

## ZONING CHANGE REVIEW SHEET

CASE: C14-2020-0101 – 7800 Burleson

DISTRICT: 2

ZONING FROM: GR-MU-NP; LI-CO-NP

TO: GR-MU-NP

ADDRESS: 7800 Burleson Road

SITE AREA: 15.132 acres

PROPERTY OWNER: 7800 Burleson QOZB, LLC  
(Thomas Bercy)

AGENT: Armbrust & Brown, PLLC  
(Michael J. Whellan)

CASE MANAGER: Wendy Rhoades (512-974-7719, [wendy.rhoades@austintexas.gov](mailto:wendy.rhoades@austintexas.gov))

### STAFF RECOMMENDATION:

The Staff recommendation is to deny the Applicant's request for additional community commercial – mixed use – neighborhood plan (GR-MU-NP) combining district zoning. ***For a summary of the basis of Staff's recommendation, see pages 2 - 3.***

### PLANNING COMMISSION ACTION / RECOMMENDATION:

**December 8, 2020: *APPROVED GR-MU-NP DISTRICT ZONING, AS THE APPLICANT REQUESTED***

***[C. LLANES PULIDO; A. AZHAR – 2<sup>ND</sup>] (10-0) Y. FLORES, P. SEEGER – ABSENT; ONE VACANCY ON THE COMMISSION***

### CITY COUNCIL ACTION:

**January 27, 2021:**

### ORDINANCE NUMBER:

### ISSUES:

PAZ Staff hosted a virtual meeting with the Applicant and the Southeast Combined Neighborhood Plan Contact Team on Monday, October 19<sup>th</sup>. The Contact Team has provided a letter of support for the proposed rezoning and related NPA cases. ***Please refer to the attached correspondence.***

### CASE MANAGER COMMENTS:

The subject lot contains one residence and is located on Burleson Road between McKinney Falls Parkway to the west and Norwood Lane to the east. The property has had limited industrial services – conditional overlay – neighborhood plan (LI-CO-NP) and community commercial – mixed use – neighborhood plan (GR-MU-NP) district zonings since Council approved the Southeast Combined Neighborhood Plan Rezoning in October 2002 and June

2003 (C14-02-0128 and C14-03-0039). A segment of Onion Creek flows through the north portion of the property and the Conditional Overlay establishes a 50-foot wide setback on either side of an open waterway. The northeast corner of the property (triangular in shape) is also within Airport Overlay Zone 3 (AO-3) which generally coincides with a segment of Onion Creek and its floodplain.

Across Onion Creek to the north there is a limited warehousing and distribution business (LI-CO-NP), to the east is an art gallery / workshop, automotive restoration / repair business and office / warehouse (RR-CO-NP; LI-CO-NP; IP-CO-NP), to the south are two large office / warehouses (LI-CO-NP), and a few single family residences, undeveloped acreage and the Del Valle ISD bus maintenance facility to the south (County), and to the west is one single family residence, undeveloped acreage, automotive / truck washing equipment sales, and a beverage distributor (GR-MU-CO-NP; LI-CO-NP). ***Please refer to Exhibits A (Zoning Map), A-1 (Aerial View) and B (Recorded Plat).***

The Applicant proposes to rezone the property to the community commercial – mixed use – neighborhood plan (GR-MU-NP) and construct up to 258 apartment units above 7,500 square feet of ground floor commercial uses. Under the GR-MU-NP district, the maximum height is 60 feet. The Applicant also owns a one acre, square-shaped platted lot located at 7810 Burleson Road that is located between the two proposed rezoning areas directly fronting Burleson Road. The lot at 7810 Burleson Road has GR-MU-NP zoning would be included in the Applicant's proposed development and is not part of this rezoning request. Onion Creek and its floodplain traverses the northern portion of the site and limits the amount of buildable area to the Burleson Road frontage. ***Please refer to the attached correspondence.***

#### **BASIS FOR RECOMMENDATION**

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

***Applicant's request:*** The proposed community commercial (GR) district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major trafficways. The mixed use (MU) district is intended to allow for office, retail, commercial and residential uses to be combined in a single development. The neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

***Staff recommendation:*** The limited industrial services (LI) district is for a commercial service use or limited manufacturing use generally located on a medium or large sized site. The Conditional Overlay (CO) combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties. The neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

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

After careful consideration and deliberation, Staff is unable to recommend the Applicant's request for additional GR-MU-NP zoning and recommends maintaining LI-CO-NP and GR-MU-NP zonings, for the following reasons:

