

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0107 – Parkside Apartments

DISTRICT: 2

ZONING FROM: I-RR

ZONING TO: MF-4

ADDRESS: 5200 McKinney Falls Parkway

SITE AREA: 13.96 acres

PROPERTY OWNER: PAP Realty Partnership / MVE Venture & The WP & AP Ltd.
(C. Dean Goodnight)

AGENT: Husch Blackwell LLP (Nikelle Meade)

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

STAFF RECOMMENDATION:

The Staff recommendation is to grant multifamily residence – moderate-high density (MF-4) district zoning. *For a summary of the basis of Staff's recommendation, see case manager comments.*

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:
August 17, 2021:

CITY COUNCIL ACTION:
September 2, 2021:

ORDINANCE NUMBER:

ISSUES:

A Resolution related to the proposed development, application, and allocation of housing tax credits and private activity bonds was adopted by City Council on June 3, 2021. ***Please refer to Attachment A.***

CASE MANAGER COMMENTS:

The subject triangular-shaped undeveloped tract was annexed into the Full-Purpose City limits on June 14, 2021 and zoned interim – rural residence (I-RR) district. Onion Creek flows through the southernmost portion of the property and access is taken by way of Texas Parks & Wildlife Boulevard (an existing driveway apron) and McKinney Falls Parkway. The property is across the street from Del Valle ISD's Ojeda Middle School to the north (County); a City lime residuals disposal facility across McKinney Falls Parkway to the east (P); Onion Creek and undeveloped land to south (I-RR; County), and the Texas Parks and Wildlife Headquarters to the west (DR). ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).***

The Applicant proposes to zone the property to the multifamily residence – moderate-high density (MF-4) district so that it may be developed with approximately 252 apartment units, with buildings up to 3 stories in height. The site plan in process shows that driveway access would be taken to both Texas Parks & Wildlife Boulevard and McKinney Falls Parkway, and a proposed pond located at the south portion of the property. ***Please refer to Exhibit B (Site Plan in Process).***

BASIS OF RECOMMENDATION:

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

The multifamily 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.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

MF-4 zoning allows for the ability to introduce a new type of housing to the area, and the density is suitable for its location on an arterial roadway. Residents of a multifamily development would be approximately two miles from US Highway 183 (to the northeast) and the employment opportunities offered in close proximity to this corridor, and adjacent to an educational facility and open space associated with State property.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	County	Del Valle ISD Middle School
<i>South</i>	I-RR; County	Onion Creek; Undeveloped
<i>East</i>	P	City of Austin Shaw Lane Lime Residuals Disposal Facility; Police, Fire and Austin Community College training facility
<i>West</i>	DR	Texas Parks and Wildlife Headquarters

NEIGHBORHOOD PLANNING AREA: Not Applicable

TIA: Deferred to the site plan application when land uses and intensities will be finalized

WATERSHED: Onion Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes

SCHOOLS:

The subject property is within the Del Valle Independent School District.

COMMUNITY REGISTRY LIST:

511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District 774 – Del Valle Independent School District
 1228 – Sierra Club, Austin Regional Group 1258 – Del Valle Community Coalition
 1363 – SEL Texas 1408 – Go Austin Vamos Austin 78744
 1441 – Dove Springs Proud 1530 – Friends of Austin Neighborhoods
 1550 – Homeless Neighborhood Association 1614 – Caracol Southeast
 1616 – Neighborhood Empowerment Foundation 1774 – Austin Lost and Found Pets

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2010-0070 – Shaw Lane Overall Development Plan – 5006 Shaw Ln	I-RR to P	To Grant	Apvd as ZAP recommended (6-24-2010).

RELATED CASES:

The subject property was annexed into the City limits on June 14, 2021 (C7A-2021-0002).

There is a one lot subdivision plat in process (C8-2021-0114.0A – McKinney Falls Multifamily).

There is a site plan application in process for 252 multifamily residences (SP-2021-0082C – McKinney Falls Apartments).

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
McKinney Falls Parkway	~101 - 182 feet	120 feet	65 feet	3 (Minor Arterial)	No	Yes	No

OTHER STAFF COMMENTS:Comprehensive Planning

The subject property, which is undeveloped, is located on the west side of McKinney Falls Parkway and is approximately 13.96 acres in size. The area is not located within a

neighborhood planning area and is located approximately 0.80 of a mile south from the **McKinney Job Center**. Surrounding land uses include Ojeda Middle School and the Texas Parks & Wildlife Department to the north; to the south and west is McKinney Falls State Park; and to the east is undeveloped land and a City of Austin Public Safety Training Campus. The proposal is to obtain a multifamily zoning designation and build a multifamily apartment complex, which would be three stories tall and would contain approximately 252 units.

