

**ZONING AND PLATTING COMMISSION
SITE PLAN – COMPATIBILITY VARIANCES ONLY**

CASE NUMBER: SP-2020-0063C **PLANNING COMMISSION**
HEARING DATE: October 19, 2021

PROJECT NAME: Affinity at Tech Ridge

ADDRESS: 1601 Scottsdale Lane

APPLICANT: Attn: Ross Barkely (407) 385-0664
MMI Development
100 E. Pine Street, Suite 110
Orlando, Florida 32801

AGENT: **Attn: Shelly Mitchell** (512) 454-8711
Pape-Dawson Engineers
10801 N. MOPAC Expressway, Bldg 3, #200
Austin, Texas 78759

CASE MANAGER: Randall Rouda (512) 974-3338
Randall.Rouda@austintexas.gov

PROPOSED DEVELOPMENT:

The applicant is proposing to develop a vacant lot, zoned MF-3 (Multi-Family Residence – Medium Density) into a five multifamily residential buildings with 460 residential units. Gross Floor Area is 491,273 square feet with a total of 614 parking spaces (including 26 accessible spaces) as well as secure storage for 37 bicycles. The site will have two driveways onto Scottsdale Lane. One variance from compatibility setback requirements is being requested.

DESCRIPTION OF VARIANCE:

- 1) From 25 feet to five feet for the southerly and westerly setback adjacent to a parcel developed with a church. [LDC § 25-2-1063]

SUMMARY STAFF RECOMMENDATION:

The applicant proposes to place a variety of parking, circulation, drainage and water quality and opens recreational improvements within the 25 foot compatibility setback as shown on the attached exhibit. The encroaching improvements are all flush to the ground (excepting six inch curbs, wheel stops and similar facilities. All or a portion of the detention pond, driveway adjacent to building 3, dog park approximately 50 parking spaces and portion of the drive aisle adjacent to Building 5 are within the 25 foot setback.

The adjacent property is zoned MF-3 which would not typically require Article 10 Compatibility regulations, however, that parcel is developed with a church, which is a permitted use in the SF-5 and more restrictive zones. That church use triggers Article 10 Compatibility on the adjacent developing parcel. The main church building is approximately 150 feet south of the property line and is separated from the subject parcel by drive aisles and parking on the church site similar to those proposed to be placed on the multifamily residential site (see exhibit), The church has submitted a letter (attached) in support of the proposed project and the compatibility waiver being requested.

The proposed multi-family residential use is allowed in the MF-3 zone. The use and form is appropriate for a medium density residential site outside the urban core with adequate pedestrian connections to the surrounding neighborhood, and meeting parking, drainage, and open space requirements. This complies with Imagine Austin's goals of creating complete and varied communities with compact and connected development, and creating economically mixed and diverse neighborhoods with a range of housing options.

Based on these findings and proposed design of the project, staff recommends approval of the requested compatibility variance.

The site plan complies with all other compatibility standards.

PROJECT INFORMATION

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TOTAL SITE AREA	466,092 sq. ft.	10.79 acres	
EXISTING ZONING	MF-3		
PROPOSED ZONING	MF-3		
WATERSHED	Little Walnut Creek (Urban)		
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance		
TRAFFIC IMPACT ANALYSIS	In process		
CAPITOL VIEW CORRIDOR	None		
PROPOSED ACCESS	Scottsdale Lane Road		
	Allowed/Required	Existing	Proposed
FLOOR-AREA RATIO	0.75:1	N/A	0.63:1
BUILDING COVERAGE	55%	N/A	15.8%
IMPERVIOUS COVERAGE	65%	N/A	52%
PARKING		N/A	679

COMPATIBILITY

The subject site is bordered by Multi-Family Zoning (MF-3) zoning to the south and west, which is currently developed with a church, which is permitted in single-family residential zoning. The proposed parking and drive aisle improvements within the 25 foot setback are typical for urban projects and do not include any vertical construction components. The proposed improvements on the subject parcel are similar to adjacent parking and drive aisle improvements already existing on the adjacent church parcel, between the main church building and the subject site..

The site complies with all other compatibility standard requirements.