- Rezoning would continue the trend of reducing the amount of industrial acreage in the City on a site located in close proximity to US Highway 183 and Austin Bergstrom International Airport (ABIA)
- Adding residential uses to the area could result in the loss of more industrial uses
- The property is located in an Imagine Austin Jobs Center (McKinney Center) and industrial areas generally do not support residential uses
- The Southeast Neighborhood Plan supports maintaining the industrial uses, and encouraging new industrial and commercial uses
- The land remains viable for commercial and industrial uses as shown by the land use pattern and nearby zoning case histories along Burleson Road and McKinney Falls Parkway
- The northeast corner of the property is within Airport Overlay Zone – 3 which does not allow for new residential development to occur

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-MU-NP; LI-CO-NP	One single family residence and outbuildings; Undeveloped
<i>North</i>	LI-CO-NP	FedEx facility
<i>South</i>	County; LI-CO-NP	Del Valle ISD bus maintenance facility; A few single family residences; Two office / warehouse buildings
<i>East</i>	LI-CO-NP; RR-CO-NP	Art workshop/gallery; Auto restoration / repair; Office / warehouse
<i>West</i>	IP-CO-NP; GR-MU-NP	One single family residence; Undeveloped; Auto / truck washing equipment sales; Beverage distributor

NEIGHBORHOOD PLAN AREA: Southeast Combined (Southeast)

TIA: Deferred to the site plan application when land uses and intensities will be finalized

WATERSHED: Onion Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

The subject property is located within the Del Valle Independent School District.

COMMUNITY REGISTRY LIST:

511 – Austin Neighborhoods Council      627 – Onion Creek Homeowners Association  
774 – Del Valle Independent School District      1195 – Imperial Neighborhood Association  
1228 – Sierra Club, Austin Regional Group      1258 – Del Valle Community Coalition  
1316 – Southeast Combined Neighborhood Plan Contact Team  
1363 – SEL Texas      1408 – Go Austin Vamos Austin 78744  
1441 – Dove Springs Proud      1528 – Bike Austin  
1530 – Friends of Austin Neighborhoods      1550 – Homeless Neighborhood Association  
1616 – Neighborhood Empowerment Foundation      1774 – Austin Lost and Found Pets

### AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2007-0152 – Felter Investments – 7910 Burleson Rd	RR-CO-NP; IP-NP; IP-CO-NP to RR-CO-NP for Tract 1 and LI-CO-NP for Tract 2	To Grant RR-CO-NP for Tract 1 and LI-CO-NP for Tract 2 w/the CO for a 50’ open waterway setback and 2,000 daily vehicle trips	Apvd RR-CO-NP and LI-CO-NP as Commission recommended (12-13-2007).
C14-01-0008 – McKinney Falls Zoning – 3919-4007 McKinney Falls Pkwy	IP-CO to P	To Grant P-CO w/CO for 2,000 daily vehicle trips	Apvd P-CO as Commission recommended (4-19-2001).
C14-94-0058 – NE corner of McKinney Falls Industrial Park – McKinney Falls Pkwy and Burleson Rd (adjacent 39 acres to the west)	DR to IP	To Grant LI-CO for Tract 1 and IP-CO for Tract 2	Apvd IP-CO w/CO for 2,000 daily trip limit (10-20-1994).
C14-94-0024 – Araclean Services, Inc.-Bldg II Rezoning – 7910 Burleson Rd	IP to LI	To Grant LI-CO, subject to an Integrated Pest Management Program	Apvd LI-CO w/the CO prohibiting restaurants and food sales, and limiting the F.A.R. of financial services to 0.287 to 1 (3-24-1994).

C14-86-141 – James W. Akins, Et Ux – 8008 Burleson Rd	DR to W/LO and IP	To Grant W/LO and IP with conditions	Apvd W/LO and IP w/ Restrictive Covenant requiring a contact person during construction; no access through Bluebonnet Gardens to Norwood Ln as long as the west side of Norwood remains residentially zoned; 25' strip of DR to remain on east side of tract; any land determined to be in the 100-year floodplain will be zoned RR if Waterway Development Permit precludes alteration or fill which would remove land from the floodplain (5-14-1987).
C14-86-069 – Commercial Square General Partnership – 7914 Burleson Rd	DR to IP	To Grant IP and RR w/Restrictive Covenant establishing a max of 119,000 bldg sf	Apvd IP and RR w/RC as Commission recommended (9-04-1986).

#### RELATED CASES:

This property was annexed into the Full-Purpose Jurisdiction on December 31, 1985 (C7a-85-023).

