

## **ZONING CHANGE REVIEW SHEET**

CASE: C14-2021-0017 – 5708 Springdale Road      DISTRICT: 1

ZONING FROM: GR-NP      TO: GR-MU-NP

ADDRESS: 5708 Springdale Road

SITE AREA: 1.28 acres (55,756.8 sq. ft.)

PROPERTY OWNER:

Willie C. Lewis

AGENT:

Drenner Group, PC (Leah Bojo)

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

STAFF RECOMMENDATION:

**The Staff recommendation is to grant community commercial – mixed use – neighborhood plan (GR-MU-NP) combining district zoning.** *For a summary of the basis of staff's recommendation, see case manager comments on page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

**May 11, 2021:** Postponed to June 8, 2021

CITY COUNCIL ACTION:

**June 10, 2021:**

ORDINANCE NUMBER:

## ISSUES

A petition was submitted by the owner of the two adjacent commercial properties. The original signatures have not been received so the percent calculation for the 200 foot buffer area have not been calculated yet. Over 20% would change the required votes at 3<sup>rd</sup> and Final Reading of City Council to a super majority to grant the zoning change. That petitioner would prefer other businesses to occupy the GR zoned tract. Other residents of the neighborhood contacted staff to express a preference for commercial uses that would add places of interest for the community. There are two businesses on adjacent lots, one is a café, the other is a performance venue that uses the barn.

## CASE MANAGER COMMENTS:

The rezoning tract is a 1.28 acre (about 55,756 sq. ft) tract of land with one residence that will be razed. The applicant requests rezoning from community commercial – neighborhood plan (GR-NP) to community commercial – mixed use – neighborhood plan (GR-MU-NP) combining district zoning. Adding the MU zoning permits residential development on the site. The application indicates the intent of building 23 townhouse/condominium residences on the tract.

## Access and Connectivity

The site is situated about a mile south of the Manor Rd/Highway 183 intersection and about a half mile south of the Manor Rd/Springdale Rd. junction. Although Rogge Lane is a smaller collector street it connects to Manor Rd about one half mile east of Springdale. The tract is about 400 feet north of Rogge Lane/Springdale Road intersection. Route 183/Ed Bluestein Blvd. is less than a mile east of the site, but only indirect access is available via Manor Road or East 51<sup>st</sup> Street. Springdale Road is a level 3 roadway with 2 travel lanes and a center turn lane. The sidewalk is continuous along the west side of Springdale between Manor Rd and E. 51<sup>st</sup> St.

There is about 0.3 miles of GR zoning frontage along the west side of Springdale Rd. north of Rogge Lane. The tract at the north end of that zoning is “GR-MU” zoned. The zoning across Springdale Road to the east is mostly P-NP for the Little Walnut Creek Greenbelt. There is about 0.3 mile of GR base zoning frontage along the east side of Springdale starting about 350 feet north of where Rogge Lane terminates at Springdale Rd. There are two tracts in this segment with the “GR-MU” in the zoning string including one with multifamily development (The Reserve at Springdale) and one south of that which is currently undeveloped.

## Neighborhood Plan

The rezoning tract is within the Pecan Springs-Springdale Neighborhood Plan. The Future Land Use Map for the subject tract indicates Mixed Use so that a Neighborhood Plan Amendment is not required.

### Transportation Impacts

The estimated daily vehicle trips from the proposed 23 units is within the Land Development Code limits for a site. The Austin Transportation Department has waived a Transportation Impact Assessment with the zoning application and may review the issue with the Site Plan application, when the development intensity and uses will be better defined.

### BASIS OF RECOMMENDATION:

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

The Applicant requests adding mixed use (MU) to the existing community commercial-neighborhood plan (GR-NP) zoning to permit building 23 residential townhome/condominium units on the site. The proposed use is consistent with the purpose of the requested GR-MU-NP combining zone district.

- 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.*

In the Case Area History, two cases include rezoning to include GR-MU zoning. The most recent case was approved in November of 2018 at 6020 Springdale Rd.

