

ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0064 6007 IH 35 Residences

DISTRICT: 1

ZONING FROM: CS-MU-NP

TO: CS-MU-V-NP

ADDRESS: 6007 IH 35 Service Road Northbound

SITE AREA: 2.496 Acres

PROPERTY OWNERS/APPLICANT:

Binary Hospitality, LLC
(Vijay Patel)

AGENT:

Alice Glasco Consulting
(Alice Glasco)

CASE MANAGER: Heather Chaffin (512-974-2122, heather.chaffin@austintexas.gov)

STAFF RECOMMENDATION:

Staff supports the Applicant's request of CS-MU-V-NP. *For a summary of the basis of staff's recommendation, see case manager comments on page 3.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

July 28, 2020: To grant CS-MU-V-NP as recommended, on consent.

CITY COUNCIL ACTION:

August 27, 2020:

ORDINANCE NUMBER:

ISSUES:

No issues at this time.

CASE MANAGER COMMENTS:

The subject property is located at the southeast corner of IH 35 and US 290. The rezoning tract is located on a vacant parcel adjacent to a small shopping center. The shopping center includes a mix of retail and restaurant uses; the whole property, including the rezoning tract, is zoned CS-MU-NP. To the east of the property is a multifamily complex zoned MF-4-NP. Across Clayton Lane to the south is property zoned CS-1-MU-NP that is developed with a hotel that contains a cocktail lounge. In the surrounding area southeast of IH 35 and US 290, other nearby zoning categories include CS-MU-NP and GR-MU-CO-NP. The properties on the frontage roads are used for a mix of commercial and religious assembly uses; the properties further from the highways are developed with multifamily land use. ***Please see Exhibits A and B—Zoning Map and Aerial Exhibit.***

The Applicant is requesting the rezoning to allow development of 269 multifamily units with 27 of those units to be certified affordable units. As a VMU project, the Applicant is also proposing approximately 3,000 square feet of ground floor commercial space. Staff supports the request to add the V- designation because vertical mixed use (VMU) allows greater residential density while requiring affordable units. Historically, VMU has been located on core transit corridors; neither IH 35 nor US 290 are designated as such, but transit is available immediately adjacent to the rezoning tract on Clayton Lane. A mixed use development at this site will provide a transition from the commercial uses along IH 35 and US 290 and the multifamily properties to the east and southeast.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the goals and objectives of the City Council.*
2. *Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.*

The rezoning change will allow the development of a mixed use building that provides market-rate and affordable housing, reflecting the goals of the Austin Housing Blueprint.

3. *Intensive multi-family zoning should be located on major arterials and highways.*

Adding the V- designation will allow the property to be developed with more intensive multifamily that would be permitted in the current CS-MU-NP zoning. This intensity is appropriate adjacent to IH 35 and US 290.

4. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.*

A mixed use development at this site will provide a transition from the commercial uses along IH 35 and US 290 and the multifamily properties to the east and southeast.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-NP	Undeveloped
<i>North</i>	CS-MU-NP, US 290	General retail-limited, Restaurant-limited, US highway
<i>South</i>	CS-1-MU-NP, GR-MU-CO-NP	Hotel/motel, Cocktail lounge, Multifamily residential
<i>East</i>	MF-4-NP, CS-MU-NP, SF-3-NP	Multifamily residential, Restaurant-limited, Religious assembly
<i>West</i>	IH 35	Interstate highway

NEIGHBORHOOD PLANNING AREA: University Hills/Windsor Park Neighborhood Planning Area (Windsor Hills)

SCHOOLS:

Harris Elementary School

Webb Middle School

NE Early College, Sadler Means/Garcia High School

TIA: Deferred to time of site plan

WATERSHED: Tannehill Branch

NEIGHBORHOOD ORGANIZATIONS:

Go Austin/Vamos Austin- North

Homeless Neighborhood Association

Central Austin Community Development Corporation

Windsor Park Neighborhood Plan Contact Team

Friends of Austin Neighborhoods

Neighborhood Empowerment Foundation

Responsible Growth for Windsor Park

North Austin Neighborhood Alliance

Anberly Neighborhood Association

North Loop Neighborhood Plan Contact Team

Windsor Park Neighborhood Association

Ridgetop Neighborhood Association

St John Neighborhood Contact Team

Sierra Club

AISD

Bike Austin

Austin Neighborhood Council

Del Valle Community Coalition

Preservation Austin

Austin Lost and Found Pets

Neighbors United for Progress

AREA CASE HISTORIES:

There are no recent zoning cases in the area.

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Clayton Ave.	~59'	70'	42'	2	No	No	
IH-35 SVRD NB	~368'	Defer to TxDOT	39'	4	Yes	Yes	

OTHER STAFF COMMENTS:COMPREHENSIVE PLANNING:

Connectivity- There are public sidewalks located on both sides of Clayton Lane except against this property. There is a public sidewalk along the IH-35 service road but curb cuts and heavy auto traffic and congestion makes walking along the IH-35 service road difficult. A CapMetro bus stop is located approximately 500 feet from the property. The mobility and connectivity options in this area are fair.

