

**ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2016-0063.SH – Villas at Vinson Oak  
Rezone

**P.C. DATE:** August 23, 2016

**ADDRESS:** 4507 and 4511 Vinson Drive

**DISTRICT AREA:** 3

**OWNER:** Notigius, LLC (Antonio Giustino)

**AGENT:** Perales Engineering, LLC  
(Jerry Perales, P.E.)

**ZONING FROM:** SF-3-NP

**TO:** SF-6-NP

**AREA:** 1.9 acres

**SUMMARY STAFF RECOMMENDATION:**

The Staff's recommendation is to grant townhouse and condominium residence – neighborhood plan (SF-6-NP) combining district zoning.

**PLANNING COMMISSION RECOMMENDATION:**

August 23, 2016:

**ISSUES:**

A petition has been filed by the adjacent property owners in opposition to the SF-6-NP rezoning request and the results are in the process of being calculated. Petition materials and comment response forms are located at the back of the Staff report.

The initial applications filed were for MF-2-NP zoning and a corresponding change in the Future Land Use Map (FLUM) from Residential Core to the Neighborhood Transition character district. On Monday, July 25th, Staff met with the Applicant and representatives of the South Austin Combined Neighborhood Plan area, including the Southwood Neighborhood Association to discuss the proposed FLUM change. On Tuesday, August 2<sup>nd</sup>, the Applicant amended the rezoning request to SF-6-NP. SF-6 zoning is permitted within the Residential Core character district, hence the Applicant withdrew the neighborhood plan amendment application.

This rezoning case has been approved to participate in the City's S.M.A.R.T. (Safe, Mixed-Income, Accessible, Reasonably-priced, Transit-Oriented) Housing expedited review program. Please refer to Attachment A.

**DEPARTMENT COMMENTS:**

The subject property consists of three undeveloped tracts and is zoned family residence – neighborhood plan (SF-3-NP) district. Access to the property is taken to Vinson Drive, a 21-

foot wide residential collector street. The railroad tracks parallel Vinson Drive which veers to the northwest as it approaches West St. Elmo Road and corresponding railroad crossing sign with directional arrows as well. A non-operational railroad spur borders the northern two tracts of this property. There is a religious assembly use fronting St. Elmo Road to the northwest (LO-MU-CO-NP); single family residences on large lots that front on South 3<sup>rd</sup> Street and back up to the railroad tracks to the north; and residential lots of more standard sizes that front on South 3<sup>rd</sup> Street and Philco Drive to the west and south (SF-3-NP). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes to rezone the property to the townhouse and condominium residence – neighborhood plan (SF-6-NP) district and construct 19 condominium units on 1.9 acres, specifically 12 attached units (2 units per building) and 7 detached units. The subdivision and site plan in process are provided as Exhibits B and C. The proposed site plan shows one driveway access to Vinson Drive near the southwest corner of the property. Due to the location of the heritage tree near the south property line and the curve in the road approximately midpoint on the property, a second driveway on Vinson Drive may not be achievable.

This is a classic case of residential infill in a residential neighborhood. Under the existing SF-3-NP zoning, the Applicant could resubdivide the property and achieve nearly the same number of residences as proposed. Under a duplex scenario, which requires lots of 7,000 square feet, the hypothetical density would be approximately 18 units, estimating the utilities and other infrastructure needed to serve the lots. However, the applicant thinks the requested SF-6 zoning, will allow for a better community outcome – both in terms of the existing neighbors and future residents.

There will be an impact on Vinson Drive. However, given that the number of residential units and vehicle trips per day is comparable to what could be developed under the existing zoning with duplex development, the difference in impact is likely marginal.

If Austin is to grow and evolve as a compact and connected city, as envisioned in the recently adopted Imagine Austin Comprehensive Plan (IACP), then residential infill that provides additional housing units is necessary. One of the primary mechanisms for achieving compact growth will be development, or redevelopment, of larger tracts such as this into higher density residential.

In the broader city-wide context, SF-6 is a reasonable option for multiple-acre parcels developed or redeveloped as residential infill. As indicated in the purpose statement of the district, SF-6 can be a transition to single-family residential – reflecting it is an appropriate and compatible use.

In conclusion, Staff believes the proposed SF-6 zoning is compatible with adjacent and nearby single family residences, while still promoting single-family character of the surrounding neighborhood.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	SF-3-NP	Undeveloped
<i>North</i>	LO-MU-CO-NP; SF-3-NP	Single family residences; Religious assembly
<i>South</i>	SF-3-NP	Single family residences in the Greenwood Forest Section 1 subdivision
<i>East</i>	SF-3-NP	Single family residences in the Greenwood Forest Annex, Cary Subdivision and sections of the Hartkopf Subdivision
<i>West</i>	SF-3-NP	Railroad r-o-w and tracks; Single family residences

**NEIGHBORHOOD PLANNING AREA:** South Austin **TIA:** Is not required  
Combined NPA (South Manchaca)

**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      950 – Southwood Neighborhood Association  
1108 – Perry Grid 644      1228 – Sierra Club, Austin Regional Group  
1340 – Austin Heritage Tree Foundation      1363 – SEL Texas  
1424 – Preservation Austin      1429 – Go! Austin / Vamos! Austin (GAVA)  
1528 – Bike Austin      1530 – Friends of Austin Neighborhoods  
1550 – Homeless Neighborhood Association

**SCHOOLS:**

St. Elmo Elementary School

Bedichek Middle School

Travis High School

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-04-0134 – Kingdom Hall Zoning 2 – 801 W St. Elmo Rd	SF-3 to LO-MU- CO	To Grant LO-MU-CO w/CO for list of prohibited uses, 315 trips/day, limit driveways to W St. Elmo to 1; limit access to Vinson Dr to emergency only;	Apvd LO-MU-CO as recommended by ZAP (01-13-2005).

		Restrictive Covenant for the NTA.	
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**RELATED CASES:**

*South Manchaca Neighborhood Plan Rezoning*

The South Manchaca Neighborhood Plan Area rezonings were completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Imagine Austin Comprehensive Plan on November 6, 2014 (C14-2014-0018 – Ordinance No. 20141106-087). As part of the South Manchaca Neighborhood Plan Rezoning, the Secondary Apartment special use was adopted area wide with the exception of certain subdivisions and portions thereof. It is an allowed use on the subject property and the surrounding properties too.

*Subdivision*

A one lot subdivision plat is under review for this tract, C8-2016-0089.0A – Villas at Vinson Oak Resubdivision. The plat proposes to combine two lots and an unplatted area into one lot. Please refer to Exhibit B.

*Site Plan*

A site plan application is currently under review for this property, SP-2016-0276C.SH – Villas at Vinson Oak. The plan proposes 7 detached and 12 attached condominium units, with associated parking on 1.9 acres. Please refer to Exhibit C.

