NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

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NEIGHORHOOD PLAN: Bouldin Creek Neighborhood Plan

CASE#: NPA-2012-0013.02 **FILE DATE:** February 28, 2012

PC DATE: July 24, 2012
July 10, 2012
June 12, 2012

ADDRESS/ES: 908 S. 2nd Street, 1000 & 1002 S. 2nd Street, 705 Christopher Street & Christopher Street (Lot 4 -7, Blk 2, Oak Cliff Addn, 0.553 acres)

SITE AREA: Approx. 4.32 acres

OWNER: Margaret Quadlander

APPLICANT/AGENT: PSW Homes, L.L.C. (J. Ryan Diepenbrock)

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Mixed Use and Single Family **To:** Higher Density Single Family

Base District Zoning Change

Related Zoning Case: C14-2012-0031 & C14-2012-0033
From: GR-MU-NP and SF-3-NP **To:** SF-6-CO-NP

NEIGHBORHOOD PLAN ADOPTION DATE: May 23, 2002

PLANNING COMMISSION RECOMMENDATION: Final recommendation pending.

Previous Action:

On June 12, 2012, the motion to postpone to July 10, 2012 by the request of staff, was approved on the consent agenda by Commissioner Saundra Kirk's motion, Commissioner Jean Stevens seconded the motion on a vote of 6-0; Chair Dave Sullivan was off the dais, Commissioners Dave Anderson and Danette Chimenti were absent.

On July 10, 2012, the motion to postpone to July 24, 2012 by the request of staff, was approved on the consent agenda by Commissioner Danette Chimenti's motion, Commissioner Alfonso Hernandez seconded the motion on a vote of 6-0; Commissioners Dave Anderson, Richard Hatfield and Jean Stevens were absent.

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STAFF RECOMMENDATION: Not recommended.

BASIS FOR STAFF'S RECOMMENDATION: The request does not meet the following Goals, Objectives, and Recommendations of the plan:

Part I: Land Use

GOAL 1: Maintain established neighborhood character and assets

OBJECTIVE 1.1: Maintain the Single Family Residential Character of the Neighborhood Interior.

- *Properties located within the interior of the neighborhood that are zoned single family should remain as single-family land uses.*

OBJECTIVE 1.2: Preserve South First Street as an eclectic mix of commercial, residential and office uses that serve as "Downtown Bouldin Creek."

Action Item 6: Maintain SF-3 zoning on South Second from East Bouldin Creek to lots 6-10 of the Abe Williams Sub-Division (or 25 contiguous lots out of the existing 30 lots on S. Second remain SF-3) This is intended to protect the creek from expanded impervious cover and honor the neighborhood planning objective of preserving the single-family nature of the neighborhood interior. Lead Implementer: NPZD

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Action Item 8:

A) A retreat center will be allowed on Tract 24 (Lots 9 & 10, Abe Williams Subdivision) while the rest of the land will be left as open space to protect the creek. Lead Implementer: NPZD

For lots 9 and 10, the following conditions apply:

1. 40% Maximum building coverage;
2. 45% Maximum impervious coverage;
3. 35 feet Maximum height;
4. 15,200 square foot maximum building area;
5. Applicable only to any "hotel/motel" development: Lot 9 shall have a 150-foot setback from the western property line for detention ponds and a 200-foot setback form the western property line for all other uses including, but not limited to, buildings, parking areas or roads for vehicles. Lot 10 shall have a 200-foot setback from the western property line for all uses, including, but not limited to, buildings, detention ponds, parking areas or roads for vehicles.
6. Parking is to be shielded from residential properties by building or structures or other methods in accordance with compatibility standards in the Land Development Code and that any landscaping used be

B) New structures on Tract 25 (Lots 1-8, Abe Williams Subdivision) should be permitted a height of 45 feet, a minimum setback of 10 feet, and the 30% community open space condition on these properties should be waived. Lead Implementer: NPZD

This recommendation allows for the City to follow though on recommendations made in earlier public planning processes (including the Sector 12 plan of 1987) for a mixed-use designation on the Quadlander properties adjacent to Multifamily zoning on S. 1st. The 45 feet height limit allows a small MF property to be developed as a buffer between the high-density apartment complexes immediately to the north and the 35 ft. GR-MU properties to the south.

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GOAL 2: Protect and enhance creeks and open spaces

OBJECTIVE 2.1: Protect East and West Bouldin Creeks to ensure the safety and enjoyment of the neighborhood residents.

GOAL 3: Manage growth by encouraging development on major corridors and in existing higher-density nodes.

Part II: Transportation

GOAL 4: Create a transportation network that allows residents to walk, bike, ride, roll, and drive safely.

OBJECETIVE 4.4: Create safer and better-connected pedestrian and bicycle circulation systems in the Bouldin Creek neighborhood.

