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ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0007 – Drew Lane Zoning

Z.A.P. DATE: March 18, 2014

ADDRESS: 2507 Mitchell Lane

OWNERS: Brian Winterowd; Geryl W. Winterowd

AGENT: Site Specifics
(John Hussey)

ZONING FROM: SF-2-CO

TO: SF-3

AREA: 3.789 acres
(165,048.84 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant family residence – conditional overlay (SF-3-CO) combining district zoning. The Conditional Overlay limits the number of duplex lots to 18.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

March 18, 2014:

ISSUES:

All correspondence received is located at the back of the Staff packet.

DEPARTMENT COMMENTS:

The subject rezoning area is unplatted, contains a portable building, and has frontage on Drew Lane. The area proposed for rezoning and a one acre portion that accesses the terminus of the Mitchell Lane cul-de-sac and will be retained by the owners is zoned single family residence – conditional overlay (SF-2-CO) by a 2002 case. The Conditional Overlay restricts development on the property to one unit per acre. There are single family residences and one duplex on large lots to the north and east that have frontage on Mitchell Lane (DR; SF-3-CO; SF-2), single family residences to the south (County), and Bauerle Ranch, a single family residential subdivision to the west (SF-2-CO). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).

The Applicant has requested family residence (SF-3) district zoning in order to enable the property to be built with duplexes. The SF-3 district allows for single family residences in addition to two-family use (defined as one single family residence, plus a second detached unit not to exceed 850 square feet) and duplex use. Staff believes duplexes are not incompatible with single family residences, and notes the presence of SF-3 zoned lots north of the Riddle Road/Old Manchaca Road intersection that are adjacent to SF-2 zoned lots, and an SF-6 zoned lot on the north side of Lynnbrook Drive, adjacent to Bauerle Ranch that is intended for condominium use. As information, the maximum allowed density of duplex development is 6.2 lots per acre and is not dissimilar to that of SF-2 development (7 lots per

acre). An adjacent 4 acre block in Bauerle Ranch (extending to Huxley Street on the west) is built at approximately 5.3 lots per acre, although the overall density of this subdivision is lower due to the amount of open space incorporated into the subdivision's design.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2-CO	Portable building
<i>North</i>	DR; SF-3-CO	One duplex and single family residences on large lots
<i>South</i>	N/A (County)	Single family residences in the Southwest Gate Addition
<i>East</i>	SF-2	One manufactured home; Single family residences on large lots in the Jack Galbreath and the Ford Oaks Annex subdivisions
<i>West</i>	SF-2-CO	Single family residences in the Bauerle Ranch subdivision

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Kocurek Elementary School

Bailey Middle School

Akins High School

NEIGHBORHOOD ORGANIZATIONS:

217 – Tanglewood Forest Neighborhood Association

627 – Onion Creek Homeowners Association 742 – Austin Independent School District

943 – Save Our Springs Alliance 1037 – Homeless Neighborhood Association

1075 – League of Bicycling Voters

1200 – Super Duper Neighborhood Objectors and Appealers Organization

1214 – Bauerle Ranch Homeowners Association 1224 – Austin Monorail Project

1228 – Sierra Club, Austin Regional Group 1340 – Austin Heritage Tree Foundation

1363 – SEL Texas

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2011-0070 – Bergstrom Duplex Rezoning – 2508 Mitchell Ln	DR; SF-2 to SF-3-CO	To Grant SF-3-CO w/CO limiting development of Lot 27 to 1 duplex use and all	Apvd. SF-3-CO as Commission recommended (8-25-2011).

Mitchell Ln		to 1 duplex use and all SF-2 uses (east lot), and Lot 26 to 1 two-family residence use and all SF-2 uses (west lot).	2011).
C14-02-0171 – Page Rezoning – 10318 Old Manchaca Rd	SF-2 to SF-3-CO	To Deny SF-3-CO	Apvd SF-3-CO w/CO prohibiting duplex use (2-13-2003).
C14-99-2059 – Bauerle Development – 2700-3300 Squirrel Hollow	I-RR to SF-2	To Grant RR for Tract 1 and SF-2 for Tract 2 with conditions of the TIA	Approved RR-CO for Tract 1 and SF-2-CO for Tract 2 with the CO for the conditions of the TIA and restricting access to Squirrel Hollow to emergency access (2-1-2001).

