

ZONING CHANGE REVIEW SHEET

CASE: C14-2018-0060 – Leo Street Residential **Z.A.P. DATE:** July 17, 2018

ADDRESS: 8707 Leo Street

DISTRICT AREA: 5

OWNER: Georgian Whitenight and Leigh Mires

ZONING FROM: SF-2 **TO:** SF-3-CO **AREA:** 0.51 acres (22,215.60 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant family residence – conditional overlay (SF-3-CO) combining district zoning. The Conditional Overlay prohibits duplex residential use.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

July 17, 2018: *APPROVED SF-3-CO DISTRICT ZONING AS STAFF RECOMMENDED WITH AN ADDITIONAL –CO TO REQUIRE A 25-FOOT REAR SETBACK*

[B. EVANS; A. AGUIRRE – 2ND] (6-2) B. GREENBERG, J. KIOLBASSA – NAY, D. BREITHAUPT, S. LAVANI – ABSENT; 1 VACANCY ON THE COMMISSION

ISSUES:

The Castlewood – Oak Valley Neighborhood Association (adjacent to the east) has provided correspondence in opposition to the proposed rezoning. Comment response forms received also include support for the proposed rezoning. Please refer to correspondence attached to the back of this report.

DEPARTMENT COMMENTS:

The subject rezoning area is an undeveloped, platted lot that has access to Leo Street. The lot is surrounded by single family residences and two manufactured homes on large lots (SF-2; SF-1; DR). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).

The Applicant requests family residence – conditional overlay (SF-3-CO) district zoning in order to allow for the construction of a two family residence. The Applicant's proposed Conditional Overlay is to prohibit duplex residential use.

The requested SF-3-CO zoning would allow for one single family residence, plus a second detached unit not to exceed 1,100 square feet. Staff recommends the Applicant's request because the property meets the intent of the SF-3 district as it fronts onto a local residential street and is located within an existing single family neighborhood.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Undeveloped
<i>North</i>	SF-2	Single family residences
<i>South</i>	SF-2; DR	Single family residences
<i>East</i>	SF-1	Single family residences
<i>West</i>	SF-2	Single family residences; Two manufactured homes

AREA STUDY: N/A**TIA:** Is not required**WATERSHED:** Slaughter Creek**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** No**SCHOOLS:**

Cowan Elementary School Bailey Middle School Akins High School

NEIGHBORHOOD ORGANIZATIONS:

217 – Tanglewood Forest Neighborhood Association 511 – Austin Neighborhoods Council
 627 – Onion Creek Homeowners Association 943 – Save Our Springs Alliance
 742 – Austin Independent School District 1228 – Sierra Club, Austin Regional Group
 1363 – SEL Texas 1424 – Preservation Austin
 1429 – GO! Austin/Vamos! Austin (GAVA)-78745
 1443 – Shiloh Oaks Neighborhood Association 1528 – Bike Austin
 1530 – Friends of Austin Neighborhoods 1531 – South Austin Neighborhood Alliance
 1550 – Homeless Neighborhood Association 1559 – Palomino Park HOA
 1596 – TNR BCP – Travis County Natural Resources
 1616 – Neighborhood Empowerment Foundation

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-97-0066 - Castlewood-Oak Valley Neighborhood Association - 2211 - 2605 Toulouse Dr at Queenswood Dr	SF-2 to SF-1	To Grant	Apvd (8-21-1997).

RELATED CASES:

The rezoning area is platted as Lot 7, Charles Hoffman Subdivision, a subdivision approved in June 1959 (C8S-59-076). Please refer to Exhibit B.

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Leo Street	50 feet	20 feet	Collector	No	Yes, shared lane	Yes

CITY COUNCIL DATE: August 9, 2018**ACTION:****ORDINANCE READINGS:** 1st 2nd 3rd**ORDINANCE NUMBER:****CASE MANAGER:** Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov**PHONE:** 512-974-7719



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

Zoning Case
C14-2018-0060

EXHIBIT A



1" = 200'

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.