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

The request is consistent with the Neighborhood Plan and Future Land Use Map; the estimated traffic does not exceed thresholds established in the Austin Land Development Code; is not within or adjacent to a floodplain; is subject to parkland dedication or fee in lieu requirements; is consistent with goals for adding infill housing and mixed uses along major corridors.

### EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	GR-NP	Detached residential
North	GR-NP	Storage building, open storage, possibly camping
South	GR-MU-CO-NP	Performance venue (Rogge Ranch House)
East	P-NP, (Across Springdale Road), GR-CO-NP, GR-MU-NP	Little Walnut Creek Greenbelt, Education Service Center, Multifamily residential (the Reserve at Springdale)

	Zoning	Land Uses
West	SF-6-NP	One or more residences and several outbuildings, vehicle storage on large parcel.

NEIGHBORHOOD PLANNING AREA: Pecan Springs-Springdale

The Future Land Use Map (FLUM) shows mixed use, transportation so no FLUM change is necessary for the requested zoning.

TIA: A Traffic Impact Analysis is not required because the proposed development does not exceed the thresholds established in the City of Austin Land Development Code.

WATERSHED: Little Walnut Creek-Urban

OVERLAYS: Residential Design Standards: LDC/25-2-Subchapter F Selected Sign Ordinances  
Wildland Urban Interface: Proximity Class - Within 150 feet of a wildland area

SCHOOLS: AISD

Pecan Springs Elementary. Middle School: Girls may attend Sadler Means Young Women's Leadership Academy; Boys may attend Garcia Young Men's Leadership Academy. Northeast High.

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District	Homeless Neighborhood Association,
Austin Lost and Found Pets	Neighborhood Empowerment Foundation
Austin Neighborhoods Council	Neighbors United for Progress
Bike Austin	Pecan Springs/Springdale Hills Neighborhood
Del Valle Community Coalition	Assoc.
East Austin Conservancy	Preservation Austin
East MLK Combined Neighborhood Plan Contact	SELTexas
Team	Senate Hills Homeowners' Association
Friends of Austin Neighborhoods	Sierra Club, Austin Regional Group
Friends of Northeast Austin	Sweeney Farms Neighborhood Association
	Windsor Park-Pecan Springs Heritage NA

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-06-0221 5601 Springdale Rd. (correction)	Rezone 21.2 ac. from P-NP to GR-MU-NP	Apvd GR-MU-CO-NP (Tract 1) and SF-6-CO-NP (Tract 2). -CO prohibits multifamily residential use	Apvd. 06/21/2007 GR-MU-CO-NP (Tract 1) and MF-3-CO-NP (Tract 2). - CO: multifamily residential use is a conditional use, Prohibited uses: automotive repair services, automotive sales, automotive washing (of any type), pawn shop services. Ord.#20070621-122
C14-2017-0088 Little Walnut Greenbelt Rezoning 5100 E 51 <sup>st</sup> St.	Rezone 197.59 ac in a Neighborhood Plan from MF-3-CO-NP, GR-NP, SF-6-NP and CS-MU-CO-NP to P-NP	To grant	Apvd. 12/07/2017 Ord.#20171207-082
C14-2018-0131 The Ridge at Walnut Creek 6020 Springdale Rd.	Rezone 1 ac. From GR-NP to GR-MU-NP	To grant	Apvd. 11/29/2018 Ord.# 20181129-055

RELATED CASES:

None

LEGAL DESCRIPTION: Seiders Addition, Lot 2

Deed conveying property to the present owner: 2014014356

OTHER STAFF COMMENTS:Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.
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. 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.

### Parks and Recreation Department

PR1: Parkland dedication will be required for the new residential units proposed by this development, townhome/condos with GR-MU 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. 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](mailto: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

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

### Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies sufficient right-of-way for Springdale Road.

