

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2019-0018 – Villa Denese

DISTRICT: 3

ZONING FROM: CS-MU-CO-NP

TO: MH-NP

ADDRESS: 4511 Lucksinger Lane

SITE AREA: 7.3591 acres

PROPERTY OWNER: Villa Denese MHP, LLC

CASE MANAGER: Wendy Rhoades (512-974-7719, wendy.rhoades@austintexas.gov)

STAFF RECOMMENDATION:

**The Staff recommendation is to grant mobile home residence – neighborhood plan (MH-NP) combining district zoning.** *For a summary of the basis of Staff's recommendation, see case manager comments.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

**May 28, 2019:**

CITY COUNCIL ACTION:

**June 20, 2019:**

ORDINANCE NUMBER:

ISSUES:

The South Congress Combined Neighborhood Plan Contact Team has provided correspondence in support of the proposed rezoning, and is attached at the back of this packet.

On August 23, 2018, City Council adopted a resolution with the intent of reducing the risk of mobile home park displacement by rezoning existing, licensed mobile home parks to Mobile Home (MH) zoning district if the park was not already zoned MH. The August 23<sup>rd</sup> resolution listed three mobile home parks, and a later resolution adopted by Council on September 20, 2018, added 20 more mobile home parks to the list. With these two resolutions, City Council instructed the Planning and Zoning Department to initiate and process these rezoning cases. ***Please see Exhibit C – Approved Council Resolution.***

CASE MANAGER COMMENTS:

The subject lot is located on Lucksinger Lane, developed with a mobile home park and contains mobile homes, and is zoned general commercial services – mixed use – conditional overlay – neighborhood plan (CS-MU-CO-NP) combining district. Aerial photography from

1976 shows manufactured homes on the property. The CS-MU-CO-NP district does not permit the mobile home park land use, and consequently, the mobile home park is not an allowed land use per City Code.

There commercial and industrial uses to the north and east, and single family residences to the south. West of Lucksinger Lane, there are commercial uses which have South Congress Avenue frontage, including some tracts which have site plan approvals for vertical mixed use building development. *Please see Exhibits A and A-1—Zoning Map and Aerial Exhibit.*

#### BASIS OF RECOMMENDATION:

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

The mobile home residence (MH) zoning district is intended to provide locations for development of mobile home residence parks and mobile home subdivisions, with standards that ensure a residential environment and compatibility with adjoining family residence neighborhoods.

2. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

The City Council approved Resolutions No. 20180823-078 and 20180920-096 in order to identify and direct the Staff to initiate the rezoning process for properties that contain a mobile home residence park or a mobile home subdivision use to the appropriate MH, Mobile Home Residence zoning district.

3. *Zoning should allow for reasonable use of the property.*

The proposed MH zoning will bring the existing mobile home park use on the property into conformance with Land Development Code use regulations.

#### EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO-NP	Mobile home park
<i>North</i>	LI-NP	Construction sales and services; Service station; Automotive repair; Small-scale multi-family residential (8 units); Industrial warehouses and distribution services; Sign company; Convenience storage
<i>South</i>	SF-2-NP	Single family residences in the Greenwood Hills Section 1 subdivision
<i>East</i>	LI-CO-NP	Manufacturing
<i>West</i>	CS-MU-V-CO-NP	Auto repair; Convenience storage; Service station; Commercial shopping center with personal services, personal improvement

		services, alternative financial services, offices and food sales; Battle Bend Park
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NEIGHBORHOOD PLANNING AREA: South Congress Combined (East Congress)

TIA: Is not required

WATERSHED: Williamson Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Galindo Elementary School    Bedichek Middle School    Travis High School

NEIGHBORHOOD ORGANIZATIONS:

9 – Battle Bend Springs Homeowners Association  
 96 – Southeast Corner Alliance of Neighborhoods (SCAN)  
 352 – Greenwood Hills – Colonial Park Neighborhood Association  
 511 – Austin Neighborhoods Council                      627 – Onion Creek Homeowners Assoc.  
 742 – Austin Independent School District  
 1173 – South Congress Combined Neighborhood Plan Contact Team  
 1228 – Sierra Group, Austin Regional Group                      1363 – SEL Texas  
 1424 – Preservation Austin                      1429 – Go!Austin/Vamos!Austin (GAVA) – 78745  
 1528 – Bike Austin                      1530 – Friends of Austin Neighborhoods  
 1531 – South Austin Neighborhood Alliance                      1550 – Homeless Neighborhood Association  
 1578 – South Park Neighbors                      1616 – Neighborhood Empowerment Foundation

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2017-0133 – 4401 S Congress Rezoning	CS-MU-NP to CS-MU-V-NP	To Grant CS-MU-V- CO-NP w/CO prohibiting access to S Congress Ave and conds of r-o-w dedication on S Congress Ave	Apvd CS-MU-V-CO- NP as PC rec (3-8- 2018). <u>Note:</u> Staff deferred R-O-W dedication to site plan
C14-2017-0132 – 4515 South Congress Rezoning – 4515 S Congress Ave; 134 Sheraton Ave	CS-MU-NP; CS- MU-CO-NP to CS-MU-V-NP	To Grant CS-MU-V- CO-NP w/CO for list of prohibited uses and 2,000 trips/day	Apvd CS-MU-V-CO- NP as Commission recommended but remove the –CO for the 2,000 vehicle trip limit (6-14-2018).
C14-2016-0106 – 4411 S Congress Ave and 4510 Lucksinger Ln	CS-MU-NP to CS-MU-V-NP	To Grant CS-MU-V- NP w/addl conds to provide 10% rental units at 60% MFI w/a unit mix reflecting the	Apvd CS-MU-V-CO- NP w/CO for 60’ height limit (4-13- 2017).

		makeup of the units as the rest of the devt and all amenities will be available to the residents of the affordable units	
C14-2007-0234 – South Urban Lofts – 4367 S Congress Ave	CS-MU-CO-NP; MF-6-NP to CS-MU-CO-NP; MF-6-CO-NP, to change a condition of zoning	To Grant CS-MU-CO-NP for first 15'; MF-6-CO-NP for 15-90', w/CO for 2,000 trips/day; 90% impervious cover, limit of 25 spaces in a surface parking facility, and list of prohibited uses	Apvd CS-MU-CO-NP; MF-6-CO-NP as Commission recommended (3-20-2008).
C14-07-0009 – South Urban Lofts – 4367 S Congress Ave	CS-NP to CS-MU-CO-NP ; MF-6-NP	To Grant CS-MU-CO-NP for first 60'; MF-6-NP for 60-90' w/CO for 2,000 trips/day; 90% impervious cover, limit of 25 spaces in a surface parking facility, and list of prohibited uses	Apvd CS-MU-CO-NP; MF-6-CO-NP as Commission recommended, w/ Restrictive Covenant for minimum 2-star Green Building requirement (6-07-2007).

RELATED CASES:

The East Congress Neighborhood Plan Area rezonings were completed under the City of Austin's Neighborhood Planning Program and was adopted as part of the Austin Tomorrow Comprehensive Plan on August 28, 2005 (NP-05-0020; C14-05-0107 – Ordinance No. 20050818-Z004). The property consists of a portion of Tract 120 that was rezoned from LI to CS-MU-CO-NP with the CO requiring a 30-foot wide vegetative buffer adjacent to the adjacent SF-3-NP zoned residences. As part of the East Congress Neighborhood Plan Rezonings, the neighborhood mixed use building and the neighborhood urban center special uses were adopted for Tract 120.

The property is platted as Lot 5, Benoit – Bailey Addition, a subdivision recorded in October 1959 (C8s-71-247).

EXISTING STREET CHARACTERISTICS:

Name	ROW	Pavement	Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Lucksinger Lane	75 ft.	22 ft.	Collector	None	None	Route 1; Route 486; Route 801

OTHER STAFF COMMENTS: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.

