

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2018-0098 (Howard Lane Residential)

**Z.A.P. DATE:** December 18, 2018  
January 15, 2019

**ADDRESS:** 1208 East Howard Lane

**DISTRICT AREA:** 7

**OWNER/APPLICANT:** Continental Homes of Texas, L.P. for Ruth May Mulenex, et al

**AGENT:** McLean & Howard, LLP (Jeffrey Howard)

**ZONING FROM:** I-RR

**TO:** SF-6 SF-2\*

**AREA:** 57.72 acres

\*On November 20, 2018, the applicant sent the staff an e-mail asking to amend their zoning request from SF-6 to SF-2 zoning.

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant SF-2-CO, Single-Family Residence-Standard Lot-Conditional Overlay Combining District, zoning. The proposed conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per day.

### **ZONING AND PLATTING COMMISSION:**

12/18/18: Postponed to January 15, 2019 at the staff's request by consent (6-0-1, N. Barerra-Ramirez-abstain; D. Breithaupt, S. Lavani and A. Tatkow-absent).

1/15/19: Approved staff's recommendation of SF-2-CO zoning by consent (10-0, N. Barrera-Ramirez-absent); S. Lavani-1<sup>st</sup>, J. Duncan-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question contains part of the Harris Branch tributary/floodplain and a vacant single-family residence. The land to the north is a detention area for a single family residential development located in the County. To the south, the property is undeveloped. To the east, there is floodplain and a developing single family residential subdivision. The lots to the west contain office-warehouse uses (Harris Ridge Business Center) and an undeveloped area. The site under consideration was annexed by the City of Austin on December 31, 2003 through annexation case: C7A-03-013. The applicant is requesting permanent zoning on this property to construct a new single family residential development.

The staff recommends the applicant's request to zone this tract of land to the SF-2, Single-Family-Standard Lot District, because the property in question meets the intent of the SF-2 district. The proposed rezoning area is located adjacent to SF-2-CO zoning and a platted single family residential subdivision to the east and an existing single family residential development located in the County to the north. SF-2 zoning will provide for additional housing opportunities in this area of the city with access to East Howard Lane, a major arterial roadway and a designated Activity Corridor by the Imagine Austin Comprehensive Plan.

The applicant agrees with staff's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Vacant Single Family Residence, Harris Branch Tributary/Floodplain
<i>North</i>	County	Harris Branch Tributary/Floodplain, Undeveloped Land
<i>South</i>	I-RR	Undeveloped
<i>East</i>	MF-3, P, SF-2-CO, MF-3	Undeveloped Area, Floodplain, Single Family Residence/Homestead
<i>West</i>	SF-6-CO, LI-CO	Undeveloped Area, Office/Warehouse use (Harris Ridge Business Center)

**AREA STUDY:** N/A

**TIA:** Waived

**WATERSHED:** Harris Branch

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

Bike Austin  
Friends of Austin Neighborhoods  
Harris Ridge Owner's Association  
Homeless Neighborhood Association  
Neighborhood Empowerment Foundation  
North Growth Corridor Alliance  
Pflugerville Independent School District  
SELTEXAS  
Sierra Club, Austin Regional Group  
Yager Planning Area

**SCHOOLS:**

Barron Elementary School  
Dessau Middle School  
Pflugerville High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2013-0042 (Fort Dessau-P: 13826 Dessau Road)	SF-2-CO to P	5/21/13: Approved the staff's recommendation of P district zoning on consent (5-0, C. Banks and J. Meeker-absent); P. Seeger-1 <sup>st</sup> , S. Compton-2 <sup>nd</sup> .	9/26/13: Approved P zoning on first reading on consent (7-0); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .  10/17/13: Approved P zoning on 2 <sup>nd</sup> /3 <sup>rd</sup> readings by consent (6-0, M. Martinez-off dais); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .