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Springdale Rd	93'	92'	43'	3	Yes	Yes	No

### Comprehensive Plan

The zoning case is located on the west side of Springdale Road on a 1.28 lot that contains a house, outdoor storage and outbuildings. The property is located along the Springdale Road Activity Corridor, and within the East MLK Neighborhood Planning Area (Pecan Springs-Springdale). Surrounding land uses include vacant land and residential uses to the north; to the south is an event center, a bank, a rehab/convalescent center and an apartment complex; to the east is the Little Walnut Creek Greenbelt and vacant land; to the west in vacant land and Pecan Springs Elementary School and Park. The proposed use is to rezone the property to construct 23 condo/townhouse units.

### **Connectivity**

There are public sidewalks located partially along one side of this section of Springdale Road and bike lanes along both sides of the street. Two CapMetro transit stops are located within 0.56 miles from the subject property going in two directions. The Pecan Springs Elementary School and Park located 0.32 miles from the subject property. The area is lacking goods and services, such as a grocery store within walking distance to the property.

### **The East MLK Combined Neighborhood Plan (EMLKCNP)**

The EMLKCNP Future Land Use Map (FLUM) designates this portion of the planning area along the east side of Springdale Road as 'Mixed Use.' Mixed Use is defined as an area that is intended for a mix of residential and non-residential uses, including office, retail and commercial services. Zone GR-MU is permitted under the Mixed Use FLUM category.

The following EMLKCNP policies are applicable to this request:

#### **Multifamily and General Voluntary Design Guidelines** (pgs. 24 thru 34)

**Goal One** - Preserve established residential areas and improve opportunities for home ownership by promoting the rehabilitation of existing housing and new, infill housing compatible with the existing style of this neighborhood. (pg. 44)

**Objective 1.2:** Promote new infill housing in appropriate locations.

**Goal Two** - Promote a mix of land uses that respect and enhance the existing neighborhood and address compatibility between residential, commercial, and industrial uses. (p 44)

**Objective 2.1:** Where appropriate, address mis-matches between desired land use and zoning.

**Goal Four** - Promote the development and enhancement of the neighborhood's major corridors. (p 45)

**Objective 4.1:** Allow mixed use development along major corridors and intersections.

**Pecan Springs (p. 61) Recommendations:** The planning priority for Pecan Springs is to preserve the existing residential neighborhood. The neighborhood would also like more pedestrian-oriented commercial development and fewer auto-related businesses that are perceived to contribute to crime problems. The major intersections are best suited for mixed use or neighborhood urban center development, with more limited neighborhood-oriented mixed use along the Manor Road corridor. Larger tracts in the residential areas could be developed with a mix of residential uses. New structures along Little Walnut Creek should be setback far enough from the creek to avoid flooding problems and allow for a future greenbelt or hike/bike trail. (see map below taken from the plan)

**Action 25-** Allow mixed-use/commercial at the intersection of 51st and Springdale and along Manor and Springdale north of Rogge Lane.

The policies and text taken from the EMLKCNP and the FLUM support Mixed Use along this portion of the planning area and also supports infill housing.

### **Imagine Austin**

The property is located along an ‘**Activity Corridor**’, as identified on the Imagine Austin’s Growth Concept Map. Activity Corridors are characterized by a variety of activities and types of buildings located along the roadway, and are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances.

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, are designed to encourage walking and bicycling, and reduce healthcare, housing, and transportation costs.
- **HN P1.** Distribute a **variety of housing types** throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin’s diverse population.
- **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 on this property being:

- designated as Mixed Use on the East MLK Combined Plan, which allows for the construction of condos/townhouses;
  - situated along an ‘Activity Corridor’, which supports multifamily and mixed use projects;
  - mobility strengths in the area;
- and the Imagine Austin policies referenced above that supports a variety of land uses and housing types, this project appears to support the policies of the Imagine Austin Comprehensive Plan.

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.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at [ser@austintexas.gov](mailto:ser@austintexas.gov).

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.

