawn Shop Services, Personal Improvement Services, Congregate Living, Group Home, Class I (General), Group Home, Class I (Limited), Group Home (Class II), Residential Treatment and encourage the neighborhood and the applicant to enter into a private restrictive covenant before 3 rd reading of the case at City Council that will limit the type of Automotive Rental and Automotive Repair uses allowed on the site (Vote: 5-2, D. Tiemann. T. Rabago-No; S. Baldridge-1 st , P. Seeger-2 nd).	
C14-02-0160 (Barbara Raney Piece: 13544 North R.M. 620)	I-RR, SF-2 to GR	11/12/02: Approved staff's recommendation of GR-CO zoning with additional conditions (as agreed to by the Neighborhood and the Applicant) prohibiting the following uses: Automotive Rentals, Automotive Repair Services, Automotive Washing (of any type), Consumer Convenience Services, Drop-Off Recycling Collection Facility, Off-Site Accessory Parking, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shops, Custom Manufacturing, Urban Farm, Club or Lodge, Community Recreation (Private), Community Recreation (Public), Congregate Living, Cultural Services, Guidance Services, Residential Treatment, Telecommunication Towers; by consent (6-0, A. Adams, J. Gohil-absent); J.Martinez-1 st ,	12/12/02: Granted GR-CO – Subject to dedication of 75 feet of ROW and resolution of the 200 feet of ROW reservation from the future center line of FM-620 (7-0); 1 st reading. 12/12/03: Administrative- Case expired per Section 25-2-249(B), no 3 rd reading occurred.

		D. Castaneda-2 nd .	
C14-01-0161 (13505 N. RM 620)	I-SF-2 to GR	12/11/01: Approved NO-CO w/ conditions (8-0)	2/7/02: Approved GR-CO w/ conditions agreed to between Neighborhood & Applicant (5-0); 1 st reading 4/25/02: Approved ZAP rec. of NO-CO w/ changes in conditions (7-0); 2 nd reading only 5/23/02: Approved NO-CO (7-0); 3 rd reading
C14-99-0090 (Davis Springs: 9801 Block of Spectrum Drive)	R&D to LI	7/27/99: Approved IP (TR1), IP-CO (TR2), with CO for 2,000 vehicle trip per day limit (6-0-1)	8/26/99: Approved PC rec. of IP (TR1) and IP-CO w/ conditions (TR2) (7-0); 1 st reading 9/30/99: Approved 2 nd /3 rd readings (7-0)
C14-99-0027 (PAC Ten MGA Tract 6A: 13608-13640 FM 620 Road)	I-RR, SF-2 to GR	4/13/99: To grant GR-CO for Tract 1 and GO-CO for Tract 2, with COs to limit the site to 2,000 vehicle trips per day, no access to Tom Kemp Lane, and include restrictive covenants submitted by the Southwestern County Neighborhood Association, and dedicate 75 feet of ROW from the centerline of FM 620 Road and reserve 50 feet of ROW from the centerline of Parmer Lane (7-0, Rawlins and Sullivan-absent)	3/23/00: Approved GR-CO, with CO for 2,000 vehicle trip per day limit for case C14-99-0027A(6-0, Watson-off dais); 1 st reading 5/18/00: Approved GR-CO on 2 nd /3 rd readings for case C14-99-0027A. 7/19/01: Approved GR-CO for Tract 1 and GO-CO for Tract 2, with conditions, for case C14-99-0027B on all 3 readings (4-0)
C14-98-0251 (PAC Ten MGA Tracts 6, 7, & 8: 13608-13640 FM 620 Road)	I-RR, DR to MF-3, GR	4/13/99: Approved MF-3 w/ conditions & RC (7-0)	12/9/99: Approved PC rec. of MF-3 w/ condition s (7-0); 1 st reading 6/29/00: Approved 2 nd /3 rd readings (7-0)

