

## ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0012 (Research Park Rezoning)

DISTRICT: 6

ADDRESS: 12455, 12501 Research Boulevard North Bound, 12489, 12515 ½, 12517 ½  
Research Boulevard Service Road NB, 12220 ½ Riata Trace Parkway

ZONING FROM: LI

TO: LI-PDA

The applicant is requesting a rezoning to add a Planned Development Area overlay with the following conditions:

### **Applicable Site Development Regulations**

- A. Unless otherwise modified herein development of Lot 11 shall comply with applicable City of Austin rules, regulations and ordinances.
- B. If there is a conflict between this Ordinance and applicable City of Austin rules, regulations and ordinances, this Ordinance including the Exhibits shall control.

### **Authorized Uses**

- A. All Limited Industrial (LI) uses are permitted uses of Lot 11, except as set forth in Subsection B of this Section. The following are additional permitted uses:

- Multi-Family Residential
  - Research Testing Services
  - Research Warehousing Services

- B. The following uses are prohibited as principal uses of Lot 11:

- Automotive Repair Services
  - Campground
  - Drop-Off Recycling Collection Facility
  - Funeral Services
  - Kennels
  - Pedicab Storage and Dispatch
  - Recycling Center
  - Resource Extraction
  - Scrap and Salvage
  - Service Station
  - Theater

### **Site Development Regulations**

- A. Base District Regulations

- 1) Development of the Property shall conform to the site development regulations authorized for the Limited Industrial Services (LI) district as set forth in the City Code, except as provided for in this Ordinance.
  - 2) The following development regulations shall apply only to Lot 11.
    - a) The minimum lot size is 5,750 square feet.

- b) The minimum lot width is 50 feet.
- c) There is no minimum interior side yard, rear yard, front yard, or street yard setbacks.
- d) The maximum height is 60 feet.
- e) The maximum impervious cover and maximum building coverage is set forth by the applicable watershed limitation.
- f) The maximum floor-to-area ratio is 2:1.

SITE AREA: 179.14 acres

PROPERTY OWNER: Karlin Research Park Development, LLC,  
Karlin Research Park, LLC (Matthew Schwab)

AGENT: Armbrust & Brown, PLLC (Richard T. Suttle)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov))

STAFF RECOMMENDATION:

**Staff recommends LI-PDA, Limited Industrial-Planned Development Area Combining District, zoning.**

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

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is a 179+ tract of land that has access onto McNeil Drive and onto the frontage road of Research Boulevard/U.S. Highway 183 Northbound. The property is developed with office, warehouse and manufacturing uses. The specific area in Lot 11 (which is approximately 31 acres) appears to contain an electric switching station, a vacant parking structure and undeveloped land. The lots to the north are developed with single-family residential uses (Old Milwood Neighborhood) and a detention pond. To the east, there is a multifamily use (Riata Resort Apartments), a small retail center and office uses (Riata Gateway). The property to the south fronting Research Boulevard is developed with office buildings (Research Park Plaza). To the west, across McNeil Drive, there is a day care use, a retail use, offices, a convenience storage use and automotive washing. The applicant is requesting a rezoning to add a Planned Development Area (PDA) combining district to the LI base district to retain the office/industrial and warehouse uses and add a 350-unit multifamily use on Lot 11 along the northeastern side of the property (*Please see Applicant's Request Letter and Proposed PDA Standards – Exhibit C*).

The staff is recommending Limited Industrial-Planned Development Area District zoning as the property meets the intent of the LI-PDA combining district. The zoning would be compatible and consistent with the surrounding uses because there are commercial and industrial uses located to the north, south and west and multifamily residential uses and commercial uses to the east. LI-PDA zoning would allow this site to be redeveloped with a mixture of high-density residential, office, commercial and industrial uses. This location is appropriate for the proposed mixture of uses because the property in question is near the intersection of a major arterial roadway, McNeil Road, and a highway, Research Boulevard/U.S. Highway 183. In addition, the property is located 800 feet from the Jollyville Activity Corridor and 1,550 feet from the 183 and McNeil Neighborhood Center. The addition of multifamily residential through the proposed planned development area will provide for additional housing opportunities in this area of the city.

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

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

Limited Industrial Service district is intended as an area primarily for commercial services and limited manufacturing uses, generally on moderately sized sites.

Planned Development Area combining district is intended for combination with selected commercial and industrial base districts, in order to modify base district provisions as necessary to allow for appropriate industrial and commercial uses or to reflect the terms

of a Planned Development Area agreement following annexation of properties subject to such an agreement.

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

The LI-PDA zoning district would be compatible and consistent with the surrounding uses because there are commercial and industrial uses located to the north, south and west and multifamily residential uses to the east.

3. *Zoning changes should promote an orderly relationship among land uses.*

LI-PDA zoning would allow this site to be developed with a mixture of high-density residential, office, commercial and industrial uses. This location is appropriate for the proposed mixture of uses because the property in question is near the intersection of a major arterial roadway, McNeil Road, and a highway, Research Boulevard/U.S. Highway 183. The property is located 800 feet from the Jollyville Activity Corridor and 1,550 feet from the 183 and McNeil Neighborhood Center.

4. *The proposed zoning should allow for a reasonable use of the property.*

The LI-PDA zoning district would allow for a fair and reasonable use of the site. The proposed addition of the Planned Development Area Combining District will allow for high-density residential uses, which will provide desirable housing opportunities for the people that work in the surrounding commercial and industrial areas.

EXISTING ZONING AND LAND USES:

|       | ZONING                            | LAND USES   |
|-------|-----------------------------------|---|
| Site  | LI                                | Warehouse/Manufacturing (Research Park- former Texas Instruments site)  |
| North | GR-MU-CO, SF-1, CS-CO, I-RR, SF-2 | Day Care (Stepping Stone), Retail (Cloud House Vapor), Vacant Lot, Office, Convenience Storage (Extra Space Storage), Automotive Washing (County Line Car Wash), Single Family Residences   |
| South | LI                                | Office (Research Park Plaza)  |
| East  | SF-2, LI, MF-2-CO, GR-MU-CO, LI   | Single Family Residences (Milwood Neighborhood), Detention Pond, Multifamily Residential (Riata Resort Apartments), Retail Center (Riata Bar & Grill, Minh's Café, Food Mart, TruWest Credit Union, Yoga, Martinizing Cleaners), Office (Riata Gateway) |
| West  | LI                                | Manufacturing, Office, Warehouse  |