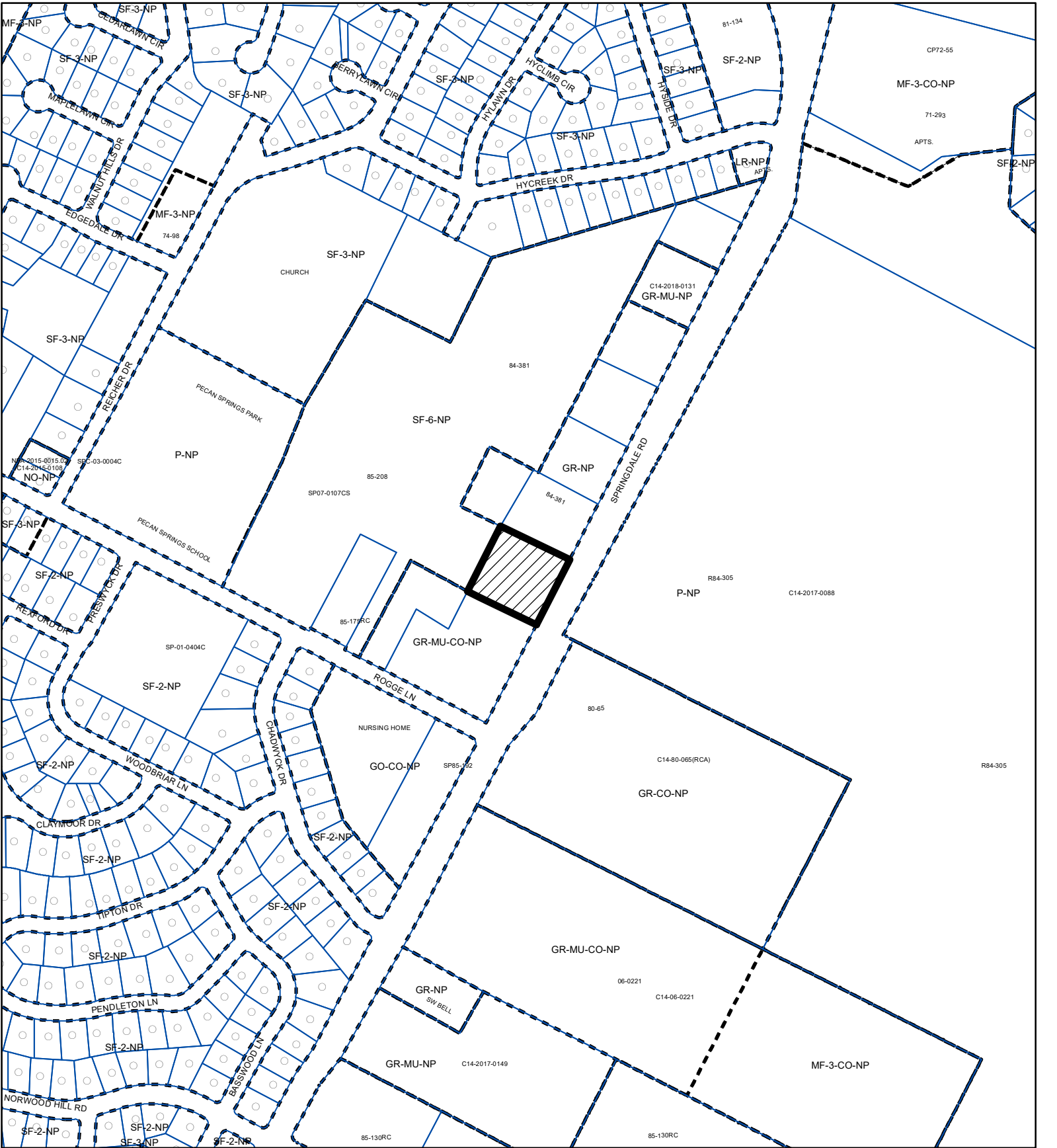
AW2. City record indicate the site is served by an On-Site Sewage Facility (OSSF). The owner must connect the site to city wastewater service through the cutover process. For more information pertaining to the wastewater cutover process, contact the AW OSSF team at [OSSF@austintexas.gov](mailto:OSSF@austintexas.gov) or call (512)-972-0050. The cutover process may also initiate a required review by the Industrial Waste Division and/or the Cross Connection Division depending on building usage.




