

ZONING CHANGE REVIEW SHEET

CASE: C14-2017-0015 (HPI Residential Spectrum) **Z.A.P. DATE:** May 2, 2017

ADDRESS: 9701 Spectrum Drive

DISTRICT AREA: 6

OWNER/APPLICANT: Davis/Spectrum Investments-2007 (Richard E. Anderson)

AGENT: Griffin Engineering Group, Inc. (Gregory Griffin, P.E.)

ZONING FROM: CS **TO:** CS-MU-CO* **AREA:** 11.0 acres

*The applicant is requesting to limit the zoning to MF-4 district site development regulations.

SUMMARY STAFF RECOMMENDATION:

Staff's recommendation is to grant the applicant's request for CS-MU-CO, General Commercial Services-Mixed Use-Conditional Overlay Combining District, zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

5/02/17: Approved the staff's recommendation of CS-MU-CO zoning by consent (9-0, A. Aguirre and D. Breithaupt-absent); S. Lavani-1st, B. Evans-2nd.

DEPARTMENT COMMENTS:

The property in question is currently undeveloped and moderately vegetated. To the north of this site there is an apartment complex zoned MF-3 (95 Twenty Apartments). The tract of land directly to the east, at the southwest corner of W. Parmer Lane and Spectrum Drive, is zoned CS and is undeveloped. There is a multifamily use (The Ranch Apartments) further to the west, across W. Parmer Lane. Across the railroad tracks to the south, there is a vacant driving range (Mr. Tee) and a vacant tract (former flea market) zoned with the GR-MU-CO combining district. The applicant is requesting to rezone is tract of land to the CS-MU to construct 262 unit multi-family apartment complex on the property. According to LDC- Sec. 25-2, Article 4.2.1(D)(6)(c), "In an MU combining district that is combined with a general office (GO), community commercial (GR), general commercial services (CS), or commercial liquor sales (CS-1) base district, the minimum site area for each dwelling unit is 1) 800 square feet for an efficiency dwelling unit, 2) 1,000 square feet for a one bedroom dwelling unit and 3) 1,200 square feet for a dwelling unit with two or more bedrooms. Therefore, multifamily residential development in the CS-MU combining district is consistent with MF-4 district density regulations (Please see Attachment A).

The staff recommends the applicant's request for General Commercial Services-Mixed Use Combining district, zoning at this location. The addition of the MU will permit the applicant to develop a mixture of residential housing and/or commercial uses on the site. The proposed MU combining district will provide accessible housing opportunities in this area of the City near numerous commercial and industrial employers.

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS	Undeveloped
<i>North</i>	MF-3	Multifamily (95 Twenty Apartments)
<i>South</i>	GR-MU-CO	Railroad Tracks, Vacant Tract (former flea market and Mr. Tee Driving Range), Retail Center/Restaurant/Personal Services (Lotus Garden, Massage Heights, etc.)
<i>East</i>	CS, GR, MF-3-CO, I-RR	Undeveloped Tract, Multifamily (The Ranch Apartments)
<i>West</i>	IP-CO	Office/Warehouse/Research (Davis Spring Corporate Center)

AREA STUDY: N/A**TIA:** Deferred**WATERSHED:** Lake Creek**DESIRED DEVELOPMENT ZONE:** Yes**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

Austin Heritage Tree Foundation
 Bike Austin
 Davis Springs HOA
 Friends of Austin Neighborhoods
 Northwest Austin Coalition
 SELTEXAS
 Sierra Club, Austin Regional Group

SCHOOLS: Round Rock I.S.D.

Forest North Elementary School
 Deerpark Middle School
 Early College High School
 McNeil High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2011-0018 (Davis Springs Apartments: 9301 Spectrum Drive)	CS to MF-3	6/07/11: Approved staff's recommendation of MF-3 zoning by consent (5-0, G. Bourgeois-absent); P. Seager-1 st , D. Tiemann-2 nd .	6/23/11: Approved MF-3 zoning on consent on all 3 readings (7-0); B. Spelman-1 st , L. Morrison-2 nd .
C14-2007-0162 (13830 North F.M. 620 Road)	GO-MU-CO, GR-MU-CO, GR-CO to GR-CO	10/16/07: To approve the staff's recommendation for GR-CO zoning on consent (6-0, C. Hammond, J. Gohil-absent); J. Martinez-1 st , S. Hale-2 nd	11/29/07: Approved GR-CO by consent (6-0, Cole-off dais)

