

ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0057 – Moore’s Crossing Mixed Use

DISTRICT: 2

ZONING FROM: SF-2

ZONING TO: MF-4

ADDRESS: 7508 Mc Angus Road

SITE AREA: 11.746 acres

PROPERTY OWNER: SR Development, Inc.
(Bill Gurasich)

AGENT: Alice Glasco Consulting
(Alice Glasco)

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant multi-family residence – medium density (MF-3) district zoning.

PLANNING COMMISSION ACTION / RECOMMENDATION:

June 11, 2019:

May 28, 2019: *APPROVED A POSTPONEMENT TO JUNE 11, 2019*
[J. SHIEH; P. HOWARD – 2ND] (12-0) K. MCGRAW – ABSENT

CITY COUNCIL ACTION:

June 20, 2019:

ORDINANCE NUMBER:

ISSUES:

The Applicant would like to discuss the Staff recommendation.

CASE MANAGER COMMENTS:

The subject unplatted property is undeveloped and has access to unbuilt Ross Road right-of-way and driveway access to Mc Angus Road, and has single family residence – standard lot (SF-2) standard lot district zoning. There is parkland dedicated by the Moore’s Crossing MUD to the City to the north (SF-2, P), undeveloped land and parkland across the Ross Road right-of-way to the east (SF-4A, P), and undeveloped land to the south (SF-2). There are single family residential (detached) subdivisions adjacent to the parkland further west and north (SF-2). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the property to the multifamily residence – moderate-high density (MF-4) for the construction of between 200 and 250 apartment units. The Applicant's intent is to extend Ross Road to the site, and utilize the MF-4 development standards to maximize the number of units that can be built (up to 54 units per acre which can be achieved through a reduced minimum site area for each dwelling unit and a 60 foot height limit). The proposed apartment development is intended to be financed through housing tax credits available through the Texas Department of Housing & Community Affairs (TDHCA). Please refer to the Applicant's correspondence attached as Exhibit B.

BASIS OF RECOMMENDATION:

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

Applicant's Request: 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.

Staff Recommendation: The multifamily residence medium density (MF-3) district is intended to accommodate multifamily use with a maximum density of up to 36 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near supporting transportation and commercial facilities, generally in more centrally located areas, and in other selected areas where medium density multiple use is desirable.

2. Intensive multi-family zoning should be located on highways and major arterials.

Staff recommends MF-3 given its sole access to a collector roadway and distance from the major arterial intersection of Ross Road and Elroy Road. The Moore's Crossing MUD provides for a variety of housing types and residential zoning districts, commercially zoned land, and civic and park facilities.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Single family residence
<i>North</i>	SF-2; P	Parkland; Single family residences in the Stoney Ridge Phase A2, Section VI subdivision
<i>South</i>	SF-2; County	Single family residence; Undeveloped
<i>East</i>	SF-4A; P	Parkland; Undeveloped
<i>West</i>	RR; SF-2	Parkland; Single family residences in the Stoney Ridge Section 5-B subdivision

MUNICIPAL UTILITY DISTRICT: Moore's Crossing **TIA:** Is not required
(also known as Stoney Ridge)

WATERSHED: Dry Creek East – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

The subject property is within the Del Valle Independent School District boundaries. Popham Elementary School is located to the southwest, on Elroy Road. Del Valle Middle School and Del Valle High School are located to the north, on Ross Road in proximity to State Highway 71 East.

NEIGHBORHOOD ORGANIZATIONS:

627 – Onion Creek Homeowners Association 774 – Del Valle Independent School District
1005 – Elroy Preservation Association 1228 – Sierra Club, Austin Regional Group
1258 – Del Valle Community Coalition 1530 – Friends of Austin Neighborhoods
1528 – Bike Austin

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2015-0154 – LMLM Investments – 7050 Elroy Rd	LR to GR	To Grant GR-CO w/CO for list of prohibited uses	Apvd GR-CO as Commission recommended, with add'l prohibited uses and establishing the minimum size of a food sales use is 5,000 sf (4-14-2016).
C14-2014-0182 – Moore's Crossing 7.9 Acre Rezone – 7400 Mc Angus Rd	GR to SF-4A	To Grant	Apvd (3-26-2015).

RELATED CASES:

The property was originally annexed into the City limits on July 17, 1986 and was released to the City's Limited Purpose Jurisdiction on January 1, 1996 (C7A-86-002; C7A-95-013). There are no subdivision or site plan cases on the subject property.