The subject property is located within the boundaries of the Southeast Combined (Southeast) Neighborhood Planning Area and the –NP combining district was rezoned from DR to LI-NP at that time (C14-02-0128.01 – Ordinance No. 021010-12c). There is a corresponding neighborhood plan amendment case to change the land use designation on the Future Land Use Map (FLUM) from Industry to Multifamily (NPA-2020-0014.02).

On June 12, 2003, Council approved LI-CO-NP zoning for the property with the -CO establishing a setback that prohibits development for 50 feet on either side of an open waterway, with certain exceptions (C14-03-0039 – Southeast Combined Creek Setback - Northeast of Burleson Road). Note: This was a City-initiated rezoning case encompassing the subject property plus adjacent acreage, for a total of 232.58 acres. The case followed Council direction received during the Southeast Combined Neighborhood Plan process to

apply the 50-foot setback to properties with an upstream drainage area between 64 and 320 acres that existed on October 10, 2002.

The rezoning area is platted as Lot 3 of the Amended Plat of Lots 1, 2, 3 and Tract A, Alvin Benner Subdivision recorded on March 6, 2008 (C8-2007-0228.0A). ***Please refer to Exhibit B.***

There are no site plan applications on the property.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Burleson Road	93 feet	63 feet	ASMP Level 3	No	Bike Lane	Yes

ADDITIONAL STAFF COMMENTS:

Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Impervious Cover

Within the Onion Creek watershed, the maximum impervious cover allowed by the *GR-MU-NP and LI-CO-NP zoning districts* is 80%, which is based on the more restrictive watershed regulations.

Environmental

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

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%

According to floodplain maps there may be a floodplain within or adjacent to the project location. Nevertheless, a tremendous amount of the site is encumbered by a critical water quality zone, which has limited development opportunities, as described in LDC 25-8-261.

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.

#### PARD – Planning & Design Review

Parkland dedication will be required at the time of subdivision or site plan application for new residential units, per City Code § 25-1-601, as amended. The proposed development meets the criteria for land dedication in City Code Title 25, Article 14.

The Parks and Recreation Department (PARD) would consider a greenbelt connection along the Onion Creek tributary toward satisfying the requirement at time of permitting (whether subdivision or site plan). Such a connection may be potentially satisfied by easement. Preserving this creek area as a greenbelt would further leverage an environmentally sensitive area as an open space opportunity – a recommendation for Austin’s southeast region as part of PARD’s *Long Range Plan*.

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).

Should the applicant wish 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). At the applicant’s request, PARD can provide an early determination letter of the requirements as stated in this review.

### Site Plan

Any new development is subject to Subchapter E: *Design Standards and Mixed Use*. Because the site is over 5 acres, compliance with the Internal Circulation Route provisions will apply and will dictate vehicle and pedestrian movement within the site. Burleson Road is classified as a Suburban Roadway, which will also dictate building placement and sidewalk requirements. There are also open space requirements based on the site's size and use. Additional comments will be made when the site plan is submitted.

### **Compatibility Standards**

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards. Along the southeast property line, there are two properties zoned GR-MU-NP that contain one single family residence each, and 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 property zoned SF-5 or more restrictive.
- 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.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

### **Airport Overlay**

FYI – This site is located within the Austin-Bergstrom Airport Controlled Compatible Land Use Area Overlay defined by Chapter 241 of the local Government Code. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Sections 25-13-23, are prohibited.

No use will be allowed that can create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. For the site plan, Airport Hazard Zoning Committee review may be required prior to Planning Commission hearing. Additional comments may be generated during the site plan review process.



This property is within the Airport Overlay Zone AO-3. Development on this property is limited by Chapter 25-13 of the Austin City Code. Airport hazards as defined in Federal Aviation Regulations Part 77, as adopted by the City in Section 25-13-23, are prohibited. Noise level reduction measures may be required for certain new structures.

#### Transportation

The Austin Strategic Mobility Plan (ASMP) adopted April 11, 2019, calls for 116 feet of right-of-way for Burleson Road. It is recommended that 58 feet of right-of-way from the existing centerline should be dedicated for Burleson Road according to the Transportation Plan with the first subdivision or site plan application [LDC 25-6-51 and 25-6-55].

A Traffic Impact Analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

#### Water / Wastewater

The landowner intends to serve the site with City of Austin water, reclaimed, and wastewater utilities. The landowner, at own expense, will be responsible for providing any water, reclaimed, and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water, reclaimed, 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, reclaimed, 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, reclaimed, and wastewater utility tap permit.