NEIGHBORHOOD PLANNING AREA: N/ATIA: Deferred to Site PlanWATERSHED: Walnut Creek,  
Rattan CreekSCHOOLS: Round Rock I.S.D.Jollyville Elementary School  
Canyon Vista Middle School  
Westwood High SchoolNEIGHBORHOOD ORGANIZATIONS:Bike Austin  
Friends of Austin Neighborhoods  
Homeless Neighborhood Association  
SELTEXAS  
Sierra Club, Austin Regional Group  
TNR BCP- Travis County Natural ResourcesAREA CASE HISTORIES:

| NUMBER  | REQUEST      | COMMISSION   | CITY COUNCIL   |
|---|--------------|--|--|
| C14-2020-0027.SH – Arbor Park (6306 McNeil Drive) | I-RR to MF-3 | 5/05/20: Approved the staff's recommendation of MF-3 zoning (8-0, Nadia Barrera-Ramirez and J. Kiolbassa-absent); B. Evans-1st, H. Smith-2nd.            | 6/04/20: The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200604-032 for MF-3 district zoning was approved on Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.                 |
| C14-2019-0008 (Honeycomb Park: 6402 McNeil Drive) | I-RR to MH   | 5/07/19: Approved staff's recommendation of MH zoning by consent (9-0, N. Barrera-Ramirez-absent); D. King-1 <sup>st</sup> , A. Tatkow-2 <sup>nd</sup> . | 6/06/19: The public hearing was conducted and a motion to close the public hearing and approve Ordinance 20190606-088 for mobile home residence (MH) district zoning was approved on Council Member Flannigan's motion, Council Member Renteria's second on a 10-0 vote. Council Member Harper-Madison was absent. |

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|--|--|--|--|
| <p>C14-2017-0042<br/>(12602<br/>Blackfoot Trail)</p> | <p>LR-CO, SF-2<br/>to CS-1-MU*<br/>*On May 16,<br/>2017, the<br/>applicant<br/>submitted a<br/>letter amending<br/>the rezoning<br/>request to CS-<br/>MU.</p> | <p>8/15/17: Approved maintaining SF-2 zoning for the existing Tract 1 and GR-MU-CO zoning for the existing Tract 2, with the following conditions for Tract 2: 1) Prohibit Alternative Financial Services, Automotive Washing (of any type), Bail Bond Services, Drop-Off Recycling Collection Facility, Medical Office-exceeding 5,000 sq. ft. gross floor area, Medical Offices-not exceeding 5,000 sq. ft. gross floor area, Outdoor Entertainment, Pawn Shop Services, Service Station, Congregate Living, Guidance Services, Hospital Services (General), Hospital Services (Limited), Residential Treatment and Drive-In Services and 2) maintain the condition from Ordinance No. 9907722-46 that, "Pedestrian and vehicular traffic associated with a non-residential use on the Property may not access Blackfoot Trail." (7-0, D. Breithaupt, B. Evans, S. Lavani and S. Trinh-absent); J. Duncan-1<sup>st</sup>, A. Aguirre-2<sup>nd</sup>.</p> | <p>10/19/17: Approved GR-MU zoning on 1<sup>st</sup> reading only (8-3, A. Alter, L. Pool, K. Tovo-No); J. Flannigan-1<sup>st</sup>, P. Renteria-2<sup>nd</sup>.</p> <p>12/07/17: Motion to approve GR-MU zoning, with a public restrictive covenant document to include the provision to restrict vehicular access from the Property to Blackfoot Trail. J. Flannigan-1<sup>st</sup>, G. Casar-2<sup>nd</sup>. A</p> <p>Amendment to include the provision to restrict vehicular access from Blackfoot Trail in a conditional overlay in the draft ordinance (4-5, S. Adler, O. Houston, G. Casar, A. Kitchen, J. Flannigan-No; D. Garza and E. Troxclair-off dais); K. Tovo, L. Pool-2<sup>nd</sup>.</p> <p>Main motion to approve GR-MU zoning, with access restriction in a public restrictive covenant document, on 2<sup>nd</sup> reading only (6-3, A. Alter, L. Pool and K. Tovo-No; D. Garza and E. Troxclair-off the dais).</p> <p>12/14/17: A motion to approve the ordinance for community commercial-mixed use combining (GR-MU) district zoning with conditions was made by Council Member Flannigan and seconded by Council Member Houston.</p> <p>The following additional conditions are added to the ordinance:</p> <p>Part 2: The Property with the boundaries of the conditional overlay combining district established by the ordinance is subject to the following conditions:<br/>The following uses are prohibited uses for the Property:<br/>A. Restaurants (general)<br/>B. Liquor sales as an accessory use to commercial uses is prohibited.</p> |
|--|--|--|--|

|   |                    |  |   |
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|   |                    |  | <p>In addition, the motion included the approval of the new restrictive covenant to prohibit vehicular traffic associated with non-residential use on property to Blackfoot Trail.</p> <p>A substitute motion was made by Council Member Pool to approve the ordinance for neighborhood commercial –mixed use (LR-MU) combining district zoning with a conditional overlay to prohibit Restaurant (general) use, and liquor sales use as an accessory use to commercial use. The substitute motion failed on Council Member Pool’s motion, Mayor Pro Tem Tovo’s second on a 3-8 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Alter and Pool. Those voting nay were: Mayor Adler, Council Members Casar, Flannigan, Garza, Houston, Kitchen, Renteria, and Troxclair.</p> <p>A motion to approve the provision with vehicular traffic to be included in the conditional overlay rather than the restrict covenant failed on Mayor Pro Tem Tovo’s motion, Council Member Pool’s second on a 3-8 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Alter and Pool. Those voting nay were: Mayor Adler, Council Members Casar, Flannigan, Garza, Houston, Kitchen, Renteria, and Troxclair.</p> <p>Ordinance No. 20171214-102 was approved for community commercial-mixed use combining (GR-MU) district zoning with the additional conditions listed above on Council Member Flannigan’s motion, Council Member Houston’s second on an 11-0 vote.</p> |
| C14-2011-0029<br>(Colonial at Quarry Oaks, 6263 McNeil Drive) | MF-3-CO to MF-3-CO | 6/07/11: Approved staff’s recommendation of MF-3-CO zoning, with CO that would limit the site to uses that generate no more than 3,545 vehicle trips per | 6/23/11: Approved MF-3-CO district zoning on consent on 1 <sup>st</sup> reading (7-0); B. Spelman-1 <sup>st</sup> , L. Morrison-2 <sup>nd</sup> .   |

|  |              |   |  |
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|  |              | day and the property would be subject to the conditional overlay conditions set out in Ordinance No. 940203-I and in Ordinance No. 930610-M, with the exception of Part 2.4., that states "No multifamily development of Tract 2, or any portion thereof, shall be constructed or maintained within 25 feet of Melrose Trail." and public RC for TIA conditions, by consent (5-0, G. Bourgeois- absent); P. Seager-1 <sup>st</sup> , D. Tiemann-2 <sup>nd</sup> . | 7/28/11: Approved MF-3-CO zoning on consent on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .   |
| C14-2011-0046<br>(6207 McNeil)                                   | RR to W/LO   | 6/07/11: Approved staff's recommendation of W/LO-CO zoning, the CO will maintain a 40-foot buffer/ building setback along the north property line of the site, by consent (5-0, G. Bourgeois- absent); P. Seager-1 <sup>st</sup> , D. Tiemann-2 <sup>nd</sup> .   | 6/23/11: The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for warehouse/limited office-conditional overlay (W/LO-CO) combining district zoning was approved on consent on Council Member Spelman's motion, Council Member Morrison's second on a 7-0 vote.<br><br>A motion to reconsider item 130 was approved on Council Member Morrison's motion, Council Member Spelman's second on a 7-0 vote.<br><br>The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20110623-130 for warehouse/limited office-conditional overlay (W/LO-CO) combining district zoning was approved on Council Member Spelman's motion, Mayor Leffingwell's second on a 7-0 vote. |
| C14-05-0086<br>(McNeil House Apartments: 6280 McNeil Drive)      | I-RR to MF-2 | 8/16/05: Approved staff's recommendation for MF-2 zoning by consent (8-0, K. Jackson- absent); J. Gohil-1 <sup>st</sup> , M. Hawthorne-2 <sup>nd</sup> .  | 9/29/05: Approved MF-2 zoning by consent (7-0); all 3 readings   |
| C14-01-0063<br>(Baunach Neighborhood Office - 12719 Dakota Lane) | SF-3 to LO   | 6/26/01: Approved staff's alternate rec. of NO-MU-CO zoning, with a CO to limit the permitted uses to Administrative and Professional Office and Software Development, allow for a rollback provision to SF-1   | 8/02/01: Approved PC rec. of NO-MU (6-0); all 3 readings   |