University Hills/Windsor Park Neighborhood Plan (UHWHCNP)- The UHWPNP Plan Future Land Use Map designates this area as Mixed Use; CS-MU-V is permitted under this land use category. The following text, policies and design guidelines are excerpted from the UHWHNP and are applicable to this case:

UHWPNP Goals:

- ☐ Attract needed vendors and service providers into the planning area through support for local businesses and revitalization/redevelopment of neighborhood shopping areas.
- ☐ Improve the aesthetic look of the planning area with the use of landscaping, reduction of billboards, and quality design of business structures and surroundings.
- ☐ Encourage a diversity of housing options at various levels of affordability dispersed throughout the neighborhood.

In general, stakeholders were supportive of mixed use development along these corridors and also at the location of shopping centers in the neighborhood. Allowing for residential uses on the sites of the major shopping centers was a means to demonstrate support for improving and revitalizing these centers, which was also a major theme in land use planning discussions. Stakeholders also supported maintaining multi-family zoning of sites in multi-family use (i.e., sites with existing apartment buildings) to preserve affordable housing in the neighborhood. Finally, stakeholders supported allowing for additional higher-density residential housing on the few vacant lots in the planning area that were larger than the planning area's standard lot size (between approximately 7,000 and 10,000 square feet).

Objective: Capital Plaza should continue to serve as a buffer between IH-35 and the Windsor Park neighborhood, but it should be a more pedestrian-oriented development with a residential component that does not "turn its back" to the Windsor Park neighborhood
Objective: Allow for additional residential development on the parcels between IH-35 & Cameron Road.

Recommendation: Adopt the Mixed Use Combining District on these parcels to permit residential development.

Goal: Encourage a diversity of housing options at various levels of affordability dispersed throughout the neighborhood.

Objective: Preserve existing affordable housing and provide affordable rental housing opportunities through the redevelopment of existing multifamily structures within the UHWP planning area.

Recommendation: The University Hills and Windsor Park Contact Teams should consider supporting the adoption of redevelopment tools that encourage provisions for affordable housing in the planning area.

Objective: Support increased opportunities for affordable housing in the planning area.

Text: In addition to the recommendation above, a new City-wide Design and Mixed Use ordinance will help encourage the construction of affordable units within the planning area. This ordinance, adopted on August 31, 2006, applies a Vertical Mixed Use (VMU) zoning overlay to many office and commercially zoned properties along major roadways, including the major corridors within the UHWP planning area. VMU buildings could potentially increase the number of affordable units in the planning area because a minimum percentage of affordable units is required in a new VMU development.

The UHWPNP policies and text appears to support VMU as well as well-designed and maintained affordable housing. Based on the above, this true mixed use project appears to support the UHWPNP.

Imagine Austin- This project is located within the Highland Mall Station Regional Center, as identified on the Imagine Austin Growth Concept Map. A Regional Center is the most urban of the three activity centers outlined in the growth concept map. These centers are and will be the retail, cultural, recreational, and entertainment destinations for Central Texas, and are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Regional, town, and neighborhood centers are supposed to be walkable, bikeable, and supported by transit.

☐ 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.

☐ HN P5. Promote a diversity of land uses throughout Austin to allow a variety of housing types including rental and ownership opportunities for singles, families with and without children, seniors, persons with disabilities, and multigenerational families.

☐ 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 Imagine Austin and UHWHNP policies referenced above, the request supports the Imagine Austin Comprehensive Plan.

ENVIRONMENTAL

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Tannehill Branch Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code.

2. Zoning district impervious cover limits apply in the Urban Watershed classification.

3. According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.

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. 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.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

SITE PLAN

SP 1. Site plans will be required for any new development other than single-family or duplex residential.

SP 2. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP 3. FYI: Additional design regulations will be enforced at the time a site plan is submitted.

TRANSPORTATION

TR 1. The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, requires 70 feet of right-of-way for Clayton Lane. It is recommended that 35 feet of right-of-way from the existing centerline should be dedicated for Clayton Lane at the time of subdivision or site plan. A traffic impact analysis should be deferred to the site plan application when land uses and intensities will be finalized.

Existing Street Conditions:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Clayton Ave.	~59'	70'	42'	2	No	No	
IH-35 SVRD NB	~368'	Defer to TxDOT	39'	4	Yes	Yes	

WATER UTILITY

1. 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. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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 Exhibit

From: Rodney Ahart
Sent: Monday, July 27, 2020 12:36 PM
To: Chaffin, Heather <Heather.Chaffin@austintexas.gov>
Cc: Alice Glasco; Alex Clarke; Jaime X. Guerra; Scooter Cheatham
Subject: Case Number: C14-2020-0064

*** External Email - Exercise Caution ***

Dear Ms. Chaffin,

The Windsor Park Neighborhood Plan Contact Team (WPNPCT) met Monday, July 20, 2020, to review and discuss its recommendation on Case Number: C14-2020-0064. The proposed project is located at 6007 N IH 35 SVRD NB (former Texas Land & Cattle Restaurant) within the boundaries of the Windsor Park Neighborhood Planning Area.

The WPNPCT unanimously supports the zoning request of CS-MU-V-NP to allow approximately 269 multi-family units and approximately 3,000 square feet of general retail with the provision that 10% of the units are affordable at 60% MFI in accordance with the Windsor Park VMU ordinance.

If you have any questions, please do not hesitate to contact me.

Thank you,
Rodney E. Ahart
Windsor Park Neighborhood Plan Contact Team, Chair

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