RELATED CASES:

The property was annexed into the City's full-purpose jurisdiction on December 18, 1997 (C7a-97-012). On October 25, 2001, the rezoning area as well as the one acre that takes access to the Mitchell Lane cul-de-sac was rezoned to the SF-2-CO with the Conditional Overlay establishing a minimum one acre lot size (C14-01-0122 – Hidden Forest).

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

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic
Drew Lane	45 – 53 feet	25 feet	Local	Not available

- Capital Metro bus service is not available within 1/4 mile of this property.
- There are no sidewalks along Drew Lane.
- According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on Drew Lane.

CITY COUNCIL DATE: April 10, 2014

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

C14-2014-0007

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

PHONE: 512-974-7719

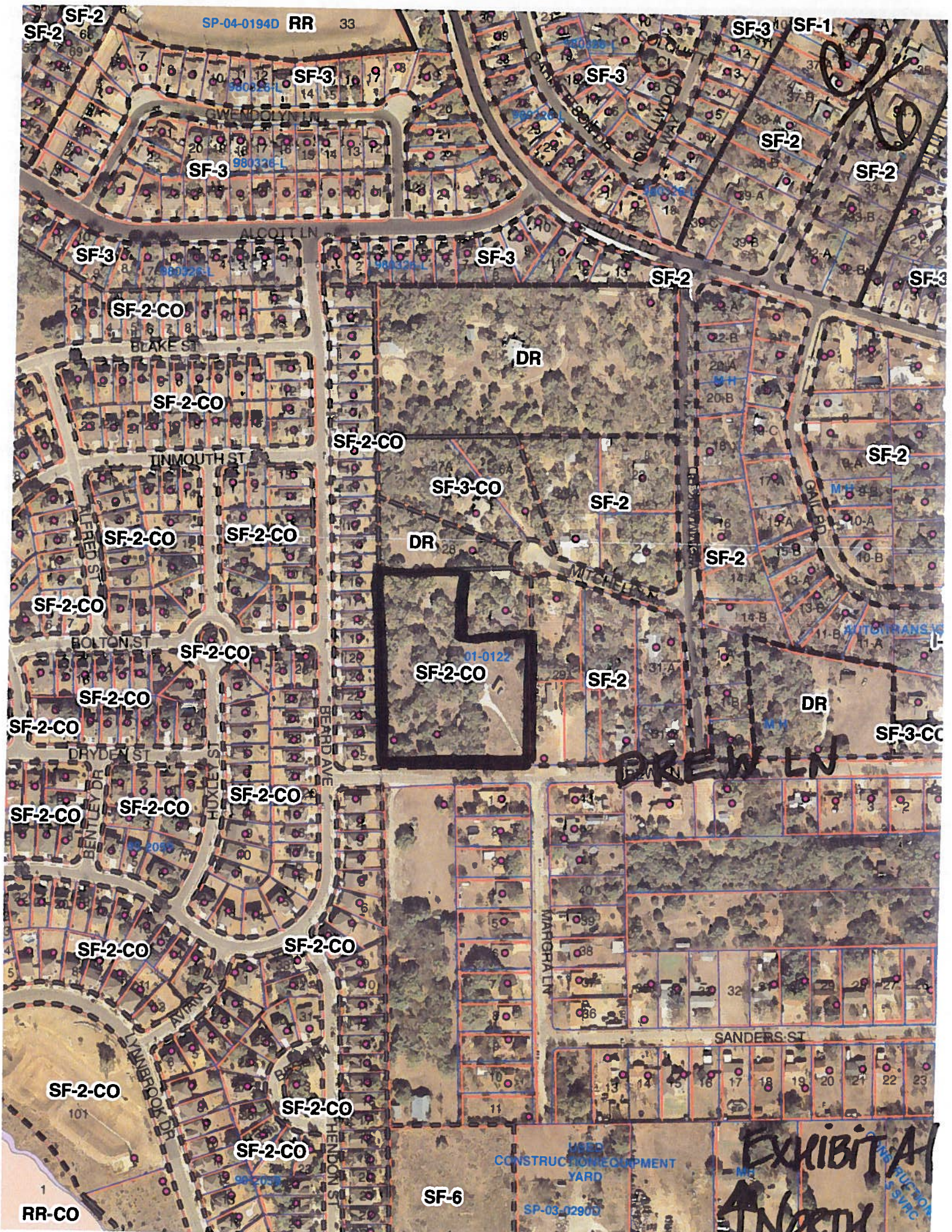


Exhibit A
North

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SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant family residence – conditional overlay (SF-3-CO) combining district zoning. The Conditional Overlay limits the number of duplex lots to 18.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The family residence (SF-3) district is the designation for a moderate density single-family residential use and a duplex use on a lot that is a minimum of 5,750 square feet. An SF-3 district designation may be applied to a use in an existing single-family neighborhood with moderate sized lots or to new development of family housing on lots that are 5,750 square feet or more. A duplex use that is designated in an SF-3 district is subject to development standards that maintain single-family neighborhood characteristics.

2. *The proposed zoning should allow for a reasonable use of the property.*

Staff believes duplexes are not incompatible with single family residences, and notes the presence of SF-3 zoned lots north of the Riddle Road/Old Manchaca Road intersection that are adjacent to SF-2 zoned lots, and an SF-6 zoned lot on the north side of Lynnbrook Drive, adjacent to Bauerle Ranch that is intended for condominium use. As information, the maximum allowed density of duplex development is 6.2 units per acre and is not dissimilar to that of SF-2 development (7 units per acre). An adjacent 4 acre block in Bauerle Ranch (extending to Huxley Street on the west) is built at approximately 5.3 lots per acre, although the overall density of this subdivision is lower due to the amount of open space incorporated into the subdivision's design.

EXISTING CONDITIONS**Site Characteristics**

The rezoning area contains a portable building and has moderate vegetative cover. There appear to be no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the *SF-3 zoning district* is 45%, which is based on the more restrictive *zoning* regulations.

Comprehensive Planning