At this time, site specific information is unavailable regarding 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

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

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.

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

The site is subject to compatibility standards. Along the southern property line, the following standards apply:

- No structure may be built within 25 feet of this property line.
- No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.
- No parking or driveways are allowed within 25 feet of the property line.
- A fence, berm, or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property line.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining SF-2 properties.

**MH Zoning:**

In accordance with LDC Section 25-2-1205, a manufactured home park must comply with the following site development regulations:

- A minimum site area of 90,000 s.f. and a minimum of 20 mobile home spaces
- A minimum of 4,500 s.f. of site area for each dwelling unit
- A minimum street yard of 25 feet and a minimum interior yard of 15 feet. A mobile home may not be placed in a street yard.
- Direct access to a public street with a r-o-w at least 60 feet wide
- Private, paved internal streets at least 30 feet wide. The streets must be continuous and connect with other internal streets or with public streets, or provide a paved cul-de-sac with an 80 foot diameter. Streets ending in cul-de-sacs may not exceed 400 feet.
- A mobile home space must contain at least 2,500 s.f. adjacent to an internal street in order to provide adequate space for moving a mobile home into and out of the space.
- Each mobile home space must have at least one parking space. Additional spaces may be located in one or more common parking areas spread throughout the park.
- A mobile home and an attached accessory structure must be located at least 10 feet from another mobile home or other structure.
- A mobile home stand must be separated from the pavement of an internal street, common parking area, or other common areas by a minimum of 10 feet.



- A minimum of 300 s.f. of open space for each unit is required, with at least 150 s.f. located on each manufactured home space. Open space that is not located on a manufactured home space may be located on common open space areas distributed throughout the park in a manner that provides reasonable/convenient access to each manufactured home space.
- A barrier at least 6 feet tall must be installed and maintained along all boundaries of the park, except where abuts a public right-of-way or another mobile home development.
- A mobile home chassis may not rest more than 3' above ground elevation at the low end, measured at 90 degrees to the frame.
- A required street yard must be landscaped.
- A park must provide pedestrian access to and from each mobile home space and all common facilities. A walkway that is designed separately from internal streets or parking areas must have a minimum paved width of 2 feet.
- The maximum height of a structure is 35 feet.

#### Transportation

Per Council Resolution No. 20180823-078, the Planning and Zoning Department has initiated rezoning cases for existing mobile home parks that do not have MH zoning.