C14-03-0045 (9400-9432 Spectrum Drive)	GR to CS	3/11/03: Approved CS-CO, with conditions: 1) Allow Convenience Storage as the only CS district use and all other GR district uses; 2) Prohibit Pawn Shop Services (7-0, C. Hammond, K. Jackson-absent); J. Martinez-1 st , J. Gohil-2 nd .	4/10/03: Approved CS-CO (7-0); all 3 readings
C14-02-0100 (9222 W. Parmer Lane)	GR to CS-1-CO	7/16/02: Approved staff's recommendation of CS-1-CO by consent, with added conditions prohibiting Adult Oriented Businesses and Pawn Shop. (6-0, M. Casias/ Diana Castaneda/K. Jackson-absent); J. Martinez-1 st , A. Adams-2 nd .	8/08/02: Approved CS-1-CO on all 3 readings (6-0, Wynn out of room)
C14-99-0090 (9801 Block of Spectrum Drive)	R&D and P to IP and IP-CO	7/27/99: Approved IP for Tract 1 and IP-CO for Tract 2, with a CO for a 2,000 vtpd limit (6-0-1)	8/26/99: Approved PC rec. of IP for Tract 1 and IP-CO, with conditions for Tract 2 (7-0); 1 st reading 9/30/99: Approved 2 nd /3 rd readings (7-0)
C14-99-0027 (13608-13640 FM 620)	I-RR, DR to GR	Approved staff rec. of GR-CO (TR1); GO-CO (TR2) w/ conditions & restrictive covenant (7-0) on 4/13/99	Approved GR-CO for TR1 (0027A) w/conditions limiting to 2,000 vehicle trips per day for the 5-acre Hill tract (6-0, KW-out of room); Balance of site (TR2- 110 acres) postponed to 6/1/00 (0027B) on 3/23/00 0027A: Approved 2 nd / 3 rd readings (5-0, Lewis-absent) on 5/18/00 0027B: Approved GR-CO (TR1), GO-CO (TR2) w/ conditions (4-0); all 3 readings on 7/19/01
C14-98-0193 (Parmer at Spectrum)	P to MF-3	1/19/99: Approved staff rec. of MF-3 for Tracts 1-3 and GR- MU for Tract 4 (9-0)	2/25/99: Approved PC rec. of MF-3 for Tracts 1-3) and GR-MU for Tract 4 (7-0); all 3 readings
C14-97-0122 (Neenah at Parmer)	MF-3-CO to GR	10/28/97: Approved staff alternate rec. of GR-CO & RR by consent (9-0)	11/20/97: Approved GR-CO & RR w/ conditions (7-0); all 3 readings
C14-97-0059 (13900 Block of	DR to GR	Approved GR-CO w/conditions (8-0) on 8/05/97	Approved GR-CO w/conditions; subject to 25%

N. FM 620 at W. Parmer Lane)			impervious cover max; (5-0); 1 st reading on 9/04/97 Approved GR-CO w/conditions; subject to 25% impervious cover max;(7-0); 2 nd reading on 12/11/97 Approved GR-CO w/out condition of 25% impervious cover max (6-0); 3 rd reading on 1/15/98
C14-96-0045 (300 ft. from Parmer Lane at Spectrum Drive south side)	LI, GR to MF-3	Approved staff alternate rec. of MF-3-CO, limited to less than 2,000 vehicle trips per day (9-0)	Approved PC rec. of MF-3-CO (5-0); limiting to less than 2,000 vehicle trips per day; all 3 readings on 5/23/96

RELATED CASES: There are no pending related cases.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Spectrum Drive	90 ft.	48 ft.	Arterial	Yes (along existing development)	Yes, shared lane	No

CITY COUNCIL DATE: June 8, 2017

ACTION:

ORDINANCE READINGS: 1st

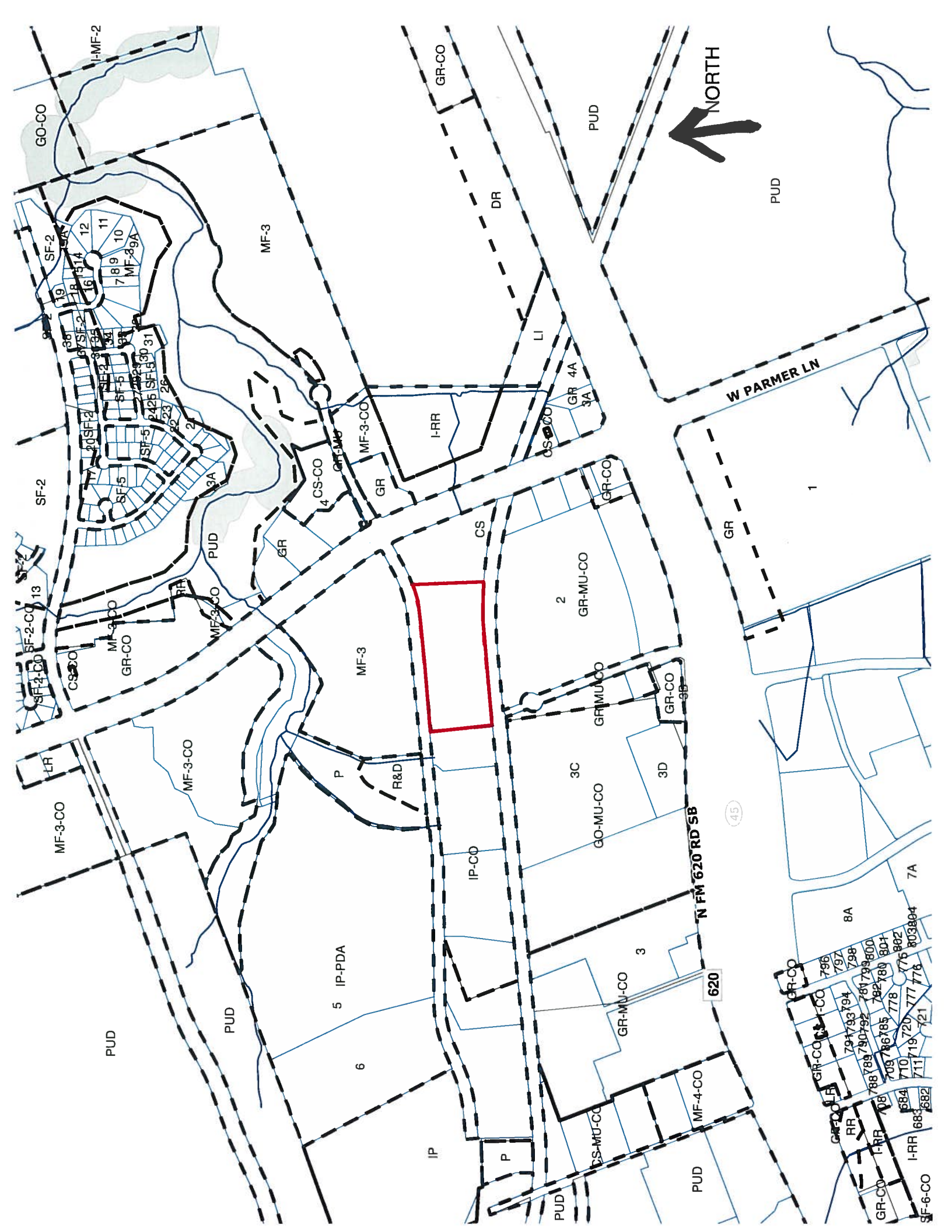
2nd

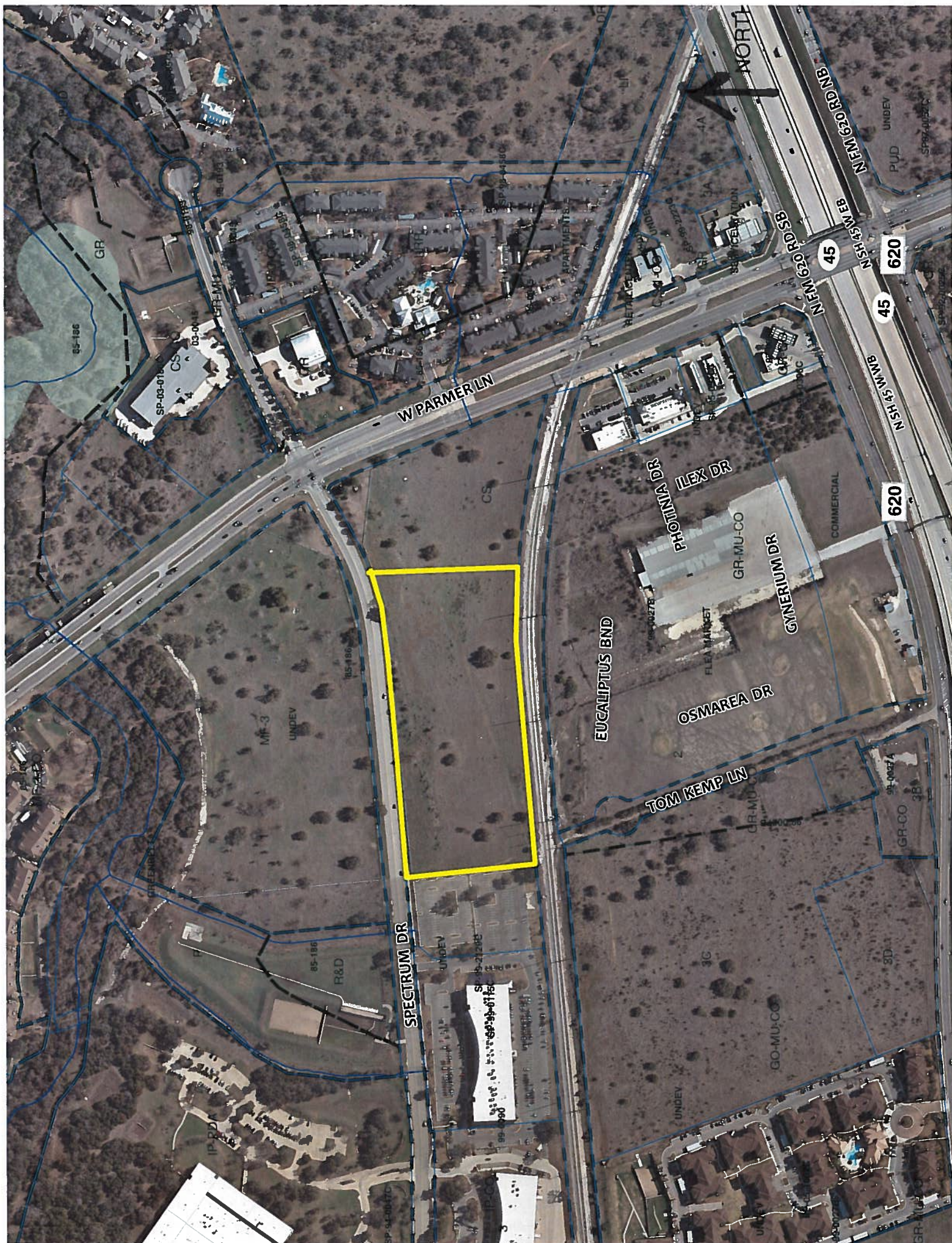
3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

PHONE: 512-974-3057,
sherri.sirwaitis@austintexas.gov





STAFF RECOMMENDATION

Staff's recommendation is to grant CS-MU, General Commercial Services-Mixed Use Combining District, zoning.

BASIS FOR RECOMMENDATION

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

General commercial services (CS) district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environments.

The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

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

The proposed zoning will promote consistency and orderly planning in this area because there are multifamily uses to the north (95 Twenty Apartments) and to the east, across Parmer Lane (The "R" Ranch Apartments). In addition, there are supporting commercial uses in this area to the south near the intersection of Parmer Lane and F.M. 620 and to the north at the intersection of Parmer Lane and Avery Ranch Boulevard. There is also a City of Austin fire/EMS station at the southeastern corner of Parmer Lane and Spectrum Drive. According to the Imagine Austin Comprehensive Plan (IACP) identifies this project as being located along an Activity Corridor, which is intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances.

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

The proposed CS-MU zoning district will allow the applicant to develop a mixture of commercial, office and residential uses on a tract of land fronting Spectrum Drive, an arterial roadway. The multi-family residential development planned for this location will provide accessible housing opportunities in this area of the City near numerous commercial employers (Central Texas Regional Mobility Authority, URS, State Farm Texas Federal CU, Freescale Semiconductor, Inc., etc.).

EXISTING CONDITIONS

Site Characteristics

The site under consideration is currently undeveloped and moderately vegetated. To the north there is an apartment complex (95 Twenty Apartments). The tract of land directly to the east, at the southwest corner of W. Parmer Lane and Spectrum Drive, is undeveloped. There is a multifamily use (The Ranch Apartments) further to the west, across W. Parmer Lane. Across the railroad tracks to the south, there is a vacant tract of land that was previously developed with a driving range (Mr. Tee) and a flea market use.

