

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0108 (Tech Ridge)

Z.A.P. DATE: October 21, 2014

ADDRESS: 13001 Center Lake Drive

OWNER/APPLICANT: Centerstate 99, Ltd. (Steve Mattingly)

AGENT: Armbrust & Brown, L.L.P. (Amanda Morrow)

ZONING FROM: LI-PDA TO: LI-PDA

AREA: 13.65 acres

SUMMARY STAFF RECOMMENDATION:

The staff's recommendation is to grant LI-PDA, Limited Industrial Planned Development Area District zoning, to change a condition of zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The applicant is requesting to take a portion of the Dell-Parmer North LI-PDA zoned property (approved through Ordinance No. 980430-P) between Parmer Lane and Howard Lane and move it to the Parmer Center LI-PDA zoned property (approved through Ordinance No. 990602-92) to the northwest. A street was put through the western edge of the Dell PDA area and Dell sold the remnants of their land on the western side of this ROW /McAllen Pass to the applicant in this case (Please see attached redlined map). Therefore, the applicant would like to rezone to allow Lot 6-A to become part of the Parmer Center PDA.

This request can be handled as one zoning case as long as the removal of land from the Dell PDA does not affect the site development regulations or impact a Transportation Impact Analysis (TIA) for the Dell PDA. After reading the Parmer Center PDA and the Dell PDA ordinances/restrictive covenant, the Dell PDA does not have a TIA. So the removal of the property from the Dell LI-PDA zoning does not negatively impact that PDA agreement.

The property in question is currently an undeveloped parcel of land that fronts Center Lake Drive. The land to the west is zoned with the LI-PDA district and is currently developed with an apartment complex (Marquis at Tech Ridge Apartments). The areas to the north and south are zoned LI-PDA and are currently undeveloped. There is a regional detention pond to the east. The applicant would like to add this land to the Parmer Center PDA develop the property in connection with Lot 4-A with a maximum of 310 multifamily dwelling units and accompanying amenities. Therefore, the applicant is requesting an amendment to Ordinance 990603-92 for the Parmer Center PDA to 1) change Exhibit "E" Site Development Standards Section 2.A. to remove the density limitation for multifamily housing and to 2) amend Exhibit "A" Field Notes to update the field note description to include Lot 6-A into the PDA.

The staff recommends the applicant's request for LI-PDA zoning to join this property with the Parmer Center PDA to develop multifamily uses at this location. The site under consideration is located near the intersection of Mc Callen Pass, a collector street, and Parmer Lane, a major arterial/highway and is in an area adjacent to a major institutional or employment center. The proposed zoning will promote consistency and orderly planning because the property to the west is zoned with the LI-PDA

district, which permits multifamily uses, and is currently developed with an apartment complex (Marquis at Tech Ridge Apartments). LI-PDA zoning will permit the applicant to develop a multifamily residential uses in an area where a variety of housing opportunities are desirable. The proposed residential development will provide housing options adjacent to a major employer (Dell Computers) and near numerous commercial services (Parmer Center, Tech Ridge Shopping Center).

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES	
Site	LI-PDA	Undeveloped	
North	LI-PDA	Undeveloped	
South	LI-PDA, MF-4	Undeveloped	
East	LI-PDA	Regional Wet Pond	
West	LI-PDA	Multifamily Residential (Marquis at Tech Ridge Apartments)	

AREA STUDY: N/A

TIA: Addendum Required

WATERSHED: Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Monorail Project
Bike Austin
Friends of the Emma Barrientos MACC
Harrisglen HOA
Homeless Neighborhood Association
North Growth Corridor Alliance
Pflugerville Independent School District
SELTEXAS
Sierra Club, Austin Regional Group
Tech-Ridge Association
The Real Estate Council of Austin, Inc.
Yager Planning Area

SCHOOLS: Pflugerville I.S.D.

