

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0027 – Urbana II

DISTRICT: 1

ZONING FROM: SF-4A and GR-CO

TO: (Tract 1) MF-2
(Tract 2) GR-MU-V-CO

ADDRESS: 11501, 11503, 11507, 11509,
11511, 11513, 11601 Wedgewood Drive
and 914, 1000½ Braker Lane.

SITE AREA: (Tract 1): 22.6 acres (984,456 sq. ft.)
(Tract 2): 4.843 acres (210,961 sq. ft.)

PROPERTY OWNER:
Big Opp Zone, LLC, (Stacy Dukes-Rhone)

AGENT:
Husch Blackwell, LLP, (Nikelle Meade)

CASE MANAGER: Mark Graham (512-974-3574, mark.graham@austintexas.gov)

STAFF RECOMMENDATION:

Staff's recommendation is to grant multifamily residence, low density (MF-2) district zoning on tract 1, and community commercial - mixed use – vertical mixed use building - conditional overlay (GR-MU-V-CO) combining district zoning on tract 2. The CO is a list of prohibited uses: (Alternative Financial Services, Bail Bond Services, Pawn Shop Services, Service Station.) For a summary of the basis of staff's recommendation, see case manager comments on page 2.

ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

May 4, 2021: *APPROVED GR-MU-V-CO DISTRICT ZONING, AS THE STAFF RECOMMENDED, BY CONSENT.*

[A. DENKLER, J. KIOLBASSA 2ND] (VOTE 8-0) C. ACOSTA AND E. RAY ABSENT. ONE VACANCY ON THE COMMISSION.

CITY COUNCIL ACTION:

June 10, 2021

ORDINANCE NUMBER:

ISSUES

This is one of three related zoning cases that are divided by Wedgewood Drive and Plaza Drive rights-of-way. Urbana I, (C14-2021-0026) is a request to rezone 4.210 acres at the northwest corner of Wedgewood Drive and Plaza Drive from DR to GR-MU-CO. This case, Urbana II (C14-2021-0027) is a request to rezone 27.443 acres northeast of the intersection of Wedgewood Drive and Braker Lane from SF-4A, and GR-CO to MF-2 (Tract 1); and to GR-MU-V-CO (Tract2). Urbana III (C14-2021-0028) is a request to rezone 3.394 acres from SF-2, SF-4A and GR-CO to MF-2 (Tract 1) and GR-MU-V-CO (Tract 2).

CASE MANAGER COMMENTS:

Request

Applicant requests rezoning a 27.443-acre tract of undeveloped land from single family residence, small lot (SF-4A) district and community commercial – conditional overlay (GR-CO) combining district zoning to multifamily residential, low density (MF-2) district zoning (Tract 1) and community commercial – mixed use –vertical mixed use building- conditional overlay (GR-MU-V-CO) combining district zoning (Tract 2) The applicant proposes to develop 558 residential units on the two tracts.

Tract 1 is the 22.60 acre (984,456 sq. ft.) northern tract that would be zoned MF-2 with this request and developed with multifamily, low density, residences. The MF-2 district limits building height to 3 stories and 40 feet. Compatibility standards would further limit the height of buildings closer than 100 feet from single family homes. Building coverage is limited to 50% and total impervious coverage is limited to 60%. There is no maximum Floor Area Ratio.

MF-2 district zoning is intended to accommodate multifamily use with a maximum density of up to 23 units per acre, depending on unit size. The district is appropriate for multifamily residential areas located near single-family neighborhoods, and in selected areas where low density multifamily use is desirable.

Tract 2 is the 4.843 acre (210,961 sq. ft.) south tract fronting on Braker Lane. This tract has several development options with the requested zoning: community commercial – mixed use – vertical mixed use building – conditional overlay (GR-MU-V-CO) combining district zoning there is an opportunity to build both commercial and residential space either in separate building or in the same building.

The GR base zoning permits building up to 210,961 square feet, the maximum permitted with an FAR of 1:1. The building height limit in the GR zone district is 60 feet and the maximum building coverage is 75%. The vertical mixed use building (V) encourages a ground floor commercial use with a different use above that could be office or residential. The building height limit of 60 feet would permit building a four or five story building with ground floor commercial uses. Using the building height limit of 5 floors would reduce the building coverage to about 42,192 sq. ft. That option would provide options for amenities like playgrounds and retention ponds as well as surface parking, drive aisles and water quality and detention ponds.

The attached Zoning Map (Exhibit A) shows the location of the subject site, bounded by East Braker Lane on the south and Wedgewood Drive on the west. There are also streets stubbed out into the site: There are existing detached residences on standard lot (SF-2) zoned parcels to the north and east. There are townhomes in development reserve (DR) zone district adjacent to the middle of Tract 1. The proposed commercial and mixed use zoning (Tract 2) is approximately 400 feet deep from East Braker Lane. The entire tract has about 780 feet of Braker Ln. frontage.

