

ZONING CHANGE REVIEW SHEET**CASE:** C14-2018-0127 – IH 35 Apartments**Z.A.P. DATE:** December 18, 2018**ADDRESS:** 11821 – 12124 South IH 35 Service Road Northbound**DISTRICT:** 5**OWNER:** South IH 35 Investors, LP
(C. W. Hetherly, Jr.)**APPLICANT:** JCI Residential, LLC
(Ross Hamilton)**AGENT:** Alice Glasco Consulting (Alice Glasco)**ZONING FROM:** CS-MU-CO **TO:** MF-4 **AREA:** 58.3885 acres**SUMMARY STAFF RECOMMENDATION:**

The Staff recommendation is to grant multi-family residence-moderate-high density (MF-4) district zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

December 18, 2018:

ISSUES:

None at this time.

DEPARTMENT COMMENTS:

The proposed area consists of undeveloped acreage located on the northbound frontage lane of IH 35, and is zoned general commercial services – mixed use – conditional overlay (CS-MU-CO) combining district zoning. There is a religious assembly use adjacent to the north property line, and undeveloped land known as the Cascades at Onion Creek MUD consisting of 100-year flood plain and planned for single family residential, multi-family residential and commercial land uses typical of suburban development (RR-CO; MF-2-CO; I-RR), and agricultural land to the east and south (County). The State Highway 45 and IH-35 intersection is more than $\frac{3}{4}$ of a mile to the south. Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant has requested multi-family residence-moderate-high density (MF-4) zoning and proposes to develop the property with up to 800 apartment units. The existing CS-MU-CO zoning allows for MF-4 density to occur, and Staff recommends the Applicant's request given its location along a commercial corridor and compatibility with a similarly situated properties along the IH 35 corridor that allow for multi-family residential use to occur.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO	Undeveloped
<i>North</i>	County; MF-2-CO; RR-CO; I-RR	Religious assembly; Undeveloped and known as the Cascades at Onion Creek MUD No. 1 for single family residential, multifamily residential and commercial
<i>South</i>	County	Undeveloped
<i>East</i>	County	Agricultural
<i>West</i>	N/A	Northbound frontage lanes of IH 35

AREA STUDY: Not Applicable**TIA:** Completed with 2014 rezoning case**WATERSHED:** Onion Creek – Suburban**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

627 – Onion Creek Homeowners Association

742 – Austin Independent School District

1228 – Sierra Club, Austin Regional Group

1258 – Del Valle Community Coalition

1363 – SEL Texas

1528 – Bike Austin

1530 – Friends of Austin Neighborhoods

1616 – Neighborhood Empowerment Foundation

SCHOOLS:

An EIS is required. Please refer to Attachment A.

Blazier Elementary School Paredes Middle School

Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C12M-2013-0001 – Cascades at Onion Creek Municipal Utility District No. 1 – 12000 S IH 35 Service Rd NB	A Consent Agreement for single family, multi-family and commercial development on 223.68 acres	To Grant	Apvd (8-07-2014).
C814-2012-0085 – Estancia Hill Country PUD – 12814 IH 35 S, FM 1327 (Puryear Rd) at S IH 35 Service Rd SB	I-RR to PUD for a 593.6 acre mixed use project: up to 737 single family residences, 1,550	To Grant PUD with conditions of the Environmental Board and the Traffic Impact Analysis	Apvd PUD as Commission recommended (6-20-2013).

	multi-family 1 units, 1.65 million s.f of office / commercial uses, 400,000 s.f. of retail, > 100 acres of open space, a 2 acre CoA Fire / EMS station site and a 9 acre site for a multi-modal transportation facility		
C14-06-0191 – Fox Hill – 11421-11717 S IH-35 Service Rd NB	I-RR to RR for Tract 1; MF-2-CO for Tract 2	To Grant RR-CO for Tract 1 with CO limiting permitted improvements to drainage, underground utility improvements, hike and bike trails, etc. and MF-2-CO for Tract 2, with the CO limiting development to 12 u.p.a., and the conditions of the TIA	Apvd RR-CO for Tract 1 and MF-2-CO for Tract 2 as Commission recommended (4-19-2007).