Parmer Elementary Westview Middle School Connally High School

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CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2012-	Ll, GR, and RR to	11/20/12: Approved MF-4	12/06/12: Approved MF-4 zoning
0121(Tech	MF-4	zoning on consent (7-0):	1
Ridge Center		P. Seeger-1 st , C. Banks-2 nd .	on consent on all 3 readings (7-0); M. Martinez-1 st , B. Spelman-2 nd .
Phase III	İ	1. Seeger-1, C. Banks-2	Wi. Waitinez-1, B. Speiman-2.
Apartments:		:	
12504-12620			
McCallen Pass)			
C14-2008-0076	SF-2 to L1-PDA*	0/02/08. A	0/05/00
(The Ridge:	*With this LI-	9/02/08: Approved the staff's	9/25/08: Approved LI-PDA district
East Parmer		recommendation for LI-PDA	zoning as Zoning and Platting
Lane)	PDA request, the applicant is	zoning (5-0, T. Rabago,	Commission recommended, (7-0),
Lancy	asking for a	R. Evans-absent); K. Jackson-	1 st reading
	variance to	1 st , C. Hammond-2 nd ,	10/1/2/10 1
	Section 25-8-341		10/16/12: Approved LI-PDA
	and 25-8-341		zoning on 2 nd /3 rd readings (7-0)
	allow for cut and		
	fill of up to		
1	twelve (12) feet		
C14 02 0050	on this site.	5110100	
C14-03-0050	CS to CH	5/13/03: Approved staff's	6/12/03: Approved CH-CO zoning
(Parmer Lane		recommendation of CH-CO	(5-1, Garcia-off dias, Goodman-
and IH-35: 500		zoning, with height limit of 120-	Nay); all 3 readings
West Parmer]	feet, by consent (9-0); J.	
Lane)		Martinez-1 st , J. Gohil-2 nd .	
CI4-01-0169	IP to CS	2/5/02: Approved staff's	3/2I/02: Approved CS-CO w/
(Parmer Center-		alternate rec. of CS-CO on	other conditions (7-0); Ist reading
1.334 acres:		consent w/ following conditions:	599-013
900-1004		1) Limit site to TIA conditions	4/I1/02: Approved CS-CO (6-0);
Center Ridge		and post fiscal for roadway	2 nd /3 rd readings
Drive)		improvements prior to third	
		reading of the case at City	
		Council; 2) Prohibit the	
**		following uses: Agricultural	
		Sales and Services,	
		Campgrounds, Commercial	
		Blood Plasma Center,	•
		Construction Sales and Services,	
		Drop-Off Recycling Collection	
		Facility, Equipment Repair	
		Services, Equipment Sales,	
		Monument Retail Sales, Vehicle	
}		Storage, Veterinary Services,	
		Maintenance and Service	
		Facilities, Art and Craft Studio	1
		(General), Art and Craft Studio	
		(Limited), Building Maintenance	1
		Services, Convenience Storage,	1

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		Kennels, Laundry Services, Pawnshops, Adult Oriented Businesses; 3) Make the following uses conditional: Custom Manufacturing, Limited Warehousing and Distribution (8-0)	
C14-01-0168 (Parmer Center: 13001-13299 North Interstate Highway-35 Service Road Northbound)		2/5/02: Approved staff's alternate rec. of CS-CO on consent w/ following conditions: 1) Limit site to TIA conditions and post fiscal for roadway improvements prior to third reading of the case at City Council; 2) Prohibit the following uses: Agricultural Sales and Services, Campgrounds, Commercial Blood Plasma Center, Construction Sales and Services, Drop-Off Recycling Collection Facility, Equipment Repair Services, Equipment Sales, Monument Retail Sales, Vehicle Storage, Veterinary Services, Maintenance and Service Facilities, Art and Craft Studio (General), Art and Craft Studio (Limited), Building Maintenance Services, Convenience Storage, Kennels, Laundry Services, Pawnshops, Adult Oriented Businesses; 3) Make the following uses conditional: Custom Manufacturing, Limited Warehousing and Distribution (8-0)	3/21/02: Approved CS-CO w/other conditions (7-0): 1 st reading 4/11/02: Approved CS-CO (6-0); 2 nd /3 rd readings
C14-01-0118 (Capital Vineyards- Center Park @ Tech Ridge: 401 East Parmer Lane)	GR to CS-1	9/18/01: Approved staff's rec. of CS-1 by consent (9-0)	10/25/01: Approved CS-1 (7-0); all 3 readings
C14-01-0085 (Parmer Meadows Subdivision: North Lamar Blvd. At Parmer Lane)	GO to GR	6/26/01: Approved staff rec. of GR-CO, w/ CO to limit the development intensity to less than 2,000 vehicle trips per day, by consent (7-0, Garza-recused himself, Cravey-absent)	8/2/01: Approved PC rec. of GR-CO readings (6-0, Thomas-absent); all 3 readings

