

ZONING CHANGE REVIEW SHEET

P.C. DATE: November 14, 2017
December 12, 2017
January 9, 2018
January 23, 2018

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

ADDRESS: 1321 Delano Street and 5600 Jackie Robinson 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 *Postponed to January 9, 2018 at the request of the Commission*

January 9, 2018 *Postponed to January 23, 2018 at the request of the applicant*

January 23, 2018 *Scheduled for Planning Commission*

ISSUES:

The East MLK Contact team, the Springdale-Pecan Springs Neighborhood Association, 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. The neighborhoods have shared a letter expressing their position on the project (See Exhibit F).

A Neighborhood Traffic Analysis (NTA) was required as part of the zoning case. The results of the NTA were that potential trips generated by the site in combination with existing traffic on Delano Street would exceed the threshold for Delano Street (See Exhibit E, page 3 of 4). Therefore, mitigation will be required of the applicant, in the form of sidewalks to be constructed beyond the site, and a curb ramp. If units are reduced to 48 or below, the threshold for trips on Delano will not be exceeded, and mitigation will not be required.

DEPARTMENT COMMENTS:

The subject property is located on the north side of Jackie Robinson Street, just east of Delano Street. The property also fronts on 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. Third, rezoning the property to allow for multi-unit housing is seen as preferable to the likely alternative of subdivision into flag lots, which would present challenges in terms of lot configuration, access, and drainage. 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

	ZONING	LAND USES
<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. (This comment is deferred to time of site plan – SG)
- 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:** Approved postponement to February 1, 2018

February 1, 2018

ACTION: Postponement requested to February 15, 2018 by staff

February 15, 2018

ACTION:**ORDINANCE READINGS:** 1st2nd3rd**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.

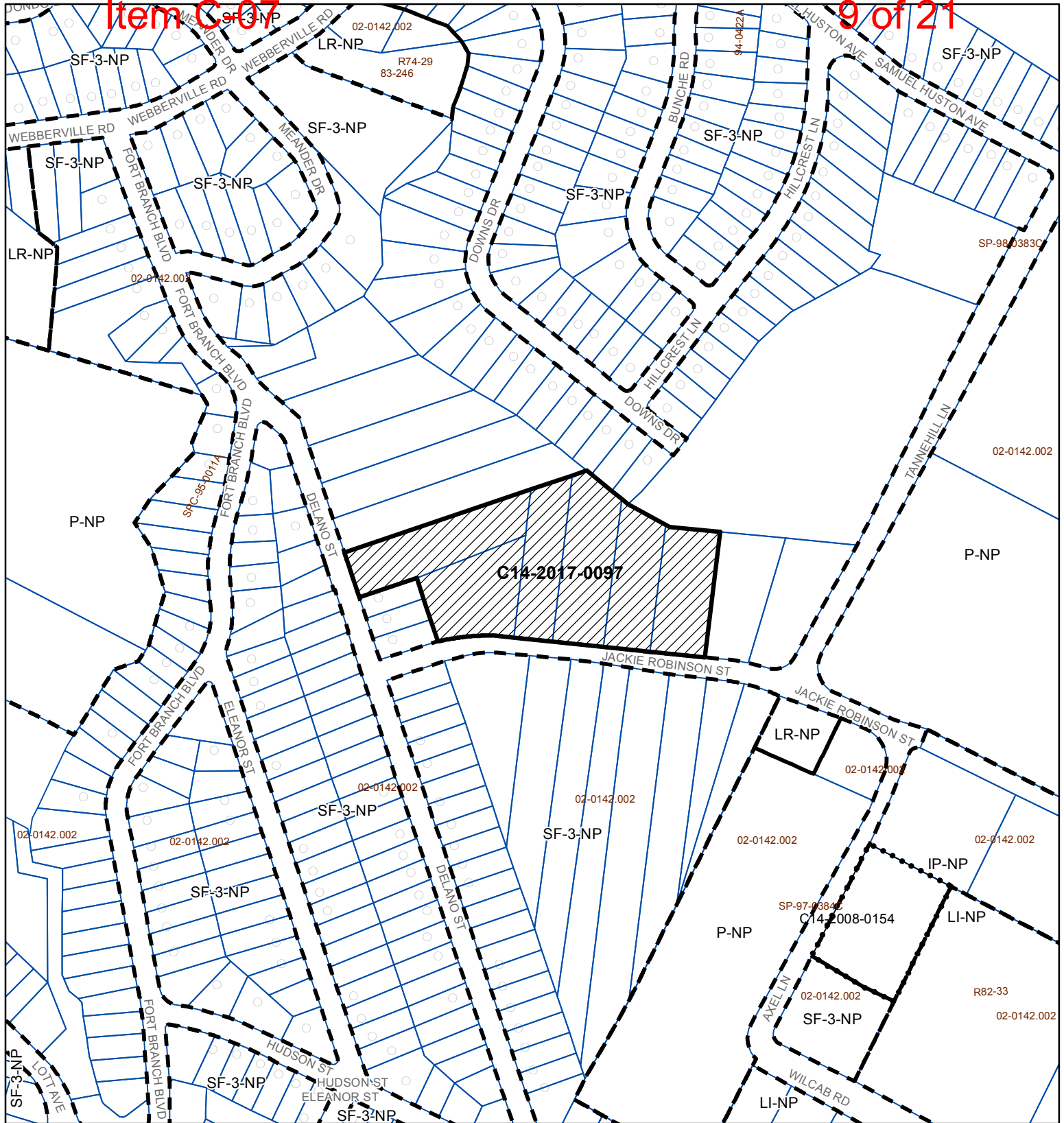
Environmental – Atha Phillips - 512-974-6303