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|   |                   | if the office use ceases, and limit the site to 20 trips per day; by consent (8-0)        |  |
| C14-00-2219<br>(12716-12728<br>Dakota Lane) | RR, SF-1 to<br>GO | 2/13/01: Approved staff alternate rec. of GO-CO (TR1) & LO-CO (TR2) with conditions (9-0) | 3/22/01: Approved GO-CO (TR1) & LO-CO (TR2) with conditions (7-0); all 3 readings  |
| C14-00-2218<br>(6514 McNeil<br>Drive)       | I-RR to GO        | 2/13/01: Approved staff rec. of GO-CO by consent (9-0)                                    | 3/22/01: Approved GO-CO zoning, with the following conditions: 660 vehicle trip limit and 40 foot height limit (7-0); all 3 readings |

RELATED CASES: N/A

EXISTING STREET CHARACTERISTICS:

| Name                  | Existing ROW           | ASMP Required ROW | Pavement | ASMP Classification | Sidewalks | Bicycle Route | Capital Metro (within ¼ mile) |
|-----------------------|------------------------|-------------------|----------|---------------------|-----------|---------------|-------------------------------|
| Research Blvd SVRD NB | 102'                   | Defer to TxDOT    | 38'      | 4                   | Yes       | Yes           | Yes                           |
| Riata Trace Pkwy      | 116'                   | 104'              | 56'      | 3                   | Yes       | Yes           | Yes                           |
| Oak Knoll Dr          | 153'                   | 60'               | 24'      | 3                   | Yes       | Yes           | Yes                           |
| McNeil Dr             | Variable atm. 94'-104' | 104'              | 60'      | 4                   | Yes       | Yes           |                               |

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning case is located on the south side of McNeil Drive and north side of Research Boulevard and contains an office park and light industrial uses on a 179.14 acre site. The property is located 800 feet from the **Jollyville Activity Corridor** and 1,550 feet from **the 183 and McNeil Neighborhood Center**. The property is surrounded by retail and residential uses to the north; to the south are office uses and Highway 183 (Research Boulevard); to the west are commercial and light industrial uses; and to the east is vacant land and residential uses. The proposal is to retain the office/industrial and warehouse uses and add 350 unit multifamily apartment complex on approximately 31 acres of the property, via a LI to LI-PDA zonings change.

## Connectivity

There is no CapMetro stop located less than a mile away from the subject property. Research Boulevard has a public sidewalk while McNeil Drive has only an intermittent public sidewalk infrastructure, making walking in this area problematic. There are a few retail and commercial options in the area but no walkable civic uses.

## Imagine Austin

The subject property is near the **183 and McNeil Neighborhood Center** as identified on the Imagine Austin's Growth Concept Map. A Neighborhood Center is the smallest and least intense of the three types of activity centers outlined in the Growth Concept Map, with a focus on **creating local businesses and services**—including doctors and dentists, shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses that generally serve the center and surrounding neighborhoods. Regional, town, and neighborhood centers are supposed to be walkable, bikeable, and supported by transit. There is also an Activity Center located 800 feet from Research Boulevard.

The following IACP policies are also relevant to this case:

- **LUT P20.** Locate industry, warehousing, logistics, manufacturing, and other freight-intensive uses in proximity to adequate transportation and utility infrastructure.
- **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 schools, retail, employment, community services, and parks and recreation options.

## Environmental

The project is proposing to rezone from LI to LI-PDA to enable office and multi-family development in an area currently zoned LI.

Staff does not support the language establishing vested rights proposed in Exhibit A, Section 1(A). Projects should be subject to code at the time of site plan or subdivision permit application not at time of PDA approval.

Exhibit A, Section 3(A)(e) is proposing to increase allowable impervious cover from 60% to 80% gross site area. The site is in the Suburban watershed regulation area, and watershed regulations limit multi-family projects to 60% impervious cover. Staff do not support the requested increase in impervious cover in excess of the watershed regulations in City Code 25-8. Environmental code modifications should not be allowed within PDA re-zoning cases. If the applicant wishes to modify code requirements affecting water quality regulations, PUD zoning would be a more appropriate zoning option.

Fire

No comments.

Parks and Recreation

Parkland dedication will be required at the time of subdivision or site plan application for new residential units proposed by this rezoning, multifamily with LI-PDA, per City Code § 25-1-601, as amended. The intensity of the proposed development creates a need for over six acre of additional parkland, per requirements described in § 25-1-602; when over six acres, parkland must be dedicated – see § 25-1-605 (A)(2)(a). As such, land dedication shall be required. Any remaining fees in-lieu after dedication shall also be required.

The surrounding areas are currently park deficient, defined as being outside walking distance to existing parks. The dedication would satisfy the need for additional parks in park deficient areas of North Austin, a specific recommendation in the Parks and Recreation Department's Long Range Plan. The land to be dedicated must comply with PARD standards, including those described in Title 25, Article 14, as well as the Parkland Dedication Operating Procedures.

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).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: [thomas.rowlinson@austintexas.gov](mailto:thomas.rowlinson@austintexas.gov).

Site Plan**SITE PLAN REVIEW OF ZONING CASES**

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 multifamily residential component will also be subject to open space requirements.

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies sufficient right-of-way Riata Trace Parkway and Oak Knoll Drive and identifies a need for 104' of right-of-way McNeil Drive. Sufficient right-of-way for Research Boulevard SVRD NB is deferred to TxDOT. Traffic impact analysis was waived, except for the development on Lot 11, a new site plan (or revision to any site plan that generates new trips) within the PDA would not be approved without a master TIA for all PDA sites. The master TIA shall include the entire zoning tract area, including Lot 11.

