

ZONING CHANGE REVIEW SHEET

CASE: C14-2013-0069 – 5107 & 5109
Manchaca Road

Z.A.P. DATE: September 24, 2013

ADDRESS: 5107 and 5109 Manchaca Road

OWNER/AGENT: Urban Design Group (John Noell)

ZONING FROM: SF-3

TO: SF-6

AREA: 1.8862 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant townhouse and condominium residence – conditional overlay (SF-6-CO) combining district zoning. The Conditional Overlay limits development to a total of 20 units (10.6 units per acre).

ZONING AND PLATTING COMMISSION RECOMMENDATION:

September 24, 2013: *TO GRANT SF-6-CO DISTRICT ZONING AS STAFF
RECOMMENDED, BY CONSENT*

*[J. STEVENS; S. OLIVER – 2ND] (6-0) A. HERNANDEZ; B. ROARK – NOT YET
ARRIVED; D. CHIMENTI - ABSENT*

ISSUES:

The Owner has requested a change in the number of units per acre from 10.6 to 11.3 in order to account for the dedication of right-of-way on Manchaca Road at the site plan phase of development. Please see correspondence attached to the back of the Staff report.

The property is within the South Austin Combined Neighborhood Plan Area which is currently underway. The Draft Character Districts Map that is currently in process identifies the rezoning area as within the Neighborhood Transition area. Although it is anticipated that design tools, infill options and special use options will be adopted through the neighborhood planning process, it is not anticipated that there will be base zoning district changes. The next Community Conversation is scheduled for Saturday, October 26, 2013 at Cunningham Elementary School between 9 a.m. and noon. Items on the agenda will include refining the Character District Map and definitions for the South Austin Combined Neighborhood Planning Area. This meeting will also include a discussion about household affordability.

DEPARTMENT COMMENTS:

The subject two platted lots are located on Manchaca Road, contain one single family residence each and are zoned family residence (SF-3) district. There are townhomes to the north and east (SF-3), single family residences to the south and also across Manchaca Road to the west (SF-3). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone property to the townhouse and condominium residence (SF-6) district in order to build 20 units. Staff recommends the Applicant's request given that condominium use is contextually appropriate on an arterial roadway, will further diversity the housing options in the area which already include single family residences, townhomes and apartments, and will provide the opportunity to cluster development around the sizable trees on the property.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3	Two single family residences
<i>North</i>	SF-3	Townhouses within the Mira Monte Townhomes Amended subdivision
<i>South</i>	SF-3	Single family residences within Deer Park Section 1 subdivision
<i>East</i>	SF-3	Townhouses within the Mira Monte Townhomes Amended subdivision
<i>West</i>	SF-3	Single family residences within the Oakglen Park Section 1 and Southern Oaks Section 1 subdivisions

NEIGHBORHOOD PLANNING AREA: South Austin Combined (South Manchaca)

TIA: Is not required

WATERSHED: Williamson Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

26 – Far South Austin Community Association
 511 – Austin Neighborhoods Council 627 – Onion Creek Homeowners Association
 742 – Austin Independent School District 943 – Save Our Springs Alliance
 950 – Southwood Neighborhood Association 1037 – Homeless Neighborhood Organization
 1049 – Deer Park Neighborhood Watch 1075 – Bike Austin 1108 – Perry Grid 644
 1200 – Super Duper Neighborhood Objectors and Appealers Organization
 1228 – Sierra Club, Austin Regional Group 1224 – Austin Monorail Project
 1236 – The Real Estate Council of Austin, Inc. 1228 – Sierra Club, Austin Regional Group
 1292 – Western Trails Neighborhood Association
 1315 – Southern Oaks Neighborhood Association
 1340 – Austin Heritage Tree Foundation 1363 – SEL Texas

SCHOOLS:

Sunset Valley Elementary School Covington Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0035 – Southern Oaks – 2005 Southern Oaks Dr.	GR to CS	Withdrawn by Applicant prior to Commission consideration	Not applicable
C14-06-0169 – Austin Discount Liquors – 2000 Southern Oaks Dr.	SF-3; GR; CS to CS-1	To Deny CS-1	Not applicable
C14-04-0199 – Crockett Center – 5326-5328 Manchaca Rd	GR to CS-1	Withdrawn prior to Commission consideration	Not applicable

RELATED CASES:

The rezoning area is platted as Deer Park Annex, Section 1, a subdivision recorded in May 1963 (C8-63-008). Please refer to Exhibit B.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Capital Metro
Manchaca Road	82 feet	44 feet	Arterial	Yes	Yes

CITY COUNCIL DATE: October 24, 2013

ACTION:

ORDINANCE READINGS: 1st

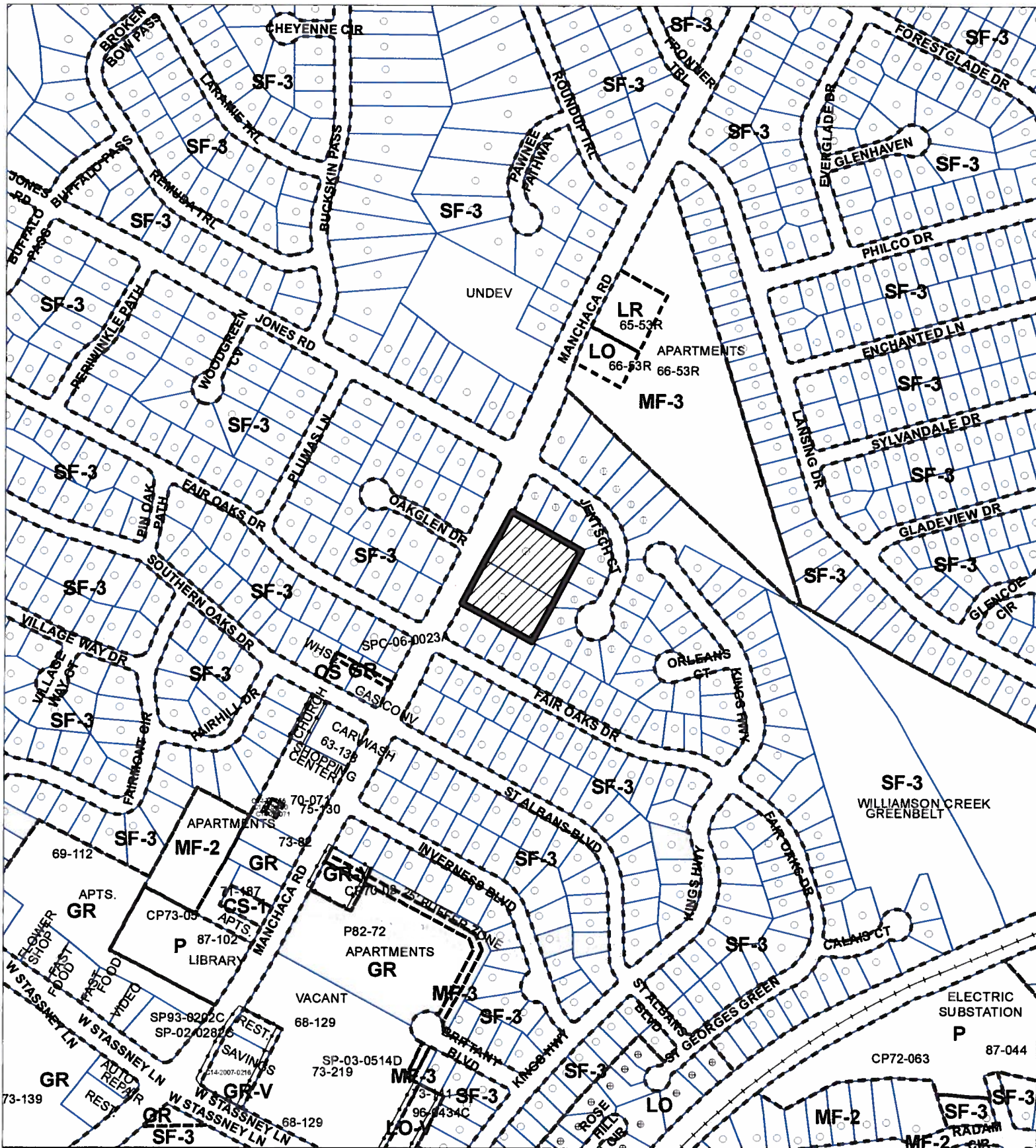
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 974-7719



