

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0126 (7911 and 8001 N FM 620 Rd) DISTRICT: 6

ADDRESS: 7911 and 8001 North FM 620 Road

ZONING FROM: W/LO-CO, LR-MU-CO, CS-CO TO: MF-2

SITE AREA: 17.175 acres

PROPERTY OWNER: Joseph F. Lucas and Margaret Lucas

AGENT: Smith Robertson LLP (David Hartman)

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

STAFF RECOMMENDATION:

Staff recommends MF-2, Multifamily Residence-Low Density District, zoning.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

September 21, 2021

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is 17.175 acre tract of land that fronts onto and takes access to FM 620 Road. There is MF-2 zoning and a multifamily development (Nolina Flats Apartments) and GR zoning and a financial services use (Chase Bank) to the north, a convenience storage use (Longhorn Boat and Camper Storage) to the south, an undeveloped tract zoned LO to the east and retail (Home Depot) and restaurant (Nik's Italian Kitchen and Bar) uses across North FM 620 Road to the west. The applicant is requesting MF-2 zoning to develop the site with a 340-unit multi-family apartment complex. (Please see Exhibit C).

The staff recommends the applicant's request for MF-2, Multifamily Residence-Low Density District, zoning at this location because of the commercial character of the area and because the property takes access to a major arterial roadway, North FM 620 Road. The proposed zoning is compatible with the residential/MF-2 zoning directly to the north. The Multifamily Residence-Low Density District will permit the applicant to provide additional residential housing in this area that can serve the students of a college and university facility (Concordia University) in the R&D-PDA to the northeast.

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.*

Multifamily Residence (Low Density) district is intended to accommodate multifamily use with a maximum density of up to 23 units per acre, depending on unit size. This district is appropriate for multifamily residential areas located near single-family neighborhoods, and in selected areas where low density multifamily use is desirable.

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

The proposed MF-2 zoning will be compatible with surrounding land uses because there are multifamily uses to the north and commercial uses to the south and west. The site under consideration is located 0.32 miles north of the Four Points Activity Centers for Redevelopment in Sensitive Environmental Areas.

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

The proposed MF-2 zoning will permit the applicant to construct additional housing opportunities in this area of the city near a college and university facility (Concordia University).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	W/LO-CO, LR-MU-CO, CS-CO	Vacant Warehouse/Residence
<i>North</i>	MF-2, GR	Multifamily (Nolina Flats), Financial Services (Chase Bank)
<i>South</i>	SF-2, DR	Convenience Storage (Longhorn Boat and Camper Storage)
<i>East</i>	LO	Undeveloped
<i>West</i>	GR-CO, CS-CO	Retail Sales (Home Depot), Restaurant (Nik's Italian Kitchen and Bar)

NEIGHBORHOOD PLANNING AREA: N/ATIA: Not RequiredWATERSHED: Bull CreekNEIGHBORHOOD ORGANIZATIONS:

Austin Lost and Found Pets
 Bull Creek Foundation
 Canyon Creek HOA
 Friends of Austin Neighborhoods
 Leander ISD Population and Survey Analysts
 Long Canyon Phase II & III Homeowners Association Inc.
 Long Canyon Homeowners Association
 Neighborhood Empowerment Foundation
 Mountain Neighborhood Association (MNA)
 River Place HOA
 SELTEXAS
 Sierra Club, Austin Regional Group
 The Parke HOA
 TNR BCP – Travis County Natural Resources
 2222 Coalition of Neighborhood Associations, Inc.
 Volente Neighborhood Association

SCHOOLS: Round Rock I.S.D.

