

ZONING CHANGE REVIEW SHEET

CASE: C14-2024-0133 – Burleson Forest

DISTRICT: 3

ADDRESS: 3507 Burleson Road

ZONING FROM: CS-MU-V-CO-NP

TO: CS-MU-V-CO-DB90-NP

SITE AREA: 10.875 acres

PROPERTY OWNER: Stoneridge Capital Partners LTD (Michael Wong)

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

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

STAFF RECOMMEDATION:

The Staff recommendation is to grant general commercial services – mixed use – vertical mixed use building – conditional overlay – density bonus 90 – neighborhood plan (CS-MU-V-CO-DB90-NP) combining district zoning.

The Conditional Overlay will include the following per Ordinance No. 20230720-172:

- 1) A building may not be constructed on Tract 2 within an area 150 feet west from the centerline of the creek described as a tributary of Country Club Creek,**
 - 2) A 150-foot wide vegetative buffer shall be provided and maintained along the north property line adjacent to the adjoining greenbelt parkland as shown in Exhibit "C".**
- Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance. *Please refer to Exhibit B.***

For a summary of the basis of Staff's recommendation, see pages 2-5.

PLANNING COMMISSION ACTION / RECOMMENDATION:

November 12, 2024: APPROVED CS-MU-V-CO-DB90-NP COMBINING DISTRICT ZONING AS STAFF RECOMMENDED, BY CONSENT

[A. AZHAR; D. SKIDMORE – 2nd] (12-0) G. COX – ABSENT

CITY COUNCIL ACTION:

December 12, 2024:

ORDINANCE NUMBER:

ISSUES:

Ordinance No. 20220609-080, Ordinance No. 20221201-056 and Ordinance No. 20221201-055 were invalidated in December 2023. On March 11, 2024, Ordinance No. 20240229-073, was enacted to create the “DB90” combining district, which amended City Code Title 25 (Land Development) to create a new zoning district for a density bonus program that grants 30 feet in height above the base zoning district, to a maximum of 90 feet, and modifies site development regulations including compatibility standards. Subsequently, the applicant submitted this new rezoning application to request the (DB90) combining district.

The conditions established in the Conditional Overlay for case number C14-2023-0052 will continue to be recommended in this new rezoning case.

Planning Commission Previous Action

June 27, 2023: *Approved CS-MU-V-CO-NP combining district zoning as Staff recommended, by Consent*

[A. Azhar; F. Maxwell – 2nd] (9-0) N. Barrera-Ramirez, P. Howard, G. Anderson – Absent

City Council Previous Action

July 20, 2023: *Approved CS-MU-V-CO-NP combining district zoning as Planning Commission recommended, by Consent*

VOTE: 10-0. Council Member Fuentes was off the dais.

Prior Rezoning Case (C14-2023-0052)

Ordinance No. 20230720-172 approved July 20, 2023

CASE MANAGER COMMENTS:

The subject rezoning area is 10.87 acres and located at 3507 Burluson Road at the northeast intersection of Burluson Road and East Ben White Boulevard Service Road Westbound. The subject property is in an environmentally sensitive area and consists of two undeveloped parcels that were recently rezoned to general commercial services – mixed use – vertical mixed use building – conditional overlay – neighborhood plan (CS-MU-V-CO-NP) combining district zoning.

The site is currently undeveloped and the existing conditions include large heritage and protected trees, creek buffers and steep slopes. Therefore, approximately four acres of the 10.87-acre site will be used for the proposed mixed-use development while the remainder of the property will remain heavily wooded and will be used as parkland dedication.

There are single family residences to the north (SF-3-NP) and the Country Club Creek Greenbelt (SF-2-NP) is adjacent to the northern property line. City maps show a creek buffer that runs through the greenbelt and encroaches onto the northeastern corner of the subject property. Creek buffers are unbuildable areas. Adjacent to the eastern property line is undeveloped land (CS-CO-NP). A convenience store with a fuel station and multi-family

residential are to the west of this property (GR-NP; MF-3; MF-2; LR-NP; LR). The E. Ben White Boulevard westbound service road is directly to the south. ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).***

The Applicant is requesting to rezone both parcels to general commercial services – mixed use – vertical mixed use building – conditional overlay – density bonus 90 – neighborhood plan (CS-MU-V-CO-DB90-NP) combining district zoning. The applicant is proposing a multifamily project requiring an affordable component and pedestrian-oriented ground floor commercial space. A building constructed under density bonus 90 (–DB90) standards allows for a mix of residential uses and commercial uses, and the result is typically retail, restaurants and offices on the ground floor, and residential units on upper levels. The overall project would consist of approximately 425 residential units. The proposed project will be located along the corridor frontage with access from Burleson Road and the East Ben White Boulevard service road. The related Neighborhood Plan Amendment was also approved in July 2023 and this property received a FLUM change to Mixed Use, which remains the correct land use category for this rezoning request.

A development utilizing the “density bonus 90” incentives is permitted with a base (CS) zoning district and must include an affordability component for residential use in order to obtain incentives, including a height maximum of 90 feet in the (CS) district (60 feet base height plus an additional 30 feet) and modified development and compatibility standards, such as floor-area-ratio (FAR), minimum setbacks and building coverage. There are two options for satisfying DB90 development affordability requirements for projects including rental units:

- 1) a minimum of 12% of the rental units in a building are affordable for a 40-year period for households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
- 2) a minimum of 10% of the rental units are affordable for a 40-year period for households earning 50% or less than the Austin-Round Rock Metropolitan Statistical Area MFI.

A similar rezoning request was previously approved for this property by the Planning Commission and City Council. However, the Court’s ruling invalidated the bonuses authorized for a “VMU2” building. The analysis and basis for recommendation of the previous (V) combining district is the same for this rezoning request to add the (DB90) combining district.