RELATED CASES:

The property was annexed into the Full-purpose City limits on April 13, 2009 (C7A-09-001). On April 2, 2009, Council approved a zoning change from I-RR to CS-MU-CO district zoning with the Conditional Overlay limiting daily vehicle trips to 2,000 and establishing a list of conditional and prohibited uses C14-2008-0221 – Conn Tract). Subsequently, on April 2, 2009, Council approved a change to the zoning by removing the daily vehicle trip limit and replacing it with the conditions of a Traffic Impact Analysis (C14-2014-0081 – Hetherly Tract). Please refer to Exhibit C. There are no pending subdivision or site plan applications on the subject property.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks (along property frontage)	Bicycle Route	Capital Metro (within ¼ mile)
IH 35	~400 feet	309 feet (from frontage road to frontage road)	Highway	No	Yes, shared lane, route 421	No

CITY COUNCIL DATE: January 31, 2019**ACTION:****ORDINANCE READINGS:** 1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov**PHONE:** 512-974-7719

UNDEV

AGRICULTURE

RR-CO

C14-06-0191

031211-40
C12M-2013-0001

MF-2-CO

PUD

C814-2012-0085.01
C814-2012-0085

S IH 35 SVRD SB
S IH 35 NB TO ONION CREEK RAMP

RZ-85-034
CHURCH
SP-02-0115D

I-SF-2

S IH 35 NB

2006-0221

UNDEVELOPED
C14-2014-0091
CS-MU-CO
C14-2006-0221

I-SF-2

S IH 35 SB
SSH 45 E WB TO S 35 NB RAMP S IH 35 SVRD NB

PUD

ZONING

EXHIBIT A

ZONING CASE#: C14-2018-0127



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

1" = 600'

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.

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Created: 10/15/2018



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SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY



CREEK BUFFER

1" = 600'

IH 35 APARTMENTS

ZONING CASE#: C14-2018-0127

LOCATION: 12001 S. IH 35 SERVICE RD. NB

SUBJECT AREA: 58.3885 ACRES

GRID: F10

MANAGER: WENDY RHOADES

Exhibit A-1

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 by the City of Austin regarding specific accuracy or completeness.

ORDINANCE NO. 20141106-107

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 11821-12124 SOUTH IH-35 SERVICE ROAD NORTHBOUND FROM GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-CO) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY (CS-MU-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district on the property described in **Zoning Case No. C14-2014-0081**, on file at the Planning and Development Review Department, as follows:

58.3885 acre tract of land, more or less, out of the Santiago Del Valle Grant the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 11821-12124 IH-35 Service Road Northbound in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. The following are conditional uses of the Property:

Drop-off recycling collection facility
Custom manufacturing
Food preparation
Plant nursery
Special use historic

B. The following uses are not permitted uses of the Property:

Adult-oriented business	Agricultural sales and services
Building maintenance services	Campground
Commercial blood plasma center	Construction sales and services
Convenience storage	Electronic prototype assembly
Electronic testing	Equipment repair services
Equipment sales	Kennels
Laundry services	Maintenance and service facilities
Monument retail sales	Pawn shop services
Transitional housing	Transportation terminal
Vehicle storage	Veterinary services

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, the mixed use combining district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on November 17, 2014.

PASSED AND APPROVED

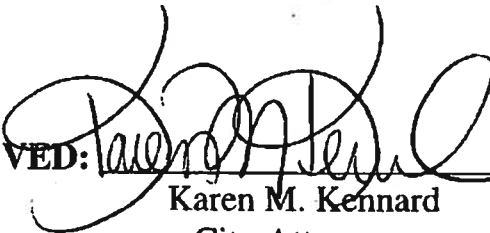
November 6, 2014

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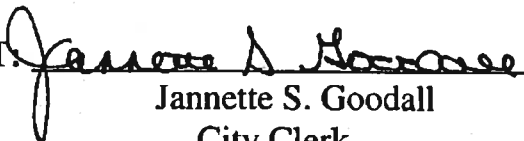
Lee Leffingwell
Mayor

APPROVED:

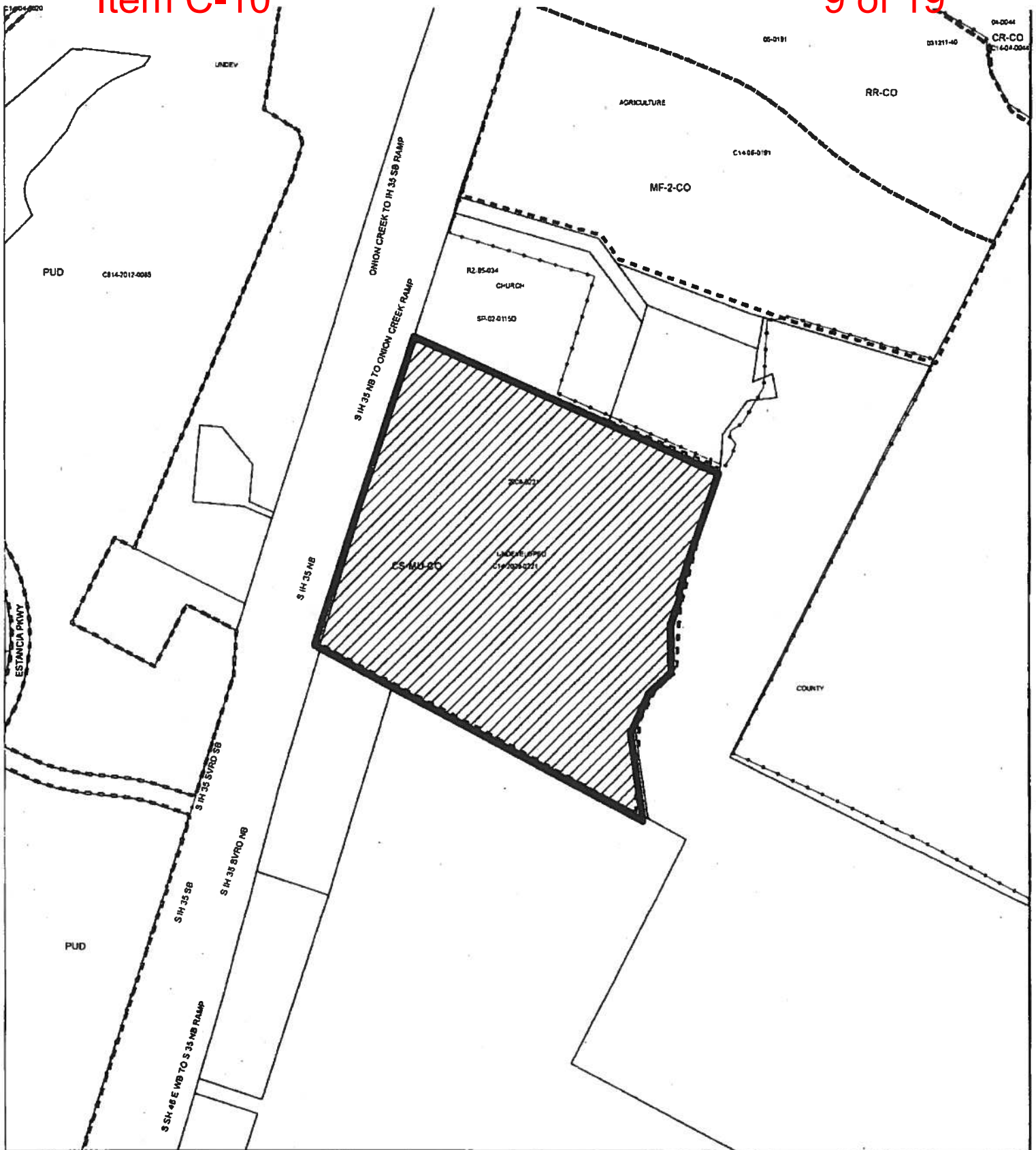


Karen M. Kennard
City Attorney

ATTEST:



Jannette S. Goodall
City Clerk



ZONING

ZONING CASE#: C14-2014-0081



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 600'

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Exhibit B





EXHIBIT VIII

EDUCATIONAL IMPACT STATEMENT (EIS) DETERMINATION

PART A

If your project is located in one or more of the following school districts, and requires Land Use Commission review; and meets one of the requirements listed below, an Educational Impact Statement is required.