EXISTING ZONING AND LAND USES

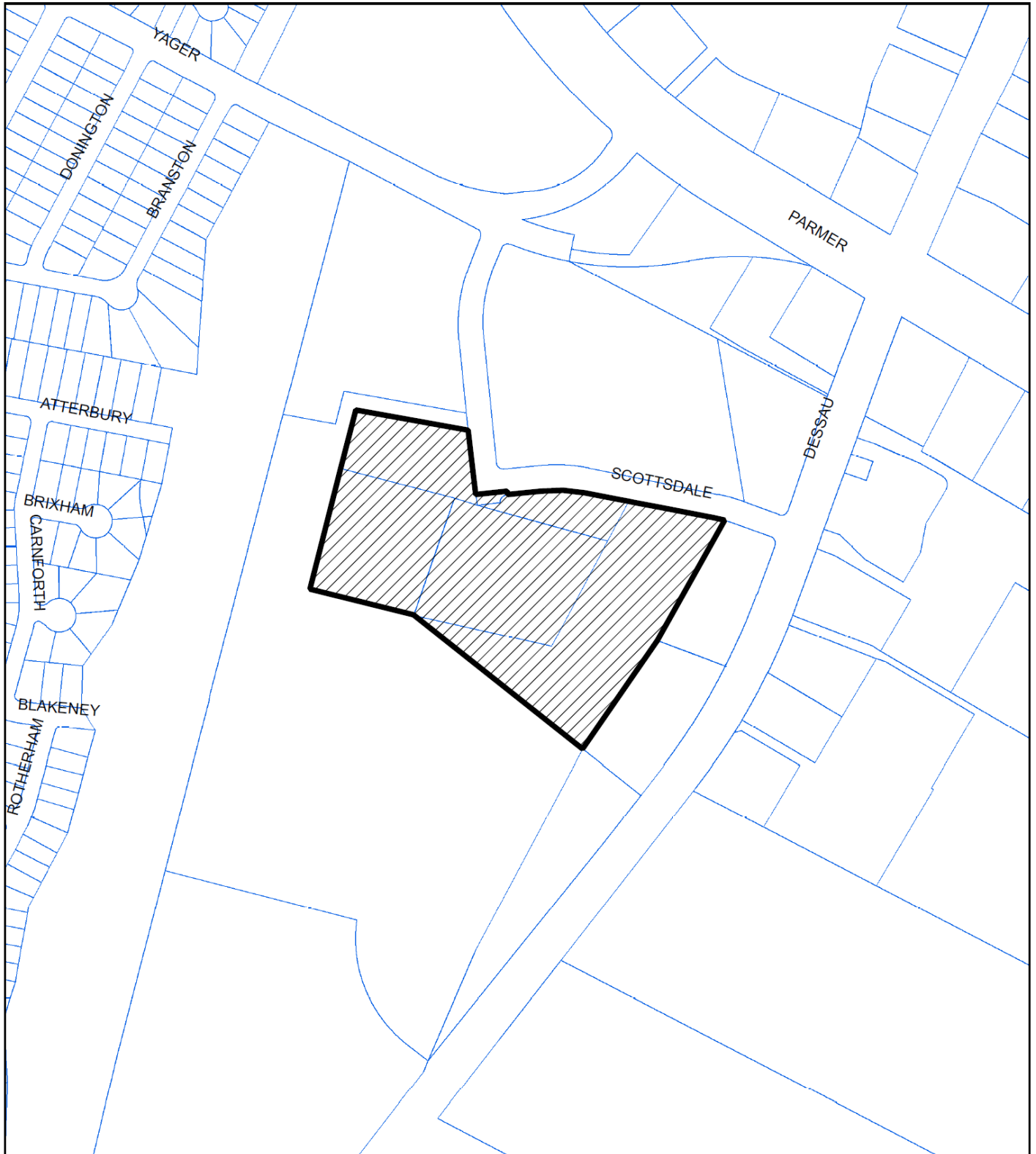
	ZONING	LAND USES
<i>Site</i>	MF-3	Vacant
<i>North</i>	LO-CO, GR	Scottsdale Lane, Church
<i>South</i>	MF-3-CO	Church
<i>East</i>	MF-3, GR-MU	Vacant, Dessau Road, Multifamily residential
<i>West</i>	MF-3-CO/P	Church, Vacant/Conservation