**EXISTING STREET CHARACTERISTICS:**

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Vinson Drive	>160 feet	21 feet	Collector	No	Not at this location; Buffered Bike Lane further south	No

**CITY COUNCIL DATE:** September 22, 2016      **ACTION:**

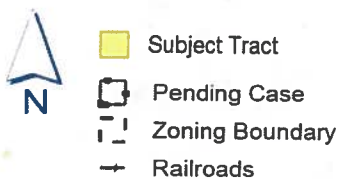
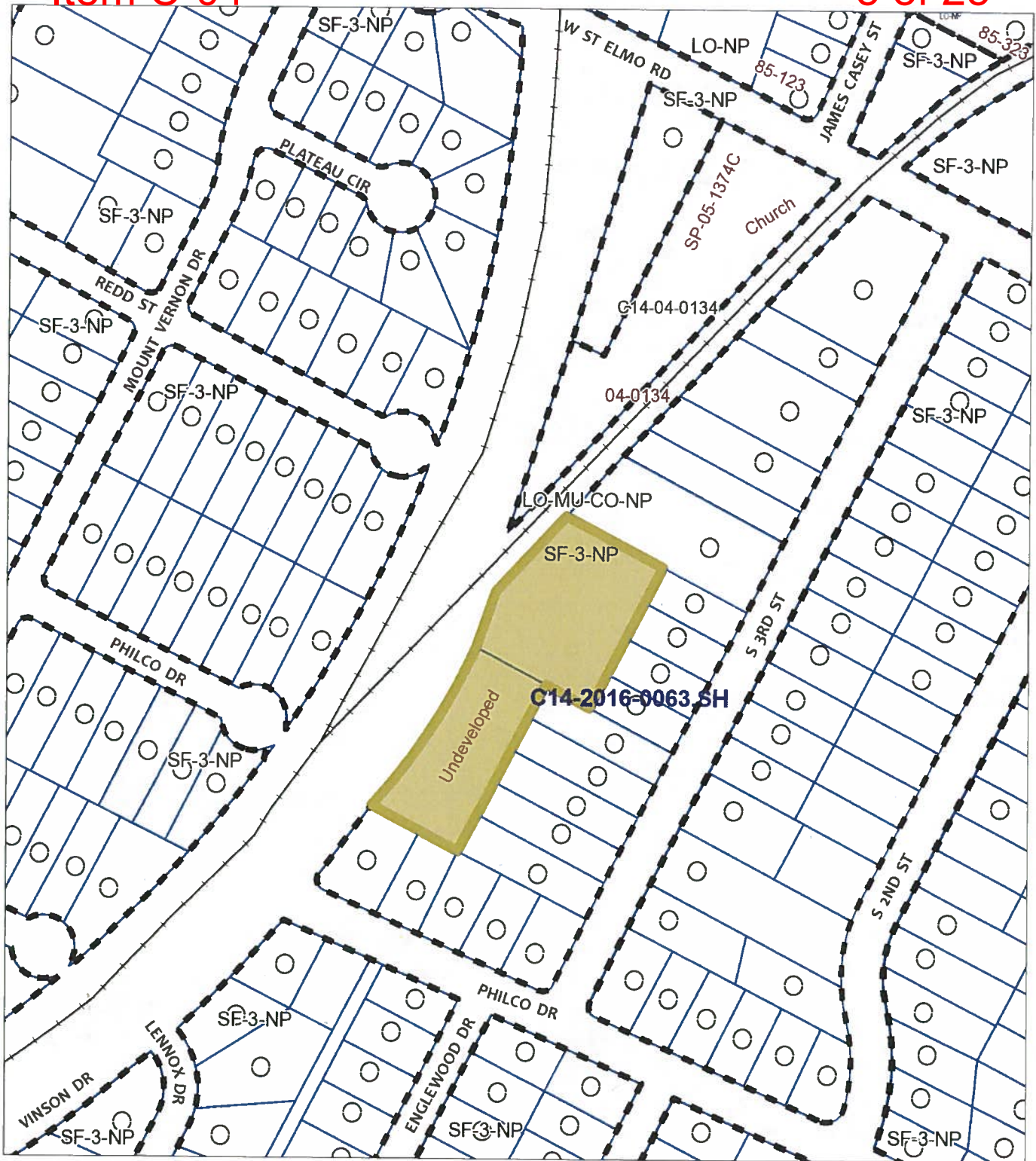
**ORDINANCE READINGS:** 1<sup>st</sup>                      2<sup>nd</sup>                      3<sup>rd</sup>

**ORDINANCE NUMBER:**

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

**PHONE:** 512-974-7719





1" = 200'

## ZONING

ZONING CASE#: C14-2016-0063.SH

EXHIBIT A



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.

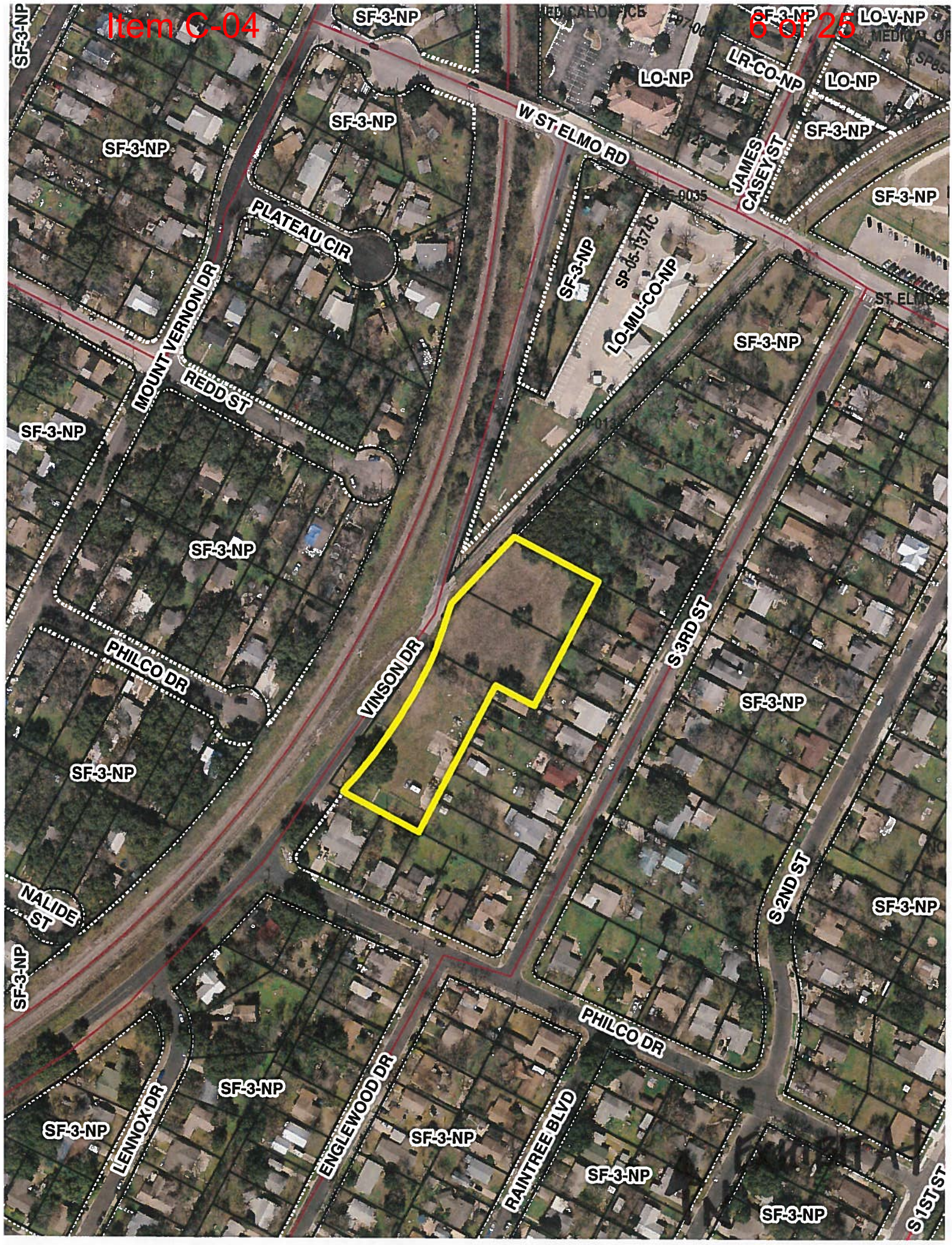
This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created 08/09/16



