

ZONING CHANGE REVIEW SHEET**CASE:** C14-2018-0134 (Avery Ranch at 183A)**Z.A.P. DATE:** February 5, 2019**ADDRESS:** U.S. Highway 183A Toll Road and Avery Ranch Boulevard**DISTRICT AREA:** 6**OWNER/APPLICANT:** Texas Department of Transportation (Jess Berglund)**AGENT:** The Drenner Group, P.C. (Amanda Swor)**ZONING FROM:** I-RR**TO:** MF-4**AREA:** 15.994 acres**SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant Multi-Family Residence-Moderate-High Density District, zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:**DEPARTMENT COMMENTS:**

The property in question is undeveloped and densely vegetated. The site is located at the northeast corner of Avery Ranch Boulevard and U.S. Highway 183A. The tracts of land to the north, south and east are undeveloped. There is a water tower to the southeast, across Avery Ranch Boulevard and a detention pond to the west, across U.S. Highway 183A North Bound. The applicant is requesting MF-4 zoning to establish permanent zoning on the site so that they can sell this tract of land for residential development.

The staff recommends Multi-Family Residence-Moderate-High Density District, zoning for the site under consideration because the property meets the purpose statement of the district. The site is located at the intersection of an arterial roadway and a highway. It is near a planned residential development to the east in the Avery Ranch PUD. The property is located to the north of the Lakeline Station Regional Center as identified by the Image Austin Comprehensive Plan. There are public sidewalks and bike lanes located along Avery Ranch Boulevard and there is an elementary school located within 2 miles to the east in the Avery Ranch development (Rutledge Elementary).

The applicant agrees with the staff's recommendation.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	I-RR	Highway, Undeveloped
<i>South</i>	I-RR	Undeveloped
<i>East</i>	PUD (Avery Ranch PUD)	Undeveloped (Future Single-Family Residential Subdivision)
<i>West</i>	I-RR	Highway, Detention

AREA STUDY: N/A**TIA:** N/A**WATERSHED:** Butter Cup Creek, South Brushy Creek**CAPITOL VIEW CORRIDOR:** N/A**HILL COUNTRY ROADWAY:** N/A**NEIGHBORHOOD ORGANIZATIONS:**

Avery Ranch Owners Association Inc.
 Bike Austin
 Friends of Austin Neighborhoods
 Davis Spring HOA
 Leander ISD Population and Survey Analysts
 Neighborhood Empowerment Foundation
 Northwest Austin Coalition
 SELTEXAS
 Sierra Club, Austin Regional Group

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2007-0046 (Wolf Hester Tract: 14000 U.S. Highway 183 North)	DR to GR	6/05/07: Approved GR-CO with condition to prohibit Pawn Shops by consent (7-0, S. Hale, J. Martinez-absent); J. Pinnelli-1 st , J. Shieh-2 nd .	7/26/07: Approved GR-CO by consent on all 3 readings (6-0); J. Kim-1 st , B. Dunkerely-2 nd .
C14-04-0166 (Lake Creek, Lakeline Boulevard and North Lake Creek Parkway)	GO to CS	06/21/05: Approved CS-CO zoning with conditions to prohibit Pawn Shop Services, Exterminating Services, and Adult Oriented Businesses by consent (8-0, K. Jackson-absent); J. Martinez-1 st , J. Gohil-2 nd .	7/28/05: Approved general commercial services-conditional overlay (CS-CO) district zoning on all 3 readings.
C14-04-0165 (Lakeline Boulevard at Lake Creek Parkway)	GR to CS	06/21/05: Approved CS-MU-CO zoning with conditions to prohibit Pawn Shop Services, Exterminating Services, and Adult Oriented Businesses by consent (8-0, K. Jackson-absent); J. Martinez-1 st , J. Gohil-2 nd .	7/28/05: Approved CS-MU-CO on all 3 readings (7-0)
C14-01-0173	DR to GR	1/15/02: Approved GR-CO zoning, with a condition prohibiting pawn shop services, by consent (8-0, K. Jackson-absent)	2/14/02: Approved GR-CO on 3 readings (7-0)
C14-00-2094	DR to GR	7/11/00: Approved staff rec. of GR by consent (7-0)	8/17/00: Approved GR on 1 st reading (6-0, Goodman-absent)

