

ZONING CHANGE REVIEW SHEET

P.C. DATE: November 14, 2017
December 12, 2017

CASE: - C14-2017-0097 – Jackie Robinson Residential

ADDRESS: 1321 Delano Street

DISTRICT AREA: 1

OWNER/APPLICANT: Evangelo Sgarbi

AGENT: Land Answers, Inc. (Jim Wittliff)

ZONING FROM: SF-3-NP **TO:** SF-6-NP

TOTAL AREA: 5.215 acres (227,159 square feet)

SUMMARY STAFF RECOMMENDATION:

Staff recommends townhouse and condominium- neighborhood plan (SF-6-NP) combining district zoning.

PLANNING COMMISSION RECOMMENDATION:

November 14, 2017 *Postponed to December 12, 2017 at the request of the neighborhood.*

December 12, 2017 *Scheduled for Planning Commission*

ISSUES:

The East MLK Contact team, the Hog Pen Neighborhood Association, and others have met with staff regarding transportation issues, infrastructure, and sidewalks on a scale that will relate directly to this project, as well as larger scale challenges that may be addressed as part of Austin Transportation Department's ongoing Austin Strategic Mobility Plan. These stakeholders are also in discussions with the applicant to create an agreement in the form of a private restrictive covenant, which may include water testing on the creek, and on-site sidewalks.

DEPARTMENT COMMENTS:

The subject property is located on the north side of Jackie Robinson Street, just east of Delano Street. The property also connects to Delano Street to the west.

The applicant is requesting townhouse and condominium- neighborhood plan (SF-6-NP) combining district zoning. There is a conceptual plan for 12 buildings, each 3 stories, with a unit mix of 12 one bedroom units, 39 two bedroom units, and 8 three bedroom units for a total of 59 units. Access to the site would be taken from Jackie Robinson Street and from Delano Street.

There is steep topography on the site. A creek runs through the center of the property from northeast to southwest. From the east side of the property, the terrain slopes down and drops off sharply to the

creek. The western portion of the property slopes down gradually to the creek. The development of the property will involve some drainage challenges. To address these, the applicant has a preliminary plan for three on-site detention ponds.

The property is located in the MLK -183 Planning Area, which is covered by the East MLK Combined Neighborhood Plan. On the future land use map (FLUM) for this area, the property includes both single family and mixed residential. There is a simultaneously submitted Neighborhood Plan Amendment (NPA-2017-0015.03) to change the FLUM for the entire property to higher-density single family.

Staff recommends townhouse and condominium- neighborhood plan (SF-6-NP) combining district. First, the proposed rezoning represents a gradual transition from the nearby single family residential uses to the west and north, as well as the larger single family lots to the south. Second, the land area is large and is comprised of six lots, each of which are larger than a standard single family lot; these factors create an opportunity for higher density single family development in this location. Alternatively, retaining SF-3 zoning would likely lead to subdivision into flag lots, which would present challenges in terms of lot configuration, access, and drainage. Although some of these challenges are inherent in the property, developing the property as a single project may lead to preferable drainage solutions, limited access points on Jackie Robinson Street, and less overall impervious cover.

In addition, elements of the East MLK Combined Neighborhood Plan point the way towards higher-density single family development in this location. The property is located in a mixed residential/single-family area; the request is consistent with plan goals of preserving residential areas, improving opportunities for home ownership, and new infill housing compatible with the existing style of this neighborhood. Finally, Imagine Austin principles support the rezoning as well. (See staff report for Neighborhood Plan Amendment for specific references in the East MLK Combined Neighborhood Plan and Imagine Austin.)

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Undeveloped
<i>North</i>	SF-3-NP	Single Family, Undeveloped
<i>South</i>	Jackie Robinson St, then SF-3-NP	Jackie Robinson St, then Single Family, Undeveloped, Misc. Industrial
<i>East</i>	SF-3-NP, then Tannehill Ln, then P-NP	Single Family, then Tannehill Ln, then Educational
<i>West</i>	SF-3-NP, then Delano St, then SF-3-NP	Single Family, then Delano St, then Single Family

NEIGHBORHOOD PLANNING AREA: MLK - 183

TIA: No, however a TIA may be required at the time of site plan.