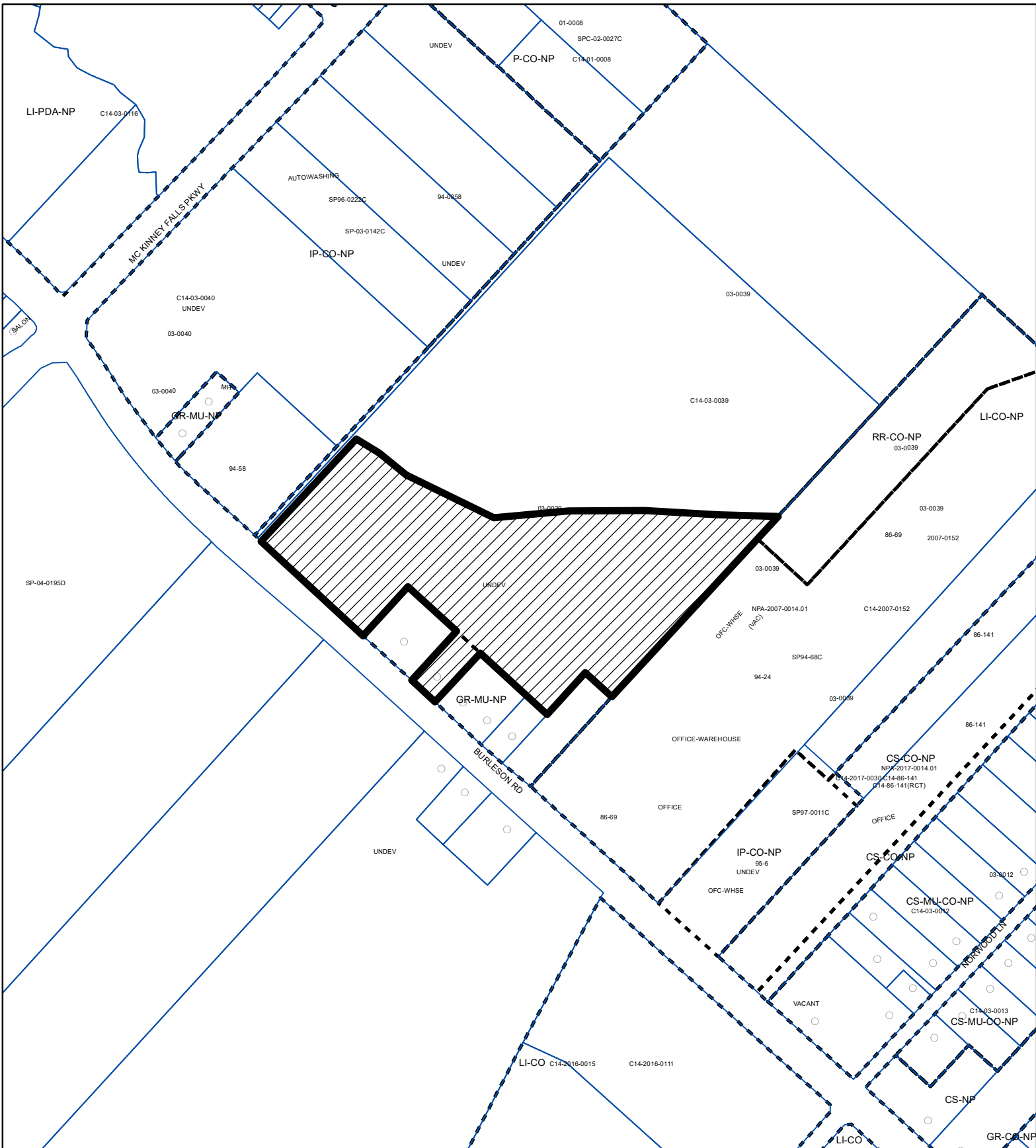
#### INDEX OF EXHIBITS AND CORRESPONDENCE TO FOLLOW