			8/31/00: Approved 2 nd /3 rd readings (6-0, KW-absent)
C14-00-2107	MF-3 to GO	8/29/00: Approved staff rec. of GO by consent (7-1, RC-Nay)	9/7/00: Approved GO on 1 st reading only (7-0) 12/14/00: Approved GO (7-0); 2 nd /3 rd readings
C14-94-0134	CH to GR	1/10/95: Approved GR-CO (7-0)	2/9/95: Approved GR w/ conditions (6-0); 1 st reading 2/29/95: Approved GR (6-0); 2 nd /3 rd readings
C14-94-0132	CH to GR GO to GR IP to GR LR to GR	12/20/94: Approved GR w/ conditions (7-0)	1/10/95: Approved GR w/ conditions (6-0); 1 st reading 2/9/95: Approved GR w/ conditions (6-0); 2 nd /3 rd readings

RELATED CASES: N/A

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
US HWY 183	450 feet	380 feet 30 feet*	Freeway	No	Yes,	No
Avery Ranch Blvd	135 feet	62 feet	Arterial	Yes	Yes, shared lane	No

*Frontage road only

CITY COUNCIL DATE: March 7, 2019

ACTION:

ORDINANCE READINGS: 1st

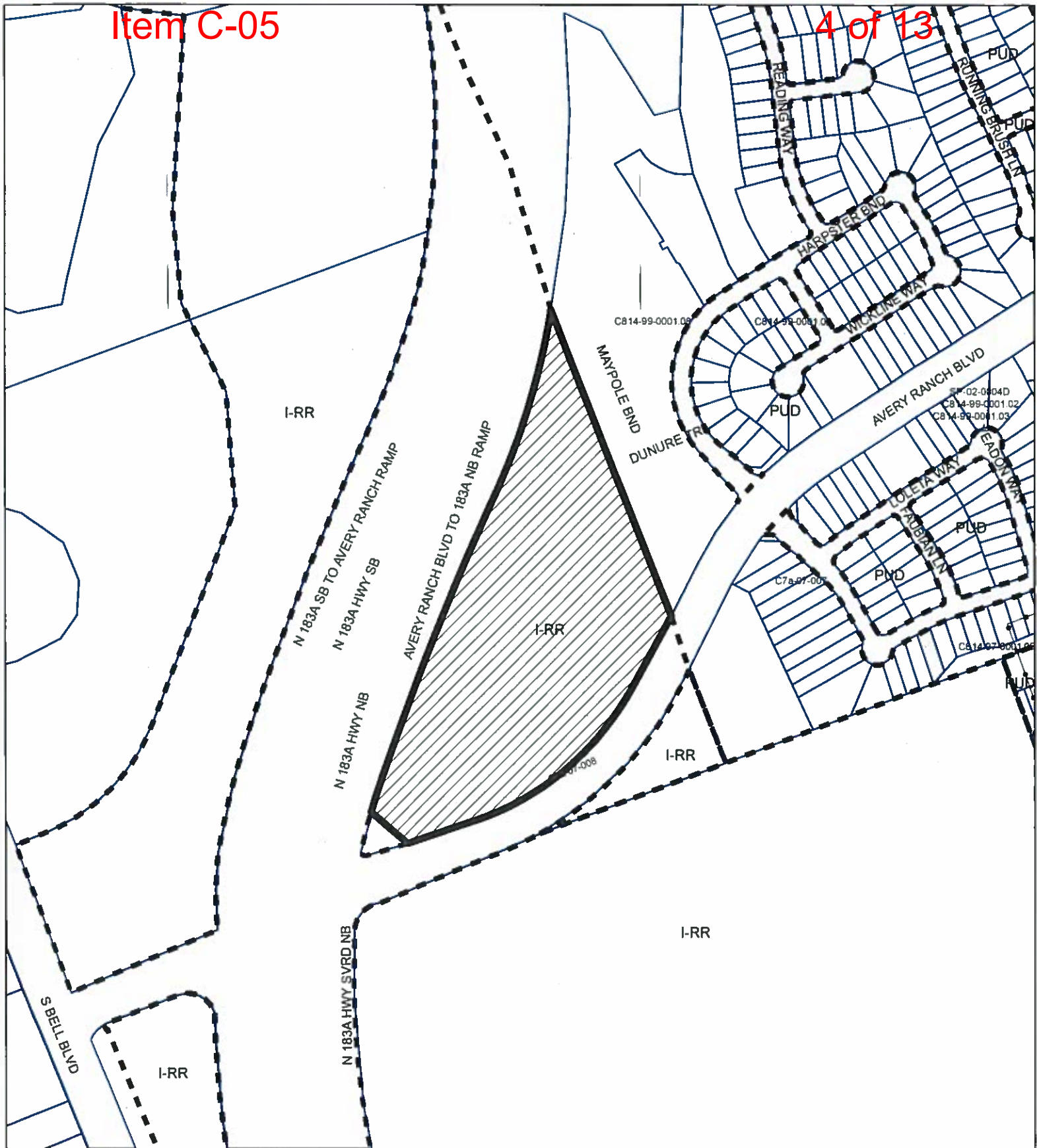
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Sherri Sirwaitis