ABUTTING STREETS

Street	Right-of-Way Width	Pavement Width	Classification
Scottsdale Lane (Under Development)	70 feet	42 feet	Suburban

NEIGHBORHOOD ORGNIZATIONS:

Austin Lost and Found Pets
Austin Neighborhoods Council
Copperfield Neighborhood Organization
Friends of Austin Neighborhoods
Friends of Copperfield Nature Trails
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
North Growth Corridor Alliance
Pflugerville Independent School District
SelTexas
Sierra Club, Austin Regional Group
Tech Ridge Neighbors
Yager Community



Subject Tract



Base Map

CASE NO: SP-2020-0063c
ADDRESS: 1601 SCOTTDALE LANE

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 Planning and Development Review Department for the sole purpose of geographic reference.

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

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AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2360

September 14, 2021

Randall Rouda, Case Manager
City of Austin
Development Services Department
505 Barton Springs Rd.
Austin, Texas 78704

Re: Compatibility Setback Modification Request for SP-2020-0063C, Under Section 25-2-1081 of the Land Development Code

Dear Mr. Rouda:

Please accept this letter and the attached site plan on behalf of Haven at Tech Ridge, LLC (the "Owner") as a request under Section 25-2-1081 of the Land Development Code to reduce the required compatibility setback from 25 ft. to 5 ft. for the property under development in site plan SP-2020-0063C. We believe that this request is reasonable and appropriate, and it is supported by the affected neighboring property.

The Owner is developing a multi-family project as shown in the attached site plan, which would provide an estimated 460 new housing units for current and future Austin residents. However, an adjacent property (the High Pointe Baptist Church) triggers compatibility standards, which imposes a 25-ft. setback within which most construction is prohibited, including access drives and parking. Moving forward under this compatibility setback would meaningfully impact the project by constraining the buildable area and reducing the number of multi-family units provided.

As a result, we are requesting that the Land Use Commission exercise its authority under Section 25-2-1081 of the Land Development Code to reduce the setback provided in Section 25-2-1063(B) from 25 ft. to 5 ft. in order to allow the Owner to construct access drives and parking within that area. We are not requesting any modifications to height; the project will be built in full compliance with the compatibility standards for height and with the overall maximum height of 40 ft. under MF-3 zoning.

We believe that this request is both reasonable and appropriate. From a planning perspective, the triggering property (the High Pointe Baptist Church) is already designated for MF-3-CO zoning, a zoning category which would not normally trigger compatibility standards. The only reason that the High Pointe Baptist Church triggers compatibility standards today is due to its use as a church – and in this case, the High Pointe Baptist Church supports our requested setback modification (see attached letter of support).

Thank you for your consideration, and I look forward to answering your questions and providing further details.

Respectfully,



Michael J. Whellan

September 13, 2021

To Whom It May Concern:

As the Senior Associate Pastor for the High Pointe Baptist Church, I am writing in support of our neighbor's request to reduce their compatibility setback to our property from 25 ft. to 5 ft.

Our church is located at 12030 Dessau Rd., next door to the property in question, which is currently in development for apartments. Both of our properties are zoned for multi-family; however, because we are a church, our presence at this location triggers compatibility standards that require the apartment project next door to comply with more restrictive setbacks than would otherwise be allowed.

These more restrictive setbacks prohibit our neighbor from constructing access drives or parking within 25 ft. of our shared property line. This has a meaningful impact on the way they are developing their site – and would thus impact the number of future residents we could otherwise welcome into our community.

We want to serve and strengthen our community, and welcome more people to it. We do not want our presence to be used to impose a more restrictive standard limiting the number of people who could live next door to us.

Because of this, we support our neighbor's request, and ask you to support it as well. Thank you for your service to the community, and your consideration on this case.

Sincerely,



Davey Davis
Senior Associate Pastor, High Pointe Baptist Church





B-6

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**CHURCH
ENTRY**

**SUBJECT
PROPERTY**

**CHURCH
ACCESS DRIVE**

**CHURCH
PARKING**

**CHURCH
ACCESS DRIVE**

**CHURCH
ENTRY**

Amerbury Entrance,
Copperfield Nature Trails

High Pointe Baptist Church

Blakeney Entrance,
Copperfield Nature Trails

Copperfield Nature Trail

