

ZONING CHANGE REVIEW SHEET

CASE: C14-2024-0072 – Garza II

DISTRICT: 8

ADDRESS: 6515 ½ and 6367 ½ S Mopac Expressway Service Road NB,
4109 ½ and 4101 ½ Sabio Drive and 6316 Legado Lane

ZONING FROM: GR-MU-CO-NP

TO: GR-MU-V-CO-NP

SITE AREA: 4.273 acres

PROPERTY OWNER: Brandywine Garza Office I, LP (Kyle McDonald)

AGENT: Drenner Group, PC (David Anderson)

CASE MANAGER: Nancy Estrada (512-974-7617, nancy.estrada@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant community commercial – mixed use – vertical mixed use building – conditional overlay – neighborhood plan (GR-MU-V-CO-NP) combining district zoning. The Conditional Overlay prohibits the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Exterminating Services, Funeral Services, Pawn Shop Services, Service Station, Custom Manufacturing, Drop-off Recycling Collection Facility, Outdoor Sports & Recreation and Plant Nursery. For a summary of the basis of Staff's recommendation, please see pages 2 - 3.

PLANNING COMMISSION ACTION / RECOMMENDATION:

August 13, 2024: APPROVED GR-MU-V-CO-NP DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT

[A. AZHAR; A. WOODS – 2nd] (12-0) P. HOWARD – ABSENT

CITY COUNCIL ACTION:

September 12, 2024:

ORDINANCE NUMBER:

ISSUES:

CASE MANAGER COMMENTS:

The subject rezoning area consists of 4.27 acres and is currently undeveloped. It is located east of South Mopac Expressway and north of William Cannon Drive. The northern boundary is along Ben Garza Lane at the intersection of Legado Lane. This property and the area directly to the east, also known as Garza Ranch, was previously zoned to (GR-MU-CO) by three rezoning cases approved by Council in May 2007. The East Oak Hill Neighborhood Plan was added in December 2008.

The rezoning area is surrounded by multifamily residences, a hotel, and general office immediately to the east (MF-2-CO-NP; DR-NP). Financial services, restaurant uses and food sales are directly to the south (GR-CO-NP; GR). To the north across Ben Garza Lane is the Violet Crown urban trail and undeveloped land. (GR-MU-CO-NP; MF-2-CO-NP). A segment of the Violet Crown Trail also runs along the western boundary of the property along the northbound frontage road of South Mopac Expressway. *Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).*

The Applicant is requesting to rezone the property to community commercial – mixed use – vertical mixed use building – conditional overlay – neighborhood plan (GR-MU-V-CO-NP) combining district zoning. The applicant is proposing 267 multifamily units and 8,000 square feet of retail. Access to the property is proposed from both the northbound frontage road of South Mopac Expressway and Ben Garza Lane.

A building constructed under vertical mixed use building (–V) standards is required to contain a mix of residential and commercial uses, and the result is typically retail, restaurants and offices on the ground floor, and residential units on the upper levels.

Staff is recommending (GR-MU-V-CO-NP). The Conditional Overlay will remain the same and consists of the prohibited uses listed above. There is also a Restrictive Covenant that limits the number of units in a stand-alone multifamily structure to 450.

BASIS OF RECOMMENDATION:

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

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 vertical mixed use building (V) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed use building. 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.

2. *Zoning changes should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.*
3. *Zoning changes should promote compatibility with adjacent and nearby uses.*

Staff is recommending (GR-MU-V-CO-NP) zoning for the subject property based on the following considerations: 1) community commercial – mixed use – vertical mixed use building (GR-MU-V) is appropriate due to its location on the northbound frontage road of South Mopac Expressway and its proximity to William Cannon Drive, 2) it is consistent with the existing adjacent (GR) commercial zoning to the east and south, 3) there is accessibility to the Violet Crown urban trail and the Williamson Creek West Greenbelt, 4) major arterials such as William Cannon Drive and Brodie Lane are easily accessible and provide connectivity to goods and services, and 5) potential commercial uses would be available to serve residents of the proposed future development and the surrounding area.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-MU-CO-NP	Undeveloped
<i>North</i>	MF-2-CO; GR-MU-CO-NP; DR-NP; RR-NP	Undeveloped; Violet Crown Trail-North
<i>South</i>	GR-CO-NP; GR	Financial services; Restaurants (general and limited); Food sales
<i>East</i>	GR-MU-CO-NP	Multifamily; Hotel; General office
<i>West</i>	N/A	MoPac Expressway