This rezoning case is located on Drew Lane, which is located to the west of Wommack Road. The property is approximately 3.7 acres in size and is not located with the boundaries of a

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neighborhood planning area. The property is surrounded by single family houses. The proposed use is a residential.

As this case is small in scope, it is not at a level of review that can be considered by Imagine Austin which is broad in scope. Thus, when looking through the lens of Imagine Austin, this case is neutral. When looking at basic planning principles, the proposed use is similar to the adjacent uses and helps to further the consistency among the uses within the block.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter 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 no floodplain within or adjacent to 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.

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 512-974-1876. 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 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.

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Site Plan

If rezoned to the SF-3 district, the site shall be subject to the following BASE DISTRICT REQUIREMENTS:

- The building shall maintain a minimum 25 foot setback from the front (south property line).
- The interior side yards shall maintain minimum 5 foot setbacks from the east and west property lines.
- The rear yard setback shall maintain a minimum of 10 feet from the north.
- Maximum height is 35 feet.
- Maximum building coverage is 40% and maximum impervious cover is 45%.

Transportation

Additional right-of-way may be required at the time of subdivision and/or site plan.

While the site falls within the Full Purpose jurisdiction of the City of Austin, Drew Lane is within the 2 Mile ETJ and is maintained by Travis County. Additional roadway improvements may be required at time of site plan by the County.

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 / 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 and suitability for operation and maintenance. 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.

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: C14-2014-0007

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: March 18, 2014, Zoning and Platting Commission

April 10, 2014, City Council

Michael W. Izyk

Your Name (please print)

10333 Beard Ave, Austin, TX

Your address(es) affected by this application

Michael W. Izyk

Signature

3/8/2014

Date

Daytime Telephone: 512-348-0956

Comments: My wife and I recently purchased our home in Bauerle Ranch; our property backs up to the proposed rezoning property. We purchased this home at a premium price because there were no developments behind us. We realized that single family homes could be built there one day. One week after closing on our home we learned about the rezoning. If the rezoning takes place our property will be devalued.

