

## NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

**NEIGHBORHOOD PLAN:** East Riverside/Oltorf Combined (Parker Lane)

**CASE#:** NPA-2022-0021.02

**DATE FILED:** July 28, 2022

**PROJECT NAME:** Burleson & Ben White

**PC DATE:** January 10, 2023

**ADDRESS:** 3507 Burleson Rd.

**DISTRICT AREA:** 3

**SITE AREA:** 10.87 acres

**OWNER/APPLICANT:** Stoneridge Capital Partners LTD

**AGENTS:** Vanessa Mendez, Dunaway Associates and Michael Whellan, Armbrust & Brown PLLC

**CASE MANAGER:** Kathleen Fox **PHONE:** (512) 974-7877

**STAFF EMAIL:** Kathleen.Fox@austintexas.gov

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Office, Commercial and Single Family

**To:** Mixed Use

**Base District Zoning Change**

**Related Zoning Case:** None submitted

**Existing Zoning:** LO-CO-NP, SF-3-NP and SF-2-NP

**NEIGHBORHOOD PLAN ADOPTION DATE:** November 16, 2006

**PLANNING COMMISSION RECOMMENDATION:**

November 15, 2022 Motion to close the public hearing and approve the consent agenda:  
[A. Azhar – 1<sup>st</sup>; J. Thompson – 2<sup>nd</sup>] Vote: 9-0 [R. Schneider, G. Cox  
and J. Shieh absent. One vacancy.]

December 20, 2022 Motion to close the public hearing and approve the consent agenda:  
[A. Azhar – 1<sup>st</sup>; P. Howard – 2<sup>nd</sup>] Vote: 9-0 [J. Thompson abstained]

from Item #19. R. Schneider, G. Cox, and J. Mushtaler absent. One vacancy on the dais.]

January 10, 2023      Pending

**CITY COUNCIL DATE:**                      December 8, 2022      **ACTION:** Postponed to January 26, 2023 by staff

**STAFF RECOMMENDATION:** To grant the applicant's request for Mixed Use land use.

**BASIS FOR STAFF'S RECOMMENDATION:** The applicant is proposing an unspecified mixed-use development on an undeveloped property. Specifically, the applicant is requesting a change in the future land use map from Office, Commercial and Single Family to Mixed-Use. (The submission of a zoning application will happen after the review of the Future Land Use Map for this property by the Planning Commission and City Council.) Approximately 4 acres of the 10.8-acre site will be used for the mixed use development, while the remainder of the property will remain wooded and used as dedicated parkland.

The long range planning staff recommends the applicant's request for Mixed Use land use because the property/project:

- is located in an area with multifamily uses to the west, and single-family housing to the north;
- would add additional multifamily units in support of the Strategic Housing Blueprint; including possible workforce housing in support of the adjacent McKinney Job Center, which is located to the south;
- is located along the Burleson Road Activity Corridor, which supports dense mixed use and multifamily projects; and
- is located along a Austin Strategic Mobility Plan Transit Priority Network Roadway.

Staff noted that air pollution from the SH71 could possibly negatively impact residents living in the project area, which is adjacent to this major highway. There were no specifics given on the project.

**East Riverside/Oltorf Combined Neighborhood Plan Policies Related to this case.**

#### **Land Use**

##### **Goal 1**

Preserve and enhance the character of existing residential neighborhoods.

- R2 Consider existing residential densities and current housing stock in future land use and zoning decisions to promote compatibility (NPZD; Neighborhood).
- R3 Promote and support compatibility between single family residences by (NPZD; Neighborhood):
- retention of scale between structures regarding height, mass and impervious cover in both remodeling and new home construction.
  - encouraging City Council to incorporate the following recommendation developed by neighborhood stakeholders into their proposed Single Family Development Regulations:
    - Retain the existing scale and massing in new single family structures and remodels adjacent to residences and limit height to 35 feet, measured from existing grade of the adjacent residences.

Obj 1.1 Minimize the negative effects between differing intensities of uses by:

- R5 Requiring strict adherence to Compatibility Standards (NPZD).
- R6 Encouraging City Council to modify the Land Development Code to require compatibility standards between residential uses (including multifamily) and all office and commercial uses, and require vegetative buffers of 25 feet within the setback (Neighborhood).

#### **Goal 2**

**Increase home ownership opportunities that are compatible with surrounding properties.**

Obj 2.1 Apply zoning tools or options in specified areas that promote housing types which are traditionally owner-occupied.

- R24 Allow condominium, townhouse, and single-family residential uses and prohibit multifamily residential uses on properties designated as mixed use along Riverside Drive, Pleasant Valley Road north of Riverside Drive and on the west side of Grove Blvd. north of Riverside Dr. (NPZD).

#### **Goal 4**

**Encourage a balanced mix of residential, civic, commercial, office and other land uses without adversely affecting adjacent residential neighborhoods.**

Obj. 4.1 Apply land use and zoning tools or options in specified areas to promote a mixture of uses.

### **Affordable Housing:**

#### **Goal 8**

Provide affordable rental housing opportunities through the redevelopment of existing multifamily developments.