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



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2018-0134

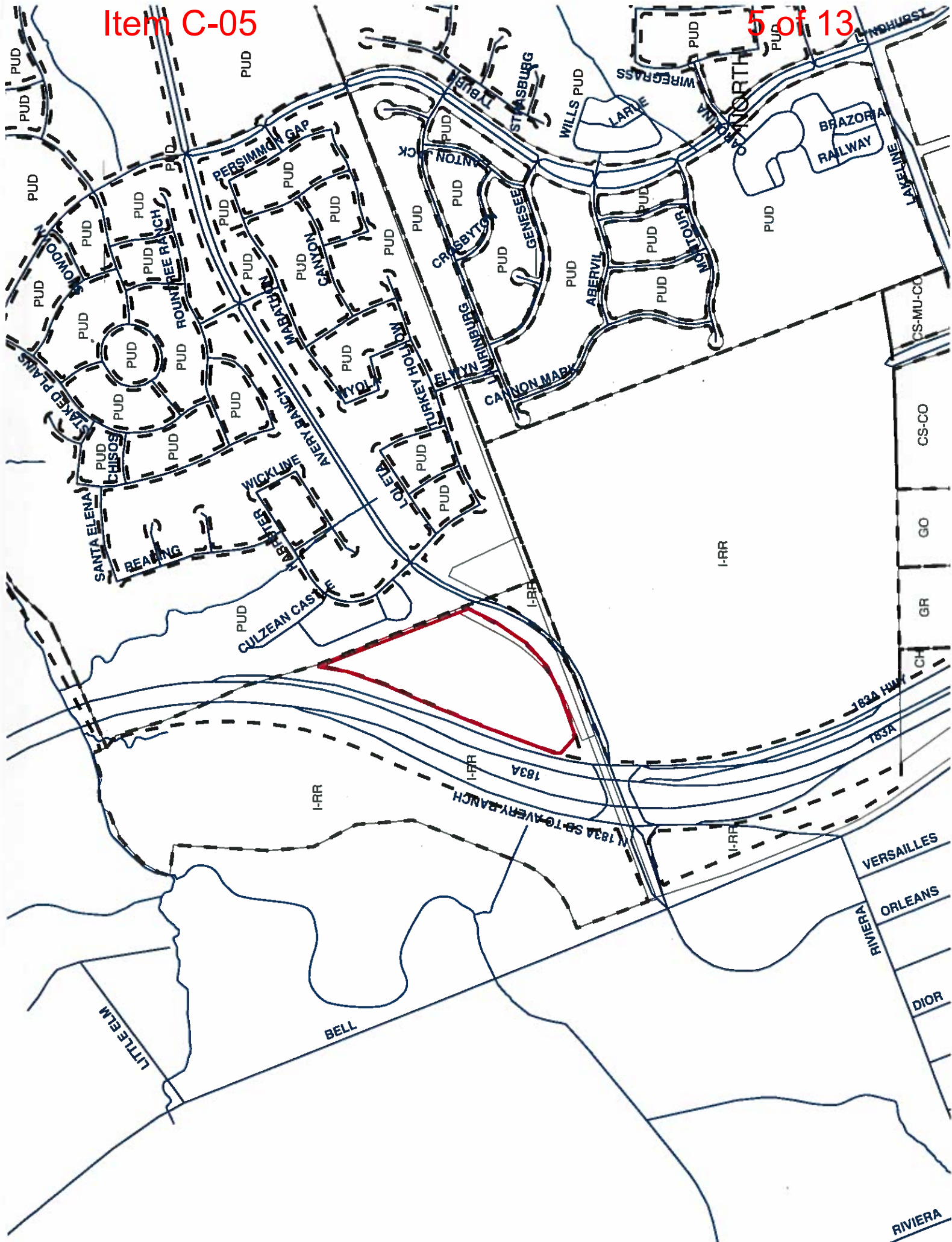
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