See Attached

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

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Public Hearing: March 18, 2014, Zoning and Platting Commission
April 10, 2014, City Council
Case Number: C14-2014-0007
Contact: Wendy Rhoades, 512-974-7719

My wife and I recently purchased our home in Bauerle Ranch; our property backs up to the proposed rezoning property. We purchased this home at a premium price because there were no developments behind us. We realized at purchase that single family houses could be built there one day. One week after closing on the house we learned that there could be a complex of duplexes behind our home as a result of rezoning. If the rezoning does take place our original reason for purchase will be diminished and the property will be devalued.

This rezoning is on a 3.789 acre piece of property that is in the middle of other SF-2-CO zoned properties.

At present approximately 9 single family homes could be built on the property Rezoning could add an additional 9 units in duplex housing.

Duplexes normally:

- Devalue other single family homes in the neighborhood
- Cost up to 100K less than a house
- Do not have adequate parking for tenants
- Depreciate more rapidly than a house
- Limited yard space for two family activities

Drew Lane is an unimproved asphalt road that is:

- Narrow (difficult to pass)
- No Shoulders
- Poor Condition
- No road markings
- No sidewalks
- No Drainage

Environmentally:

- Majestic trees will be destroyed
- Deer, Birds, and other wild life will be displaced
- Drainage will be displaced to other adjacent properties

Other Issues

- Parking should not be allowed on Drew Ln.
- Children will not have a place to play in the neighborhood
- Public transportation almost 1 mile
- Stores approx 1 mile away

Beard Ave. Properties already have a burden of a French Drain that occupies 15 feet of their border to the proposed rezoned property.

Michael W. Gipe *3/8/2014*

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Case Number: C14-2014-0007

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: March 18, 2014, Zoning and Platting Commission
April 10, 2014, City Council

Charles E. Clinger

Your Name (please print)

2503 Mitchell Ln, Austin, TX

Your address(es) affected by this application

Charles E. Clinger

Signature

Date

Daytime Telephone: 512-282-1374

Comments: See attachment
dated 10 March 2014

Thanks
etc

☐ I am in favor
☒ I object

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

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TO: Wendy Rhodes

FROM: Charles E. Clinger

Charles E. Clinger

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SUBJECT: Case Number: C14-2014-0007

Contact: Wendy Rhodes

Public Hearing:

March 28, 2014, Zoning and

Platting Commission

April 10, 2014, City Council

DATE: 10 March 2014

In accordance with instructions on Notice of Public Hearing For Rezoning received by me on 8 March 2014 I submit my comments in objection of the subject rezoning.

I live at 2503 Mitchell Lane, Austin, TX. I was born in Austin in 1930, raised in Travis Heights area and have called Austin my home for over 83+ years. My wife was also born and raised in Austin. We grew up across the street from each other on Alameda Drive. She died in Feb. 2013 of pancreas cancer.

After I returned from Korea, we purchased the lot (about an acre) at 2503 Mitchell Lane in 1956. In 1964 we built our home based on my wife's design. We raised 4 children in this quiet

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friendly rural environment. Over the years the City of Austin annexed our area and residential and commercial properties developed. These developments did not adversely affect our desired environmental life style. The reasons were basically because of buffer zones - distance, sound and sight obstructions such as trees, off of main travel routes without direct access to Manchaca Road or Slaughter Lane. Our present roads (Wommack, Mitchell, Drew) are very narrow 2 lane County built paved (?) roads with ditches on both sides. Most of us still use propane for gas services. There are no gas lines along these roads.

In response to my question as to the basis for Staff recommending rezoning the reply I received was , “ ...it is not incompatible with single family residences.” That basis is unacceptable, as it represents only the viewpoint of the City of Austin’s concept of density. The recommendation does not take into consideration my or my neighbors feelings about our desire to maintain the quiet friendly environment we have experienced over 50 years. This is very disrespectful toward the present owners. The only purpose of the Staff’s

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recommendation are increase density and \$\$\$\$ for the applicant and developer.

