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ZONING CHANGE REVIEW SHEET

CASE: C14-2011-0165
Randerson Creekside Rezoning

P.C. DATE: February 28, 2012

ADDRESS: 3108 E. 51st Street

AREA: 7.315 acres

OWNER: Commerce National Bank
(Mark Kalish)

AGENT: Cen. Texas Development Assessments
(Mike Wilson)

ZONING FROM: SF-3-NP

TO: MF-2-NP

AREA STUDY: N/A

TIA: Is not required

WATERSHEDS: Fort Branch Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD PLAN AREA: East MLK Combined Neighborhood Plan (Pecan Springs
– Springdale Neighborhood Plan)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant townhome and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. The conditional overlay would prohibit vehicular access from the site to Pecan Springs Road.

ISSUES:

The agent for this project has met with neighborhood representatives to discuss the rezoning request and neighbor concerns. The agent met with neighbors on February 11, 2012, to discuss the type of project envisioned for the subject tract. Based in part on neighborhood concerns about multifamily development in this area, the applicant now supports the staff recommendation of SF-6-CO-NP zoning. Neighborhood comments in opposition to multifamily development on this site that were received by City staff are attached after the map exhibits.

PLANNING COMMISSION RECOMMENDATION:

February 14, 2012: *POSTPONEMENT TO FEBRUARY 28, 2012, REQUESTED BY APPLICANT. APPROVED ON CONSENT [DEALY; CHIMENTI-2ND] (5-0) ANDERSON, HATFIELD, STEVENS, TIEMANN ABSENT.*

February 28, 2012:

DEPARTMENT COMMENTS:

The subject property is located at the northeast corner of E. 51st Street and Pecan Springs Road. The property was previously used as a residence, but has not been occupied for several years. A house remains on the site. To the north and east of the property is a single family residential

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neighborhood, which is zoned SF-2-NP. A large drainage culvert is also east of the property, adjacent to 51st Street. Across E. 51st Street, to the south, are a church and undeveloped tracts of land. These tracts are zoned MF-2-NP and SF-3-NP, respectively. West of the subject property, across Pecan Springs Road, are two churches and residences. These tracts are zoned SF-3-NP and SF-2-NP. Please refer to Exhibits A and B (Zoning Map and Aerial Map).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Vacant/Residence
<i>North</i>	SF-2-NP	Single family residential
<i>South</i>	MF-2-NP, SF-3-NP	Religious assembly, undeveloped
<i>East</i>	SF-2-NP	Single family residential
<i>West</i>	SF-3-NP, SF-2-NP	Religious assembly, single family residential

RELATED CASES: The Pecan Springs – Springdale Neighborhood Plan rezonings were approved by Council on November 7, 2002 (C14-02-0142.001 – Ordinance No. 021107-Z-12a). The FLUM designation on this site is Mixed Residential, so a neighborhood plan amendment is not required.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
East 51st Street	70'	40'	Arterial (MNR4)	No	Shared Bike Lane	At Springdale Road
Pecan Spring Road	60'	Varies	Collector	No	No	No

NEIGHBORHOOD ORGANIZATIONS:

East MLK Combined Neighborhood Contact Team
 Senate Hills Homeowners' Association
 Pecan Springs-Springdale Neighborhood Association
 East MLK Combined Neighborhood Association
 Windsor Park-Pecan Springs Heritage Neighborhood Association

SCHOOLS:

Pecan Springs Elementary School Pearce Middle School Reagan High School

CITY COUNCIL DATE: March 22, 2012

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
 e-mail: heather.chaffin@austintexas.gov

PHONE: 974-2122

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SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant townhome and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) district zoning. The conditional overlay would prohibit vehicular access from the site to Pecan Springs Road. The subject property is located in the East MLK Combined Neighborhood Plan area and the rezoning will not require a neighborhood plan amendment. The applicant is in agreement with this recommendation.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

The subject property is surrounded by single family residences on three sides, and three churches are located immediately across Pecan Springs Road and East 51st Street. Townhome and condominium residence zoning (SF-6) will allow redevelopment of the subject property with residential units at a level of intensity appropriate for the site and area.

