

**APPEAL  
PLANNING COMMISSION SITE PLAN  
CONDITIONAL USE PERMIT REVIEW SHEET**

**CASE NUMBER:** SPC-2014-0086C.SH      **CITY COUNCIL DATE:** February 26, 2015  
January 29, 2015  
**PC DATE:** October 28, 2014

**PROJECT NAME:** Springdale Multifamily

**DISTRICT #1:** Council Member Ora Houston

**ADDRESS OF APPLICATION:** 5605 Springdale Road

**APPEALANT:** DeWayne Lofton

**APPLICANT:** Ryan Companies US Inc. (Ryan Ritchie)

**AGENT:** Big Red Dog (Thomas Lombardi)

**NEIGHBORHOOD  
PLAN:** East MLK Combined Neighborhood Plan-Pecan Springs/Springdale

**CASE MANAGER:** Nikki Hoelter Phone: 974-2863  
[Nikki.hoelter@austintexas.gov](mailto:Nikki.hoelter@austintexas.gov)

**CITY COUNCIL ACTION:** 1/29/2015, closed the public hearing and postponed to February 26, 2015  
(10-0)

**PLANNING COMMISSION ACTION:** 10/28/2014, Approved conditional use permit (8-0)

**PROPOSED DEVELOPMENT:**

The applicant is requesting a conditional use permit for a 4 building, 290 unit multifamily project, with surface parking, water quality and detention pond, sidewalk improvements, private common open space and utilities on 21.12 acres.

The site plan requires a conditional use permit for a multifamily use because the zoning ordinance 20070621-122, specified multifamily as a conditional use requiring Planning Commission approval.

**EXISTING ZONING:** GR-MU-CO-NP and MF-3-CO-NP

**CITY COUNCIL ACTION:** City Council has two options, to either deny or uphold the appeal. If the appeal is denied, the site plan approval will be approved as motioned by the Planning Commission. The developer will be able to proceed with development of the plan as shown.

If the Council decides to uphold the appeal, the site plan will be denied, and any future development of the site will be required to proceed through the site plan review process again. New fees, case number, review cycle, review and approval by staff would all be required before a permit is obtained for the same proposed development.

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the conditional use permit. The land use would otherwise be an administrative approval within the GR-MU and MF-3 zoning district. All improvements and buildings will be constructed on the GR portion of the site, which is 11.95 acres and a small portion of the MF-3 portion. The MF-3 portion of the project site will remain undeveloped and the majority of this tract will be dedicated as a drainage easement. The entire limits of construction will be within the GR zoned portion of the property.

The site plan will comply with all requirements of the Land Development Code prior to its release.

**PROJECT INFORMATION**

TOTAL SITE AREA	923,907 square feet	21.21 acres	
EXISTING ZONING	GR-MU-CO-NP and MF-3-CO-NP		
WATERSHED	Fort Branch and Little Walnut Creek (Urban)		
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance		
TRAFFIC IMPACT ANALYSIS	Not required		
CAPITOL VIEW CORRIDOR	None		
PROPOSED ACCESS	Springdale Road		
	Allowed	Existing	Proposed
FLOOR-AREA RATIO	1:1	0	.36.:1// 339,820 sf
BUILDING COVERAGE	75%	0	16.6%//86171sf
IMPERVIOUS COVERAGE	90%*	0	53.5%//278,490 sf
PARKING	Required – 109	0	Provided – 440
NUMBER OF UNITS		0	290

**SUMMARY COMMENTS ON SITE PLAN:**

**Land Use:** The applicant is requesting a conditional use permit for a multifamily project. Two buildings plan to be 3 stories, and the other 2 buildings will be 4 and 5 stories. A total of 290 units are proposed. Parking will be provided onsite with surface parking, private common space by way of an interior courtyard, and pool area, and undisturbed areas.

A traffic impact analysis was not required because the vehicle trips did not generate over 2,000 vehicle trips per day, as specified in the Land Development Code, Section 25-6-113.

A water quality and detention pond will be constructed on site, and dedication of a drainage easement will be executed prior to site plan release.

Subchapter E, commercial design guidelines will be applied to the site, with the principal roadway being an internal circulation route.

Compatibility standards are triggered to the west of the site across Springdale Road. However the site plan complies with all setback, height, and screening requirements.

This project is an affordable housing project and has received the Smart Housing Certification from Neighborhood Housing and Community Development.