This tract is within the Moore's Crossing Municipal Utility District (MUD) created in 1986 and revised in June 1998. The primary purpose of the Land Plan is to identify the collector street network and public facilities, the latter including sites for City-financed housing, parks, school sites, library and a Fire/EMS station. The property to the north, east, south and west is undeveloped.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Ross Road	70 feet	Not Applicable; (Unimproved)	Collector	No	No	No
Mc Angus Road	75 feet	22 feet	Collector	No	Yes	No

OTHER STAFF COMMENTS:Comprehensive Planning

This rezoning case is located on an 11.74 acre parcel, which contains a house and accessory outbuildings, situated west side of Mc Angus Road. The property is located outside the boundaries of a community with an adopted neighborhood plan. Surrounding land uses include the 12.74 acre Old Moore's Crossing Neighborhood Park and a single family subdivision to the north; further south is a trucking company, single family houses and undeveloped land (County); to the east is undeveloped land and the Circuit of Americas site; and to the west is undeveloped land and several light industrial/manufacturing uses, a metal recycler, an auto parts site, and another trucking company. The proposed use is a 250 unit multifamily development.

Connectivity

There are no public sidewalks, bike lanes, or CapMetro Transit stops located along this portion of Mc Angus Road, which is a narrow rural road. The Walkscore for this site is 6/100, **Car Dependent**, meaning almost all errands require a car. The mobility and connectivity options in this area are below average.

Imagine Austin

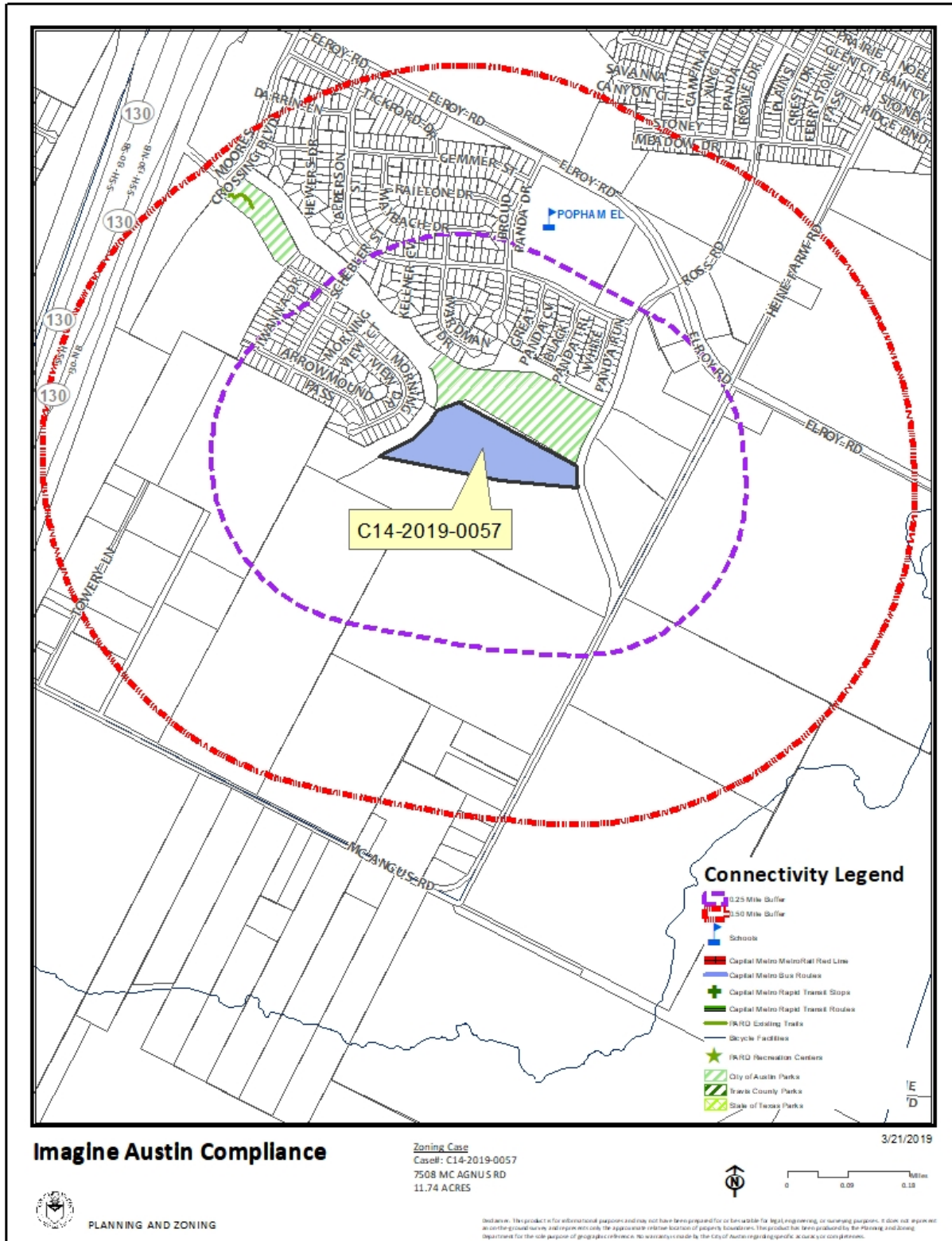
The property is located to the east of the **FM 812/130 Job Center**, where there is a variety of light industrial uses. Page 107 of the Imagine Austin Comprehensive Plan states, "Job centers accommodate those businesses not well-suited for residential or environmentally sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International Airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the Growth Concept Map offers transportation choices such as light rail and bus rapid transit to increase commuter options."