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

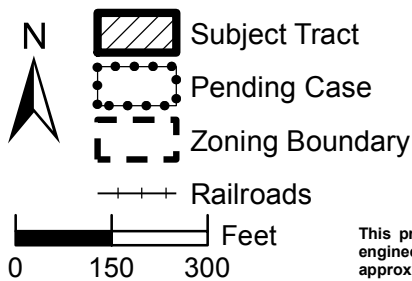
improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be 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

EXHIBIT A

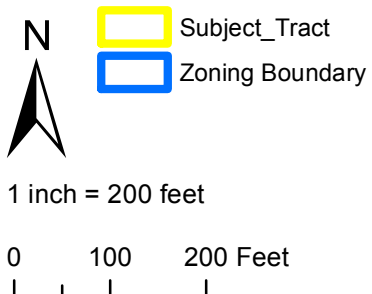
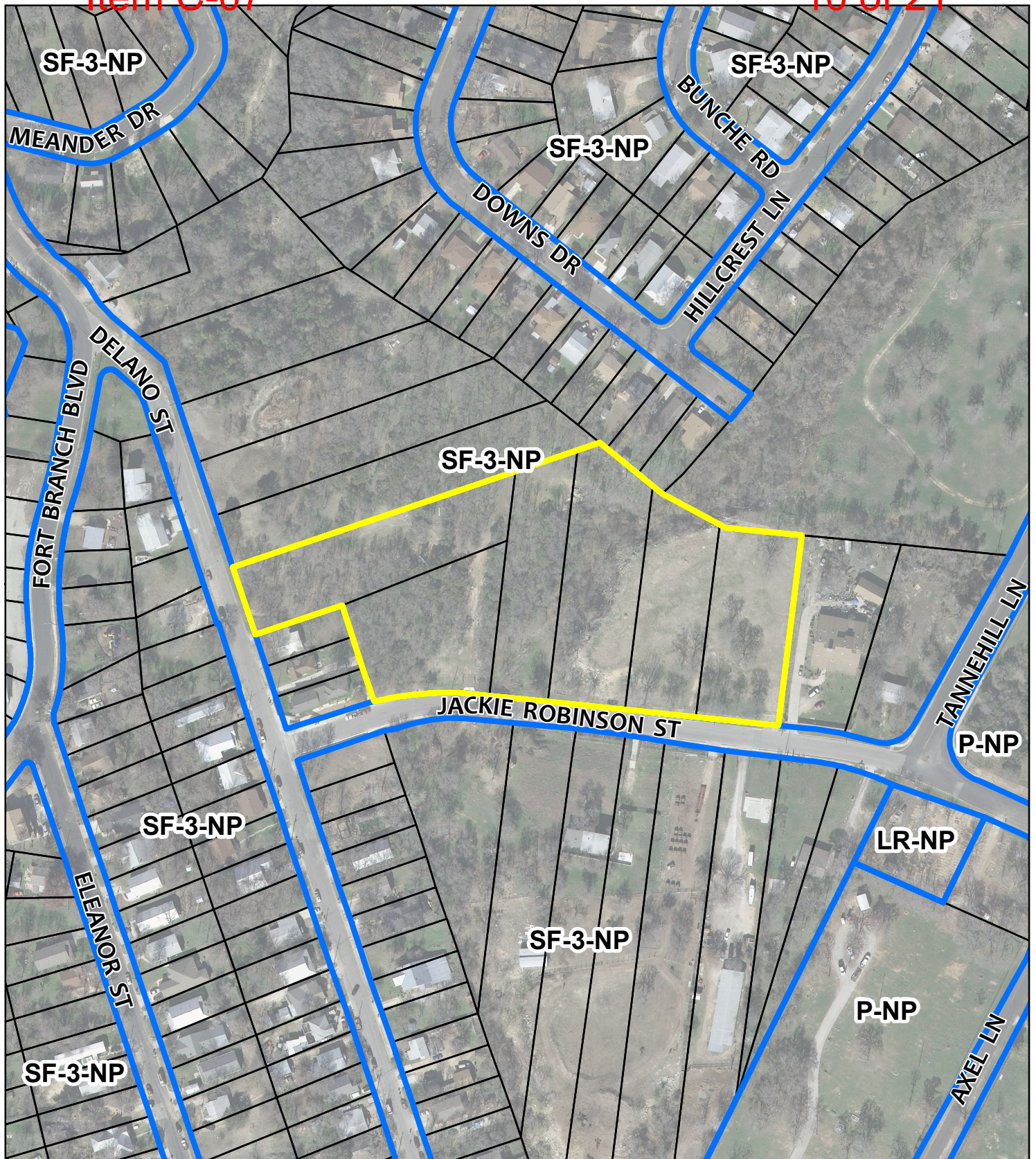