<input type="checkbox"/> YES	<input type="checkbox"/> NO	100 or more single family units are proposed
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	200 or more multifamily units are proposed
<input type="checkbox"/> YES	<input type="checkbox"/> NO	100 or more multifamily units are proposed and a tax credit is requested
<input type="checkbox"/> YES	<input type="checkbox"/> NO	project will demolish more than 50 residential existing units in a structure more than 20 years old

Please check the appropriate school district(s).

- ☒ Austin Independent School District
- ☐ Leander Independent School District
- ☐ Pflugerville Independent School District
- ☐ Hays County Independent School District
- ☐ Del Valle Independent School District
- ☐ Round Rock Independent School District
- ☐ Manor Independent School District

If an Educational Impact Statement (EIS) is required, please complete the Educational Impact Analysis (EIA) Part B.

ZONING

EDUCATIONAL IMPACT ANALYSIS FORM
Part B

OFFICE USE ONLY

CASE MANAGER: WENDY RHODES
APPLICANT / AGENT: ALICE GLASCO CONSULTING (ALICE GLASCO)
CASE NUMBER: C14-2018-0127
PROJECT NAME: 11 35 APARTMENTS
PROJECT ADDRESS: 12001 S 11 35 SERVICE ROAD NORTH BOUND
PROPOSED USE: APARTMENTS

EXISTING RESIDENTIAL UNITS

Existing number of Residential Units: 0
Number of existing residential units to be demolished: 0
Age of units to be demolished: N/A

PROPOSED DEVELOPMENT

Gross Project Acreage: 58.39
Number of lots: 1.00
Lots per acre: _____

PROPOSED RESIDENTIAL UNITS

Proposed number of Residential Units: 800
Size of proposed units in square feet (specify range): 556.00 to 1,295.00
Number of bedrooms per unit: 1/2/3 Bedroom units

ESTIMATED SELLING / RENTAL PRICE (EXISTING AND PROPOSED)

Estimated selling price of units (specify range): _____ to _____

Estimated rental rates (if applicable): \$875 - \$1,800

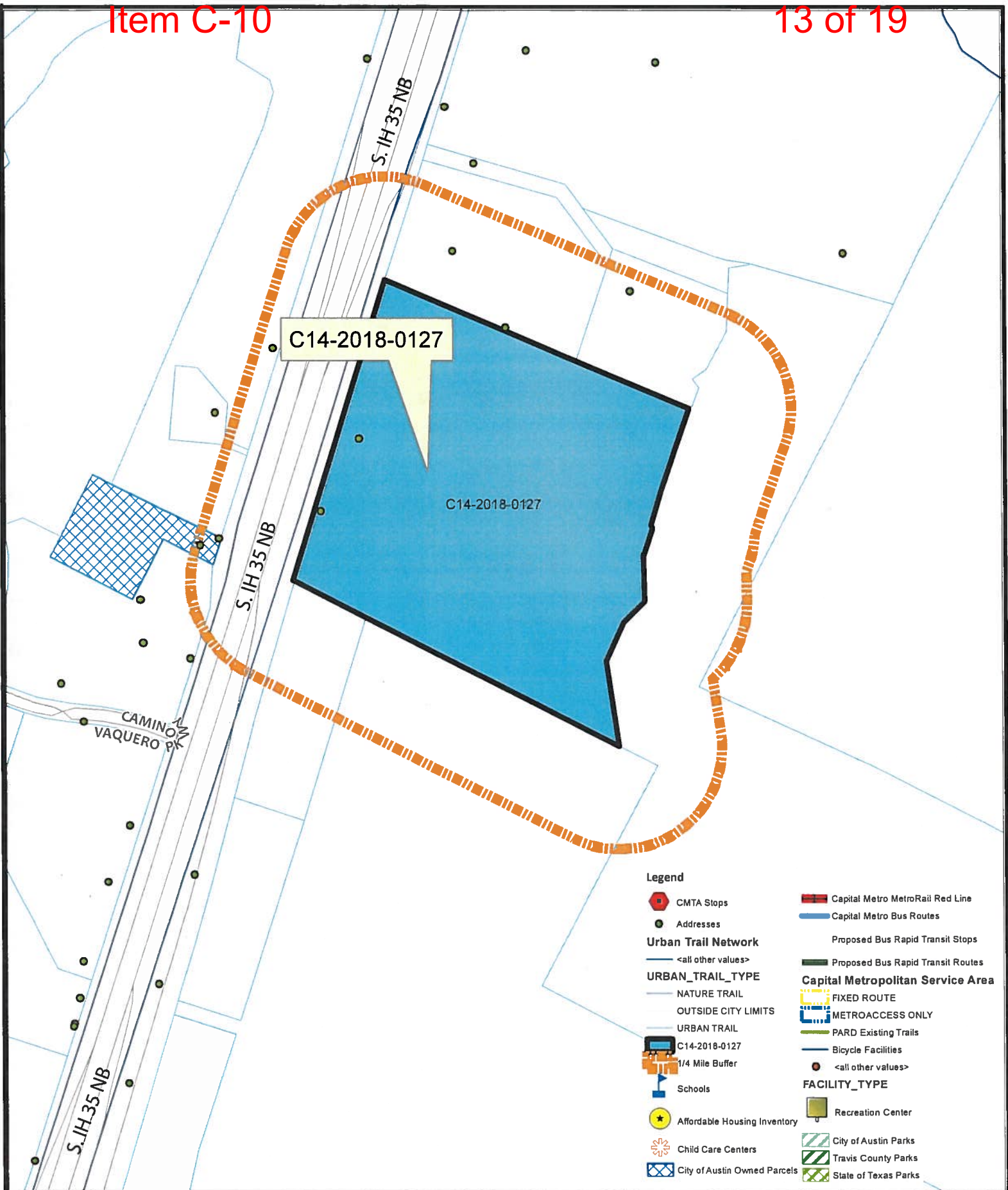
Range of monthly rental rates to be demolished: _____ to _____