OBJECTIVE 4.2: Improve the flow of traffic while maintaining a safe environment for pedestrians and bicyclists.

Staff Analysis: The plan does not support increasing the residential intensity in the area where the property is located to protect the creek and to preserve the residential character of the area. Adding 40 or more homes with the associated vehicular traffic on South 2nd Street would negatively impact the area.

BACKGROUND: The plan amendment application was filed on February 28, 2012, which is in-cycle for planning areas located on the west side of I.H.-35.

The plan amendment request is to change the land use on the future land use map from Mixed Use and Single Family to Higher Density Single Family.

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The zoning change request is to change the zoning on the property from GR-MU-NP and SF-3-NP to SF-6-CO-NP. There is also a public restrictive covenant on the property. Please see the associated zoning case report for more details on these requests.

The applicant proposes to building 43 single-family dwelling units on approximately 4.32 acres of land, although the area could increase if the City's vacates the right-of-way that separates the tracts located on the southern part of the propose development.

PUBLIC MEETINGS: The ordinance required plan amendment meeting was held on Wednesday, April 11, 2012. Approximately 294 meeting notices were mailed to property and utility account holders within 500 feet, in addition to neighborhood organizations and environmental groups registered on the Community Registry who request to receive notices for the area.

Q. How many dwelling units are you proposing?
A. We propose 43 homes. (Note: Since the zoning cases have been filed, this has been updated to maximum 10 homes per acre at approximately 33 dwelling units).

Q. Will the cars exit from Copeland onto South 1st Street? We don't want traffic going into neighborhood.
A. We want to direct traffic to South 1st, not to S. 2nd Street and Copeland. The City likes us to use existing streets.

Q. Will there be subsurface parking?
A. It's not in the plan. We can't afford to go below grade.

Q. Your overall plan includes property that is now City Right-of-Way. Will you do street closure?
A. We haven't started that process, but we are researching it.

Q. What are the lot sizes?
A. 7,000 square feet for duplexes.

Q. Your zoning request is for SF-6, which could be up to 15 units per acre. If you walk away from the project the property could be sold for SF-6.
A. Could have a conditional overlay that caps the maximum number of units per acre. We would agree to 43 units max. We could also do a private restrictive covenant, if necessary. CWQZ, code requires banks to be stabilized.

Q. Are there Heritage Trees on the property?
A. Yes, there are three Heritage Trees.

Q. Impacts on existing condos, construction timeline?
A. We would have about an 18 months construction timeline. The construction will be phased. We probably do the private drive first and have the commercial completed in 12

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months. There will be some phasing with the construction of the 43 homes. Maybe have seven homes completed in seven months.

Q. Will there be a retention pond, because we don't want more run-off into the creek.
A. The City of Austin requires bank stabilization. With a hard rain there could be the same amount of water. We will look at cisterns or rain gardens, which act as detention ponds.

With the SF-6 zoning, as opposed to the current zoning, we will have 25% less building coverage and no more impervious cover.

Amount of parking and traffic equals some 2/3 cars per house. With the current commercial zoning, there would be two times as many cars.

Q. What amenities will the project bring into neighborhood to attract young couples?
A. The homes will meet the 4-Star Green Building Standards and all the units are proposed to have a 2.5 kilowatt solar panel system, except if the location of the unit prohibits the ability to have solar panels.

Q. Could you do another zoning district?
A. We primary request SF-6 zoning because there are no interior lot lines and we can save trees and also work around land contours.

The Bouldin Creek Neighborhood Planning Contact provided a letter on page seve of this report.

Other citizen comments are at the back of this report.

CITY COUNCIL DATE:

June 28, 2012 **ACTION:** Postponed to August 16, 2012

August 16, 2012 **ACTION:** Pending

CASE MANAGER: Maureen Meredith **PHONE:** 974-2695

EMAIL: Maureen.meredith@austintexas.gov

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Letter from the Bouldin Creek Planning Contact Team

From: Hampton, Stuart
Sent: Monday, June 04, 2012 9:57 AM
To: 'mailto:Maureen.Meredith@austintexas.gov'
Cc: 'cassjoyn@; 'npoulson@; 'bradfordpatterson04@; 'william@
Subject: RE: 901 S. First zoning change application -- Bouldin Creek Neighborhood Plan Contact Team minutes

Maureen,

Per you June 1st email. I concur with Will Burkhart's clarification of the April 30 BCNPCT Motion.

Also, (as part of that motion) I believe the BCNPCT has attempted in good faith to negotiate an alternative site development option, but that PSW Real Estate have not come back to us for a second round of discussions, despite what was agreed to at the first meeting between neighborhood representatives and the developers in early May.

It feels as if the developers are pushing ahead with their original plan, despite formal opposition from the Neighborhood Plan Contact Team, and have walked away from a negotiation mechanism established by that Contact Team.