Site Plan:

1. The site is subject to compatibility standards. Along all property lines adjacent to single family, the following standards will apply with any future development:

- 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 is required along the 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.
- Additional design regulations will be enforced at the time a site plan is submitted.

2. Development on this site may be subject to Subchapter E Design Standards and Mixed Use.

Environmental:

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Fort Branch Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

	Current Zoning <u>SF-3</u>	Requested Zoning <u>MF-2</u>	Staff Recommendation <u>SF-6</u>
Maximum Impervious Coverage	45%	60%	55%

3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

4. According to flood plain maps, there is a flood plain within the project area.

5. 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 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.

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

Transportation:

1. Existing Street Characteristics: Daily Traffic

East 51st Street 9,060 (TxDOT, 2010)

Pecan Spring Road 2,760 (TxDOT, 2010)

2. No additional right-of-way is needed at this time.

3. If the requested zoning is granted, it is recommended that access to Pecan Springs Road be prohibited as a condition of zoning because additional traffic generated by this development would exceed the allowable level under LDC 25-6-116.

4. A neighborhood traffic analysis will be required if driveway access on Pecan Springs Road is permitted.

5. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day [LDC, 25-6-113].

6. There are no existing sidewalks along East 51st Street or Pecan Spring Road.

7. According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, bicycle facilities exist and/or recommended along the adjoining streets as follows:

<u>Street Name</u>	<u>Existing Bicycle Facilities</u>	<u>Recommended Bicycle Facilities</u>
East 51st Street	Shared Lane	Bike Lane
Pecan Spring Road	None Identified	None Identified

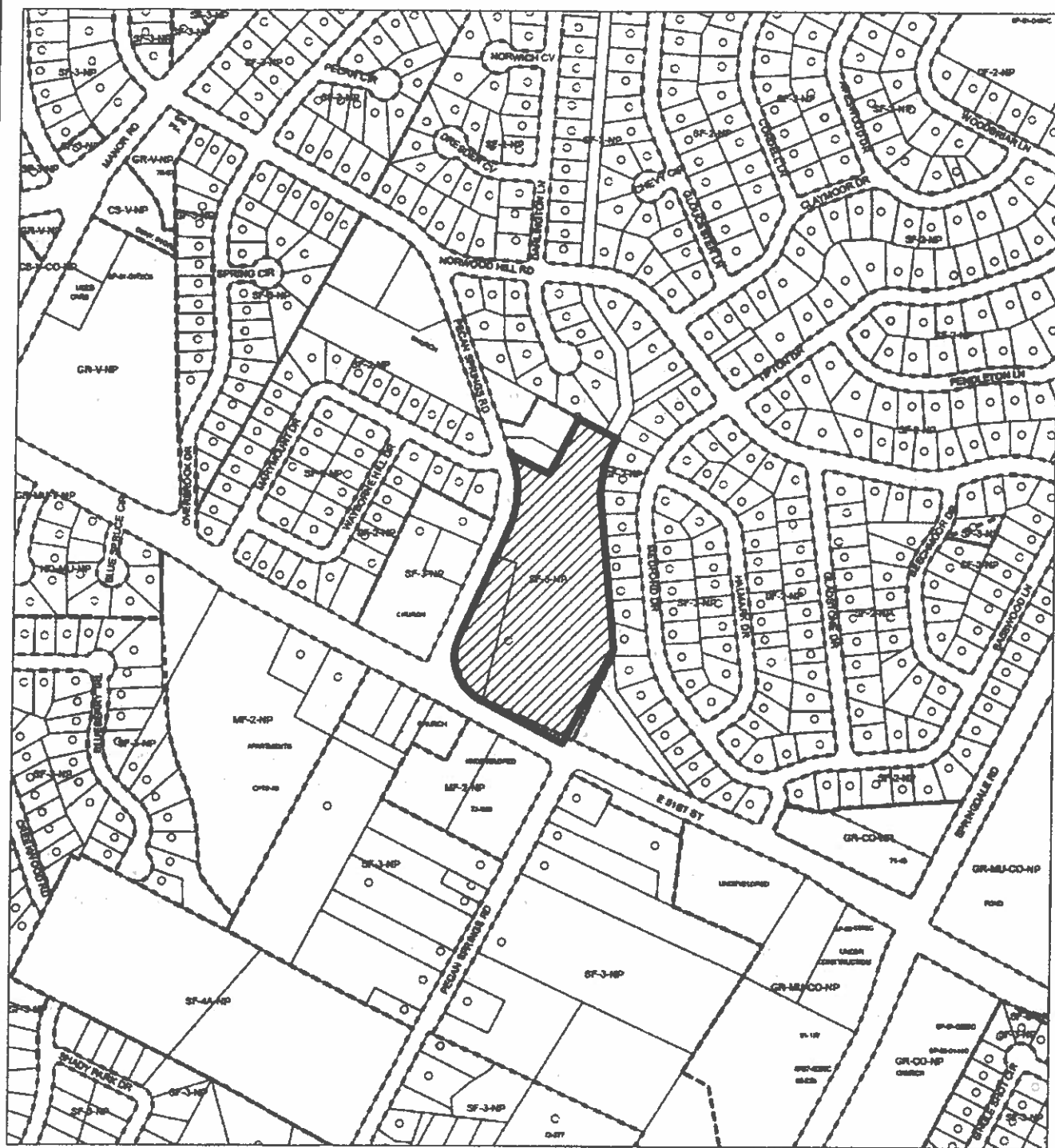
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8. Capital Metro bus service (route no. 300) is available along Springdale Road at East 51st Street.

