ZONING CHANGE REVIEW SHEET

CASE: C14-2019-0092 – Ben White and Montopolis

DISTRICT: 2

ZONING FROM: CS-NP

TO: CS-MU-NP

ADDRESSES: 6017, 6029-½, 6109, 6125 East Ben White Boulevard Service Road Eastbound; 6108, 6108-½, 6204 Daffodil Drive; and 3216-½ Montopolis Drive

SITE AREA: 8.813 acres

PROPERTY OWNER: 2910 South 1st Street, LLC (Javier Gutierrez)

AGENT: Drenner Group, PC (Leah Bojo)

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

STAFF RECOMMENDATION:

The Staff recommendation is to grant general commercial services – mixed use – neighborhood plan (CS-MU-NP) combining district zoning. The basis of Staff’s recommendation is provided on page 2.

PLANNING COMMISSION ACTION / RECOMMENDATION:

September 10, 2019:

CITY COUNCIL ACTION:

October 3, 2019:

ORDINANCE NUMBER:

ISSUES:

The City-required meeting for the Neighborhood Plan Amendment application was held on Wednesday, August 14, 2019 at the Southeast Public Library. The Contact Team may submit correspondence prior to the Planning Commission hearing.

CASE MANAGER COMMENTS:

The subject property consists of multiple undeveloped lots and is zoned general commercial services – neighborhood plan (CS-NP) district. The property has frontage on the East Ben White Boulevard service road, Montopolis Drive and Daffodil Drive and was formerly used for the sale of manufactured homes. There is a restaurant (limited) use and a hotel-motel at the East Ben White / Montopolis corner (CS-NP); apartments, undeveloped property, automotive repair, and one single family residence to the south (CS-MU-NP; CS-CO-NP); and manufactured home sales and Lower Colorado River Authority offices across
Montopolis Drive to the east (P-CO-NP; P-NP). Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plats).

The Applicant proposes to rezone the property to add the –Mixed Use (MU) overlay, hence rezoning to the CS-MU-NP district, in order to construct up to 272 multifamily units in a development intended to include a mix of efficiency, one-bedroom and two-bedroom units. Access is proposed to East Ben White Boulevard and Montopolis Drive, but not Daffodil Drive.

BASIS OF RECOMMENDATION:

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

The proposed general commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The neighborhood plan (NP) district denotes a property located within the boundaries of an adopted Neighborhood Plan.

2. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character; and

3. The rezoning should be consistent with the policies adopted by the City Council or Planning Commission / Zoning and Platting Commission.

Staff supports the Applicant’s request based on the presence of existing CS-MU-NP zoned apartments to the southwest, and vehicular access to two arterial streets.

If Austin is to grow and evolve as a compact and connected city, as envisioned in the adopted Imagine Austin Comprehensive Plan (IACP), then development that provides additional housing units is necessary. One of the primary mechanisms for achieving compact growth will be development, or redevelopment, of larger sized properties such as this into higher density residential.

In the broader city-wide context, adding a –MU overlay to office and commercial base zoning districts is a reasonable option for multiple-acre parcels developed or redeveloped for office / commercial / residential purposes.

In conclusion, Staff believes the proposed CS-MU-NP zoning and multifamily development is compatible with adjacent and nearby commercial and apartment developments.
EXISTING ZONING AND LAND USES:

<table>
<thead>
<tr>
<th>Site</th>
<th>ZONING</th>
<th>LAND USES</th>
</tr>
</thead>
<tbody>
<tr>
<td>CS-NP</td>
<td></td>
<td>Undeveloped; Commercial driveway extending between East Ben White Boulevard and Montopolis Drive</td>
</tr>
<tr>
<td>North</td>
<td>Not Applicable</td>
<td>East Ben White Boulevard frontage road and main lanes</td>
</tr>
<tr>
<td>South</td>
<td>CS-MU-NP; CS-NP; CS-CO-NP; LI-NP</td>
<td>Apartments; Undeveloped; Single family residence; Automotive repair; Commercial / Industrial office park with warehouses</td>
</tr>
<tr>
<td>East</td>
<td>CH-NP; P-NP</td>
<td>Restaurant (limited); Hotel-Motel; Manufactured home sales; LCRA offices; Radio tower</td>
</tr>
<tr>
<td>West</td>
<td>CS-NP; LI-NP</td>
<td>Service station; Automotive sales; Detention pond</td>
</tr>
</tbody>
</table>