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.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- **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

This area of Austin, to the east of IH 130, is quickly transitioning from a rural area to one with single family subdivisions. The area contains little in the way of goods and services, jobs or mobility options, therefore, this project appears to only partially support the Imagine Austin Comprehensive Plan. It is hoped that developer adds a public sidewalk along Mc Angus Road and a shared path connecting to Old Moore's Crossing Park to provide greater mobility and connectivity options in the area.



Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Dry Creek East 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. Additionally, CoA GIS shows a Critical Water Quality Zone on the western portion of the site.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding 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 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.

The site is subject to compatibility standards. Along the north, south, and west property lines, 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 property zoned SF-5 or more restrictive.
- 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.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 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.

Along the east property line, the following standards apply:

- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- 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.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.

Airport Overlay

FYI – This site is located within the Austin-Bergstrom Airport Controlled Compatible Land Use Area Overlay. No use will be allowed that can create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult

for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. Airport Hazard Zoning Committee review may be required prior to Planning Commission Hearing. Additional comments may be generated during the site plan review process.

Hazardous Pipeline

This site is subject to the Hazardous Pipeline Ordinance. Review by the Fire Department is required [LDC, 25-2-516].

Transportation

The traffic impact analysis has been waived for the following reason: TIA determination will be deferred until the time of site plan as final land use mix and intensities are not known and details will be available with the site plan application.

- 120' of ROW is required along Ross Rd. 60' of ROW shall be dedicated from the existing centerline before site plan approval.

The Austin Strategic Mobility Plan requires Ross Road to be extended as a Level 4 from Elroy Road to Mc Angus Road. Staff is in coordination with Bryan Golden from the Corridor Planning Office and the Austin Transportation Department to determine the location and required right-of-way width for the corridor extension. It is recommended 60 feet of right-of-way should be dedicated from the centerline of the future ROW to accommodate the project envelope.

FYI – This property is within the Moore's Crossing MUD. Additional comments may be generated at the time of the subdivision and/or site plan application.

FYI – Joint use access is recommended with the adjacent site at the time of the subdivision and site plan application. Additional access to Ross Road (collector) may require approval from the Austin Transportation Department at the time of the site plan application.

Water and Wastewater

FYI – 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.

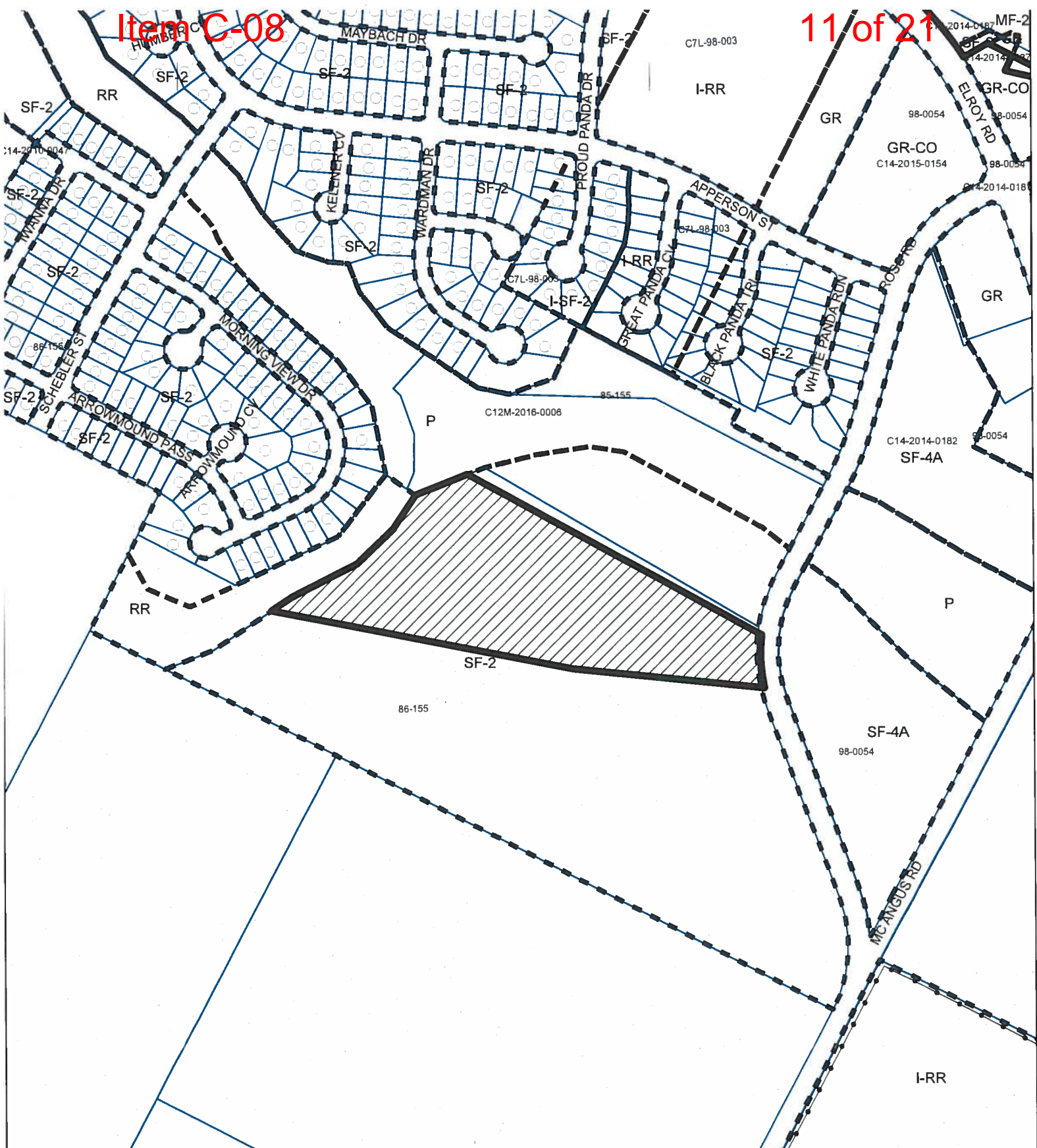
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