Item C-04

6 of 25





OWNERS:  
REMAINDER LOTS 5 AND 6-NOTIGUS, LLC  
9385 AC- GARLAND WAYNE SAVAGE TRUST

LEGAL DESCRIPTION:  
0.9385 OF AN ACRE, MORE OR LESS, OUT OF A PART/PORION OF LOT 11, BLOCK D, OF THE JAMES E. BOULDIN ESTATE, A DIVISION OF PROPERTY RECORDED IN DISTRICT COURT MINUTES BOOK U, PAGES 75-79, DISTRICT COURT RECORDS, TRAVIS COUNTY, TEXAS, AND FURTHER BEING THAT SAME PROPERTY CONVEYED AND MORE PARTICULARLY DESCRIBED IN SPECIAL WARRANTY DEED TO REBECCA STUBBE, TRUSTEE OF THE GARLAND WAYNE SAVAGE TRUST, RECORDED IN DOCUMENT NUMBER 2013207822, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, TOGETHER WITH LOTS 5 AND 6, BLOCK 3, HARTKOPF SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 5, PAGE 9, PLAT RECORDS, SAVE AND EXCEPT THE EAST 140 FEET OF SAID LOTS CONVEYED TO JUDSON F. CARY BY DEED RECORDED IN VOLUME 2300, PAGE 190, DEED RECORDS, TRAVIS COUNTY, TEXAS.

## LEGEND

FOUND 1/2" IRON PIPE FIP  
FOUND 1/2" IRON ROD FIR  
FOUND 1/2" IRON ROD W/CAP FIRC  
SET 1/2" IRON ROD W/CAP SIRC  
LABELED "WATERLOO RPLS 4324"

WOOD FENCE ———  
CHAIN LINK FENCE ———  
HOG WIRE FENCE —X—  
UTILITY POLE & ELECTRIC LINE —●—

(RECORD)  
TREE SYMBOL  
W/DRIP LINE

## BENCHMARK BM:

BM#1:  
Top of Iron Pipe,  
Assumed Elevation 100.00'

BM#2:  
Triangle cut on concrete drainage  
inlet; Assumed Elevation 89.95'

SCALE  
1"=30'



Thomas P. Dixon R.P.L.S. 4324  
WATERLOO SURVEYORS INC.  
P.O. BOX 160176  
AUSTIN, TEXAS 78716-0176  
Phone: 512-481-9602  
www.waterlosurveyors.com  
FIRM# 10124400

State of Texas  
County of Travis

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B Condition II Survey

And I certify that the property shown hereon is NOT within a special flood hazard area as identified by the Federal Insurance Adm. Department of HUD flood hazard boundary map revised as per Map Number 48453C0585H

Zone X Dated: SEPTEMBER 26, 2008

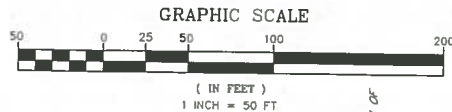
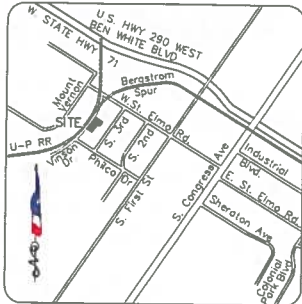
Survey Dated this the 4TH day of JANUARY 201 6

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EXHIBIT B - SURVEY AND  
PROPOSED SUBDIVISION

**RESUBDIVISION OF PORTION OF LOTS 5 AND 6, BLOCK 3, HARTKOPF SUBDIVISION  
AND A PORTION OF LOT 11, BLOCK D, JAMES E. BOULDIN ESTATE**

LOCATION MAP not to scale



ONE LOT/ONE BLOCK  
MULTI-FAMILY DWELLINGS  
LOT 1/BLOCK A = 81,906 SQ FT/1.8803 AC  
BLOCK TOTAL = 81,906 SQ FT/1.8803 AC

**LEGEND**

FOUND 1/2" IRON ROD      FIR  
FOUND IRON ROD W/CAP      FIRC  
FOUND 1/2" IRON PIPE      FIP  
SET 1/2" IRON ROD W/CAP  
LABELED "WATERLOO RPLS 4324"  
(RECORD CALL)      SIRC  
SIDEWALKS REQUIRED

**BENCHMARK BM:**  
**BM#1**  
TOP OF IRON PIPE FOUND;  
ASSUMED ELEVATION 100.00'  
**BM#2**  
TRIANGLE CUT IN CONCRETE DRNG;  
ASSUMED ELEVATION 89.95'  
**BM#3**  
SPINDLE SET IN UPOLE;  
ASSUMED ELEVATION 102.51'

**PHILCO DRIVE**

**REDD STREET**

**VINSON DRIVE**

**VINSON DRIVE**

**S. 3RD STREET**

**SURVEYOR'S CERTIFICATION:**

I, THOMAS P. DIXON, AM AUTHORIZED UNDER THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE SURVEY RELATED PORTIONS OF THE AUSTIN CITY CODE, AS AMENDED, AND IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY DIRECT SUPERVISION ON JANUARY 4, 2016

THOMAS P. DIXON RPLS #4324  
WATERLOO SURVEYORS, INC.  
P.O. BOX 160176  
AUSTIN, TEXAS 78716-0176  
PH-512-481-9602  
FAX-512-330-1621  
thomas@waterloosurveyors.com

1/14/2016  
DATE



**PROJECT DATA**

**OWNERS:** NOTIGIUS, LLC      GARLAND WAYNE SAVAGE TRUST  
2106 RABB GLENN      100 CONGRESS AVE STE 1100  
AUSTIN, TEXAS 78704      AUSTIN, TEXAS 78701

**PROPERTY ADDRESS:** 4507 AND 4511 VINSON DRIVE

**LEGAL DESCRIPTION:** 1.8803 ACRES, MORE OR LESS OF LAND OUT OF THE ISAAC DECKER LEAGUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF LOTS 5 AND 6, BLOCK 3, HARTKOPF SUBDIVISION, AND LOT 11, BLOCK D, JAMES E. BOULDIN ESTATE.