C814-97-0001.07 (Leander Rehabilitation PUD Amendment #8)	PUD to PUD: The applicant is requesting to amend the Leander Rehabilitation Planned Unit Development (PUD) to revise the Land Use Plan (Exhibit A) and the Development Standards Table (Exhibit E) in the State of Texas Special Board Orders to include additional notes to clarify conditions to permit the following: 1) Modification of the Development Standards Table (shown in this proposed amendment as Exhibit E.3) to allow for an increase in impervious cover of up to 85% for parcels CRE-6, CRE-7, CRE-14 (except for the portion of CRE-14 located at the southeastern corner of Lago Drive and Arbor Way) and CRE-15. 2) Modification of the Development Standards Table (shown in this proposed amendment as Exhibit E.3) to allow for an increase in impervious cover of up to 75% for parcels ECO-3, CRE-8, CRE-9, COR-1, COR-2 and COR-4. 3) Modification of Section 14(A) of the Order and of the Land Use Plan (Exhibit A) to eliminate the 35-foot OSE (Open Space Easement) area along portions of Lyndhurst	2/10/09: Approved staff's recommendation for PUD zoning on the consent (9-0); J. Reddy-1st, M. Dealey-2nd.	2/12/09: Approved PUD district zoning to change a condition of zoning was approved on consent on 1st reading (7-0); Martinez-1st, Wynn-2nd 4/02/09: Approved PUD zoning with the following amendment on consent on Mayor Pro Tem McCracken's motion, Council Member Cole's second on a 7-0 vote. The amendment was as follows: Part 4 A 2) should read: "to allow impervious cover to be increased to (i) 85% for Parcels CRE-6, CRE-7, CRE-14 (save and except the area located at southeastern corner of Lago Drive and Arbor Way), and CRE-15; and (ii) 75% for Parcels ECO-3, CRE-8, CRE-9, CO-1, COR, COR-4, and the portion of CRE-14 located at the southeastern corner of Lago Drive and Arbor Way, if the mitigation standards are met as set forth in Exhibit E-3A."
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	Drive, Lakeline Mall Boulevard, and Lago Drive to allow buildings to be located closer to those streets. 4) Modification of the Land Use Plan set forth on Exhibit A in the Order to eliminate the "Compatibility Height and Setbacks" along Rutledge Spur, if and only if the property adjacent to parcels CRE-8 and CRE-9 along Rutledge Spur should ever be used for any use other than single-family residential use.		
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RELATED CASES: C14-2010-0200 (Previous Zoning Case on Northern Lot)
C14-02-0160 (Previous Zoning Case on Southern Tract)

ABUTTING STREETS:

<u>Name</u>	<u>ROW</u>	<u>Pavement</u>	<u>Classification</u>	<u>ADT</u>
SH-45(N)	Varies	FWY-6	Freeway	41,000