Canyon Creek Elementary School
 Canyon Vista Middle School
 Westwood High School

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2020-0066 (Concordia Residence Hall-PDA Amendment: 11400 Concordia University Drive)	R&D-PDA to R&D-PDA* *The applicant is requesting an amendment to the R&D-PDA zoning to amend conditions in Section 4(B)(1) of Ordinance No.20070215-042, which states, "Any building in excess of forty (40) feet in height shall be at least three hundred (300) feet from the nearest residential unit (other than watchmen or custodial facilities) or university housing, including but not limited to student, faculty or administrative housing."	7/21/20: Approved staff's recommendation of R&D-PDA zoning (10-0); B. Evans-1st, J. Duncan-2nd.	8/27/20: Approved R&D-PDA zoning by consent on all 3 readings (11-0); D. Garza-1st, L.Pool-2nd.
C14-2008-0178 (Canyon Creek Preserve: 13543 ½ N. FM 620 Rd)	SF-2, SF-6, MF-2 to P	9/02/08: Approved staff rec. of P by consent (5-0)	9/25/08: Approved P zoning by Ordinance No. 20080925-116 (7-0); all 3 reading
C14-2007-0089 (11200 Zimmerman Lane)	DR to SF-1	8/07/07: Approved staff's recommendation for SF-1 zoning by consent (6-0, K. Jackson, J. Martinez-absent); J. Gohil-1 st , S. Hale-2 nd .	9/27/07: Approved SF-1 zoning 6-0); all 3 readings
C14-2007-0008 (Zimmerman Lane)	SF-2 to SF-6-CO	5/01/07: Approved SF-6-CO zoning with conditions of a maximum of nine residential	6/07/07: Approved ZAP rec. of SF-6-CO zoning by consent (7-0); all 3 readings

Condominiums : 11121 Zimmerman Ln.)		units and 30% impervious cover or 40% impervious cover with transfers (6-1, J. Pinnelli- Nay, J. Martinez-absent, T. Rabago-left early)	
C14-06-0021 (Versante: 8804 North R.M. 620)	GO to SF-6	4/18/06: Approved staff's recommendation for SF-6-CO zoning by consent (9-0); J. Martinez-1 st , M. Hawthorne-2 nd .	5/18/06: Approved SF-6-CO zoning by consent (7-0); all 3 readings
C14-04-0099 (Zimmerman Zoning: 11108 Zimmerman Lane)	DR to SF-6	8/3/04: Approved SF-6-CO zoning with conditions of a maximum of 25 living units, 30% impervious cover or 40% impervious cover with transfers (8-0, J. Pinnelli-absent)	9/2/04: Granted ZAP Commission's recommendation of SF-6-CO (7-0); 1 st reading 11/4/04: Approved SF-6-CO (7-0); 2 nd /3 rd readings
C14-04-0141 (Grandview Hills Sec. 11B, Lot 1: N. FM 620 at Wilson Park Ave.)	I-RR to GR	10/05/04: Approved staff rec. of GR-CO (9-0)	11/04/04: Approved GR-CO zoning (7-0); all 3 readings
C14-04-0043(Attal Site: Zimmerman Lane, east of R.R. 620)	DR to SF-6* (Amended to SF-2 by the applicant on April 20, 2004)	4/20/04: Approved staff's recommendation for SF-2 zoning by consent (7-0, B. Baker-absent)	5/27/04: Approved SF-2 (6-0); all 3 readings
C14-03-0102 Rudy's Bar-b-que: 7709 R.R. 620 North)	LR to GR	9/23/03: Approved staff's recommendation of GR-CO zoning, with conditions: Improve Zimmerman Lane through the first driveway on the site, at the time of site plan (9-0)	10/23/03: Granted GR-CO with a restrictive covenant requiring the widening of Zimmerman Lane according to specifications approved by the City of Austin, from the intersection of FM 620 North and Zimmerman Lane, through the first driveway cut on the property (6-0, Dunkerly-absent); all 3 readings
C14-02-0027	I-RR to MF-2	3/26/02: Approved staff rec. of MF-2 by consent (9-0)	5/09/02: Approved MF-2 (7-0); all 3 readings
C14-01-0045	I-GO to GO	5/15/01: Approved staff rec. of GO by consent (6-1, BB-No)	6/14/01: Approved GO (7-0); all 3 Readings
C14-00-2055	R&D to P	5/9/00: Approved staff rec. of 'P' by consent (8-0)	6/8/00: Approved PC rec. of 'P' on all 3 readings (7-0)
C14-99-2062	RR to LI	11/16/99: Approved RR (8-0); (Staff alternate rec. was CS-CO, Applicant's request was for LI)	1/13/00: Approved W/LO, w/ conditions as rec. by staff (6-0, KW-out of room); 1 st reading 2/3/00: Approved W/LO-CO; Limiting vehicle trips to 250 per day & 50 ft reservation of FM 620