ONE LOT/ONE BLOCK  
PREPARATION DATE: JANUARY 14, 2016  
SUBMITTAL DATE:  
REVISION DATE:

CASE # C8-2016-XXXX.OA

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**RESUBDIVISION OF PORTION OF LOTS 5 AND 6, BLOCK 3, HARTKOPF SUBDIVISION  
AND A PORTION OF LOT 11, BLOCK D, JAMES E. BOULDIN ESTATE**

STATE OF TEXAS:  
COUNTY OF TRAVIS: KNOW ALL PERSONS BY THESE PRESENTS:

THAT I, REBECCA STUBBE, TRUSTEE OF THE GARLAND WAYNE SAVAGE TRUST, OWNERS OF 0.9385 ACRE(0.937) OF LAND OUT OF LOT 11, BLOCK D, JAMES E. BOULDIN ESTATE, AS RECORDED IN DISTRICT COURT MINUTES BOOK U, PAGES 75-79, DISTRICT COURT RECORDS, TRAVIS COUNTY, TEXAS, CONVEYED TO US BY DEED RECORDED IN DOCUMENT NO. 2013207822, OFFICIAL PUBLIC RECORDS, TOGETHER WITH 0.9418 ACRES, BEING LOTS 5 AND 6, BLOCK 3, HARTKOPF SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 9, PLAT RECORDS, SAVE AND EXCEPT THE EAST 140 FEET CONVEYED TO JUDSON F. CARY BY DEED RECORDED IN VOLUME 2300, PAGE 190, DEED RECORDS, CONVEYED TO NOTIGIUS, LLC., BY DEED RECORDED IN DOCUMENT NO. 2015073553, OFFICIAL PUBLIC RECORDS, FOR A TOTAL OF 1.8803 ACRES; SAID SUBDIVISION HAVING BEEN APPROVED FOR RESUBDIVISION PURSUANT TO THE PUBLIC NOTIFICATION AND HEARING PROVISION OF CHAPTER 212.014 OF THE LOCAL GOVERNMENT CODE, DO HEREBY RESUBDIVIDE SAID 1.8803 ACRES TO BE KNOWN AS

**RESUBDIVISION OF PORTION OF LOTS 5 AND 6, BLOCK 3, HARTKOPF SUBDIVISION  
AND A PORTION OF LOT 11, BLOCK D, JAMES E. BOULDIN ESTATE**

IN ACCORDANCE WITH THE MAP OR PLAT SHOWN HEREON, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR OR RESTRICTIONS HERETOFORE GRANTED AND NOT AND NOT RELEASED.

REBECCA STUBBE, TRUSTEE  
GARLAND WAYNE SAVAGE TRUST  
100 S. CONGRESS AVE STE 1100  
AUSTIN, TEXAS 78701

N. MICHAEL WARZECHA, TRUSTEE  
NOTIGIUS, LLC  
2106 RABB GLENN  
AUSTIN, TEXAS 78704

STATE OF TEXAS:  
COUNTY OF TRAVIS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED REBECCA STUBBE, KNOWN TO BE THE PERSON OR AGENT WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_, A.D., NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS

NOTARY: \_\_\_\_\_  
PRINT OR STAMP NAME HERE MY COMMISSION EXPIRES \_\_\_\_\_

STATE OF TEXAS:  
COUNTY OF TRAVIS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED N. MICHAEL WARZECHA, KNOWN TO BE THE PERSON OR AGENT WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_, A.D., NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS

NOTARY: \_\_\_\_\_  
PRINT OR STAMP NAME HERE MY COMMISSION EXPIRES \_\_\_\_\_

ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION OF THE CITY OF AUSTIN, TEXAS,

THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_, A.D.

STEPHEN OLIVER, CHAIRPERSON JEAN STEVENS, SECRETARY

**JURISDICTION:**

THIS SUBDIVISION PLAT IS LOCATED WITHIN THE FULL PURPOSE JURISDICTION OF THE CITY OF AUSTIN, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_, A.D.

ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, DEVELOPMENT SERVICES DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_, A.D.

J. RODNEY GONZALES, DIRECTOR  
DEVELOPMENT SERVICES DEPARTMENT

**ENGINEERS CERTIFICATION**

I, JERRY PERALES, AM AUTHORIZED UNDER THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT AND COMPLIES WITH THE ENGINEERING RELATED PORTIONS OF CHAPTER 25 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE. NO PORTION OF THIS TRACT IS WITHIN THE BOUNDARIES OF THE 100-YEAR PLAIN AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY(FEMA) FLOOD INSURANCE RATE MAP(FIRM) NO 48453C0585H, DATED SEPTEMBER 26, 2008.

JEROME PERALES, PE NO 94676  
PERALES ENGINEERING, LLC  
801 W. 5TH STREET STE 2211  
AUSTIN, TX 78703  
jerry.perales@gmail.com

DATE

STATE OF TEXAS:  
COUNTY OF TRAVIS:

I, DANA DEBEAUVOR, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_, A.D. AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., DULY RECORDED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_, A.D. AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M., PLAT RECORDS IN SAID COUNTY AND STATE IN DOCUMENT NO. \_\_\_\_\_ OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