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by 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



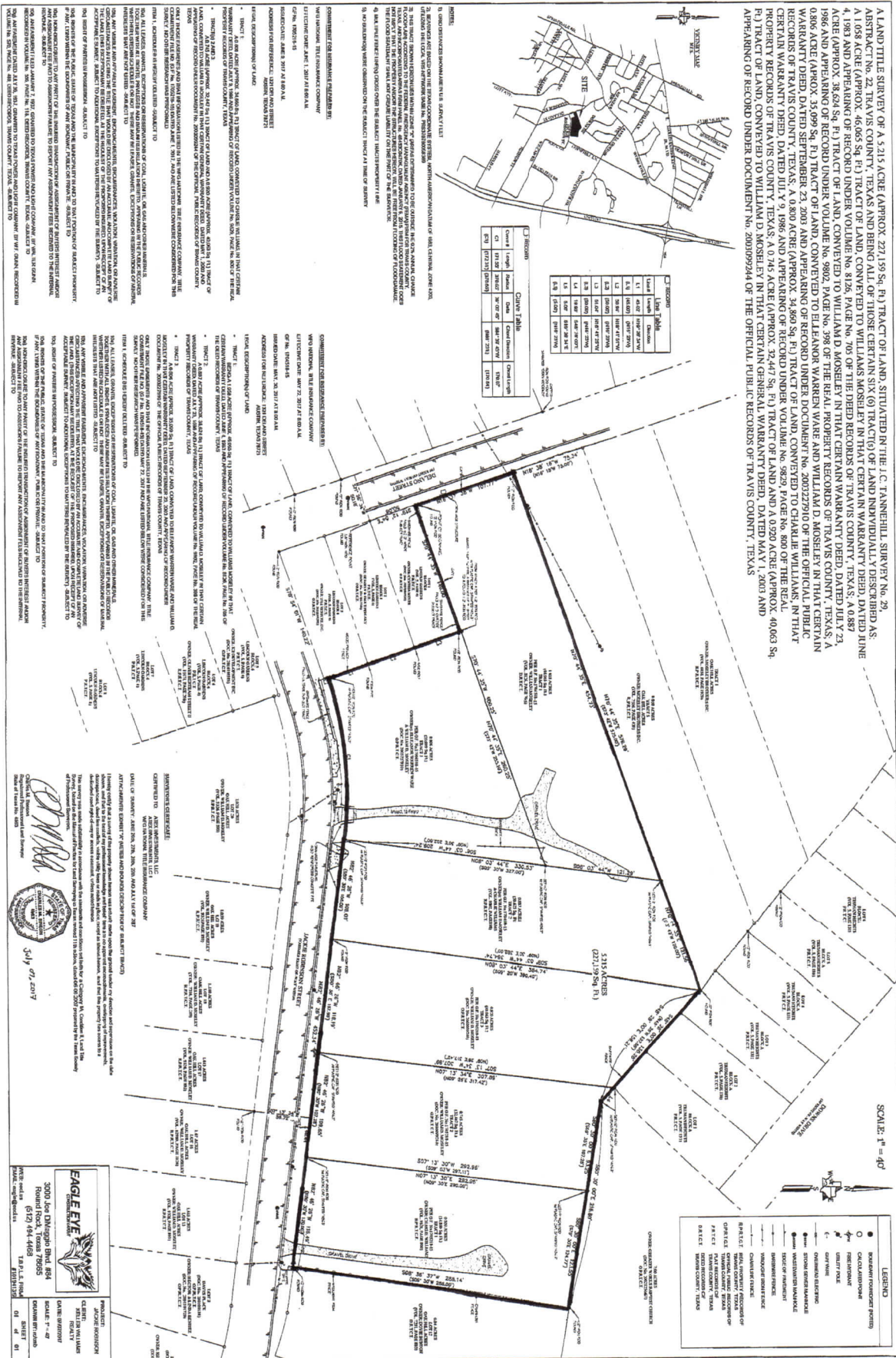
ZONING & VICINITY

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.



EXHIBIT B



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)

EXHIBIT D

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

EXHIBIT E



MEMORANDUM

TO: Scott Grantham, Case Manager
Planning and Zoning Department

CC: Lee Austin, P.E.
Austin Transportation Department

FROM: Mehrnaz Mehraein, EIT *MM*
Scott A. James, P.E., PTOE
Natalia Rodriguez
Development Services Department

DATE: November 27, 2017

SUBJECT: Neighborhood Traffic Analysis for Jackie Robinson Residential
Zoning Case # C14 – 2017 – 0097

The Land Use Review/Transportation staff has performed a Neighborhood Traffic Impact Analysis (NTA) for the above referenced case and offers the following comments.

The 5.16 acre site is located in east Austin and is bounded by Jackie Robinson street to the south and Delano Street to the west. The site is currently zoned Family Residence (SF-3), is vacant. The site is surrounded by single family uses to the north, south, east, and west, Norman Elementary School to the east, and Springdale Park to the west. The zoning request is for Townhome, and Condominium Residence (SF-6).

Roadways

Delano Street is classified as a local collector roadway and measures 30 feet in width and has primarily residential and neighborhood land uses. The speed limit of Delano Street, adjacent to the subject property is 30 miles per hour (MPH). There are partial sidewalks on the east side of Delano Street. The proposed CapMetro 2018 Bus and Rail Service plan provides Bus Route 6 along Delano Street. Currently, there is a transit stop on the west side of Delano at the intersection of Fort Branch Boulevard and Delano Street.

Jackie Robinson Street is classified as a local collector roadway. Jackie Robinson Street measures 30 feet in width, and is stop controlled at its intersection with Delano Street. The assumed speed limit is 25 MPH. There are sidewalks on the south side of Jackie Robinson Street. The proposed CapMetro 2018 Bus and Rail Service plan provides Bus Route 6 along Jackie Robinson Street. Currently, there is a transit stop in front of the subject property on Jackie Robinson Street.

Vehicular access to the site shall be to and from Delano Street and Jackie Robinson Street.

Trip Generation and Traffic Analysis

The City Council may deny an application if the neighborhood traffic analysis demonstrates that the traffic generated by a project combined with existing traffic, exceeds the desirable operating level established on a residential local or collector street in the study area.