ZONING

EXHIBIT A

ZONING CASE#: C14-2013-0069



SUBJECT TRACT

PENDING CASE

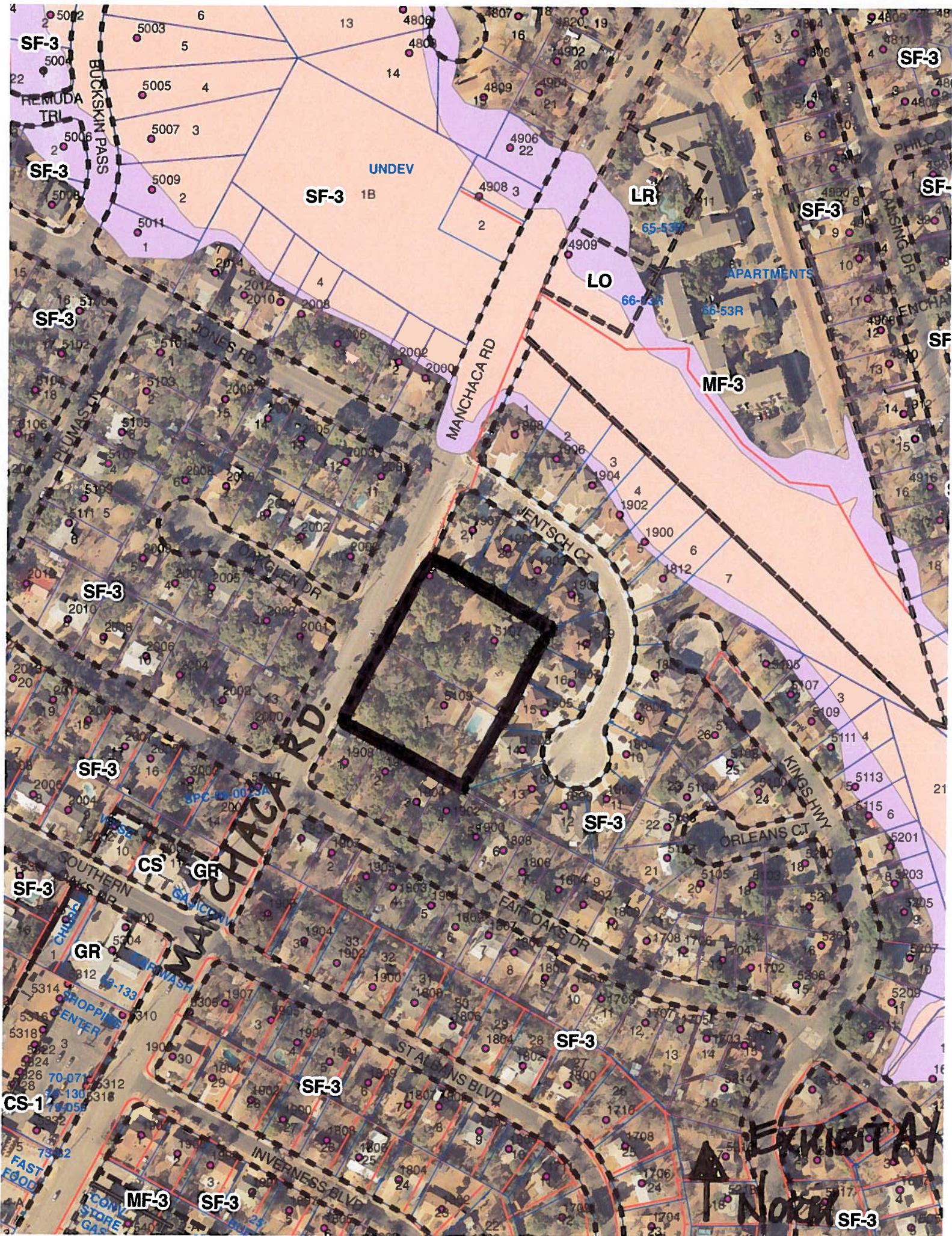
ZONING BOUNDARY

1" = 400'