DANA DEBEAUVOR, COUNTY CLERK TRAVIS COUNTY, TEXAS

DEPUTY

**NOTES:**

1. NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTION IS MADE TO THE CITY OF AUSTIN WATER AND WASTEWATER UTILITY.
2. ELECTRIC SERVICE TO THIS SUBDIVISION SHALL BE PROVIDED BY AUSTIN ENERGY.
3. WATER/WASTEWATER SERVICE WILL BE PROVIDED BY THE CITY OF AUSTIN WATER & WASTEWATER UTILITY.
4. ALL STREETS, DRAINAGE, SIDEWALKS, EROSION CONTROLS, AND WATER AND WASTEWATER LINES ARE REQUIRED TO BE CONSTRUCTED AND INSTALLED TO CITY OF AUSTIN STANDARDS.
5. PRIOR TO CONSTRUCTION, EXCEPT DETACHED SINGLE FAMILY ON ANY LOT IN THIS SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN.
6. THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY FOR THE PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR REPLATING MAY BE REQUIRED, AT THE OWNER'S SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
7. BUILDING SETBACK LINES SHALL BE IN CONFORMANCE WITH CITY OF AUSTIN ZONING ORDINANCE REQUIREMENTS.
8. NO BUILDINGS, FENCES, LANDSCAPING OR OTHER STRUCTURES ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN.
9. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNERS OR HIS ASSIGNS.
10. PROPERTY OWNERS SHALL PROVIDE FOR ACCESS TO DRAINAGE AND WATER QUALITY EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY THE CITY OF AUSTIN OR TRAVIS COUNTY.
11. AUSTIN ENERGY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. AUSTIN ENERGY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH CHAPTER 25-A, SUBCHAPTER B OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
12. THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE AUSTIN ENERGY WITH ANY EASEMENT AND/OR ACCESS REQUIRED, IN ADDITION TO THOSE INDICATED, FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRICAL FACILITIES. THESE EASEMENTS AND/OR ACCESS ARE REQUIRED, TO PROVIDE ELECTRIC SERVICE TO THE BUILDING AND WILL NOT BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH CHAPTER 25-B OF THE CITY OF AUSTIN L.D.C.
13. THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, REVEGETATION AND TREE PROTECTION. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR ANY INITIAL TREE PRUNING AND TREE REMOVAL THAT IS WITHIN TEN FEET OF THE CENTER LINE OF THE PROPOSED OVERHEAD ELECTRICAL FACILITIES DESIGNED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT. THE OWNER SHALL INCLUDE AUSTIN ENERGY'S WORK WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT.
14. THIS SUBDIVISION SHALL BE DEVELOPED, CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE LAND DEVELOPMENT CODE.
  - (a) EROSION AND SEDIMENTATION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT, PURSUANT TO CHAPTER 25-B OF THE LDC AND THE ENVIRONMENTAL CRITERIA MANUAL.
  - (b) MAINTENANCE OF WATER QUALITY CONTROLS REQUIRED ABOVE SHALL BE TO THE STANDARDS AND SPECIFICATIONS CONTAINED IN THE LDC AND THE ENVIRONMENTAL CRITERIA MANUAL AND OTHER ORDINANCES AND REGULATIONS OF THE CITY OF AUSTIN.
  - (c) FOR A MINIMAL TRAVEL DISTANCE OF 25 FEET FROM THE ROADWAY EDGE, DRIVEWAY GRADES MAY EXCEED 14% ONLY WITH WRITTEN APPROVAL OF THE SURFACE AND GEOMETRIC DESIGN PROPOSAL BY THE TRANSPORTATION AND PUBLIC WORKS, AND PLANNING AND DEVELOPMENT DEPARTMENTS OF THE CITY OF AUSTIN.
15. IN AN URBAN WATERSHED, WATER QUALITY CONTROLS ARE REQUIRED IN ACCORDANCE WITH THE ENVIRONMENTAL CRITERIA MANUAL AND NEW DEVELOPMENT OR REDEVELOPMENT MUST PROVIDE FOR REMOVAL OF FLOATING DEBRIS FROM STORMWATER RUN-OFF AS PER LDC OR OWNER MUST OBTAIN APPROVAL OF OPTIONAL PAYMENT INSTEAD OF STRUCTURAL CONTROLS IN ACCORDANCE WITH LDC FOR REDEVELOPMENT OR NEW DEVELOPMENT ON ANY LOT IN THIS SUBDIVISION.
16. THE WATER AND WASTEWATER UTILITY SYSTEM SERVING THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN UTILITY DESIGN CRITERIA. THE WATER AND WASTEWATER UTILITY PLAN MUST BE REVIEWED AND APPROVED BY AUSTIN WATER UTILITY. 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.
17. BY APPROVING THIS PLAT, THE CITY OF AUSTIN ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION. ANY SUBDIVISION INFRASTRUCTURE REQUIRED FOR THE DEVELOPMENT OF THE LOTS IN THIS SUBDIVISION IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR THE OWNERS OF THE LOTS. FAILURE TO CONSTRUCT ANY REQUIRED INFRASTRUCTURE TO CITY STANDARDS MAY BE JUST CAUSE FOR THE CITY TO DENY APPLICATIONS FOR CERTAIN DEVELOPMENT PERMITS, SITE PLAN APPROVALS, AND/OR CERTIFICATES OF OCCUPANCY.
18. PUBLIC SIDEWALKS, BUILT TO THE CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG VINSON DRIVE AS SHOWN BY A DOTTED LINE ON THE FACE OF THE PLAT. THE REQUIRED SIDEWALKS SHALL BE IN PLACE PRIOR TO THE LOT BEING OCCUPIED. FAILURE TO CONSTRUCT THE REQUIRED SIDEWALKS MAY RESULT IN THE WITHHOLDING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS BY THE GOVERNING BODY OR UTILITY COMPANY.
19. A 10 FOOT ELECTRIC AND TELECOMMUNICATIONS EASEMENT IS HEREBY DEDICATED ALONG THE ROW OF VINSON DRIVE.
20. ALL RESTRICTIONS AND NOTES FROM THE PREVIOUS EXISTING SUBDIVISION, HARTKOPF SUBDIVISION, A SUBDIVISION IN THE CITY OF AUSTIN, AS RECORDED IN BOOK 5, PAGE 9, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SHALL APPLY TO THIS RESUBDIVISION PLAT.



WATERLOO SURVEYORS INC.  
PO BOX 160176  
AUSTIN, TEXAS 78716-0176  
Phone: 512-481-9602  
www.waterloosurveyors.com

J14657P

CASE # C8-2016-XXXX OA

PAGE 1 OF 2







## City of Austin

Neighborhood Housing and Community Development

P.O. Box 1088, Austin, TX 78767

(512) 974-3100 \* Fax: (512) 974-3161 \* <http://www.austintexas.gov/departments/housing>

May 11, 2016 (Revision to letter dated April 21, 2016)

**S.M.A.R.T. Housing Certification**

Notigius LLC, Series Vinson – Villas at Vinson Oak (Id#66113)

**TO WHOM IT MAY CONCERN:**

Notigius LLC – Series Vinson (development contact: Tracy Henry, Project Manager: 512.636.5334 (o); [tspencer@peraleseng.com](mailto:tspencer@peraleseng.com)) is planning to develop a **20 unit ownership and rental** development at 4507 and 4511 Vinson Drive, 78745. The reasonably priced units will be rental units and therefore will be subject to a **5 year affordability** period after issuance of certificate of occupancy. The developer is seeking a zoning change from SF-3 to MF-2 and has submitted evidence they are working with the neighborhood and are responding to the neighborhood's legitimate concerns. **This revision changes the proposed set aside of affordable units from 10% to 40%. Total fee waiver changes from 25% to 100%. The total reasonably priced units changed from 2-8.**

NHCD certifies that the proposed construction meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since **40%** of the units (**8 units**) of this project will serve households earning no more than 80% MFI, the development will be eligible for a **100%** waiver of the fees listed in Exhibit A of the S.M.A.R.T. Housing Resolution adopted by the City Council. The expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees	Site Plan Review	Land Status Determination
Building Permit	Misc. Site Plan Fee	Building Plan Review
Concrete Permit	Construction Inspection	Parkland Dedication (by
Electrical Permit	Subdivision Plan Review	separate ordinance)
Mechanical Permit	Misc. Subdivision Fee	
Plumbing Permit	Zoning Verification	

**Prior to issuance of building permits and starting construction, the developer must:**

- ♦ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Contact Austin Energy Green Building: 512-482-5300 or [greenbuilding@austinenrgy.com](mailto:greenbuilding@austinenrgy.com)).
- ♦ Submit plans demonstrating compliance with visitability standards.