NEIGHBORHOOD PLANNING AREA: Oak Hill Combined (East Oak Hill)

WATERSHED: Williamson Creek – Barton Springs Zone – Drinking Water Protection Zone

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes – S. Mopac Expressway

SCHOOLS: Austin Independent School District:
Sunset Valley Elementary School Covington Middle School Crockett High School

COMMUNITY REGISTRY LIST:

Austin Independent School District Austin Lost and Found Pets Covered Bridge Property Owners Association East Oak Hill Neighborhood Association Homeless Neighborhood Association Neighborhood Empowerment Foundation Oak Hill Neighborhood Plan Contact Oak Hill Association of Neighborhoods (OHAN) Save Barton Creek Association South Austin Neighborhood Alliance (SANA) TNR BCP – Travis County Natural Resources Westcreek Neighborhood Association Western Oaks Property Owners Association	Friends of Austin Neighborhoods Onion Creek Homeowners Association Oak Hill Trails Association Save Our Springs Alliance SELTexas Sierra Club, Austin Regional Group Preservation Austin
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AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0011A; C14-2014-0011B – 3800 Ben Garza Lane; 3510 – 4003 Ben Garza Lane	GR-MU-CO-NP, to change a condition of zoning	Did not make a recommendation. (12/09/2014)	Apvd GR-MU-CO-NP, with CO of 13,000 trips per day (03/05/2015)
C14-06-0181 – 3510 and 4003 Ben Garza Lane	SF-2 to GR-MU	To Grant GR-MU-CO w/ CO of prohibited uses & 2,000 trip limit. RC to limit sum of mutifamily units to 450 in stand-alone buildings. (02/27/2007)	Apvd GR-MU-CO & RC as Commission recommended (05/03/2007)
C14-06-0199 – 3800 - 4004 Ben Garza Lane	I-RR; DR; MF-2-CO to GR-MU	To Grant GR-MU-CO w/ CO of prohibited uses & 2,000 trip limit. RC to limit sum of mutifamily units to 450 in stand-alone buildings. (02/27/2007)	Apvd GR-MU-CO & RC as Commission recommended (05/03/2007)

C14-06-0197 – 3801 - 4001 Ben Garza Lane	I-RR; DR; SF-2 to GR-MU	To Grant GR-MU-CO w/ CO of prohibited uses & 2,000 trip limit. RC to limit sum of mutifamily units to 450 in stand-alone buildings. (02/27/2007)	Apvd GR-MU-CO & RC as Commission recommended (05/03/2007)
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RELATED CASES

C8-2017-0137.0A – subject rezoning area is described as Rancho Garza Subdivision, recorded on February 11, 2018

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: C14-2024-0072. Project: Garza II. Oak Hill Combined NP. FLUM: Neighborhood Mixed Use and Commercial. 4.273 acres from GR-MU-CO-NP to GR-MU-V-CO-NP. Existing: undeveloped. Proposed: 267 multifamily residential units and retail. No demolition proposed.

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures *
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Names of Activity Centers/Activity Corridors/Job Centers *: <ul style="list-style-type: none"> • Located within William Cannon & MoPac Activity Center for Redevelopment in Sensitive Environmental Areas; 0.13 miles from William Cannon Drive Activity Corridor
	Mobility and Public Transit *: Located within 0.25 miles of public transit stop and/or light rail station.
Y	Mobility and Bike/Ped Access *: Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> • Sidewalk present on the opposite side on Legado Cir, and along portion of Ben Garza Ln
Y	Connectivity, Good and Services, Employment *: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access *: Provides or is located within 0.50 miles of a grocery store/farmers market.
	Connectivity and Education *: Located within 0.50 miles from a public school or university.
Y	Connectivity and Healthy Living *: Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> • 0.1 miles from Williamson Creek West Greenbelt
Y	Connectivity and Health *: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor’s office, drugstore clinic, and/or specialized outpatient care.) <ul style="list-style-type: none"> • 0.3 miles to Urgent Care Center
Y	Housing Choice *: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Housing Affordability *: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Y	Mixed use *: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy *: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.