CITY COUNCIL DATE: May 15, 2014

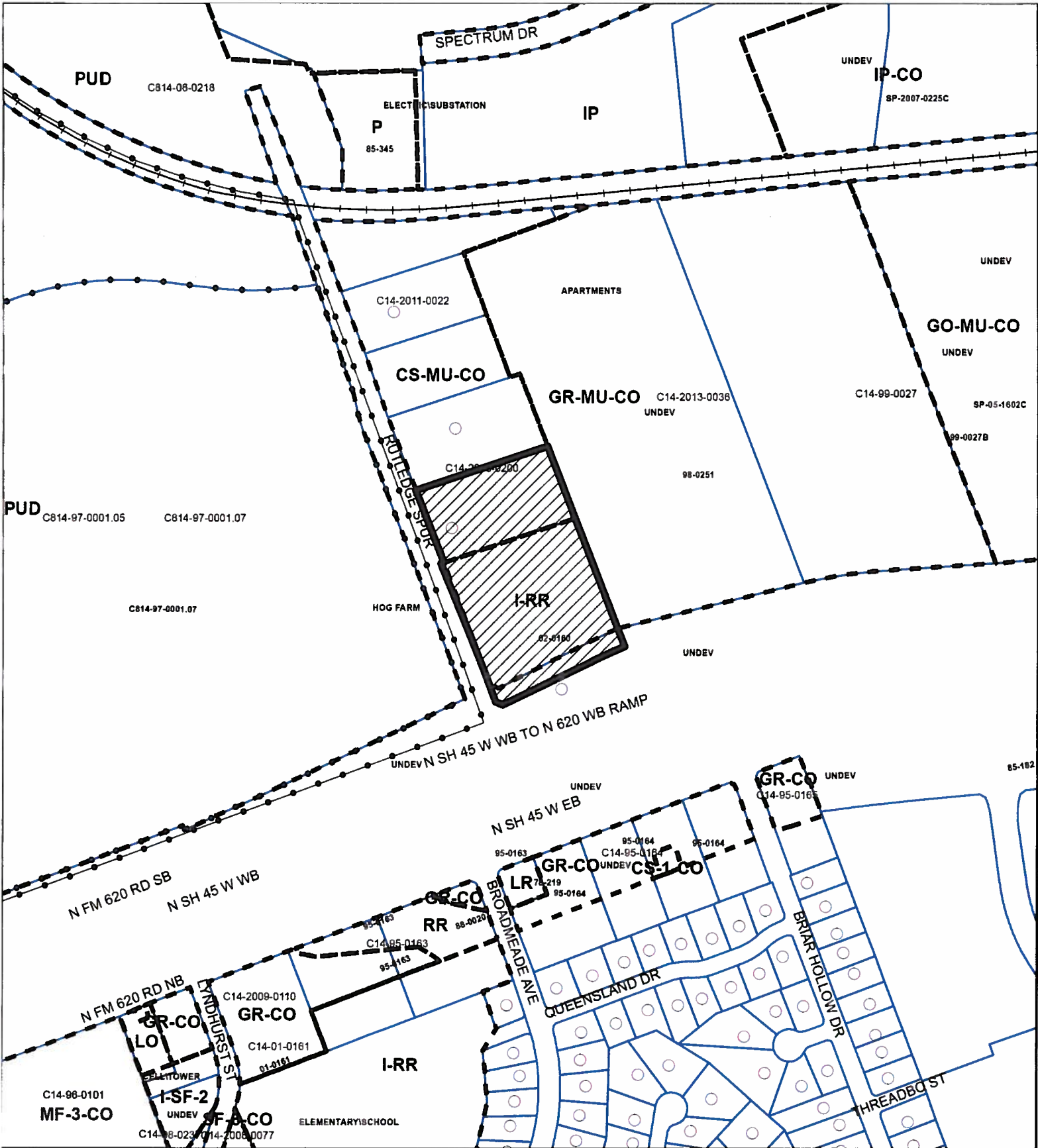
ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