**Before a Certificate of Occupancy will be granted, the development must:**

- ♦ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ♦ Pass a final inspection to certify that visitability standards have been met.

The applicant must demonstrate compliance with the reasonably-priced standard after the completion of the units, or repay the City of Austin in full the fees waived for this S.M.A.R.T. Housing certification.

Please contact me by phone 512.974.3128 or by email at [Sandra.harkins@austintexas.gov](mailto:Sandra.harkins@austintexas.gov) if you need additional information.

Sandra Harkins

Neighborhood Housing and Community Development

Cc: Laurie Shaw, Capital Metro  
Maureen Meredith, PZD  
M. Simmons-Smith, DSD  
Katherine Murray, Austin Energy  
Randi Jenkins, AWU

Bryan Bomer, AEGB  
Gina Copic, NHCD  
Marilyn Lamensdorf, PARD  
Heidi Kasper, AEGB  
Carl Wren, DSD

Alma Molieri, DSD  
Susan Kinel, NHCD  
Stephen Castleberry, DSD  
Cande Coward, DSD  
Ellis Morgan, NHCD

*The Neighborhood Housing and Community Development Office's mission is to provide housing, community development, and small business development services to benefit residents so they can have access to livable neighborhoods and increase their opportunities for self-sufficiency.*

**ATTACHMENT A**

**Rhoades, Wendy**

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**From:** Harkins, Sandra  
**Sent:** Wednesday, July 27, 2016 10:03 AM  
**To:** navvab@hotmail.com  
**Cc:** Meredith, Maureen; Rhoades, Wendy  
**Subject:** RE: Plan Amendment Case #: NPA-2016-0030.01.SH Vinson Drive

Good morning Ms. Taylor

Thank you for your email regarding the project on Vinson Drive. The current S.M.A.R.T. Housing code only requires a project to be located within one-half mile walking distance of a local public transit route it does not require the construction of sidewalks/accessible routes to the transit stop. The S.M.A.R.T. Housing guide section on Additional Design Standards – Multi-Family (Page 12), are only recommendations. The City currently cannot require a developer to build sidewalks outside of their property boundaries.

The City of Austin is addressing the need for sidewalks adjacent to affordable housing projects by identifying income restricted affordable housing projects as a priority for new construction/repair of sidewalks in the City of Austin's Sidewalk Master Plan that was adopted on June 16, 2016. More information about the Sidewalk Master Plan can be found at the following

link: [http://www.austintexas.gov/sites/default/files/files/Public Works/Street %26 Bridge/Sidewalk MPU Adopted 06.16.2016\\_reduced.pdf](http://www.austintexas.gov/sites/default/files/files/Public Works/Street %26 Bridge/Sidewalk MPU Adopted 06.16.2016_reduced.pdf)

Please contact me if you have any further questions regarding S.M.A.R.T. Housing.

*Sandra Harkins*

Project Coordinator, Real Estate and Development  
Neighborhood Housing and Community Development  
Street-Jones Building  
1000 E 11<sup>th</sup> Street, Ste 200, 78702  
Tel: 512-974-3128  
Office Hours: Mon – Thurs 7:30 am – 6:00 pm  
*TODAY I CHOOSE JOY!!!!*

---

**From:** Meredith, Maureen  
**Sent:** Wednesday, July 27, 2016 8:18 AM  
**To:** Rhoades, Wendy <[Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)>; Harkins, Sandra <[Sandra.Harkins@austintexas.gov](mailto:Sandra.Harkins@austintexas.gov)>  
**Cc:** Navvab Taylor <[navvab@hotmail.com](mailto:navvab@hotmail.com)>  
**Subject:** RE: Plan Amendment Case #: NPA-2016-0030.01.SH Vinson Drive

Wendy and Sandra:

Please see the question below and let me know if you are able to answer it. If you're not the person, please let me know who would be the appropriate staff member.

Thanks.

Maureen



---

**From:** Navvab Taylor [mailto:navvab.taylor@cityofseattle.gov]  
**Sent:** Tuesday, July 26, 2016 11:37 PM  
**To:** Meredith, Maureen  
**Subject:** Plan Amendment Case #: NPA-2016-0030.01.SH Vinson Drive

Maureen,

My question for the zoning reviewer, or perhaps it should be directed to NHCD since it is about the sidewalk for smart housing:

Page 12 of the SMART housing guide found on the City's website states: "Additional Design Standards: Multi-family 1. Accessible routes to transit – Accessible sidewalks must connect the complex to nearby transit stops." Does this requirement apply to this property, since the developer is seeking MF2 multifamily zoning? I asked this question last night and he seemed to think that he didn't have to provide an accessible route to transit. In this case, it may mean a sidewalk to connect his property to the sidewalk in existence on either the north or south side of St. Elmo Road, which could connect to the #10 bus stops on S 1st. He said that he wasn't required to build sidewalks that weren't on his property - technically, these sidewalks are in the right of way, not his property. I don't see the point of this qualifying as SMART housing if there's no accessible route to transit.

Thank you,  
Ms Navvab Taylor  
915 Redd St

**SUMMARY STAFF RECOMMENDATION:**

The Staff's recommendation is to grant townhouse and condominium residence – neighborhood plan (SF-6-NP) combining district zoning.

**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. The Applicant intends to develop the property with a condominium project consisting of stand-alone condominium units per structure. The NP, neighborhood plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

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

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

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

This is a classic case of residential infill in a residential neighborhood. Under the existing SF-3-NP zoning, the Applicant could resubdivide the property and achieve nearly the same number of residences as proposed. Under a duplex scenario, which requires lots of 7,000 square feet, the hypothetical density would be approximately 18 units, estimating the utilities and other infrastructure needed to serve the lots. However, the applicant thinks the requested SF-6 zoning, will allow for a better community outcome – both in terms of the existing neighbors and future residents.

There will be an impact on Vinson Drive. However, given that the number of residential units and vehicle trips per day is comparable to what could be developed under the existing zoning with duplex development, the difference in impact is likely marginal.