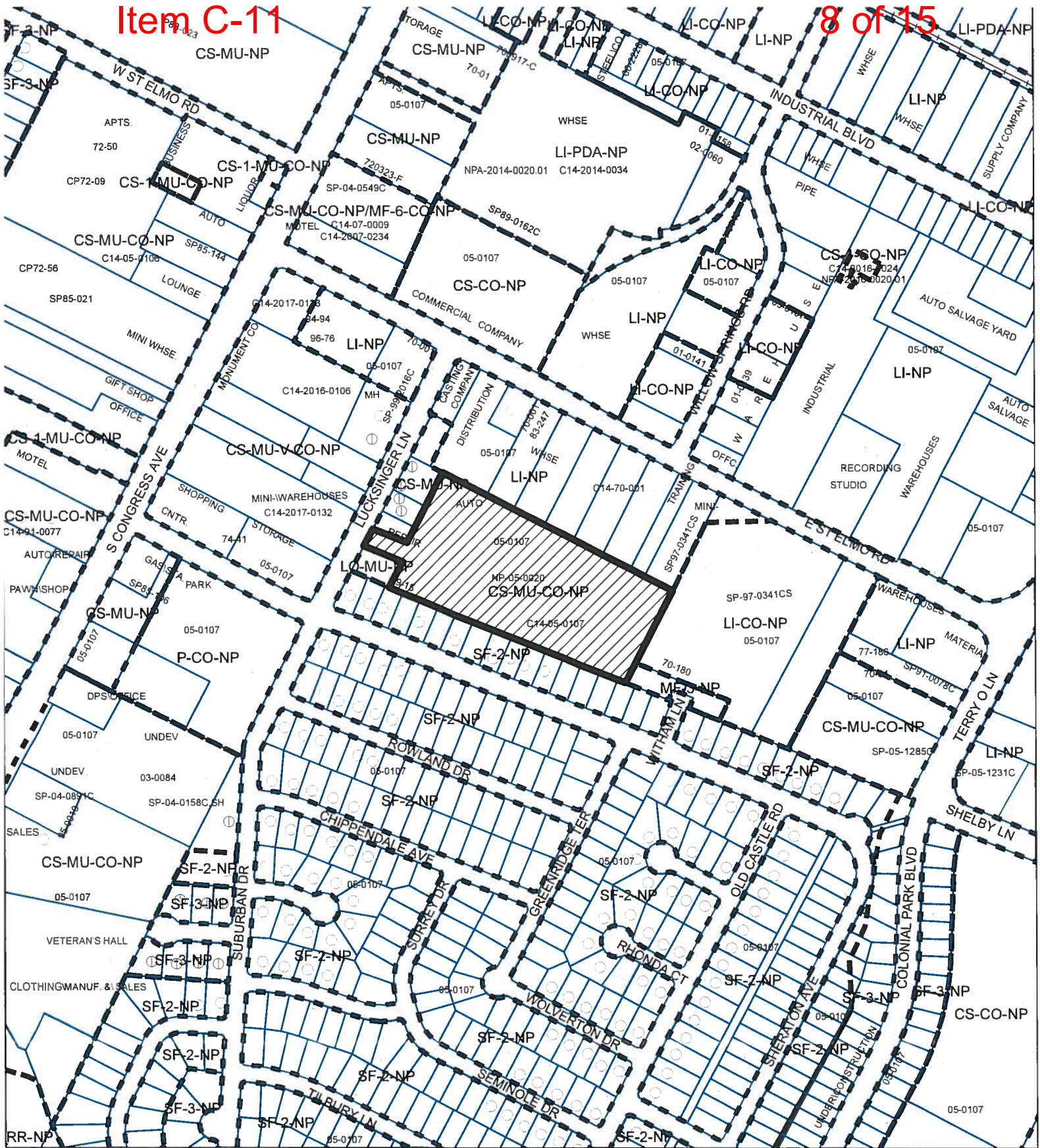
Additional right-of-way may be required at the time of subdivision and/or site plan.

#### Austin Water Utility

FYI: 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.

#### INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- A-1: Aerial Map
- B: Recorded Plat
- C: Council Resolution



## ZONING

Exhibit A

ZONING CASE#: C14-2019-0018



- SUBJECT TRACT
- PENDING CASE
- ZONING BOUNDARY

1" = 400'

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


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



Created: 1/23/2019





 SUBJECT TRACT

### Villa Denese

LOCATION: 4511 Lucksinger Lane  
 SUBJECT AREA: 7.3591 Acres  
 GRID: H17, H18  
 MANAGER: Wendy Rhoades

*Exhibit A-1*



1" = 300'

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.



Item C-11

10 of 15

CBs: 71-242

THE STATE OF TEXAS  
COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS: That Francis E. Benoit and Herndon C. Bailey, Jr., owners of that certain 2.974 acre tract of land shown as Block 2 of the Isaac Decker League in the City of Austin, Travis County, Texas, and being a portion of Lots No. 5 and 6 in Blockers Addition to the City of Austin, Texas, subdivision in the Plat Records of Travis County, Texas, Book 2 at page 624 of the Plat Records of Travis County, Texas, do hereby certify that the said tract, conveyed to us by deed of record in Volume 4127 at page 246 of the Plat Records of Travis County, Texas, in accordance with this plat to be known as the BENOIT - BAILEY ADDITION, and do hereby dedicate to the public the streets and easements shown hereon.

WITNESS OUR HANDS, this the 14<sup>th</sup> day of October, A.D., 1971.  
*Francis E. Benoit*  
Francis E. Benoit  
*Herndon C. Bailey, Jr.*  
Herndon C. Bailey, Jr.