			to be placed on plat or site plan (5-0); 2 nd reading 3/30/00: Approved 3 rd reading (6-0)
C14-99-0078	I-RR to GR	10/26/99: Approved 'GR' with 'LR' uses (8-1, RC-Nay); Quality restaurant allowed, prohibit Fast Food Restaurants, Pawn Shops, Automotive Uses, Exterminating Services, permit 'LO' uses, and add conditions as per Neighborhood/Applicant agreement.	12/2/99: Approved PC rec. of GR w/ conditions (6-0, WL-absent); 1 st reading 1/13/00: Approved; subject to limitation of 100,000 sq. ft. of retail and 65,000 sq. ft. of office (6-0, KW-out of room); 2 nd reading 3/2/00: Approved 3 rd reading (5-0)
C14-99-0011	GR to MF-2	3/9/99: Approved staff rec. of MF-2 by consent (6-0)	4/15/99: Approved PC rec. of MF-2 (7-0); all 3 readings
C14-98-0108	I-RR to CS	10/27/98: Approved W/LO for front 615 ft., LR-MU footprint for 1500 ft., remainder of site as CS (6-0)	12/3/98: Approved PC rec. of W/LO-CO, LR-MU-CO, and CS-CO w/conditions (6-0); 1 st reading 9/30/00: Approved W/LO-CO, LR-MU-CO, and CS-CO; 2 nd /3 rd rdgs.
C14-98-0050	LR, SF-6 to MF-2	5/26/98: Approved staff's alternate rec. of MF-2-CO (TR1), GO-CO (TR-2) by consent (8-0)	7/23/98: Approved MF-2 and GO (7-0); all 3 readings
C14-98-0002	I-SF-2, I-RR to MF-2	2/17/98: Approved MF-2 (7-0)	3/26/98: Approved PC rec. of MF-2 w/ conditions (6-0); all 3 readings
C814-95-0002.04 (Four Points Centre PUD Amend #4)	PUD to PUD	2/4/03: Approved staff rec. of PUD by consent (7-0)	3/6/03: Approved PUD (6-0, Dunkerley-absent); 1 st reading 4/24/03: Approved PUD (6-0-1, Garcia-absent)

RELATED CASES:

C14-98-0108 - Previous Zoning Case

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
FM 620 Road	~154'-190'	154' – Defer to TxDOT	85'	4	No	Yes	No

OTHER STAFF COMMENTS:

Comprehensive Planning

This zoning case is situated on the east side FM 620, on parcel that is approximately 17.18 acres in size that contains a warehouse, a vacant house and undeveloped land. The property is not located within the boundaries of a Neighborhood Planning Area but is located 0.32 miles north of the **Four Points Activity Centers for Redevelopment in Sensitive Environmental Areas**. Surrounding land uses include a large apartment complex to the north; to the south is convenience/boat/RV storage facility, vacant land, and retail uses; to the west is a Home Depot and two other small retail uses; and to the east is vacant land. The proposed use is a 340 unit of multi-family apartment complex.

Connectivity

There are no public sidewalks, crosswalks, or public transit stops located along this portion of FM 620. There is a wide paved berm along both sides of FM 620 and warning sides for cars to stay off this area, which could be used as a problematic bike lane. There are a variety of commercial uses nearby but the area is lacking schools, parks and other civic uses. The mobility options in the area are below average, while connectivity options are only fair, making it difficult to access any commercial uses in the area beyond using a car to access them.

Imagine Austin

The property is not located along an Activity Corridor or Center, although FM 620 acts as a major arterial corridor, with a variety of commercial and residential uses along this road.

The following Imagine Austin policy is applicable to this case:

- **LUT P3** Promote development in compact centers, communities or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
- **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 the lack of mobility options beyond the car to access nearby goods and services, and the lack of civic uses in the area, this project only partially supports the policies of the Imagine Austin Comprehensive Plan.

Environmental

The site is located over the Edwards Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, which is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Drinking Water Protection Zone.

Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

Development within a Water Quality Transition Zone is limited to 18%.

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.

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.

Fire

One AFD HMP approximately 600 feet west of parcel. PEAK identified 3 AWU odor control facilities > 1,000 feet from the two parcels.

Approved.

Parks and Recreation

Parkland dedication will be required for the new residential units proposed by this development, multifamily with MF-2 zoning, at the time of subdivision or site plan, per City Code § 25-1-601. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, 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. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

Site Plan

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 south property line, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A landscape area at least 25 feet wide is required along the property line. In addition, a fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

The site/A portion of the site is located within 1,000 feet of 620 and within a Hill Country Roadway Corridor. The site is located within the moderate intensity zone of the Hill Country Roadway. The site may be developed with the following maximum floor-to-area ratio (FAR):

- i. Slope Maximum FAR
- ii. 0-15% 0.25
- iii. 15-25% 0.10
- iv. 25-35% 0.05

Except for clearing necessary to provide utilities or site access, a 100 foot vegetative buffer will be required along FM 620. At least 40% of the site (excluding dedicated right-of-way) must be left in a natural state. The allowable height is as follows: Within 200 feet of FM 620 the maximum height is 28 feet, and beyond 200 feet the maximum height is 40 feet.

