

## ZONING CHANGE REVIEW SHEET

**CASE:** C14-2016-0068  
1308 E. Braker Lane Rezoning

**Z.A.P. DATE:** October 4, 2016

**ADDRESS:** 1308 E. Braker Lane

**AREA:** 0.919 acres

**DISTRICT AREA:** 1

**OWNER/APPLICANT:** Sinh Trong Le

**AGENT:** Thrower Design (Ron Thrower)

**ZONING FROM:** SF-2

**TO:** MF-4

**SUMMARY STAFF RECOMMENDATION:**

Staff does not support the Applicant's request for multifamily residence moderate-high density (MF-4) zoning. As an alternative, Staff supports rezoning to multifamily residence low density (MF-2) zoning.

**ZONING & PLATTING COMMISSION RECOMMENDATION:**

October 4, 2016: *TO GRANT MF-2 DISTRICT ZONING AS RECOMMENDED BY STAFF, ON CONSENT. (10-0) [G. Rojas- 1<sup>st</sup>, S. Lavani- 2<sup>nd</sup>; A. Denkler- Absent]*

**DEPARTMENT COMMENTS:**

The proposed rezoning tract is located northwest of the intersection of East Braker Lane and Dessau Road. The property is an L-shaped tract that has frontage on Braker, Dessau, and May Drive. It is currently undeveloped and zoned SF-2. Immediately southeast of the rezoning tract, at the northwest corner of Braker and Dessau, is a lot zoned LR-CO that is used for personal improvement services. To the east, across Dessau Road, is property that is included in the Pioneer Crossing PUD. This includes a large undeveloped lot as well as single family homes. Also across Dessau Road, southeast of the rezoning tract, are more single family residential properties zoned SF-1, SF-2, and SF-3. Across Braker Lane, south of the rezoning tract, is property zoned LO-CO-NP that is used for religious assembly. Immediately west of the rezoning tract is property zoned NO that is occupied by professional offices. Further west, across June Drive, is more professional office and NO zoning, as well as a residential neighborhood comprised primarily of SF-2 zoning. North of the rezoning tract, across May Drive, are single family residences and undeveloped lots zoned SF-2. *(Please see Exhibits A and B, Zoning Map and Aerial Map).*

Although MF-4 zoning is too intense for this location, Staff thinks MF-2 would allow reasonable infill development of the subject tract. The site is very close to a major intersection, but is also immediately adjacent to single family residential. The residential properties will trigger compatibility, alleviating some impacts, and the addition of multifamily development will add a new housing type to the area. The Northeast Walnut Creek Neighborhood Association supports Staff's alternate recommendation of MF-2 zoning for the tract. *(Please see Exhibit C, Correspondence).*

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-2	Undeveloped
<i>North</i>	SF-2	Single family residences, Undeveloped
<i>South</i>	LO-CO-NP	Religious assembly
<i>East</i>	PUD, SF-2, SF-2, SF-3	Personal improvement services, Undeveloped, Single family residences
<i>West</i>	NO, SF-2	Professional offices, Single family residences

**RELATED CASES:**

<b>CITY FILE # / NAME</b>	<b>ZONING FROM</b>	<b>ZONING TO</b>	<b>STAFF REC.</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2009-0003 Austin Chinese Church	SF-2, PUD, & SF-6	LO	LO-CO: 2,000 vehicle trip limit	To grant LO-CO as rec.	04/30/2009: Approved as rec. Ord. NO. 20090430-047
C14-2016-0038 ATCIC Braker	SF-6	LO-NP	Recommended	WITHDRAWN	

**AREA STUDY:** N/A**TIA / NTA:** N/A**DESIRED DEVELOPMENT ZONE:** No**WATERSHED:** Walnut Creek**EXISTING STREET CHARACTERISTICS:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bike Route</b>	<b>Capital Metro (within ¼ mile)</b>
Dessau Road	124 ft.	91 ft.	Arterial	Yes	Yes, Shared Lane	Yes
Braker Lane	86 ft.	61 ft.	Arterial	Yes	Yes, Shared Lane	Yes
May Road	62 ft.	43 ft.	Local	No	No	Yes