THE STATE OF TEXAS  
COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, a Notary Public in and for Travis County, Texas, on this day personally appeared Francis E. Benoit and Herndon C. Bailey, Jr., known to me to be the persons whose names are subscribed to the foregoing instrument, and they acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacities therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 14<sup>th</sup> day of October, A.D., 1971.  
*Richard K. Little*  
Richard K. Little, Notary Public, in and for Travis County, Texas

APPROVAL: FOR ACCEPTANCE:

Date 29 October 1971  
Richard K. Little, Director of Planning  
ACCEPTED AND AUTHORIZED FOR RECORD BY THE PLANNING COMMISSION, CITY OF AUSTIN, TEXAS, this the 29<sup>th</sup> day of October, A.D., 1971.  
*C. L. Rouns*  
C. L. Rouns, Chairman

FILED FOR RECORD at 2:00 o'clock P.M., this the 29<sup>th</sup> day of November, A.D., 1971.  
*Doris Shropshire*  
Doris Shropshire, Clerk, County Court, Travis County, Texas

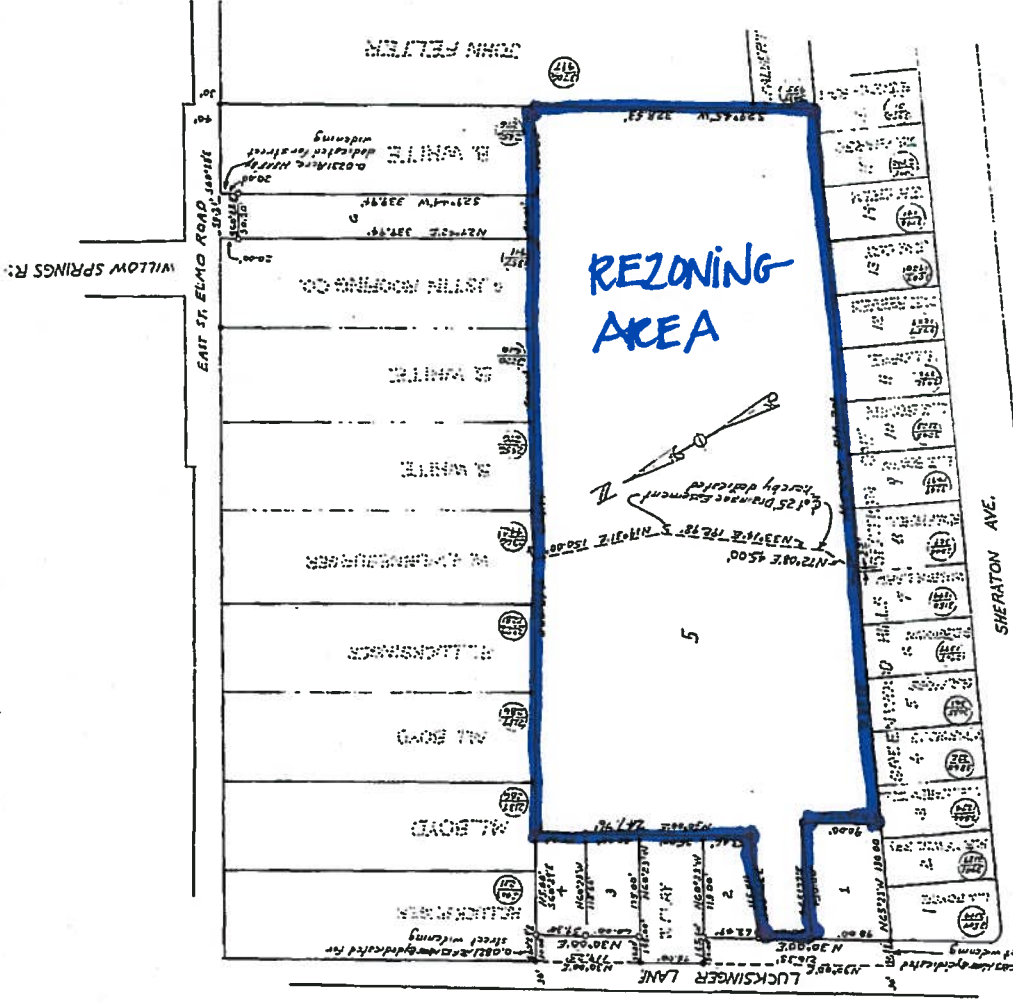
THE STATE OF TEXAS  
COUNTY OF TRAVIS

I, Doris Shropshire, Clerk of the County Court within and for the State and County aforesaid, do hereby certify that the foregoing instrument of writing with its Certificate of Authentication, was filed for record in my office on the 29<sup>th</sup> day of November, A.D., 1971, at 2:00 o'clock P.M., and duly recorded in the Plat Records of said County in Plat Book 572 page 13.

*Doris Shropshire*  
Doris Shropshire, Clerk, County Court, Travis County, Texas

This is to certify that Austin City Code, Chapter 23.27 of 1954 has been complied with.

Surveyed By: *Doris Shropshire*  
L.G. Filar  
Registered Public Surveyor  
for Hunter Associates - Austin, Texas  
Date September 4, 1971



- LEGEND
- IRON PIPE SET
  - STEEL PIN FOUND
  - BOOK & PAGE NUMBERS

BENOIT - BAILEY ADDITION

EXHIBIT B  
RECORDED PLAT

**RESOLUTION NO. 20180920-096**

**WHEREAS**, On August 23, 2018, Council adopted Resolution No. 20180823-078, which in part, directed the City Manager to identify all remaining properties currently being used as mobile home residence park or mobile home subdivision, but not zoned mobile home residence (MH) district and submit the properties to Council for initiation of the appropriate zoning cases; and

**WHEREAS**, staff identified 20 remaining properties meeting the description in Resolution No. 20180823-078;

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Council initiates the zoning, rezoning, and where appropriate, future land use map (FLUM) amendments for the following properties:

(1) Royal Palms MH Community located at 7901 East Ben White Boulevard, Austin, Texas, from general commercial services-neighborhood plan (CS-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(2) Palm Harbor Homes MH Park located at 810 Bastrop Highway Southbound, Austin, Texas, from general commercial services-neighborhood plan (CS-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(3) Go-Go MH Park located at 4811 South Congress Avenue, Austin, Texas, from general commercial services-mixed use-conditional overlay-neighborhood

plan (CS-MU-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(4) Phan MH Park located at 711 West Powell Lane, Austin, Texas, from general commercial services-mixed use-vertical mixed use building-conditional overlay (CS-MU-V-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(5) Aero Mobile Home Park located at 101 Hergotz Lane, Austin, Texas, from family residence (SF-3) district to mobile home residence (MH) district;

(6) Tejas Mobile Plaza located at 1709 East State Highway 71 Westbound, Austin, Texas, from community commercial (GR) district and neighborhood commercial (LR) district to mobile home residence (MH) district;

(7) Templeton MH Park located at 401 Chaparral Road, Austin, Texas, from single-family residence standard lot (SF-2) district to mobile home residence (MH) district;

(8) Villa Denese located at 4511 Lucksinger Lane, Austin, Texas, from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(9) Mobile Home Haven located at 11606 North Lamar Boulevard, Austin, Texas from public (P) district to mobile home residence (MH) district;

(10) Congress MH/RV Park located at 6111 South Congress Avenue, Austin, Texas from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;



(11) Jensen's MH Park located at 3201 Burleson Road, Austin, Texas from family residence-neighborhood plan (SF-3-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(12) Little Texas MHC located at 7501 Bluff Springs Road, Austin, Texas, from interim-rural residence (I-RR) district to mobile home residence (MH) district;