Tract 1 has about 200 feet of East Braker Lane frontage and also frontage on Wedgewood Drive along the entire west side of the Tract. The application indicates that the development may take access from Braker Lane, Wedgewood Drive, Plaza Drive and Hickory Grove Drive. The Traffic Impact Analysis is deferred until site plan application when land use and intensity will be finalized.

BASIS OF RECOMMENDATION:

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

The requested zoning for Tract 1 is multifamily residence, low density (MF-2) district which 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.

Tract 1 is located near single-family neighborhoods to the north and east and is across Wedgewood Drive from the Urbana III site which is requesting MF-2 on the north tract, which is south and west of the future Plaza Drive and Wedgewood intersection. The Urbana I tract is also across Wedgewood Drive from Tract 1. The requested zoning on that tract is for community commercial – mixed use – conditional overlay GR-MU-CO combining district zoning. The Staff recommendation is for neighborhood commercial – mixed use – conditional overlay (LR-MU-CO) combining district zoning. With either zoning there would potentially be some commercial and residential development.

The requested zoning for Tract 2 is community commercial – mixed use- conditional overlay (GR-MU-CO) combining district zoning. Community commercial (GR) district zoning 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 traffic ways. Mixed use (MU) combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development. 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 proposed mix of residential and commercial development is consistent with the requested zoning for this tract that has frontage along a level 4 (Arterial) roadway, Braker Lane. The more

intense development is guided by the Comprehensive Plan towards Activity Corridors like Braker Lane.

2. *Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.*

The rezoning parcel is a large infill project with uses that are compatible with the existing single-family development but a different housing option. Housing variety that is compatible is encouraged. The development gets more intense as it approaches Braker Lane. The proposed mixed use and vertical mixed use offers the potential of providing some goods, services and entertainment within walking or biking distance to the entire development as well as the larger community. A similar site could expect similar treatment to be compatible with existing residential development and an existing arterial road.

3. *The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission*

Low density multi-family and mixed-use development on this site will increase housing options in the area, reflecting the values of the Strategic Housing Blueprint. The Comprehensive Plan guides the development intensity to be built along the activity corridors and the proposed GR-MU- V-CO zoning creates that possibility on the subject site.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	SF-4A, GR-CO	Vacant
North	SF-2	Detached residences
South	(Across E. Braker Ln.) SF-2, SF-4A, MF-2	CS-NP, GO-CO-NP
East	SF-2, DR	Detached residences, Townhouse/Condominium residences
West	Wedgewood Dr. then DR, SF-2, SF-4A, GR-CO	Vacant

NEIGHBORHOOD PLANNING AREA: None

TIA: The Traffic Impact Analysis has been waived for the Rezoning. The determination is deferred to site plan application, when land use and intensity will be finalized.

WATERSHED: Walnut Creek-Suburban

OVERLAYS:

SCHOOLS: AISD

Graham Elementary

Dobie Middle

Northeast High

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District

Austin Lost and Found Pets

Austin Neighborhoods Council

Bike Austin

Friends of Austin Neighborhoods

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

North Growth Corridor Alliance

Northeast Walnut Creek Alliance

Northeast Walnut Creek Neighborhood Assn.

SELTexas

Sierra Club, Austin Regional Group

TechRidge Neighbors

Yager Community

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-02-0130 Braker Lane 900 E. Braker Ln.	Rezone 0.069 ac. from CS-1 to GR 217109	To grant	Apvd. 10/10/2002 Ord.#021010-Z-8
C14-2007-0185 Braker Lane Center 900 E Braker Lane	Rezone from GR to CS-1 10073365	To deny	Withdrawn
C14-2017-0066 E. Braker Lane Rezoning Pt. A 914 E Braker Lane	Rezone from SF-2 to SF-4A (Tract 1, 1.906 ac.) and GR-CO (Tract 2, 1.150 ac.) Part 2. Conditions. Prohibited uses on Tract 2: Alternative financial services, bail bond services, pawn shop services, service station. 11821241	To grant	Apvd. 03/07/2019 Ord.# 20190307-044
C14-2017-0100 E. Braker Lane Rezoning Pt. B 914 E. Braker Lane	Rezone 23.558 ac. from SF-2 to SF-4A on Tract 1; and 3.277 ac. of SF-2 to GR- CO on Tract 2. 11720266		Apvd. 03/07/2019 Ord.# 20190307-045

RELATED CASES:

Number	Request	Commission	City Council
C14-2021-0026 Urbana I 11500 Wedgewood Drive	Rezone 4.21 ac. From DR to MF-2	Pending	Pending
C14-2021-0027 Urbana II	Rezone 27.443 ac. from SF-4A & GR-CO to MF-2 and GR-MU-CO	Pending	Pending
C14-2021-0028 Urbana III	Rezone 3.394 ac. from SF-4A, SF-2A & GR to MF-2 and GR-MU-CO	Pending	Pending

LEGAL DESCRIPTION: The property consists of unplatted acreage.