Obj. 8.1 Apply redevelopment tools that encourage provisions for affordable home rental. These redevelopment recommendations apply only to the following specific existing developments:

*The Arbor—1500 Royal Crest; Barcelona I & II—2101 Elmont\*; Brookstone Apartments—2315 Town Lake Circle\*; Garden Oaks—2425 Elmont\*; Las Palmas—2409 Town Lake Circle\*; London Square—2400 Town Lake Circle\*; and Vista Lago—2215 Town Lake Circle\**

*Note: \*Indicates properties located within the Community Preservation & Revitalization Zone*

## **Goal 12**

Promote multifamily structures that relate well to the surrounding environment, utilize a variety of building forms, have a thoughtful parking scheme, provide public open space and include a variety of appropriate landscape options

### **Burleson Road Recommendations:**

R105 Provide a safe pedestrian crossing across Burleson Road near Country Club Creek (PW).

R106 Work with private property owners and the Parks and Recreation Department to acquire land or recreational use easements for trail access along the Country Club Creek

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corridor. Possible locations include the undeveloped land in the floodplain between Burleson Road and Pleasant Valley Road (Neighborhood).

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### **Recommendation:**

Investigate the feasibility of closing Burleson Road at Ben White Blvd. to increase safety and reduce disruptions to the single-family neighborhoods along Burleson Road (PW).

### Departmental Comments (PW):

Burleson Road is classified as an arterial roadway contained in the AMATP Plan. We cannot terminate its connection to a freeway. If in future the roadway is removed from the AMATP, this issue can be reconsidered.

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## **LAND USE DESCRIPTIONS**

### ***EXISTING LAND USES ON THE PROPERTY***

**Single family** - Detached or two-family residential uses at typical urban and/or suburban densities.

**Office** - An area that provides for office uses as a transition from residential to commercial uses, or for large planned office areas. Permitted uses included business, professional, and financial offices as well as offices for individuals and non-profit organizations.

**Commercial** - Lots or parcels containing retail sales, services, hotel/motels and all recreational services that are predominantly privately owned and operated for profit (for example, theaters and bowling alleys). Included are private institutional uses (convalescent homes and rest homes in which medical or surgical services are not a main function of the institution), but not hospitals.