INDEX OF EXHIBITS TO FOLLOW

Exhibit A: Zoning Map

Exhibit B: Aerial Map

Correspondence



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 400'

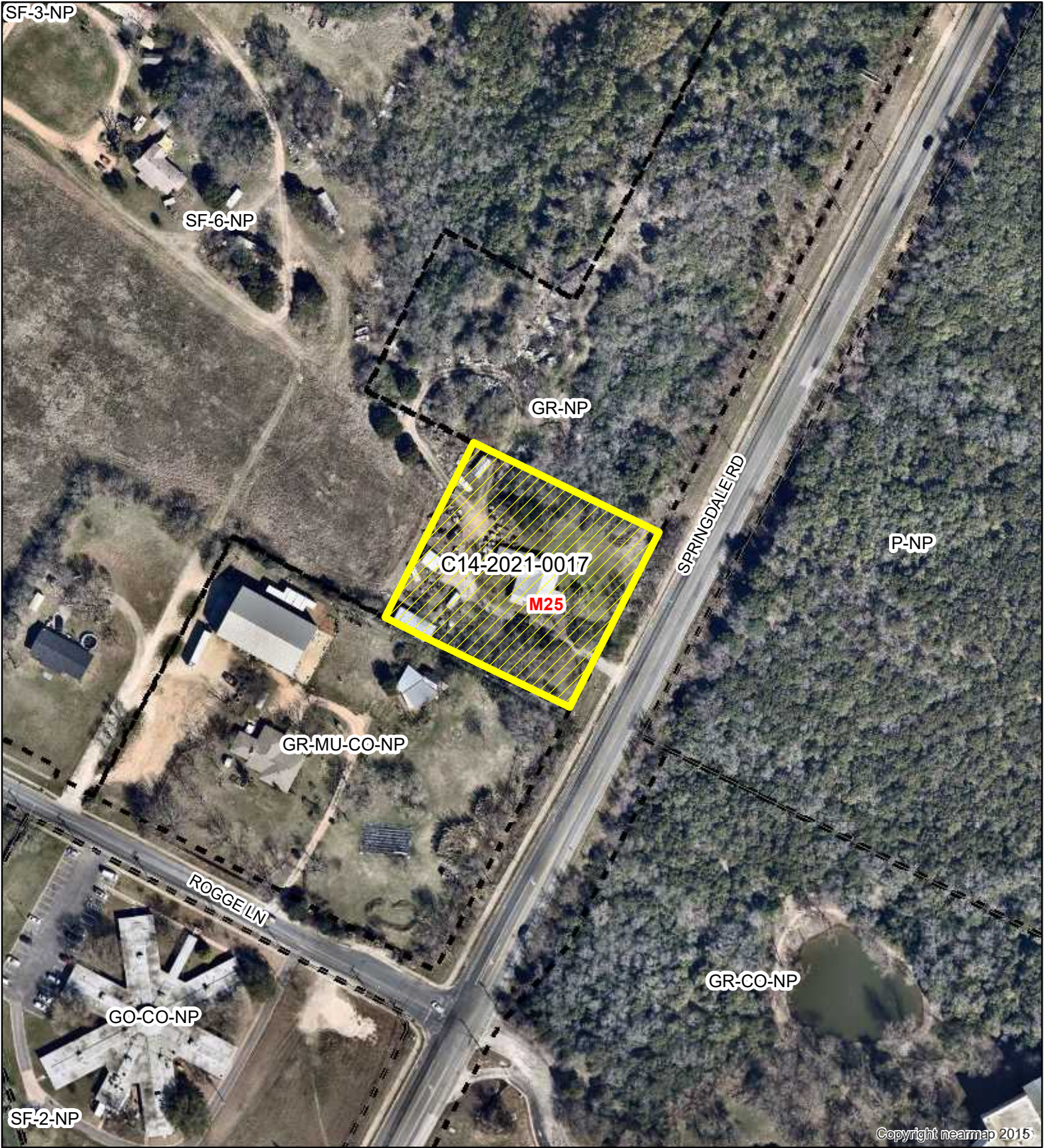
**ZONING**  
**ZONING CASE#: C14-2021-0017**