**NEIGHBORHOOD ORGANIZATIONS:**

Homeless Neighborhood Association  
 Harris Branch Master Association, Inc.  
 Northeast Walnut Creek Neighborhood Association  
 Heritage Hills/Windsor Hills Combined Neighborhood Contact Team  
 Austin Heritage Tree Foundation  
 North Growth Corridor Alliance  
 Austin Neighborhoods Council  
 Friends of Austin Neighborhoods  
 Yager Planning Area  
 SEL Texas  
 Sierra Club, Austin Regional Group  
 Austin ISD  
 Pioneer Crossing West Homeowners Association

**CITY COUNCIL DATE:**

November 10, 2016:

**ORDINANCE READINGS:** 1<sup>st</sup>      2<sup>nd</sup>      3<sup>rd</sup>**ORDINANCE NUMBER:**

**CASE MANAGER:** Heather Chaffin  
 e-mail: heather.chaffin@austintexas.gov

**PHONE:** 512-974-2122

**SUMMARY STAFF RECOMMENDATION:**

Staff does not support the Applicant's request for multifamily residence moderate-high density (MF-4) zoning. As an alternative, Staff supports rezoning to multifamily residence low density (MF-2) zoning.

Per the Land Development Code, multifamily residence moderate - high density (MF-4) district is the designation for "multifamily and group residential use with a maximum density of 36 to 54 units per acre, depending on unit size. An MF-4 district designation may be applied to high density housing in a centrally located area near supporting transportation and commercial facilities, in an area adjacent to the central business district or a major institutional or employment center, or in an area for which moderate to high density multifamily use is desired." The proposed rezoning tract is not centrally located, near the central business district, or a major employment center.

In contrast, multifamily residence low density (MF-2) district is the designation for "a multifamily use with a maximum density of up to 23 units per acre, depending on unit size. An MF-2 district designation may be applied to a use in a multifamily residential area located near single family neighborhoods or in an area for which low density multifamily use is desired."

**BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)**

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

As shown above in the Summary Staff Recommendation, the proposed rezoning does not meet the purpose statement of the MF-4 zoning designation. The property location is more consistent with the MF-2 zoning purpose statement

2. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

Austin City Council has expressed support for an increase in diversity of housing types, in part by the adoption of the Imagine Austin Comprehensive Plan.

**ADDITIONAL STAFF COMMENTS****Comprehensive Planning****Imagine Austin**

The Imagine Austin Growth Concept Map identifies this project as being located along an **Activity Corridor** (E. Braker Lane).

The following Imagine Austin policies are applicable to this case:

- **LUT P3.** Promote development in compact centers, communities, or **along corridors** that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P4.** Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, **corridors** and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities.
- **LUT P5.** Create healthy and family-friendly communities through development that includes a **mix of land uses and 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.

Based upon this property being situated along an **Activity Corridor**, which supports multi-family; and the Imagine Austin policies referenced above that supports a variety of uses along corridors, this project appears to be supported by Imagine Austin.

**Site Plan**

SP 1. At the time of site plan submittal, this site will be subject to compatibility requirements, as it is located within 540' of single family zoning. Please note that this will cause the site to be subject to height and setback limitations. [LDC Article 10,25-2-1051]

SP 2. Please refer to LDC section 25-2-563 to calculate the maximum number of multifamily units that could be built on this property, according to number of proposed bedrooms in each unit.

### **Transportation**

TR1. The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for Dessau Road. At the time of subdivision and/or site plan application, whichever comes first; dedicate 70 feet of right-of-way from the existing centerline of Dessau Road in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

TR2. The Austin Metropolitan Area Transportation Plan calls for a total of 140 feet of right-of-way for Braker Lane. At the time of subdivision and/or site plan application, whichever comes first; dedicate 70 feet of right-of-way from the existing centerline of Braker Lane in accordance with the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55).

TR3. A Neighborhood Traffic Analysis shall be required at the time of site plan if triggered per LDC 25-6-114. LDC, Sec. 25-6-114.

TR4. FYI – The current lot frontage along Braker Lane and Dessau Road is less than 200 feet for this site, therefore, direct access from Braker Lane and Dessau Road to this property is prohibited per LDC , 25-6-381. This will be reviewed at the time of subdivision and/or site plan applications.