Based on the Institute of Transportation Engineer's publication Trip Generation Manual, 9th Edition, the sixty- four (64) proposed condominium units would generate approximately 436 daily trips. However, the SF-6 zoning will allow up to 698 daily trips, for the 5.16 acre tract (Summarized in Table 1 below).

Table 1 – Trip Generation					
TRACT NUMBER	TRACT ACRES	INTENSITY	ZONING	LAND USE	TRIPS PER DAY
1	5.16	64 DU	SF – 6 – NP	Single Family Detached (210)	698
				Total*	698

*This is maximum development intensity.

According to the applicant, approximately 73% of the outbound trips will use Delano Street and 27% of the outbound trips will exit onto Jackie Robinson Street. The returning trips would be divided as 74% use Delano Street and 26% use the access from Jackie Robinson Street. Table 2 presents the expected distribution of the 698 daily trips to and from the site:

Table 2 – Trip Distribution Percentages		
Street	Outbound	Inbound
Delano Street	255 (73%)	258 (74%)
Jackie Robinson Street	94 (27%)	91 (26%)
Totals	349 (100%)	349 (100%)

According to the traffic data collected during the days of October 10-12 , 2017, the current average daily volumes on Delano Street are 1,406 vehicles per day and on Jackie Robinson Street are 487 vehicles per day. As shown in Table 3 below, the projected daily trips from the site development would increase the observed volumes on Delano Street by approximately 36% and Jackie Robinson Street by 38%, respectively.

Table 3 – Estimated increase in daily traffic volumes				
Street	Existing Traffic (VPD)	Site Traffic	Total Traffic	Percentage Increase
Delano Street	1,406	513	1,919	36%
Jackie Robinson Street	487	185	672	38%

Desirable Operating Level

According to Section 25 – 6 -116 of the Land Development Code, neighborhood residential streets are operating at a desirable level of congestion if the daily volumes at Delano Street, and Jackie Robinson Streets do not exceed the following thresholds:

Pavement Width	Vehicles Per Day
Less than 30'	1,200
30' to less than 40'	1,800
40' or wider	4,000

Conclusion and Recommendations

- 1) The potential trips generated by this site, in combination with the existing traffic of Delano Street exceed the thresholds set forth in the LDC 25 –6 – 116. Therefore, mitigation is required as a result of this site development.
- 2) The potential trips generated by this site, in combination with the existing traffic of Delano street, are estimated to be 1,919 total vehicle trips per day. The total combined vehicle trips per day exceed the threshold set forth in the LDC 25-6-116. Staff have identified the following actions to offset the consequence of the estimated increase in daily trips along Delano Street.
 - a. The applicant shall construct sidewalks in accordance with City of Austin standards along the following streets to improve connectivity and access to transit:
 - i. On north side of Jackie Robinson to Tannehill Lane, for a distance of approximately 700 feet.
 - ii. On the east side of Delano Street from Jackie Robinson Street to the Fort Branch Boulevard bridge, for a distance of approximately 500 feet.
 - iii. Install ADA compliant accessible curb ramp(s) at the intersection of Delano Street and Fort Branch Boulevard.
- 3) All sidewalk and driveway designs, dimensions, and spacing shall comply with the criteria as set forth in the City of Austin Transportation Criteria Manual.
- 4) Development of this property should be limited to the uses and intensities, which will not exceed or vary from the projected traffic conditions assumed in this neighborhood traffic

analysis. If the proposed uses, intensities, or traffic operations differ from this neighborhood traffic analysis, a revised Neighborhood Traffic Analysis or Traffic Impact Analysis shall be required at the time of site plan application and further mitigation may be required.

If you have any questions or require additional information, please contact me at (512) 974 - 1684.