C14-2013-0041 (Fort Dessau- GR: 1602 Fish Lane)	SF-2-CO to MF-3	6/18/13: Approved staff's recommendation of MF-3 zoning by consent (6-0, C. Banks-absent); P. Seeger-1 <sup>st</sup> , R. McDaniel-2 <sup>nd</sup> .	9/26/13: Approved MF-3 zoning on first reading on consent (7-0); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .  10/17/13: Approved MF-3 zoning on consent on 2 <sup>nd</sup> /3 <sup>rd</sup> readings (6-0, M. Martinez-off dais); B. Spelman-1 <sup>st</sup> , S. Cole-2 <sup>nd</sup> .
C14-2007-0103 (Del Cerro: 13700 Dessau Road)	GR-MU, GR, SF-2-CO to MF-3	8/21/07: Approved staff's recommendation of MF-3 zoning by consent (7-0, K. Jackson-absent); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	9/27/07: Approved MF-3 zoning by consent (5-0); all 3 readings
C14-06-0098 (Harris Ridge: 13809 Harris Ridge Boulevard)	LI-CO to Tract 1: SF- 6 and Tract 2: LI	11/21/06: Approved staff's recommendation of SF-6-CO zoning for Tract 1, with following conditions: 1) Changed setback requirement to a 45-foot building setback from the southern property line along proposed Tract 2; 2) Added requirement for an 8-foot masonry fence along the southern property line along proposed Tract 2; 3) Included a 25-foot vegetative buffer along the western property line bordering single family development in the County; 4) Approved staff's recommendation for LI zoning for Tract 2, adding a conditional overlay for the following: Establish a 78-foot building setback from the northern property line along proposed Tract 1; 5) Include the TIA recommendations for Tracts 1 and 2 as provided in Attachment D in a public restrictive covenant. Vote: (9-0); K. Jackson-1 <sup>st</sup> , B. Baker-2 <sup>nd</sup> .	12/07/06: Approved SF-6-CO zoning for Tract 1 and LI-CO zoning for Tract 2 (7-0); 1 <sup>st</sup> reading  6/29/07: Approved SF-6-CO zoning for Tract 1 and LI-CO zoning for Tract 2, with conditions (7-0); 2nd/3rd readings
C14-04-0139 (Howard Lane Industrial Park: 1100 East Howard Lane)	I-RR to LI	11/2/04: Approved staff's recommendation of LI-CO zoning with added condition of no Adult Oriented Businesses, by consent (9-0)	12/02/04: Approved LI-CO, with a CO for 2,000 vtpd limit and prohibiting Adult Oriented Businesses, (7-0); all 3 readings
C14-04-0127 (Wright Subdivision Dessau Road Zoning Change: 1624 East Howard Lane)	GR-CO to GR	10/19/04: Approved staff's recommendation of GR-CO zoning, with CO to prohibit Adult Oriented Businesses and a public RC encompassing the TIA recommendations, by consent (9-0)	11/18/04: Granted GR-CO (7-0); all 3 readings

C14-04-0056 (Fish Tract: 13600-14224 Dessau Road)	I-RR to SF-2, SF-6, MF-3 and CS	11/02/04: Approved staff's recommendation of : <b>Tract 1, Block A:</b> GR-MU <b>Tract 2, Block A:</b> GR <b>Tract 3, Block A:</b> GR <b>Tract 4, Block A:</b> GR <b>Tract 5, Block A:</b> GR <b>Tract 6, Block A:</b> SF-2-CO (The conditional overlay includes a 100-foot vegetative buffer with a sound barrier fence along the western boundary of this tract to create a physical separation from the commercial/mixed use development proposed on Tract 1, Block A.) <b>Tract 7, Block A:</b> LR-MU <b>Tract 8, Block A:</b> MF-3 <b>Tract 9, Block A:</b> SF-6 <b>Tract 10, Block A:</b> LR <b>Tract 1, Block B:</b> GR-MU <b>Tract 2, Block B:</b> GR-MU In addition, require a public restrictive covenant to encompass the Transportation Impact Analysis Recommendations, by consent (9-0)	12/16/04: Granted SF-2-CO, SF-6, MF-3, LR-MU, GR and GR-MU on all 3 readings (7-0)
C14-00-2101 (Harris Ridge Rezoning: Harris Glenn Drive At Howard Lane)	DR to CS	8/1/00: Approved staff rec. w/ condition of no Adult Oriented Businesses (8-0)	9/28/00: Approved GR-CO w/ conditions on TR 1 & 2 (7-0); all 3 readings

**RELATED CASES:** C7A-03-013 Annexation Case  
C14-2018-0099 Adjacent Zoning Case

**ABUTTING STREETS:**

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Howard Lane	Varies	Varies	Major Arterial	Yes	No	Yes
Klee Street	50 feet	30 feet	Local	Yes	No	No
Maier Drive	50 feet	30 feet	Local	Yes	No	No

**CITY COUNCIL DATE:** January 31, 2019

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 512-974-3057,  
[sherri.sirwaitis@ci.austin.tx.us](mailto:sherri.sirwaitis@ci.austin.tx.us)

## **STAFF RECOMMENDATION**

The staff's recommendation is to grant SF-2-CO, Single-Family Residence-Standard Lot-Conditional Overlay Combining District, zoning. The proposed conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per day.