LEO STREET RESIDENTIAL

Exhibit A-1

ZONING CASE#: C14-2018-0060
 LOCATION: 8707 LEO STREET
 SUBJECT AREA: 0.51 ACRES
 GRID: E15
 MANAGER: WENDY RHOADES

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CREEK BUFFER

1" = 200'

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant family residence – conditional overlay (SF-3-CO) combining district zoning. The Conditional Overlay prohibits duplex residential use.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

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

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

Staff recommends the Applicant's request because the property meets the intent of the SF-3 district as it fronts onto a local residential street and is located within an existing single family neighborhood.

EXISTING CONDITIONS**Site Characteristics**

The rezoning area contains one undeveloped lot and has moderate vegetative cover. There appear to be no significant topographical constraints on the site.

Impervious Cover

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

Comprehensive Planning

This rezoning case is located on the east side of Leo Street, on a 0.51 acre property, which is undeveloped. The property is not located within the boundaries of a neighborhood planning area. Surrounding land uses include single family housing and a park to the north; single family housing to the south; single family housing and an elementary school to the west; and single family housing, a church, and a gas station/convenience store, an office center, and two Montessori schools to the east. The proposed use is a two-family residence.

Connectivity

There are no existing public sidewalks on either side of Leo Street but there is a public transit stop within 500 ft. walking distance from this property on Davis Lane. Davis Lane also has public sidewalks. There are no existing urban trails within walking distance to this property. The Walkscore for this property is **12/100, Car Dependent**, meaning most errands require a car.

Imagine Austin

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

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

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

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

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

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

Transportation

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

According to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a buffered bike lane is recommended for Leo Street. Mike Schofield, Bicycle Program, Austin Transportation Department may provide additional comments and requirements for right-of-way dedication and bicycle facility construction in accordance with LDC 25-6-55 and LDC 25-6-101. Please review the Bicycle Master Plan for more information.

Water / Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Rhoades, Wendy

From: Rhoades, Wendy
Sent: Tuesday, July 03, 2018 9:00 AM
To: 'Dr. Al Quin'
Subject: RE: Opposition to build on 8707 Leo St/ Case Number C14-2018-0060

Hello Ms. Hernandez,

Thank you for your correspondence. I spoke with the Applicant and they are proposing rezoning which allows for a second residential structure to be built on the property. City Code names this use as a two-family residence, but it is also commonly known as an accessory dwelling unit (ADU). The Applicant has proposed to prohibit duplexes which are otherwise permitted by the SF-3 zoning district.

I have scheduled this rezoning case for the July 17th Zoning and Platting Commission meeting (begins at 6 p.m.) and the August 9th City Council meeting (begins at 2 p.m.). Both meetings are held at City Hall in the Council Chambers. Notification of these public hearings will be mailed out this Friday, and will include a comment response form.

Sincerely,
Wendy Rhoades

From: Dr. Al Quin [mailto:alquin@cityofaustin.gov]
Sent: Monday, July 02, 2018 11:04 AM
To: Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>
Subject: Opposition to build on 8707 Leo St/ Case Number C14-2018-0060

Hello Ms. Rhoades,

I would like to oppose to building a 2 residential home on 8707 Leo St. As a home owner I would like our neighborhood to stay as a single family residency area.

Di Hernandez

PUBLIC HEARING INFORMATION

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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: C14-2018-0060

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: July 17, 2018, Zoning and Platting Commission;
August 9, 2018, City Council**

Marilyn Wilson
Your Name (please print)

8711 Lea Street

☒ I am in favor
☐ I object

Your address(es) affected by this application

Marilyn Wilson
Signature

Date

7-14-18

Daytime Telephone: 512-731-3442

Comments:

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

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Contact: Wendy Rhoades, 512-974-7719

Public Hearings: July 17, 2018, Zoning and Platting Commission;

August 9, 2018, City Council

Angelica Wilson
 Your Name (please print)