OTHER STAFF COMMENTS: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. 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. Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.
7. 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.

Parks and Recreation

Parkland dedication will be required for the new residential units proposed by this development, multifamily with MF-2 and GR-MU-CO 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.

The site includes an Urban Trails alignment, “E Braker Ln to Dessau Rd Connector Trail”, that is part of the Walnut Creek Corridor: Northern Walnut Creek Trail. The alignment connects Plaza Drive to Hickory Oak Grove. Greater connectivity through the site would allow additional access to North Oaks Neighborhood Park. Connectivity to parkland is a criteria for parkland dedication per City Code § 25-1-605. Whether the connection will be required to partially satisfy parkland dedication requirements will be determined at subdivision or site plan.

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

- SP1. It appears the subject property has not been subdivided or may not be a legal lot. A subdivision application must be submitted for review and approved prior to site plan approval (25-1-61) or an exception to platting must be obtained; contact DSD_SubdivisionReview@austintexas.gov to discuss a Land Status Determination.
- SP2. Site plans will be required for any new development other than single-family or duplex residential.
- SP3. Any development which occurs in an SF-6 or less restrictive zoning district which is located <540 feet from property in an SF-5 or more restrictive zoning district will be subject to residential compatibility development regulations.

The site is subject to residential compatibility standards along the north, west, east, and southerly property lines:

- 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 adjacent to single-family zoning. 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.
- SP4. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when a site plan is submitted.

Transportation

The Austin Strategic Mobility Plan (ASMP), identifies a need for 120' of right-of-way for Braker Lane. ASMP also identifies a need for 50' of right-of-way for Clover Lawn Drive, Silver Lawn Drive, and Autumn Drive and 60' right-of-way for Hickory Grove Drive extension. Sufficient right-of-way exists for Hickory Grover Lane, Plaza Drive and Wedgewood Drive. There is a proposed Urban Trail adjacent to this site, along the southern and eastern property boundary and along Hickory Grove Lane. Traffic impact analysis was waived, the determination is deferred to site plan application, when land use and intensity will be finalized. A neighborhood traffic analysis may be required at the time of site plan when uses and intensities are known.

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Plaza Dr	58'	50'	28'	1	No	No	Yes
Hickory Grove Ln	50'	60'	27'	1	Yes	No	Yes
Clover Lawn Dr	Future roadway (0')	50'	Future roadway	1	Not yet built	No	Yes

Silver Lawn Dr	Future roadway (0')	50'	Future roadway	1	Not yet built	No	Yes
Autumn Dr	Future roadway (0')	50'	Future roadway	1	Not yet built	No	Yes
Wedgewood Dr	66'	50'	38'	1	Yes	Yes	Yes
Braker Ln	98'	120'	54'	4	Yes	Yes	Yes

Comprehensive Planning

The subject property is 22.6 acres in size and is heavily wooded and undeveloped. It is located on the northeast corner of East Braker Lane and Wedgewood Drive. East Braker Lane is an Activity Corridor. Surrounding land uses include a single family subdivision to the north; to the south are retail and commercial uses, a public elementary school, warehouse uses and a church; to the east is a single family subdivision; and to the west is an apartment complex, restaurants, retail uses, single family houses and a park. The proposed use is a 558-unit multifamily apartment complex.

Connectivity

There are no public sidewalks or bike lanes located along this portion of Wedgewood Drive, which has the appearance of a narrow rural road with no road improvements. Braker Lane does have public sidewalks. A CapMetro transit stop is located within 200 feet walking distance from this property. A variety of retail and commercial uses, a public elementary school, and a church are located along Braker Lane. Mobility and connectivity options good along Braker Lane.

Imagine Austin

The Imagine Austin Growth Concept Map identifies this project as being located along the **Braker Lane Activity Corridor**. **Activity Corridors** are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. They are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.

The following Imagine Austin text and policies are applicable to this request:

Text: The type of infill housing will vary with site locations, small-area plans, and development regulations, and include single family houses, duplexes, secondary apartments, townhouses, row houses, and smaller-scaled apartments. New commercial, office, larger apartments, and institutional uses such as schools and churches, may also be located in areas outside of centers and corridors. The design of new development should be sensitive to and complement its context. It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city. pg. 107

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- **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 P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- **HP P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

The policies of the Imagine Austin Comprehensive appear to support locating multi-family development at this location as long as the primary entrance and exit is made to Braker Lane and not along Wedgewood Drive.