Exhibit A: Zoning Map  
Exhibit A-1: Aerial Map


Exhibit B: Recorded Plat


Applicant's Cover Letter

Correspondence from the Southeast Combined Neighborhood Plan Contact Team



 SUBJECT TRACT

 PENDING CASE

 ZONING BOUNDARY

$$1'' = 400'$$

## ZONING

## Exhibit A

ZONING CASE#: C14-2020-0101

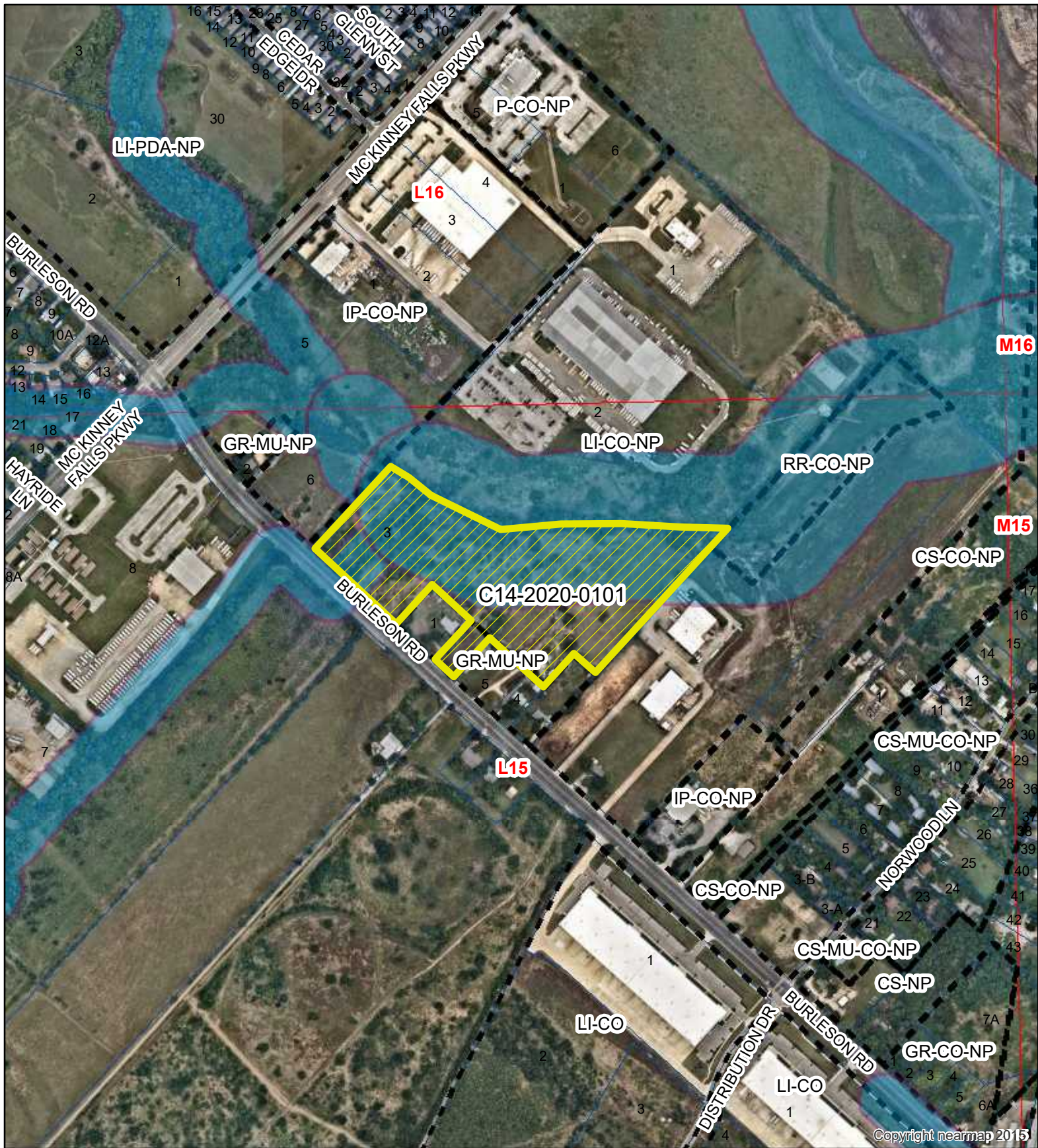
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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



**Created: 9/17/2020**





7800 BURLESON

Exhibit A - 1



1" = 500'

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

ZONING CASE#: C14-2020-0101  
 LOCATION: 7800 BURLESON RD.  
 SUBJECT AREA: 15.152 Acres  
 GRID: L15  
 MANAGER: Wendy Rhoades

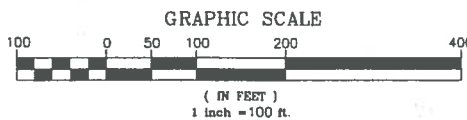
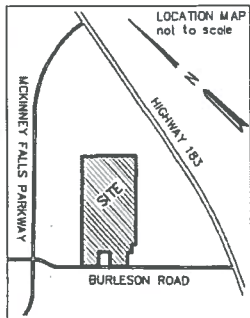


This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



# AMENDED PLAT OF LOTS 1, 2, 3 AND TRACT A ALVIN BENNER SUBDIVISION

2008 00062



LEGEND  
(Record Call)  
Found Iron Rod  
Found Iron Pipe  
Set Iron Rod

FIR  
FIP  
SIR

George W. Ross  
Pat Lewis Ross  
127 Avenida Del Sol  
San Antonio, Tx  
78232-1201  
41.591 Ac 13135/1839