BCNPT Motion, April 30.

"The BCNPT is opposed to the development as presented because of increased density, inadequate setback from East Bouldin Creek, and because it is inconsistent with fundamental precepts in the Neighborhood Plan. BCNPT is open to negotiating with PSW Homebuilders to address these concerns and appointed Will Burkhart, Brad Patterson, and Stuart Hampton to negotiate with the developers. The appointed team will report back to the BCNPT within three weeks. "

Will Burkhart's clarification on the motion

"By the way, in my opinion the motion may be more correctly characterized as objecting not so much to "increased density" as to uniform and unarticulated development, or a development proposal which currently fails to acknowledge certain fundamental precepts of the neighborhood plan's intent, the formal construct of the neighborhood, and the immediate context; also, I believe most at the meeting supported the proposed development presented along the S. 1st lots."

Regards,
Stuart Hampton
Chair,
Bouldin Creek Neighborhood Plan Contact Team

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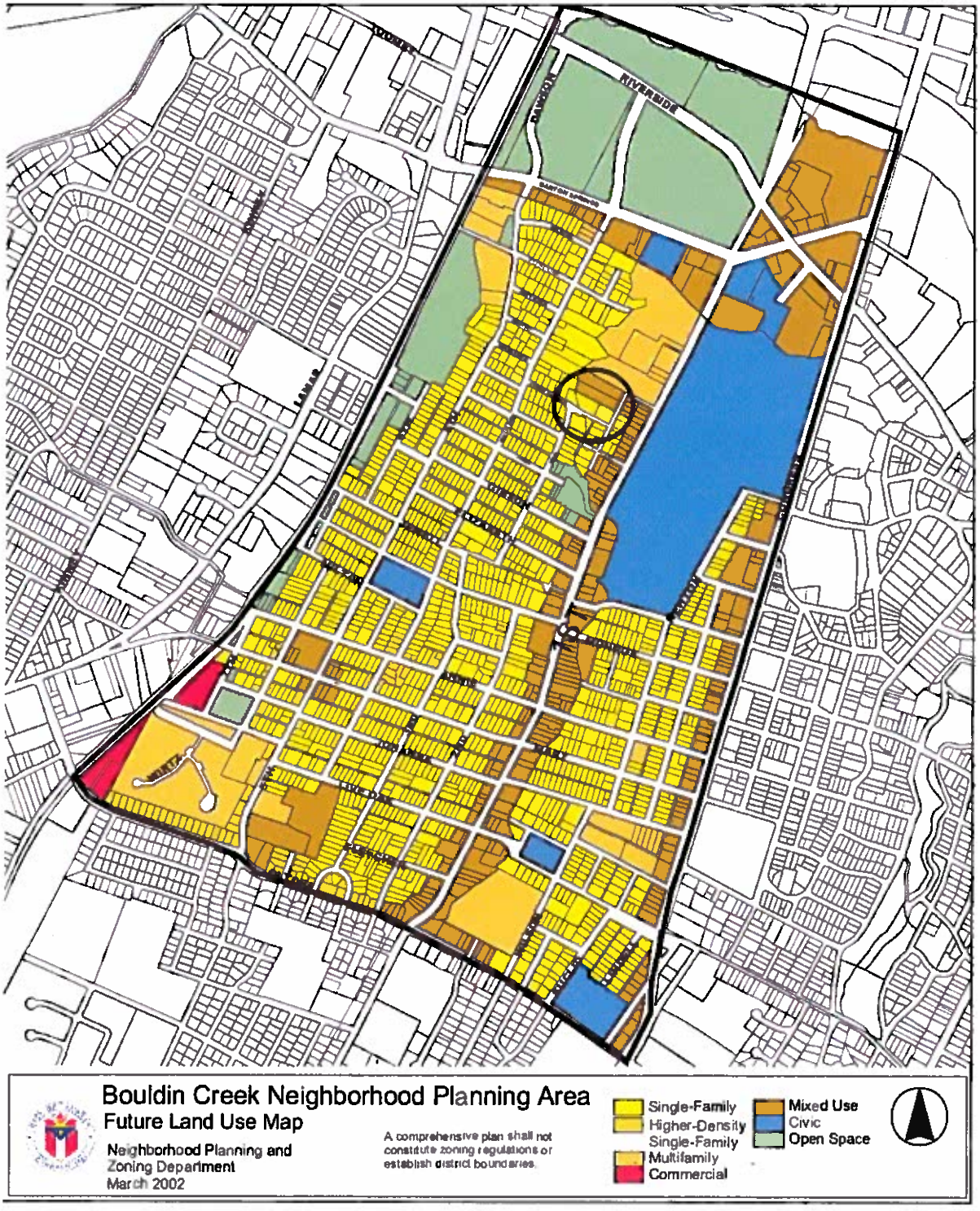
RIVERSIDE
Bouldin Creek Neighborhood Planning Area
Future Land Use Map
Neighborhood Planning and Zoning Department
March 2002
A comprehensive plan shall not constitute zoning regulations or establish district boundaries.
Single-Family
Higher-Density Single-Family
Multifamily
Commercial
Mixed Use
Civic
Open Space