It is projected 36 duplex units are to be constructed. That means -

- . 3 - 4 cars per unit = 108 - 144 added cars**
- . 3 - 4 persons per unit - 108-144 added persons.**
- . Considerable added traffic on rural roads and In neighborhood. Another Austin traffic gridlock.**
- . Most of the renters will be transient - that is recent moved to Austin and/or college students They will have no interest in supporting continuing family style living. This is evident along Alcott and other places.**

The list can continue. I understand the applicant needs to do something with their excess land. I would suggest delete any reference to duplex and construct single family homes like Mitchell Lane. That would mean about 3 - 4 homes with stable families. Also, develop the excess land into a community park.

I apologize for not being able to attend due to medical matters. I know two others along

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Mitchell Lane who object to the rezoning but will be unable to attend.

We can work out something for the benefit of the applicant and retain our present standard of living. At this time the only benefit for rezoning are - 1) \$\$\$ for the applicant and developer which is understandable and 2) squeeze as many people as the City of Austin desires into a site not suitable for such. The second benefit for the City of Austin should not be a factor.

Thanks,

**Charles E. Clinger
2503 Mitchell Lane
Austin, TX .78748-1329
Phone - 512-282-1374 (line)
512-431-6476 (cell)**

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Case Number: C14-2014-0007

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: March 18, 2014, Zoning and Platting Commission

April 10, 2014, City Council

WALLACE CONLEY
Your Name (please print)

10305 WONNACK RD.

Your address(es) affected by this application

Wam [Signature]

Signature

3/9/2014
Date

Daytime Telephone: (512) 658-2042 AND 917-0818

☐ I am in favor
☒ I object

We do not support this zoning change as it would change the nature of the established rhythm and harmony of a neighborhood that is mostly middle aged and older single family home owners. We believe that the noise of increased traffic would further hinder our ability to enjoy the outdoors on our daily walks. There are no sidewalks and the road is in bad condition. Traffic in this area already speeds beyond posted speed limits. Children are waiting for school buses while standing in the street. To increase these problems with perhaps hundreds of additional cars and noise would be intolerable to us.

We are mostly people who have spent years developing good relationships with each other. We know whose pets are out roaming and whose kids are playing in the yard. We respect each other's property and keep watch.

We do not believe that the multi-family units being planned would be a harmonious fit to this neighborhood. The tenants are more likely to be short term and not inclined to understand the established common issues and concerns.

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Rhoades, Wendy

From: Lew Baker [REDACTED]
Sent: Wednesday, March 12, 2014 1:14 PM
To: Rhoades, Wendy
Subject: Case # C14-2014-0007

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Attn: Wendy Rhoades
Case Number: C14-2014-0007
Public Hearing: March 18, 2014

I retired from the US Air Force in 1967 and settled in the Austin area with my family. I purchased two lots in the Ford Oaks Annex, a rural sub-division just south of Austin city limits, and built our home. The lots were at least an acre each and had deed restrictions of single family unit per lot.

Later, without regard for my neighbors or my wishes, we were annexed into the city. Still later, the city re-zoned our area and permitted the move in of a surplus Bergstrom AFB duplex. Now you are again re-zoning which will further deteriorate the original intended environment for this area. The high density duplex plotting will overload the area, including the narrow, no sidewalk, country lanes.

How about considering the wishes of the original homesteaders for a change. Not everything should revolve around the \$\$\$\$, and unbridled growth.

Sincerely,

Herman L Baker
2504 Mitchell Ln.
Austin, Tx 78748
512-282-1150

Rhoades, Wendy

From: ann gilland [REDACTED]
Sent: Thursday, March 13, 2014 11:56 AM
To: Rhoades, Wendy
Subject: Case No. C14-2014-0007

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Regarding the above case, I am OPPOSED to the rezoning request.

I live in Bauerle Ranch. Because this community has an active HOA, standards are maintained and enforced.

The nearby many duplexes along Alcott Ln etc. are unsightly in general. Garbage/Recycle containers are kept on the curb or in the street, yards are not maintained in many cases, and I see no evidence of regulating standards of acceptance.

Since duplex houses are often rental properties with absentee landlords I would expect the proposed development would be similar.

I strongly object to the rezoning request.