Prior to the issuance of a building permit for the proposed use, a site plan must be approved by the Planning Commission.

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, calls for 154 feet of right-of-way for FM 620 Road and is deferred to TxDOT.

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 trigger per LDC 25-6-113.

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.

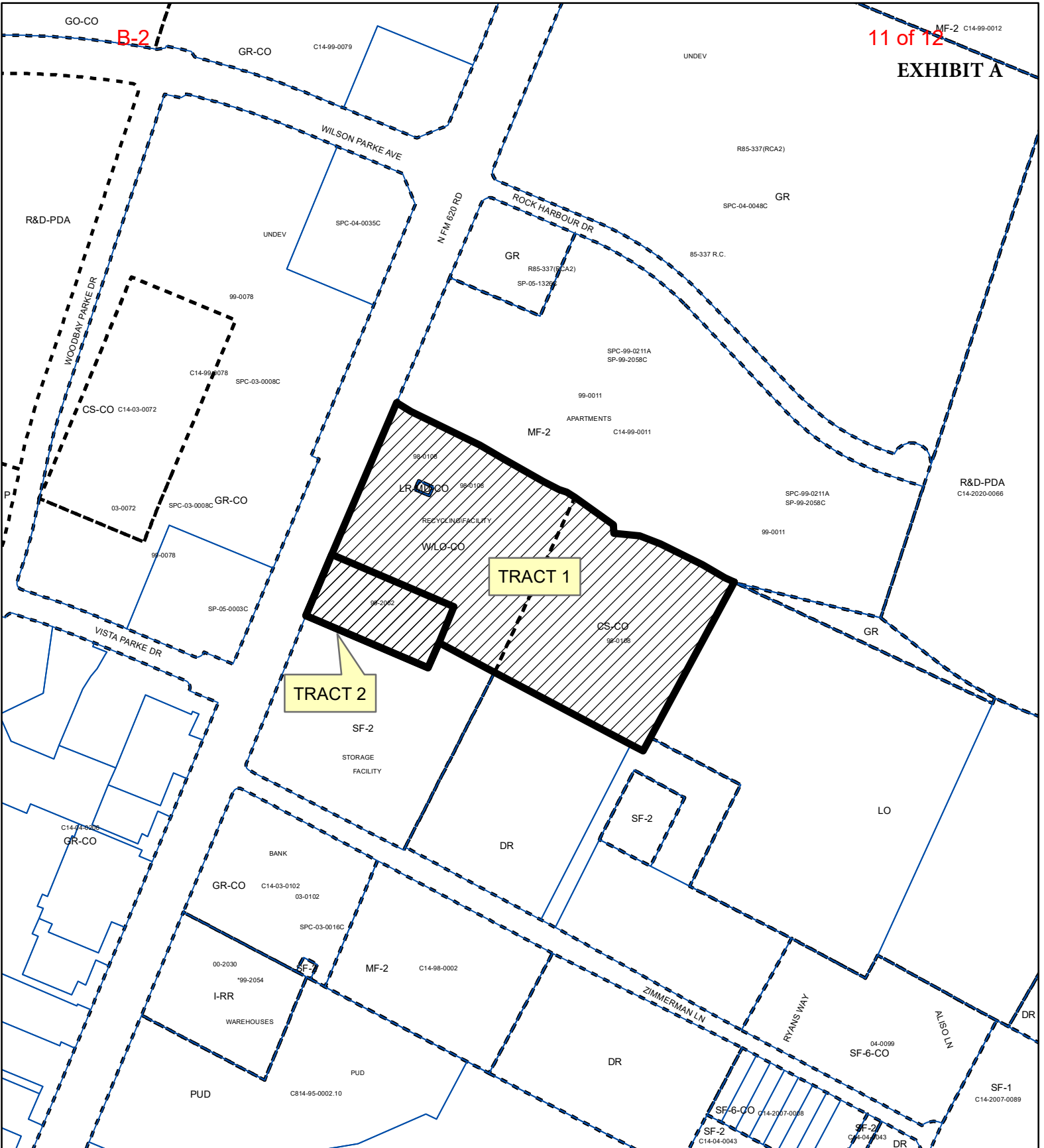
Depending on the development plans submitted, water and or wastewater service extension requests may be required.