Comprehensive Planning

CS to CS-MU

This zoning case is located near the southwest corner of Spectrum Drive and W. Parmer Lane, on an undeveloped parcel that is approximately 11 acres in size. The property is not located within the boundaries of an adopted neighborhood planning area. Surrounding land uses includes a large apartment complex to the north; railroad tracks, retail uses (three fast food restaurants and a convenience store) and vacant land to the south; a fire station/EMS station and another apartment complex to the east; and a business park to the west. The proposed use is a 262 unit multi-family apartment complex.

Connectivity

The Walkscore is 46/100, meaning most errands require a car. Public sidewalks are only available intermittently along Spectrum Drive and W. Parmer Lane. A CapMetro transit stop is not located within walking distance to this property.

Imagine Austin

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies this project as being located along an **Activity Corridor**, which are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. The following Imagine Austin policies are applicable to this project:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, **corridors** and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **HN P10.** Create **complete neighborhoods** across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based upon this property being: (1) situated along a **Activity Corridor** as designated on the Growth Concept Map, which supports residential and multifamily uses; (2) the Imagine Austin policies referenced above that supports a variety of development, including a variety of housing types; and (3) adjoining multifamily housing, this project appears to be supported by Imagine Austin.

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.

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 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.

Hill Country Roadway

The site is not within a Hill Country Roadway Corridor.

Impervious Cover

The maximum impervious cover allowed by the CS-MU zoning district would be 95%. 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%

Note: The most restrictive impervious cover limit applies.

Site Plan

No comments received.

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 Austin Metropolitan Area Transportation Plan calls for a total of 114 feet of right-of-way for Spectrum Drive. 57 feet of right-of-way should be dedicated from the existing centerline of Spectrum Drive in accordance with the Transportation Plan at the time of subdivision and/or site plan application, whichever comes first. [LDC, Sec. 25-6-51 and 25-6-55).

Additional right-of-way maybe required at the time of subdivision and/or site plan.

A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113. LDC, Sec. 25-6-113.

The Red Line Urban Trail is proposed along the property line adjacent to the railroad. Janae Ryan, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, an urban trail is recommended for Spectrum Drive.

If the requested zoning is granted, staff recommends prohibiting gates.

Per Ordinance no. 20170302-077, transportation improvements and mitigations may be required at the time of site plan application.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Spectrum Drive	90 ft.	48 ft.	Arterial	Yes (along existing development)	Yes, shared lane	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 Austin Water 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.

CHAPTER 25-2. - ZONING.**Division 2. - Residential Base Districts.****§ 25-2-65 - MULTIFAMILY RESIDENCE MODERATE - HIGH DENSITY (MF-4) DISTRICT DESIGNATION.**

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.

Source: Section 13-2-53; Ord. 990225-70; Ord. 031211-11.

ARTICLE 3. - ADDITIONAL REQUIREMENTS FOR CERTAIN DISTRICTS.**Division 1. - Residential Districts.****§ 25-2-560 - MULTIFAMILY RESIDENCE LIMITED DENSITY (MF-1) DISTRICT REGULATIONS.**

(A) This section applies in a multifamily residence limited density (MF-1) district.

(B) The minimum site area for each dwelling unit is:

- (1) 2,500 square feet, for an efficiency dwelling unit;
- (2) 3,000 square feet, for a one bedroom dwelling unit; and
- (3) 3,500 square feet, for a dwelling unit with two or more bedrooms.

Source: Section 13-2-638; Ord. 990225-70; Ord. 031211-11; Ord. 20111215-096.

§ 25-2-561 - MULTIFAMILY RESIDENCE LOW DENSITY (MF-2) DISTRICT REGULATIONS.

(A) This section applies in a multifamily residence low density (MF-2) district.

(B) The minimum site area for each dwelling unit is:

- (1) 1,600 square feet, for an efficiency dwelling unit;
- (2) 2,000 square feet, for a one bedroom dwelling unit; and
- (3) 2,400 square feet, for a dwelling unit with two or more bedrooms.

Source: Section 13-2-640; Ord. 990225-70; Ord. 031211-11; Ord. 20111215-096.

§ 25-2-562 - MULTIFAMILY RESIDENCE MEDIUM DENSITY (MF-3) DISTRICT REGULATIONS.

(A) This section applies in an MF-3 district.