C14-01-0077	DR to CS	Vrudhula-1 st , Mather-2 nd	
(Revocable Living Trust – Walmart Parmer: 12700- 12800 Block of IH 35 Service Road Southbound)	DR to CS	2/26/02: Approved GR-CO, w/CO to limit the site to conditions of the TIA, by consent (7-0, K. Jackson-absent, Adams-off dais): J. Martinez-1 st , J. Mather-2 nd .	4/18/02: Approved GR-CO on 3 readings (5-0, Slusher/ Thomasabsent)

RELATED CASES: C14-98-0032 (Dell-Parmer North PDA)

C14-98-0265 (Parmer Center PDA)

ABUTTING STREETS: Not provided

CITY COUNCIL DATE: November 20, 2014

ACTION:

ORDINANCE READINGS: 1st

2nd

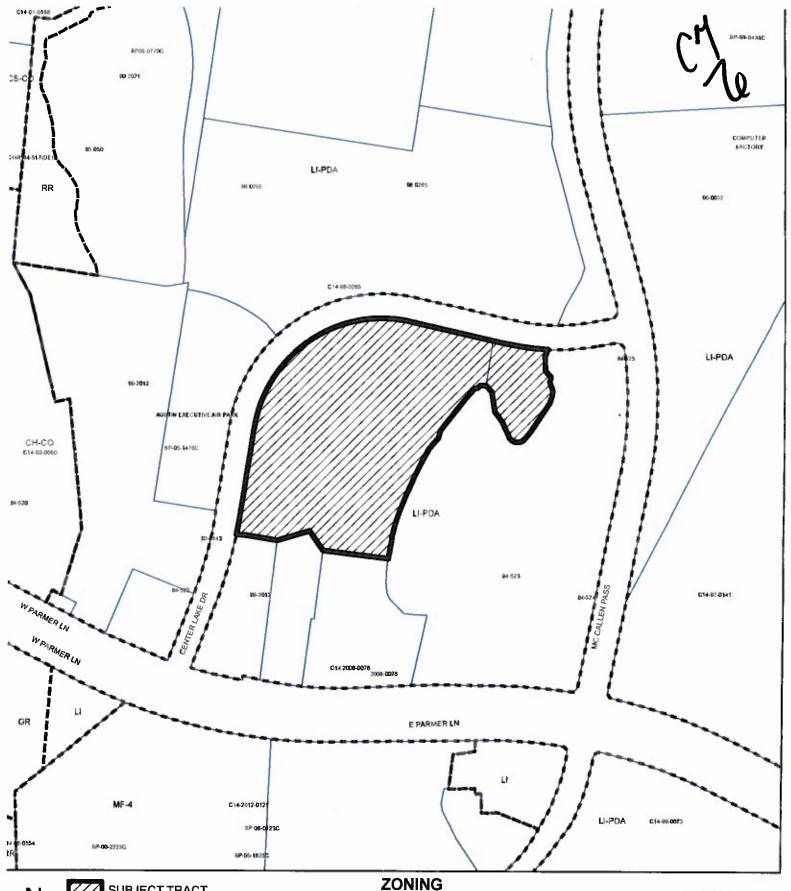
3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 974-3057,