***PROPOSED LAND USE ON THE PROPERTY***

**Mixed Use** - An area that is appropriate for a mix of residential and non-residential uses.

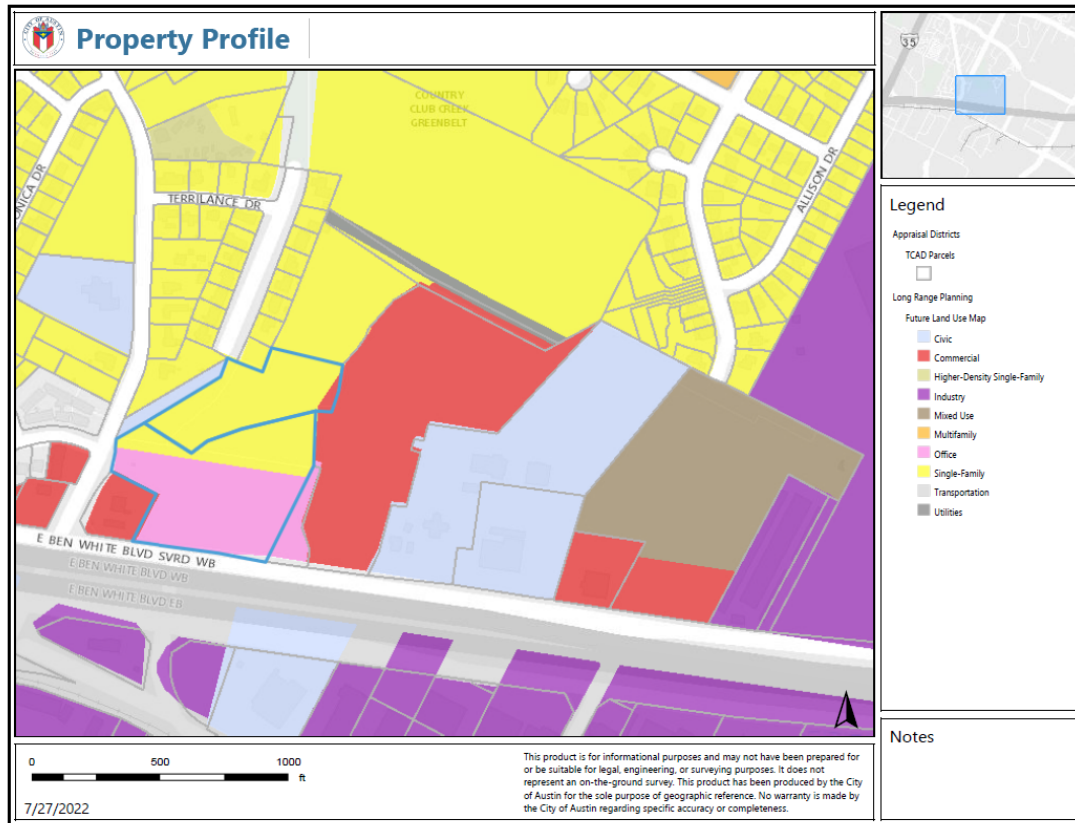
**Purpose**

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

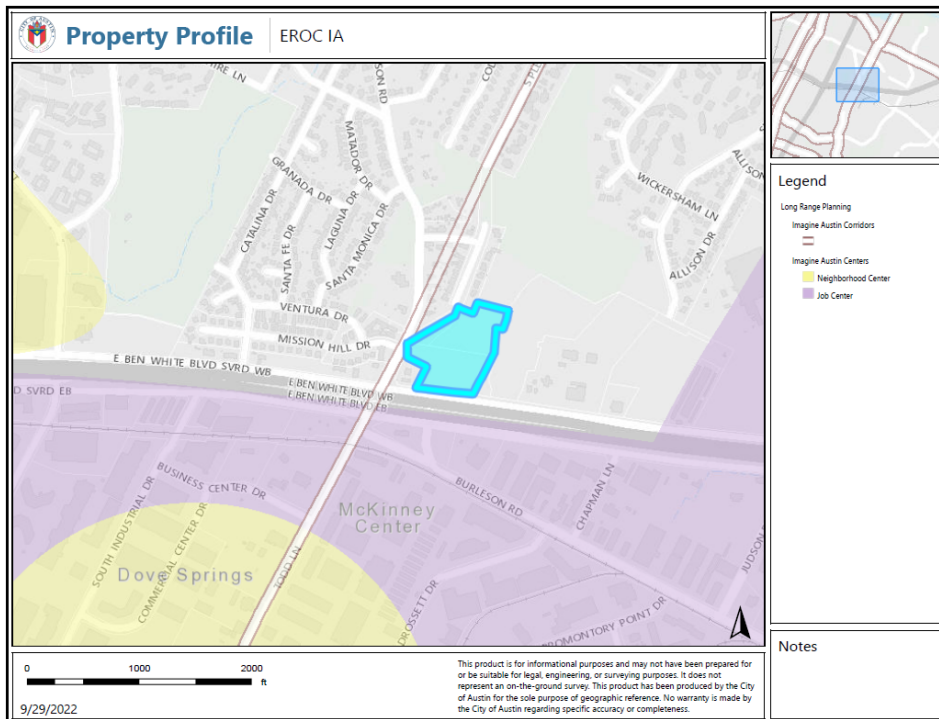
**Application**

1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development; however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed-use development is encouraged such as Core
7. Transit Corridors (CTC) and Future Core Transit Corridors.

**EROC Future Land Use Map in Subject Area**



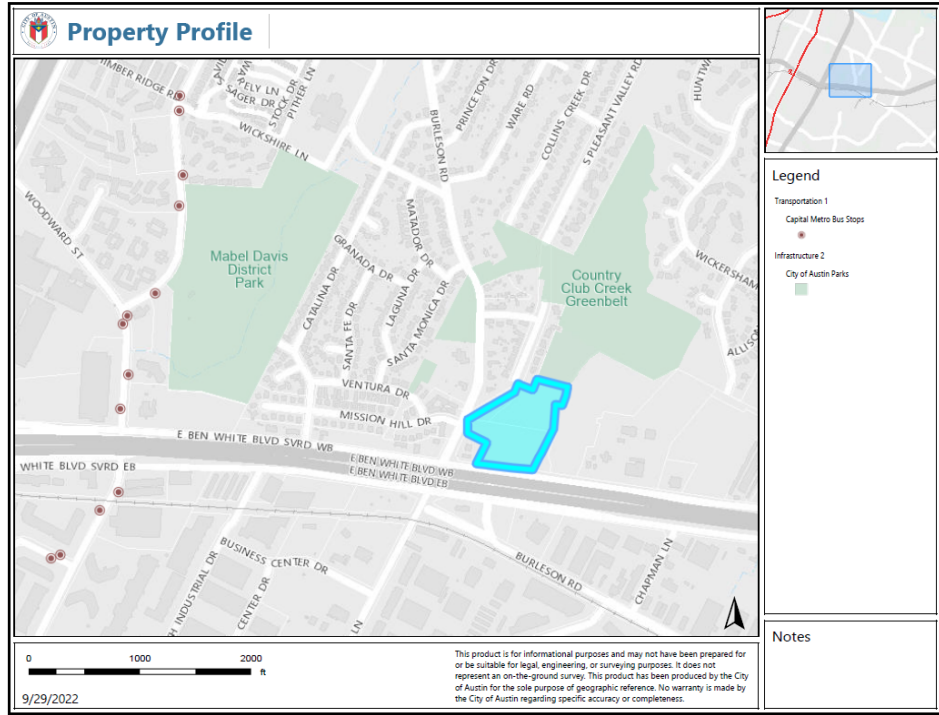
**IMAGINE AUSTIN CENTERS and CORRIDORS**



Located along the Burleson Road Activity Corridor and adjacent to the McKinney Job Center