(B) The minimum site area for each dwelling unit is:

- (1) 1,200 square feet, for an efficiency dwelling unit;
- (2) 1,500 square feet, for a one bedroom dwelling unit; and
- (3) 1,800 square feet, for a dwelling unit with two or more bedrooms.

Source: Section 13-2-641; Ord. 990225-70; Ord. 031211-11; Ord. 20111215-096.

MF-5 : 54/acre max
 MF-4 : 36-54/max
 MF-3 : 36/max

MF-2 : 23/max
 MF-1 : 17/max

**§ 25-2-563 - MULTIFAMILY RESIDENCE MODERATE-HIGH DENSITY (MF-4) AND
MULTIFAMILY RESIDENCE HIGH DENSITY (MF-5) DISTRICT REGULATIONS.**

(A) This section applies in a multifamily residence moderate-high density (MF-4) or multifamily residence high density (MF-5) district.

(B) The minimum site area for each dwelling unit is:

- (1) 800 square feet, for an efficiency dwelling unit;
- (2) 1,000 square feet, for a one bedroom dwelling unit; and
- (3) 1,200 square feet, for a dwelling unit with two or more bedrooms.

Source: Sections 13-2-642 and 13-2-643; Ord. 990225-70; Ord. 031211-11; Ord. 20111215-096.

SUBCHAPTER E: - DESIGN STANDARDS AND MIXED USE.

ARTICLE 4: - MIXED USE.

§ 4.1. - INTENT.

This Article 4 is intended to provide for and encourage development and redevelopment that contains a compatible mix of residential, commercial, and institutional uses within close proximity to each other, rather than separating uses. The mixed use provisions define the uses of land and the siting and character of the improvements and structures allowed on the land in a manner that encourages a balanced and sustainable mix of uses. They promote an efficient pedestrian-access network that connects the nonresidential and residential uses and transit facilities. Redevelopment of underutilized parcels and infill development of vacant parcels should foster pedestrian-oriented residential and mixed use development.

§ 4.2. - MIXED USE ZONING DISTRICTS.

4.2.1. Mixed Use Combining District

A. Purpose. The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

B. Base Districts. A mixed use (MU) combining district may be combined with the following base districts:

1. Neighborhood office, if the use of an MU combining district will further the purpose of the neighborhood office base district;
2. Limited office;
3. General office;
4. Neighborhood commercial;
5. Community commercial;
6. General commercial services; and
7. Commercial liquor sales.

C. Uses Allowed. In the MU combining district, the following uses are permitted:

1. Vertical mixed use buildings, subject to compliance with Section 4.3. of this Subchapter;
2. Commercial uses that are permitted in the base district;
3. Civic uses that are permitted in the base district;
4. Townhouse residential;
5. Multifamily residential;
6. Single-family residential;

7. Single-family attached residential;
8. Small lot single-family residential;
9. Two-family residential;
10. Condominium residential;
11. Duplex residential;
12. Group residential;
13. Group home, class I (limited);
14. Group home, class I (general); and
15. Group home, class II; and
16. Short-term rental.

D. District Standards.

6. This subsection applies to a multifamily residential use, a townhouse residential use, a condominium residential use, a group residential use, or a group home use.

- MF-1* {
- a. In a mixed use (MU) combining district that is combined with a neighborhood office (NO) base district, the minimum site area for each dwelling unit is:
 - (i) 3,600 square feet, for an efficiency dwelling unit;
 - (ii) 4,000 square feet, for a one bedroom dwelling unit; and
 - (iii) 4,400 square feet, for a dwelling unit with two or more bedrooms.
- MF-2 to MF-3* {
- b. In an MU combining district that is combined with an limited office (LO) or neighborhood commercial (LR) base district, the minimum site area for each dwelling unit is:
 - (i) 1,600 square feet, for an efficiency dwelling unit;
 - (ii) 2,000 square feet, for a one bedroom dwelling unit; and
 - (iii) 2,400 square feet, for a dwelling unit with two or more bedrooms.
- MF-4* {
- c. In an MU combining district that is combined with a general office (GO), community commercial (GR), **general commercial services (CS)**, or commercial services - liquor sales (CS-1) base district, the minimum site area for each dwelling unit is:
 - (i) 800 square feet, for an efficiency dwelling unit;
 - (ii) 1,000 square feet, for a one bedroom dwelling unit; and
 - (iii) 1,200 square feet, for a dwelling unit with two or more bedrooms.