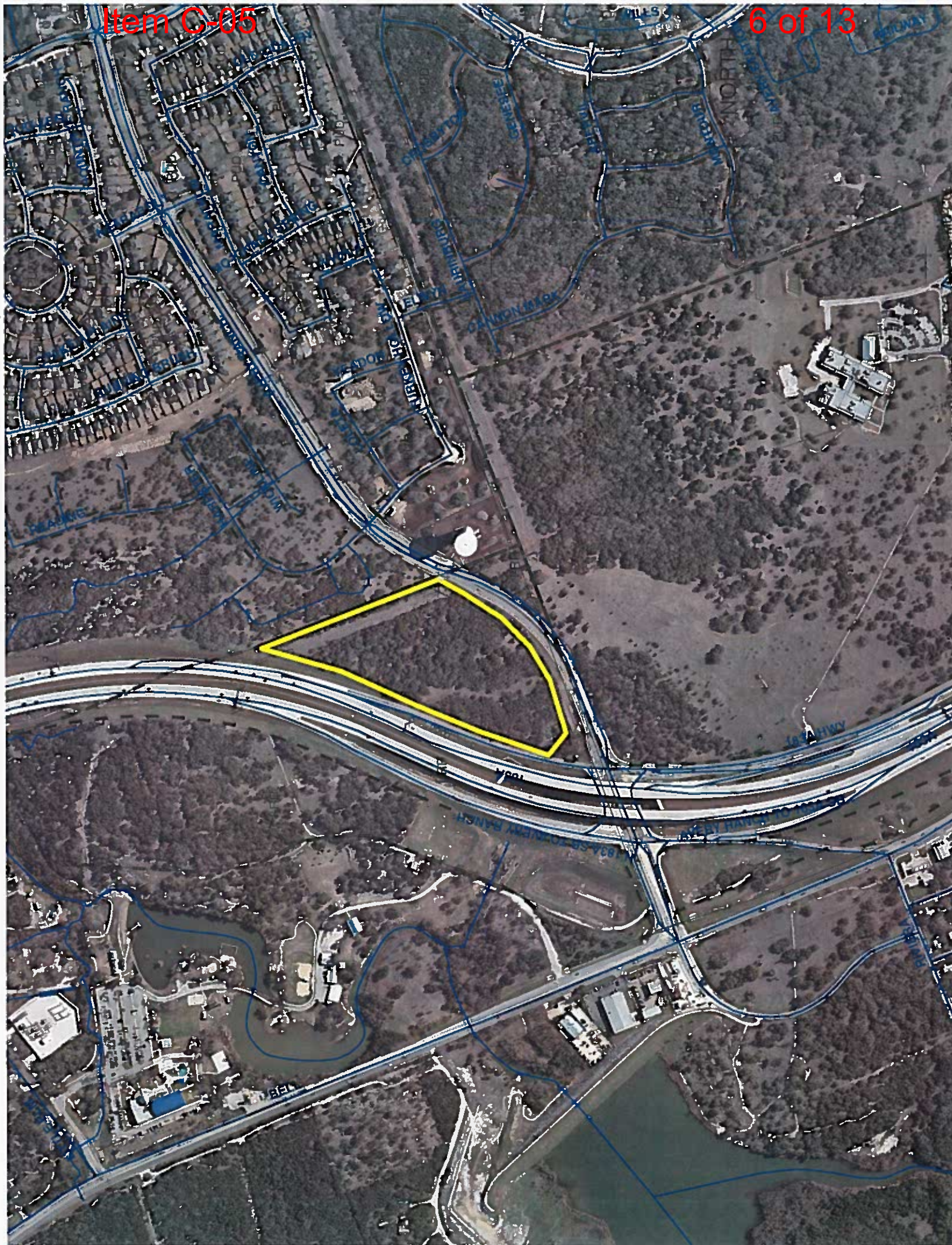
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Created: 10/22/2018