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




 SUBJECT TRACT
 PENDING CASE
 ZONING BOUNDARY

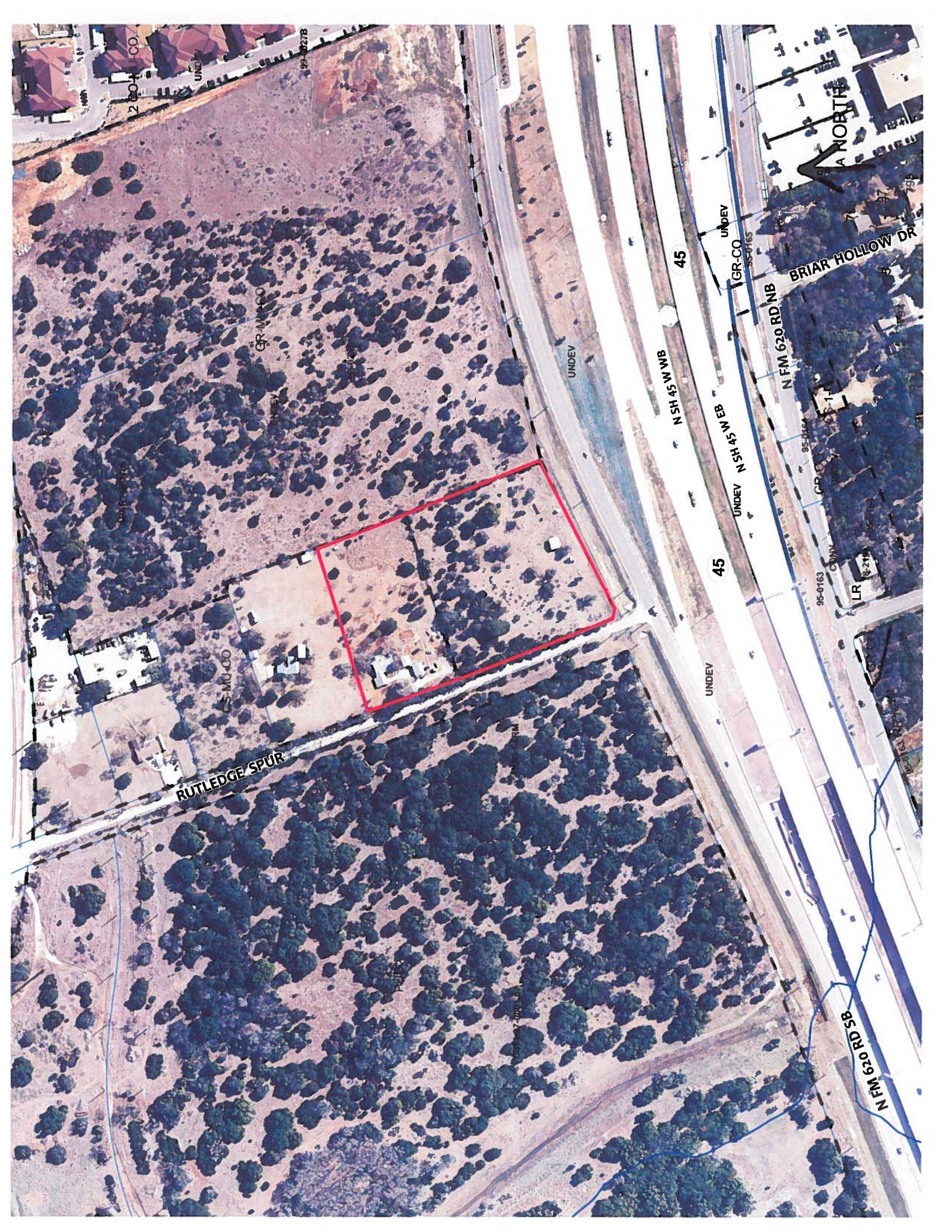
ZONING
 CASE#: C14-2014-0030.SH



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

1" = 400'



STAFF RECOMMENDATION

The staff's recommendation is to grant MF-4-CO, Multi-Family Residence-Moderate-High Density-Conditional Overlay Combining District, zoning. The conditional overlay will limit development on the site to less than 2,000 vehicle trips per day.

In addition, 35 feet of right-of-way should be dedicated from the centerline of Rutledge Spur (CR 183) through a street deed to the City of Austin in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site.

BASIS FOR RECOMMENDATION

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

Multifamily residence moderate - high density (MF-4) district is the designation for multifamily and group residential use with a maximum density of 36 to 54 units per acre, depending on unit size. An MF-4 district designation may be applied to high density housing in a centrally located area 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.

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

The proposed MF-4-CO zoning will promote consistency and orderly planning in this area of the City as a portion of this property fronts onto FM 620 Road/State Highway 45 and is located within a transit oriented development district (Northwest Park & Ride Town Center TOD). The property in question is situated between GR-MU-CO zoning to the west and the Leander Rehabilitation PUD to the east, which permits GR-MU uses. Multifamily Residential is a permitted use on the properties to the north, east and west of this site.

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

MF-4-CO zoning would allow for a fair and reasonable use of this property because the site is adequate in size to be redeveloped to allow for high density residential uses.

EXISTING CONDITIONS

Site Characteristics

The site under consideration consists of a tract of land that fronts North F.M. 620 and contains a barn structure and a lot that accesses onto Rutledge Spur that is developed with a single-family residence with outlying structures.

Comprehensive Planning

I-RR, CS-MU-CO to MF-4

This zoning case is located on the east side of Rutledge Spur, approximately 550 ft. north of N FM 620 and SH 45. The property, which contains a number of buildings on it, is approximately 7 acres in size and is not located with the boundaries of a neighborhood planning area. Surrounding land uses

include another property with a variety of outbuildings on it to the north, vacant land to the east and west, and FM 60 and HS45 to the south. The proposed use is a multi-family.