## **BASIS FOR RECOMMENDATION**

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

Single-family residence standard lot (SF-2) district is the designation for a moderate density single-family residential use on a lot that is a minimum of 5,750 square feet. An SF-2 district designation may be applied to a use in an existing single-family neighborhood that has moderate sized lots or to new development of single-family housing on lots that are 5,750 square feet or more.

2. *Zoning should allow for reasonable use of the property.*

The proposed rezoning area is located adjacent to SF-2-CO zoning and a platted single family residential subdivision to the east and an existing single family residential development located in the County to the north. The Imagine Austin Growth Concept Map identifies this project as being located along an Activity Corridor, East Howard Lane. The property is also by a Neighborhood Center (Dessau/Parmer Neighborhood Center.)

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site under consideration consists of mostly undeveloped area. The property contains part of the Harris Branch tributary/floodplain and a vacant single-family residence. The floodplain area from Harris Branch Creek runs through property from the northwest to the southeast along the northern portion of this tract. The land to the north is a detention area for a single family residential development located in the County. To the south along Howard Lane, the property is undeveloped. To the east, there is floodplain and a developing single family residential subdivision. The lots to the west contain office-warehouse uses (Harris Ridge Business Center) and an undeveloped area.

### **Comprehensive Planning**

Monday September 24, 2018

### **I-RR TO SF-6**

This zoning case is located on the north side of E. Howard Lane, on a vacant parcel that is approximately 57.2 acres in size. This property is not located within the boundaries of a Neighborhood Plan Area. Surrounding land uses includes vacant land and single family housing to the north; vacant land, single family housing, and a gas station/convenience store to the south; a large office/warehouse complex and single family housing to the west; and single family housing and the Dessau Wastewater Treatment Plant to the east. There is a park and four public schools located within a mile of this site. The proposed use is 143 residential units, and the project area includes 30.94 acres of open space. Another associated rezoning on an adjacent parcel front E. Howard Lane is requesting commercial zoning, while this residential use would be located due north.

**Connectivity:** Public sidewalks are located along both sides of this portion of E. Howard Lane, which is quickly filling up with large single family subdivisions. There are no urban trails or public transit stops located within a quarter mile of this site. The Walkscore for this site is **21/100, Car Dependent**, meaning almost all errands require a car. *Please note, Walkscore® does not calculate whether there are public sidewalks, how many lanes of traffic one must cross, how much crime occurs in the area. It also does not differentiate between types of amenities, for example a supermarket grocery store versus a small food mart selling mostly chips and liquor.*

### **Imagine Austin**

The Imagine Austin Growth Concept Map identifies this project as being located along an **Activity Corridor** (E. Howard Lane). The property is also by a **Neighborhood Center** (Dessau/Parmer Neighborhood Center.) A Neighborhood Center is the smallest and least intense of the three types of activity centers outlined in the Growth Concept Map, with a focus on creating local businesses and services—including doctors and dentists, shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses that generally serve the center and surrounding neighborhoods. **Activity Corridors** 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. P. 106

The following Imagine Austin policies are applicable to this case:

- ☐ **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 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 include 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.

**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.

### **Analysis and Conclusion**

East Howard Lane is transitioning away from a rural road to one that is quickly filling up with large single family subdivisions but contains little in the way of goods and services to serve people living adjacent to this major corridor. Based upon: (1) this project being located along an Activity Center, which supports residential uses; (2) the associated commercial portion of this project, which will provide much need goods and services to nearby residential uses; and (3) limited connectivity and civic uses in the area (public sidewalks, and four public school and a park), this project appears to **support** the Imagine Austin Comprehensive Plan.

## **Environmental**

Tuesday August 28, 2018

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

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.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

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.

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

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.

## **Fire**

Tuesday September 04, 2018

AFD must perform a risk assessment to determine if the proposed SF-6 zoning is acceptable adjacent to the existing LI-CO zoning to the East. This assessment takes approximately 21 days.

Provide a drawing showing the location of the proposed residential buildings on this property.

Comments cleared.

## **Hill Country Roadway**

The site is not within a Hill Country Roadway Corridor.

## **Impervious Cover**

The maximum impervious cover allowed by the SF-2 zoning district would be 45%. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

The site is in the Harris Branch Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.



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 Net Site Area</i>	<i>% 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%

Note: The most restrictive impervious cover limit applies.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

### **Site Plan**

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

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 compatibility development regulations.

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

The site is subject to residential compatibility standards along the [north]west property line:

- 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 eastern 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.