	Creative Economy: Expands Austin’s creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
	Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone
7	Number of “Yes’s”

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.

Environmental

This site is located over the Edwards Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone Watershed by Chapter 25-8 of the City’s Land Development Code. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone.

According to floodplain maps there is no floodplain within or adjacent to 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.

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. Runoff from the site is required to comply with pollutant load restrictions as specified in Land Development Code.

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.

Site Plan

No comments on zoning change.

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. 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 currently features a segment of the Violet Crown Trail. Future development must accommodate the trail by providing sufficient buffer and prevent any uses that would conflict with the trail use, such as curb cuts and driveways. Any additional trail easements may be required at the time of development, if needed.

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 § 25-1-609.

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

Austin Transportation Department – Engineering Review

This site must demonstrate compliance with the TIA memo approved for zoning case C14-2014-011.

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

There is a proposed Urban Trail adjacent to this site, along western property boundary (Violet Crown Trail). The easement required is a minimum of 20 ft as this allows for a 12 ft trail (minimum trail width per the urban trails plan) and room for maintenance activity.

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
S Mopac Expressway Service Road NB	Level 4 – Major Arterial	Coord. with TxDOT	400’	46’	Yes	Yes	No

Sabio Drive	Level 1 – Residential Collector	58'	N/A	N/A	No	No	No
Legado Lane	Level 1 – Residential Collector	58'	N/A	25'	No	No	No
Ben Garza Lane	Level 3 – Minor/Major Arterial	80'	70'	46'	Yes	No	No

A Traffic Impact Analysis may require update upon further review.

Austin Water Utility

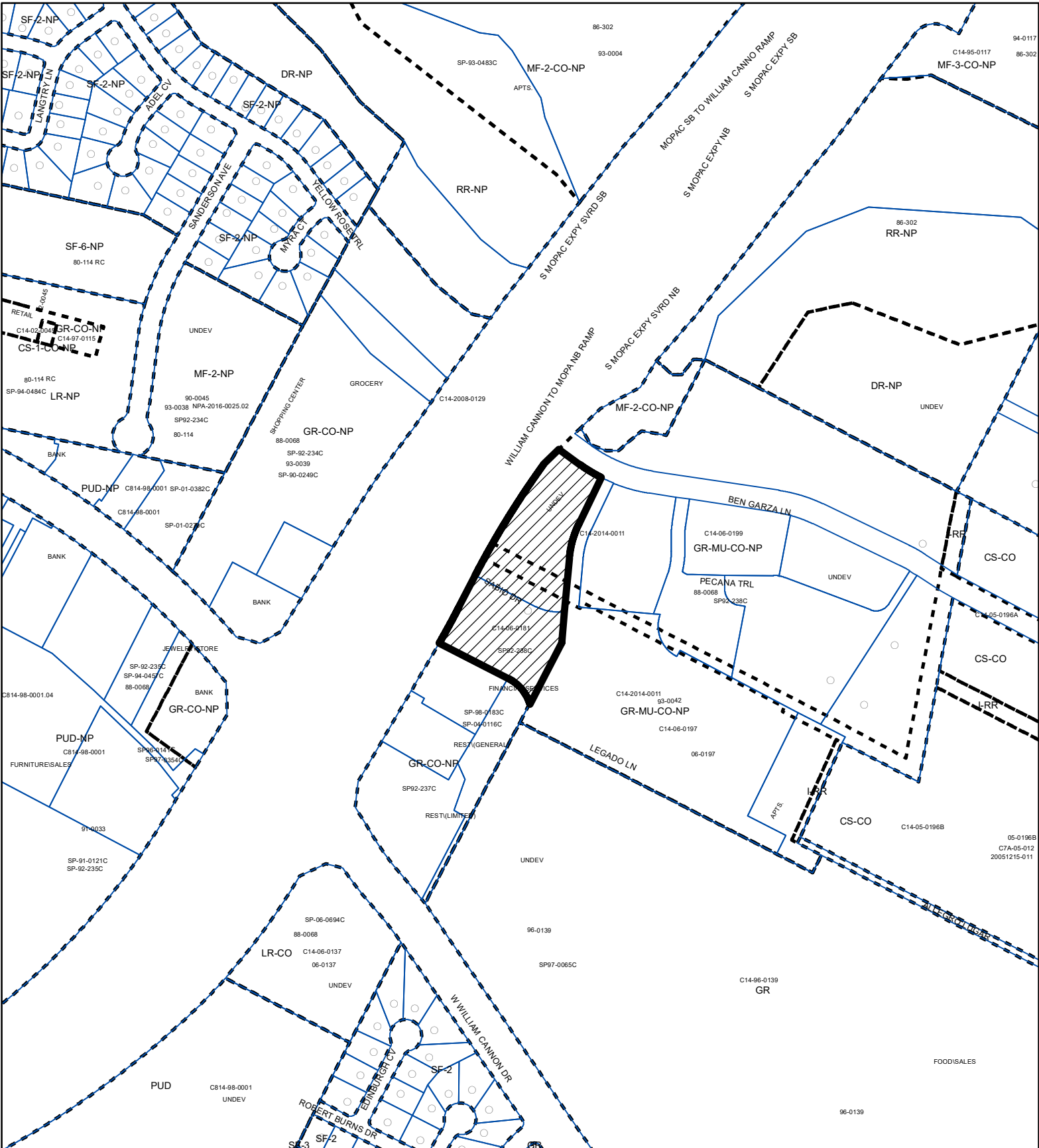
No comments on zoning change.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibit A: Zoning Map