### 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.

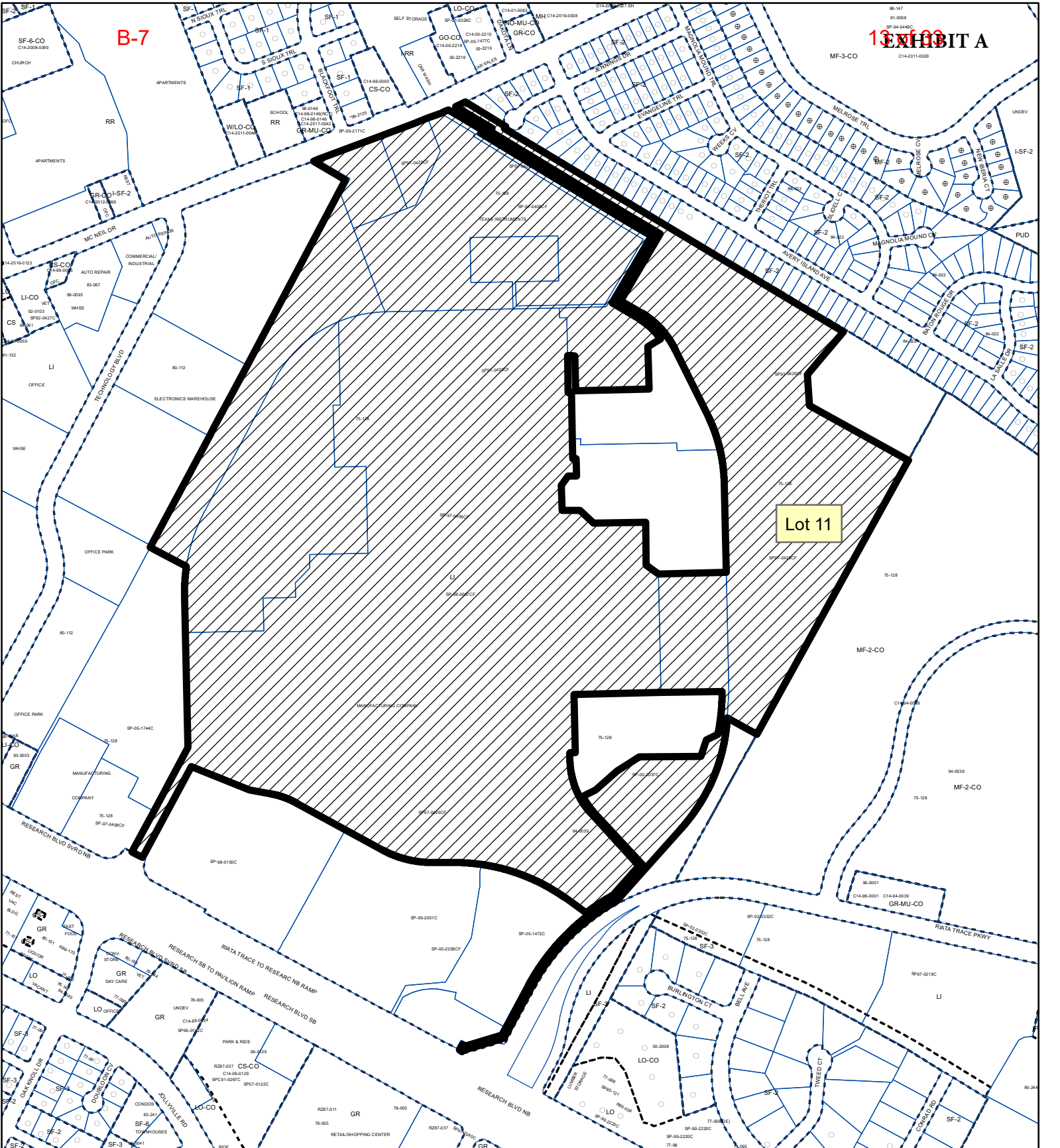
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.

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 Case Map
- B. Aerial Map
- C. Applicant's Request Letter and Proposed PDA Standards
- D. Correspondence from Interested Parties





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

13 EXHIBIT A

Lot 11

### ZONING

ZONING CASE#: C14-2021-0012



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 600'

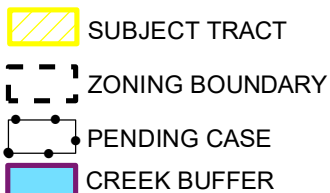
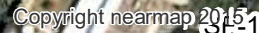
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

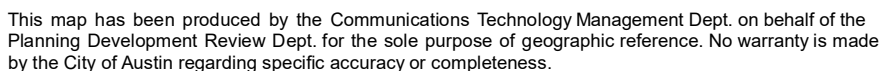


Created: 2/9/2021





ZONING CASE#: C14-2021-0012  
LOCATION: 12455 - 12517 1/2 Research Blvd.  
12220 1/2 Riata Trace Pkwy  
SUBJECT AREA: 179.14 Acres  
GRID: H36  
MANAGER: Sherri Sirwaitis





**ARMBRUST & BROWN, PLLC**

ATTORNEYS AND COUNSELORS

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RICHARD SUTTLE, JR.  
(512) 435-2310  
*rsuttle@abaustin.com*

January 22, 2021

Rosie Truelove  
Director, Housing & Planning Department  
City of Austin  
1000 E. 11<sup>th</sup> Street, Suite 200  
Austin, Texas 78702

Re: Rezoning Request for Research Park (the "Application")

Dear Mrs. Truelove:

This firm represents and this Application is submitted on behalf of Karlin Research Park, LLC and Karlin Research Park Development, LLC, owner of the property subject to this Application. Karlin Research Park, LLC and Karlin Research Park Development, LLC are collectively referred to herein as "Karlin".

The property subject to this Application consists of approximately 179.14 acres of land located at 12455, 12501 Research Boulevard NB, 12515 1/2, 12517 1/2 Research Boulevard Service Road NB, and 12220 1/2 Riata Trace Parkway (the "Property"). The Property is zoned Limited Industrial Services ("LI") and is currently developed with various office, industrial, and warehouse uses.

Karlin intends to redevelop portions of the Property with a mix of office and multi-family uses (the "Project"). The first phase of development will include the construction of ±350 multi-family units to be located on Lot 11 of the Research Park Subdivision (the "Multi-Family Project").

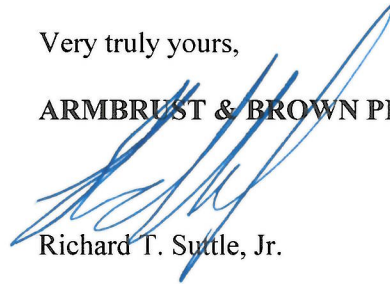
In order to facilitate development of the Multi-Family Project, this Application seeks to rezone the Property from LI to Limited Industrial Services – Planned Development Area (LI-PDA). While the entire Property is subject to rezoning, the only entitlement being requested is for phase 1. The modified development regulations proposed with this Application as provided in Exhibit "A" and attached hereto will only apply to Lot 11 of the Research Park Subdivision. The remainder of the Property included in this Application will be subject to the development regulations prescribed by the City of Austin Land Development Code ("City Code") for LI zoning. When Karlin is ready to move forward on the subsequent phases of development, a PDA amendment application will be submitted to the City to allow for the modified development regulations to apply to the remainder of the Property.

Thank you in advance for your time and consideration of this zoning request. If you have any questions or need additional information, please do not hesitate to contact me or Amanda Morrow at (512) 435-2368.