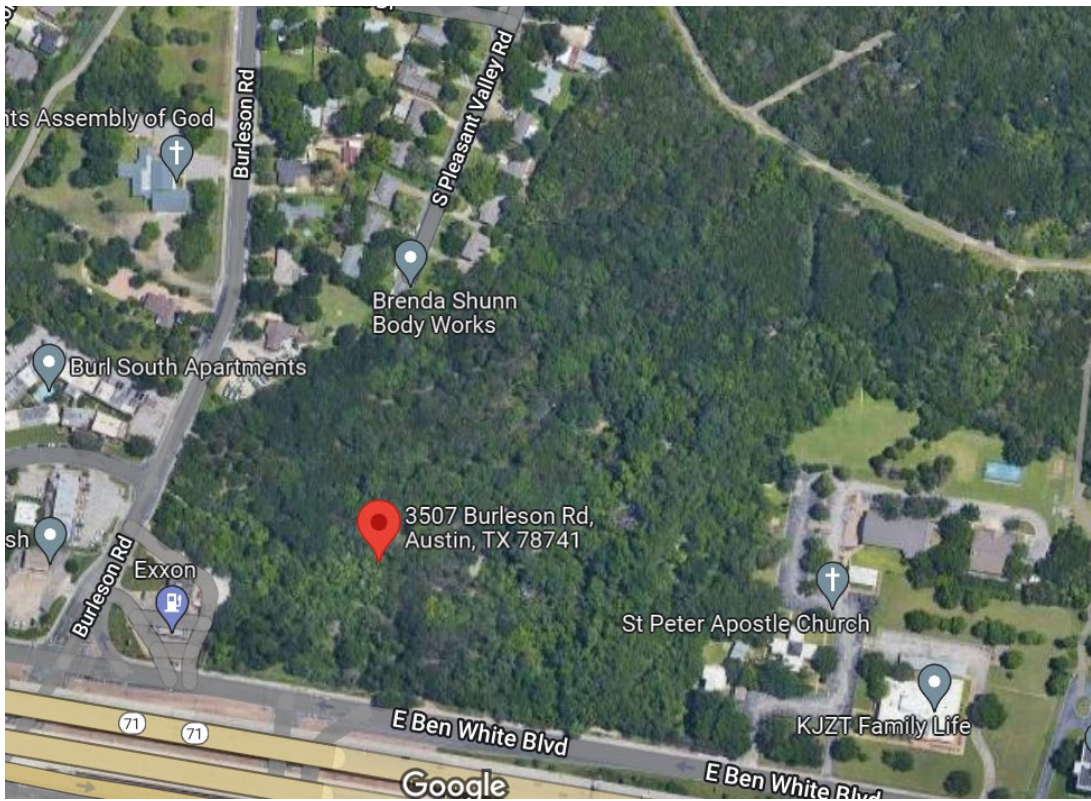


**PUBLIC TRANSPORTATION and PARK MAP**

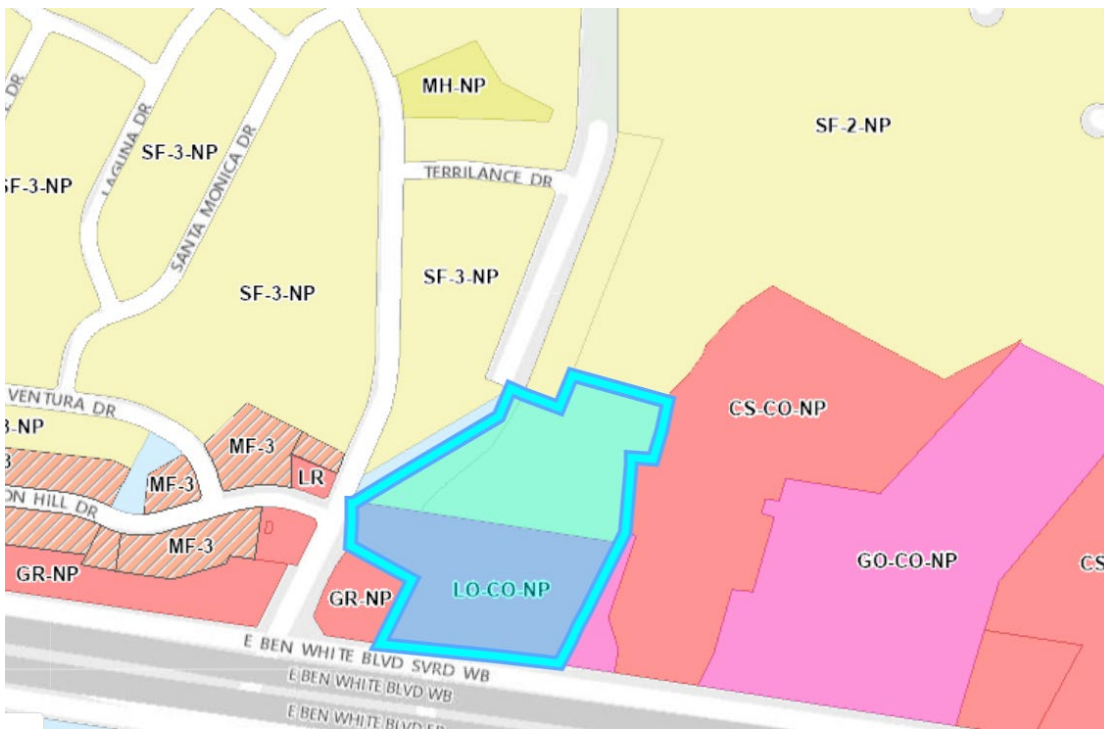


The nearest public bus stop is located 0.63 miles away. The property is located next to Country Club Creek Greenbelt and close to the Mabel Davis District Park