If Austin is to grow and evolve as a compact and connected city, as envisioned in the recently adopted Imagine Austin Comprehensive Plan (IACP), then residential infill that provides additional housing units is necessary. One of the primary mechanisms for achieving compact growth will be development, or redevelopment, of larger tracts such as this into higher density residential.

In the broader city-wide context, SF-6 is a reasonable option for multiple-acre parcels developed or redeveloped as residential infill. As indicated in the purpose statement of the district, SF-6 can be a transition to single-family residential – reflecting it is an appropriate and compatible use.



In conclusion, Staff believes the proposed SF-6 zoning is compatible with adjacent and nearby single family residences, while still promoting single-family character of the surrounding neighborhood.

## **EXISTING CONDITIONS**

### **Site Characteristics**

The site consists of three undeveloped tracts which are fairly level with the exception of an approximate 5-foot drop in topography on the southernmost tract. There is a 51-inch Live Oak tree near the south property line.

### **Impervious Cover**

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

### **Capital Metro**

*This notice concerns all proposed development within 500-feet of the Capital Metro Rail Tracks*

Capital Metro runs freight service on these tracks, and is required to continue to do so as a matter of federal law. Since March 22, 2010, we are operating passenger rail service, primarily, but not limited to, weekday hours. With the start of passenger rail service, we have shifted freight rail service to other times, particularly the hours after the last passenger train has run. This shift is in accordance with Federal regulations and safety procedures.

All concerned parties need to be aware of the freight service in planning any development. The freight trains generate some noise as they move through. At many urban street crossings, there are upgraded signal systems with crossing arms to block the roadway. This allows the City of Austin the ability to apply for a "quiet zone" meaning that the train will not blow its horn, under normal operations, as it moves through the street. At other crossings, the freight train will blow the horn, which is approximately 96 decibels. At any time, if the engineer judges it to be prudent, the horn will be sounded as needed for safe operation.

Capital Metro strives to provide the community with the best passenger and freight service possible. We also try to be sure that all of our neighbors are aware of both our present and possible future operations.

### **Comprehensive Planning**

This rezoning case is located on the east side of Vinson Drive on an undeveloped tract, which is approximately 1.9 acres in size. The property is located in the South Austin Combined Planning Area, in the South Manchaca NP. Surrounding land uses includes single family housing to the north, east and south, and a railroad track to the west. The proposed use is a 19 unit condominium project.

**Connectivity:** The Walk Score for this site is 25, meaning almost all errands must be accomplished by car. A Cap Metro transit stops are located a third of a mile from the subject property. Public sidewalks are non-existent along the majority of the streets in this section of the planning area.

**South Austin Combined Neighborhood Plan (SACNP)**

This property is located within the South Manchaca Neighborhood Planning Area, which is part of the South Austin Combined Neighborhood Planning area. The SACNP Character District Map classifies this area of the plan as ‘**Residential Core**’ (almost adjacent to a Neighborhood Transition District) and SF-6 zoning is allowed in the character district. The following SACNP text and policies are relevant to this case:

**The Residential Core** character districts consist of contiguous areas within the interior of the neighborhood made up of one- and two-story single-family homes and some duplexes. This is where most people in the neighborhood live. Most homes date from the 1950s to the 1980s, although some areas developed more recently (such as Independence in the mid-2000s). Streets and homes within the district are shaded by mature trees, which contribute to the sense of place distinguishing this district from others. The intent of this district is to maintain the character of the neighborhood. The community would like to preserve the residential character of this district, while improving its walkability. The Residential Core also presents the opportunity to incorporate some “missing middle” housing types into the neighborhood fabric, which aids affordability and can contribute to walkability. (p. 47)

**Vision:** Well-maintained homes, an abundance of trees, and a complete sidewalk system create a safe and inviting place to walk, bike, and meet neighbors. (p. 48)

**Policies for the Residential Core:**

**RC P1:** Maintain the residential character of the Residential Core, ensuring that future development or redevelopment is appropriate to the district and is compatible with the existing neighborhood.

**RC P2:** The following residential building types fit the character of the district and are appropriate as infill or redevelopment options (see page 49 thru 50 for details):

- Single family houses
- Duplexes
- Small houses on small lots
- Cottage clusters/bungalow courts

**RC P6:** Garages or carports should be constructed flush with or behind the front façade of the house for new single-family residential housing. (p. 52)

**RC P7:** Maintain residential character while encouraging missing middle housing types that are compatible with the neighborhood character. In the interim between the adoption of this neighborhood plan and the adoption of



the revised Land Development Code being developed through CodeNEXT, the following zoning districts should be generally considered appropriate to the Residential Core character district:

MH: Mobile home residence  
SF-2: Standard lot single family  
SF-3: Family residence  
SF-4A: Small lot single family  
SF-4B: Single family condo  
SF-5\*: Urban family residence  
SF-6\*: Townhouse & condo residence  
MF-1: Limited density multi-family

\* Uses should be conditional and may be appropriate when located next to more permissive districts or intensive uses, depending on context.

Please see pages 47 to 52 of the SACCNP for more specifics.

SACNP policy and text appears to support townhouse and condo residences in the Residential Core as long as they are compatible with the neighborhood character of the area, while Vinson Road is almost rural in nature due to the adjacent railroad track.

### **Imagine Austin**

This property is not located along an Activity Center or in a Center according to the Imagine Austin Growth Concept Map. The following IACP policies are applicable to this project:

- **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 P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- **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 healthy food, schools, retail, employment, community services, and parks and recreation options.

The policies in both the SACNP and Imagine Austin appear to support this residential project, which will provide much needed missing middle housing in the area.

### **Environmental**

The site is not located over the Edwards Aquifer Recharge 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. 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.

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.

#### **Site Plan and Compatibility Standards**

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. Along the north, east and south property lines, the following standards apply:

- No structure may be built within 25 feet of the property line.
- No parking or driveways are allowed 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 triggering property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the triggering property line.



- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed within 50 feet of adjoining SF-4A or SF-2 zoned property.

### **Transportation**

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

The trip generation based on the initial site plan would not trigger a Neighborhood Traffic Analysis (NTA) per LDC Section 25-6-114. Maximum build out for SF-6 zoning would not trigger a NTA either (total trip count would be approx. 283). Therefore, Staff cannot require transportation improvements for Vinson Drive. Staff would only be able to require payment of fiscal with the subdivision since Vinson Drive is a substandard roadway, but would not require physical improvements.

### **Complete Streets Review**

FYI – At the time of site plan, it is recommended that sidewalks are provided along both sides of the private drives, streets, and internal circulation routes connecting to the public right-of-way to improve walkability and connectivity in accordance with our Complete Streets Policy Ordinance #20140612-119. The sidewalk dimensions shall comply with the Transportation Criteria Manual and shall be constructed in accordance with the latest ADA standards.

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a buffered bike lane is recommended for Vinson Drive.