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


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1" = 150'

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

### 5708 Springdale

ZONING CASE#: C14-2021-0017  
LOCATION: 5708 Springdale Rd.  
SUBJECT AREA: 1.28 Acres  
GRID: M25  
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.

To: Austin City Council

I received a letter from the City of Austin giving me notice of a request to change the zoning on a parcel that shares a property line to my homestead. I contacted the development company out of Houston who is looking to purchase the land *if* it can have the zoning changed to MU. I inquired the reasoning, and was told they want to put 21 single family homes on the land where one house now stands.

I've had my homestead since 2006 and have watched the City's exponential growth mostly from afar, but as it encroaches our neighborhood I am paying closer attention. I am a long time member of the Pecan Springs Neighborhood Association (PSNA) which covers both my property and this parcel which is zoned GR-NP for the reason of attracting more businesses to this area. As long as I've lived here one subject that has continually been at the forefront of neighborhood discussions is how to attract more cafes, offices, retail, coffee shops, or restaurants to our area. There continues to be a huge growth in the development of housing along Springdale with no attention to this need.

My property is at the corner of Springdale and Rogge Lane and I am quite aware of developers looking to turn a profit. Their drive is not for the needs of the neighborhood, but to make money. They want the zoning change to get as many people as possible housed on that parcel in order to make a profit.

Please consider the bigger picture. We in the neighborhood are determined that the development around our homes contributes to our area. I add my name to the unanimous vote of the Pecan Springs Neighborhood Association that zoning change be denied. It is not appropriate, does not promote compatibility for this area and is not part of our Neighborhood Plan.

There have been 916 housing units developed between MLK and Manor Road on Springdale since 2006. Since then, the **ONLY** business that has developed along Springdale is one Dollar General store at the 5000 block.

InTown Townhomes: **30** Units / The Reserve 5606 Springdale: **292** Units/ Alexan-5521 Springdale: **251** Units/ 51 East-5201 Springdale: **230** Units/ Gravity ATX 4907 Springdale: **90** Units/ HyPoint Residences 6020 Springdale: **23** Units

Full disclosure, I subdivided my homestead into two parcels in 2019 and am developing one acre at 3504 Rogge Lane. I'm making a space for Salvage Vanguard Theater, <https://www.salvagevanguard.org/>, a non profit that has served Austin for 27 years, and a café to serve both the theater and the general public. At first glance, it would seem I would be grateful as more housing means more business for the theater and myself. But in reality, the occupancy that I am allowed to serve at one time is nowhere near the need of the neighborhood. It just isn't feasible and so obvious to me how much this neighborhood needs amenities. It brings me great satisfaction to provide a space for the arts in our neighborhood, with a great cup of coffee.

People so desperately need places to congregate so as to socialize with friends and neighbors. Keeping cars off the road and providing access to places accessible by bike and walking makes a neighborhood healthy. We need more of that and we need to preserve zoning that was specifically built into the system to allow for that. More than ever, it is of vital importance to create commercial spaces for the housing that already exists.

Please consider my opposition as well as my neighbor's to a zoning change at 5708 Springdale Road. I truly think that developers are missing an opportunity for success through means other than housing.

Sincerely,



Marcia Bruscato Poss  
3506 Rogge Lane Austin Texas 78723, 512-220-1670, mbposs@gmail.com