Connectivity

There is a public sidewalk and what appears to be an unprotected bike lane located on the east side of McKinney Falls Parkway but none on the west side of this road. There are no public transit stops within a half a mile from this property. Mobility options are below average while connectivity options are fair, due to the presence of the adjoining public middle school and a State park.

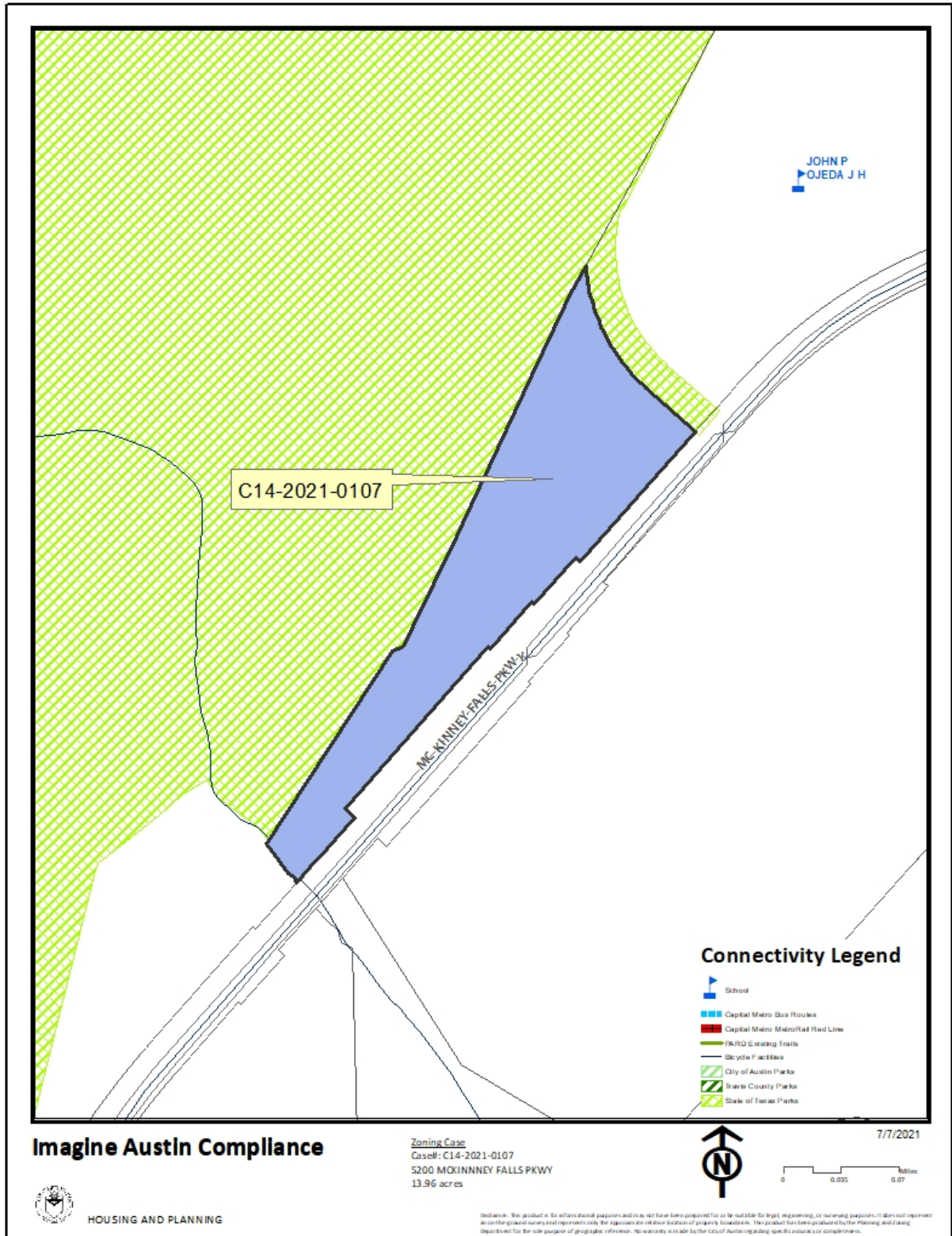
Imagine Austin

The property is ***not*** located along an Activity Corridor or near an Activity Center.