WATERSHED: Fort Branch

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

<i>Community Registry Name</i>	<i>ID</i>
Austin Heritage Tree Foundation	1340
Austin Independent School District	742
Austin Innercity Alliance	1607
Austin Neighborhoods Council	511
Bike Austin	1528
Black Improvement Association	1407
Claim Your Destiny Foundation	1562
Del Valle Community Coalition	1258
East Austin Conservancy	1444
East MLK Combined Neighborhood Association	1213
East MLK Contact Team	1197
Friends of Austin Neighborhoods	1530
Friends of Northeast Austin	1611
FRS Property Owners Association	1215
Hog Pen NA	1583
Homeless Neighborhood Association	1550
Jackie Robinson Acres	224
Lincoln Garden Association	980
M.E.T.S.A. Neighborhood Assn	497
Neighbors United for Progress	1595
Preservation Austin	1424
Reissig Group	1312
Seltexas	1363
Sierra Club Austin Regional Group	1228
Truman Heights Neighborhood Assn	458

SCHOOLS: Norman Elementary School, Sadler Means Young Women's Leadership Academy, Garcia Young Men's Leadership Academy, LBJ High School

CASE HISTORIES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2015-0019 5306 Samuel Huston 5306 Samuel Huston Ave	From SF-3-NP to SF-6-NP – case withdrawn by applicant	06-23-15- Denied Applicant's request for SF-6-CO-NP, w/CO for 300 trips/day	09-10-15- Withdrawn by the Applicant; No action taken.
NPA-2014-0015.01 City School (6005 Wilcab Road) 3608 Bluestein Drive	Amend East MLK Combined Neighborhood Plan – case withdrawn by applicant	Withdrawn by the Applicant on 3-6-2015	Case not on the agenda; Withdrawn by Applicant on 03-06-2015
C14-2008-0154 3617 Axel Lane 3617 Axel Lane	LI-NP to MF-6-NP	05-12-09- Apvd MF-1-NP	06-18-09- Denied zoning change to MF

RELATED CASES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
NPA-2017-0015.03 Jackie Robinson Residential 1321 Delano Street	Neighborhood Plan Amendment from Single Family and Mixed Residential to Higher Density Single Family	To be reviewed – 11-14-17	To be reviewed 12-07-17

SUBDIVISION: Six unplatted lots; a 5.215 acre tract of land situated in the J.C. Tannehill Survey, No 29, Abstract No 22.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Jackie Robinson Street	37 ft.	28 ft.	Local	No	No	Yes
Delano Street	50 ft.	30 ft.	Collector	No	No	Yes

Transportation Planning – Natalia Rodriguez - 512-974-3099

- TR1. A Neighborhood Traffic Analysis is required for this project. The NTA requires three (3) consecutive 24 hour tube counts, preferably on Tuesday, Wednesday, and Thursday, during a non-holiday week when school is in session. Please contact Scott James (Scott.James@austintexas.gov) or myself to discuss the location of the tube counts. Results will be provided in a separate memo. LDC, Sec. 25-6-114. Please pay the NTA fees with the Intake staff on the 4th floor. This comment will be cleared once the Memo is approved and the fees are paid.
- TR2. Jackie Robinson Street requires 50 feet of right-of-way in accordance with the Transportation Criteria Manual. If the requested zoning is recommended for this site, 25 feet of right-of-way should be dedicated from the centerline of Jackie Robinson Street in accordance with the TCM. LDC, 25-6-55; TCM, Tables 1-7, 1-12.
- TR3. Per Ordinance No. 20170302-077, off-site transportation improvements and mitigations may be required at the time of site plan application.
- TR4. If the requested zoning is granted, it is recommended that joint access to Jackie Robinson Street and Delano Street be provided for the four lots.
- TR5. FYI – Sidewalks and driveways along Jackie Robinson Street and Delano Street shall be constructed in accordance with the City of Austin current code and criteria. Existing driveways may be required to be removed or reconstructed.

CITY COUNCIL DATE: December 7, 2017**ACTION:** Postponement requested to February 1, 2018 by staff**February 1, 2018****ACTION:****ORDINANCE READINGS: 1st****2nd****3rd****ORDINANCE NUMBER:****CASE MANAGER: Scott Grantham****PHONE: 512-974-3574****EMAIL: Scott.Grantham@austintexas.gov**

BASIS FOR RECOMMENDATION

1. *Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*
2. *Zoning changes should promote an orderly relationship among land uses.*

The proposed rezoning is compatible with the single family areas to the west and north of the property, and to the larger single family lots to the south. It will result in a gradual transition from the rezoned property to these adjacent areas.