Exhibit A-1: Aerial Map

Applicant's Summary Letter






ZONING

ZONING CASE#: C14-2024-0072

EXHIBIT A



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

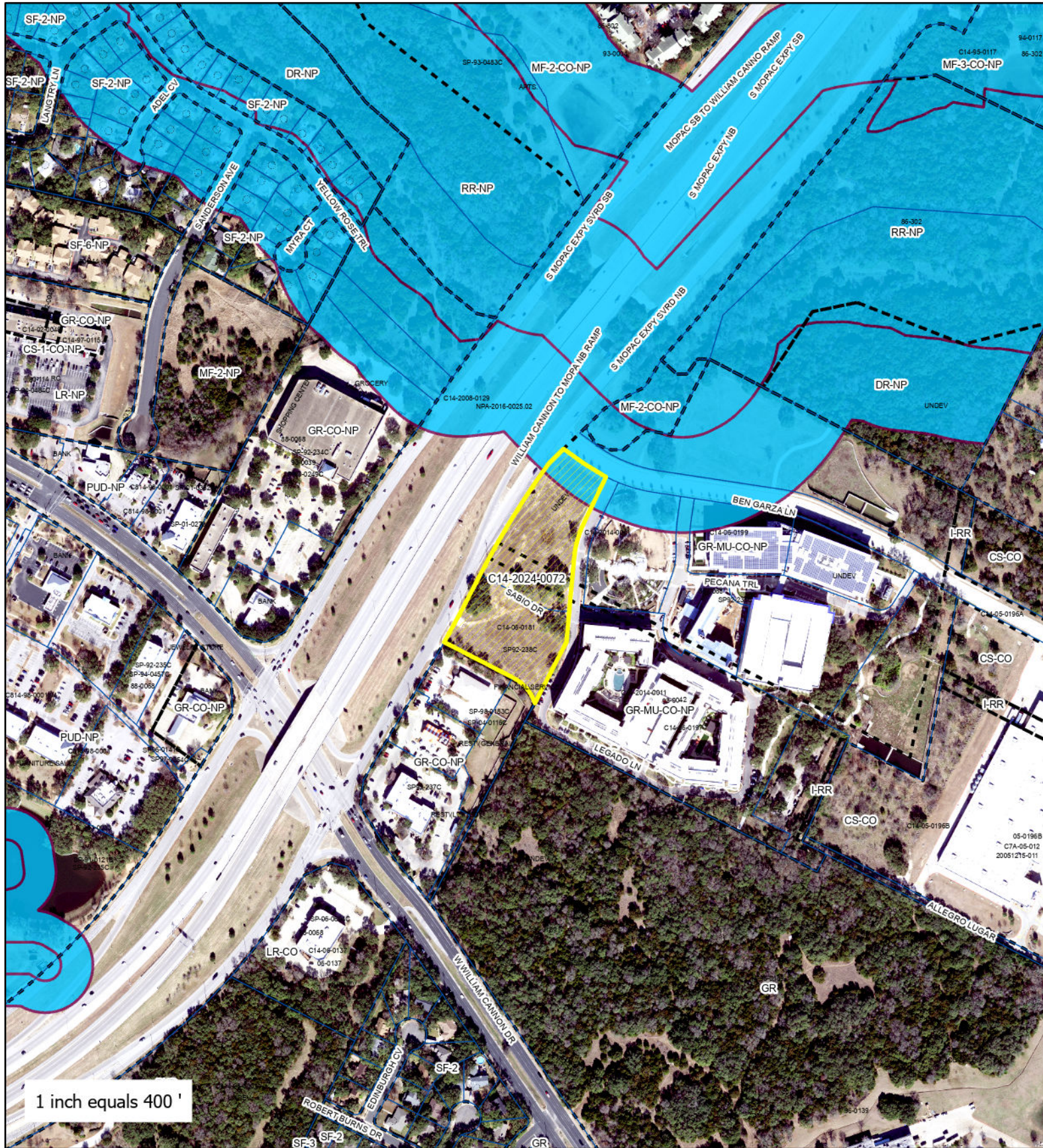
1" = 400'