### **Transportation**

A traffic impact analysis was waived for this case because the applicant and staff have agreed to limit the intensity and uses for this development. It is recommended that the development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC 25-6-117]

Per LDC 25-6-101 (Ordinance No. 20170302-077), this site is required to provide mitigation for traffic impact with the zoning application. Staff will contact the Austin Transportation Department and Scott James ([Scott.James@austintexas.gov](mailto:Scott.James@austintexas.gov)) to discuss the required mitigation for this site. A traffic study may be required.

Additional right-of-way maybe required at the time of subdivision and/or site plan.

If feasible, it is recommended that the applicant provide vehicular connectivity to the south and west properties for additional access in order to disperse vehicular traffic and provide options of travel for future residences.

Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

FYI – at the time of the subdivision application, Maier Drive and Klee Street right-of-way shall be extended through the property and stubbed out to adjacent property lines to reduce the block size and provide for future connectivity between properties. A preliminary plan will be required for the dedicated right-of-way.

FYI – the block length of the site is approximately 3,055 feet. At the time of the subdivision application, it is recommended to provide public connectivity (north/south and east/west), and construct pedestrian and bicycle infrastructure to reduce the block size and provide connectivity to adjacent properties. The public easement(s) and pedestrian and bicycle infrastructure shall comply with City of Austin standards.

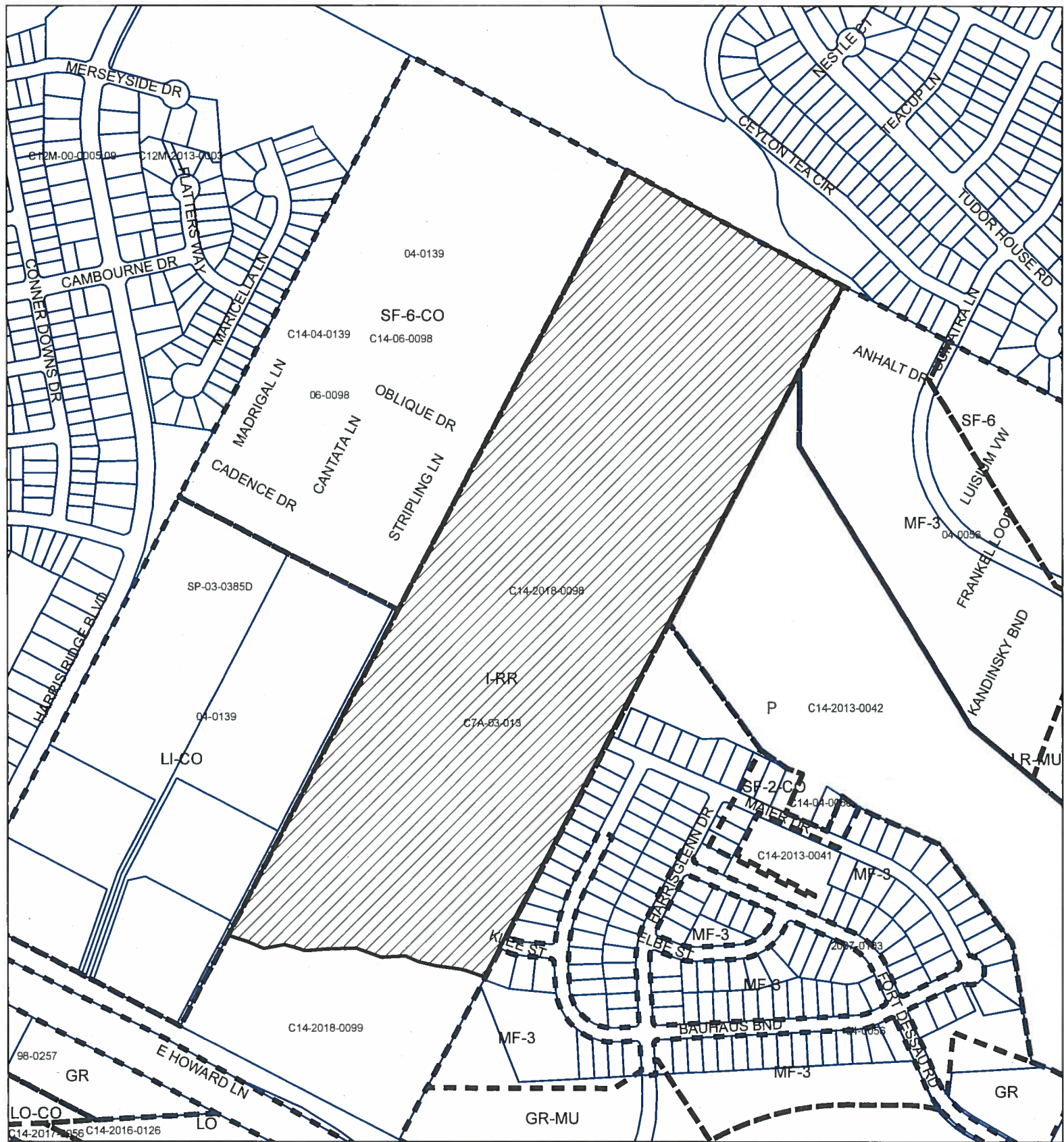
Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Klee Street	50 feet	30 feet	Local	Yes	No	No
Maier Drive	50 feet	30 feet	Local	Yes	No	No