ARMBRUST & BROWN, PLLC  
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Very truly yours,

**ARMBRUST & BROWN PLLC**



Richard T. Suttle, Jr.

cc: Jerry Rusthoven, City of Austin  
Amanda Morrow, Armbrust & Brown PLLC  
Amanda Surman, Armbrust & Brown PLLC  
Joe Prochot, Karlin

**EXHIBIT “A”****SITE DEVELOPMENT STANDARDS****Section 1. Applicable Site Development Regulations**

- A. Unless otherwise modified herein development of Lot 11 shall comply with applicable City of Austin rules, regulations and ordinances.
- B. If there is a conflict between this Ordinance and applicable City of Austin rules, regulations and ordinances, this Ordinance including the Exhibits shall control.

**Section 2. Authorized Uses**

- A. All Limited Industrial (LI) uses are permitted uses of Lot 11, except as set forth in Subsection B of this Section. The following are additional permitted uses:

Multi-Family Residential  
Research Testing Services  
Research Warehousing Services

- B. The following uses are prohibited as principal uses of Lot 11:

Automotive Repair Services  
Campground  
Drop-Off Recycling Collection Facility  
Funeral Services  
Kennels  
Pedicab Storage and Dispatch  
Recycling Center  
Resource Extraction  
Scrap and Salvage  
Service Station  
Theater

**Section 3. Site Development Regulations**

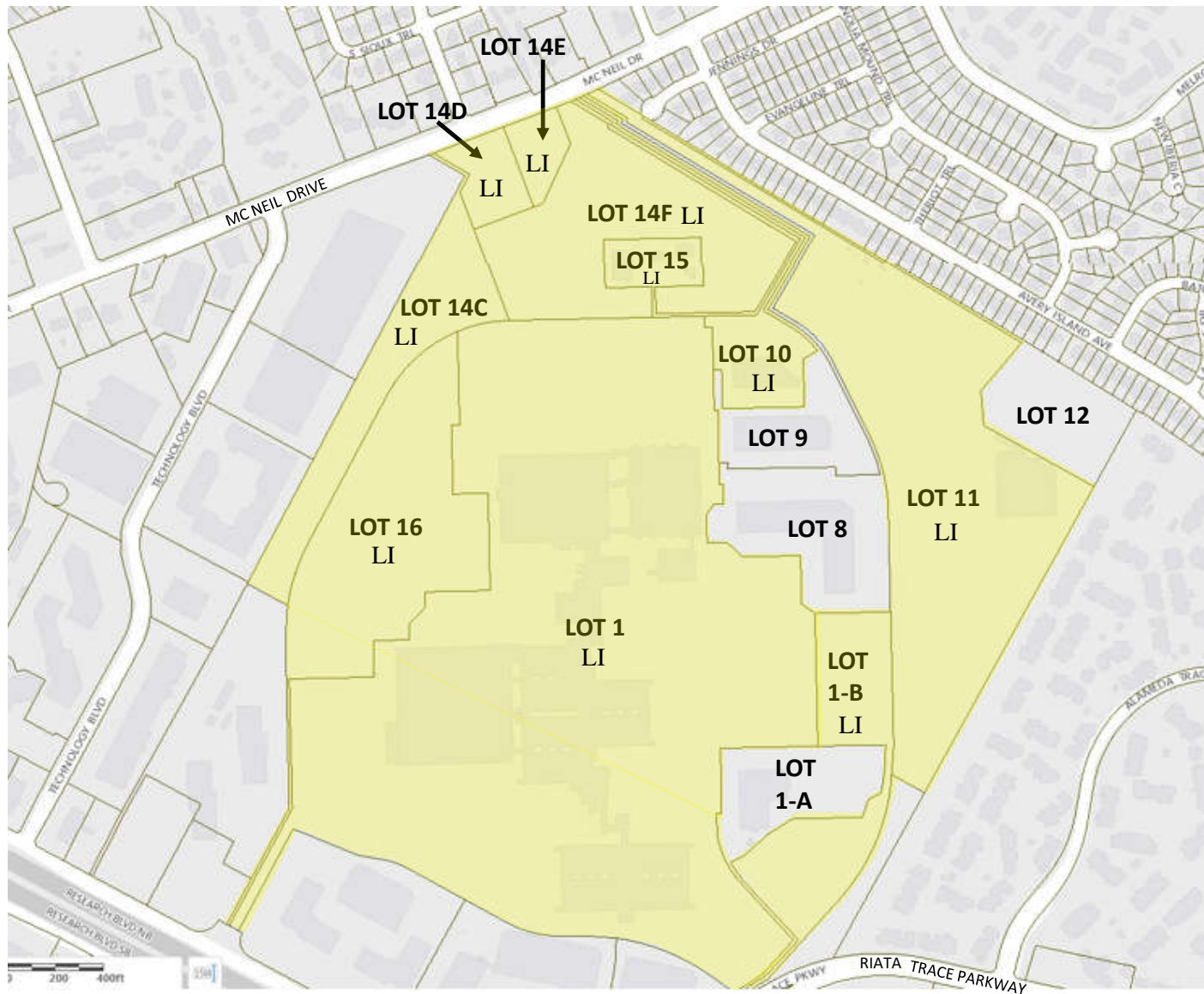
- A. Base District Regulations

- 1) Development of the Property shall conform to the site development regulations authorized for the Limited Industrial Services (LI) district as set forth in the City Code, except as provided for in this Ordinance.
- 2) The following development regulations shall apply only to Lot 11.
  - a) The minimum lot size is 5,750 square feet.
  - b) The minimum lot width is 50 feet.
  - c) There is no minimum interior side yard, rear yard, front yard, or street yard setbacks.
  - d) The maximum height is 60 feet.

## ARMBRUST &amp; BROWN, PLLC

Page 2

- e) The maximum impervious cover and maximum building coverage is set forth by the applicable watershed limitation.
- f) The maximum floor-to-area ratio is 2:1.