- Google Map of surrounding area



- Zoning on and around subject property



## Imagine Austin Decision Guideline Checklist

**Project Name and Proposed Use:** 3507 Burleson Road

Yes	Imagine Austin Decision Guidelines
	<b>Complete Community Measures</b>
Y	<b>Imagine Austin Growth Concept Map:</b> 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. <b>Name(s) of Activity Center/Activity Corridor/Job Center:</b> <b>Along the Burleson Road Activity Corridor and adjacent to the McKinney Job Center</b>
	<b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station.
Y	<b>Mobility and Bike/Ped Access:</b> Adjoins a public sidewalk, shared path, and/or bike lane.
Y	<b>Connectivity, Good and Services, Employment:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.
	<b>Connectivity and Food Access:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.
	<b>Connectivity and Education:</b> Located within 0.50 miles from a public school or university.
Y	<b>Connectivity and Healthy Living:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	<b>Connectivity and Health:</b> 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.)
	<b>Housing Affordability:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Y	<b>Housing Choice:</b> 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.
	<b>Mixed use:</b> Provides a mix of residential and non-industrial uses.
	<b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
	<b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	<b>Workforce Development, the Economy and Education:</b> Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	<b>Industrial Land:</b> Preserves or enhances industrial land.
5	<b>Total Number of "Yes's"</b>

## IMAGINE AUSTIN GROWTH CONCEPT MAP DEFINITIONS

**Neighborhood Centers** - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

**Job Centers** - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

**Corridors** - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also 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. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

**BACKGROUND:** The plan amendment application was filed on July 28, 2022, which is in cycle for neighborhood planning areas located on the east side of I.H.-35.

The applicant proposes to change the future land use map from Office, Commercial and Single Family to Mixed-Use. No zoning application was submitted concurrently with the NPA application. The Zoning Application will be submitted later.

**VIRTUAL COMMUNITY MEETING:** October 18, 2022, NPA Virtual Community Meeting, conducted from 6 PM to 6:34 PM. 207 community meeting notices were mailed out within 500 feet of the subject property. The EROC contact team received an email notice of this community meeting. Total attendees: 13.

City Staff: Kathleen Fox, and Mark Walters. Agent Representatives: Michael Whellan (MW) with Armbrust & Brown PLLC, Vanessa Mendez - Dunaway Associates, Isabelle Parcell - Dunaway Associates, April Brown – Dunaway Associates, and John Noell (JN) an engineer representing the applicant from Dunaway Associates,

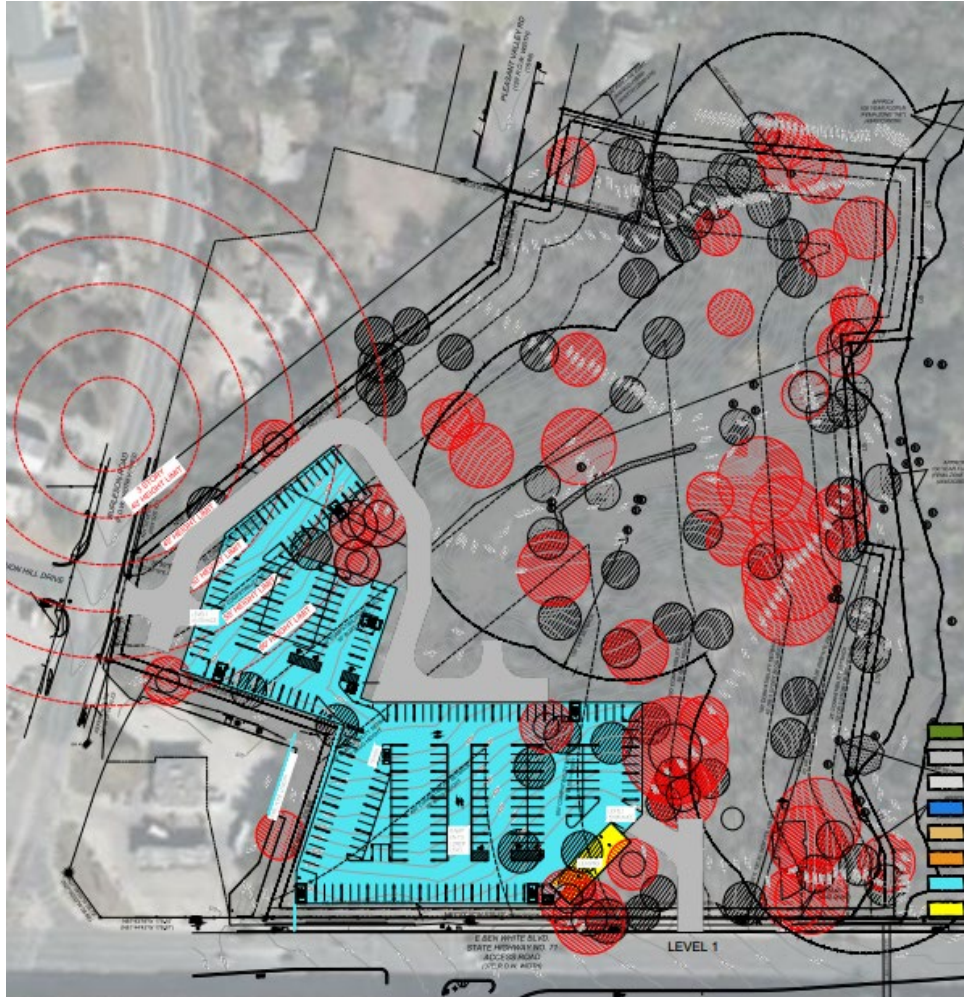
Staff gave a summary on the case, the NPA process, and explained this project did not have an associated zoning application with it. Michael Whellan, (MW) the agent gave a summary on his client's proposal. He stated that the request was to amend the Future Land Use Map from Office, Single Family and Commercial to Mixed Use. MW highlighted how the property was located along an Activity Corridor, and along a Austin Strategic Mobility Plan Transit Priority Network Roadway (Burleson). A Metro Rapid Route was planned near the site and how his client was working to have access to that station. MW highlighted that the ASMP's first land use policy is to "promote transit-supportive densities along the Transit Priority Network", which this project would accomplish.