3. *The rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission.*

The proposed rezoning is consistent with the East MLK Combined Neighborhood Plan, which calls for mixed residential housing on large vacant parcels on Jackie Robinson (Action 49), and a diversity of housing types located on infill sites.

EXISTING CONDITIONS***Site Characteristics***

The property is currently undeveloped and is covered with trees and vegetation. There is steep topography on the site. A creek runs through the center of the property from northeast to southwest. From the east side of the property, the terrain slopes down and drops off sharply to the creek. The western portion of the property slopes down gradually to the creek. There is no flood plain on the property; Fully Developed 100-year flood plain lies is situated approximately 300 – 500 feet to the north and west of the property. There are no Critical Environmental Features on the property.

Impervious Cover

The tract is located in an Urban Watershed and therefore the zoning district determines the impervious cover limits. The Townhouse and Condominium (SF-6) zoning district allows for 55% impervious cover.

Comprehensive Planning – See Neighborhood Plan Amendment Staff Report***Site Plan – Cindy Edmond - 512-974-3437***

SP1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP2. Site plans will be required for any new development other than single-family or duplex residential.

SP3. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Airport Overlay

FYI – This site is located within the Austin-Bergstrom Airport Controlled Compatible Land Use Area Overlay. No use will be allowed that can create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance. Airport Hazard Zoning Committee review may be required prior to Planning Commission Hearing. Additional comments may be generated during the site plan review process.

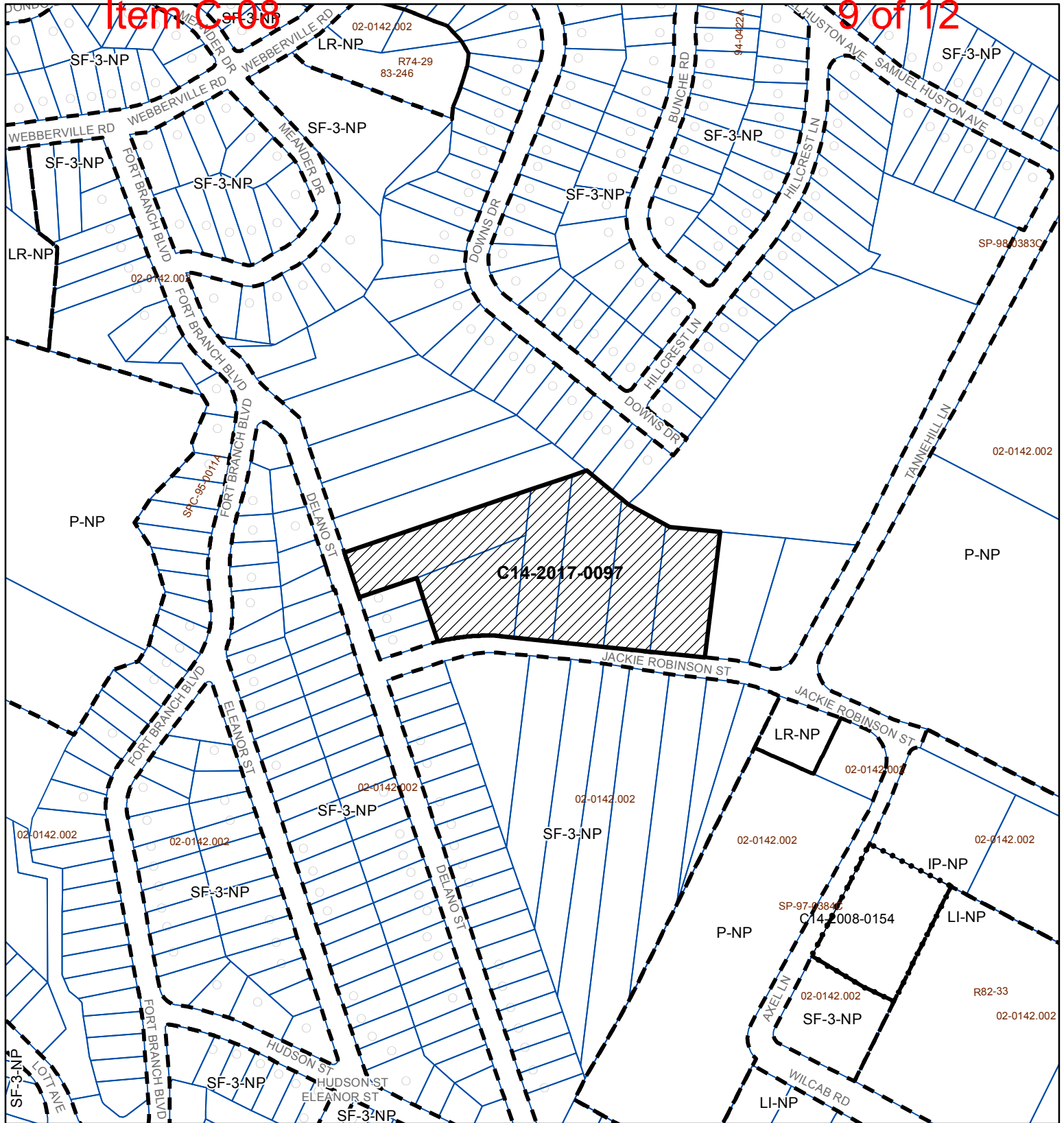
Environmental – Atha Phillips - 512-974-6303

