

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2017-0100 Braker Lane Rezoning Part B      DISTRICT: 1

ZONING FROM: SF-2 and DR

TO: SF-4A and GR

ADDRESS: 914 East Braker Lane

SITE AREA: 26.7 Acres

PROPERTY OWNERS:

Richard Raymond Peterson and  
Carol Ann Peterson Starr

AGENT:

Carlson, Brigrance & Doering, Inc.  
(Charles Brigrance, Jr.)

CASE MANAGER: Heather Chaffin (512-974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov))

STAFF RECOMMENDATION:

**Staff supports the Applicant's request for rezoning from SF-2 and DR to SF-4A and GR, with the condition that the Traffic Impact Analysis (TIA) memorandum for the property be attached by public restrictive covenant. *For a summary of the basis of staff's recommendation, see case manager comments on page 2.***

PLANNING COMMISSION ACTION / RECOMMENDATION:

December 4, 2018:

CITY COUNCIL ACTION:

December 13, 2018:

ORDINANCE NUMBER:

ISSUES:

This zoning case has been filed in conjunction with Braker Lane Rezoning Part A, City File # C14-2017-0066. The Part A rezoning is for property on the west side of Wedgewood Drive across from this site. A single TIA has been prepared to address transportation issues for both rezoning cases.

The rezoning request proposes approximately 3.3 acres of GR zoning located along Braker Lane at the intersection with Wedgewood Drive and 23.4 acres of SF-4A zoning more interior and adjacent to the residential neighborhood to the north and east.

CASE MANAGER COMMENTS:

The subject property is located on the east side of Wedgewood Drive, northeast of the intersection with East Braker Lane. The property is approximately .20 miles east of the IH 35 frontage road. Most of the property is zoned DR and was previously a single homestead. The portions of the property that have frontage on East Braker Lane and Wedgewood Drive are zoned SF-2 and are undeveloped. Several small street rights-of-way stub out into the property but are not constructed. These include Autumn Drive, Silverlawn Drive, Cloverlawn Drive, and Bronze Drive. These streets do not appear to have any planned connection points with other streets in the area. Plaza Drive extends from the IH 35 frontage road to the west but terminates before it reaches Wedgewood Drive. It appears that Plaza Drive was designed to connect with Hickory Grove Drive on the other side of the rezoning tract, to the east.

Immediately east of the rezoning tract is property zoned SF-2 and DR that is developed with a mix of single family and multifamily residential uses. Immediately north of the property is land zoned SF-2 that is developed with single family residences. West of the rezoning tract, across Wedgewood Drive, is land zoned SF-2 and DR. The majority of the SF-2 zoned land is undeveloped and currently being rezoned in a related zoning case. The DR zoned land is undeveloped. Further west of the property is land zoned GR, MF-2, and SF-2. The GR parcel, which faces Braker Lane, is developed with a small commercial center that contains uses including restaurant-limited, indoor entertainment, liquor sales, religious assembly, personal services, and other uses. The MF-2 property is developed with multifamily use and takes access to the IH 35 frontage road and Braker Lane. South of the property, across Braker Lane are properties zoned CS-NP and GO-CO-NP. The CS-NP property is developed with a small commercial center that contains uses including restaurant (limited and general), limited retail, medical office, personal services, and other uses. The GO-NP property is developed with senior living/congregate living land use. *Please see Exhibits A, B, and C—Zoning Map, Aerial Exhibit, and Conceptual Plan.*

As stated in the Issues section, this zoning case has been filed in conjunction with Braker Lane Rezoning Part A, and a single Traffic Impact Analysis (TIA) has been prepared to address transportation issues for both rezoning cases. The Applicant has agreed to fund related improvements identified in the TIA memo. *Please see Exhibit D—TIA Memorandum.*

Staff had received Correspondence in regards to C14-2017-0100 and C14-2017-0066. *Please see Exhibit E- Correspondence.*

The applicant proposes constructing approximately 132 small lot single family residences on the site, with associated streets, drainage and water quality features, and more. The Applicant

also proposes 3.3 acres of mixed commercial land uses at the intersection of Wedgewood and Braker Lane. Staff supports the rezoning request to SF-4A and GR. The GR zoning will reflect the other commercial categories along Braker Lane, and the SF-4A will provide a transition between the commercial properties along Braker Lane and the SF-2 neighborhood to the north, west, and east. Small lot single family residences will also increase housing options in the area, and GR zoning will allow for community commercial options.

#### BASIS OF RECOMMENDATION:

1. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.*

The proposed rezoning will allow high density residential be developed between the residential neighborhood to the north and the commercial zoning along Braker Lane.

2. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

Small lot single family development on this site will increase housing options in the area, reflecting the values of the Strategic Housing Blueprint.

#### EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	SF-2, DR	Undeveloped, Single family residence
North	SF-2	Single family residential
South	CS-NP, GO-NP	Restaurant (limited and general), Limited retail, Medical office, Personal services, Congregate living
East	SF-2, DR	Single family residential, Multifamily residential
West	SF-2, DR, GR, MF-2	Undeveloped, Restaurant-limited, Indoor entertainment, Liquor sales, Religious assembly, Personal services, Multifamily residential

NEIGHBORHOOD PLANNING AREA: N/A

TIA: See attached TIA Memorandum (Exhibit C)

WATERSHED: Walnut Creek (Suburban)

#### NEIGHBORHOOD ORGANIZATIONS:

Homeless Neighborhood Association	Bike Austin
Austin Neighborhoods Council	AISSD
Friends of Austin Neighborhoods	Sierra Club
Neighborhood Empowerment Foundation	SELTexas
North Growth Corridor Alliance	Yager Planning Area
Heritage Hills/Windsor Hills Neighborhood Plan Contact Team	
Northeast Walnut Creek Neighborhood Association	

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
E Braker Lane	127 ft.	60 ft.	Arterial	Yes	Yes, shared lane	Yes
Wedgewood Drive	60 ft.	25 ft.	Collector	No	Yes, shared lane and wide curb lane	Yes
Plaza Drive	50 ft.	N/A	Local	N/A	No	No
Autumn Drive	50 ft.	N/A	Local	N/A	No	Yes
Silverlawn Drive	50 ft.	N/A	Local	N/A	No	Yes
Cloverlawn Drive	50 ft.	N/A	Local	N/A	No	Yes
Bronze Drive	50 ft.	N/A	Local	N/A	No	No
Hickory Grove Drive	50 ft.	26 ft.	Local	No	No	No

OTHER STAFF COMMENTS:COMPREHENSIVE PLANNING:

**Connectivity-** There is a public sidewalk located on both sides of E. Braker Lane, and a CapMetro transit stop within walking distance from this property. There are no public sidewalks located along Wedgewood Drive, which is narrow rural road. The Walkscore for this property is 56/100, **Somewhat Walkable**, meaning some errands may be accomplished on foot.

**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**. **Activity Corridors** are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. They are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. The following Imagine Austin policies are applicable to this request:

- **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.

Based upon this property being: (1) situated by an **Activity Corridor** as designated on the Growth Concept Map, which supports a variety of commercial, office and residential uses;

and (2) the Imagine Austin policies referenced above that supports a variety of commercial and residential uses by corridors, this project appears to be supported by Imagine Austin.

### ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.
2. 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 (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

### SITE PLAN

SP1) Site plans will be required for any new development other than single-family or duplex residential.

SP2) Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

SP 3) Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP 4) The site is subject to compatibility standards. Along the North property line, the following standards apply:

- ☐ No structure may be built within 25 feet of the property line.
- ☐ No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- ☐ No structure in excess of three stories or 40 feet in height may be constructed within 100

feet of the property line.

- ☐ No parking or driveways are allowed within 25 feet of the property line.
- ☐ A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- ☐ for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- ☐ An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.
- ☐ A landscape area at least 15 feet in width is required along the property line if tract is zoned MF-3, MF-4, MF-5, MH, NO, or LO.

A landscape area at least 25 feet in width is required along the property line if the tract is zoned LR, GO, GR, L, CS, CS-1, or CH.

Additional design regulations will be enforced at the time a site plan is submitted.

### TRANSPORTATION

TR1. A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC 25-6-142]. Comments will be provided in a separate memo from Development Services Department and Austin Transportation Department.

TR2. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.

TR3. The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way for E Braker Lane. If the requested zoning is granted for this site, then 70 feet of right-of-way from the existing centerline may be required for E Braker Lane according to the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55].

TR4. Additional right-of-way maybe required at the time of subdivision and/or site plan.

TR5. The Urban Trails Master Plan recommends a Tier II trail along Braker Lane, Wedgewood Drive, and Plaza Drive connecting to Hickory Grove Drive. Janae Spence, Urban Trails, Public Works Department may provide additional comments and requirements for right-of-way dedication and trail construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Urban Trails Master Plan for more information.

TR6. According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for Braker Lane, and a Quiet Street is recommended for Wedgewood Drive. Mike Schofield, and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and trail construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.

TR17. Existing Street Characteristics



Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
E Braker Lane	127 ft.	60 ft.	Arterial	Yes	Yes, shared lane	Yes
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### WATER UTILITY

1. 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. 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.

