

ZONING CHANGE REVIEW SHEET

CASE: C14-2014-0143 / Katherine Mitchell Life Estate **P.C. DATE:** October 28, 2014

ADDRESS: 809, 811, and 813 South Center Street

AREA: 0.7466 acres (approximately 32,522 square feet)

NEIGHBORHOOD PLAN AREA: Galindo
(South Lamar Combined Neighborhood Planning Area)

OWNER: Wes Peoples Homes, LLC (Edward G. Bloomquist)

APPLICANT: Wes Peoples Homes, LLC and Morzie DCI (Kenneth Blaker)

ZONING REQUEST:

FROM: MH, Mobile Home Residence district zoning

TO: SF-3, Family Residence district zoning

SUMMARY STAFF RECOMMENDATION:

To grant SF-3, Family Residence, district zoning

PLANNING COMMISSION ACTION:

Scheduled for consideration October 28, 2014

October 14, 2014

Pulled - No Action Taken; Re-noticed for October 28, 2014

DEPARTMENT COMMENTS:

The subject tract, at approximately 0.75 acres, is comprised of three platted lots north of Ben White Boulevard, west of S 2nd Street (see Exhibits A). It is a corner tract, south of South Center Street and east of Birch Street. Residential uses can be found on three sides of the property, while the Galindo Elementary School campus (under LO zoning) lies to the south.

The applicant's request for SF-3 district zoning would allow for redevelopment of the site with two single-family homes and, following a resubdivision of one of the lots, two duplexes for a total of 6 residential units.

ABUTTING STREETS & TRANSIT:

Street Name	ROW Width	Pavement Width	Classification	Bicycle Route/Plan	Bus *	Sidewalks
South Center St	54'	30'	Collector	No	Yes	No
Birch St.	50'	30'	Local	No	Yes	Yes

* Capital Metro bus service within ¼ mile

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	MH	Vacant structures

North	SF-3; SF-4A-CO	South Center St; Single-family and duplex residential
East	LO; SF-3*	Apartment residential; * SF-3 is 5' strip along South Center
South	LO; MH	Elementary school & nonprofit emergency shelter ; single-family residential
West	MH; SF-3	Birch St; Undeveloped; Single-family residential

TIA: Not Required

WATERSHED: West Bouldin Creek (urban)

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ASSOCIATIONS & COMMUNITY ORGANIZATIONS:

COMMUNITY REGISTRY NAME	COMMUNITY REGISTRY ID
South Central Coalition	498
Austin Neighborhoods Council	511
Austin Independent School District	742
Galindo Elementary Neighborhood Association	904
Homeless Neighborhood Organization	1037
League of Bicycling Voters	1075
Perry Grid 614	1107
Super Duper Neighborhood Objectors and Appealers Organization	1200
Sierra Club, Austin Regional Group	1228
The Real Estate Council of Austin, Inc.	1236
Austin Heritage Tree Foundation	1340
Preservation Austin	1424
Friends of the Emma Barrientos MACC	1447

SCHOOLS:

Independent School District:

Galindo Elementary School Fulmore Middle School Travis High School

ZONING CASE HISTORIES IN THE AREA:

With the exception of two MH to SF-3 cases in 2005, and an SF-3 to LO and SF-4A in 2000 (C14-99-2114) there has been no rezoning applications within 500' of the subject tract since the early 1980s. From a broader perspective, extending from S 1st St to the east and the railroad tracks to the west, and south from Ben White north to Cardinal Lane, there has been relatively little rezoning in this area over the past 30 years.

In 1972, 801-911 South Center St, 3702-3714 S 2nd St, 3701-3713 Birch St, and 3701-3707 Garden Villa Lane, some 19 lots in total – all south of South Center Street, were rezoned from "A" Residence to "MH" Mobile Home district (C14-72-220). Of note, one lot north of South Center St, also included in the request, was denied MH zoning. Another case in 1974 (C14-74-102), to rezone property north of South Center St from "A" to "MH" was denied.