MW discussed how the existing conditions of the site (large trees and adjoining single family development to the north) constrained the 10.8 acre lot to approximately just four developable acres. The majority of the parcel would remain heavily wooded and include a parkland dedication. MW showed a preliminary thumbnail sketch of the site (see below).

**Q: Will the city require that South Pleasant Valley Road be extended through to Burleson?** Ms. Fox explained that review of the unopened right-of-way would not be reviewed as part of the Neighborhood Plan Amendment process, and that a Traffic Impact Analysis would be required to be submitted when the zoning application filed, which the Austin Transportation Department (ATD) would review. When the site plan application was submitted for this property, ATD would further determine if any traffic and road improvements were needed in the area. JN, an engineer of the applicant, said there no plans to extend South Pleasant Valley Road through to Burleson Rd.

**Q:** The Applicant owns a vacant single-family lot at the south end of South Pleasant Valley Road. What is the plan for this property? JN: It will be part of the parkland dedication. He added that it would be hard to put a road through the property with all the trees, parkland dedication, and land constraints.

The meeting adjourned at 6:34 PM.



Preliminary thumbnail sketch of project, shown during the October 18, 2022 Virtual Community Meeting



**Applicant Summary Letter from NPA Application**



July 15, 2022

Jerry Rusthoven, Chief Zoning Officer  
City of Austin  
Housing and Planning Department  
1000 E. 11<sup>th</sup> St.  
Austin, TX 78702

Re: Neighborhood Plan Amendment application for TCAD Parcel Nos. 0311040612  
and 0311040611 (the "Property")

Dear Mr. Rusthoven:

I am submitting the enclosed Neighborhood Plan Amendment ("NPA") application to change the Future Land Use Map ("FLUM") designation for the Property from Office, Commercial, and Single-Family to Mixed Use.

The Property is located in the East Riverside/Oltorf Combined Neighborhood Planning Area (Parker Lane) along an Imagine Austin Corridor (Burleson/Pleasant Valley) and E. Ben White Boulevard. It is currently undeveloped and zoned LO-CO-NP, SF-3-NP, AND SF-2-NP.

Following the submission of this NPA application, we intend to submit a rezoning application seeking CS-V-MU-NP on the Property. Our request is consistent with policy direction to allow residential uses on commercially zoned property and to encourage growth along our corridors. The envisioned project would create needed residential units in the city, including a meaningful number of onsite affordable units as a condition of participation in the city's Vertical Mixed Use program.