1" = 400'





STAFF RECOMMENDATION

The staff's recommendation is to grant Multi-Family Residence-Moderate-High Density District, zoning.

BASIS FOR RECOMMENDATION

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

Multifamily Residence (Moderate-High Density) district is intended to accommodate multifamily and group residential use with a maximum density of 36 to 54 units per acre, depending on unit size. This district is appropriate for moderate-high density housing in centrally located areas near supporting transportation and commercial facilities, in areas adjoining downtown Austin and major institutional or employment centers, and in other selected areas where moderate-high density multifamily use is desirable.

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

The property is located at the intersection of an arterial roadway and a highway. It is near planned residential development to the east in the Avery Ranch Planned Unit Development (PUD). This tract of land is located within the Leander School District and there is an elementary school located within 2 miles to the east in the Avery Ranch development (Rutledge Elementary). An Education Impact Statement was sent to Leander ISD for their review and comments.

EXISTING CONDITIONS

Site Characteristics

The subject tract is currently undeveloped and densely vegetated. The tracts of land to the north, south and east are undeveloped. There is a water tower to the southeast, across Avery Ranch Boulevard and a detention pond to the west, across U.S. Highway 183A North Bound.

Comprehensive Planning

Wednesday November 07, 2018

I-RR to MF-4

This zoning case is located on the northeast corner of Avery Ranch Blvd. and US 183A, on an undeveloped property that is approximately 15.99 acres in size. The property is not located within the boundaries of a neighborhood planning area with an adopted plan. Surrounding land uses include vacant land to the north; vacant land and a Texas Department of Transportation building; to the east is a water tower, a single family subdivision and vacant land; and to the west are soccer fields, the 50 acre Williamson County YMCA Twin Lakes (which has pavilions, a beach, swimming pools, and other outdoor recreational/sports areas), a vet hospital, an auto body shop, a church, vacant land, and a paint store. The Rutledge Elementary School is located one mile away. The proposed use is a 350 unit market rate multifamily apartment complex.