Staff is recommending (CS-MU-V-CO-DB90-NP) with the previously approved Conditional Overlay that refers to Tract 2 in that a building may not be constructed on Tract 2 within an area 150 feet west from the centerline of the creek described as a tributary of Country Club Creek, which is consistent with (Ordinance No. 20230720-172). A 150-foot-wide vegetative buffer that shall be provided and maintained along the north property adjacent to the adjoining greenbelt will also be included in the conditional overlay.

The East Riverside/Oltorf Combined (EROC) Contact Team provided support for the previous rezoning case. The Applicant has also been in communication with the EROC Neighborhood Plan Contact Team regarding this rezoning case.

BASIS OF RECOMMENDATION:

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

The proposed general commercial services (CS) district zoning is intended for commercial or industrial uses that typically have operating characteristics or traffic service requirements generally incompatible with residential environments. 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 Density Bonus 90 (DB90) combining district, in exchange for providing affordable housing units and in combination with commercial base zoning districts, allows a mixture of office, retail, commercial, and residential uses with modifications of compatibility standards and site development regulations including increased building height. The neighborhood plan (NP) district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. *Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and collectors.*

Staff is recommending (CS-MU-V-CO-DB90-NP) zoning for the subject property based on the following considerations: 1) general commercial services – mixed use (CS-MU) is appropriate due to its frontage on Burleson Road and the East Ben White Boulevard service road and its location at an intersection of a major arterial street and collector, 2) commercial uses would be available to serve residents of the adjacent subdivisions, as well as the wider community, and 3) there is existing (CS) district zoning adjacent to the east of the property.

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

The City Council has provided policy and direction for having more residential density and increased affordability, as well as incentivizing vertical mixed use buildings throughout the City. The City Council previously approved rezoning this property to allow for a vertical mixed-use building. This request is consistent with the “VMU2” option and Ordinance No. 20240229-073 (new DB90), which replaced the invalidated “VMU2” option.

4. *Zoning should promote clearly identified community goals, such as creating employment opportunities or providing for affordable housing.*

This rezoning authorizes a property to participate in a voluntary density bonus or incentive program that provides modifications to development regulations or other regulatory-related benefits in exchange for community benefits. In exchange for increased development potential, the development is required to comply with affordable housing requirements.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO-CO-NP; SF-3-NP; SF-2-NP	Undeveloped
<i>North</i>	SF-2-NP; SF-3-NP	Single family residences; Undeveloped; Greenbelt
<i>South</i>	LI-NP; P-NP	East Ben White Blvd; East Ben White Blvd Service Road; USPS
<i>East</i>	CS-CO-NP	Undeveloped; Religious assembly
<i>West</i>	GR-NP; MF-3; MF-2; LR-NP; LR	Convenience store; Fuel station; Multifamily; Restaurant

NEIGHBORHOOD PLANNING AREA: East Riverside/Oltorf Combined (Parker Lane)

WATERSHED: County Club West – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: Yes – East Ben White Boulevard

SCHOOLS:

Del Valle Independent School District

Smith Elementary Ojeda Middle Del Valle High

Austin Independent School District

Linder Elementary Lively Middle Travis High

COMMUNITY REGISTRY LIST:

Austin Independent School District	Austin Lost and Found Pets
Burleson Parker Neighborhood Associations	SELTexas
Del Valle Independent School Distric	Preservation Austin
Sierra Club, Austin Regional Group	Sunridge Homeowners Assn
Burleson Road Heights Neighborhood	Del Valle Community Coalition
Neighborhood Empowerment Foundation	Go Austin Vamos Austin 78744
Kensington Park Homeowners Assn.	Austin Neighborhoods Council
Homeless Neighborhood Association	Onion Creek HOA

Crossing Gardenhome Owners Assn. (The)
 Southeast Austin Neighborhood Alliance
 Southeast Combined Neighborhood Plan Contact Team
 East Riverside/Oltorf Neighborhood Plan Contact Team

Dove Springs Proud
 Pleasant Valley
 Friends of Austin Neighborhoods

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2023-0052 – Burleson & Ben White	LO-CO-NP, SF-3-NP, SF-2- NP to CS-MU- V-CO-NP	To Grant (6/27/2023) CS-MU-V-CO-NP	Apvd CS-MU-V-CO- NP (7/20/2023)
C14-2019-0026 – 3201 Burleson Road	SF-3-NP to MH-NP	To Grant (5/28/2019) MH-NP	Apvd MH-NP (6/20/2019)
C14-2019-0167 – 4530 E Ben White Blvd.	SF-2-NP and CS-CO-NP to CS-CO-NP	To Deny (5/12/2020) CS-MU-CO-NP	Apvd CS-CO-NP (3/4/2021)
C14-2016-0069 – 5016-1/2 E Ben White Blvd.	CS-CO-NP and GR-CO-NP to CS-MU-CO-NP and GR-MU- CO-NP	To Grant (10/11/2016) with added conditions. Prohibit residential use withing 200 feet of E. Ben White BLVD	Apvd (3/23/2017) requires emergency vehicle access from E. Ben White BLVD
C14-2013-0106 – 5016-1/2 E Ben White Blvd.	GR-NP to CS- CO-NP.	To Grant (10/22/2013) For Tract 1, to grant General Commercial Services – Conditional Overlay – Neighborhood (CS- CO-NP) zoning with conditions and for Tract 2, to grant Community Commercial – Conditional Overlay - Neighborhood Plan (GR-CO-NP) zoning with conditions, as recommended by staff.	Apvd (12/12/2013)

RELATED CASES:

NPA-2022-0021.02 - from Office, Commercial, and Single Family to Mixed Use

There are no subdivision or site plan cases on the subject property.