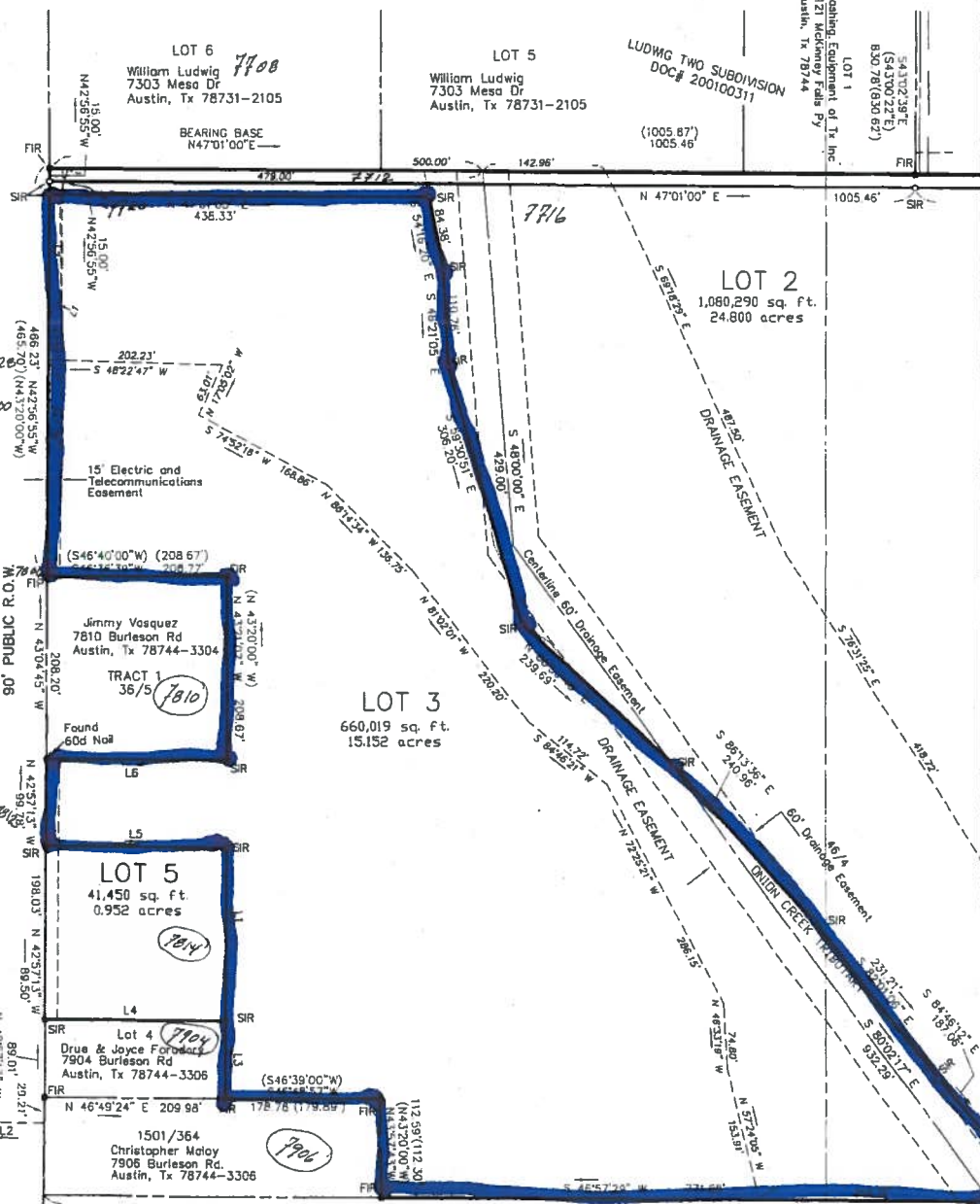
John K. Ross  
7811 Burleson Rd  
Austin, Tx 78744-3303  
38.596 Ac 11121/42

John K. Ross  
7811 Burleson Rd  
Austin, Tx 78744-3303  
0.443 Ac 11121/50

Word Dean Company  
P.O. Box 310330  
New Braunfels, Tx 78131-0330  
75.61 Ac 11955/696

Joe R. Alexander  
7905 Burleson Rd  
Austin, Tx 78744-3305  
0.75 Ac 12025/195

BURLESON ROAD  
90' PUBLIC R.O.W.