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 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 P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.
- **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.

Based upon this property being situated along a major arterial road (McKinney Falls Parkway); a nearby Job Center and civic uses, the Imagine Austin policies referenced above that supports residential uses but the below average mobility and fair connectivity options in the area, this proposal partially supports the Imagine Austin Comprehensive Plan.



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 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.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2-year storm on site.

Impervious Cover

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

PARD – Planning & Design Review

Parkland dedication will be required at the time of subdivision or site plan application for new residential units, per City Code § 25-1-601, as amended. The proposed development

meets the criteria for land dedication in City Code Title 25, Article 14. As such, a partial land dedication will be required, as well as any remaining fees in-lieu.

The site is adjacent to McKinney Falls State Park and includes a small segment of Onion Creek. The Parks and Recreation Department (PARC) would consider a connection to McKinney Falls State Park along Onion Creek toward satisfying the requirement at time of permitting (whether subdivision or site plan). Such a connection would improve parkland connectivity, and satisfy an acquisition need for Onion Creek, a recommendation identified in the Parks and Recreation Department's Long Range Plan.

Should there be any remaining fees in-lieu, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-607 (B)(1) & (2).

Should the applicant wish to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov.

Site Plan and Compatibility Standards

Any new development is subject to Subchapter E. *Design Standards and Mixed Use*.

There is a site plan currently under review for this property which provides for twenty multifamily uses, along with associated parking and drainage facilities (SP-2021-0082C). Zoning will need to be approved before the site plan permit can be released.

Open space for multifamily uses will be required under Section 2.7 of Subchapter E and 25-2-780.

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted April 11, 2019, calls for 120 feet of right-of-way for McKinney Falls Parkway. It is recommended that 60 feet of right-of-way from the existing centerline should be dedicated for McKinney Falls Parkway according to the Transportation Plan at the time of subdivision and/or site plan application, whichever comes first. There is a proposed Urban Trail adjacent to this site, along Onion Creek.

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan/subdivision application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

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 AND ATTACHMENT TO FOLLOW:

Exhibit A: Zoning Map

Exhibit A-1: Aerial Map

Exhibit B: Site Plan in Process

Attachment A: Adopted Council Resolution

TEXAS PARKS AND WILDLIFE HEADQUARTERS DR

ONION CREEK

OJEDA MIDDLE SCHOOL

MC KINNEY FALLS PKWY

I-RR

P

C14-2010-0070

I-RR

ONION CREEK



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

ZONING

Exhibit A

ZONING CASE#: C14-2021-0107

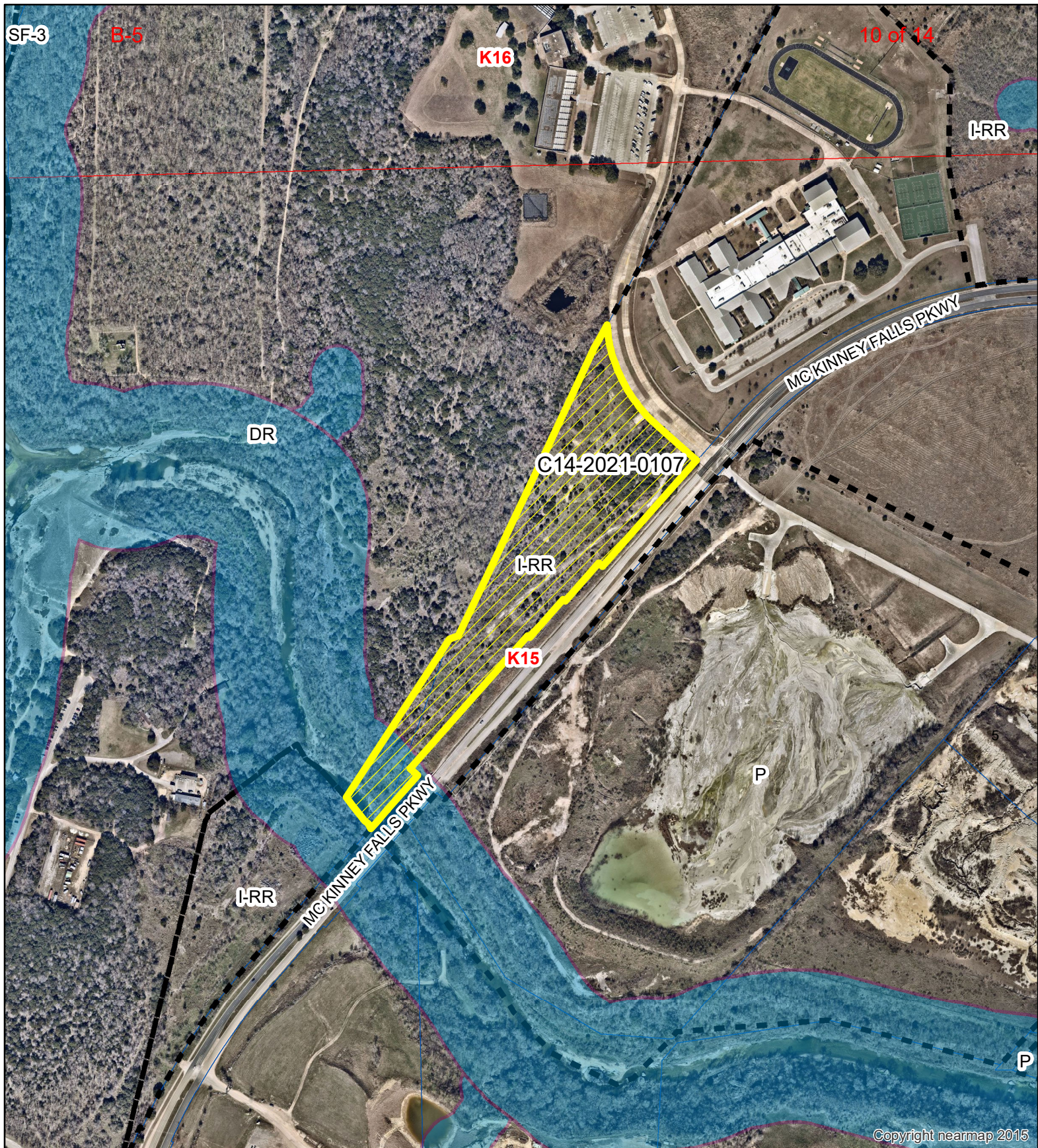
1" = 400'

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1" = 500'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

Parkside Apartments

Exhibit A - 1

ZONING CASE#: C14-2021-0107
 LOCATION: 5200 McKinney Falls Pkwy.
 SUBJECT AREA: 13.96 Acres
 GRID: K15
 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.

RESOLUTION NO. 20210603-050

WHEREAS, McKinney Falls Apartments, LP (Applicant), its successors, assigns or affiliates, proposes to construct an affordable multi-family housing development of approximately 252 units to be located at or near 5200 McKinney Falls Parkway, Austin, Texas, 78744 (Development) within the extraterritorial jurisdiction of the City of Austin; and

WHEREAS, Applicant intends for the development to be for the general population; and

WHEREAS, Applicant, its successors, assigns or affiliates, intends to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Low Income Housing Tax Credits for the Development to be known as Parkside Apartments: **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

In accordance with Section §2306.67071 of the Texas Government Code, the City Council finds that:

1. the Applicant provided notice to the City Council as required by Subsection (a); and
2. the City Council had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and

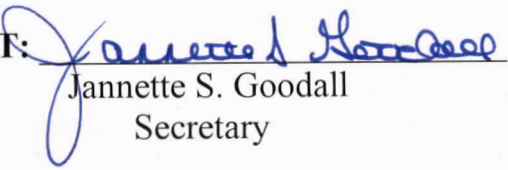
3. the City Council has held a hearing at which public comment could be made on the proposed Development as required by Subsection(b); and
4. after due consideration of the information provided by the Applicant and public comment, the City Council does not object to the Applicant's proposed application to the Texas Department of Housing and Community Affairs.

BE IT FURTHER RESOLVED:

The City Council authorizes, empowers, and directs Jannette S. Goodall, City Clerk, to certify this resolution to the Texas Department of Housing and Community Affairs.

ADOPTED: June 3, 2021

ATTEST:


Jannette S. Goodall
Secretary

Note: Should additional backup be submitted after the online publishing of this staff report, it may be found at the following link:

https://www.austintexas.gov/cityclerk/boards_commissions/meetings/54_1.htm