Estimated increase in rental rates (specify percentage of increase): _____

If project is multifamily, will a tax credit be applied for as part of the Smart Housing™ Program? N/ANumber of Certified Affordable Dwelling Units (Proposed or Existing) 0**OFF-SITE FAMILY AMENITIES EXISTING WITHIN ONE MILE OF PROJECT****(Open to the public – attach location plan)**Parks / Greenbelts: To be determined at the time of site planRecreation Centers: To be determined at the time of site planPublic Schools: Blazier Elementary School/Paredes Middle School/Akins High School**PARKLAND DEDICATION**Parkland dedication required? ☒ YES ☐ NO

If yes, please indicate if applicant plans to request fee in lieu or provide parkland:

Fee: ☒ YES ☐ NOLand: ☐ YES ☐ NO**ON-SITE FAMILY AMENITIES PROPOSED**Will space be provided for childcare services? ☐ YES ☐ NO ☒ Unknown at this timeAmount of open space required in acres: To be determined at the time of site plan.Amount of open space provided in acres: To be determined at the time of site plan.Other proposed amenities (pools, clubhouse, recreation area): To be determined at site plan. stage.**TRANSPORTATION LINKAGES**Closest Public Transit Location: IH 35 & Slaughter LanePedestrian / Bike Routes: Unknown at this time



Educational Impact Assessment

Zoning Case

Case#: C14-2018-0127
 Address: 12001 S. IH 35 Service Rd. NB
 Case Name: IH 35 Apartments
 58.3885 ACRES

Neighborhood Planning Area: No
 School District: Austin ISD
 Manager: Wendy Rhoades

12/13/2018



PLANNING AND ZONING DEPARTMENT



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SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant multi-family residence-moderate-high density (MF-4) district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The multi-family residence – moderate-high density (MF-4) district is intended for residential and multi-family use with a maximum density of up to 54 units per acre, depending on unit size and mix. This district is appropriate for multi-family residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas.

The property has access to the northbound frontage lanes of IH 35, a major arterial roadway.

- 2. Intensive multi-family zoning should be located on highways and major arterials.*
3. Zoning changes should promote a balance of intensities and densities.