A: Zoning Map

A-1: Aerial Map

B: Applicant's Correspondence



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

ZONING
ZONING CASE#: C14-2019-0057

EXHIBIT A

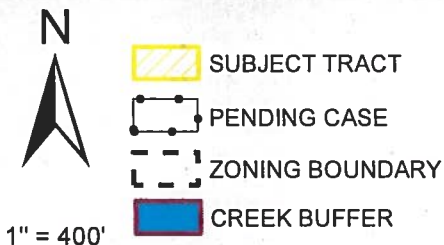
1" = 400'

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.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 3/14/2019



MOORE'S CROSSING RESIDENCES

ZONING CASE#: C14-2019-0057
 LOCATION: 7508 McANGUS RD.
 SUBJECT AREA: 11.746 ACRES
 GRID: P13
 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.

ALICE GLASCO CONSULTINGTel. 512-231-8110

May 1, 2019

Mr. Greg Guernsey, Director
Neighborhood Planning and Zoning Department
505 Barton Spring Road, Suite 500
Austin, Texas 78704

RE: 7508 McAngus Road MF-4 Re-zoning - C14-2019-0057

Dear Greg:

I represent SR Development, Inc. (William Gurasich)), the owner/developer of Moore's Crossing MUD. The subject property, which comprises approximately 11.746 acres, is under contract by an affordable housing entity, namely Herman & Kittle Properties, Inc.

The subject property is zoned SF-2 and we are seeking MF-4 zoning to allow 200-250 apartments, which will be 100% affordable at 60% MFI.

Justification for MF-4 Zoning:

- According to the attached **Moore's Crossing MUD** land use plan, you can see that there is a need for more diverse housing type that can serve this growing area, which is close to the Circuit of the Americas.
- **Per section 25-2-563** of the Land Development Code, the MF-4 zoning district has site area requirements per dwelling unit that provide flexibility in achieving the most number of units possible.
- **MF-4 zoning** and its flexible minimum site area requirements per dwelling unit are included in the **draft affordable housing density bonus ordinance** to be considered by the City Council **on May 9th as item no. 27** – see excerpts below.
- **Ross Road extension:** the extension of Ross Road as shown on the City's zoning map and the MUD land use plan (attached) will be built by the developer at the time of subdivision/site plan.
- **Parkland:** the subject site adjoins a **12.745-acre** park that is owned by the City of Austin (PARD) - dedicated by the MUD.
- **Financing:** The subject property, to be called **Agave East**, will be financed using 4% Low-Income Housing Tax Credits and Bonds.
- The multifamily developer, Herman & Kittle Properties, Inc. (H&KP) will partner with a local issuer of bonds and will utilize 4% credits from the Texas Department of Housing & Community Affairs (TDHCA).

Mr. Guernsey

RE: 7508 McAngus Road MF-4 Re-zoning - C14-2019-0057

- **After the zoning is granted**, the affordable housing developer will coordinate with the City's NHCD to get on a City Council agenda for a public hearing to receive public comment on an application that will be submitted to the Texas Department of Housing and Community Affairs (TDHCA) for the 4% Low Income Housing Tax Credits (LIHTCs).