### **Water and Wastewater**

Wednesday August 22, 2018




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.



## Zoning

Zoning Case: C14-2018-0098



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 458'

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.

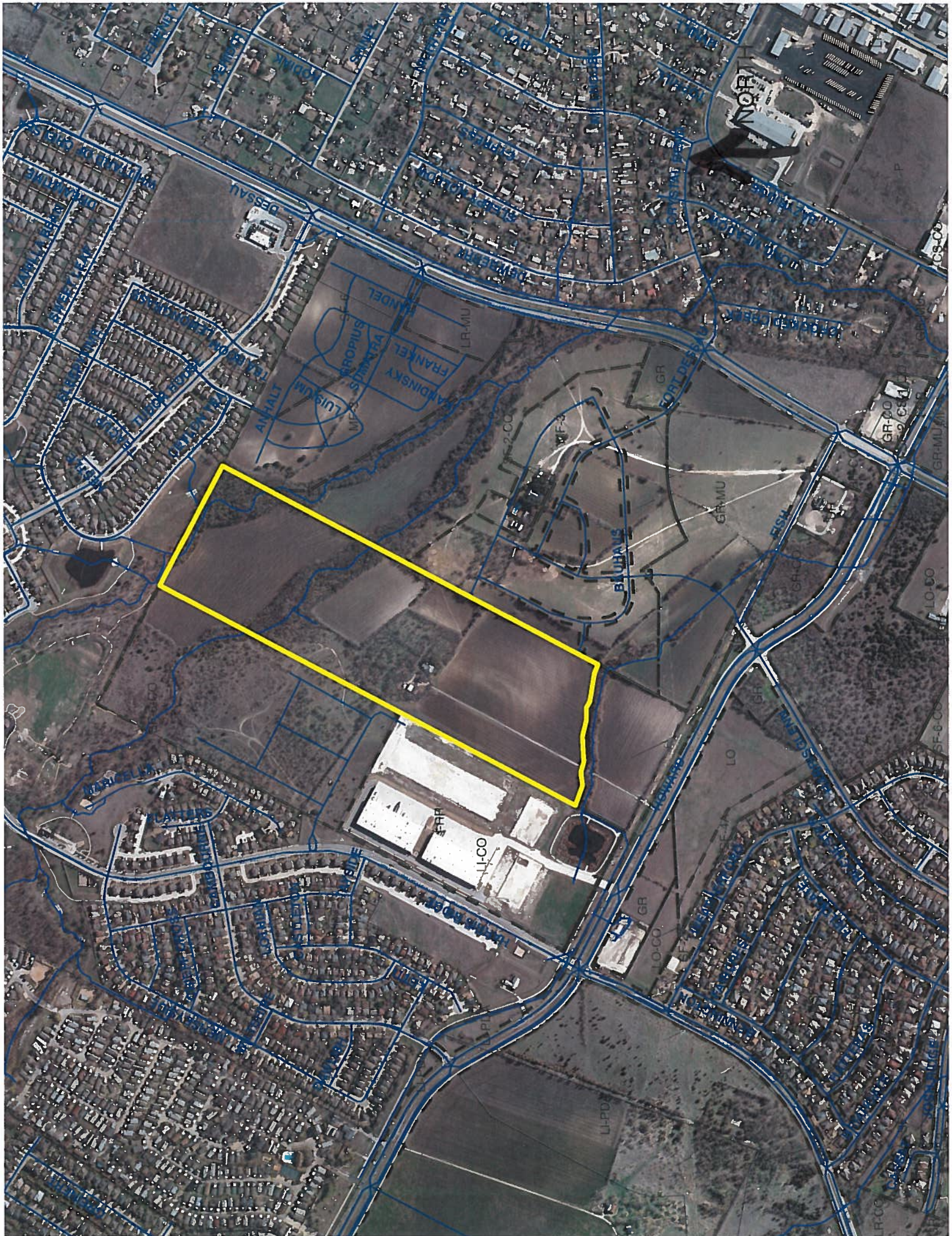
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## STAFF RECOMMENDATION

The staff's recommendation is to grant SF-2-CO, Single-Family Residence-Standard Lot-Conditional Overlay Combining District, zoning. The proposed conditional overlay would limit the development intensity on the site to less than 2,000 vehicle trips per day.