NUMBER	REQUEST	LAND USE	CITY
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		COMMISSION	COUNCIL
NORTH of South Center Street			
3604-3618 S 2 nd St C14-83-054 & C114-85-245RC	"A" 1 st H&A to LR 2 nd H&A	Recommended LR 2 nd H&A 05/03/1983	Approved LR 2 nd H&A 06/09/1983 (RC limited commercial uses)
C14-99-2114 & C114-85-245RCA	SF-3, LR & LO to SF-4A-CO	Recommended 01/04/2000	Approved 02/17/2000 (CO required tree preservation; RC terminated)
SOUTH of South Center Street			
903 South Center St C14-05-0058	MH to SF-3	Recommended; 05/03/2005	Approved 06/09/2005
907 South Center St C14-05-0059	MH to SF-3	Recommended; 05/03/2005	Approved 06/09/2005
3702-3704 S 2 nd St & 805 South Center St C14-79-090	"MH" to "O" Office 1st H&A and "A" 1 st H&A (5' strip)	Recommended 06/05/1979	Approved 07/26/1979
3710-3802 Block of S 2 nd St C14-82-069 C14-82-069RC	"A" and "MH" to "O-1" 1 st H&A	Recommended "O" 1 st H&A 08/03/1982	Approved 12/01/1982 (RC required site plan and prohibited Birch access)
C14-82-069RCT	Termination of RC	Recommended 05/13/1986	Approved 06/05/1986
3713-3719 & 3801-3811 Garden Villa Ln C14-82-104 C14-82-104RC	"A" 1 st H&A to "O-1" Office 1 st H&A	Recommended 08/03/1982	Approved 03/17/1983 (RC required site plan, ROW dedication, & extension of Garden Villa)
C14-82-104RCT	Termination of RC	Recommended 05/13/1986	Approved 06/05/1986
3709 & 3713 Birch St C14-82-140 C14-82-140RC	"MH" to "O-1" Office 2st H&A	Recommended 11/02/1982	Approved 08/04/1983 (RC required 2 nd St access & termination of Birch)
C14-82-140RCT	Termination of RC	Recommended	Approved

		05/13/1986	06/05/1986
C14-82-149	"A" 1 st H&A to "O-1" 1 st H&A		04/21/1981

To the north, there are only three examples of residential rezonings in the area, including 3419 Garden Villa (SF-3 to SF-4A, in case C14-00-2129), 3505 Villa Court (SF-3 to SF-6-CO, in C14-2009-0155, with a 13-unit cap), and Cardinal at 2nd Street (SF-3 to SF-6-CO, in C14-05-0024, with a 30-unit cap and other restrictions). To the east and towards S 1st St there have been only three commercial rezonings, including 3504 S 1st St (SF-3 to CS-CO, in C14-06-0194, with a 2000 vtd limit and some prohibited uses), S 1st and South Center (LO-CO to GO-CO, in C14-04-0029, with a limit to 2000 vtd), and 3810 S 2st (SF-3 to LR-MU, in C14-2008-0005).

It should also be noted, only three properties (but about ½ of the frontage) adjacent to the west side of S 1st St between Cardinal Lane and Ben White were part of the Vertical Mixed Use (VMU) opt-in ordinance (Case C14-2007-0238); those properties are located at 601 Cardinal Lane, the 3700 block of S 1st St, and 3816-3828 S 1st St.

Lastly, to the south there have been a mere two rezoning cases, with one at 900-1000 Ben White (CS to CS-MU, in C14-2008-0218, with restrictions on uses and access), and 888 Banister Lane (SF-3 to LO-MU-CO, in case C14-2009-0059, with a restriction on uses and limit of 300 vtd).

CITY COUNCIL ACTION: Scheduled for Consideration November 20, 2014

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Lee Heckman
e-mail address: lee.heckman@austintexas.gov

PHONE: 512-974-7604

SUMMARY STAFF RECOMMENDATION

To grant SF-3, Family Residence, district zoning

BACKGROUND/PURPOSE STATEMENTS

The existing MH, Mobile Home Residence, district, is intended for a mobile home residence park and mobile home subdivision use. An MH use is subject to standards that promote a residential environment and compatibility with adjoining family residence neighborhoods.

The proposed SF-3, Family Residence district, is intended as an area for moderate density single-family residential use, with a minimum lot size of 5,750 square feet. Duplex use is permitted under development standards that maintain single-family neighborhood characteristics. This district is appropriate for existing single-family neighborhoods having typically moderate sized lot patterns, as well as for development of additional family housing areas with minimum land requirements.

BASIS FOR RECOMMENDATION

Rezoning this property is one step of a multiple step proposal to replace a mobile home properties with two single-family homes and two duplexes. If the rezoning is approved, the owner will resubdivide a portion of the property into two lots prior to the construction of duplexes. The end result is replacing three residential units with six.

Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character; and

Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.

The subject tract is separated from Banister Lane/Ben White by the Galindo Elementary School. The entirety of the area between South Center and Banister/Ben White is a mix of zoning and uses, including single and multifamily, office, commercial, and civic. To the north, however, the uses are primarily residential, with single-family across the street stretching from west of Garden Villa eastward to 2nd St.

Office is considered compatible with residential uses, and staff does not think allowing residential zoning and uses to continue next to an existing office use and an elementary school is inappropriate. At the same time, given the single-family residential on the opposite side of adjacent streets, rezoning this property to another form of lower-density residential serves to protect and transition to the neighboring residential. Rezoning this tract from MH to SF-3 allows for residential infill (in this case 3 additional units), but is really a change in the form and density of residential.