5/9 City Council Agenda Item # 27 - RESIDENTIAL AFFORDABLE HOUSING DEVELOPMENT BONUS PROGRAM ORDINANCE

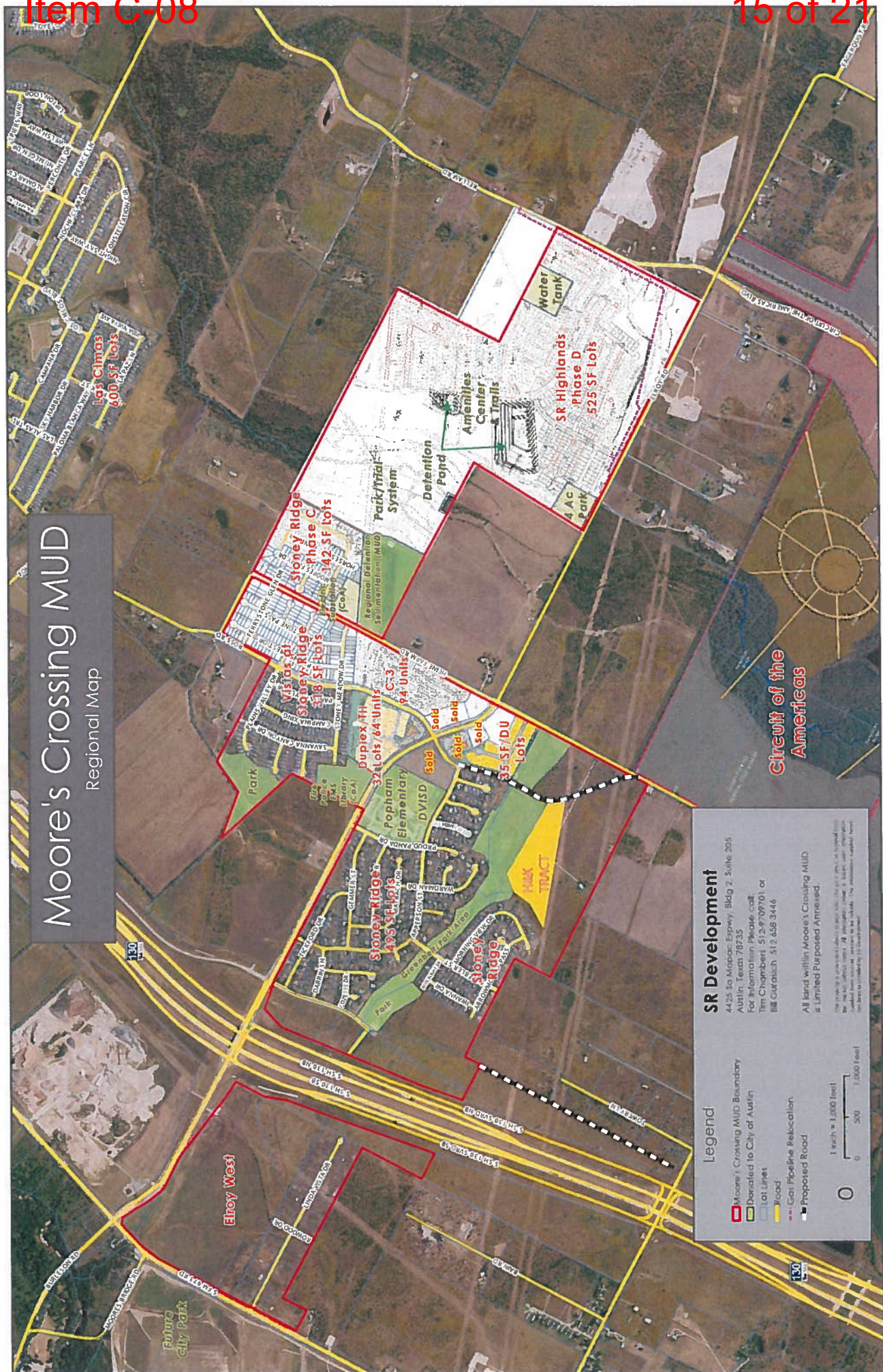
AN ORDINANCE AMENDING CITY CODE TITLE 25 (LAND DEVELOPMENT CODE) CREATING A RESIDENTIAL AFFORDABLE HOUSING DEVELOPMENT BONUS PROGRAM; WAIVING, MODIFYING, AND ESTABLISHING REQUIREMENTS; CREATING AN OFFENSE; AND ESTABLISHING A PENALTY. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN: PART 1. FINDINGS. The council finds the following:

(1) The Strategic Housing Blueprint (Blueprint) establishes a City-wide goal to produce a total of 135,000 new units with a goal of at least 60,000 new income restricted units by 2027. (2) There is a need for affordable housing of all types throughout the City including, but not limited, to single family, duplex, townhome, condominium, and multi-family. (3) The City is dedicated to finding creative, innovative solutions to address the City's affordable housing crisis, to create more affordable housing, to increase the effectiveness of public dollars used for affordable housing, and to meet the goals of the Blueprint. (4) In November 2018, voters approved \$250 million for affordable housing. Additionally, 4% and 9% Low Income Housing Tax Credits (LIHTC) are popular financing tools to create affordable housing and require at least 50% of a development's dwelling units to serve households that average 60% median family income. (5) This city-wide program is necessary to encourage the development of 25 affordable housing throughout the City.

Thank you for your consideration and, hopefully, staff support of this affordable housing development that is in keeping with City Council housing priorities. Please let me know if you have any questions or need more information.