sherri.sirwaitis@ci.austin.tx.us

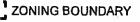






PENDING CASE

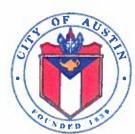
ZONING CASE#: C14-2014-0108

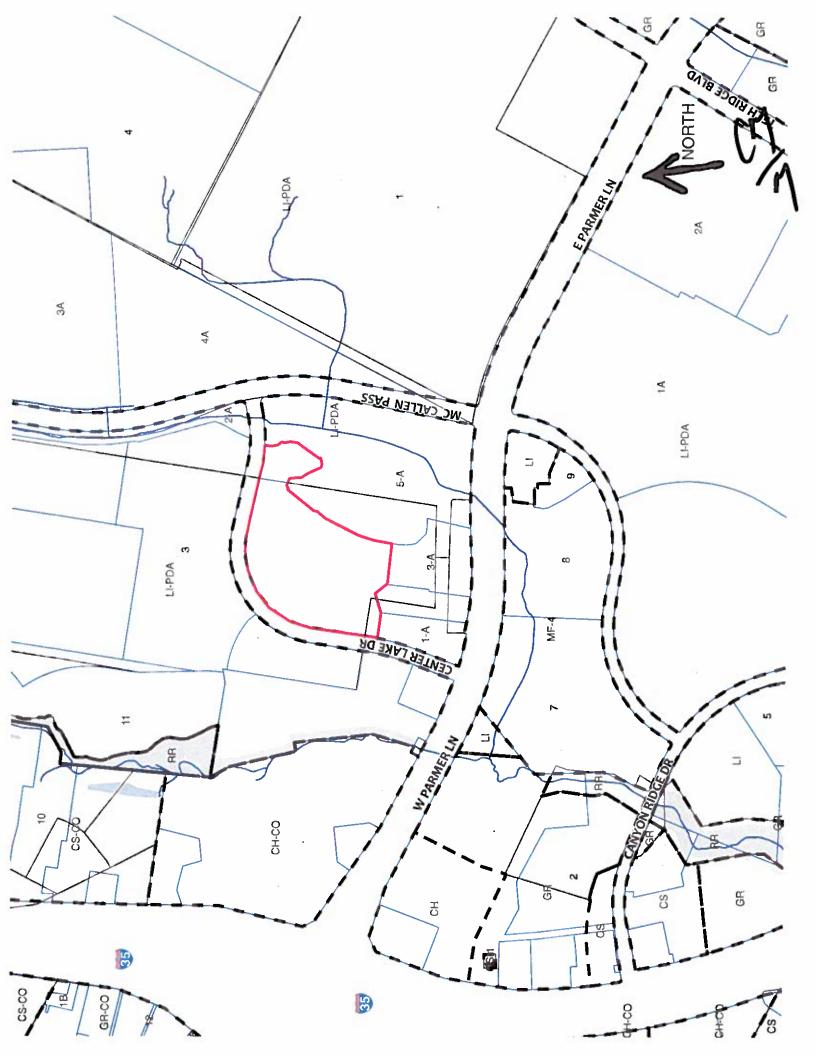


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STAFF RECOMMENDATION

CM

The staff's recommendation is to grant Ll-PDA, Limited Industrial Planned Development Area District zoning, to change a condition of zoning.

BASIS FOR RECOMMENDATION

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

Limited industrial service (Ll) district is the designation for a commercial service use or limited manufacturing use generally located on a moderately-sized site.

The purpose of a planned development area (PDA) combining district is to:

- (1) provide for industrial and commercial uses in certain commercial and industrial base districts; or
- (2) incorporate the terms of a planned development area agreement into a zoning ordinance following annexation of a property that is subject to a planned development area agreement.
- 2. The proposed zoning should promote consistency and orderly planning.

The proposed LI-DA zoning will promote consistency and orderly planning because the property is surrounded by LI-PDA zoning to the north, south, east and west. The tract of land to the west, across Center Lake Drive, is currently developed with an apartment complex (Marquis at Tech Ridge Apartments). The site under consideration is located near the intersection of Mc Callen Pass, a collector street, and Parmer Lane, a major arterial/highway and is located in an area adjacent to a major institutional or employment center.

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

LI-PDA zoning will permit the applicant to develop a multifamily residential uses in an area where a variety of housing opportunities are desirable. The proposed residential development will provide housing options adjacent to a major employer (Dell Computers) and near numerous commercial services (Parmer Center, Tech Ridge Shopping Center).