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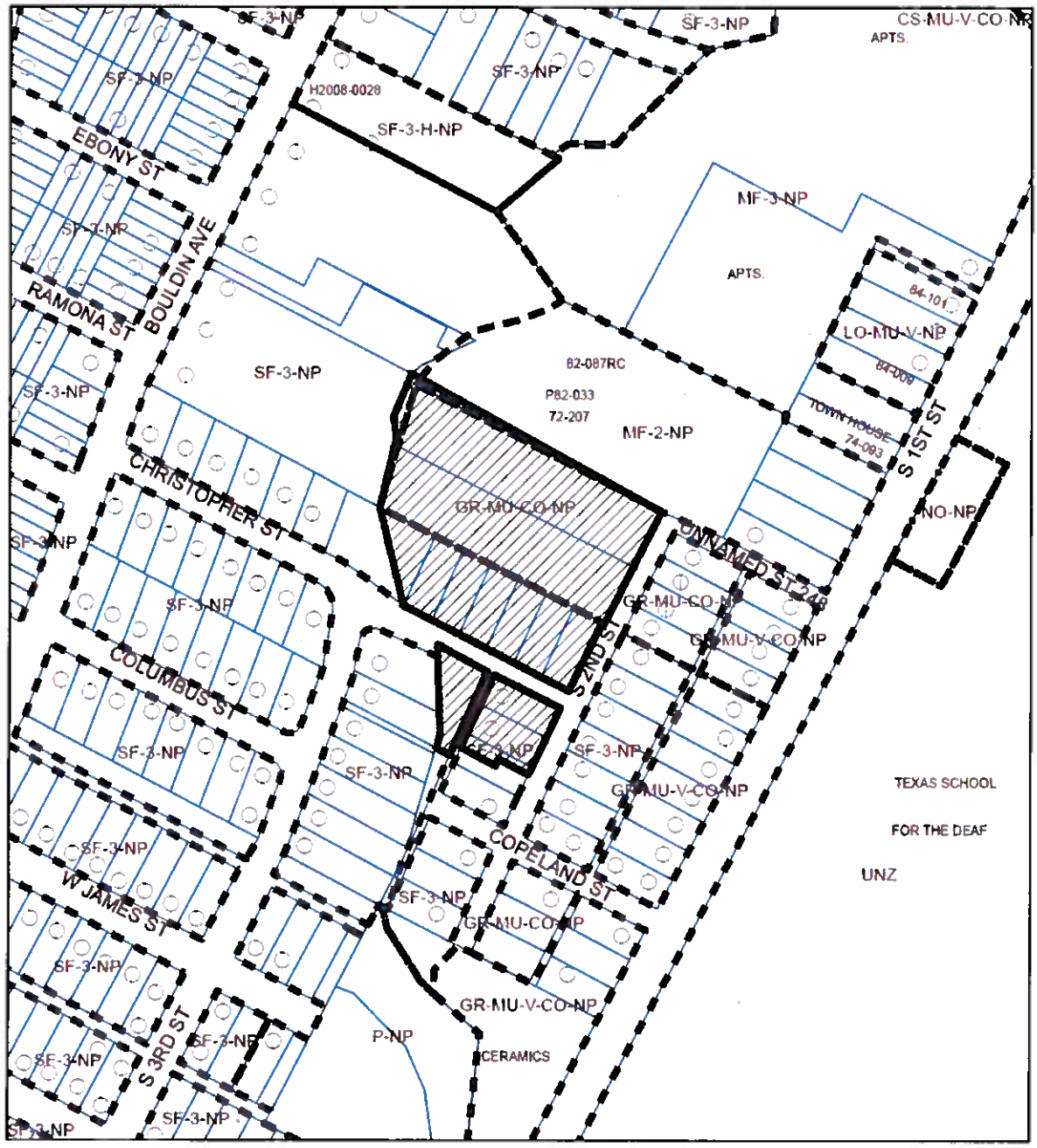