Imagine Austin

The site is located over the Edwards Aquifer Recharge Zone, as identified on the Imagine Austin's Environmental Resources Map, found in the Image Austin Comprehensive Plan (IACP). An aquifer contributing zone is an area where runoff from precipitation flows to the recharge zone of an aquifer. Streams in the contributing zone flow downstream into the recharge zone and "contribute" water to the aquifer.

The property is also located within the boundaries of a '**Regional Center**', as identified on the Imagine Austin's Growth Concept Map, found in the Image Austin Comprehensive Plan. A Regional Center is the most urban of the three activity centers outlined in the growth concept map. These centers are and will be the retail, cultural, recreational, and entertainment destinations for Central Texas. These are also the places where the greatest density of people and jobs and the tallest buildings in the region will be located. The following IACP policies are applicable to this case:

- **LUT P3** Promote development in compact centers, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
- **LUT P21.** Ensure that redevelopment in the Edwards Aquifer's recharge and contributing zones maintains the quantity and quality of recharge of the aquifer.
- **HN P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.
- **HN P5.** Promote a diversity of land uses throughout Austin to allow a variety of housing types including rental and ownership opportunities for singles, families with and without children, seniors, persons with disabilities, and multi-generational families.

Although the location of this proposed multi-family project is not an ideal for developing a walkable community due to its location off of two busy highways, the property is located less than a mile from Lakeline Mall and other retail shops and services, schools, churches, and various job opportunities. Based upon the Imagine Austin policies referenced above that supports a variety of housing types and infill development within a regional center, staff believes that this project is supported by Imagine Austin as long as environmental ordinances are considered and enforced.

Environmental

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Lake Creek Watershed, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

According to floodplain maps there is no floodplain within or adjacent to the project location.

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 512-974-1876. 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 requires water quality control with increased capture volume and control of the 2 year storm on site.

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.

Impervious Cover

The maximum impervious cover allowed by the MF-4 zoning district would be 70%. 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 Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family Residential (min. lot size 5750 sq. ft.)	45%	50%
One or Two Family Residential (lot size < 5750 sq. ft.)	55%	60%
Multifamily Residential	60%	65%
Commercial	65%	70%

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

5% of the gross site area must be devoted to Open Space and Pedestrian Amenities The regulations of Subchapter E, section 2.7 apply because the site is over 2 acres and there are more than 9 units proposed.

Minimum site area standards for MF-4 are as follows (25-2-563): 800 sq. ft. for an efficiency dwelling unit, 1,000 sq. ft. for a one bedroom dwelling unit; and 1,200 sq. ft. for a dwelling unit with two or more bedrooms.

Transportation

If the requested zoning is recommended for this site, 35 feet of right-of-way should be dedicated from the centerline of Rutledge Spur (CR 183) in accordance with the Transportation Criteria Manual, in order to accommodate traffic anticipated to be generated by this site. LDC, 25-6-55; TCM, Tables 1-7, 1-12.

There are no sidewalks along Rutledge Spur (CR 183).

According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Rutledge Spur (CR 183). However, existing bicycle facilities are identified for North FM 620 Rd. with a wide shoulder.

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Capital Metro bus service is not available within 1/4 mile of this property.