Mehrnaz Mehraein, EIT
Development Services Department

EXHIBIT F

January 23, 2017

To
City Mayor
City of Austin Council
Zoning and Planning Commission

Subject: Modify Plan Amendment Zoning Case: C14-20170097
File Number: NPA-2017-0015.03
Project Name: Jackie Robinson Residential

Dear Mayor, City Council Members, Planning Commissioners, COA Employees,

We request a modification of the amendment to the Neighborhood Plan and Zoning Change request for the above to add a conditional overlay to limit the number of dwelling units to 40. An NTA (Neighborhood Traffic Impact Analysis) was done for the site and shows that Delano St traffic would be over an acceptable level with the additional traffic added by this development. The study shows 1406 trips per day now. With the development complete (62-64 units), the estimated number of trips are 1,919. The maximum acceptable number of trips per day is 1800.

As suggested as a compromise by Planning Commissioner Trinity White, we propose lowering the number of units in this development to a number that would allow the traffic on the street to stay below the unacceptable level. If we consider the traffic impacts of the current multiple duplex construction projects in the area, plus the traffic impact of this development, we believe 40 dwelling units would be compatible with existing street infrastructure. Please see the chart prepared by traffic analyst Mehrnaz Mehraein from the Development Services Department, and also see the list of current construction or soon to be available dwelling units that will be using Delano St. at the end of this letter.

If a compromise cannot be worked out, we request that the Planning Commission and City Council turn down the request for the change and allow the zoning and Neighborhood Plan to remain the same.

Regarding the proposed compromise using 40 dwelling units: This compromise allows some higher density development in our neighborhood, although we are still concerned about the pressure to continue development above the current zoning and neighborhood plan without the proper infrastructure. The infrastructure we are discussing is the street and road system. The traffic study done for this proposed development shows unusually high traffic counts for Delano St. The traffic study shows 1409 trips per day on Delano, a surprisingly large number of trips considering the street itself. Analysis of the neighborhood reveals that the reason for this is that almost all traffic in the area, including The City of Austin Maintenance facility traffic, is funneled through Delano St. That is because the Hudson St / Delano St route is the only convenient route through the area. A look at a map shows why this is. Please refer to the slide show.

Delano St is functioning as an arterial street, but is designed as a strictly residential street, which is why it carries traffic beyond what it would normally be expected to carry. Delano St. is 30 feet wide with cars parked on the street night and day.

The neighborhood needs additional streets to carry the load of traffic. Streets that are shown on the FLUM do not exist and are not even secured rights-of-way. To provide that street infrastructure to develop this area would involve purchasing property or possibly using eminent domain. Since that is an iffy prospect, we must not add further density until this issue is addressed.

We are gratified that pedestrian safety needs in this high-traffic neighborhood are now being addressed using Capital Improvement Funds. This is a very positive step, although does not address the actual traffic issues. We understand that allowing the project as originally requested would require the developer to build additional sidewalks. Although valuable, we believe it would be better not to bring traffic over acceptable levels.

Lacking a plan to address the traffic over-capacity issue, this development (at full capacity of 62 to 64 units) would be a detriment to the following East MLK Combined Neighborhood Plan Goals:

- # 4 Promote the development and enhancement of the neighborhood's major corridors.
- # 7 Create a transportation network that allows all residents to travel safely throughout the neighborhood by improving safety on major arterials and neighborhood streets.

However, we believe building the development with the lower number of units (40) would be in alignment with the following East MLK Combined Neighborhood Plan Goals:

- # 2 Promote a mix of land uses that respect and enhance the existing neighborhood and address compatibility between residential, commercial, and industrial uses.
- # 5 Provide housing that helps to maintain the social and economic diversity of residents.
- # 9 Improve bicycle and pedestrian traffic safety on neighborhood streets.
- # 11 Protect and enhance the neighborhood ... by reducing ... dumping in this neighborhood.
- # 12 Improve the quality, safety, and cleanliness of area creeks, and reduce the impact of flooding in the neighborhood.

If we cannot reach an agreement on lowering the number of units to an acceptable level, then we ask that the Planning Commission and City Council not approve this change request, and leave the zoning and Neighborhood Plan as is. Without an agreement, we ask that these additional concerns are considered:

Illegal Fill: There are multiple piles of illegal fill material on the property. We understand that the developer has an option to purchase the property from the seller, who was responsible for the putting the fill there. These fill piles may preclude using the current zoning for development because the additional expense of dealing with the fill makes the lesser density development not financially viable. The burden of this problem should not be borne by the neighborhood, but by those responsible. We would like to mention that multiple piles of illegal fill are on additional property tracts in the neighborhood, all created and owned by the owner of this property. These piles were being added to as recently as 2016.