NEIGHBORHOOD PLAN AMENDMENT

NPA CASE#: NPA-2012-0013.02

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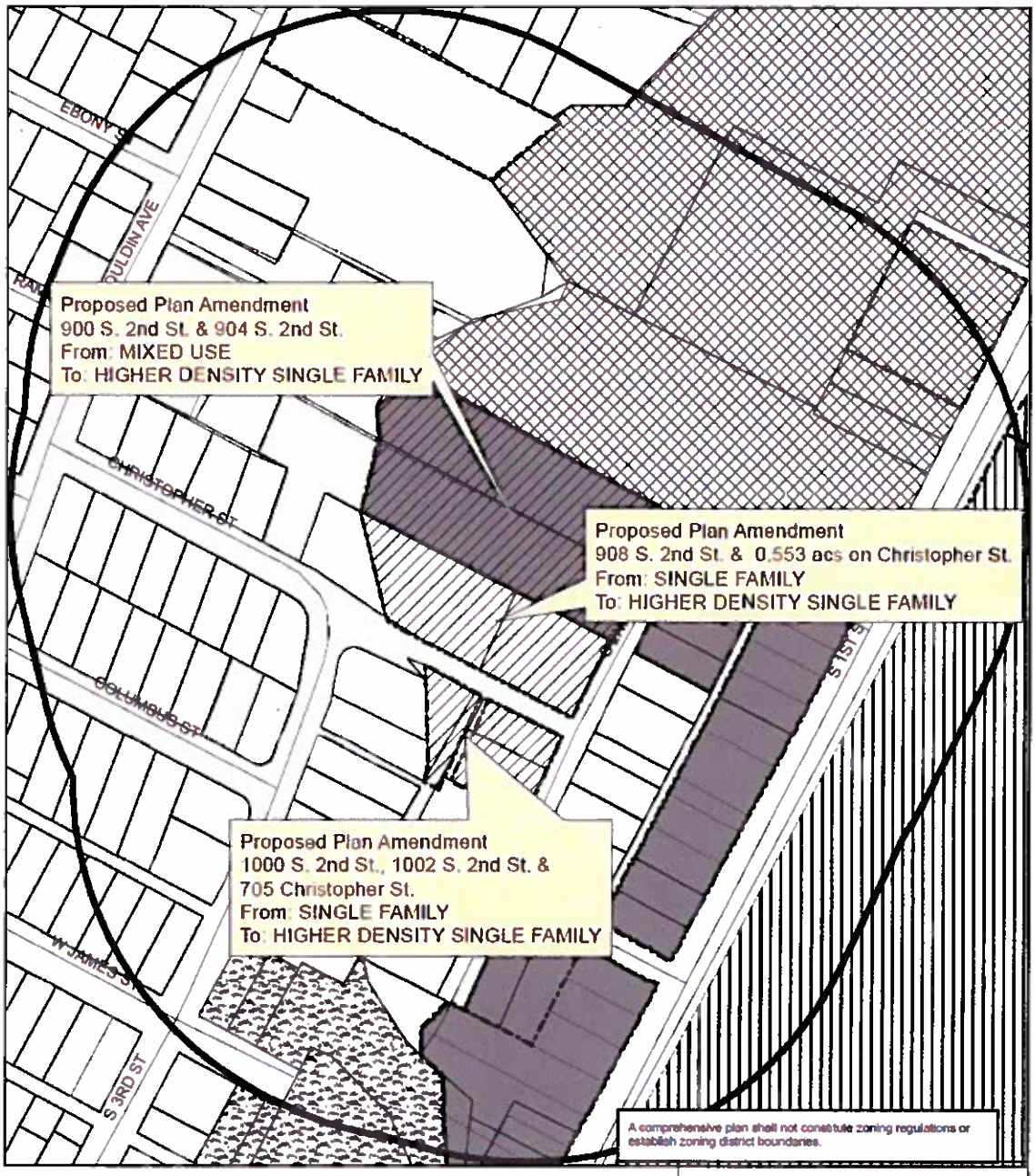

Bouldin Creek Neighborhood Plan
NPA-2012-0013.02

N

Legend
- 500ft notification boundary
- **SDE.flum_combined**
- Single-Family
- Multi-Family
- Mixed Use
- Civic
- Recreation & Open Space

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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City of Austin
Planning and Development Review Department
Created on 03/08/2012_ M Meredith