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Fort Branch 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 a floodplain 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.
5. Some trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
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.

Water Utility – Neil Kepple - 512-972-0077

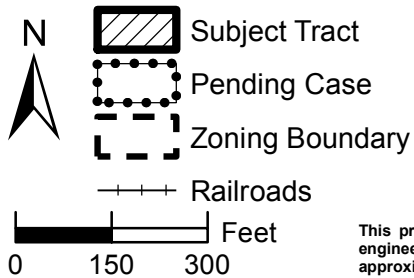
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility

improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. 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 fees once the landowner makes an application for Austin Water utility tap permits.



ZONING

Case#: C14-2017-0097

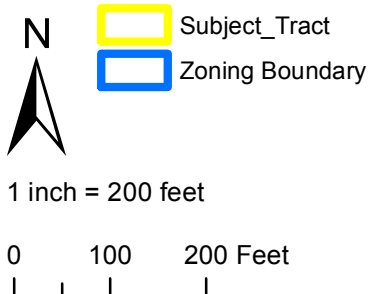
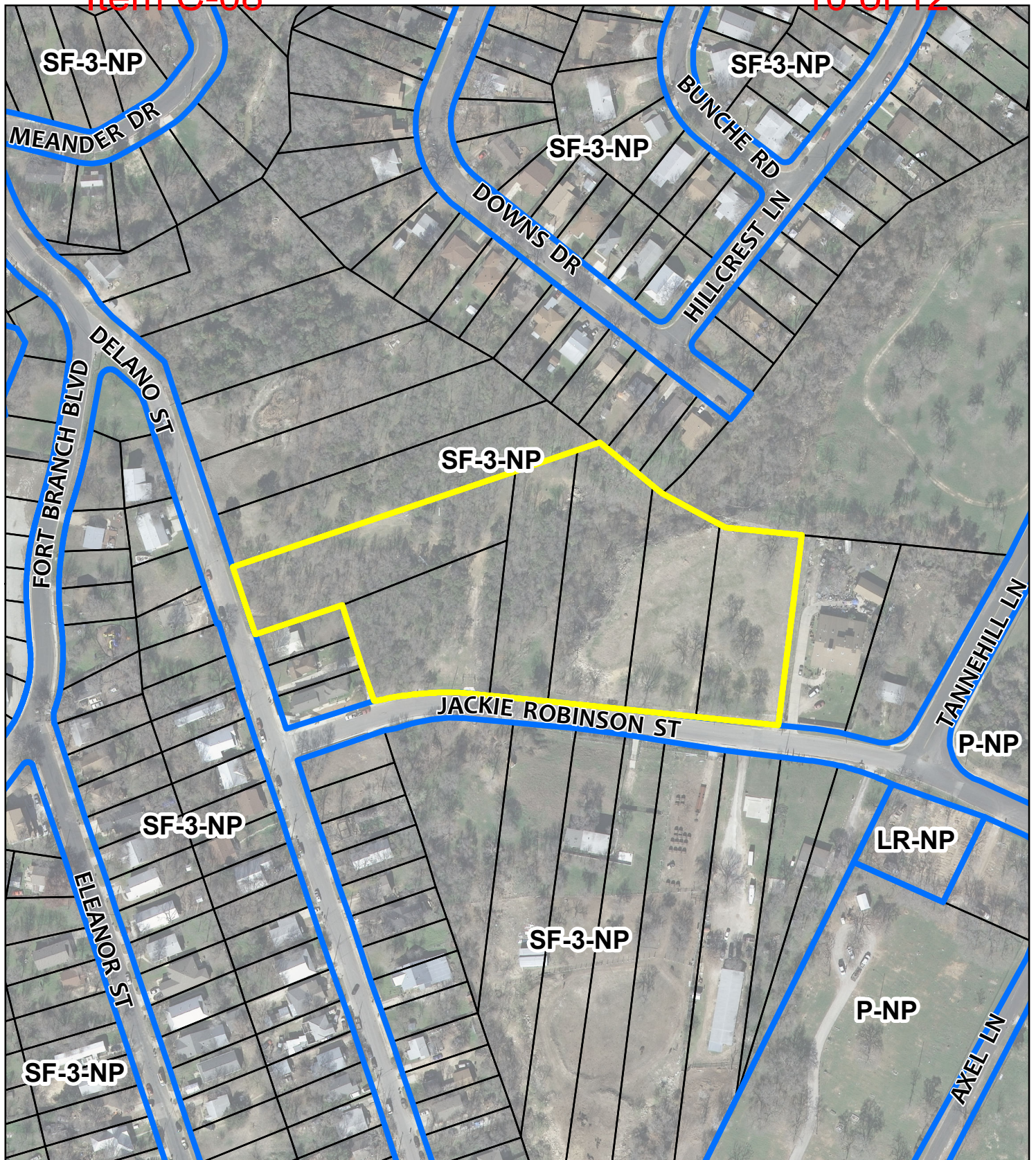