Alice Glasco, President
Alice Glasco Consulting

Cc: Wendy Rhoades, Zoning Planner



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.

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: C14-2019-0057

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: May 28, 2019, Planning Commission
June 20, 2019, City Council**

Elizabeth Davila

Your Name (please print)

7259 Wardman Drive, Del Valle

Your address(es) affected by this application

Elizabeth Davila

Signature

☐ I am in favor
☒ I object

5/30/19

Date

Daytime Telephone: 808-589-6038

Comments: (I've included 5 graphics in this letter.)
The only good thing about this neighborhood is
having no development passing it towards the
very loud Circuit of Americas. Our house has
had its foundation fixed due to the nature of the
soils in this area. Building more (when perhaps
these houses shouldn't have been built) would be
ludicrous and a money grab. It also counteracts the
Watershed Protection's plan to restore Blackland Prairie
lands with help with Tree Folks foundation.

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

Need to perform an environmental impact assessment.

beautiful rich fertile soil needing protection not development.

I want to...

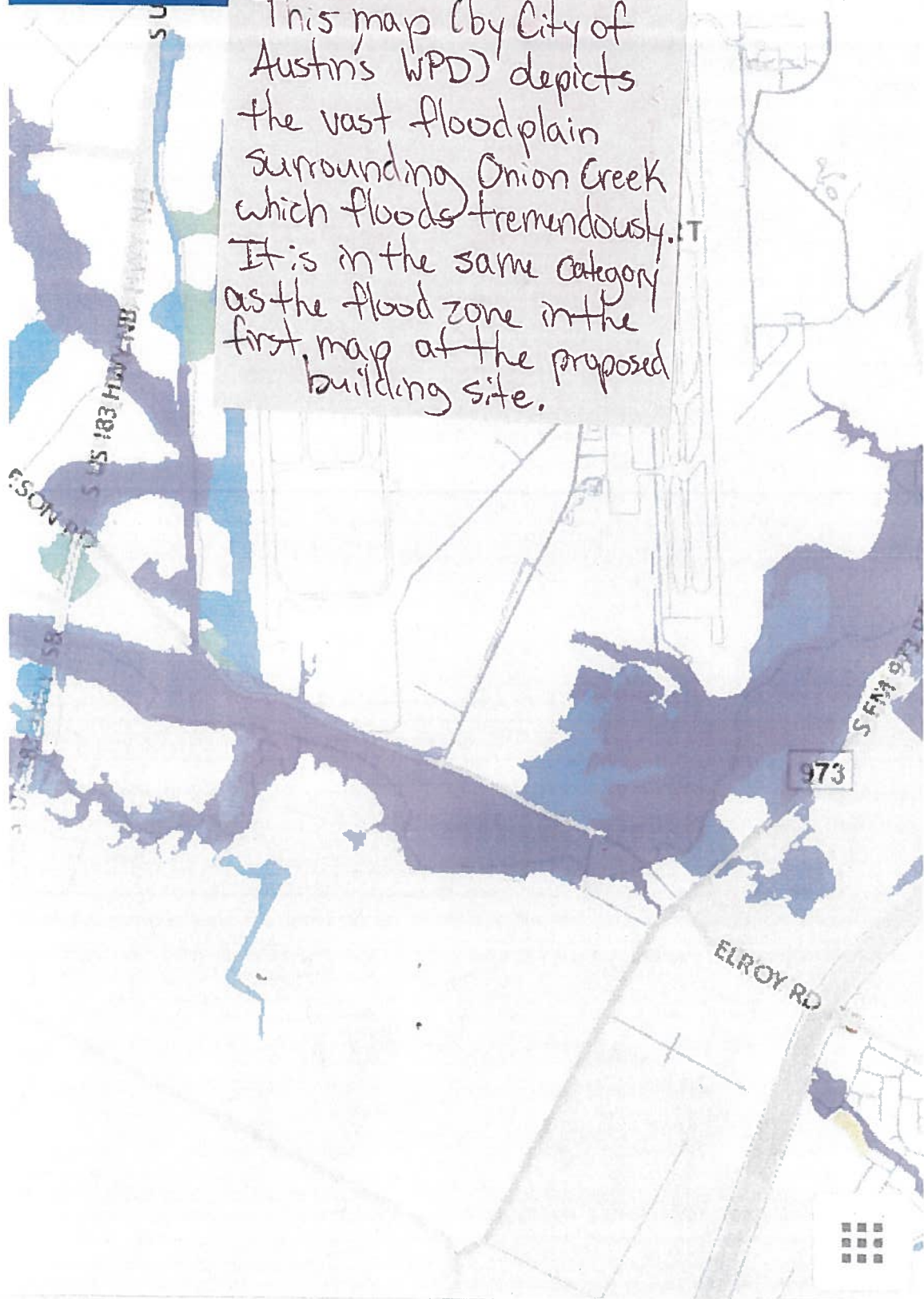
The circled area is where I live. This floodplain area truly gets inundated with every storm. Seems to be a riparian buffer zone leading up to a retention pond and vital to the environment needing protection.