As noted above, there is single-family residential immediately north of the property across South Center Street. Of note, four homes under a flag-lot configuration were constructed since 2005; another flag-lot project, involving two duplexes, was completed in 2013. Replacing the current MH zoning and uses with single-family homes and duplexes is surely compatible with these newer homes, and provides an equally effective, if not more effective, transition from the school and offices to the south and southwest.

Zoning should allow for a reasonable use of the property.

While there may be an argument to preserve MH as a zoning district, with the expectation that housing in such a district might be more affordable than a typical single-family home on an SF-3 lot. Preserving and promoting a diversity of housing types and price points is aligned with the goals of the Imagine Austin Comprehensive Plan. However, the MH-zoned properties in this area are individual parcels that may house, or may have housed, a single structure apiece. The MH in this area is not used as rental manufactured housing parks with multiple units that may be found in other areas of the City.

There are currently 10 parcels within the Galindo Neighborhood that have MH district zoning. The immediate area and the larger Galindo neighborhood is predominately single-family residential, with a mix of multifamily and some higher-density single family under SF-4A and SF-6 zoning. If this request is granted, the number of parcels with MH zoning in the neighborhood would be reduced to 7; all of these remaining tracts are along South Center and 2nd Streets.

Despite the reduction of MH zoning in the area, the proposal is not to abandon the single-family nature of the property. In fact, two of the lots, if zoned SF-3, would be developed with single-family homes. The largest of the three parcels, at, 19,580 square feet, is proposed to be resubdivided into two 7,000-plus square foot lots, and developed with duplexes (after a resubdivision). As such, the entirety of the project is to convert 3 MH parcels, or three residential units, into 6 units.

On paper, this doubles the density of the property. On the street, however, it is replacing three mobile home lots with four residential structures. Two of these will be individual homes, two will be duplexes. Both the individual homes and the duplexes are an appropriate fit for the area, and staff thinks the request – whether viewed as 3 more infill units or a 100% increase in density – is still a reasonable use for this tract.

Zoning should be consistent with an adopted study, the Future Land Use Map (FLUM) or an adopted neighborhood plan; and

The rezoning should be consistent with the policies adopted by the City Council or Planning Commission/Zoning and Platting Commission.

The South Lamar Combined Neighborhood Planning effort, which includes the Galido Neighborhood, has been suspended. As such, there is no neighborhood plan or future land use map to consult in developing the staff recommendation. The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP), does not identify this area as an Activity Center or along an Activity Corridor. One must then consider the general goals or themes of the IACP as relates to housing choice, the encouragement of a diversity of housing stock and price points, the desire for appropriate infill, and the preservation and protection of existing neighborhoods.

Perhaps given the scale of the proposal and the size of the subject tract, the IACP is neutral on the proposed zoning, as noted below under Comprehensive Planning Review. However, staff thinks the request, replacing one form of single-family residential with another, is appropriate in this location, and not only preserves the predominant pattern of residential use in the immediate area, but actively enhances it. Moreover, the project will provide for housing style and ownership options.

EXISTING SITE CHARACTERISTICS AND REVIEW COMMENTS

Site Characteristics

The subject tract is composed of 3 platted lots, three of which currently contain manufactured housing units (though all appear to be vacant). The property is topographically flat, and is unencumbered by any creek or floodplain features. There are a number of trees along the northern and eastern boundary of the property, but it is unknown to what extent any of these might be protected.

PDRD Comprehensive Planning Review (KF) (2014-08-21)

MH to SF-3

This zoning case is located on the south side of South Center Street on a property that is approximately .74 acres in size, which contains two mobile homes. The property is located in the Galindo Neighborhood Planning Area, which does not have an adopted plan. Surrounding land uses includes residential housing to the north and west, a small multi-family apartment building to the east, and Galindo Elementary School to the south. The proposed use is a single family.

Imagine Austin

The comparative scale of this site relative to other residential uses on the block, as well as the site not being located along an Activity Corridor or within an Activity Center, falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on this proposed rezoning.

PDRD Environmental Review (MM) (2014-08-27)

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin 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. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
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 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.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

7. 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.

PDRD Site Plan Review (CC) (2014-9-03)

Any new development is subject to Subchapter F. Design Standards and Residential Use. Additional comments will be made when the site plan is submitted.