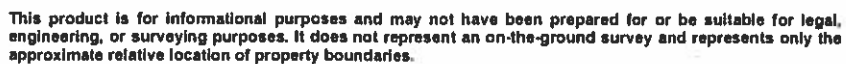
### INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Exhibit
- C. Conceptual Layout
- D.TIA Memorandum
- E. Correspondence





Case#: C14-2017-0100



**Created: 11/28/2017**





**E. BRAKER LANE REZONING PT. A & B**

ZONING CASE#: C14-2017-0066 and C14-2017-0100





LOCATION: 914 E BRAKER LANE

SUBJECT AREA: PT. A = 3.00, PT. B = 26.70 ACRES

GRID: M31

MANAGER: HEATHER CHAFFIN



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

1" = 400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept for the sole purpose of geographic reference. No warranty is made







CONCEPTUAL  
LAYOUT





EXHIBIT  
E

Objection to rezoning: Case number C14-2017-0066

My main objection to the proposed rezoning is that, if granted, the resulting lot sizes would be much too small. As the attached development plan shows, rezoning to lot sizes to SF-4A/GR would cause the resulting lot sizes to be about one-half the size of those surrounding the development tract. This is unacceptable for the surrounding neighborhoods. Such would cause neighborhood property values to decrease. Additionally, Wedgewood drive, which runs through the development tract, is the major ingress/egress route for much of the neighborhood. Smaller lot sizes would add many more homes along Wedgewood Drive and contribute to traffic problems for vehicles entering and leaving the neighborhood.

Additionally, the neighborhoods north and adjacent to the development tract were totally developed prior to being annexed by the City of Austin. Because of such, storm drainage is not compatible with City Code. For example, roads are parallel to and adjacent to 3 of the 4 boundary sides of the tract. As verified by the COA Development Web Map (online at <http://www.austintexas.gov/GIS/DevelopmentWebMap/Viewer.aspx>), only a minimal number of drainage pipes and curb or grate inlets exist for the roads surrounding the tract--only 1 curb inlet exists along the east side of the tract, only 1 is along the west side, and no inlets are along the north side. Mostly because of such, overland flow from storm runoff already threatens many of the homes surrounding the tract. Additionally, as the attached site plan shows, the southern end of the tract contains a topographic high area--runoff flows in all directions from the tract. Because of such and steep slopes within the tract, it likely will be cost prohibitive for the developer to grade the tract to force all runoff to the creek along the west side of Wedgewood drive--some runoff from the tract will become overland flow across lots adjacent to the tract thus adding to already existing flooding threats for those homes. I provide the runoff information as a Certified Professional Hydrologist.

Raymond Slade, Jr., PH  
Certified Professional Hydrologist  
Adjunct Professor

# PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: [www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2017-0100

Contact: Heather Chaffin, 512-974-2122

Public Hearing: May 15, 2018, Zoning and Platting Commission  
June 14, 2018, City Council

*Heather Chaffin*  
Your Name (please print)

☐ I am in favor  
☒ I object

*11631 River Oaks Trail*  
Your address(es) affected by this application

*[Signature]*  
Signature

Date

Daytime Telephone: *432-638-3541*

Comments:

If you use this form to comment, it may be returned to:

City of Austin  
Planning & Zoning Department  
Heather Chaffin  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C14-2017-0100

Contact: Heather Chaffin, 512-974-2122

Public Hearing: May 15, 2018, Zoning and Platting Commission

June 14, 2018, City Council

Your Name (please print)

☐ I am in favor  
☒ I object

Your address(es) affected by the application

Signature

Daytime Telephone: 512 955-0986

Date

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810



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Case Number: C14-2017-0100

Contact: Heather Chaffin, 512-974-2122

Public Hearing: May 15, 2018, Zoning and Platting Commission

June 14, 2018, City Council

Penny and Michael Jersich  
Your Name (please print)

☐ I am in favor  
☒ I object

11502 January Austin 78733  
Your address(es) affected by this application

[Signature] 5/10/18  
Signature Date

Daytime Telephone: 602-738-5568 or 602-625-8038

Comments: In 2015, we experienced severe flooding in part due to the duplicated development at a house with lack of drainage for that area. We have civil engineer reports. There needs to be extensive work done to protect the homes downhill and it will be costly to do it right. We do not support the development unless we can be assured this problem is thoroughly addressed. Thank you.

If you use this form to comment, it may be returned to:

City of Austin  
Planning & Zoning Department  
Heather Chaffin  
P. O. Box 1088  
Austin, TX 78767-8810