The existing CS-MU-CO zoning allows for MF-4 density to occur, and Staff recommends the Applicant's request given its location along a commercial corridor and compatibility with a similarly situated properties along the IH 35 corridor that allow for multi-family residential use to occur.

EXISTING CONDITIONS**Site Characteristics**

The subject property is undeveloped and has steep slopes on the northern side of the property.

Impervious Cover

The maximum impervious cover allowed by the *MF-4 zoning district* is 70%, which is a consistent figure between the *zoning* and *watershed* regulations.

Comprehensive Planning

This rezoning case is located on the east side of IH-35 in south Austin, on an undeveloped parcel of land that is approximately 58.38 acres in size, and is not located within the boundaries of a neighborhood planning area. Surrounding land uses includes undeveloped land and a single family subdivision to the north; to the east and south is undeveloped land; and to the west is IH-35 and a single family subdivision on the west side of IH-35. The proposed use is a market rate 800 unit multifamily apartment complex.

Connectivity

The Walkscore is unavailable for this address. There are no bike lanes, public sidewalks, or urban trails located within at least a mile of this property. The mobility and connectivity options in this area (beyond an automobile) are nonexistent.

Imagine Austin Analysis and Conclusions

The property is located approximately a half of a mile north of the boundaries of the nascent ‘**Southside Regional Center**’, as identified on the Imagine Austin’s Growth Concept Map. 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.

Page 107 of the IACP also states, “*While most new development will be absorbed by centers and corridors, development will happen in other areas within the city limits to serve neighborhood needs and create complete communities. Infill development can occur as redevelopment of obsolete office, retail, or residential sites or as new development on vacant land within largely developed areas. New commercial, office, larger apartments, and institutional uses such as schools and churches, may also be located in areas outside of centers and corridors. The design of new development should be sensitive to and complement its context. It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city. It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city.*”

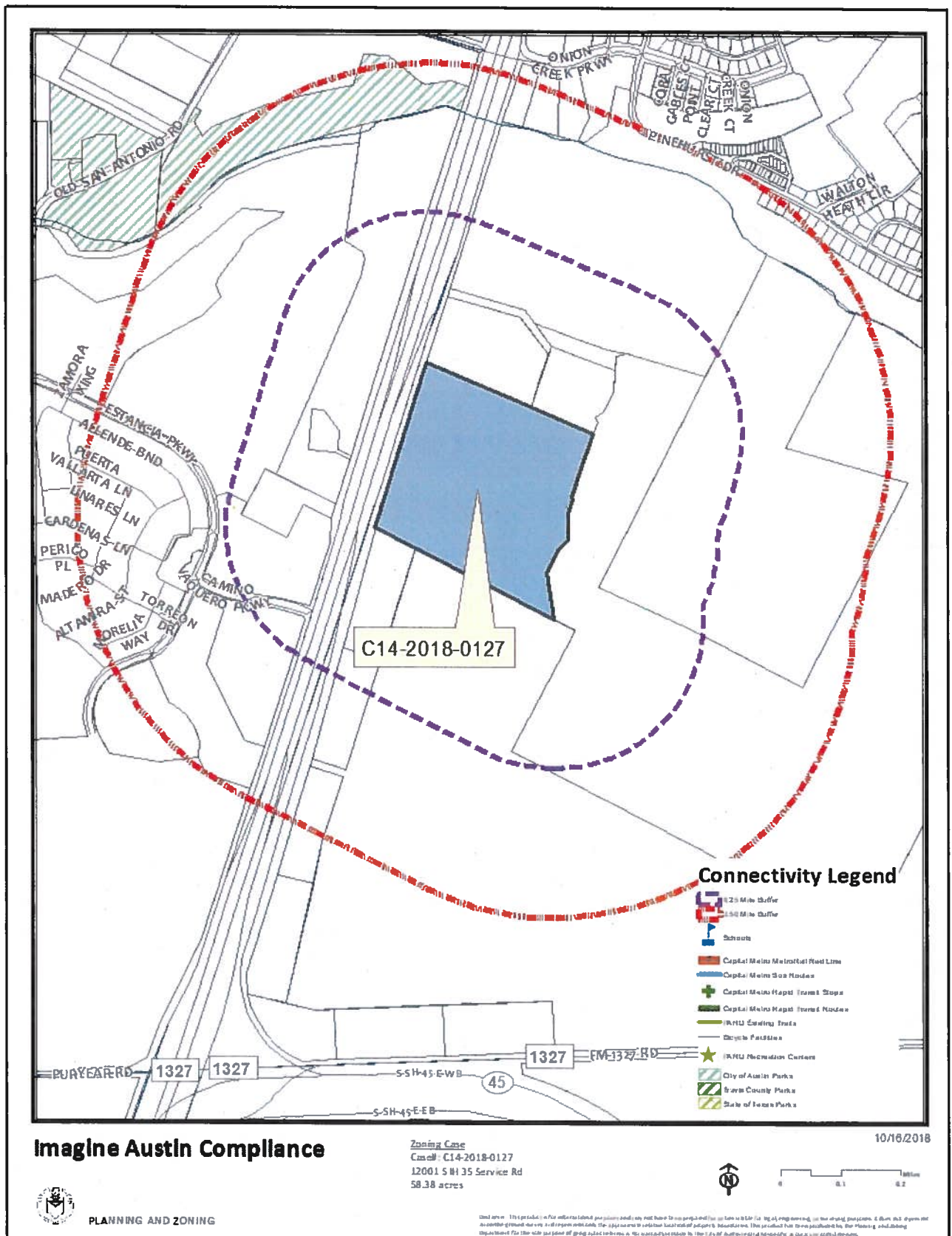
The following Imagine Austin policies are also applicable to this case:

- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **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 healthy food, schools, retail, employment, community services, and parks and recreation options.

Analysis and Conclusion

Over the last decade, a number of developers have built large multifamily apartment complexes along the IH-35 frontage road to take advantage of the easy access onto IH-35. However, public transit is unavailable within at least two miles of this area. However, this apartment complex will be located less than a mile from an identified (but not yet developed) Regional Center and provide much needed workforce and goods and services housing.

Based on the Imagine Austin text and policies above, this project appears to be only partially support the Imagine Austin Plan based on the lack of connectivity (goods, services, recreational and civic uses) and mobility options in the area. It is hoped that the developer include placemaking features to the multifamily property, such as a pocket park, shared path, and other amenities for its residents, and explore other mobility options for their future residents.



Transportation

The site is subject to the approved TIA with zoning case Hetherly Tract (C14-2014-0081). At the time of site plan, a TIA revision may be necessary. The recommendations within the TIA Memo may be revised if assumptions have changed. If you have any questions please contact the DSD Transportation Engineer (Scott.James@austintexas.gov).

The Austin Metropolitan Area Transportation Plan calls for 400 feet of right-of-way for IH 35. With the approval of the Texas Department of Transportation, 200 feet of right-of-way from the existing centerline should be dedicated and/or reserved for IH 35 according to the Transportation Plan at the time of the subdivision and/or site plan application, whichever comes first [LDC 25-6-51 and 25-6-55].

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

Janae Spence, Urban Trails, Public Works Department, Mike Schofield, 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 IH 35. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.

FYI – Vehicular access to IH 35 (driveways and right-of-way dedication) shall be reviewed and approved by the Texas Department of Transportation.

FYI – It is recommended to provide driveway access to the proposed internal rights-of-way to reduce the number of curb cuts accessing IH 35.

FYI – There appears to be proposed right-of-way stub outs east of the property (Cascades at Onion Creek, C8-2018-0165). Staff recommends providing right-of-way stub outs to the west to provide public connectivity between the adjacent single family residential units and the proposed multi-family residential developments. Additionally, based on the block length of the tract, Staff recommends providing right-of-way connections to the north and south property lines to reduce the block size and provide future public connectivity. Additional public connections may be required with the proposed subdivision to the north (Cascades at Onion Creek, C8-2018-0181).

Staff recommends coordinating with the north subdivision application (Cascades at Onion Creek, C8-2018-0181) to provide (at a minimum) pedestrian and bicycle connectivity between the sites to provide public access to the Tier II Onion Creek Urban Trail.

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

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Onion 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. The site is in the Desired Development Zone.

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%

According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within 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.

Site Plan and Compatibility Standards

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

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

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.