(13) Woodview MHC, LLC located at 1301 West Oltorf Street, Austin, Texas, from general commercial services (CS) district to mobile home residence (MH) district;

(14) Cameron Loop Mobile HP located at 2807 Cameron Loop, Austin, Texas, from rural residence (RR) district to mobile home residence (MH) district;

(15) Capitol Manor Mobile Home Park, LLC located at 1308 Thornberry Road, Austin, Texas, from interim-rural residence (I-RR) district to mobile home residence (MH) district;

(16) Patton Courts Mobile Home Park located at 7100 East US Highway 290, Austin, Texas, from general commercial services-neighborhood plan (CS-NP) combining district, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district, and townhouse and condominium residence (SF-6) district to mobile home residence-neighborhood plan (MH-NP) combining district;

(17) Lee Hill Park located at 8001 Lee Hill Drive, Austin, Texas from warehouse limited office-neighborhood plan (W/LO-NP) combining district and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district to mobile home residence-neighborhood plan (MH-NP) combining district;

(18) Wallace Trailer Park located at 423 Thompson Lane, Austin, Texas, from general commercial services-conditional overlay (CS-CO) combining district to mobile home residence (MH) district;

(19) Austin Pecan Park located at 2815 East State Highway 71 Westbound Service Road, Austin, Texas, from rural residence (RR) district, interim single-family residence standard lot (I-SF-2) district, and development reserve (DR) district to mobile home residence (MH) district;

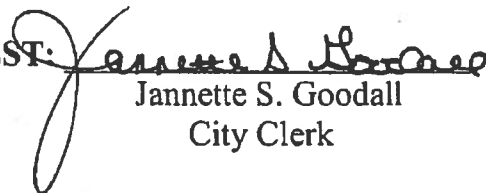
(20) Honeycomb Park located at 6402 McNeil Drive, Austin, Texas, from interim-rural residence (I-RR) district to mobile home residence (MH) district.

**BE IT FURTHER RESOLVED:**

The City Council initiates City Code Title 25 amendments, as necessary, to implement the zoning changes.

**ADOPTED:** September 20, 2018

**ATTEST:**

  
Jannette S. Goodall  
City Clerk

DATE: May 21, 2019

TO: City of Austin Zoning Case Files

C/O: Maureen Meredith [Maureen.meredith@austintexas.gov](mailto:Maureen.meredith@austintexas.gov)

CC: Wendy Rhoades [Wendy.Rhoades@austintexas.gov](mailto:Wendy.Rhoades@austintexas.gov)

FROM: South Congress Neighborhood Plan Contact Team – SCCNPCT

RE: NPA-2019-0020.01\_4511 Lucksinger Ln  
C14-2019-0018\_Associated zoning case  
NPA-2019-0020.02\_4811 S. Congress Ave.  
C14-2019-0025\_Associated zoning case  
NPA-2019-0020.03\_6111 S. Congress Ave.  
C14-2019-0027\_Associated zoning case

Please ensure this letter is added to the above case files to serve as the South Congress Combined Neighborhood Plan Contact Team's (SCCCPCT) support for the residents and families of these MH communities, and officially state the SCCNPCT's support for the city's mobile home NPA zoning, specifically these cases above which lie within the SCCNPCT area.

The SCCNPCT is always looking for true affordable housing for families and children living within contact team area and in all of Austin, Texas.

Mobile homes within the SCCNPCT area provide affordable housing (MFI 40%-50%) not seen with any developments previously planned or currently underway in all of the SCCNPCT area.

This is of important concern to the SCCNPCT and therefore we agree with the city's move to preserve these mobile home communities so that families and residents of all socio-economic means have nearby access within their neighborhoods and core communities to live, work, play and flourish.

Please contact us if we can provide anything more.

Thank you,

Mario Cantu [mariocantu@myworkroom.com](mailto:mariocantu@myworkroom.com)

Keena Miller [keena-miller@gmail.com](mailto:keena-miller@gmail.com)

Michael Fossum [mfossum@austin-ra.com](mailto:mfossum@austin-ra.com)