Connectivity

The Walkscore for this area is **39/100, Car Dependent**, meaning most errands require a car. There are public sidewalks and bike lanes located along Avery Ranch Blvd., but none along the front road

of US 183A. Public sidewalks are located across the street, on Lakeline Blvd. Bike lanes are partially located along both sides of Lakeline Blvd. No public transit stops are available in this area. The nearest bus stop is just over a half a mile away but has no connecting public sidewalk along the US 183A frontage road. There are no urban trails within a quarter of a mile of this property. The 183A Shared Use Path Trailhead and Bushy Creek Trailhead are located approximately three quarters of a mile away in a straight line but there is no access available via a public sidewalk or connecting trail. The mobility options in the area are limited.

Imagine Austin and Conclusions

The property is located north of the **Lakeline Station Regional Center** as identified on the Imagine Austin's Growth Concept Map, found in the Image Austin Comprehensive Plan. A Regional Center is the most urban of the three activity centers outlined in the growth concept map. These centers are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. The densities, buildings heights, and overall character of a center will vary depending on location.

The following Imagine Austin policies are 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 schools, retail, employment, community services, and parks and recreation options.

Analysis and Conclusions

Analyzing this specific site, there seems to be some mobility options available (bike lanes and a public sidewalk along Avery Ranch Blvd.), and a large regional park/recreational facility located within walking distance of this site. This apartment complex will also provide much needed work force housing for the existing Regional Center located to the south. Goods and services are accessible by car but other mobility options are limited. Public transit is also unavailable in this area. Based on this property: (1) being located near a Regional Center, which supports multifamily uses; (2) other residential uses being located within a quarter mile radius of this site; (3) some mobility options available in the area (public sidewalks and bike lanes); (4) nearby park and recreational uses (soccer fields and a large regional park; but (5) the project not being within walking distance of goods and services, not connecting to nearby trails to the north, and the public school being located a mile way, this project appears to partially support the Imagine Austin Comprehensive Plan.

Environmental

Tuesday October 30, 2018

The site is located over the North Edwards Aquifer Recharge Zone. The site is in the Butter Cup Creek and South Brushy Creek Watersheds, which are 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.

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 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.

Impervious Cover

The maximum impervious cover allowed by the MF-4 zoning district would be 70%. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

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

Monday October 29, 2018

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

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.

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

Compatibility Standards

The site is subject to compatibility standards. Along the easterly 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, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- ☐ 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.

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

This site is within the area covered by State legislation (S.B. 1396), which went into effect September 1, 1995. Under this legislation, the City may not "deny, limit, delay, or condition the use of development of land...because of traffic or traffic operations that would result from the proposed use or development of the land." A traffic impact analysis is not required for any development within this area, and traffic issues may not be considered in the approval of the application. Right-of-way dedication, however, may still be required.

Additional right-of-way maybe 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, a buffered bike lane is recommended for Avery Ranch Boulevard, and an urban trail is recommended for US 183. Per Mike Schofield, Bicycle Program, Austin Transportation Department the bike lane on Avery Ranch Boulevard will be installed at the time of the next resurfacing and coordination with TxDOT will be required for the urban trail along US 183. Additional right-of-way dedication and construction may be required at the time of the subdivision and site plan applications in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the [Bicycle Master Plan](#) for more information.

FYI – staff recommends for the applicant construct a public urban trail according to City of Austin standards and dedicate an easement along the eastern property line at the time of the subdivision and site plan applications. The recommended trail shall be along the entire eastern property line and provide an additional connection between US 183 and Avery Ranch Boulevard and reduce the block length along Avery Ranch Boulevard.

FYI – staff recommends providing multiple pedestrian and bicycle connections to US 183 and Avery Ranch Boulevard at the time of the site plan application for residents to access future trails and bicycle infrastructure.

FYI – the existing sidewalks along Avery Ranch Boulevard may be required to be removed and/or reconstructed at the time of the site plan application in accordance with the Land Development Code and Transportation Criteria Manual. Sidewalks shall be constructed along US 183 according to City of Austin standards at the time of the site plan application.