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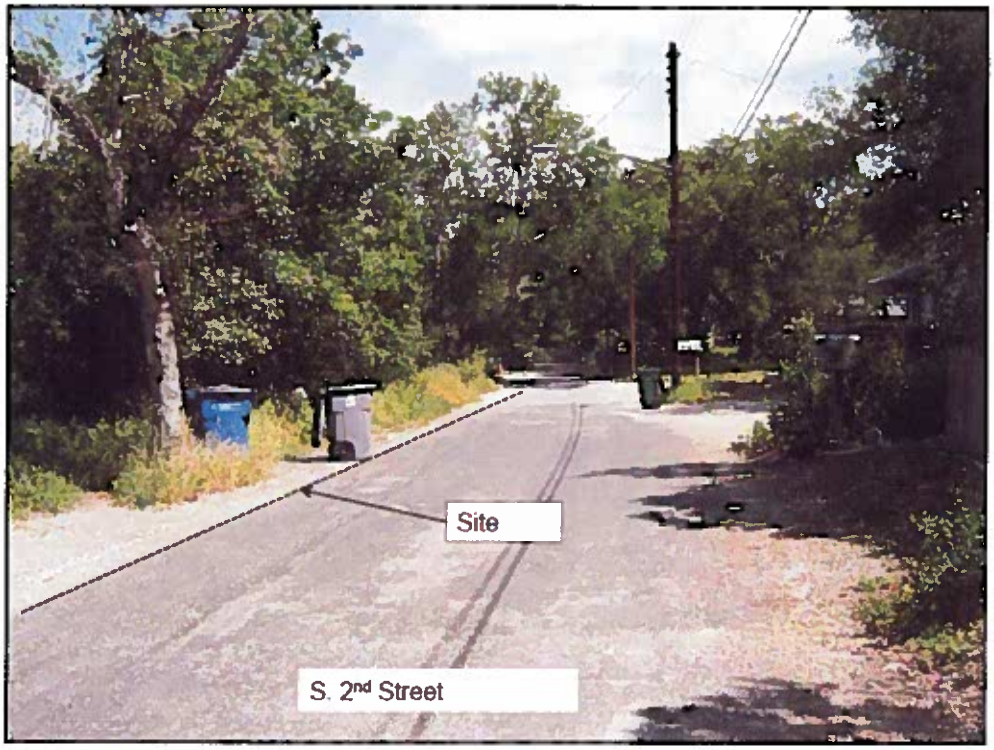
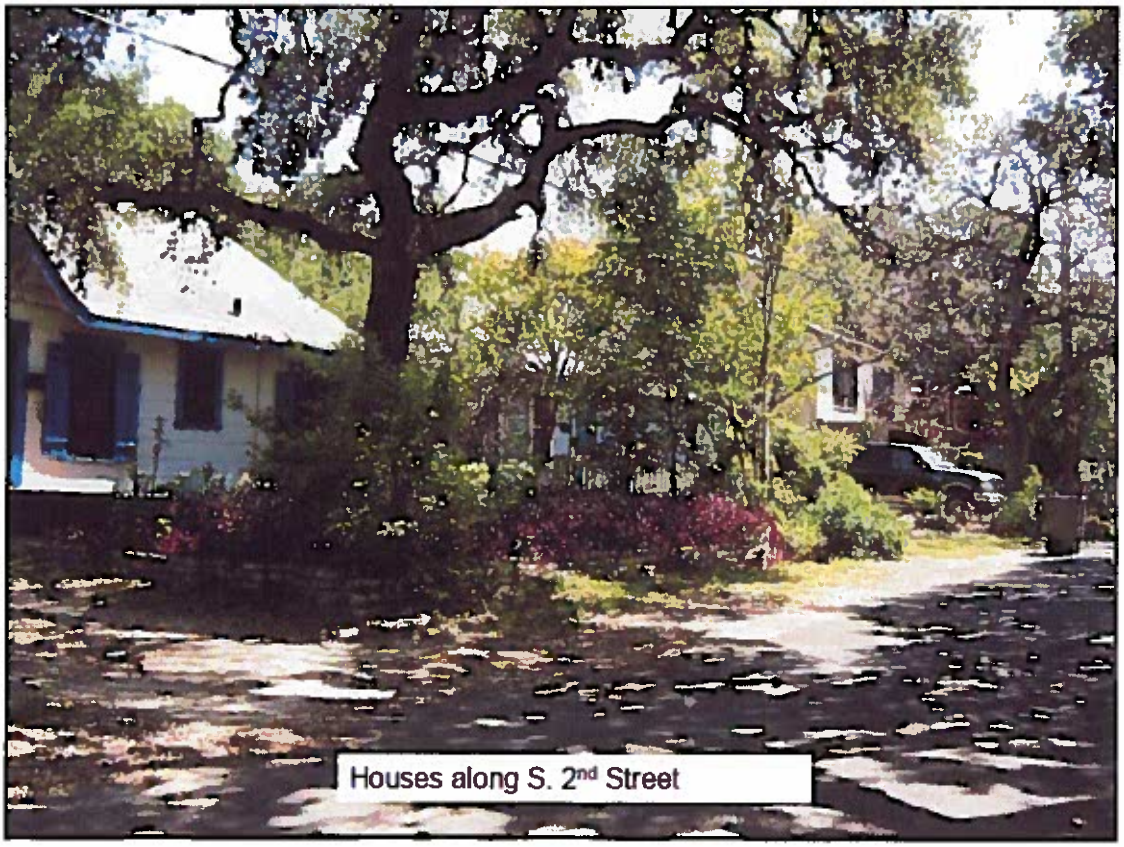