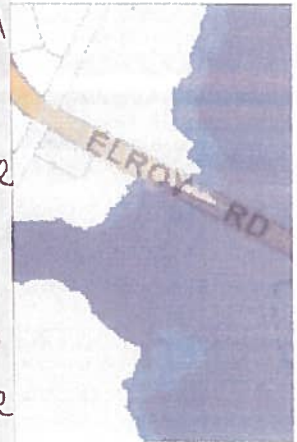
I want to...

This map (by City of Austin's WPD) depicts the vast floodplain surrounding Onion Creek which floods tremendously. It is in the same category as the flood zone in the first map at the proposed building site.



Not Secure — austintexas.gov

This map shows the proposed building site along the floodplain, outside of City of Austin's full purpose jurisdiction. CoA doesn't send 3-1-1 to our neighborhood for any aid so why should CoA have a say in ruining our neighborhood?

**Out of City of Austin**

Address: 7508 MC ANGUS RD

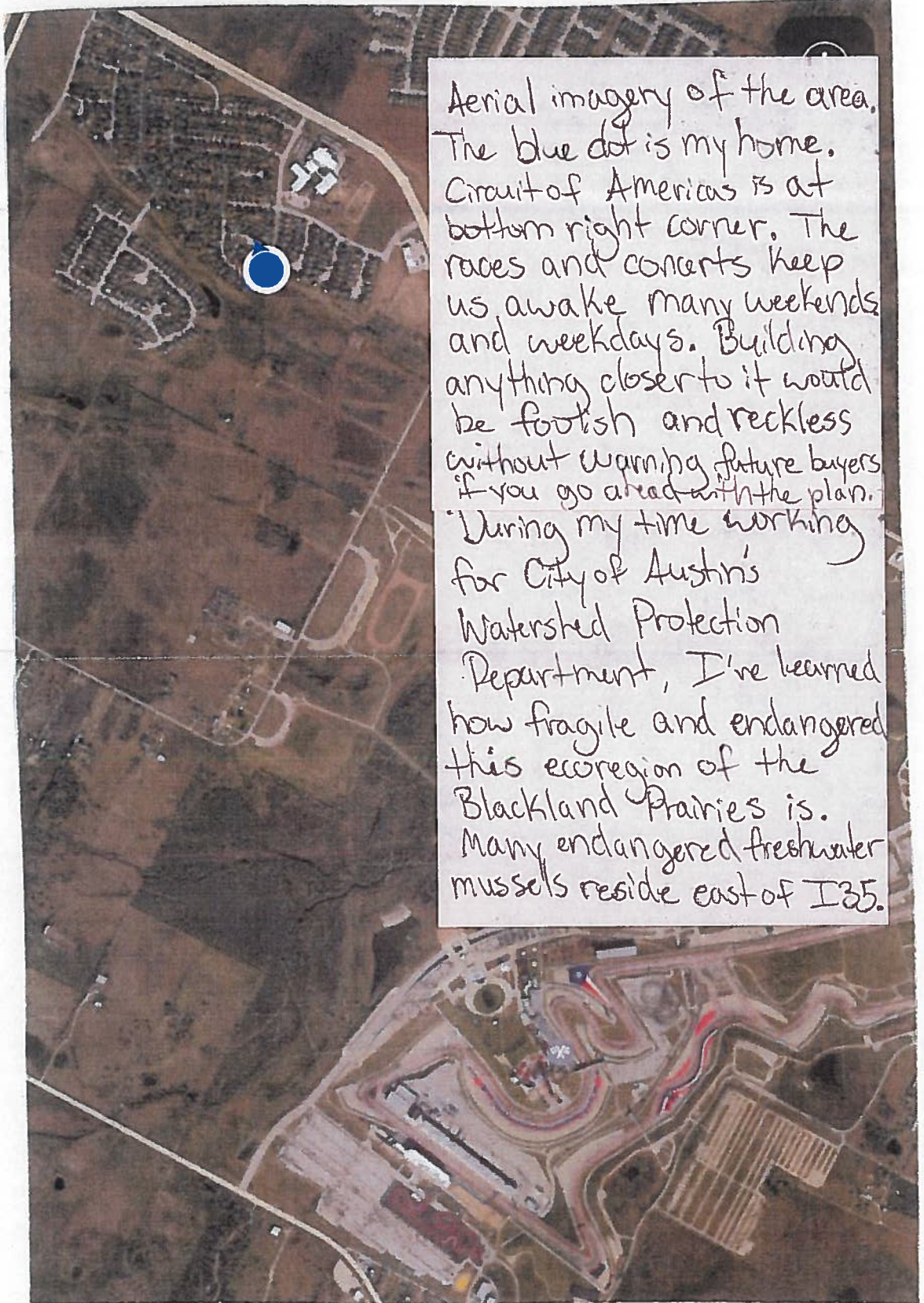
Tax ID: 0339310105

Appraisal District: Travis

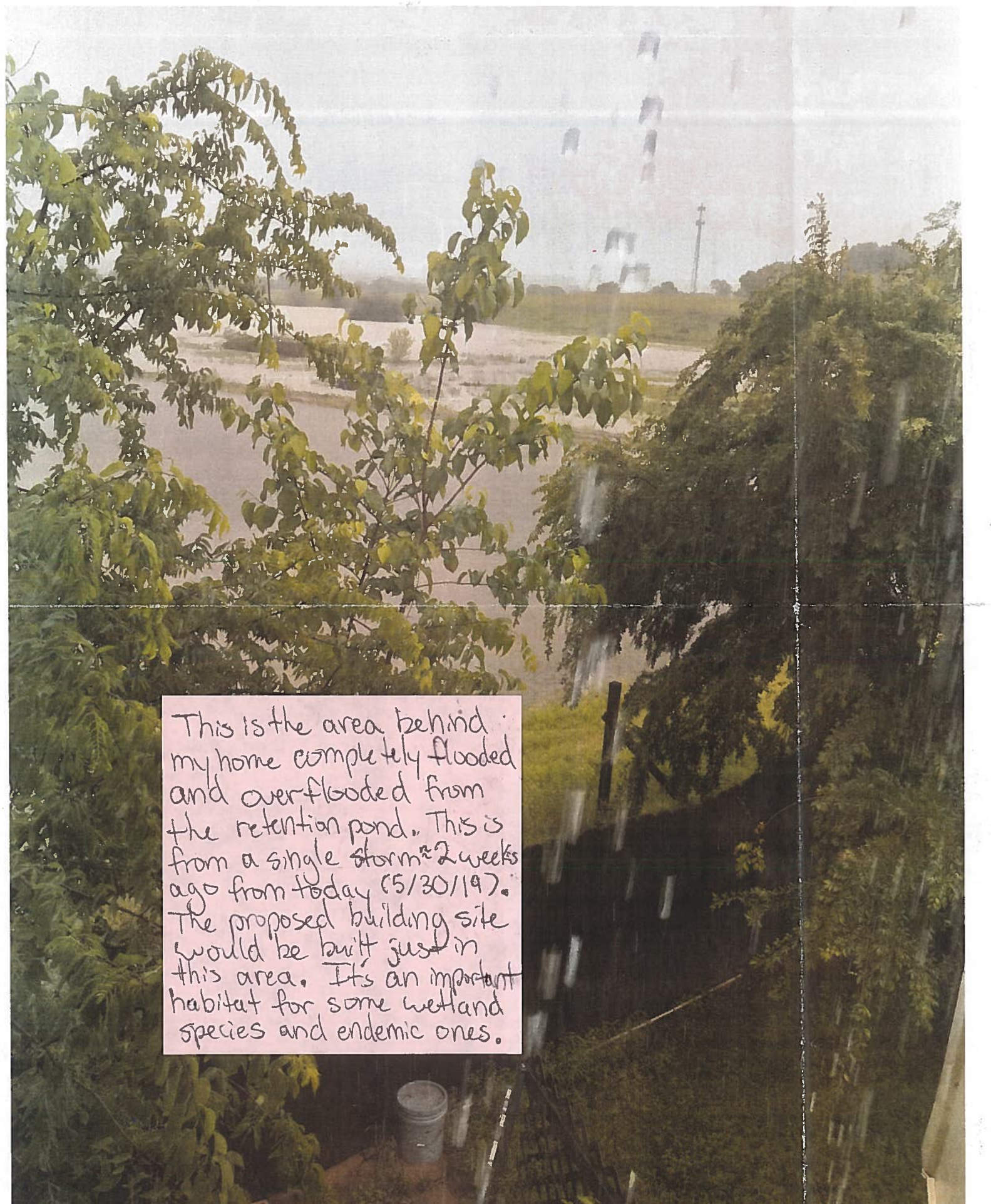
Note

Your parcel of interest is located outside of the City of Austin's full-purpose jurisdiction.

Please contact the local floodplain administrator for the community (city or county) to obtain the requested information.



Aerial imagery of the area. The blue dot is my home. Circuit of Americas is at bottom right corner. The races and concerts keep us awake many weekends and weekdays. Building anything closer to it would be foolish and reckless without warning future buyers if you go ahead with the plan. During my time working for City of Austin's Watershed Protection Department, I've learned how fragile and endangered this ecoregion of the Blackland Prairies is. Many endangered freshwater mussels reside east of I35.

A photograph showing a flooded area with trees in the foreground and a distant structure. The water is murky and reflects the sky. The trees are green and leafy. In the background, there is a tall, thin structure, possibly a tower or antenna, and some other buildings or structures. The sky is overcast and grey.

This is the area behind my home completely flooded and over-flooded from the retention pond. This is from a single storm 2 weeks ago from today (5/30/19). The proposed building site would be built just in this area. It's an important habitat for some wetland species and endemic ones.