FYI – vehicular access to US 183 shall be approved by the Texas Department of Transportation at the time of the site plan application. Access may be restricted after further review.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
US HWY 183	450 feet	380 feet 30 feet*	Freeway	No	Yes,	No
Avery Ranch Blvd	135 feet	62 feet	Arterial	Yes	Yes, shared lane	No

*Frontage road only

Water and Wastewater

Thursday October 18, 2018

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.

direct dial: (512) 807-2904
aswor@drennergroupp.com

DRENNER GROUP

January 17, 2019

Mr. Greg Guernsey
Planning and Zoning Department
City of Austin
505 Barton Springs Road
Austin, TX 78704

Via Hand Delivery

Re: Avery Ranch and 183A – Rezoning application for the 15.994 acre piece of property located at the northeast corner of U.S. Highway 183A toll road and Avery Ranch Boulevard, Austin, Williamson County, Texas (the "Property");

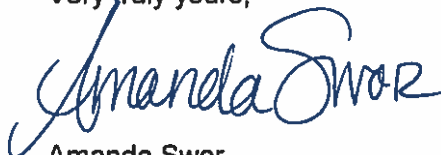
Mr. Guernsey:

As representatives of the owners of the Property, we respectfully submit this letter to reflect changes to the proposed purchaser for the project titled Avery Ranch and 183A, located at the northeast corner of U.S. Highway 183A toll road and Avery Ranch Boulevard.

Subsequent to filing of the zoning case, the owner undertook a second public bid process on the Property. The updated proposed purchaser of the Property is Trinsic Acquisition Company, LLC. The requested rezoning and associated submittal materials remain the same.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,



Amanda Swor
Director of Entitlements & Policy

cc: Joi Harden, Planning and Zoning Review Department (*via electronic delivery*)
Sherri Sirwaitis, Planning and Zoning Review Department (*via electronic delivery*)

Sirwaitis, Sherri

Subject: FW: case # C14-2018-0134

From: Megan Carrasco-Beyer <>
Sent: Monday, January 28, 2019 8:44 AM
To: Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>; District 6 <District6@austintexas.gov>
Subject: case # C14-2018-0134

Hello Ms. Sirwaitis and Mr. Flannigan,
Your information was provided as a contact for feedback on the proposal for a new development at ARB and 183A. I am **strongly against turning it into an apartment complex**. I live in the Granite Shoals neighborhood, and my family and neighbors would be directly and negatively impacted by the changes that would come with such a development.

Rutledge Elementary School- This school has seen enormous growth since I moved into the community seven years ago, especially in the last couple of years with the expansion of the Granite Shoals neighborhood that is still in progress. Every year the school has to send out surveys asking how many people are planning to have children enter, return to the school so they can be sure to hire enough teachers. At the beginning of this school year, they still didn't have enough in time for the first day. This is unnecessary strain to put on a school that is already struggling with the growth that is planned.

Traffic- Every year there are more people flowing through that intersection as more businesses develop in the area. Adding at least 350 new drivers to a two-lane road and into the feeder would definitely impact commute times and safety.

The traffic going to Rutledge would be a huge concern as well. We recently had to have new protected left turns put in because there were so many accidents occurring during pick up and drop off at the school. Assuming the new development wouldn't be eligible for buses like the rest of Granite Shoals we have to assume that there will be more cars flowing into the already narrow streets as well as more pedestrians that will need a safe route to the school. That may require more crossing guards as well.

I think a gas station would be really beneficial as there isn't a convenient one in the immediate area and it would be nice to gas up without encountering the traffic on the other side of 183A or on the Parmer side of ARB.

I appreciate your time and consideration in this matter and hope that you find a solution that brings satisfaction to the existing communities of Granite Shoals and Avery Ranch.

Thank you,

Megan Carrasco-Beyer