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 3507 BURLESON ROAD. C14-2024-0133. Project: Burleson Forest. 10.87 acres from CS-MU-V-CO-NP to CS-MU-V-DB90-CO-NP. Existing: undeveloped. Proposed: 425 mixed use residential units. Note that application does not specify proposed mixed use beyond residential units, and parkland dedication will be required. Proposal seeks Density Bonus 90 Combining District (Ordinance No. 20240229-073), which sets affordability minimums on ownership and rental units, and further allows for an increase of up to 30 ft in height above the base zone allowance, with a maximum limit of 90 feet in total height. DB90 additionally releases the site from some base zoning district development standards, including maximum floor area ratio.

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"> • Adjacent to Pleasant Valley Activity Corridor; Adjacent to McKinney Job Center
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 along Ben White Blvd
Y	Connectivity, Good and Services, Employment *: Provides or is located within 0.50 miles to goods and services, and/or employment center. <ul style="list-style-type: none"> • Goods and Services present along Ben White and Burleson, including post office, and automotive services
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"> • 0.4 miles to Country Club Creek Trail
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.)	
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.
Y	Housing Affordability *: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
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.	
Y	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

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Country Club West Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there 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.

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.

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.

PARD – Planning & Design Review

Parkland dedication will be required for the new applicable uses proposed by this development, multifamily, office, and retail with CS-MU-V-CO-NP 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 any 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 § 25-1-609. Note that residential units that are certified affordable and income-restricted are exempt from the parkland dedication requirements per City Code § 25-1-601(D)(4).

Portions of the track are park deficient, defined as being outside walking distance to existing parks. The Parks and Recreation Department (PARD) is open to discussing potential parkland configurations that would go toward satisfying the requirement at time of permitting (whether subdivision or site plan). Should there be any remaining fees in-lieu, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-609.

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: ann.desanctis@austintexas.gov

Site Plan

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

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

This site is within the Parker Lane Neighborhood Planning Area.

DB90 Rezoning

This site must meet affordability minimums to be eligible for DB90. A signed approval letter from the Housing Department will be required with site plan submittal.

Burleson Road is the Principal Street for this site. Any buildings fronting this street will be required to have 75% of the ground floor as commercial uses.

This site is adjacent to a site that contains one to three dwelling units and is zoned SF-5 or more restrictive. A compatibility buffer 25' in width, designed to 25-8-700 and 25-2-652(G) will be required.

Scenic Roadways

A portion of this site is within the Scenic Roadway Sign District. All signs must comply with Scenic Roadway Sign District regulations. Contact Viktor Auzenne at (512) 974-2941 for more information.

Austin Transportation Department – Engineering Review

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

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Burleson Road	Level 3 – Minor/Major Arterial	116’	Varies 71’ - 100’	34’	Yes	Yes	No
East Ben White Boulevard SVRD Westbound	Level 4 – Principal/Major Arterial	N/A	SVRD Westbound through SVRD Eastbound: Varies 340’ - 356’	SVRD Westbound: Varies 38’ - 64’	Yes	No	No
South Pleasant Valley Road	Level 1 – Residential Collector	58’	117’	39’	No	No	No

A Traffic Impact Analysis is not required.

Austin Water Utility

No comments on zoning change.

The landowner intends to serve the site with existing City of Austin water utilities.

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. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

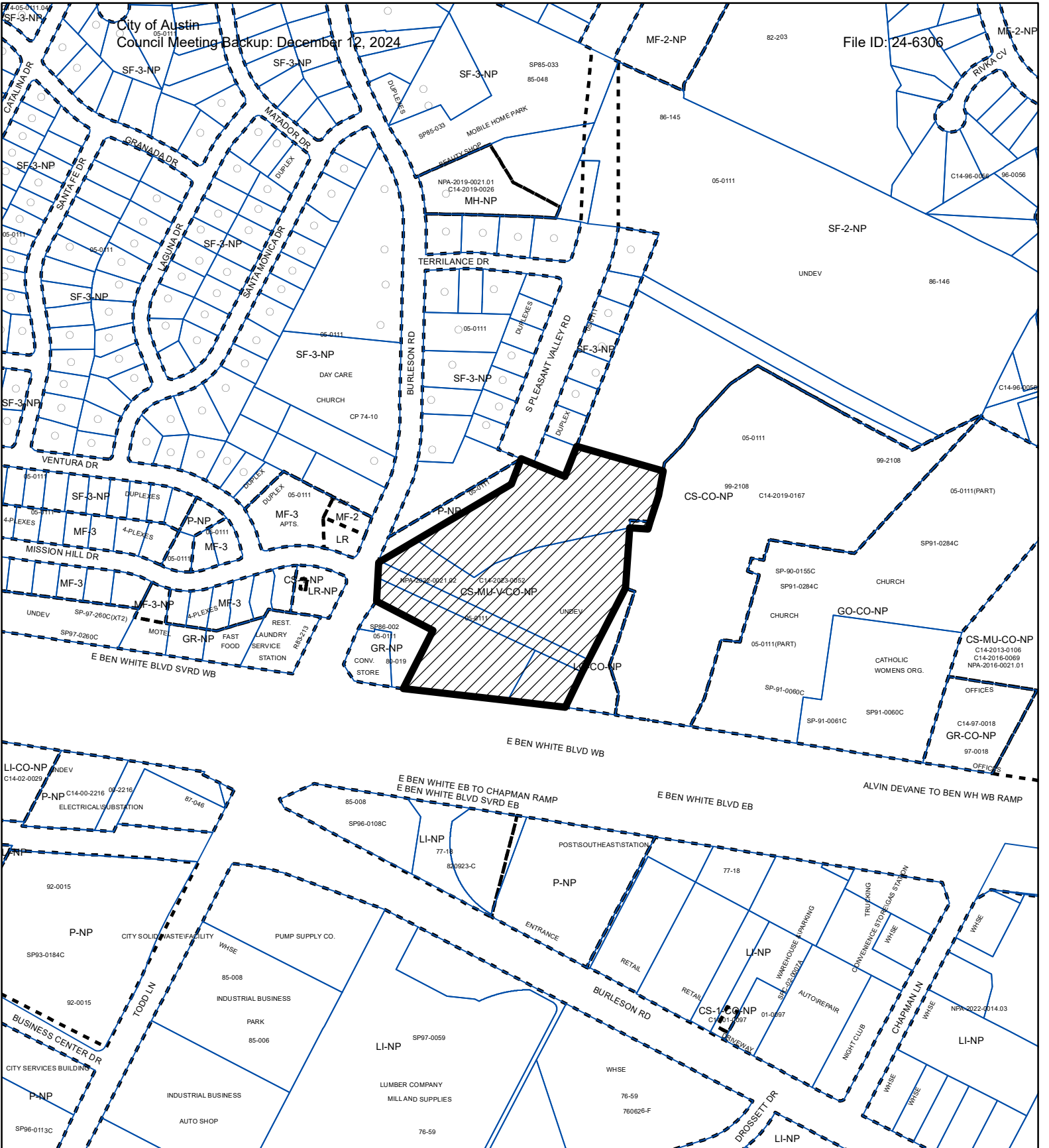
Exhibit A: Zoning Map
Exhibit A-1: Aerial Map