Austin Water Utility

AW1. 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.

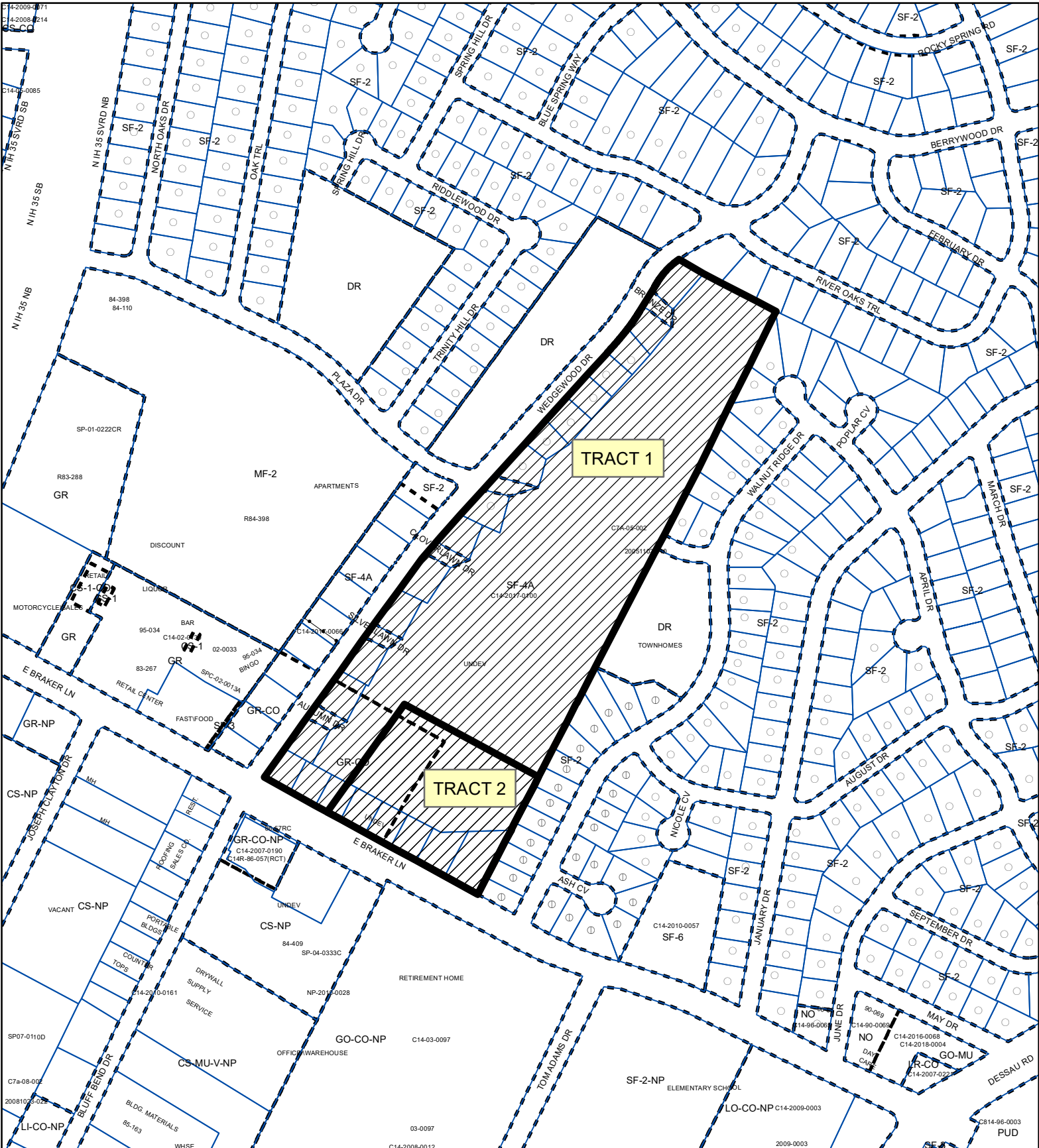
Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin.


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


Exhibit A: Zoning Map

Exhibit B: Aerial Map


$$1'' = 400'$$

 SUBJECT TRACT

 PENDING CASE

 ZONING BOUNDARY

ZONING
ZONING CASE#: C14-2021-0027

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.

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ZONING Exhibit A



Created: 3/9/2021







Urbana II

Exhibit B



1" = 400'

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

ZONING CASE#: C14-2021-0027
 LOCATION: 914 Braker Lane
 SUBJECT AREA: 27.443 Acres
 GRID: M31 & M32
 MANAGER: MARK GRAHAM



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.