TR5. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Dessau Road	124 ft.	91 ft.	Arterial	Yes	Yes, Shared Lane	Yes
Braker Lane	86 ft.	61 ft.	Arterial	Yes	Yes, Shared Lane	Yes
May Road	62 ft.	43 ft.	Local	No	No	Yes

TR6. FYI - If the requested zoning is granted, it is recommended to provide sidewalks along both sides of the private drives, streets, and internal circulation routes connecting to the public right-of-way to improve walkability and connectivity. The sidewalk dimensions shall comply with the Transportation Criteria Manual and shall be constructed in accordance with the latest ADA standards.

TR7. FYI - Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

TR8. FYI - According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for Braker Lane.  
According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a protected bike lane is recommended for Dessau Road.

### **Environmental**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Walnut 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.

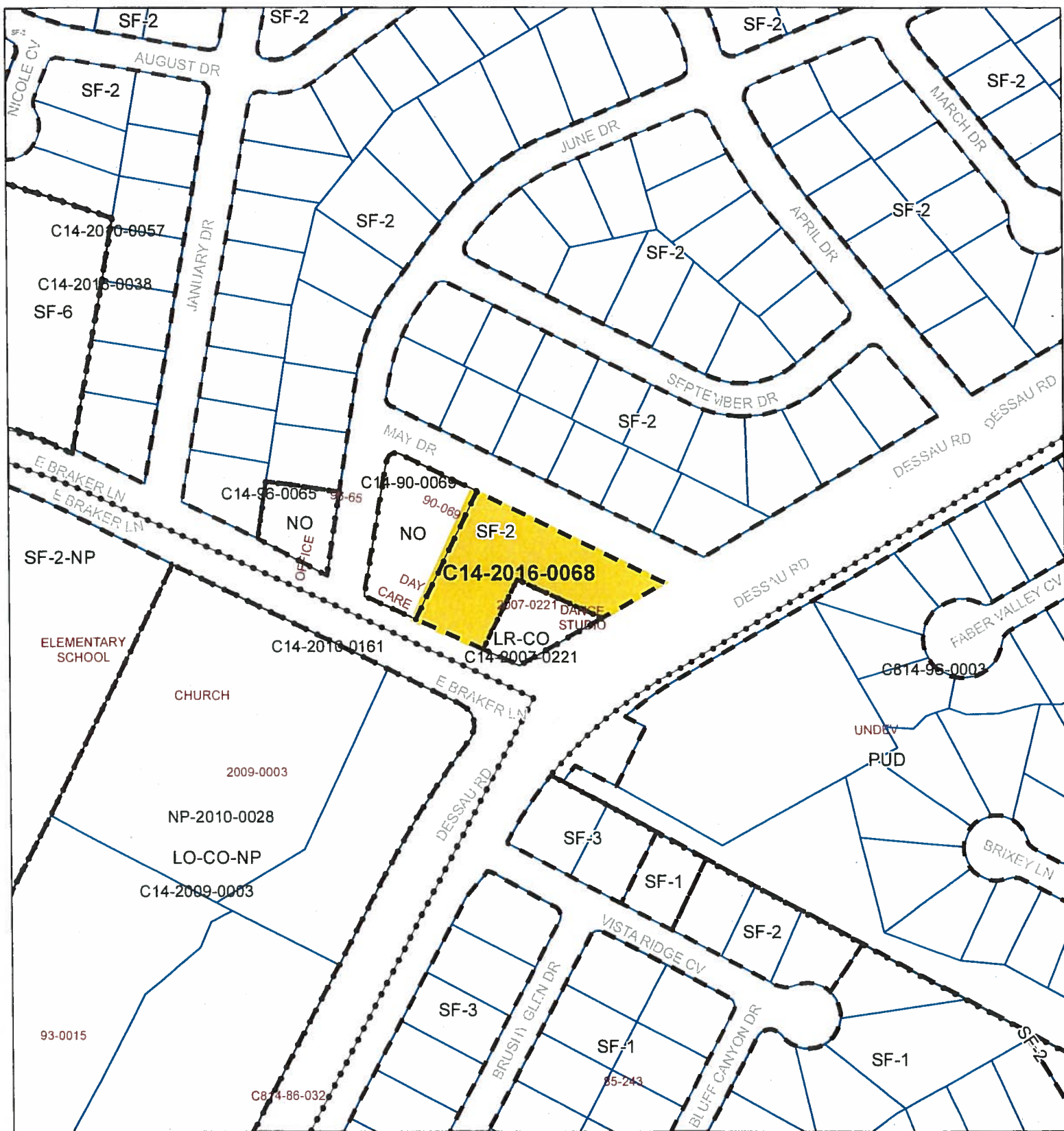
2. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<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%