Applicant's Summary Letter

Austin Fire Department Assessment Report

Exhibit B: Ordinance No. 20230720-172
Exhibit C: Creek and Parkland Setbacks

Correspondence



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2024-0133

EXHIBIT A

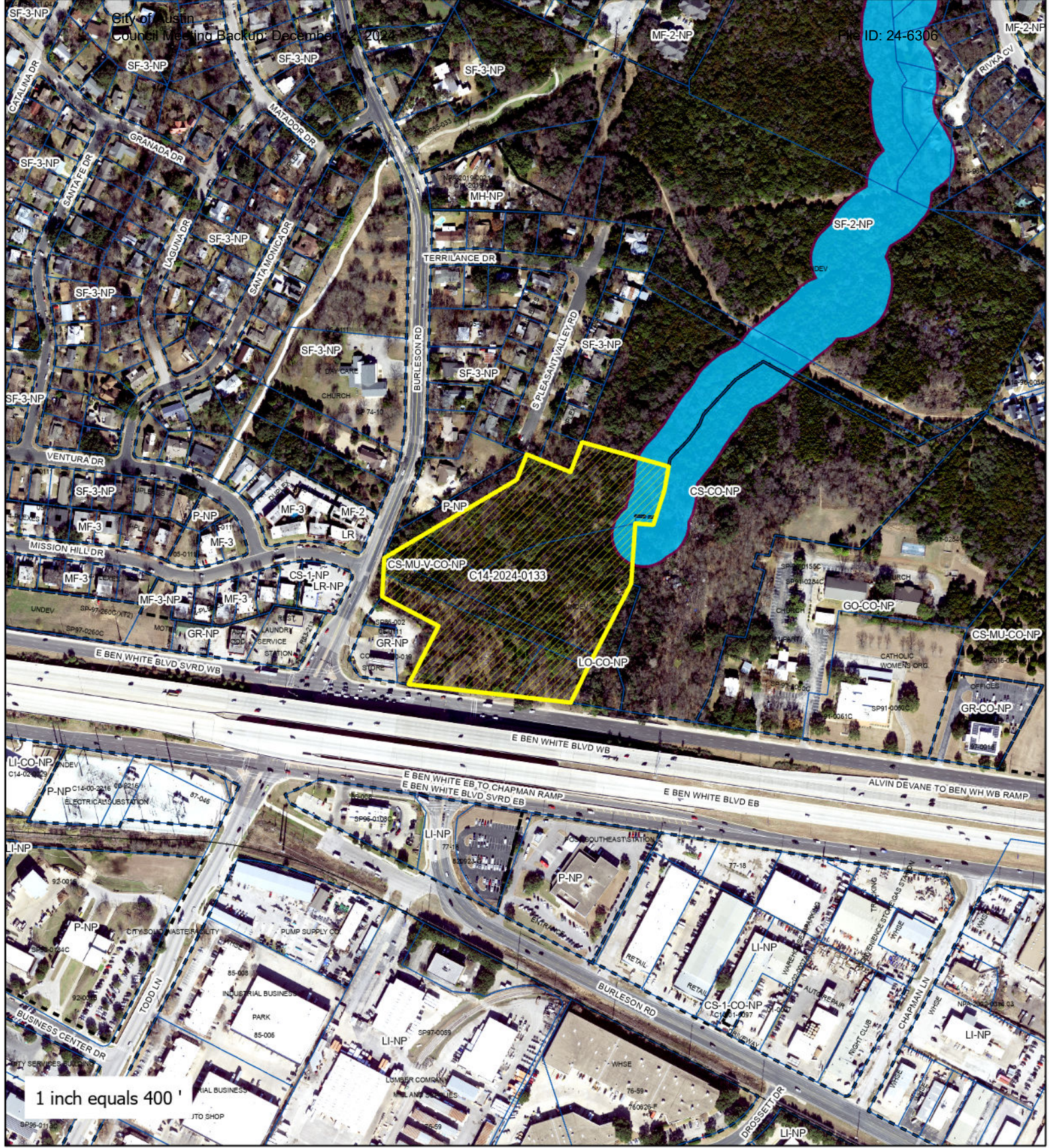


1" = 400'

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.