COURSE AND DISTANCE TABLE

LINE	DIRECTION	DISTANCE
L1	N 42°57'44" W	197.41
L2	S 47°18'37" W	88.85
L3	S 43°09'31" E	88.83
L4	S 46°52'25" W	209.66
L5	S 47°02'34" E	209.63
L6	N 46°44'31" E	209.83

DRAINAGE EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L1	N 13°33'13" W	28.71
L2	N 43°31'12" W	115.88
L3	N 28°02'42" W	31.15

## PROJECT DATA

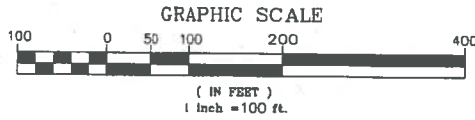
OWNER: BURLESON 54  
1804 OAKMONT LANE  
CEDAR PARK, TEXAS 78613-6807  
ACREAGE: 54.30 ACRES OUT OF THE SANTIAGO DEL  
VALLE GRANT, CITY OF AUSTIN, TRAVIS  
COUNTY, TEXAS.  
FOUR LOTS TOTAL: ALL LOTS ARE ZONED LI-CO  
LIMITED INDUSTRIAL SERVICES-  
CONDITIONAL OVERLAY  
SURVEYOR: THOMAS P. DIXON, R.P.L.S.  
WATERLOO SURVEYORS  
ENGINEER: JAMES L. HERBERT, P.E., R.A.S.  
DAVCAR ENGINEERING

Felter Investments LTD  
7914 Burleson Rd  
Austin, Tx 78744-3306  
25.18 Ac 12740/473

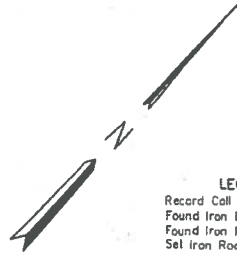
EXHIBIT B  
RECORDED  
PLAT

# AMENDED PLAT OF LOTS 1, 2, 3 AND TRACT A ALVIN BENNER SUBDIVISION

200800062



LEGEND  
Record Call  
Found Iron Rod  
Found Iron Pipe  
Set Iron Rod  
FIR  
FIP  
SIR



LUDWIG TWO SUBDIVISION  
DOC# 200100311

Washing Equipment of Tx Inc  
4121 McKinney Falls Pk  
Austin, Tx 78744

Greiner Austin Security Shredding  
P.O. Box 60554  
Austin, Tx 78716-0554

William Ludwig  
7303 Mesa Dr  
Austin, Tx 78731-2105

William Ludwig  
7303 Mesa Dr  
Austin, Tx 78731-2105

DOC#200080293  
TRAVIS COUNTY

10846/188  
TRAVIS COUNTY  
P.O. Box 1088  
Austin, Tx 78767-1088

Bradsher Family Trust &  
Pop Realty Partnership  
9407 Roxanna Dr  
Austin, Tx 78748-6103  
149.89 AC 13080/511

LOT 2  
1,080,290 sq. ft.  
24.800 acres

LOT 1  
583,590 sq. ft.  
13.397 acres

Felter Investments LTD  
7914 Burleson Rd  
Austin, Tx 78744-3306  
25.18 Ac 12740/473

POINT OF  
BEGINNING  
14.870 ACRE  
DRAINAGE EASEMENT

13405



WATERLOO SURVEYORS INC.  
PO BOX 160176  
AUSTIN, TEXAS 78716-0716  
Phone: 512-481-9602  
www.waterloosurveyors.com  
J11747P

# ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
512-435-2300

FACSIMILE 512-435-2360

September 4, 2020

Jerry Rusthoven, Acting Lead  
City of Austin  
Planning and Zoning Department  
505 Barton Springs Rd., 5th Floor  
Austin, Texas 78704

Re: Rezoning Application for 7800 Burleson Rd., Austin, TX 78702

Dear Mr. Rusthoven:

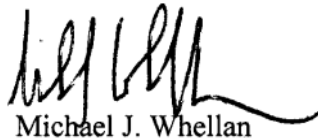
I am seeking to submit a rezoning for 7800 Burleson Rd. (the "Property") in order to develop a mixed-use project featuring roughly 258 units of multi-family housing above ground-floor commercial. This application accompanies a Neighborhood Plan Amendment application filed in July to change the Property's Future Land Use Map ("FLUM") designation from Industry to Mixed-Use.

In our Neighborhood Plan Amendment application, we indicated we were considering requesting CS-MU-NP zoning for the Property. After review, we have determined that GR-MU-NP meets the needs of our project. We also believe that a request for GR-MU-NP provides consistency with the GR-MU-NP zoning that already exists on a portion of the Property and on other neighboring lots, including an adjacent one-acre tract (7810 Burleson Rd.) that the applicant owns and plans to include in the overall vision for the site.