**ZONING LOCATION MAP**

AREAS SUBJECT TO REZONING REQUEST



















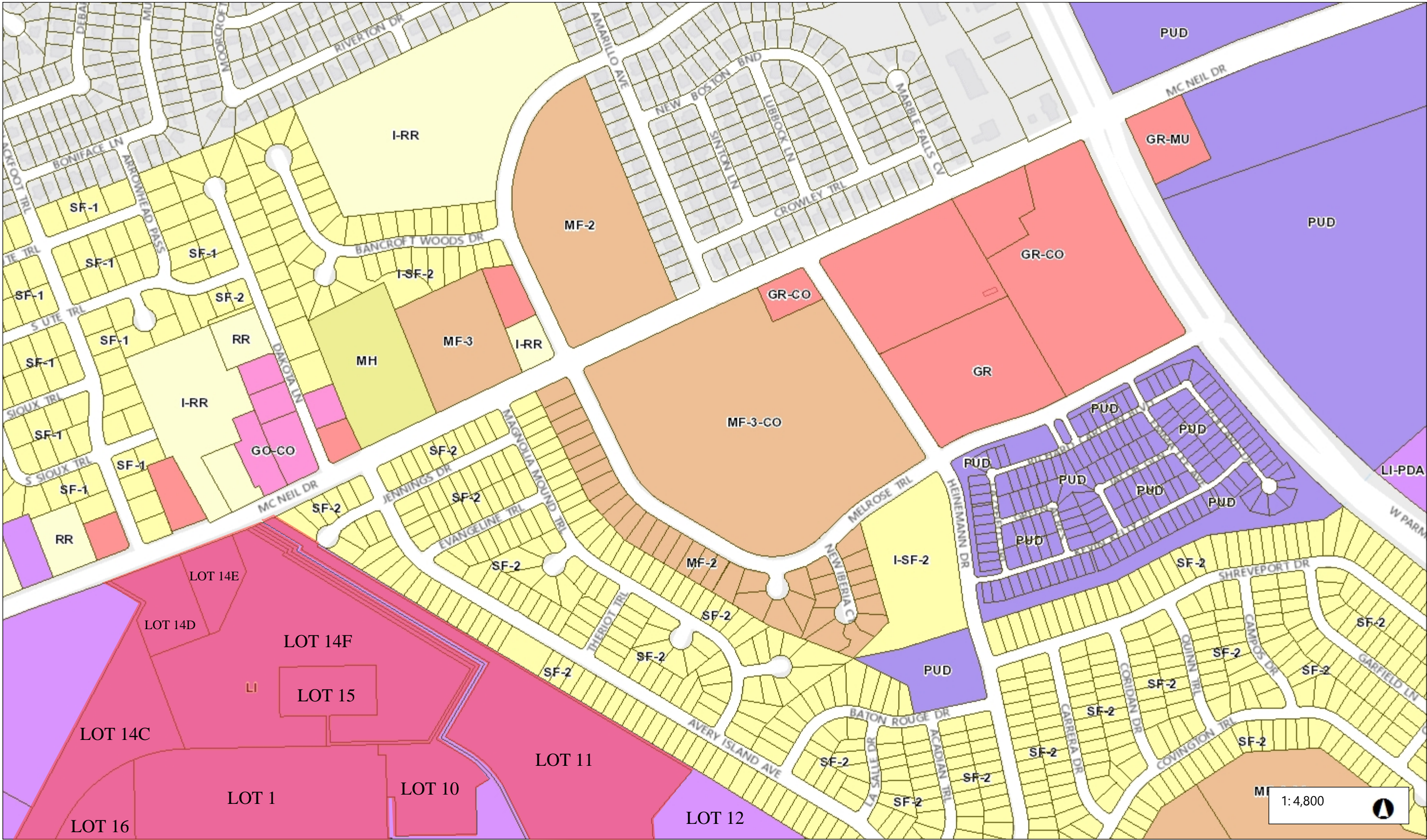
## Legend

-  Lot Line

**Zoning**

  -  Lake Austin, Rural Residence (LA; R)
  -  Single Family (SF-1; SF-2; SF-3; SF-4)
  -  Mobile Home (MH)
  -  Multi-family (MF-1; MF-2; MF-3; MF-4)
  -  Commercial (CH; CR; CS; CS-1; GR)
  -  Office (GO; LO; NO)
  -  Industrial (IP; LI; MI; R&D; W/LO)
  -  CBD; Downtown Mixed Use (DMU)
  -  ERC; NBG; TND; TOD
  -  Planned Unit Development (PUD)
  -  Agriculture, Development Reserve (A)
  -  Aviation, Public, Unzoned (AV; P; UN)
  -  Unclassified

 Zoning Text



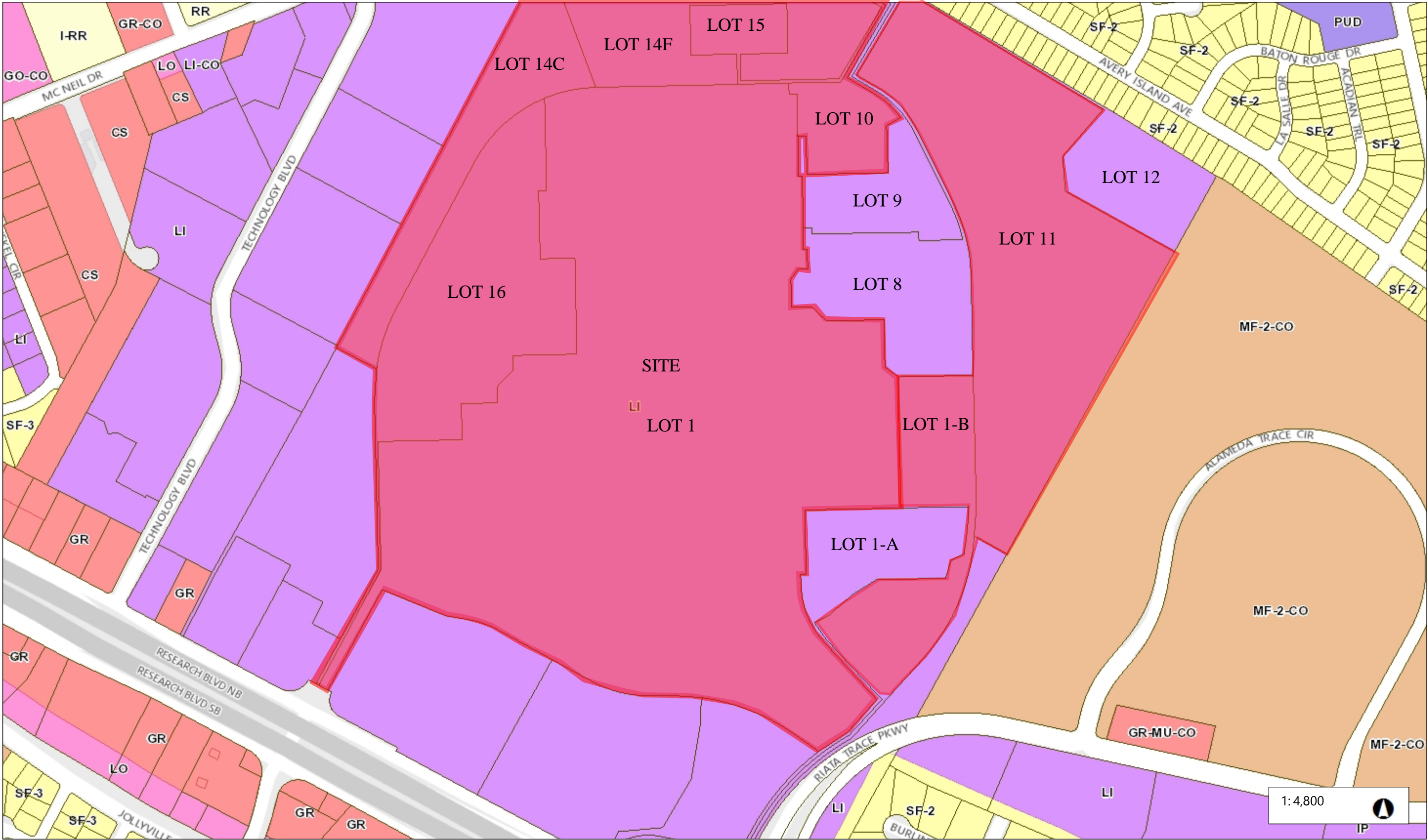
0.2 0 0.08 0.2 Miles

NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet

Date Printed:

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## Legend

- ☐ Lot Line
- Zoning**
  - Lake Austin, Rural Residence (LA; R)
  - Single Family (SF-1; SF-2; SF-3; SF-4)
  - Mobile Home (MH)
  - Multi-family (MF-1; MF-2; MF-3; MF-4)
  - Commercial (CH; CR; CS; CS-1; GR)
  - Office (GO; LO; NO)
  - Industrial (IP; LI; MI; R&D; W/LO)
  - CBD; Downtown Mixed Use (DMU)
  - ERC; NBG; TND; TOD
  - Planned Unit Development (PUD)
  - Agriculture, Development Reserve (A)
  - Aviation, Public, Unzoned (AV; P; UN)
  - Unclassified
- ☐ Zoning Text

## Notes

0.2 0 0.08 0.2 Miles

NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet

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**From:** bffsparky@gmail.com  
**To:** [Avila, Rosemary](#); [Sirwaitis, Sherri](#); [Brie Cheese](#)  
**Subject:** Case # SP2021-0124C /Case # 14C-2021-0012 - 78727 \_ Old Milwood Needs SPEEDS BUMPS  
**Date:** Saturday, June 26, 2021 3:29:37 PM

---

\*\*\* External Email - Exercise Caution \*\*\*

I am an 17+ year resident within the 78727 Old Milwood Neighborhood.

Our area has been requesting the city to **install speed bumps, reduce speed limits, repave our damaged roads, and install Buffer Sound Walls along Palmer & McNeil** roads with no success for 15+ years to my knowledge. (Possibly longer)

Adding additional apartment complexes, large complex industries (Apple/Samsung) along with existing large retailers (HEB) etc. will not only lead to higher noise decibels in our area, but it will also exacerbate our existing small neighborhood road traffic issues.

Traffic issues have **already** and **dramatically** increased when Apple finally expanded upon their land within the last several years. We have witnessed staff from the surrounding companies & retailer customers "short-cutting" through our neighborhoods to avoid the McNeil/Palmer Street lights.

Our school children cannot safely walk to our local schools, such as McNeil Highschool & Jollyville Elementary.

We can no longer safely open car doors along our main thoroughfares, where our mailboxes are located to retrieve daily mail. Non-residential drivers have become increasing impatient, discourteous, and reckless. These drivers are going too fast, tailgating, and zipping around our parked cars without being cautious of children existing our vehicles; especially during the hours of 4pm-7pm each night.

All the while the city of Austin continues to provide tax incentives to these companies; including property taxes which are to support our local roads and schools. In my opinion, the city continues to disregard (or even acknowledge) our local resident neighborhood needs to address impacts to our traffic conditions.

Traffic accident history can be obtained for the past 20 years. You'll note this history will include numerous intersection incidents, fatalities, local bank robbery speed chases, and even a home on Shreveport Drive had a car crash into it several years ago.

Your support in our continued local neighborhood efforts to get our roads repaved, installing speed bumps, reducing speed limits, and building sound buffers would be greatly appreciated.

We would like our voices heard, acknowledged, and addressed with transparency.

Thank you,  
Denise Canary  
13006 Campos Drive  
Austin, TX 78727

---

Rosemary Avila (multi-family) case # SP2021-0124C  
[Rosemary.Avila@austintexas.gov](mailto:Rosemary.Avila@austintexas.gov) 512-974-2784

Sherri Sirwaitis (zoning light industrial) Case # 14C-2021-0012  
[Sherri.Sirwaitis@austintexas.gov](mailto:Sherri.Sirwaitis@austintexas.gov) 512-974-3057

Sent from [Mail](#) for Windows 10

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**From:** Lester C. Wetherell II  
**To:** [Jain, Sangeeta](#); [Sirwaitis, Sherri](#)  
**Subject:** 14C-2021-0012  
**Date:** Wednesday, July 21, 2021 2:39:36 PM

---

\*\*\* External Email - Exercise Caution \*\*\*

To Whom It May Concern,

Please keep me updated on the above zoning case as it directly affects me as I live on the cul-de-sac of Jennings Dr.

The original zoning notification made no mention of the desire to turn my cul-de-sac into a through street!

Lester C. Wetherell II  
6502 Jennings Dr.  
Austin, TX 78727  
521 258-7227

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**From:** rob  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** Drainage and folding issues due to proposed project at Oak Knoll property Case# C14-2021-0012  
**Date:** Tuesday, July 13, 2021 11:12:14 AM

---

\*\*\* External Email - Exercise Caution \*\*\*

Sherri,

I am contacting you regarding a proposed project by Karlin Research Park, LLC. It is my understanding that there is a rather large business and multi-family project being proposed that has a lot of impervious ground cover as part of the project. I currently live directly behind the proposed project area and my property is currently directly affected when heavy rains come through and we have already had several close calls with flooding since they built what has been an abandoned parking garage about 23 years ago. My big concern is that if they build the project we will definitely end up flooding.

It is my understanding that the property owner was legally required to restore the space to its previous condition once the project was abandoned years ago and that obviously never occurred. I would like a new Geological survey done given that nature of the geology under this site and that fact that it is part of the Balcones Canyon land. I have already sent in my notice to the city that I am an interested party to all of this.

I am deeply concerned that due to the property owners lack of attention and action over the years, the close calls we've already had with flooding that if this project is allowed to move forward that I will have little to no recourse when my property finally does infect flood due to the amount of impervious ground cover that this project will have.

Given that 4 caves, 4 sinkholes and 3 solution cavities have been discovered on this land I think it is extremely pertinent that a new geological survey be conducted as this property may well not even be safe to build this project on.

My address is 6007 Avery Island Ave. Austin, TX. 78727. My cell number is (512)567-2998.

Sincerely,  
Robert Broussard

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**From:** <>

**Sent:** Saturday, June 26, 2021 3:26 PM

**To:** Avila, Rosemary <Rosemary.Avila@austintexas.gov>; Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>; Brie Cheese

**Subject:** Case # SP2021-0124C /Case # C14-2021-0012 - 78727 \_ Old Milwood Needs SPEEDS BUMPS

\*\*\* External Email - Exercise Caution \*\*\*

I am an 17+ year resident within the 78727 Old Milwood Neighborhood.

Our area has been requesting the city to **install speed bumps, reduce speed limits, repave our damaged roads, and install Buffer Sound Walls along Palmer & McNeil** roads with no success for 15+ years to my knowledge. (Possibly longer)

Adding additional apartment complexes, large complex industries (Apple/Samsung) along with existing large retailers (HEB) etc. will not only lead to higher noise decibels in our area, but it will also exacerbate our existing small neighborhood road traffic issues.

Traffic issues have **already** and **dramatically** increased when Apple finally expanded upon their land within the last several years. We have witnessed staff from the surrounding companies & retailer customers "short-cutting" through our neighborhoods to avoid the McNeil/Palmer Street lights.