1 inch equals 400'



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

Burleson Forest

ZONING CASE#: C14-2024-0133
 LOCATION: 3507 Burleson Rd.
 SUBJECT AREA: 10.87 Acres
 MANAGER: Nancy Estrada

EXHIBIT A-1



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

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

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

FACSIMILE 512-435-2360

August 27, 2024

Joi Harden, Chief Zoning Officer
City of Austin
Housing and Planning Department
1000 E. 11th St.
Austin, Texas 78702

Re: Rezoning application for 3507 Burleson Road, also known as TCAD Parcel Nos.
0311040611 and 0311040612 (the "Property")

Dear Ms. Harden:

I am submitting the attached rezoning application for the Property requesting CS-MU-V-DB90-CO-NP zoning. This rezoning request follows the successful rezoning of the Property under Ordinance No. 20230720-172 with the intention of utilizing the VMU2 density bonus program. As a result of a court ruling invalidating VMU2 and subsequent City action to create the Density Bonus 90 ("DB90") zoning district and density bonus program, we are submitting a new rezoning application seeking to add the DB90 designation so that the original project may move forward.

During the 2023 rezoning process, we met with the East Riverside/Oltorf Combined Contact Team (EROCC) and agreed to a conditional overlay maintaining the existing 150 ft. buffer along Country Club Creek and adding a 150 ft. vegetative buffer from the adjoining parkland along the northernmost property line. These buffers are shown in Exhibit C of Ordinance No. 20230720-172. We are not requesting any changes to this conditional overlay.


As part of the previous rezoning effort, we also reached out to the Austin Fire Department to request a hazardous materials risk assessment given the Property's location proximity to industrial uses. The fire department found no sites of concern near the Property and recommended the approval of the rezoning. The report can be found attached to this letter.

In summary, our request is essentially the same as that approved in the previous rezoning case for the Property, and the only zoning change sought is access to the DB90 density bonus program. I appreciate your consideration of this application and look forward to answering any questions.

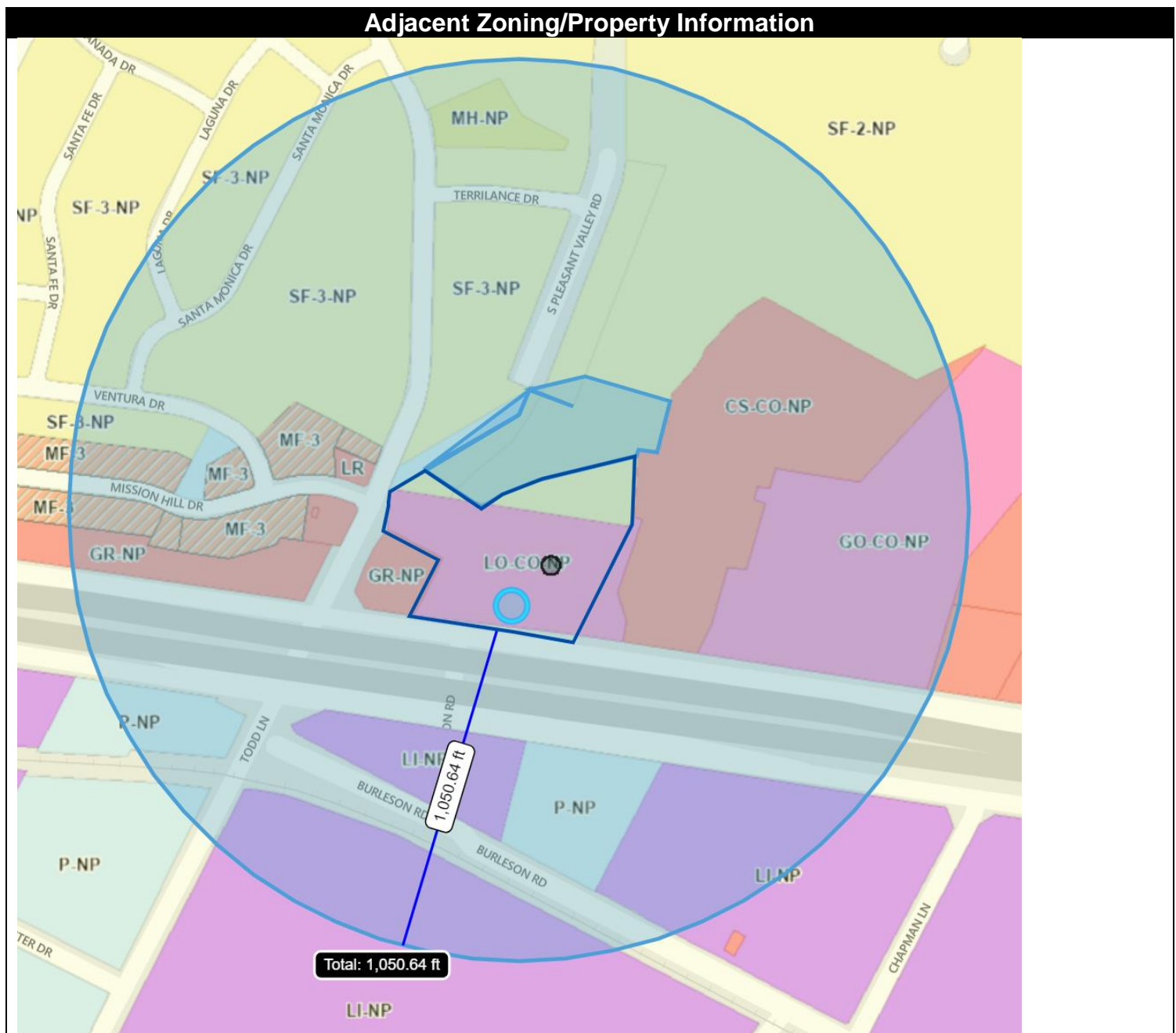
Respectfully,




Michael J. Whellan

	ABOVEGROUND HAZARDOUS MATERIALS RISK AND CONSEQUENCE ASSESSMENT REPORT	
	Address: 3507 Burleson Rd	Case Number: N/A Informal
	Project Name: 3507 Burleson Rd	Report Date: November 18, 2022
	Prepared By: Yvonne Espinoza, Consulting Engineer, Hazardous Materials Contact Information: 512-974-0185 yvonne.espinoza@austintexas.gov	