Water/Wastewater:

FYI: 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. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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.

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1" = 400'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2011-0165



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

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.

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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.ci.austin.tx.us/development

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Case Number: C14-2011-0165

Contact: Heather Chaffin, (512) 974-2122

Public Hearing: Feb 14, 2012, Planning Commission

March 8, 2012, City Council

John R. Leslie

Your Name (please print)

5209 HALMARK DR

Your address(es) affected by this application

[Signature]

Signature

Daytime Telephone: 512-567-8771

Date

2-6-12

☐ I am in favor
☒ I object

Comments: We are trying to keep our

property values up and by allowing

multi-family developments in only

reducing the value. Do not touch this area

of Austin

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

City of Austin

Planning & Development Review Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810

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received 2/9/12

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Case Number: C14-2011-0165

Contact: Heather Chaffin, (512) 974-2122

Public Hearing: Feb 14, 2012, Planning Commission

March 8, 2012, City Council

Pete D. Gammill

Your Name (please print)

3037 Pecan Springs 78723

Your address(es) affected by this application

Salvatore D. Gammill 2/8/12

Signature

Date

Daytime Telephone: 512-929-3470

Comments: I live across the street from the proposed development. The type of housing it would offer will bring a transient population with the possibility of increased congestion. It will bring congestion on a narrow two-lane Pecan Springs Road that can hardly bear the sparse traffic it now gets.

Finally, I bought my home knowing the present zoning would protect my life's investment. The law should not be changed at the expense of present homeowners to satisfy a developer's desire for a quick profit.