## BASIS FOR RECOMMENDATION

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

Single-family residence standard lot (SF-2) district is the designation for a moderate density single-family residential use on a lot that is a minimum of 5,750 square feet. An SF-2 district designation may be applied to a use in an existing single-family neighborhood that has moderate sized lots or to new development of single-family housing on lots that are 5,750 square feet or more.

2. *Zoning should allow for reasonable use of the property.*

The proposed rezoning area is located adjacent to SF-2-CO zoning and a platted single family residential subdivision to the east and an existing single family residential development located in the County to the north. The Imagine Austin Growth Concept Map identifies this project as being located along an Activity Corridor, East Howard Lane. The property is also by a Neighborhood Center (Dessau/Parmer Neighborhood Center.)

## EXISTING CONDITIONS

### Site Characteristics

The site under consideration consists of mostly undeveloped area. The property contains part of the Harris Branch tributary/floodplain and a vacant single-family residence. The floodplain area from Harris Branch Creek runs through property from the northwest to the southeast along the northern portion of this tract. The land to the north is a detention area for a single family residential development located in the County. To the south along Howard Lane, the property is undeveloped. To the east, there is floodplain and a developing single family residential subdivision. The lots to the west contain office-warehouse uses (Harris Ridge Business Center) and an undeveloped area.

### Comprehensive Planning

Monday September 24, 2018

### I-RR TO SF-6

This zoning case is located on the north side of E. Howard Lane, on a vacant parcel that is approximately 57.2 acres in size. This property is not located within the boundaries of a Neighborhood Plan Area. Surrounding land uses includes vacant land and single family housing to the north; vacant land, single family housing, and a gas station/convenience store to the south; a large office/warehouse complex and single family housing to the west; and single family housing and the Dessau Wastewater Treatment Plant to the east. There is a park and four public schools located within a mile of this site. The proposed use is 143 residential units, and the project area includes 30.94 acres of open space. Another associated rezoning on an adjacent parcel front E. Howard Lane is requesting commercial zoning, while this residential use would be located due north.

**Connectivity:** Public sidewalks are located along both sides of this portion of E. Howard Lane, which is quickly filling up with large single family subdivisions. There are no urban trails or public transit stops located within a quarter mile of this site. The Walkscore for this site is **21/100, Car Dependent**, meaning almost all errands require a car. *Please note, Walkscore® does not calculate whether there are public sidewalks, how many lanes of traffic one must cross, how much crime occurs in the area. It also does not differentiate between types of amenities, for example a supermarket grocery store versus a small food mart selling mostly chips and liquor.*

### **Imagine Austin**

The Imagine Austin Growth Concept Map identifies this project as being located along an **Activity Corridor** (E. Howard Lane). The property is also by a **Neighborhood Center** (Dessau/Parmer Neighborhood Center.) A Neighborhood Center is the smallest and least intense of the three types of activity centers outlined in the Growth Concept Map, with a focus on creating local businesses and services—including doctors and dentists, shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses that generally serve the center and surrounding neighborhoods. **Activity Corridors** 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. P. 106

The following Imagine Austin policies are applicable to this case:

- ☐ **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 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 include 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.

**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.

### **Analysis and Conclusion**

East Howard Lane is transitioning away from a rural road to one that is quickly filling up with large single family subdivisions but contains little in the way of goods and services to serve people living adjacent to this major corridor. Based upon: (1) this project being located along an Activity Center, which supports residential uses; (2) the associated commercial portion of this project, which will provide much need goods and services to nearby residential uses; and (3) limited connectivity and civic uses in the area (public sidewalks, and four public school and a park), this project appears to **support** the Imagine Austin Comprehensive Plan.

## **Environmental**

Tuesday August 28, 2018

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

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.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

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.

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

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.

## **Fire**

Tuesday September 04, 2018

AFD must perform a risk assessment to determine if the proposed SF-6 zoning is acceptable adjacent to the existing LI-CO zoning to the East. This assessment takes approximately 21 days.

Provide a drawing showing the location of the proposed residential buildings on this property.