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 the Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 5/6/2024







1 inch equals 400'

Garza II

EXHIBIT A-1



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

ZONING CASE#: C14-2024-0072
 LOCATION: 4109 1/2 Sabio Dr.
 6316 Legado Ln.
 SUBJECT AREA: 4.273 Acres
 MANAGER: Nancy Estrada



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Created: 8/6/2024

DRENNER GROUP

David J. Anderson
direct dial: (512) 807-2908
danderson@drennergroupp.com

April 1, 2024

Ms. Lauren Middleton-Pratt
Planning Department
City of Austin
6310 Wilhelmina Delco Drive
Austin, TX 78752

Via Electronic Delivery

Re: Garza II – Rezoning application for the 4.273-acre property located at 4109 ½ Sabio Drive and 6316 Legado Lane in Austin, Travis County, Texas, more specifically described as Lots 1 and 2, Block A, Amended Plat of Rancho Garza Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded under Document No. 201800034, Official Public Records of Travis County, Texas (the “Property”) – Travis Central Appraisal District Parcel Numbers 0412250509 and 0412231301

Dear Ms. Middleton-Pratt:

As representatives of the owner of the Property, we respectfully submit the enclosed Rezoning application package. The project is titled Garza II and consists of 4.273 acres of land that is currently undeveloped. The Property is located north of William Cannon Drive and east of Mopac Expressway.

The Property is located within the Neighborhood Planning Area of Oak Hill Combined Neighborhood Plan, with a Future Land Use Map (FLUM) designation of Neighborhood Mixed Use and Commercial. The request is to rezone the Property from Community Commercial – Mixed Use – Conditional Overlay – Neighborhood Plan (GR-MU-CO-NP) to Community Commercial – Mixed Use – Vertical Mixed Use Building – Conditional Overlay – Neighborhood Plan (GR-MU-V-CO-NP), in order to allow for multifamily residential use. The rezoning request is consistent with surrounding uses. As verified in that certain memo from Maureen Meredith, Senior Planner, dated August 2, 2023, and included in this application package, a FLUM amendment is not required, because the request does not include a change to the base zoning district.

A Traffic Impact Analysis ("TIA") has been waived via a TIA Determination Worksheet from Mustafa Wali, dated March 1, 2024, with the note that the site must demonstrate compliance with the TIA memo approved for zoning case C14-2014-011, and the TIA may require update upon further review.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,

A handwritten signature in black ink, appearing to read "David J. Anderson", with a long horizontal line extending to the right.

David J. Anderson

cc: Maureen Meredith, Housing and Planning Department (*via electronic delivery*)
Joi Harden, Housing and Planning Department (*via electronic delivery*)