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

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





May 20-63 REC-A

2443

45

DEER PARK ANNEX, SEC. 1

LEGEND

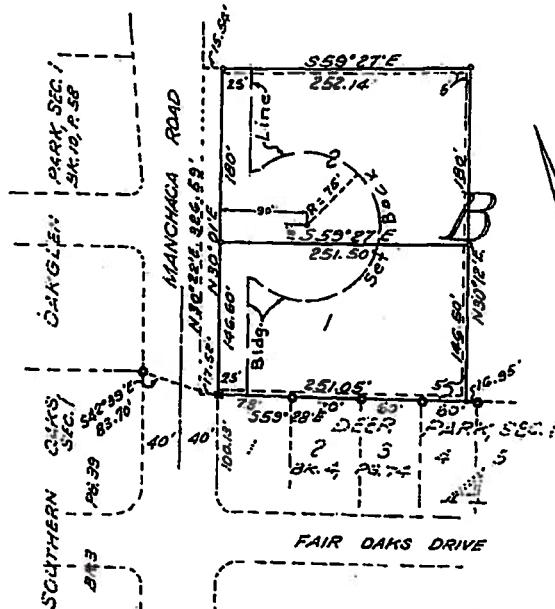
- - Iron Stk. Found
- " " Set
- - Conc. Man. Found

SCALE: 1" = 100'

By: Claude F. Bush, Jr.
CLAUDE F. BUSH, JR.
Reg. Public Surveyor #202
March 30, 1963



FB.139, Pg. III



All Lots in this subdivision are within the following tax units: the State of Texas, the County of Travis, The Austin Independent School District, and Travis County Water Control and Improvement District No 5.

THE STATE OF TEXAS } KNOW ALL MEN BY
COUNTY OF TRAVIS } THESE PRESENTS:

That I, Clemens F. Jentsch, joined herein by my wife, pro forma, Lillie A. Jentsch, owners of 6.28 Ac. out of the Wm. Cannon Lge, Travis County, Texas, a part of that certain tract conveyed to

Mrs. Lizzie Jentsch, Et Al, decd. by deed recorded in Vol. 397, Pg. 167 of the Deed Records of Travis County, Texas, do hereby subdivide 1.89 acre of said tract in accordance with the foregoing plat and do hereby adopt this plat as our subdivision to be known as DEER PARK ANNEX, SEC. 1, and do hereby dedicate to the public use all streets and easements shown hereon.
WITNESS OUR HANDS this the 2nd day of April, A.D. 1963.

Clemens F. Jentsch
Clemens F. Jentsch
Lillie A. Jentsch
Lillie A. Jentsch

THE STATE OF TEXAS }
COUNTY OF TRAVIS }

Before me the undersigned authority on this day personally appeared Clemens F. Jentsch, and wife Lillie A. Jentsch, known to me to be the persons whose names are subscribed to the foregoing instrument and they acknowledged to me that they executed the same for the purposes and consideration therein expressed and the said Lillie A. Jentsch, wife of the said Clemens F. Jentsch, having been examined by me privily and apart from her husband and having the same fully explained to her, she the said Lillie A. Jentsch declared that she willingly signed the same as her act and deed for the purposes and consideration therein expressed and that she did not wish to retract it.
WITNESS MY HAND AND SEAL OF OFFICE this the 2nd day of April, A.D. 1963.

Claude F. Bush, Jr.
Notary Public in and for Travis County, Texas

APPROVED FOR ACCEPTANCE on the 17th day of May, A.D. 1963.

By: Hoyle M. Osborn
Hoyle M. Osborn, Director of Planning

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN on the 17th day of May, A.D. 1963.

Secretary W. Dale Lewis

S. H. Hinder
Vice - Chairman

FILED FOR RECORD on the 20 day of May, A.D. 1963 at 10:00 o'clock A.M.

Miss Emilie Limberg, County Clerk, Travis County, Texas

By: E. Lee Pruitt Deputy

THE STATE OF TEXAS }
COUNTY OF TRAVIS }

I, Miss Emilie Limberg, clerk of the County Court within and for the County and State aforesaid, do hereby certify that the foregoing instrument with its certificate of authentication was filed for record in my office on the 20 day of May, A.D. 1963 at 10:00 o'clock A.M. and duly recorded on this the 20 day of May, A.D. 1963 at 10:05 o'clock A.M. in the Plat Records of said county in Book 17 Page 67
WITNESS MY HAND AND SEAL OF OFFICE the date last written above.

Miss Emilie Limberg, County Clerk, Travis County, Texas

EXHIBIT B
RECORDED PLAT

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant townhouse and condominium residence – conditional overlay (SF-6-CO) combining district zoning. The Conditional Overlay limits development to a total of 20 units (10.6 units per acre).