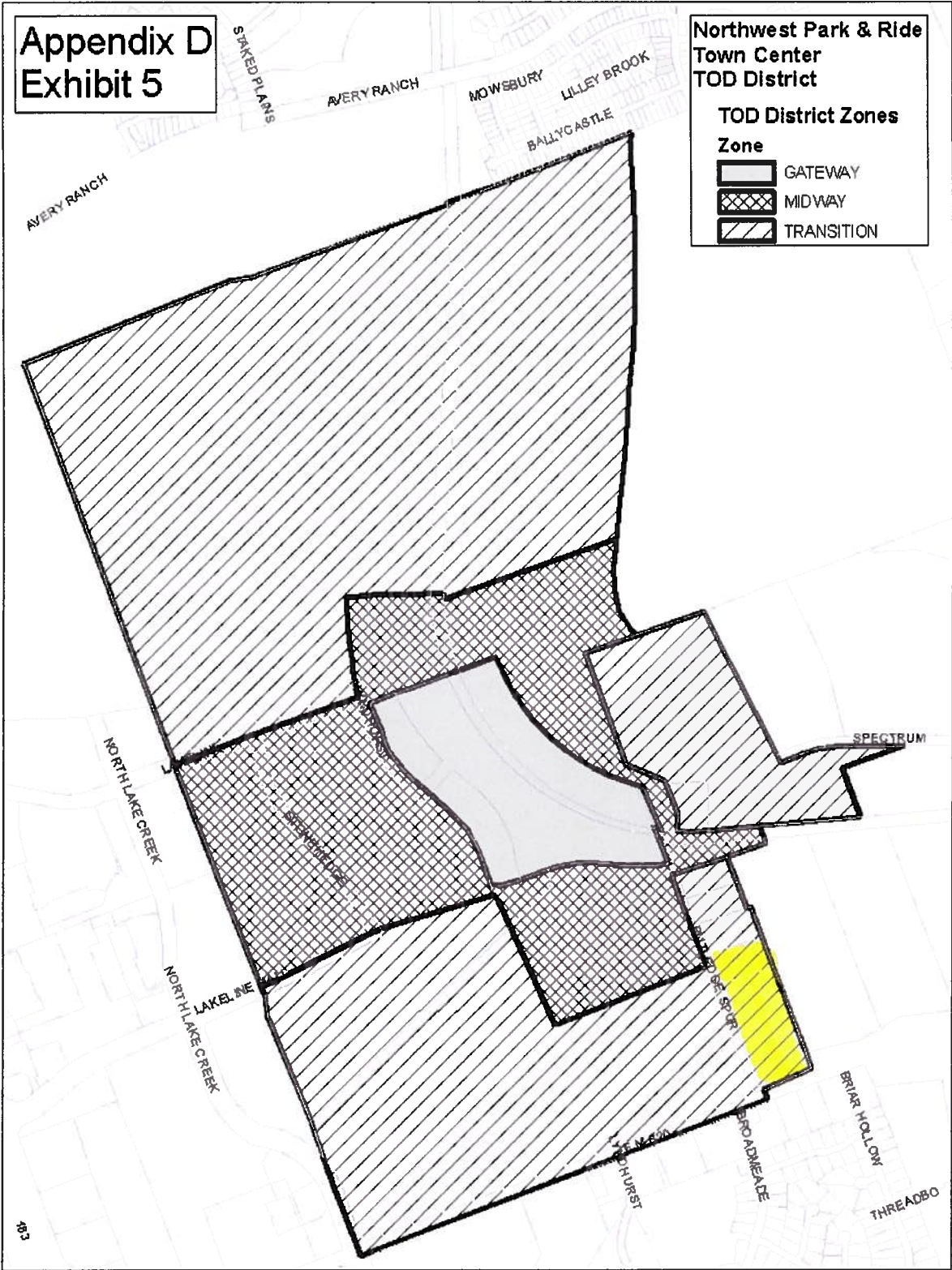
Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Rutledge Spur (CR 183)	50'-55'	18'23'	Collector	No	No	No

Water and Wastewater

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 the Austin Water Utility 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 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.

City records indicate that there is an existing On-Site Sewage Facility in service on the tract. The owner must connect the site to city wastewater service through the cutover process. For more information pertaining to the wastewater cutover process, contact Richard Price at 512-972-0210 or Lisa Sanchez at 512-972-0211. The cutover process may also initiate a required review by the Industrial Waste Division and/or the Cross Connection Division depending on building usage.





City of Austin

P.O. Box 1088, Austin, TX 78767
www.cityofaustin.org/housing

Neighborhood Housing and Community Development Department

January 29, 2014

S.M.A.R.T. Housing Certification

Foundation Communities- Rutledge Spur Apartments- NE Corner of Rutledge Spur & FM 620 (id #65633)

TO WHOM IT MAY CONCERN:

Foundation Communities, Inc. (development contact: Jennifer Hicks: 512-610-4025; jennifer.hicks@foundcom.org) has submitted a S.M.A.R.T. Housing application for the construction of a **150 unit multi-family unit development at northeast Corner of Rutledge Spur & FM 620**. The project will be known as **Rutledge Spur Apartments**. The project will be subject to a five (5) year affordability period after issuance of certificate of occupancy.