The Property is roughly 15 acres in size; currently, part of the Property is zoned for industrial LI-CO-NP zoning and part is zoned for mixed-use GR-MU-NP zoning. In addition, the adjacent 7810 Burleson Rd. site referenced above, which does not require a rezoning, is roughly one acre in size and is already zoned for mixed-use GR-MU-NP zoning. We are requesting a downzoning that would eliminate the Property's industrial zoning and instead establish a consistent GR-MU-NP zoning across the entire site.

Providing a Mixed-Use FLUM designation and GR-MU-NP zoning across the site would establish greater consistency and support the City's efforts to meet its housing goals, while maintaining the same height and floor-to-area ratio ("FAR") allowed under the existing zoning. I appreciate your consideration of these applications and look forward to answering any questions and providing further details.

Respectfully,



Michael J. Whellan



# Southeast Combined Neighborhood Plan Contact Team

Ana Aguirre  
Immediate Past Chair  
PO Box 19748  
Austin, TX 78760  
512-708-0647  
a-aguirre@prodigy.net

November 11, 2020

Todd Shaw, Chair  
Yvette Flores, Secretary  
Greg Anderson  
Joao Paulo Connolly  
Carmen Llanes Pulido  
Patricia Seeger  
Don Leighton-Burwell  
Ann Teich

Claire Hempel, Vice-Chair  
James Shieh, Parliamentarian  
Awais Azhar  
Patrick Howard  
Robert Schneider  
Jeffrey Thompson  
Richard Mendoza

RE: Neighborhood Plan Amendment Case Number: NPA-2020-0014.02  
Rezoning Case Number: C14-2020-0101  
Project Location: 7800 Burleson Rd

Dear Honorable Chair Shaw and Commissioners:

The Southeast Combined Neighborhood Plan Contact Team (SCNPCT) has a history of supporting responsible development. Our Future Land Use Map (FLUM) area consists of single-family, multifamily, mixed use, commercial, office, civic, warehouse/limited office, and industry zones. The SCNPCT also serves students that attend the Austin and Del Valle Independent School Districts. With Austin Bergstrom International Airport (ABIA) being so close, we also have to consider the Airport Overlay.

With this in mind, the SCNPCT met on Monday, November 9, 2020, to discuss the presentation and information received during a neighborhood meeting held on October 19, 2020. The applicant and the owner also participated in the November 9, 2020 meeting to answer any additional questions. The SCNPCT considered the two following requests pertaining to the property located at 7800 Burleson Rd.: 1) Neighborhood Plan Amendment to change the land use designation on the FLUM from Industry to Mixed Use; and 2) Rezoning from limited industrial district - neighborhood plan (LI-CO-NP) zoning to community commercial district-mixed use-neighborhood plan (GR-MU-NP) for mixed use (multi-family) and ground floor commercial (part of a larger site). Currently, 7800 Burleson Rd. is zoned partially for LI-CO-NP and partially for GR-MU. The Future Land Use Map (FLUM) designates it partially for Industry and partially for Mixed-Use. The applicant has requested



removing the LI-CO-NP and Industry designations and instead extending GR-MU and Mixed-Use across the entire site.

With a quorum present, and based on the information provided, the SCNPCT membership voted with a majority in favor of the FLUM and zoning change requests. The SCNPCT also took into consideration input from neighborhood associations representing residents within the SCNPCT boundary. The SCNPCT sees the value in changing the FLUM and zoning from industrial to multifamily recognizing the need for more housing stock in Austin, particularly in light of the pending completion of the TXDOT headquarters at the Burleson and Stassney intersection, which is located in close proximity to this project. Additionally, the SCNPCT noted the following: (1) Part of the site is already zoned for GR-MU and designated for Mixed-Use, as are other nearby properties. A proposed multi-family development is pending at 7733 Burleson Rd. Approving the requested zoning and FLUM designation would be consistent with the existing zoning on part of the site and other nearby properties; (2) Portions of the site are in the floodplain and the Critical Water Quality Zone. The applicant will be leaving these areas undeveloped, which we support. We also believe that it is more appropriate to provide mixed-use zoning in the vicinity of these environmentally sensitive areas, rather than a higher-impact industrial zoning. The applicant's request is consistent with existing zoning on and near the property and provides a better fit given the site's environmental sensitivity. The SCNPCT supports this. Your consideration supporting this request would be greatly appreciated. Thank you.

Respectfully submitted,



Ana Aguirre, Immediate Past Chair  
Southeast Combined Neighborhood Plan Contact Team (SCNPCT)

CC: Wendy Rhoades, Planning and Zoning Department  
Michael Whellan, Applicant