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

City of Austin

Planning & Development Review Department

Heather Chaffin

P.O. Box 1088

Austin, TX 78767-8810

C/O
2/10

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Case Number: C14-2011-0165

Contact: Heather Chaffin, (512) 974-2122

Public Hearing: Feb 14, 2012, Planning Commission

March 8, 2012, City Council

Carla Atkins
Your Name (please print)

☐ I am in favor
☒ I object

5223 Marymount Dr Austin TX 78723
Your address(es) affected by this application

Carla Atkins
Signature

Feb 6, 2012
Date

Daytime Telephone: 512-924-4772

Comments: Reasons for objection to multi-family
1- Lack of pride in rental property which leads zoning
to loud music & cars - multiple vehicles parked
in the street - increased littering - lack of
sidewalks in neighborhood (51st St) to access bus stops
2- encroachment on the natural spring in this
area. Is there any discussion about preserving
the spring
3- possible devaluation of single family homes
in the area.

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Planning & Development Review Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810

C/O

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Case Number: C14-2011-0165

Contact: Heather Chaffin, (512) 974-2122

Public Hearing: Feb 14, 2012, Planning Commission
March 8, 2012, City Council

Velvet & Wright
Your Name (please print)

☐ I am in favor
☒ I object

5213 HALMARK DR
Your address(es) affected by this application

Velvet & Wright
Signature

7/1/2012
Date

Daytime Telephone: _____

Comments: Will deny too much traffic to the neighborhood (different people)

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

City of Austin
Planning & Development Review Department
Heather Chaffin
P. O. Box 1088
Austin, TX 78767-8810

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received 2/13/11

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Case Number: C14-2011-0165

Contact: Heather Chaffin, (512) 974-2122

Public Hearing: Feb 14, 2012, Planning Commission

March 8, 2012, City Council

James Halligan

Your Name (please print)

5302 Halmark Dr 78723

Your address(es) affected by this application

2.10.12

Date

[Signature]

Signature

Daytime Telephone: 512.471-6470

Comments:

Rezoning to MF-2-AP at 3108 E 51st
street will further erode and ~~degrade~~ ^{variant} ~~degrade~~
destabilize our neighborhood - the vacant
apartment complex at 2989 E 51st street
is devastation enough. Please show
respect for the health of our neighborhood
by denying this zoning change.

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

City of Austin

Planning & Development Review Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810

C/O
2/10

received 2/13/11

Attachment regarding case number : C14-2011-0165

Rental areas are always the first to turn to slums..... The landlord tries to keep his maintenance and repair costs as low as possible; the residents have no incentive to maintain and repair the homes...improvements add to the wealth of the landlord and even justify higher rent. And so the typical piece of rental property degenerates over the years."

page 394, A Pattern Language (Towns - Buildings - Construction), C. Alexander, New York: Oxford University Press, 1977 ("A Pattern Language is the second in a series of books which describe an entirely new attitude to architecture and planning.")

"Renting is often a step along the way to home ownership; but unless tenants can somehow recover their investments in money and labor, the hopeless cycle of degeneration of rental property and the degeneration of the tenant's financial capability will continue."

("Urban Housing Rehabilitation", R. Goetze, in the The Freedom to Build, New York: Macmillan, 1972)

"Face-to-face rental, with the owners occupying the main structure, is the one kind of rental relationship that is reasonably healthy. The landlord is actually there, so she is directly concerned with the well-being of the life around her and the environment, unlike absentee landlords.... This is the only form of renting that is not socially and physically destructive."

page 721, A Pattern Language (Towns - Buildings - Construction), C. Alexander, New York: Oxford University Press, 1977 ("A Pattern Language is the second in a series of books which describe an entirely new attitude to architecture and planning.")

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Contact: Heather Chaffin, (512) 974-2122

Public Hearing: Feb 14, 2012, Planning Commission

March 8, 2012, City Council

Mable Yvonne Keith

Your Name (please print)

5206 Weyborne Hill Drive, Austin, TX 78723

Your address(es) affected by this application

Mable Yvonne Keith

Signature

2-16-12

Date

Daytime Telephone: 512-926-1746

Comments:

I don't agree with zoning change.
I fear this will affect an increase
in my property tax which is already
too much!

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

City of Austin

Planning & Development Review Department

Heather Chaffin

P. O. Box 1088

Austin, TX 78767-8810

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received, HC