Project Information	
Case Manager	N/A
Current Zoning	LO-CO-NP, SF-2-NP
Proposed Zoning	Multifamily
Parcel Size	



	ABOVEGROUND HAZARDOUS MATERIALS RISK AND CONSEQUENCE ASSESSMENT REPORT	
	Address: 3507 Burleson Rd	Case Number: N/A Informal
	Project Name: 3507 Burleson Rd	Report Date: November 18, 2022
	Prepared By: Yvonne Espinoza, Consulting Engineer, Hazardous Materials Contact Information: 512-974-0185 yvonne.espinoza@austintexas.gov	

Address Ranges within 1000 Ft.			
Address Range(s)	Street	Address Range(s)	Street
3414-4606	Burleson Rd.	3700-3718	Todd Ln.
2421-4604	Ben White Blvd.		

HMP Sites within 1000 Ft.					
Business	Address	Zoning	HMP Type	Last Insp.	Concern?
Builder's First Source	4501 Burleson Rd	LI-NP	B	2019	N
McDonald's	4501 Ben White Blvd	LI-NP	B	2010	N
COA-Austin Energy Burleson Substation	3700 Todd Ln	P-NP	C	Unknown	N

Sites with Concerns					
Business	Chemicals	Distance to Property	AFD Required Distance for Chemical	ERG Required Distance for Chemical	Meeting Distance Requirement?

Recommend to Allow Zoning Change?	Yes	No	
Supporting Information for Zoning Decision			

Attachments	
HMP Inventories	

Prepared by FD1666 August 1, 2019

ORDINANCE NO. 20230720-172

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3507 BURLESON ROAD, IN THE EAST RIVERSIDE/OLTORF COMBINED NEIGHBORHOOD PLANNING AREA, FROM LIMITED OFFICE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LO-CO-NP) COMBINING DISTRICT, FAMILY RESIDENCE-NEIGHBORHOOD PLAN (SF-3-NP) COMBINING DISTRICT, AND SINGLE-FAMILY RESIDENCE STANDARD LOT-NEIGHBORHOOD PLAN (SF-2-NP) COMBINING DISTRICT TO GENERAL COMMERCIAL SERVICES-MIXED USE-VERTICAL MIXED USE BUILDING-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-V-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district, family residence-neighborhood plan (SF-3-NP) combining district, and single-family residence standard lot-neighborhood plan (SF-2-NP) combining district to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district on the property described in Zoning Case No. C14-2023-0052, on file at the Planning Department, as follows:

TRACT 1

3.611 acres of land out of the Santiago Del Valle Grant, in the City of Austin, Travis County, Texas, being that same 3.610 acre tract of land conveyed by deed recorded in Document No. 2012162259, of the Official Public Records of Travis County, Texas,

and

TRACT 2

7.304 acres of land out of the Santiago Del Valle Grant, in the City of Austin, Travis County, Texas, being that same 7.265 acre tract of land conveyed by deed recorded in Document No. 2005210732, of the Official Public Records of Travis County, Texas,

said Tract 1 and Tract 2, being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (collectively the “Property”),

locally known as 3507 Burseson Road in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit “B”**.

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- (A) A building may not be constructed on Tract 2 within an area 150 feet west from the centerline of the creek described as a tributary of County Club Creek.
- (B) A 150-foot wide vegetative buffer shall be provided and maintained along the north property line adjacent to the adjoining greenbelt parkland as shown in **Exhibit “C”**. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance

PART 3. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, mixed use (MU) combining district, and other applicable requirements of the City Code.

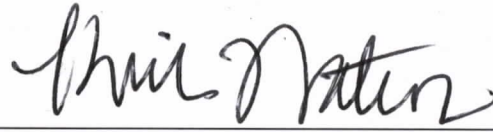
PART 4. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 20061116-056 that established zoning for the Parker Lane Neighborhood Plan.

PART 5. This ordinance takes effect on July 31, 2023.

PASSED AND APPROVED

July 20 _____, 2023

§
§
§



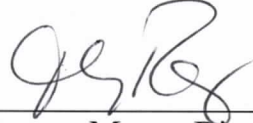
Kirk Watson
Mayor

APPROVED:

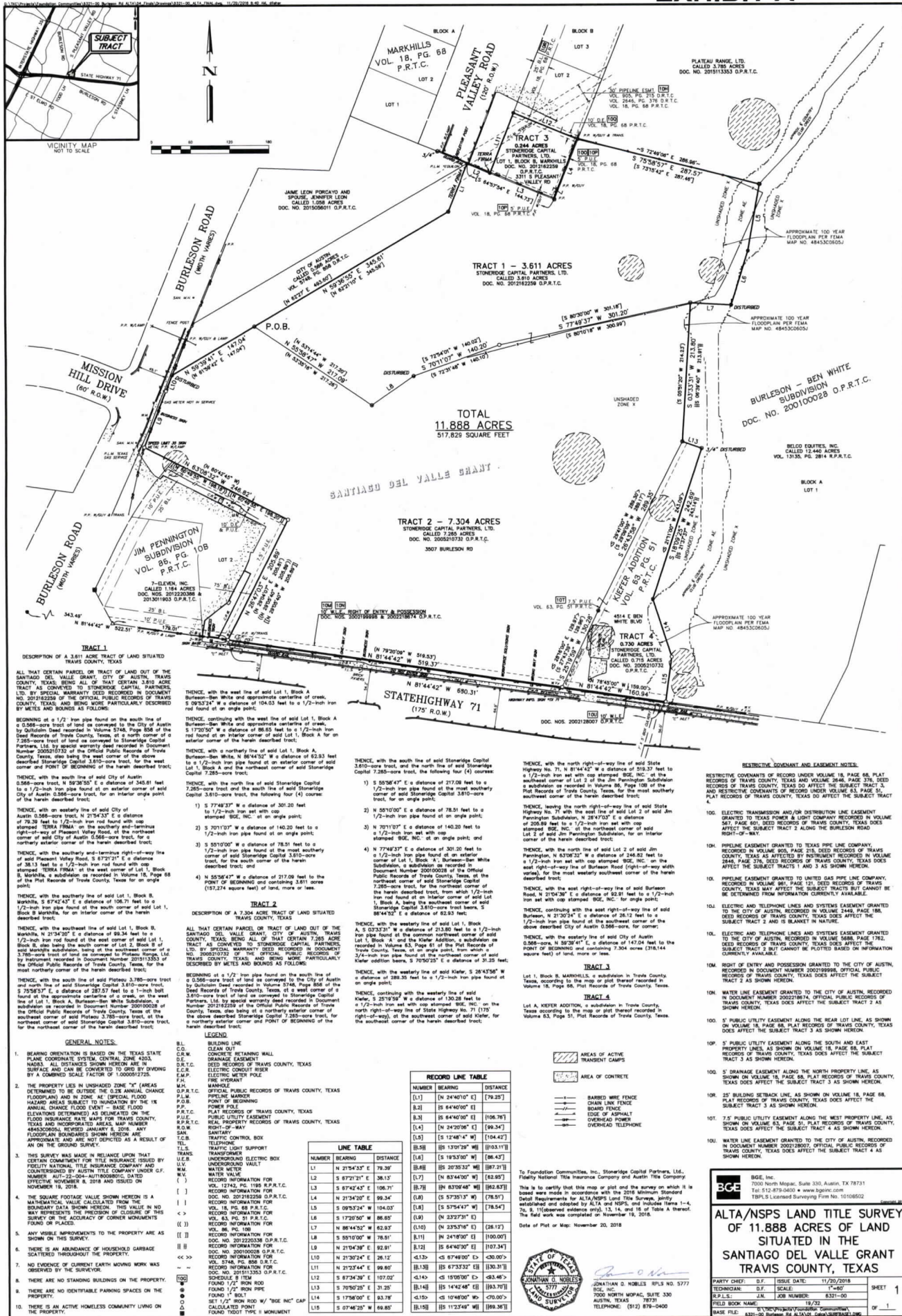


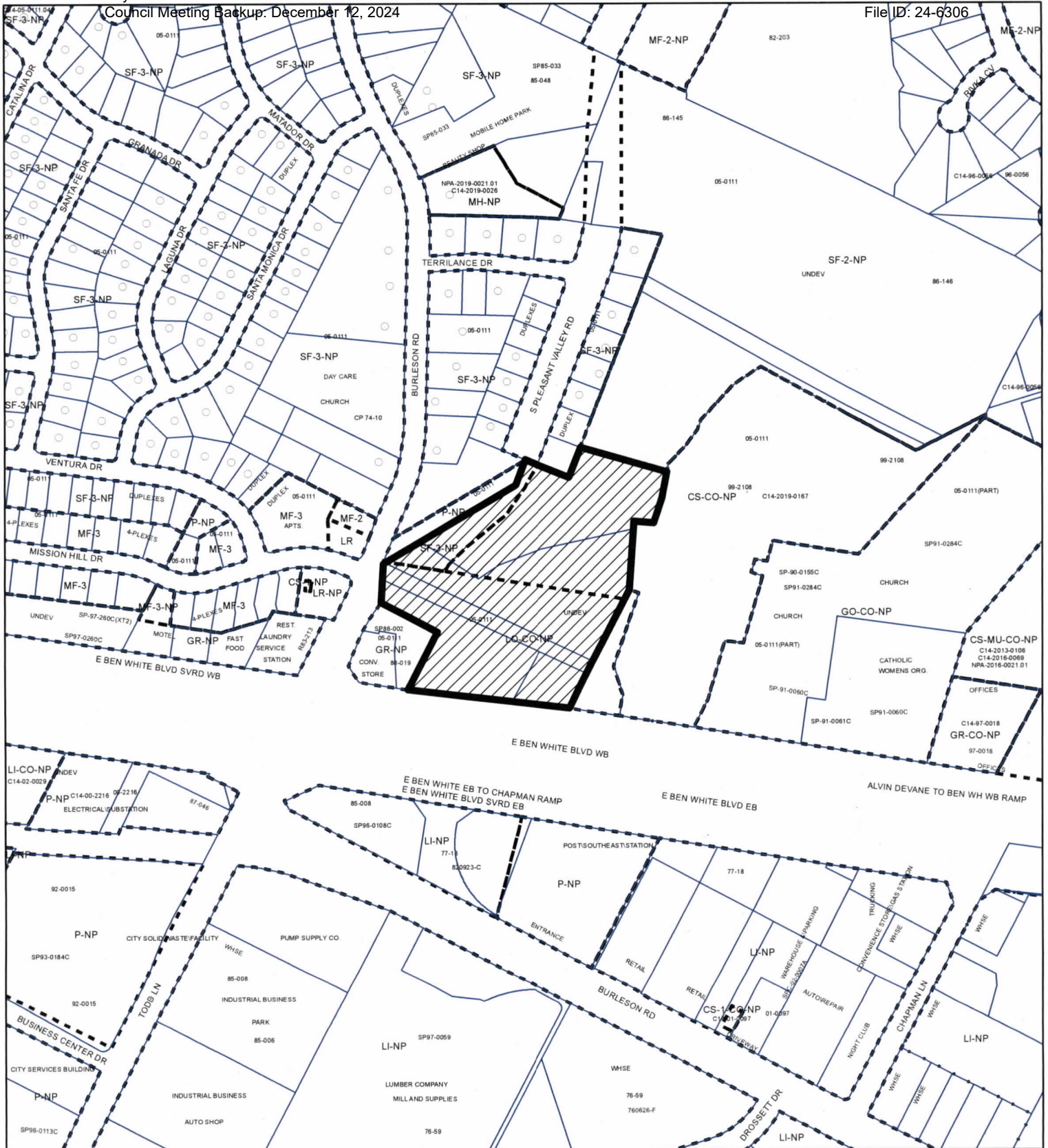
Anne L. Morgan
City Attorney




ATTEST:



Myrna Rios
City Clerk





-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING
ZONING CASE#: C14-2023-0052

EXHIBIT B



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

1" = 400'

EXHIBIT C

150 ft. Creek Setback (Red Buffer) and 150 ft. Parkland Setbacks (Green Buffer)

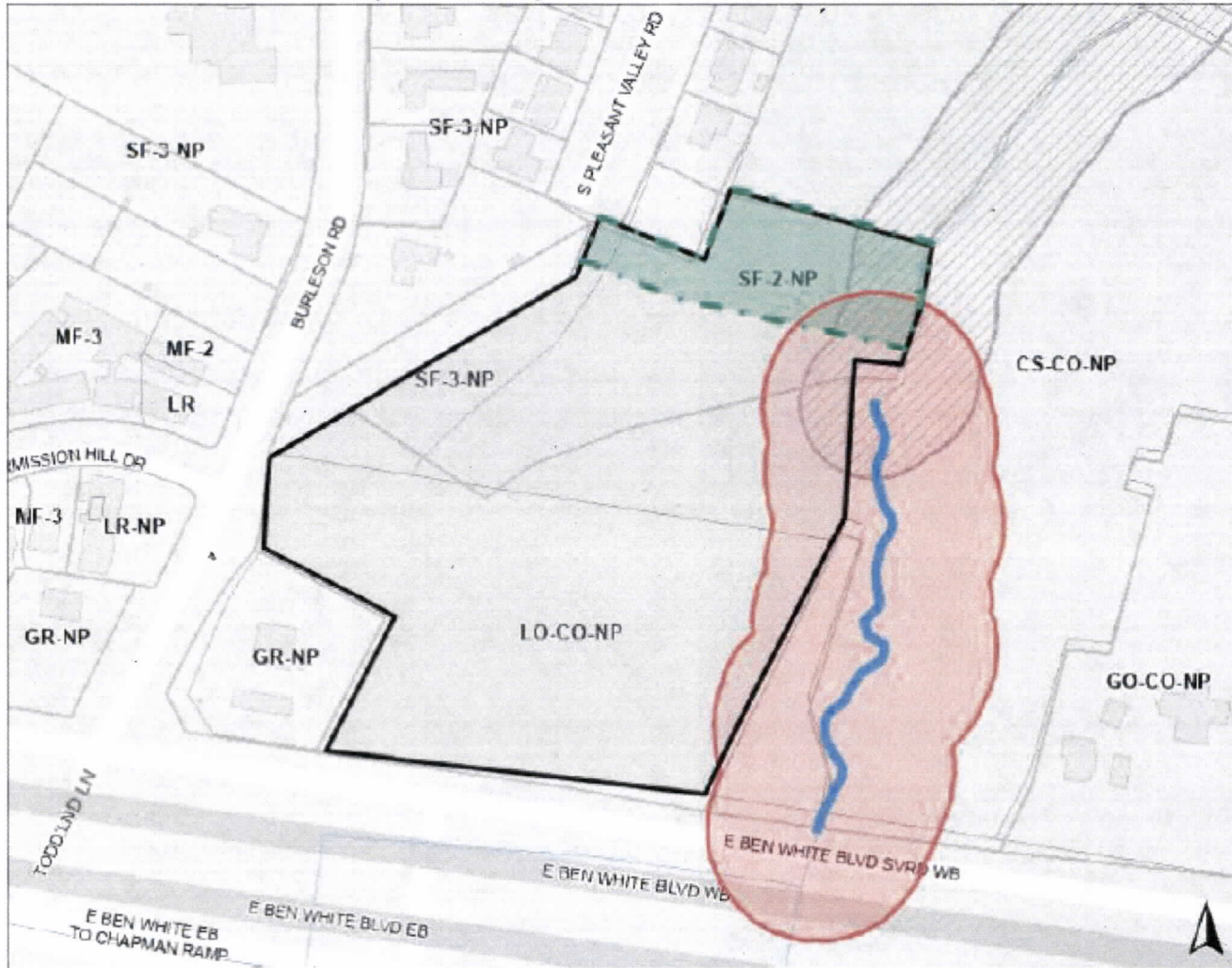


EXHIBIT C

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 participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code:
<https://bit.ly/ATXZoningComment>



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.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the 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. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2024-0133
Contact: Nancy Estrada, 512-974-7617
Public Hearing: November 12, 2024, Planning Commission

MITCHEL WONG
Your Name (please print)
3507 Berleson Rd
Your address(es) affected by this application (optional)
Mitchel Wong 11/4/2024
Signature Date

I am in favor
 I object

Daytime Telephone (Optional): 512 940 0688

Comments: CS-MU-V-CO DB90 NP
Helps increase occupancy and affordable housing in area that benefits Austin's underserved population.
(underserved)

If you use this form to comment, it may be returned to:
City of Austin, Planning Department
Nancy Estrada
P. O. Box 1088, Austin, TX 78767
Or email to:
nancy.estrada@austintexas.gov