Att 13



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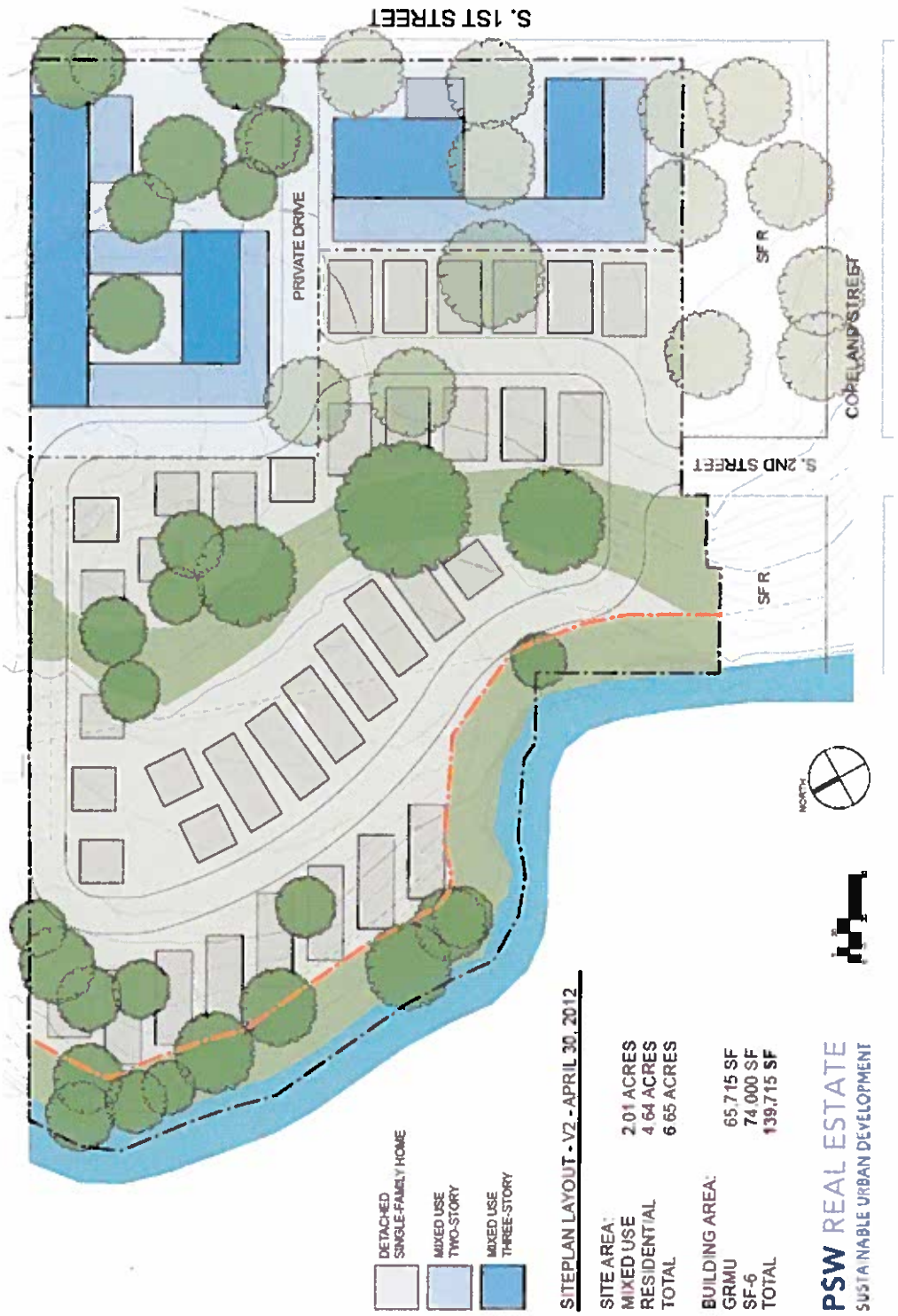
Applicant's Proposed Site Plan Layout



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-----Original Message-----
From: Philip Dhingra
Sent: Monday, April 16, 2012 9:16 PM
To: Meredith, Maureen
Subject: Re-zoning of S. 1st and Copeland

Hi Maureen,

I own and live in one of the condos just north of where PWS Real Estate wants to re-zone to SF-6 on S. 1st and Copeland. I'm not active in the neighborhood association, but you encouraged individuals to reach out if they had any concerns.

The developers seem like decent people, but I believe that up-zoning in that area should be very carefully considered because of how crowded South First has become in just the short time I've lived there.

The street is practically a freeway now, and its getting near impossible to make a left turn out of our driveway during busy hours. I bike most of the time, and its become very treacherous to cross over. The western sidewalk is already very crowded and difficult to bike through (and impossible for wheelchairs).