NHCD certifies that the proposed construction meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since **100%** of the units (**150 units**) will serve households at or below **60%** Median Family Income (MFI), the development will be eligible for **100%** waiver of the fees listed in Exhibit A of the S.M.A.R.T. Housing Resolution adopted by the City Council. The expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees
Building Permit
Concrete Permit
Electrical Permit
Mechanical Permit
Plumbing Permit

Site Plan Review
Misc. Site Plan Fee
Construction Inspection
Subdivision Plan Review
Misc. Subdivision Fee
Zoning Verification

Land Status Determination
Building Plan Review
Parkland Dedication (*by separate ordinance*)

In addition, the development must:

- ♦ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy. Contact Katherine Murray at 512-482-5351).
- ♦ Pass a final inspection to certify that accessibility standards have been met.

The applicant must demonstrate compliance with the reasonably-priced standard after the completion of the units, or repay the City of Austin in full the fees waived for this S.M.A.R.T. Housing certification.

Please contact me at 512-974-3154 if you need additional information.

Javier V. Delgado
Neighborhood Housing and Community Development

Cc: Laurie Shaw, Capital Metro
Maureen Meredith, PDRD
M. Simmons-Smith, PDRD
Kath. Murry, Austin Energy
Robby McArthur, AWU

Bryan Bomer, AEGB
Gina Copie, NHCD
Chris Yanez, PAR
Heidi Kasper, AEGB
Danny McNabb, WPDR

Alma Molieri, PDRD
Susan Kinel, NHCD
Stephen Castleberry, PDRD
A. Linseisen, PDRD
Cande Coward, PDRD

SCANNED

EDUCATIONAL IMPACT STATEMENT

School District:



PROJECT NAME: Foundation Communities-Rutledge Spur Apts

ADDRESS/LOCATION: 13635 Rutledge Spur

CASE #: C14-2014-0030

CITY COUNCIL DATE: Pending

☐ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☒ TAX CREDIT

SF UNITS: _____

STUDENTS PER UNIT ASSUMPTION: _____

MF UNITS: 128

STUDENTS PER UNIT ASSUMPTION: 0.8

ELEMENTARY SCHOOL: Anderson Mill ES

RATING: Academically Acceptable

ADDRESS: 10610 Salt Mill Hollow, Austin, TX 78750

PERMANENT CAPACITY: 581

% QUALIFIED FOR FREE/REDUCED LUNCH: 65.7%

MOBILITY RATE: -7.35%

ELEMENTARY SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	476	587	645
% of Permanent Capacity	82%	101%	111%

☒ INCREASE

☐ DECREASE

☐ NO IMPACT

MIDDLE SCHOOL: Noel Grisham MS

RATING: Academically Acceptable

ADDRESS: 10805 School House Lane

PERMANENT CAPACITY: 745

% QUALIFIED FOR FREE/REDUCED LUNCH: 27.1%

MOBILITY RATE: 6.99%

MIDDLE SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	672	625	651
% of Permanent Capacity	90%	84%	87%

☒ INCREASE

☐ DECREASE

☐ NO IMPACT

HIGH SCHOOL: McNeil HS

RATING: Recognized

ADDRESS: 5720 McNeil Rd.

PERMANENT CAPACITY: 2366

% QUALIFIED FOR FREE/REDUCED LUNCH: 22.2%

MOBILITY RATE: 0.49%

HIGH SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	2,465	2,739	2,758
% of Permanent Capacity	104%	116%	117%

☒ INCREASE

☐ DECREASE

☐ NO IMPACT

To select one of the checkboxes above, double click on the box and select "checked" from the default value menu in the middle of the page. Click OK to complete the selection.

IMPACT ON SCHOOLS

At the rate of .8 students per multi-family unit, the proposed development of 128 units is projected to add approximately 104 students over all grade levels to the projected student population. It is estimated that of the 104 students, 58 will be assigned to Anderson Mill Elementary School, 26 to Noel Grisham Middle School, and 20 to McNeil High School.