Comments cleared.

## **Hill Country Roadway**

The site is not within a Hill Country Roadway Corridor.

## **Impervious Cover**

The maximum impervious cover allowed by the SF-2 zoning district would be 45%. However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

The site is in the Harris Branch Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.



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 Net Site Area</i>	<i>% 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%

Note: The most restrictive impervious cover limit applies.

### **Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

### **Site Plan**

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

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 compatibility development regulations.

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

The site is subject to residential compatibility standards along the [north]west property line:

- 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 eastern 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.

### **Transportation**

A traffic impact analysis was waived for this case because the applicant and staff have agreed to limit the intensity and uses for this development. It is recommended that the development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC 25-6-117]

Per LDC 25-6-101 (Ordinance No. 20170302-077), this site is required to provide mitigation for traffic impact with the zoning application. Staff will contact the Austin Transportation Department and Scott James ([Scott.James@austintexas.gov](mailto:Scott.James@austintexas.gov)) to discuss the required mitigation for this site. A traffic study may be required.

Additional right-of-way maybe required at the time of subdivision and/or site plan.

If feasible, it is recommended that the applicant provide vehicular connectivity to the south and west properties for additional access in order to disperse vehicular traffic and provide options of travel for future residences.

Janae Spence, Urban Trails, Public Works Department, Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

FYI – at the time of the subdivision application, Maier Drive and Klee Street right-of-way shall be extended through the property and stubbed out to adjacent property lines to reduce the block size and provide for future connectivity between properties. A preliminary plan will be required for the dedicated right-of-way.

FYI – the block length of the site is approximately 3,055 feet. At the time of the subdivision application, it is recommended to provide public connectivity (north/south and east/west), and construct pedestrian and bicycle infrastructure to reduce the block size and provide connectivity to adjacent properties. The public easement(s) and pedestrian and bicycle infrastructure shall comply with City of Austin standards.

Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile
Klee Street	50 feet	30 feet	Local	Yes	No	No
Maier Drive	50 feet	30 feet	Local	Yes	No	No

### **Water and Wastewater**

Wednesday August 22, 2018

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.

## Sirwaitis, Sherri

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**From:** Laci M. Ehlers <lehlers@mcleanhowardlaw.com>  
**Sent:** Tuesday, November 20, 2018 5:31 PM  
**To:** Sirwaitis, Sherri  
**Subject:** Howard Lane Residential C14-2018-0098

Sherri,

On behalf of the applicant, please consider this email an official request for the requested zoning designation for the above referenced zoning case to be changed from SF-6 to SF-2. Please let me know if you need any additional information or a formally signed letter to process the request.

Thank you,  
Laci

### **Laci Ehlers**

ASSOCIATE  
[lehlers@mcleanhowardlaw.com](mailto:lehlers@mcleanhowardlaw.com)

Barton Oaks Plaza, Building II  
901 South MoPac Expy | Ste 225  
Austin, Texas 78746  
512.328.2008 phone  
512.328.2409 fax  
[www.mcleanhowardlaw.com](http://www.mcleanhowardlaw.com)



McLEAN & HOWARD, L L P

Real Property Lawyers

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# EDUCATIONAL IMPACT STATEMENT

School District:



PROJECT NAME: Howard Lane Residential

ADDRESS/LOCATION: 1208 E. Howard Lane

CASE #:

CITY COUNCIL DATE:

☒ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☐ NEW MULTIFAMILY

☐ TAX CREDIT

# SF UNITS: 143

STUDENTS PER UNIT ASSUMPTION: .5

# MF UNITS:                     

STUDENTS PER UNIT ASSUMPTION:                     

**ELEMENTARY SCHOOL:** Ruth Barron

**RATING:**

ADDRESS: 14850 Harris Ridge Blvd

PERMANENT CAPACITY: 813

75% QUALIFIED FOR FREE/REDUCED

MOBILITY RATE:

LUNCH:

ELEMENTARY SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	638	696	767
% of Permanent Capacity	78	86	90

☒ INCREASE

☐ DECREASE

☐ NO IMPACT

**MIDDLE SCHOOL:** Dessau Middle School

**RATING:**

ADDRESS: 12900 Dessau Rd

PERMANENT CAPACITY: 1000

80% QUALIFIED FOR FREE/REDUCED

MOBILITY RATE:

LUNCH:

MIDDLE SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	824	959	1030
% of Permanent Capacity	82	96	103

☒ INCREASE

☐ DECREASE

☐ NO IMPACT

**HIGH SCHOOL:** Connally High

**RATING:**

ADDRESS: 13212 North Lamar

PERMANENT CAPACITY: 2201

69% QUALIFIED FOR FREE/REDUCED

MOBILITY RATE:

LUNCH:

HIGH SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	1733	1804	1875
% of Permanent Capacity	79	82	85

☒ INCREASE

☐ DECREASE

☐ NO IMPACT

To select one of the checkboxes above, double click on the box and select "checked" from the default value menu in the middle of the page. Click OK to complete the selection.