PDRD Transportation Review (BG) (2014-08-28) (2014-09-29 Revised)

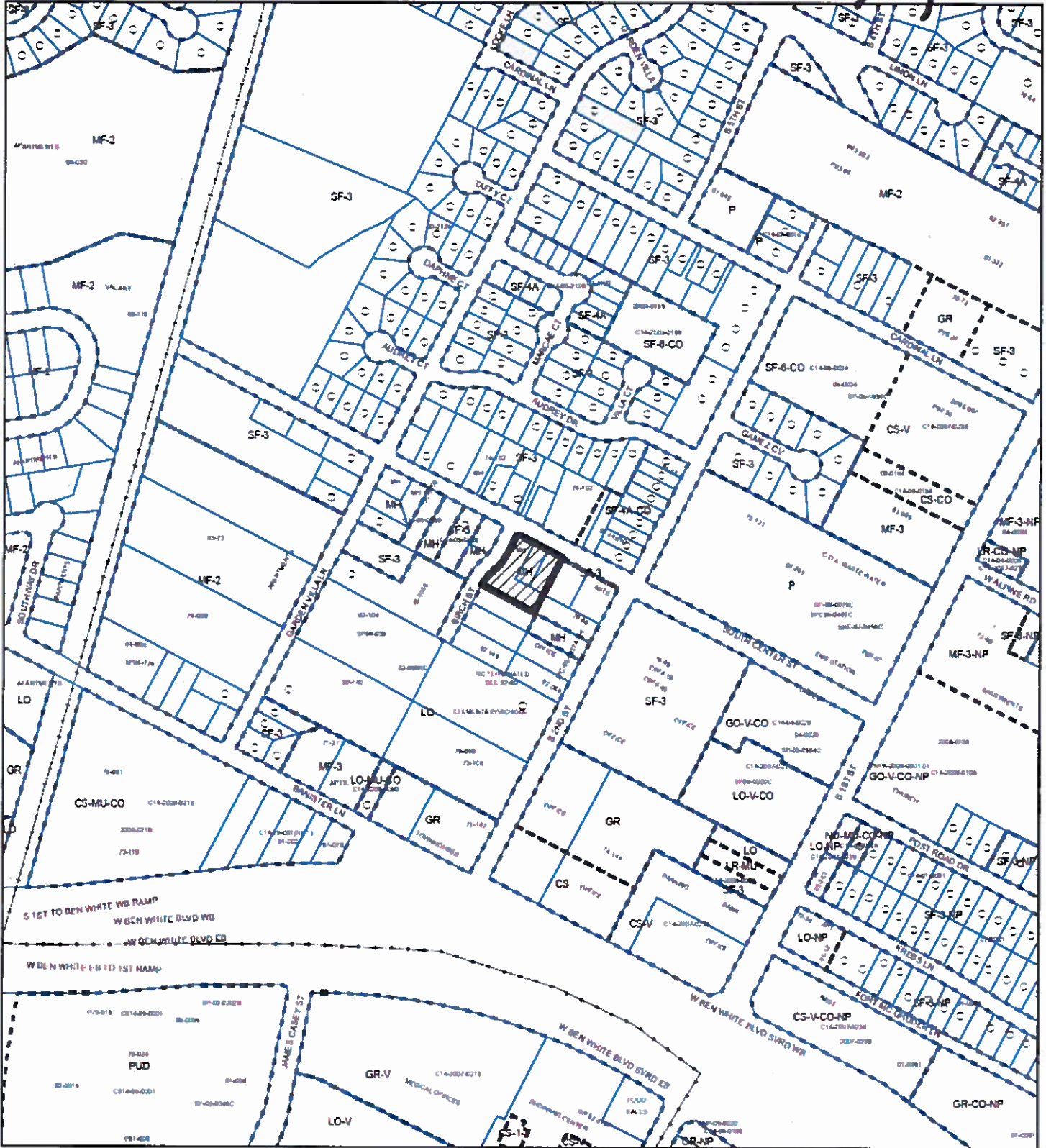
1. If the requested zoning is granted, it is recommended that joint access be provided for the 2 easternmost lots along South Center St.
2. According to the Austin 2009 Bicycle Plan Update approved by Austin City Council in June, 2009, a bicycle facility is not identified on South Center Street or Birch St.
3. 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]
4. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
South Center St	54'	30'	Collector	No	No	Yes
Birch St.	50'	30'	Local	Yes	No	Yes

PDRD Austin Water Utility Review (BB) (2014-05-28)

WW1. 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.




C 34 / 9



ZONING

ZONING CASE#: C14-2014-0143



-  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.

Exhibit A - Zoning

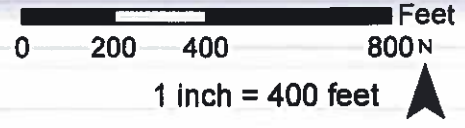
C. 34
10



SUBJECT TRACT
(approx 0.75 acres)

Aerial: 2012-01

Exhibit A - 1
Aerial



C. 34
11



SUBJECT TRACT
(approx 0.75 acres)

Aerial: 2012-01

Exhibit A - 2
Aerial & Zoning