### **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 and suitability for operation and maintenance. **Water and wastewater service extension requests will be required for this tract.** 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.

## PETITION

Date: August 15, 2016  
 Case Number: C14-2016-0063.SH

Address of Rezoning Request: 4507 & 4511 Vinson Drive

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3.

The proposed zoning change is incompatible with adjacent and nearby single-family homes and would negatively impact our neighborhood. There are no other properties in the neighborhood with the proposed zoning. To approve this zoning request would result in spot zoning. The applicant is proposing eighteen condominiums on 1.9 acres in a neighborhood of single-family homes with an average lot size of .28 acres.

Signature	Printed Name	Address
<u>[Signature]</u>	<u>LARRY MAWERS</u>	<u>4503 South 3rd St</u>
<u>[Signature]</u>	<u>Georges Schemagin</u>	<u>4502 S. 3rd St 78745</u>
<u>J.R. &amp; Carol Nauert</u>	<u>J.R. &amp; Carol Nauert</u>	<u>4506 S. 3rd</u>
<u>Jermey Gaudin</u>	<u>Terresa Sanchez</u>	<u>4511 South 3rd 78745</u>
<u>Willie Alvar</u>	<u>Willie Alvar</u>	<u>4512 South 3rd 78745</u>
<u>Brandon Salazar</u>	<u>Brandon Salazar</u>	<u>4518 South 3rd 78745</u>
<u>Emily Howard</u>	<u>Emily Howard</u>	<u>4520 South 3rd 78745</u>
<u>Patricia G Packert</u>	<u>Patricia G Packert</u>	<u>4524 S. 3RD 78745</u>
<u>Lynn A Williamson</u>	<u>Lynn A Williamson</u>	<u>809 Philco Dr. 78745</u>
<u>Jorge Adams</u>	<u>Jorge Adams</u>	<u>809 Philco Dr 78745</u>
<u>Stephen W. Vost</u>	<u>Stephen W. Vost</u>	<u>806 Philco 78745</u>
<u>Edward E. Ely</u>	<u>Edward E. Ely</u>	<u>4600 Englewood Dr 78745</u>
<u>Pat Segura</u>	<u>Pat Segura</u>	<u>4600 Englewood 78745</u>
<u>Richard Ramirez</u>	<u>RICHARD CRAMER</u>	<u>4514 S. 3rd St 78745</u>
<u>Salvador Contreras</u>	<u>Salvador Contreras</u>	<u>4514 S. 3rd</u>
<u>Salvador Contreras</u>	<u>Salvador Contreras</u>	<u>4500 S 3rd St Contreras</u>
<u>Vincent Lopez</u>	<u>Vincent Lopez</u>	<u>4509 S. 3rd St</u>
<u>Clara R. Ramirez</u>	<u>Clara R. Ramirez</u>	<u>4513 S. 3rd St</u>

Signature

Printed Name

Address

*[Signature]*

ANNA M. STRONG

901 Redd St

*[Signature]*  
Olivia Estrada

Ernest A. STRONG  
Olivia Estrada

802 Philo  
4510 S. 3<sup>rd</sup>

*[Signature]*  
Olivia Estrada

Ernest A. STRONG  
Olivia Estrada

4510 S. 3<sup>rd</sup>

*[Signature]*  
Frank J. Flores

FRANK J. FLORES

~~4510 S. 3<sup>rd</sup>~~  
802 Philo  
4505 S. 3<sup>rd</sup>

Contact: Margaret Dunn

4409 S. 3<sup>rd</sup> St

Austin TX 78745

512 - 577-6495



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: C14-2016-0063.SH**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearing: August 23, 2016, Planning Commission  
September 22, 2016, City Council**

*Your Name (please print)*

Manuel Loera

*Your address(es) affected by this application*

4505 Fairway Blvd Austin Texas 78745

8-14-2016

*Signature*

*Date*

*Daytime Telephone:*

512-461-1895

*Comments:*

Vinson street Can not Support  
High traffic. There will be  
fatalities.

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

## 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/planning](http://www.austintexas.gov/planning).

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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: C14-2016-0063.SH**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearing: August 23, 2016, Planning Commission**

**September 22, 2016, City Council**

Patricia Packert  
Your Name (please print)

4524 S. 3RD ST.

Your address(es) affected by this application

Patricia Packert

Signature

Date

Daytime Telephone: 512-417-0724

Comments: The proposed building would be immediately behind my property. There is no alternative roads for traffic other than S. 3RD which would even create more traffic. The proposed building would be within 300 ft of the railroad that "DOES" have trains running. Vinson Dr. was a dirt road at one time, it is narrow, and is not going to be widened due to the proximity of rail tracks. Our privacy will be evaded and TAXES Raised. I've been  
If you use this form to comment, it may be returned to: here since

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

1960 this was my parents home.

This neighborhood Rd is already at the busy

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: C14-2016-0063.SH**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearing: August 23, 2016, Planning Commission  
September 22, 2016, City Council**

JOHONAS R. & CAROL NAUER  
Your Name (please print)

☐ I am in favor  
☒ I object

4506 South Third St.  
Your address(es) affected by this application

JOHONAS R. NAUER & CAROL NAUER 08/15/16  
Signature Date

Daytime Telephone: 512.444.5895

Comments: The 4500 block of So. 3<sup>rd</sup> St. is a one block long street populated with families consisting of parents, children, grandparents & grandchildren of various ages. This last section of So. 3<sup>rd</sup> starts on the north across from St. Elmo Elementary & on the south at a cross street leading into more streets like ours. Our street is used as a cut-through for people south of us going to the 1<sup>st</sup> St/St. Elmo Traffic light for easier access from our neighbourhood. VINSON/EMERALD EORRY

runs west of us. A thoroughfare for neighbourhoods running south to STASSNEY LN. The intersection of VINSON & ST. ELMO has NO light & backs up like so during rush hour, especially during the school year. This proposed development would add even more congestion to our already busy streets.

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810



## 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/planning](http://www.austintexas.gov/planning).

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: C14-2016-0063.SH**

**Contact: Wendy Rhoades, 512-974-7719**

**Public Hearing: August 23, 2016, Planning Commission  
September 22, 2016, City Council**

*Margaret Dunn*  
Your Name (please print)

*4409 S 3rd St Austin TX 78744*

Your address(es) affected by this application

*Margaret Dunn*  
Signature

Date

*8-17-16*

Daytime Telephone: *512-577-6495*

Comments: *I am very opposed to the proposed rezoning from SF-3 to SF-6. There are no other properties in this neighborhood of single family homes with the proposed zoning. The zoning change is completely incompatible with nearby homes and to approve it would be zoning. Please see the zoning petition filed by property owners within 200 feet of the rezoning proposal with twenty five signatures and consider this their appeal to the rezoning.*

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

City of Austin  
Planning & Zoning Department  
Wendy Rhoades  
P. O. Box 1088  
Austin, TX 78767-8810