The additional students from the development will have a negative impact on the operational capacity of Anderson Mill Elementary School and McNeil High School. Anderson Mill Elementary School will be able to accommodate the students within functional capacity limits. McNeil High School will exceed functional capacity; however, the addition of 20 students will have negligible impact when compared with current population growth.

Noel Grisham Middle School will not be negatively impacted by the addition of students from the proposed development.

TRANSPORTATION IMPACT

The proposed development falls outside the two mile boundary for each of the campuses identified. The addition of an estimated 60 elementary students will have a considerable impact on transportation, as an additional bus will be required for Anderson Mill Elementary. This addition of a bus route adds an estimated \$17,000 to current route cost. Routes are operated on a three tiered system yielding an estimated \$50,000 total transportation cost.

SAFETY IMPACT

All students within the proposed development qualify for transportation, and there are no known safety impacts.

Date Prepared: 4/14/14

Director's Signature: _____

John E. Knight

Sirwaitis, Sherri

From: Cathy [REDACTED]
Sent: Friday, April 04, 2014 11:20 AM
To: Sirwaitis, Sherri
Cc: Bryan & Linda Finley
Subject: C14-2014-0030.SH

Dear Sherri Sirwaitis,

Following-up on our telephone conversation last week, I am writing to express our concerns about the Rutledge Spur Apartments.

While the request to re-zone this property to MF-4 to allow for apartments is a feasible change, we do have questions and concerns about this being an appropriate site for a S.M.A.R.T. project. Some of these issues may be more pertinent to Site Plan Review than to Zoning, however, if this property is being re-zoned strictly to allow for this particular project I submit our concerns for your consideration.

Looking at the property and surrounding area from the perspective of Google Maps (for example) does not provide an accurate picture of on-the-ground situation as to the location of this site and its access to required elements for S.M.A.R.T. projects.

Safety - Reasonably Priced:

The stated rental costs of \$275 - \$921 per month (page 12/19) are very low in comparison to the nearby apartment complexes (such as The Remington located to the north). We are concerned that this will also be reflected in the quality and construction of the buildings. Are projects constructed under the S.M.A.R.T. program subject to the same Building Codes and Safety requirements as traditional commercial apartment complexes? After the December 2012 fire at the International Apartments on Copper Creek, we are especially concerned about the density of apartment complexes, as well as the construction materials and building specifications. That fire destroyed 3 buildings, and endangered adjacent apartment buildings and nearby homes.

Transit Oriented

If a major component of the SMART program is that it be Transit Oriented, public transportation is not easily accessed from this property. On page 12 of the PDF file (page 19 of the Zoning) under the box **Transportation Linkages**, it has N/A for both Closest Public Transportation and Pedestrian/Bike Routes.

The bus stops are on Lake Creek Parkway (both sides of SH-45/620) which is quite a distance -- with no sidewalks - requiring pedestrians to walk along the SH-45 WBFR/620 to reach Lake Creek Pkwy. The commuter rail stop is on Lakeline Blvd; this is a long distance as well - requiring pedestrians to walk (without sidewalks) west on the frontage road to Lake Creek Parkway, up to Lakeline Blvd. and east to reach the station. Cutting through the fields north of Rutledge Spur would require pedestrians to use the railway ROW which is not a safe alternative. Unless there is major work to add sidewalks and crosswalks in this large area, this is not easily accessible for those needing public transportation.

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Also on page 12 of the document, in the box titled **Off-site Family Amenities Existing Within One Mile of the Project** it lists the Forest North Neighborhood Park. This park, located on Lyndhurst Street, was acquired by the city with the annexation of Springwoods MUD. The city closed

this park. Even if it were open, access is not easy: a lengthy route along the SH-45 WBFR/620 and then turning back along the Sh-45 EBFR/620 to reach Lyndhurst Street.

Including the amenities in our neighborhood community as part of the application for this project poses a probable negative impact to our neighborhood, due to increased activity, non-neighborhood resident participation in the park next to our homes, security, and additional traffic coming into our residential area.

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Thank you for your consideration of our concerns. If you have any questions, please contact me either by email, or phone 512-258-2008.

Sincerely yours,
Cathy Mandell
NASWC Zoning Committee

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Cathy Mandell
512-258-2008