Our school children cannot safely walk to our local schools, such as McNeil Highschool & Jollyville

Elementary.

We can no longer safely open car doors along our main thoroughfares, where our mailboxes are located to retrieve daily mail. Non-residential drivers have become increasingly impatient, discourteous, and reckless. These drivers are going too fast, tailgating, and zipping around our parked cars without being cautious of children existing our vehicles; especially during the hours of 4pm-7pm each night.

All the while the city of Austin continues to provide tax incentives to these companies; including property taxes which are to support our local roads and schools. In my opinion, the city continues to disregard (or even acknowledge) our local resident neighborhood needs to address impacts to our traffic conditions.

Traffic accident history can be obtained for the past 20 years. You'll note this history will include numerous intersection incidents, fatalities, local bank robbery speed chases, and even a home on Shreveport Drive had a car crash into it several years ago.

Your support in our continued local neighborhood efforts to get our roads repaved, installing speed bumps, reducing speed limits, and building sound buffers would be greatly appreciated.

We would like our voices heard, acknowledged, and addressed with transparency.

Thank you,  
Denise Canary  
13006 Campos Drive  
Austin, TX 78727

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Rosemary Avila (multi-family) case # SP2021-0124C  
[Rosemary.Avila@austintexas.gov](mailto:Rosemary.Avila@austintexas.gov) 512-974-2784

Sherri Sirwaitis (zoning light industrial) Case # 14C-2021-0012  
[Sherri.Sirwaitis@austintexas.gov](mailto:Sherri.Sirwaitis@austintexas.gov) 512-974-3057

Sent from [Mail](#) for Windows 10

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**From:** Blaine Thomas Middlebrooks  
**To:** [Sirwaitis, Sherri](#)  
**Subject:** Case # C14-2021-0012  
**Date:** Tuesday, July 20, 2021 12:46:36 PM  
**Attachments:** [Doc Jul 20 2021.pdf](#)

---

\*\*\* External Email - Exercise Caution \*\*\*

Good afternoon Sherri,

I received a notice on my door this afternoon in regard to this particular zoning case. I assume there is more development trying to encroach our neighborhood again. These are similar to the same notices I received when I first purchased this home where I was told no one was able to build in the lot behind my house, well that evidently was untrue since there is a multi-level apartment complex I get to now stare at right in my backyard at the end of Avery Island Ave. I am being told where this new 4 story unit is trying to be built has already been deemed too unstable for construction due to caves and sinkholes reported in the TCEQ Edwards Aquifer 2000 protection plan. What can we do to try and save our neighborhood from being engulfed in nothing but apartment complexes and other developments? Enough is enough.

Here are the requests of the residences in the Old Milwood Neighborhood:

See attachment



**Blaine Middlebrooks**  
Loan Processor

**DHI MORTGAGE**  
Company NMLS #14622,  
10700 Pecan Park Blvd Ste 120, Austin, TX 78750  
o: 512-257-5688  
f: 800-799-8416 DRHNet: 85688

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**Blaine Middlebrooks**  
Loan Processor

**DHI MORTGAGE**





Company NMLS #14622,  
10700 Pecan Park Blvd Ste 120, Austin, TX 78750  
o: 512-257-5688  
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**From:** Kirsten Hofmann  
**To:** [Sirwaitis, Sherri](#)  
**Cc:** [kirsten](#)  
**Subject:** case # C14-2021-0012 [re-send]  
**Date:** Saturday, July 31, 2021 9:41:12 AM

---

RE case # C14-2021-0012

Hello - I never received a follow up from below emails (Jun-7)

I have submitted our my husband and my interest in mail in hopes this will help? [our address is 6225 Avery Island Ave, Austin TX 78727. James Ciulik/Kirsten Hofmann]

We are concerned with the proposals per the zoning case noted above

We have had flood risks in the easement behind us (near sub-station) and have even added rocks to our own property to help shore-up the wall toward the drainage ditch. Years ago, the sub-station team even issued a "cease" notice to us as they were concerned some of our backyard work was risking flooding them (and they are several feet above us on higher ground)

With simple garden work being a concern, the proposals for the lots in the proposal cause us great concern.

I have also worked at the Flextronics facility in the past, and aware of the property and propensity of flooding/water pooling. There's also substantial wild life in the area, and the Flex management is applauded for paying attention to their wildlife partners.

- We do not support development due to flood concerns
- Expanding the road is also discouraged, as people already zoom down McNeil and Avery Island (which has large speed bumps, but seem to not deter motorists). Main intersection at 183/McNeil is already the primary route, and adding larger roads will drive traffic into residential areas. No access to McNeil, widening or changes in road requested.
- Increased noise and height of structures is added concern to privacy, wildlife and meeting Edward Aquiver 2000 protection plan.
- A new geological survey is needed, given the abandoned parking garage from years ago and earlier reports of caves, sinkholes and cavities.
- Stricter limits are needed to reduce vehicle parking and any tall lighting poles within 500 feet of west easement of Avery Island
- We already are losing shade/wildlife refuge with the easement and substation, and need less concrete and tall structures.

Please don't turn Austin into Houston, destroy the few nature areas available in the area, and disregard the simple neighborhoods of North Austin. We already are short walking paths and parks. Our sidewalks are buckling and traffic worsened with the huge number of added apartments and commercial business.

I appreciate private property rights, but also acknowledge the 30+ years our neighborhood has been here and supporting growth around the perimeter. Easement is there for a reason, and Houston's flooding has shown that these changes needed stronger and more recent assessments and adherence to intent of Edward's Acquirer protection plan.

Thank you.

Kirsten Hofmann & James Ciulik  
concerned citizens and impacted parties to this zoning case

---

---

-----Original Message-----

From: Angelica Netzel

Sent: Tuesday, August 10, 2021 1:58 PM

To: Chaffin, Heather <[Heather.Chaffin@austintexas.gov](mailto:Heather.Chaffin@austintexas.gov)>

Subject: C14-2021-0012

\*\*\* External Email - Exercise Caution \*\*\*

Hi. My name is Angelica Netzel and I live at 6325 Avery Island Ave, Austin. 78727 My property is adjacent to the proposed re-zoning and development area at Research Park, case # C14-2021-0012. I am requesting a postponement of this hearing because the letter sent to residents by P&Z commission did not contain dates or deadlines for comments, pro or con, no dates when the written form they included was due, no dates when to sign up to speak at the hearing, no deadlines when email correspondence was due, etc. In other words, no dates were included except the online hearing on August 17. Therefore, I am requesting that a new letter be sent to residents with full information of dates and time deadlines. There is no possible way for me to contact every resident affected by the re-zoning request. We do not have a homeowners association or any other neighborhood organization that disseminates information to us. We are all on our own, so, to be fair to all, a new letter needs to be generated from Planning and Zoning which includes dates and deadlines and a postponement of the hearing needs to be addressed.

I would also like instructions on how to sign up to speak at the virtual Planning & Zoning hearing regarding this case, whenever it may take place.

I mailed in my written form listing some of my questions and concerns regarding the rezoning, so I won't repeat them here.

Thank you so much for your consideration.

Angelica Netzel

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