NEIGHBORHOOD PLANNING AREA: Southeast Combined (McKinney) NP Area

WATERSHED: Carson Creek – Suburban    TIA: Is not required

CAPITOL VIEW CORRIDOR: No    SCENIC ROADWAY: East Ben White Boulevard

NEIGHBORHOOD ORGANIZATIONS:

189 – Southeast Austin Neighborhood Alliance
627 – Onion Creek Homeowners Association
774 – Del Valle Independent School District
763 – East Riverside/ Oltorf Neighborhood Plan Contact Team
1145 – Carson Ridge Neighborhood Association
1227 – Montopolis Neighborhood Plan Contact Team (MNPCT)
1228 – Sierra Club, Austin Regional Group
1258 – Del Valle Community Coalition
1299 – The Crossing Gardenhome Owners Association
1316 – Southeast Combined Neighborhood Plan Contact Team
1321 – Montopolis Tributary Trail Association
1363 – SEL Texas
1441 – Dove Springs Proud
1530 – Friends of Austin Neighborhoods
1578 – South Park Neighbors
1616 – Neighborhood Empowerment Foundation

1357 – Montopolis Community Alliance
1408 – Go Austin Vamos Austin 78744
1528 – Bike Austin
1550 – Homeless Neighborhood Association
1605 – Tejana Bilingual Community

SCHOOLS:
This property is located within the Del Valle Independent School District.
AREA CASE HISTORIES:

<table>
<thead>
<tr>
<th>NUMBER</th>
<th>REQUEST</th>
<th>COMMISSION</th>
<th>CITY COUNCIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>C14-03-0035 –</td>
<td>P-NP; CS-MU-NP and CS-MU-CO-NP, to establish</td>
<td>To Grant</td>
<td>Apvd (6-12-2003).</td>
</tr>
<tr>
<td>Southeast Combined Creek Setback – South of E Ben White Blvd and East of Montopolis Dr 183 – City-Initiated</td>
<td>a setback that prohibits development for 50’ in both directions from the centerline of an open waterway, with certain exceptions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>C14-01-0048 –</td>
<td>SF-2 to CS-CO, as amended</td>
<td>To Grant CS-CO w/the CO prohibiting auto sales, and r-o-w dedication for Daffodil Dr</td>
<td>Apvd CS-CO w/Street Deed for Daffodil Dr as Commission recommended (8-9-2001).</td>
</tr>
<tr>
<td>3300 Montopolis</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C14-01-0031 –</td>
<td>SF-2 to CS</td>
<td>To Grant GR</td>
<td>Apvd GR (7-19-2001).</td>
</tr>
<tr>
<td>Zenaw Auto Sales – 3304 and 3306 Montopolis Dr</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>C14-01-0020 –</td>
<td>SF-2 to CS-CO, as amended</td>
<td>To Grant CS-CO w/CO to allow construction sales and services, and all other GR uses except for auto-related uses, and r-o-w dedication on Daffodil Dr</td>
<td>Apvd CS-CO w/Street Deed for Daffodil Dr as Commission recommended (8-9-2001).</td>
</tr>
<tr>
<td>6100 Block of Daffodil Drive</td>
<td></td>
<td></td>
<td></td>
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</tbody>
</table>

RELATED CASES:

On October 10, 2002, Council appended the –NP combining district to the existing CS zoning as part of the Southeast Combined (McKinney) Neighborhood Plan rezonings, completed under the City of Austin’s Neighborhood Planning Program and adopted as part of the Austin Tomorrow Comprehensive Plan (C14-02-0128 – Ordinance No. 021010-12b). A related Neighborhood Plan Amendment application from Commercial to Mixed Use land use is also under consideration (NPA-2019-0014.02).