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

B. Aerial Map



ZONING

ZONING CASE#: C14-2021-0126

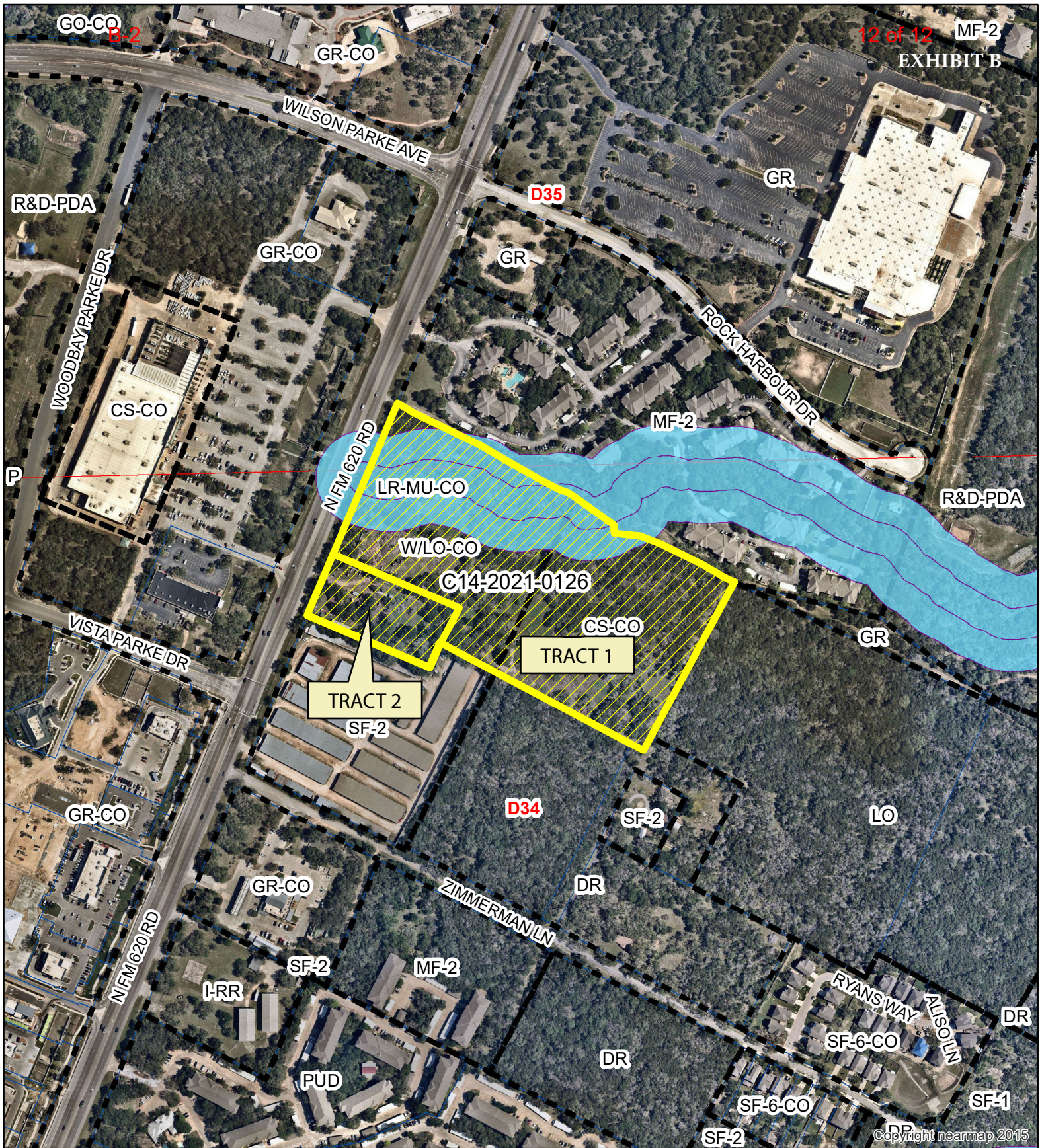


Created: 8/3/2021





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7911 and 8001 North FM 620 Road

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C14-2021-0126
 LOCATION: 7911 and 8001 North FM 620 Road
 SUBJECT AREA: 11.179 Acres
 GRID: D34
 MANAGER: Sherri Sirwaitis



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