So count me as a voice (hopefully not a lone one) who would prefer the zoning to remain unchanged.

Sincerely,

Phil Dhingra
802 S. 1st Unit 212
Austin, TX 78704
512 850 6338

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[illegible]

PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
974-2695
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-2012-0013.02
Contact: Maureen Meredith
Public Hearing: Jun 12, 2012, Planning Commission
Jun 28, 2012, City Council

Charles Reburn [redacted]
Your Name *(please print)*

805 Christopher St
Your address(es) affected by this application

[signature] 6/5/2012
Signature Date

Comments: Changing zoning to allow condos into this residential area adversely impacts the quality of life of the residents. The secondary streets were not designed to deal with the increased traffic. Please deny condos in residential areas! Onstreet Accidents & Parked Cars is an ongoing issue for 25 yrs

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FAX 974-2269 Attn Marron Meredith

Case NPA-2012-0013.07

Continued:

Please pull case file related to 1001 S 3rd. As I understand this site was cited for multiple infractions where an increased density was not approved & developer proceeded despite red flag. This project was just recently demolished & hauled off. A council member who previously lived in the neighborhood took that fiasco on.

Approving condos in virtually the same location would be a news worthy inconsistency.

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Austin, TX 78767-8810

RECEIVED 6/7/12

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Case Number: NPA-2012-0013.02
Contact: Maureen Meredith
Public Hearing: Jun 12, 2012, Planning Commission
Jun 28, 2012, City Council

Julia Macgyess
Your Name *(please print)*

☒ I am in favor
☐ I object

B04 S 3rd, 806 W. James St
Your address(es) affected by this application

Julia Macgyess 6-4-12
Signature Date

Comments: I am in favor of increased density in the Neighborhood. I am also in favor of any new development in this area.

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Case Number: NPA-2012-0013.02
Contact: Maureen Meredith
Public Hearing: Jun 12, 2012, Planning Commission
Jun 28, 2012, City Council

WE ARE
MARILYN
BLACKSHEAR HAROLD E
Your Name *(please print)*

☑ ~~I am~~ in favor
☐ I object

806 BOULDIN AVE 78704
Your address(es) affected by this application

Marilyn Blackshear
Harold E Blackshear 4 JUNE
Signature Date

Comments: PROVIDED THE END PRODUCT IS UPGRADING.

KEEP UP THE GOOD WORK!

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PUBLIC HEARING COMMENT FORM

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Planning and Development Review Department
974-2695
P. O. Box 1088
Austin, TX 78767-8810

RECEIVED 6/12/12

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Case Number: NPA-2012-0013.02
Contact: Maureen Meredith
Public Hearing: Jun 12, 2012, Planning Commission
Jun 28, 2012, City Council

John Veselt

☐ I am in favor
☒ I object

Your Name *(please print)*

805 Colorado

Your address(es) affected by this application

Signature

6/6/12

Date

Comments: Condominiums do not serve anyone except city coffers. Destroy our city piece by piece! What are you thinking?

PUBLIC HEARING COMMENT FORM

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RECEIVED 6/9/12

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Case Number: NPA-2012-0013.02
Contact: Maureen Meredith
Public Hearing: Jun 12, 2012, Planning Commission
Jun 28, 2012, City Council

William Weaver

☐ I am in favor
☒ I object

Your Name *(please print)*

900 Bowie

Your address(es) affected by this application

Signature

6-4-2012

Date

Comments: To dense for this section of South First.

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PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:
City of Austin
Planning and Development Review Department
974-2695
P. O. Box 1088
Austin, TX 78767-8810

Rec'd 6/13/12

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Case Number: NPA-2012-0013.02
Contact: Maureen Meredith
Public Hearing: Jun 12, 2012, Planning Commission
Jun 28, 2012, City Council

Kim GEARY
Your Name *(please print)*

☐ I am in favor
☒ I object

802 S 1ST ST #107
Your address(es) affected by this application

Kim Geary — 6-11-12
Signature — Date

Comments: There's no access to S 1ST St only an alley. That would creat danger and a mess for Bouldin Creek Condos. The additional traffic in Bouldin neighborhood would be detrimental. S 2nd is just an alley. They need to provide ample parking to not screw up the neighborhood

PUBLIC HEARING COMMENT FORM

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P. O. Box 1088
Austin, TX 78767-8810

Rec'd 6/13/12

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Case Number: NPA-2012-0013.02
Contact: Maureen Meredith
Public Hearing: Jun 12, 2012, Planning Commission
Jun 28, 2012, City Council

Kim Geary
Your Name *(please print)*

☐ I am in favor
☒ I object

802 S 1st St #112
Your address(es) affected by this application

Kim Geary — 6-11-12
Signature — Date

Comments: This will create too much traffic and a parking headache

NO