The rezoning area is platted as Lots 4, 5 and 6 of the Ben White East subdivision, recorded in August 1981 (C8-81-053.1) and Lots 67, 68, 69, 70, 71, 72, 73, 74, and 75 of J. Cody Boyd Subdivision Section One, recorded in June 1954 (C8-54-008). Please refer to Exhibit C (Recorded Plats).
There are no site plan applications in process on the subject property. An administrative site plan for an adult-oriented business was filed in February 2018 and has expired (SP-2018-0063C – Global Auto).

EXISTING STREET CHARACTERISTICS:

<table>
<thead>
<tr>
<th>Name</th>
<th>ROW</th>
<th>Pavement</th>
<th>Classification</th>
<th>Sidewalks</th>
<th>Bicycle</th>
<th>Capital Metro (within ¼ mile)</th>
</tr>
</thead>
<tbody>
<tr>
<td>East Ben White Boulevard</td>
<td>348 feet</td>
<td>140 feet</td>
<td>TxDOT roadway (Major Arterial Divided, 6 lanes)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Montopolis Drive</td>
<td>78 feet</td>
<td>50 feet</td>
<td>ASMP level 3</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes, Routes 311 and 228</td>
</tr>
</tbody>
</table>

EXISTING CONDITIONS

Site Characteristics

The property consists of multiple lots and a low to moderate covered tree line along the northeast portion of the site and the south property line.

Impervious Cover

The maximum impervious cover allowed by the CS base zoning district is 80%, based on the more restrictive watershed regulations.

OTHER STAFF COMMENTS:

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 Carson 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:

<table>
<thead>
<tr>
<th>Development Classification</th>
<th>% of Gross Site Area</th>
<th>% of Gross Site Area with Transfers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Family (minimum lot size 5750 sq. ft.)</td>
<td>50%</td>
<td>60%</td>
</tr>
<tr>
<td>Other Single-Family or Duplex</td>
<td>55%</td>
<td>60%</td>
</tr>
<tr>
<td>Multifamily</td>
<td>60%</td>
<td>70%</td>
</tr>
<tr>
<td>Commercial</td>
<td>80%</td>
<td>90%</td>
</tr>
</tbody>
</table>

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.

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.

**Site Plan**

No comments received.

**Transportation**

A traffic impact analysis was waived for this case because the proposed zoning will not increase the intensity over the current zoning. A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

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

**Austin Water Utility**

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: Recorded Plats
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.

ZONING CASE#: C14-2019-0092

Created: 7/8/2019
ZONING CASE#: C14-2019-0092
LOCATION: E BEN WHITE BLVD EB, MONTOPOLIS DR. AND DAFFODIL DR.
SUBJECT AREA: 8.813 Acres
GRID: K17
MANAGER: Wendy Rhoades

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.
HEALTH DEPARTMENT RESTRICTIONS:

A structure in this subdivision shall be occupied until connected to a public sewer system or to an individual septic disposal system which has been approved by the Austin-Travis County Health Department. No private septic disposal system shall be installed if said structure is not connected to a public sewer system.

A structure in this subdivision shall be occupied until connected to a public water supply from an approved public water supply. The health officer may require that the developer provide an adequate amount of water for the proposed development.

A structure in this subdivision shall be occupied until approved by the Austin-Travis County Health Department and the State Health Department.

These restrictions are enforceable by the Austin-Travis County Health Department and/or the lot owner or developer.

TOMMY P. GREER, P.E.
Health Officer

DATE: 8-19-81

RECORDED PLAT

EXHIBIT B

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Item C-04