#### **EXISTING ZONING AND LAND USES**

	<b>ZONING</b>	<b>LAND USES</b>
Site	GR-MU-CO-NP/ MF-3-CO-NP	Undeveloped
North	GR-CO-NP/P-NP	Office and park/greenbelt/undeveloped
South	GR-NP/ SF-6-NP	Vacant and park/greenbelt/undeveloped
East	P-NP	Parkland
West	SF-2-NP/GO-CO-NP	Single family residence and office/vacant

#### **NEIGHBORHOOD ORGNIZATIONS:**

511—Austin Neighborhoods Council  
 623—City of Austin Downtown Commission  
 742—Austin Independent School District  
 786—Home Builders Association of Greater Austin  
 1037—Homeless Neighborhood Assn.  
 1075—League of Bicycling Voters  
 1113—Austin Parks Foundation  
 1200—Super Duper Neighborhood Objectors and Appealers Organization  
 1224—Austin Monorail Project  
 1409 – Beyond 2<sup>nd</sup> Nature  
 1197 – East MLK Combined Neighborhood Contact Team  
 1447 – Friends of Emma Barrientos  
 1312 – Reissig Group  
 1213 – East MLK Combined Neighborhood Association  
 1444 – East Austin Conservancy  
 1258 – Del Valle Community Coalition

#### **CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA**

**A.** The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: “The Planning Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section. A conditional use site plan must:

**B.**

**1. Comply with the requirements of this title;**

Staff Response: This site plan complies with all regulations and requirements of the Land Development Code.

**2. Comply with the objectives and purposes of the zoning district;**

Staff Response: The proposed development and land use would be a permitted use within the GR-MU zoning district and the site plan could be approved administratively.

**3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;**

Staff Response: The site plan will comply with all these elements of the code. The applicant is

seeking no relief through waivers or variances. In addition, the site plan complies with setback, height, and compatibility requirements.

**4. Provide adequate and convenient off-street parking and loading facilities; and**

Staff Response: The site plan complies with the off-street parking requirement; 437 spaces are required by the Land Development Code, but the project proposes providing 444 surface parking spaces which will be dispersed on the site, including ADA spaces. Additionally, 22 bicycle spaces are provided through-out the site. Off-street loading is not required for residential uses, for purposes of this requirement, multifamily is considered residential use.

**5. Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.**

Staff Response: The site plan will comply with all requirements of the Land Development Code including Compatibility Standards, and reasonably protects the health, safety, and welfare of persons and property.

**6. For conditional use located within the East Austin Overlay district, comply with the goals and objectives of a neighborhood plan adopted by the City Council for the area in which the use is proposed.** Staff response: The site is located within the Pecan Springs/Springdale Neighborhood Plan.

**C. In addition, a conditional use site plan may not:**

**7. More adversely affect an adjoining site than would a permitted use;**

The multifamily use would be a permitted use within the mixed use (MU) component of the zoning district, however the neighborhood zoning ordinance for this tract required that a conditional use permit would be required for multifamily land uses.

**8. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; or**

Staff Response: Pedestrian circulation is provided by sidewalks interior to the site, connecting the buildings, parking, private common opens space and also connecting to the right of way at Springdale Road. Shaded sidewalks are proposed along the connections on the internal circulation route, which provides a safety buffer for the pedestrians from vehicles. The site plan does not adversely affect the safety and convenience of vehicular and pedestrian circulation. All parking and circulation for vehicles will be onsite.

**9. Adversely affect an adjacent property or traffic control through the location, lighting, or type of a sign.** Staff Response: All signs and lighting will comply with the Land Development Code.

**D. 25-5-145.** A site plan may not adversely affect the public health, safety, or welfare, or materially injure property. If the Land Use Commission determines that a site plan has an adverse effect or causes a material injury under this subsection, the Land Use Commission shall identify the adverse effect or material injury.

**§ 25-5-146 CONDITIONS OF APPROVAL.**

(A) To make a determination required for approval under Section 25-5-145 (Evaluation Of Conditional Use Site Plan), the Land Use Commission may require that a conditional use site plan comply with a condition of approval that includes a requirement for:

- (1) a special yard, open space, buffer, fence, wall, or screen;
- (2) landscaping or erosion;
- (3) a street improvement or dedication, vehicular ingress & egress, or traffic circulation;

- (4) signs;
- (5) characteristics of operation, including hours;
- (6) a development schedule; or
- (7) other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.