3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. Numerous trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

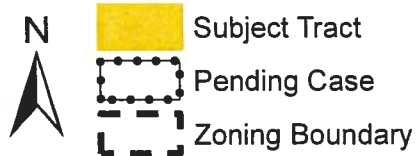
#### **Water and Wastewater**

FYI: The landowner intends to serve the site with City of Austin water utilities and an On-Site Sewage Facility approved by the City of Austin. 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 the Austin Water Utility 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 (if required by future connection requirements) utility tap permit.



## ZONING

Case#: C14-2016-0068



0 200 Feet

1" = 200'

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 Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 7/11/2016





DR  
SF-2  
WALNUT RIDGE DR  
SF-2  
NICOLE CV  
SF-2  
JANUARY DR  
AUGUST DR  
SF-2  
JUNE DR  
APRIL DR  
MARCH DR  
SF-2  
SEPTEMBER DR  
SF-2  
MAY DR  
DESSAU RD  
E BRAKER LN  
NO  
SF-2  
LR-CO-10  
DESSAU RD  
FABER VALLEY  
PUD  
BRIKEY LN  
VISTA RIDGE CV  
SF-3  
SF-1  
SF-2  
BRUSHY GLEN DR  
BLUFF CANYON DR  
HIDDEN BLUFF  
TERRA BLUFF  
WANDERING  
GO-NP  
CHURCH  
ELEMENTARY SCHOOL  
SF-2-NP  
LO-CO-NP  
SF-3  
SF-1  
SF-2  
SF-1  
SF-2



## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:  
[www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

**Case Number:** C14-2016-0068

**Contact:** Heather Chaffin, 512-974-2122

**Public Hearing:** October 4, 2016, Zoning and Platting Commission

November 10, 2016, City Council

Maria Susie Vasquez  
 Your Name (please print)

☐ I am in favor  
☒ I object

1302 May Dr Austin TX 78753  
 Your address(es) affected by this application

Susie C Vasquez 9/30/2016  
 Signature Date

Daytime Telephone: 512 837-9669

Comments: Strongly oppose!!

If you use this form to comment, it may be returned to:

City of Austin  
 Planning & Zoning Department  
 Heather Chaffin  
 P. O. Box 1088  
 Austin, TX 78767-8810



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Case Number: C14-2016-0068

Contact: Heather Chaffin, 512-974-2122

Public Hearing: October 4, 2016, Zoning and Platting Commission  
November 10, 2016, City Council

David L. Vasquez  
Your Name (please print)

1302 May Dr Austin TX 78753  
Your address(es) affected by this application

☐ I am in favor  
☒ I object

9/30/2016  
Date

[Signature]  
Signature

Daytime Telephone: 512-491-9464

Comments:

Strongly oppose!!

If you use this form to comment, it may be returned to:

City of Austin  
Planning & Zoning Department  
Heather Chaffin  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: C14-2016-0068

Contact: Heather Chaffin, 512-974-2122

Public Hearing: October 4, 2016, Zoning and Planning Commission  
November 10, 2016, City Council

Your Name (please print)

Antonio & Rose Quintero

Your address(es) affected by this application

1304 May Dr.

9/30/16

Date

Signature

Daytime Telephone: 512-417-1629

Comments:

We are older couple that  
We are very concern if they  
# build Apts Across my house, due to  
the fact that our taxes (property)  
will increase alot, later on if build  
Apts we wont be able to effort our  
taxes, & lose house. And then the  
traffic jam is going to be a mess -  
blocking the driveway etc....

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810