8708 Leo St. Austin TX 78745
 Your address(es) affected by this application

☒ I am in favor
☐ I object

Agnes De
 Signature

Daytime Telephone: *512-560-5153*

Comments: *Georgian and Leigh have shared their ideas & plans with us from the beginning. Since buying the property they have made many positive improvements. Their building plans are not intrusive - they were thoughtfully done to fit with our street. We are happy to welcome them.*

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 Wendy Rhoades
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 Austin, TX 78767-8810

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Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: July 17, 2018, Zoning and Platting Commission;
August 9, 2018, City Council**

Colin Kaslow

Your Name (please print)

☒ I am in favor
☐ I object

Your address(es) affected by this application

Colin Kaslow

Signature

7/16/18

Date

Daytime Telephone: *(512) 619-4390*

Comments:

With the understanding that no duplex is going up - I am in favor.

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



July 17, 2018

Planning & Zoning Department
Attn: Wendy Rhoades
PO Box 1088
Austin, TX 78767-8810

Re: Case Number C14-2018-0060 - 8707 Leo Street

To all it may concern,

I am writing on behalf of our neighbors on Collingwood and the Castlewood Oak Valley Neighborhood Association as a whole to express our position against the up-zoning of 8707 Leo Street. It's current designation as SF2 conforms with the rest of the neighborhood and we believe that it should continue forward with it's single family designation. An SF3 designation would allow for a second unit of up to 1100 sq ft which would make it a two-unit property, bumping the second structure uncomfortably close to the rear boundaries of our neighbors on Collingwood. In addition, we are concerned about potential flooding risks and the dangers that could pose to Castlewood Oak Valley homes and mature trees as two units are placed on the property.

My sincerest apologies for not being able to attend in person in defense of our position, but please know that this matter holds our utmost attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Nelly Paulina Ramirez", written over the word "Sincerely,".

Nelly Paulina Ramirez
Vice President
Castlewood Oak Valley
nelly.ramirez@me.com
512-609-9505

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Case Number: C14-2018-0060

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: July 17, 2018, Zoning and Platting Commission;
August 9, 2018, City Council**

JAMES M THOMAS
Your Name (please print)

8002 OAK LEDGE DR. 78748
Your address(es) affected by this application

James M Thomas
Signature

7-9-2018
Date

512-658-6632
Daytime Telephone

Comments: WE ARE AGAINST CHANGING ANY OF THESE SF-2 LOTS IN OUR NEIGHBORHOOD TO SF-3-CO. WE ARE A NEIGHBORHOOD OF SINGLE FAMILY HOMEOWNERS. THIS IS ONE OF THE SMALLEST, NARROW LOTS IN OUR NEIGHBORHOOD. CHANGING THIS LOT WOULD OPEN A FLOODGATE OF DEVELOPERS WANTING TO BREAK UP OUR LOTS FOR DUPLEX & MULTI-FAMILY DEVELOPMENT. PLEASE, DENY THIS REQUEST.

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

☐ I am in favor
☒ I object

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Case Number: C14-2018-0060

Contact: Wendy Rhoades, 512-974-7719

**Public Hearings: July 17, 2018, Zoning and Platting Commission;
August 9, 2018, City Council**

Felicia Thomas
Your Name (please print)

8602 Oak Ledge Dr

Your address(es) affected by this application

Wendy Rhoades
Signature

Date

7/19/18

Daytime Telephone: 512-280-1292

Comments:

Need to keep area jungle family

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

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Contact: Wendy Rhoades, 512-974-7719

Public Hearings: July 17, 2018, Zoning and Platting Commission;

August 9, 2018, City Council

Linda Blansit

Your Name (please print)

8701 Collingwood Dr. Austin 78748

Your address(es) affected by this application

Linda Blansit

Signature

7-15-2018

Date

Daytime Telephone: 512-431-4222

Comments: I want all of the zoning

close to my home remain single-family housing.

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