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently an undeveloped parcel of land that fronts Center Lake Drive. The lots to the north and south are undeveloped. The property to the east contains a regional detention pond. To the west, there is an apartment complex.

Comprehensive Planning

LI-PDA to LI-PDA

This zoning case is located on the southeast side of Center Lake Drive, which is located off E. Parmer Lane. The undeveloped subject property is 13.65 acres (by adding an additional 1.45 acres) in size and is not located within the boundaries of a neighborhood planning area. This project is part of the Parmer Center PDA, a 132.7 acre project located in northeast Austin. Surrounding land uses includes

vacant land to the north, south and east, and an apartment complex to the west. The proposed use is multi-family.

Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies part of this project as just north of an Activity Corridor, located along E. Parmer Lane. However, because the property is not located along an Activity Corridor or within an Activity Center as per the Imagine Austin Growth Concept Map, and is comparative in scale to other multi-family and commercial developments in the area, it falls below the scope of Imagine Austin; and consequently the plan is neutral on the proposed rezoning.

Environmental

FYI only: Based on the request submitted by the applicant, the proposed increase in the number of multi-family housing units will not alter or increase the impervious cover limits established in Land Development Code Section 25-8. Watershed impervious cover limits remain in effect.

Please provide a single exhibit showing the lot proposed to be added to this PDA (i.e., provide an exhibit showing Lot 6A), as well as Lot 4A, the boundary of the Parmer Park PDA, and the boundary of the Dell PDA. Additional review and comment may be pending.

Impervious Cover

The maximum impervious cover allowed by the LI zoning district would be 80%. However, because the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Note: The most restrictive impervious cover limit applies.

Site Plan

The project will be required to comply with Subchapter E. The site is over 5 acres, therefore the principal roadway is an internal circulation route. Additional comments will be made during the site plan review process.

A site plan was approved in 2009, for office, restaurant and hotel, however It expired in 2012. A new site plan will need to be submitted for any new development on the site.

Parkland dedication fees will be required based on the number of units; \$650 per unit. This estimate will be coordinated through the PARD reviewer at the time of site plan review.

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 stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Transportation

The Transportation Review Section has reviewed the submitted TIA Update and confirms that the proposed development will not exceed the daily vehicle-trips which were allowed under the previous approved TIA. Since the proposed development is not expected to generate any additional traffic, the requested zoning is recommended for approval.

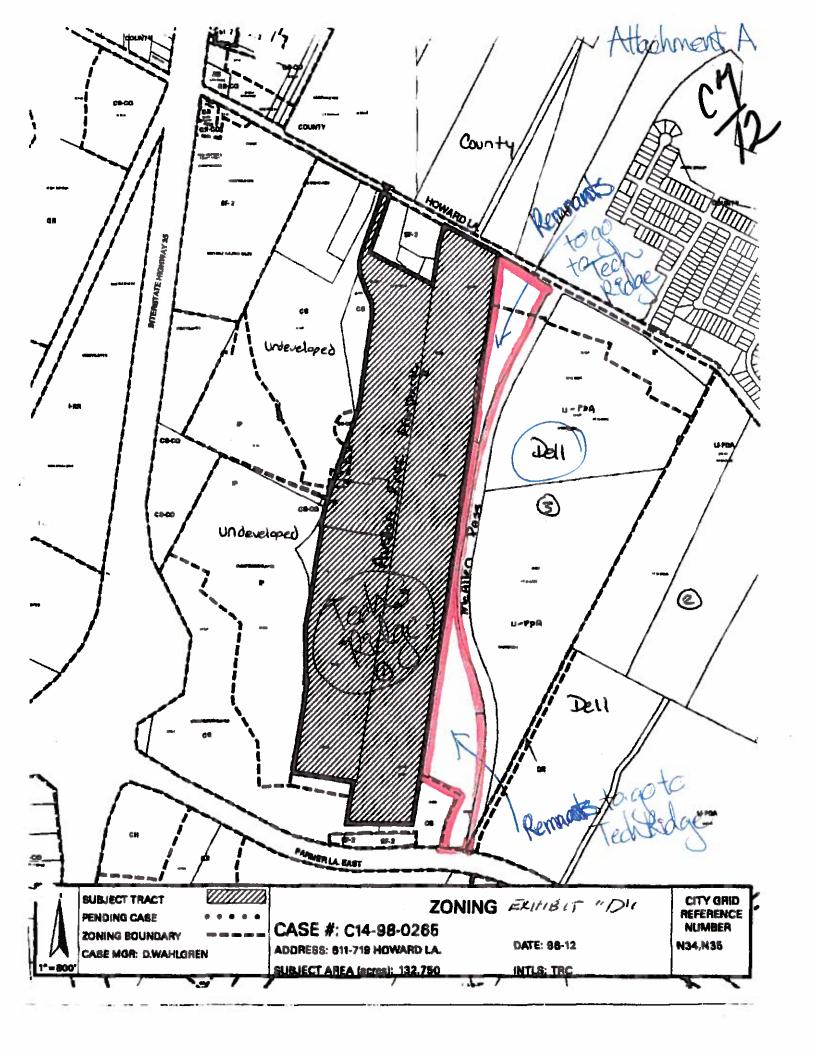
Prior to first reading of the zoning case at City Council, the revised TIA Update needs to provide additional information for clarifying the following:

- 1) The remaining construction for the completion of Center Lake Dr. to connect with McCallen Pass.
- 2) Any traffic improvements recommended with the previous TIA which have not been completed.
- 3) Cost participation for any associated traffic improvements recommended with the previous TIA which have not yet been completed.

Three copies of the final version of the TIA Update incorporating all additions must be submitted before the first reading of the case at City Council.

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.



ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

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June 19, 2014

Greg Guernsey
City of Austin
Planning and Development Review Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Re: Application for L1-PDA Amendment to Ordinance No. 990603-92 (the "Application")

Dear Mr. Guernsey:

This firm represents and this letter is submitted on behalf of the applicant in the above referenced Application. On June 3, 1999 the City Council approved Ordinance No. 990603-92 ("Parmer Center PDA.") rezoning approximately 132.752 acres. The site subject to this Application is a 13.65 acre tract of land located at 13001 Center Lake Drive, also known as Lot 4-A and Lot 6-A, Block A, Tech.Ridge Section 1 (the "Property").

More specifically the Application proposes to remove the density limitation for multifamily housing, and to make subject to the Parmer Park PDA. a 1.45 acre tract of land, known as Lot 6-A. Lot 6-A is currently subject to Ordinance No. 980430-P ("Dell PDA."). There are no adverse impacts to traffic or site development regulations by incorporating Lot 6-A into the Parmer Center PDA. For your review I have attached a copy of the Parmer Center PDA ordinance and the Dell PDA ordinance.

The Property is currently undeveloped. Access to the site is from Center Lake Drive. The amendment, if approved, will allow a multifamily development with a maximum of 310 dwelling units with related site improvements.

We hereby request Ordinance No. 990603-92 be amended as follows. Outlined below is also justification for the amendments.

Exhibit "E" Site Development Standards Section 2. A. Remove the density limitation for multi-family housing.

Justification. Given the close proximity of the various employment centers and the Capital Metro Tech Ridge Park and Ride within walking distance of the

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Property, increasing the residential housing in the area is a way to help reduce traffic congestion and minimize urban sprawl.

I. Exhibit "A" Field Notes. Update field notes to include Lot 6-A.

Justification. When the Parmer Park PDA and the Dell PDA were approved McCallen Pass did not exist. Therefore the property boundaries for each PDA coincided. When McCallen Pass was built Lot 6-A was divided, by ROW, from the boundaries of the Dell PDA. Subsequently Lot 6-A was sold to our client since it no longer adjoined the Dell property. By allow Lot 6-A to become part of the Parmer Park PDA, it can be developed in connection with Lot 4-A under the same site development regulations.

The requested amendment will constitute the first amendment to the Parmer Park PDA. Should you have any questions, comments or require additional information, please feel free to contact me.

Very truly yours.

Aldanda L. Morrow

Land Development Consultant

Enclosures

cc: Richard T. Suttle Jr.

Steve Mattingly