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The townhouse and condominium residence (SF-6) district, is intended as an area for moderate density single family, duplex, two-family, townhouse and condominium use.

2. *Zoning changes should promote an orderly and compatible relationship among land uses.*

Staff recommends the Applicant's request given that condominium use is contextually appropriate on an arterial roadway, will further diversity the housing options in the area which already include single family residences, townhomes and apartments, and will provide the opportunity to cluster development around the sizable trees on the property.

EXISTING CONDITIONS**Site Characteristics**

The subject two lots contain two single family residences, are generally flat and moderately to heavily treed.

Impervious Cover

The maximum impervious cover allowed by SF-6 zoning district is 55%, a consistent figure between the *zoning and watershed* regulations.

Comprehensive Planning

The zoning case is located on the east side of Manchaca Road, across from Oakglen Road. The property is approximately 1.86 acres in size and contains a single family house. The zoning case is located with the boundaries of the South Austin Combined Neighborhood Plan, which is currently being developed. Surrounding land uses includes single family housing in all four directions. The proposed use is a urban single family house development.

The overall goal of the Imagine Austin Comprehensive Plan (IACP) is to achieve '*complete communities*' across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. On page 107, found in Chapter 4 of the IACP it states, "*While most new development will be absorbed by centers and corridors, development will happen in other areas within the city limits to serve neighborhood needs and create complete communities.*"

Infill development can occur as redevelopment of obsolete office, retail, or residential sites or as new development on vacant land within largely developed areas. New commercial, office, larger apartments, and institutional uses such as schools and churches, may also be located in areas outside of centers and corridors. The design of new development should be sensitive to and complement its context. It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city. ”

Imagine Austin is supportive of developing a variety of land uses along a busy corridor to promote ‘**complete communities**’, including a variety of housing types, which is demonstrated in the following IACP policies:

- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **LUT P10.** Direct housing and employment growth to activity centers and corridors, preserving and integrating existing affordable housing where possible.
- **H P1.** Distribute a variety of housing types throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin’s diverse population.
- **H P5.** Promote a diversity of land uses throughout Austin to allow a variety of housing types including rental and ownership opportunities for singles, families with and without children, seniors, persons with disabilities, and multi-generational families.
- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based on the IACP policies referenced above that supports a mix of housing types; and surrounding residential land uses, staff believes that the proposed residential use is consistent with the Imagine Austin Comprehensive Plan, as long as environmental ordinances are considered and enforced.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Williamson 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. 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 Net Site Area</i>	<i>% 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 boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited to 30%.

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

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.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Transportation

Additional right-of-way maybe required with the site plan or subdivision application.

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].

Water and Wastewater

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. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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.

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.

Site Plan and Compatibility Standards

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

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

The site is subject to compatibility standards, and the following standards apply:

- 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.
- for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-3 property.

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

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.

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

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a 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.

Case Number: C14-2013-0069

Contact: Wendy Rhoades, 512-974-7719

Public Hearings: September 24, 2013, Planning Commission

October 24, 2013, City Council

Paul Suag
Your Name (please print)

2009 Oaklawn Drive
Your address(es) affected by this application

Paul J. Suag
Signature

☐ I am in favor
☒ I object

9/16/13
Date

Daytime Telephone: *512-478-8753*

Comments: *Manchaca Road has become*

increasingly congested and this stretch is becoming more dangerous due to excessive speeding and visibility challenges to the north created by the bridge over Williamson Creek. My wife and I and our two young children have to enter and exit Manchaca Rd. daily. More duplexes situated directly from our street will increase the danger to ourselves and others.

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

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810



October 14, 2013

Mayor and City Council
City of Austin
City Hall
301 W. 2nd Street
Austin, TX 78701

Re: C14-2014-0069
Zoning for 5107 and 5109 Manchaca Road

Dear Mayor and City Council:

After reviewing the draft Zoning Ordinance I request that Part 2.B. be modified to reflect the density for the project after accounting for any requirement by the City for dedication of right of way for Manchaca Road. I calculate that, after the right of way is dedicated, that the density for the 20 units proposed will be 11.3 units per acre rather than 10.6 as is indicated in the draft ordinance.

This change will not result in an increase in residential units which will remain at 20 units for the subject property. Thank you for your consideration and for your service to the City.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Noell', is written over a large, hand-drawn oval. The signature is fluid and cursive.

John Noell, P.E.
Owner of the property