#### IMPACT ON SCHOOLS

N/A

#### TRANSPORTATION IMPACT

Would increase transportation costs for the district by adding additional bus routes

#### SAFETY IMPACT

Date Prepared: 11/27/18

Director's Signature: Gary Schulte

## 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: C14-2018-0098**

**Contact: Sherri Sirwaitis, 512-974-3057**

**Public Hearing: December 18, 2018, Zoning and Platting Commission  
January 31, 2019, City Council**

Negeen S. Hogan

*Your Name (please print)*

13300 Bauhaus Bend, Pflugerville

*Your address(es) affected by this application*

78660

Negeen S. Hogan

*Signature*

1/1/19

*Date*

Daytime Telephone: 512-560-1773

Comments: We purchased our home because of the safe location by the dead end. People already cut through our neighborhood. This opening would directly impact traffic by our house, putting our small children at risk. We would go from low traffic to high traffic (not even because of residents but people trying to take a short cut). Please consider keeping our neighborhood safer for our kids.

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

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

## INFORMACIÓN DE AUDIENCIA PÚBLICA

Esta petición de zonificación / re zonificación será repasada y acción será tomada de acuerdo a dos audiencias públicas: ante la Comisión de Usos Urbanos y el cabildo municipal. Aunque solicitantes y/o su(s) agente(s) se les requiere atender la audiencia pública, usted no esta bajo requisito de atender. De todos modos, si usted atiende la audiencia pública, tendrá la oportunidad de hablar a FAVOR o EN CONTRA al propuesto desarrollo urbano o cambio de zonificación. Usted también puede contactar a una organización de protección al medio ambiente u organización de vecinos que haya expresado interés en la aplicación teniendo implicaciones a su propiedad.

Durante la audiencia pública, la comisión podría postergar o continuar audiencia del caso en una fecha futura, o puede evaluar la recomendación de los oficiales municipales y las del público al mismo tiempo mandando su recomendación al cabildo municipal. Si la comisión anuncia una fecha y hora específica para postergar o continuar discusión, y no se extiende más de 60 días, no tendrá obligación de otra notificación pública.

El cabildo municipal, durante su audiencia pública, puede otorgar o negar una petición de zonificación, rézonificar el terreno a una clasificación de zonificación menos intensiva que lo que es pedida. En ningún caso se otorgara una clasificación de zonificación más intensiva de la petición.

Para otorgar un desarrollo de usos urbanos mixtos, el cabildo municipal puede agregar la designación USO MIXTO (MU) DISTRITO COMBINADO, *Mixed-use (MU) Combining District*, a ciertos usos urbanos de comercio. La designación MU- Distrito Combinado simplemente permite usos urbanos residenciales en adición a los usos ya permitidos el los siete distritos con zonificación para comercio. Como resultado, la designación MU- Distrito Combinado, otorga la combinación de oficinas, comercio, y usos urbanos residenciales en el mismo sitio.

Para más información acerca del proceso de desarrollo urbano de la ciudad de Austin, por favor visite nuestra página de la *Internet*: [www.austintexas.gov/planning](http://www.austintexas.gov/planning).

Comentarios escritos deberán ser sometidos a la comisión (o a la persona designada en la noticia oficial) antes o durante la audiencia pública. Sus comentarios deben incluir el nombre de la comisión, la fecha de la audiencia pública, y el número de caso de la persona designada en la noticia oficial.

Numero de caso: C14-2018-0098

Persona designada: Sherri Sirwaitis, 512-974-3057

Audiencia Publica: January 15, 2019, Zoning and Platting Commission  
January 31, 2019, City Council

PETE RODRIGUEZ

Su nombre (en letra de molde)

13911 STRIPLING LN #22 Pflugerville TX

Su domicilio(es) afectado(s) por esta solicitud

*[Signature]* 1/15/19

Firma

Fecha

Daytime Telephone: 512 565 3589

Comments: We object to the size of the

Lot size proposed. A density of Lot size

5750 square feet would undermine existing property values in the surrounding area.

Si usted usa esta forma para proveer comentarios, puede retornarlos :

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810