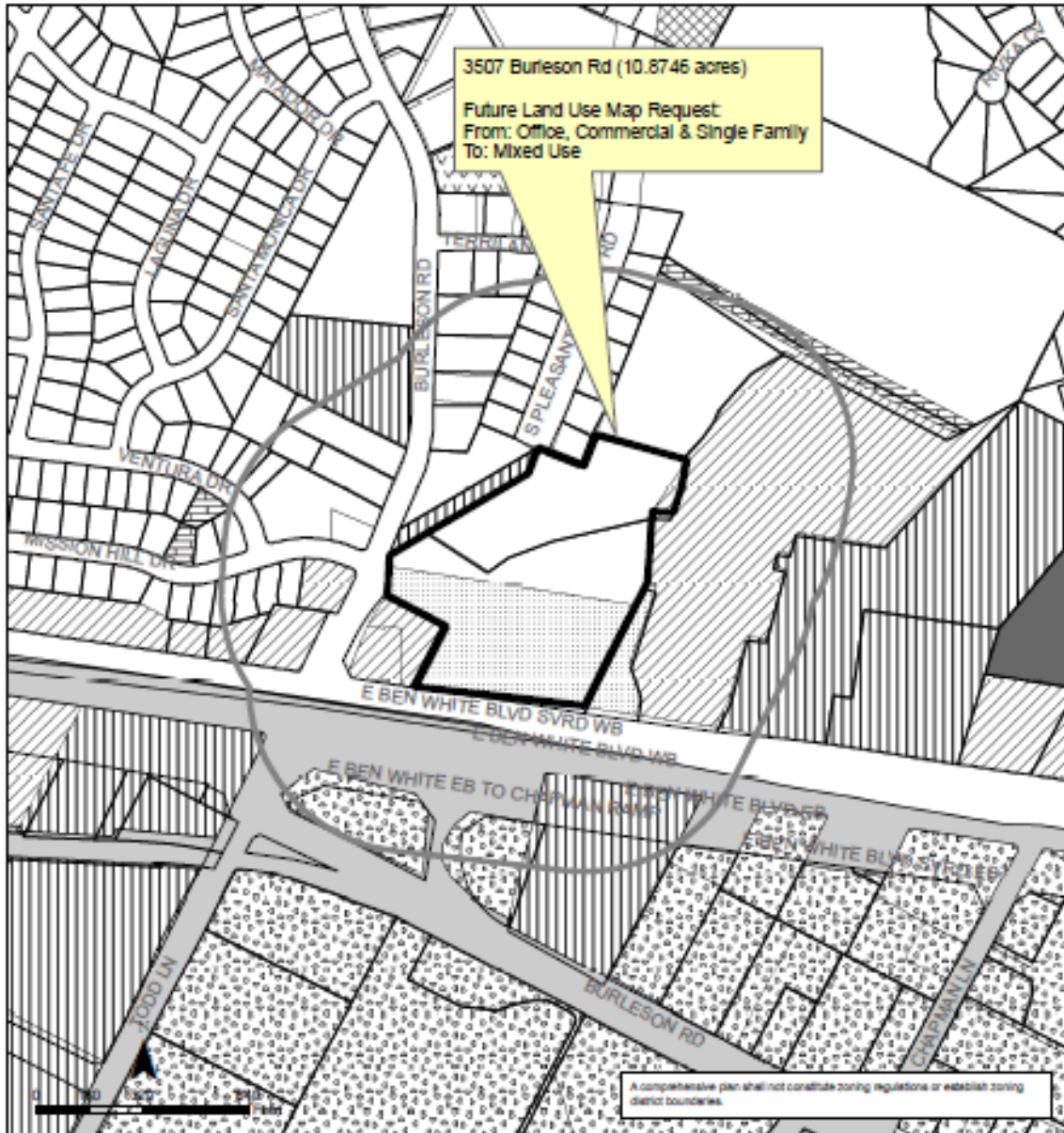
Thank you your consideration. I am available to answer your questions and provide further details.

Sincerely,

**DUNAWAY ASSOCIATES, LLC**  
**a Texas limited liability company**

A handwritten signature in blue ink, appearing to read "John Noell", written over a circular blue stamp or seal.

John Noell, PE, RPLS  
Civil engineering Manager



## East Riverside/Oltorf Combined (Parker Lane) Neighborhood Planning Area NPA-2022-0021.02

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.

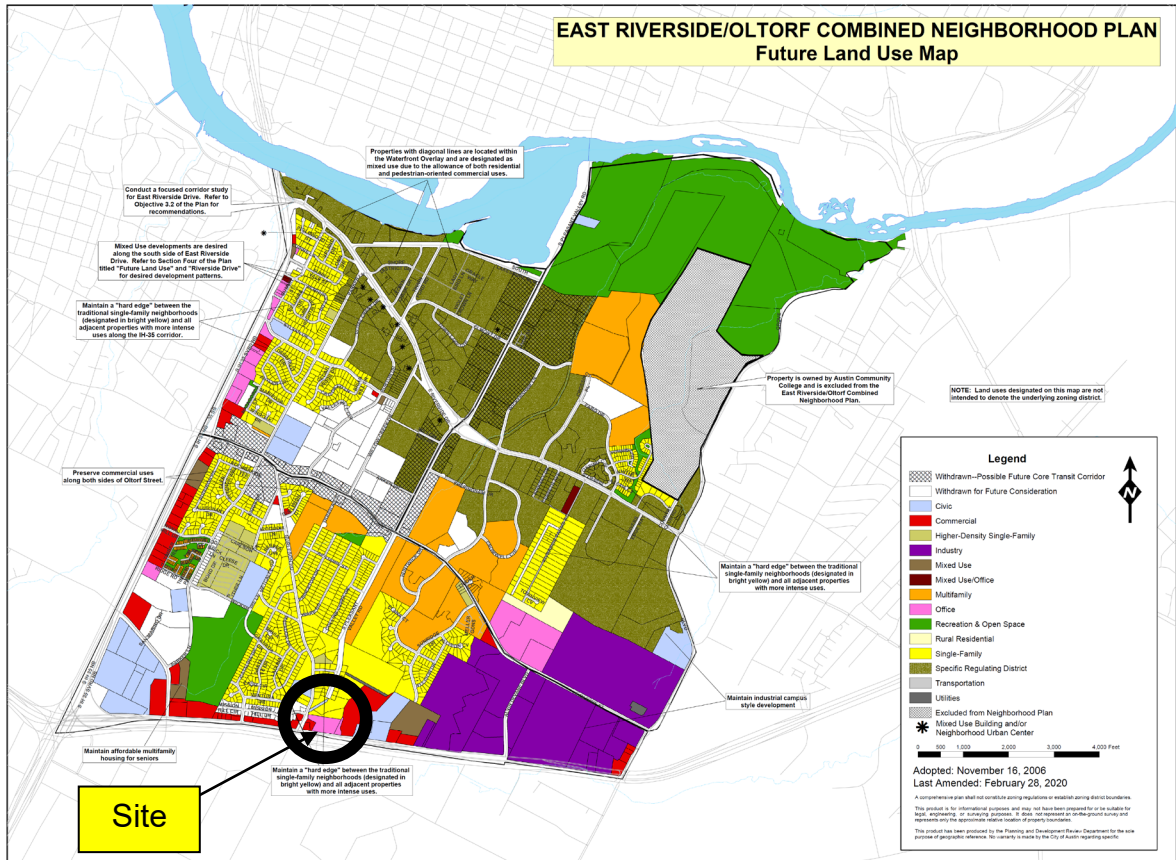
This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