Infrastructure in the Hog Pen are and FLUM conclusions: The Hog Pen area has some very serious infrastructure shortcomings. There are residents without water and sewer facilities living on Hudson St. right now. There are multiple streets without storm gutters. The topography in the area is dramatically hilly. The Neighborhood Plan and FLUM says:

“Because of the rural nature and limited infrastructure in the Hog Pen area, development is not suitable.” (paraphrased) Overdevelopment is not advisable.

Incompatible appearance: The zoning and density asked for would allow 3 story condominiums in an area of infill that is surrounded by single family homes, most of which are quite small one-stories. We are concerned that the 3 story buildings would dwarf the single family homes and create an incompatible disparity in height and scale of buildings in the neighborhood.

In Conclusion: We acknowledge that the developer’s agent has made some efforts to work with us. The high traffic count already existing on Delano St. is the result of several forces, including the hilly topography, the past agricultural use, flawed street design concepts in the 1980’s, and neglect by the City of Austin to create the needed streets. These are not the fault of the developer. On the other hand, there is existing zoning and Land Use Plans that could be used to build many homes on this property. These homes could also be the “missing middle housing” desired by progressive city planners.

Please either approve the zoning and NP change with a conditional overlay of 40 units or do not approve this zoning and NP change.

Future requests: In addition to our recommendation for the development being considered today, we would like to express our strong concern for the future in our area and ask officials for awareness of traffic issues as a whole in the neighborhood. Considering the compact development encouraged by Codenext, considering future zoning change requests in the pipeline (The Aviary and Interlocal), considering multi-acre properties for sale in the neighborhood, and considering the rapid dense development happening in our area already; we must all be aware that infrastructure needs must be met before and during development. We are asking the City to enact an ordinance that would require some additional street right-of-way acquisition and construction as shown on the present FLUM (or equivalent transportation corridors) to alleviate the over-capacity traffic pressure on one narrow residential street that serves the entire area. We ask that this ordinance require future zoning change and NP change requests in this area to contribute to the needed street infrastructure.

We also ask that future zoning and NP change requests have traffic studies done that assess Delano St. as a whole to be used. In other words, measuring traffic on Delano at its outflow area (close to Webberville Rd.), not near the traffic origination.

Thank you very much.

Sincerely,
Susan Tingley and for the:
East MLK Combined Contact Team
and the Hog Pen Neighborhood Association
[REDACTED]

AVERAGE TRAFFIC VOLUME

Using the same ITE code 210, and the same trip assignment percentages, the average daily traffic volume of each proposed intensity is as the following:

Intensity	Total Traffic (Vehicle per day)
48 DU	1,799
43 DU	1,765
36 DU	1,709

Prepared by Mehrnaz Mehraein of the Development Services Department

Construction in the neighborhood right now.

Current construction of single family duplexes that must use Delano St (and it's extension, Fort Branch Blvd.) as the only ingress and outgress. These homes were not occupied at the time of the traffic study, but will be adding to the overall traffic load soon. Each address represents 2 dwellings, as each are duplexes. This represents 26 additional families with that many additional trips per day. Using the above figures to interpolate, that would mean an additional 169 trips per day.

1220 Delano St.
1102 Delano St.
1116 Eleanor St.
1120 Eleanor St.
1142 Eleanor St.
1218 Eleanor St.
1307 Fort Branch Blvd.
1305 Fort Branch Blvd.
1309 Fort Branch Blvd.
1311 Fort Branch Blvd.
1313 Fort Branch Blvd.
1416 Fort Branch Blvd.
1418 Fort Branch Blvd.

Numerous vacant lots are available in the neighborhood that will probably be built out in the future. Although we did not consider these future traffic possibilities in our calculations at this time, we must be aware that development in the area will be continuing:

1214 Delano St.
5501 Harold Ct.
1124 Eleanor St.
1128 Eleanor St.
1138 Eleanor St.
1224 Eleanor St.
1412 Fort Branch Blvd.
1414 Fort Branch Blvd.