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This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Created: 8/8/2017



ZONING & VICINITY

Zoning Case: C14-2017-0097
 Address: 1321 Delano Street
 Subject Area: 5.02 Acres
 Case Manager: Scott Grantham

This map has been produced for the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Grantham, Scott

From: Chaffin, Heather
Sent: Monday, September 11, 2017 12:12 PM
To: Grantham, Scott
Subject: FW: opposition to C14 2017 0097 NPA-2017-0015.03

Follow Up Flag: Follow up
Flag Status: Flagged

From: Meredith, Maureen
Sent: Tuesday, September 05, 2017 12:33 PM
To: Gutierrez, Jesse; Gonzalez, Debora; Chaffin, Heather
Cc: Thomas Shewalter
Subject: RE: opposition to C14 2017 0097 NPA-2017-0015.03

Mr. Shewalter:

Jesse Gutierrez and Debora Gonzalez have been assigned to process this neighborhood plan amendment case. Heather Chaffin is the zoning planner for the associated zoning case. I'm forwarding your comments to them.
Maureen

From: Thomas Shewalter [REDACTED]
Sent: Monday, September 04, 2017 1:56 PM
To: Meredith, Maureen
Subject: opposition to C14 2017 0097 NPA-2017-0015.03

Hi Maureen,

Heathe Chasen told me to email my opposition to the new zoning proposal case # C14 2017 0097. I am opposition to this proposal because our neighborhood is already way to crowded. There is a bus route going down Delano St., Fort Branch and Jackie Robinson, along with a ton of thru traffic and along with that pollution, there is already no parking available on the streets, and most lots are filled with multi family homes now. Please greatly consider putting an end to the proposal in regards to case # C14 2017 0097 , as in, I am against any new zoning that would allow for more congestion and or commercial use.

This case may also be known as case # NPA-2017-0015.03 I am against changing the zoning from single family & mixed residential to higher-density single family land use @ 1321 Delano & 5600 Jackie Robinson 5.16 acres.

Thank you,
Thomas Shewalter

[REDACTED]
[REDACTED]
[REDACTED]
(my homestead)

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.

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: C14-2017-0097

Contact: Scott Grantham, 512-974-3574

Public Hearing: November 14, 2017, Planning Commission

December 07, 2017, City Council

Thomas Shevante

Your Name (please print)

1305 Delano St. Austin 78724

Your address(es) affected by this application

Mon A

Signature

11/19/17

Date

Daytime Telephone: 512-789-4556

Comments: It will bring in too much traffic to many people, to much pollution and over populate the neighborhood. The property value will decrease, as opposed to the property value increase if nice single family homes are built on the described property. I am totally against it.

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

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