City of Austin  
Housing and Planning Department  
Created on 8/22/2022, by: MeeksS

### Future Land Use

	Subject Tract		Mixed Use
	500 ft. notff. boundary		Multi-Family
	Civic		Office
	Commercial		Single-Family
	Excluded from PLUM		Transportation
	Higher-Density Single-Family		Utilities
	Industry		



**Emails from the EROC Neighborhood Plan Contact Team**

**From:** Malcolm Yeatts <[REDACTED]>  
**Sent:** Sunday, November 13, 2022 6:01 PM  
**To:** Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Fox, Kathleen <Kathleen.Fox@austintexas.gov>; [REDACTED]  
**Cc:** Gutierrez, Jesse <Jesse.Gutierrez@austintexas.gov>; 'Michael Whellan' <MWhellan@abaustin.com>  
**Subject:** RE: NPA-2022-0021.02 - 3507 Burleson Road PC and CC dates and EROC CT letter

The EROC Contact Team voted to oppose the case NPA-2022-0021.02. I have communicated with Michael Whellan, and we agree that it would be best to postpone this case to see if the Applicant and the Contact Team can reach an agreement. The EROC Contact Team requests that this case be rescheduled at Planning Commission for December or January, to give us time to meet.

Malcolm Yeatts Chair, EROC Contact Team

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**From:** Malcolm Yeatts <[REDACTED]>  
**Sent:** Wednesday, December 14, 2022 12:37 PM  
**To:** Fox, Kathleen <Kathleen.Fox@austintexas.gov>; 'Michael Whellan' <[REDACTED]>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>  
**Cc:** [REDACTED]; Gutierrez, Jesse <Jesse.Gutierrez@austintexas.gov>; 'April Brown' <[REDACTED]>  
**Subject:** RE: NPA-2022-0021.02 - 3507 Burleson Road PC and CC dates and EROC CT letter

The EROC Contact Team would not support the Plan Amendment without the corresponding zoning case. The EROC Contact Team will need to review the zoning case and then call another vote. The EROC Bylaws state that an email vote must be open for two weeks. Given these constraints, a Planning Commission date of January 10 for this case may be optimistic.

Malcolm Yeatts Chair, EROC Contact Team



## Communication Received

### ATION

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Ciudad de Austin están  
Capítulo 552) y pueden

### PUBLIC HEARING COMMENT FORM

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

City of Austin  
Housing and Planning Department  
Kathleen Fox  
P. O. Box 1088  
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2022-0021.02

Contact: Kathleen Fox, 512-974-7877 or Kathleen.Fox@austintexas.gov

Public Hearings: November 15, 2022 - Planning Commission  
December 8, 2022 - City Council

☐ I am in favor  
☒ I object

RICHARD PFEIFER

Your Name (please print)

2414 VENTURA PL #122, AUSTIN, TX 78741

Your address(es) affected by this application

*[Signature]*

Signature

11/8/21

Date

Comments: WE USED TO LIVE IN A RARE TEXAN FOREST!

IT IS SO SAD! SO FEW LARGE GREEN NATURAL PLACES LEFT -  
WE ARE STIFLING IN THE HEAT - OUR VIEW OF HOW TO DEVELOP  
IS DIVERGENT AND ARCHAIIC. WENT NO MORE CONCRETE HEAT.

Ugly, corporate development. SAVE THE FOREST. THE  
CITY OR STATE SHOULD BUY THE LAND.

LOOK AT WHAT LAMAR BECAME VS A STREET LIKE  
DITMAR. SAVE THE GREEN SPACE A NATURAL!

NOMORE CONGESTION, WE HAVE ENOUGH ISSUES  
AS IT IS ALREADY. DON'T WE? GOSH - WHERE DO

YOU LIVE? CANYON ISLANDS?  
STOP OVER DEVELOPMENT! ENOUGH CONCRETE HEAT!